

*“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 28, 2014 at 4:00 p.m. 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 cell phones and pagers.*)

A G E N D A

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations:

PUBLIC HEARINGS

1. A public hearing will be held to consider a change of zone for property north of 74th Street NE and east of Crescent View Drive NE from R-3, Single Family Residence Zone District to RMF-1, Multiple Family Residence Zone District as requested by Abode Construction, Inc. and Phyllis M. Rausch. (Joe Mailander)
 - a. First Reading: Ordinance granting a change of zone for property north of 74th Street NE and east of Crescent View Drive NE from R-3, Single Family Residence Zone District to RMF-1, Multiple Family Residence Zone District as requested by Abode Construction, Inc. and Phyllis M. Rausch. CIP/DID #RZNE-006757-2013
2. A public hearing will be held to consider a change of zone for property at 4001 and 4009 Blairs Ferry Road NE from A, Agriculture Zone District to C-2, Community Commercial Zone District as requested by Buffalo Evangelical United Brethren Church. (Joe Mailander)
 - a. First Reading: Ordinance granting a change of zone for property at 4001 and 4009 Blairs Ferry Road NE from A, Agriculture Zone District to C-2, Community Commercial Zone District as requested by Buffalo Evangelical United Brethren Church. CIP/DID #RZNE-006769-2013

3. A public hearing will be held to consider a change of zone for property at 418 9th Street NW, 420 9th Street NW, 424 9th Street NW and 428 9th Street NW from RMF-1, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Richard J. and Michelle L. Lindemann. (Joe Mailander)
 - a. First Reading: Ordinance granting a change of zone for property at 418 9th Street NW, 420 9th Street NW, 424 9th Street NW and 428 9th Street NW from RMF-1, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Richard J. and Michelle L. Lindemann. CIP/DID #RZNE-007160-2013
4. A public hearing will be held to consider the vacation of an interim drainage easement located at 551 West Side Place SW as requested by West Side Property 103, LLC. (Rita Rasmussen)
 - a. Resolution vacating an interim drainage easement located at 551 West Side Place SW as requested by West Side Property 103, LLC. CIP/DID #41-14-020
5. A public hearing will be held to consider the continuation of the disposition of excess City-owned property described as 12 non-conforming vacant lots. (Rita Rasmussen)
 - a. Resolution authorizing the disposition of excess City-owned property described as 12 non-conforming vacant lots. CIP/DID #3302500004
6. A public hearing will be held to consider public comments regarding identification of community development needs, program funding for development of proposed activities and program performance for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs, prior to developing an Annual Action Plan for the period of July 1, 2014 to June 30, 2015. (Paula Mitchell) CIP/DID #246513
7. A public hearing will be held to consider the disposition of excess City-owned property at 1100 3rd Street SE and an approximately 48,000 square foot portion of 400 12th Avenue SE located in the Consolidated Central Urban Renewal Area. (Jennifer Pratt) CIP/DID #281736
8. A public hearing will be held to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to allow on-premise digital display signs to display full motion video as a conditional use in certain zone districts. (Seth Gunnerson)
 - a. First Reading: Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to allow on-premise digital display signs to display full motion video as a conditional use in certain zone districts. CIP/DID #817382
9. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the FY 2014 Curb Repair Project – Contract 1 project (estimated cost is \$320,000). (Doug Wilson)
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the FY 2014 Curb Repair Project – Contract 1 project. CIP/DID #301998-04

PUBLIC COMMENT

If you wish to address the City Council on any subject pertaining to City Council action scheduled for today, please use the sign-up sheet (next to the agendas) located on the table outside the Council Chambers. Please approach the microphone when called upon.

MOTION TO APPROVE AGENDA

CONSENT AGENDA

***Note: These are routine items, some of which are old business and some of which are new business and will be approved by one motion without separate discussion unless Council requests an item be removed to be considered separately.**

10. Motion to approve minutes.

11. Motions setting public hearing dates for:

- a. February 11, 2014 – to consider the vacation and disposition of public ways and grounds described as a 9,252 square foot parcel of excess 10th Avenue SW right-of-way located adjacent to and northeasterly of vacated 11th Street SW as requested by Cargill, Inc.; CIP/DID #41-13-029
- b. February 11, 2014 – to consider amending the Future Land Use Map in the City's Comprehensive Plan from Office and Low Density Residential to Commercial and to consider a change of zone for property at 3135 J Street SW from R-3, Single Family Residence Zone District and O-S, Office/Service Zone District to C-3, Regional Commercial Zone District as requested by JKLR LLC and James M. Hoke; CIP/DID #FLUMA-007527-2013
- c. March 11, 2014 – to consider a request by Acme Electric Company, Inc. for an Urban Revitalization Area designation at 1008 2nd Street SE, 1012 2nd Street SE, 1024 2nd Street SE, and 208 11th Avenue SE; CIP/DID #865223
- d. March 11, 2014 – to consider a request by Armar Ventures, LC for an Urban Revitalization Area designation for new construction to be located adjacent and to the east of 4850 Armar Drive SE; CIP/DID #1040575
- e. March 11, 2014 – to consider a request by Auxiant for an Urban Revitalization Area designation for the expansion of an existing building at 424 1st Avenue NE; CIP/DID #1040577
- f. March 11, 2014 – to consider a request by Fleck Sales Company for an Urban Revitalization Area designation for the construction of an addition to the Fleck Sales Company facility at 11125 High Life Court SW; CIP/DID #1040572
- g. March 25, 2014 – to consider the Section 8 Housing Choice Voucher (HCV) Program Public Housing Agency (PHA) 5-Year Plan, Annual Plan and amendments to the PHA Administrative Plan which includes the Family Self-Sufficiency Action Plan and the Homeownership Option Plan. CIP/DID #363680

12. Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for February 11, 2014, and advertising for bids by publishing notice to bidders for the Ushers Ferry Lodge project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on February 19, 2014 (estimated cost is \$1,180,000). CIP/DID #PRE136-20
13. Motion authorizing publication of a public notice that on February 11, 2014 a Resolution will be considered to execute a Rental Agreement with Koch Brothers for the rental of one Lanier digital copier for the City Clerk's Office. CIP/DID #1213-113
14. Motion authorizing publication of a public notice that on February 11, 2014 a Resolution will be considered to execute a Land Lease Agreement in the amount of \$1 with Interstate Power and Light Company (an Iowa Corporation) for the rental of the parking lot at 430 16th Avenue SW. CIP/DID #1039448
15. Motion approving the beer/liquor/wine applications of: CIP/DID #1035103
 - a. Chrome Horse Slop House & Saloon, 1202 3rd Street SE;
 - b. Clarion Hotel & Convention Center, 525 33rd Avenue SW;
 - c. Club Basix, 3916 1st Avenue NE;
 - d. Downtown Drug, 207 2nd Avenue SE;
 - e. Flamingo, 1211 Ellis Boulevard NW;
 - f. Hy-Vee Food Store #7, 5050 Edgewood Road NE;
 - g. Irish Democrat, 3207 1st Avenue SE;
 - h. Kazoku Asian Cuisine, 221 2nd Avenue SE (new – formerly Cafe' Bella);
 - i. Kwik Shop #560, 3301 J Street SW;
 - j. Kwik Shop #561, 2904 Center Point Road NE;
 - k. Kwik Shop #563, 1001 1st Avenue SW;
 - l. Kwik Shop #565, 4201 Center Point Road NE;
 - m. Lion Bridge Brewing Company, 59 16th Avenue SW (new – formerly retail space);
 - n. May City Bowl, 1648 Trent Street SW;
 - o. Osaka Japanese Steakhouse & Sushi Bar, 5001 1st Avenue SE;
 - p. Sip N Stir, 1119 1st Avenue SE (new – new ownership);
 - q. St. Andrews Golf Club, 1866 Blairs Ferry Road NE;
 - r. St. Pius & Elizabeth Ann Seton School, 4901 Council Street NE (5-day permit for an event on February 7, 2014 at St. Pius Church X, 4949 Council Street NE);
 - s. Tomaso's Pizza World Headquarters, 3234 Center Point Road NE;
 - t. Vault, 208 2nd Avenue SE;
 - u. Viking Lounge, 1971 16th Avenue SW.
16. Resolutions (2) approving payment of bills and payroll. CIP/DID #1035102
17. Resolutions approving assessment actions:
 - a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 38 properties; CIP/DID #1037177
 - b. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 19 properties. CIP/DID #1002065

18. Resolutions accepting projects, approving Performance Bonds and/or authorizing issuance of final payments:
 - a. Williams Boulevard SW (U.S. Bus. 151/IA 922) At Wiley Boulevard SW And Edgewood Road SW Intersection Improvements project, final payment in the amount of \$26,480.35 and approving the 4-year Performance Bond submitted by Pirc-Tobin Construction, Inc. (original contract amount was \$540,065.90; final contract amount is \$529,606.99); CIP/DID #301676-01
 - b. Cedar Rapids Convention Complex – General project, final payment in the amount of \$6,020.50 and approving 2-year Performance Bond submitted by Miron Construction Company, Inc. (original contract amount was \$28,273,698; final contract amount is \$29,850,779). CIP/DID #535100-23
19. Resolution establishing an easement for sanitary sewer, easement for storm sewer and easement for water main on City-owned property located on part of vacated B Street SW, east of 62 16th Avenue SW, in connection with the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration project (**FLOOD**). CIP/DID #SSD103-00
20. Resolution approving final plat of CWP Industrial Park First Addition for property located at 4700 Bowling Street SW. CIP/DID #FLPT-007148-2013
21. Resolution amending Resolution No. 1777-11-13 which vacated a 60-foot wide road reservation and utility easement as requested by Cottage Ridge, L.L.C. to correct a scrivener's error in the legal description. CIP/DID #41-14-016
22. Resolution authorizing the use of up to \$263,773,493 in sales tax revenue over 20 years for the funding of flood mitigation in Cedar Rapids (**FLOOD**). CIP/DID #987556
23. Resolution authorizing a Systems Analyst Supervisor and a Systems Analyst to attend the Intergraph Computer Aided Dispatch Administration Training in Huntsville, Alabama for a total amount of \$12,500. CIP/DID #1038769
24. Resolutions approving actions regarding Purchases/Contracts/Agreements:
 - a. Amendment No. 1 to renew Contract for Low and Medium Voltage Electrical Services with ESCO Electric for the Water Pollution Control Facility for an estimated amount of \$140,000 (original contract amount was \$140,000; renewal contract amount is \$140,000); CIP/DID #0112-126
 - b. Amendment No. 5 to renew Agreement for Traffic Signal Equipment with Brown Traffic Products, Inc. for the Traffic Engineering Division for an amount not to exceed \$250,000 (original contract amount was \$45,000, renewal contract amount is \$250,000); CIP/DID #1109-110
 - c. Change Order No. 5 in the amount of \$14,086.86, plus an additional 1.25 days, with Rathje Construction Company for the Bever-Linden-Blake SE Area Water Main Improvements – Phase II project (original contract amount was \$941,580.60; total contract amount with this amendment is \$1,025,515.27); CIP/DID #2011025-03
 - d. Change Order No. 3 in the amount of \$749.14 with Horsfield Construction, Inc. for the Bever Avenue SE from Indiandale Road SE to 200 feet East of Lost Valley Road SE Reconstruction project (original contract amount was \$519,440.45; total contract amount with this amendment is \$584,728.19); CIP/DID #301380-02

- e. Change Order No. 7 in the amount of \$19,191.55 with Rathje Construction Company for the Bever Avenue SE Rehabilitation From Memorial Drive SE to 34th Street SE project (original contract amount was \$1,529,777.11; total contract amount with this amendment is \$1,615,821.44); CIP/DID #301696-01
- f. Change Order No. 13 (Final) in the amount of \$29,388.36 with BWC Excavating, LC for the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project (original contract amount was \$189,177.50; total contract amount with this amendment is \$243,974.39); CIP/DID #3017012-01
- g. Change Order No. 8 in the amount of \$12,724.70 with Zinser Grading & Excavating, LLC for the E Avenue NW – Phase II 13th Street to Ellis Boulevard Storm Sewer, Water Main, Sidewalk and Street Improvements project (original contract amount was \$3,037,467.35; total contract amount with this amendment is \$3,101,814.15); CIP #304037-06
- h. Change Order No. 3 (Final) deducting the amount of \$3,698.26 with Price Industrial Electric, Inc. for the E and F Avenue at 1st Street NW and 1st Street NE Traffic Signal Improvements project (original contract amount was \$318,463; total contract amount with this amendment is \$345,459.37); CIP/DID #306222-01
- i. Change Order No. 6 (Final) in the amount of \$23,906 with Knutson Construction Services Midwest for the 1st Street SW Outdoor Amphitheater & Festival Grounds project (original contract amount was \$4,576,671; total contract amount with this amendment is \$5,018,651.16); CIP/DID #307218-06
- j. Change Order No. 18 in the amount of \$345.60 with Price Industrial Electric, Inc. for the Joint Communications Network Splicing and Testing – Groups 1 and 3, Traffic Signal Interconnect Groups 1 and 2 project (original contract amount was \$1,148,668; total contract amount with this amendment is \$1,986,909.68); CIP/DID #354004-05
- k. Change Order No. 8 in the amount of \$47,700 plus an additional 8 working days with S.M. Hentges & Sons, Inc. for the Cedar River Sanitary Sewer Crossing Improvements project (original contract amount was \$5,394,964; total contract amount with this amendment is \$5,503,041.25); CIP/DID #655080-03
- l. Change Order No. 11 (Final) deducting the amount of \$42,463.34 with Borst Brothers Construction, Inc. for the SW Quadrant, 2008 Flood Area, Sanitary Sewer Restoration, Phase 1 project (original contract amount was \$501,121.24; total contract amount with this amendment is \$529,031.85) (**FLOOD**); CIP/DID #SSD103-04
- m. Payment to Linn County in the amount of \$189,059.31 for the actual cost of construction of a concrete overlay per a 28E Agreement in connection with the Cottage Grove Avenue from East of Indian Creek to East Post Road project; CIP/DID #3012064-00
- n. Supplemental Agreement with the Iowa Department of Transportation (IDOT) for an estimated amount of \$74,000 in connection with the 1st Avenue East From 17th Street SE to 27th Street SE and 40th Street NE to Collins Road NE Crack and Joint Cleaning and Sealing project; CIP/DID #3012034-02
- o. Iowa Clean Air Attainment Program (ICAAP) Agreement in the amount of \$1,500,000 with the Iowa Department of Transportation (IDOT) for a complete streets project in connection with the Collins Road (IA 100) from East of Northland Avenue NE to Twixt Town Road NE project; CIP/DID #301446-00

- p. Tenant Purchase Agreements in the amount of \$1 each from D J Machine, D A Bunch Co., Gearhart Auto Repair, and Crane Rental and Rigging, and a Purchase Agreement in the amount of \$25,500 and accepting an Easement for Sanitary Sewer and a Temporary Grading Easement for Construction from Judith A. Pedersen and Allen Pedersen, Sr. from land located at 4003 J Street SW in connection with the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction Phase 3 project (**FLOOD**); CIP/DID #SSD011-00
- q. Awarding and approving contract in the amount of \$1,800,940.67 plus incentive up to \$35,000, bond and insurance of S.M. Hentges & Sons, Inc. for the Indian Creek Trunk Sanitary Sewer Segment 2 – Phase 2 Reconstruction project (estimated cost is \$2,840,000); CIP/DID #655625-05
- r. Professional Services Agreement with Lee Crawford Quarry Company for an amount not to exceed \$200,000 for the Lagoon Ash Sand Deposits for the Water Pollution Control Facility; CIP/DID #611001-02
- s. Purchase order in the amount of \$27,402 to Lightnin-SPX Flow Tech C/O Trident Process, Inc., for a rebuild of Model 780Q60CMX Gearbox at the Water Pollution Control Facility (**sole source**); CIP/DID #1040026
- t. Payments to various non-profit special events held in Cedar Rapids during the first half of Fiscal Year 2014 from the Special Event Public Safety Fund; CIP/DID #568164
- u. Contract for Sensys Equipment with Sensys Networks, Inc. for the Traffic Engineering Division for an amount not to exceed \$50,000; CIP/DID #1013-081
- v. Fleet Services purchase of three single axle cabs and chassis with Swaploader bodies from Truck Country in the amount of \$497,478; CIP/DID #1213-111
- w. Fleet Services purchase of two single axle wood chip dump bodies from Truck Country in the amount of \$229,882; CIP/DID #1213-111
- x. Contract for Excavation & Hauling of Lagoon Ash Sand with BWC Excavating LC for the Water Pollution Control Facility for an amount not to exceed \$164,000; CIP/DID #1213-107
- y. Development Agreement and Special Warranty Deed with Skogman Construction Company of Iowa for City-owned property at 1347 F Avenue NW participating in the third round of the Single Family New Construction Program (**FLOOD**); CIP/DID #540257
- z. Development Agreement and Special Warranty Deed with Skogman Construction Company of Iowa for City-owned property at 614 G Avenue NW participating in the third round of the Single Family New Construction Program (**FLOOD**); CIP/DID #540257
- aa. Agreement with the Flood Mitigation Board for approved use of up to \$263,773,493 in Sales Tax Revenue over 20 years for the funding of flood mitigation in Cedar Rapids (**FLOOD**); CIP/DID #987556
- bb. Certified Local Government Grant Agreement in the amount of \$10,000 with the State Historical Society of Iowa to host the 2014 Preserve Iowa Summit in Cedar Rapids. CIP/DID #104875

REGULAR AGENDA

- 25. Report on bids for the Prairie Drive NE from 29th Street to Franklin Avenue Portland Cement Concrete (PCC) Sidewalk project (estimated cost is \$155,000). (Doug Wilson) CIP/DID #301385-01
- 26. Report on bids for the 76th Avenue SW and Kirkwood Boulevard SW Traffic Signalization project (estimated cost is \$247,000). (Doug Wilson) CIP/DID #3012025-02

27. Report on bids for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (estimated cost is \$2,400,000) (**FLOOD**). (Dave Wallace) CIP/DID #SSD103-11
28. Report on bids for the J Avenue Water Plant Process Improvements – Phase 1 project (estimated cost is \$7,060,000). (Steve Hershner)
 - a. Resolution awarding and approving contract in the amount of \$7,276,000, bond and insurance to Tricon General Construction for the J Avenue Water Treatment Plant Process Improvements – Phase 1 project. CIP/DID #6250026-02
29. Report on bids for the Replacement of Fire Hydrants and Blow Off Completes FY 14 project (estimated cost is \$48,000). (Steve Hershner)
 - a. Resolution awarding and approving contract in the amount of \$53,340, bond and insurance to B.G. Brecke, Inc. for the Replacement of Fire Hydrants and Blow Off Completes FY 14 project. CIP/DID #2014037-01
30. Discussion and Resolution authorizing execution of a Development Agreement with New Bohemia Station, L.L.C. for disposition and redevelopment of City-owned property at 1020 and 1028 3rd Street SE (former Brosh site) (**FLOOD**). (Gary Kranse/Jennifer Pratt) CIP/DID #803603

ORDINANCES

PUBLIC INPUT

This is an opportunity for the public to address the City Council on any subject pertaining to City Council business.

CITY MANAGER COMMUNICATIONS AND DISCUSSION

COUNCIL COMMUNICATIONS AND DISCUSSION

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

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

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

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



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Development Services

Presenter at meeting: Vern Zakostelecky

Phone Number/Ext: 319 286-5043

Email: v.zakostelecky@cedar-rapids.org

Alternate Contact Person: Joe Mailander

Phone Number/Ext: 319 286-5822

Email: j.mailander@cedar-rapids.org

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

A public hearing will be held to consider a change of zone for property north of 74th Street NE and east of Crescent View Drive NE from R-3, Single Family Residence Zone District to RMF-1, Multiple Family Residence Zone District as requested by Abode Construction, Inc. and Phyllis M. Rausch. CIP/DID #RZNE-006757-2013

Background:

The request for rezoning of this property was reviewed by the City Planning Commission on December 12, 2013 and unanimously recommended for approval on a vote of 5 to 0.

The applicant is requesting rezoning to allow for development of single-family attached dwelling units that will be owner occupied. The property is currently undeveloped and was initially rezoned to the R-3 Zoning District in 2010 for single-family detached homes. The area is part of an overall development that includes single-family detached, two-family attached and four-family attached housing structures. The demand for the attached housing units has exceeded expectations, which is why the developer is requesting the rezoning. The applicant held a neighborhood meeting and no major issues or concerns were expressed.

The Preliminary Site Development Plan consists of the following:

- Total site area is 8.38 acres (364,990 s. f.).
- Total units include eleven (11) 4-plex buildings for a total of 44 units.
- Total hard surface area proposed including buildings is 91,695 s. f.
- Total open space- proposed is 273,295 s. f. (74.9% of total site area).
- Each unit has a two stall garage.
- Total parking required is 88 spaces-provided are 88 spaces.
- Access to the units will be from the public street system within the development.
- Street trees are provided along the public streets.
- Buffer-yard landscaping is provided around the perimeter of the site.
- Storm water management is provided for in the regional basin for the overall development.

Application Process/Next Steps:

Actions	Comments
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City staff review	<ul style="list-style-type: none"> City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission reviewed the application on December 12, 2013 and recommended unanimously to approve on a 5 to 0 vote. A portion of the minutes are included as Attachment A.
City Council consideration	<ul style="list-style-type: none"> A Public Hearing and First Reading of the Ordinance are scheduled for January 28, 2014 at the City Council meeting to consider this application. Two additional readings of the Ordinance by City Council are required by State law before approval is final. Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.

Action / Recommendation:

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

Alternative Recommendation:

City Council may table this item and request further information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 5 minutes

Budget Information (if applicable): N/A

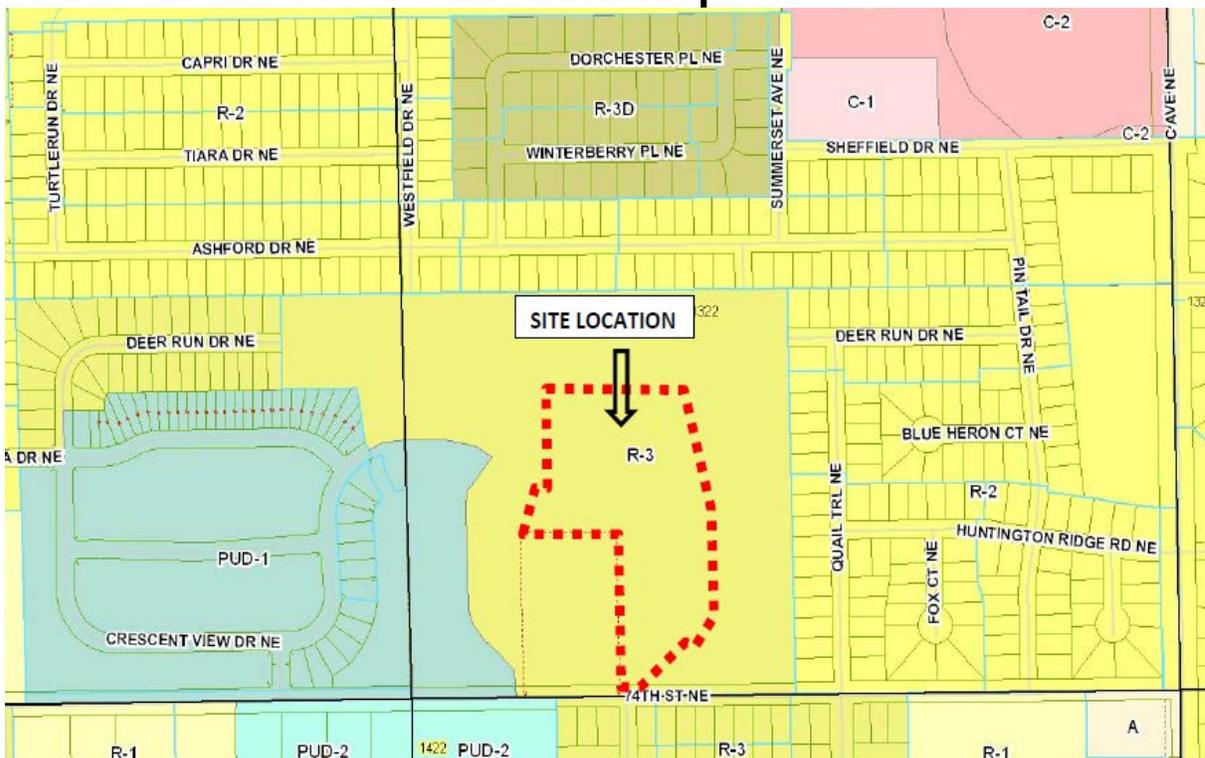
Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

Location Map





MINUTES
CITY PLANNING COMMISSION REGULAR MEETING,
Thursday, December 12, 2013 @ 3:00 p.m.

Cedar Rapids City Hall Council Chambers, 101 First Street SE

Members Present: Scott Overland, Chair
Jim Halverson, Vice - Chair
Samantha Dahlby
Carletta Knox-Seymour
Richard Pankey
Virginia Wilts

Members Absent: Allan Thoms
Mike Tertinger

DSD Staff: Vern Zakostecky, Planner
Dave Houg, Plats & Zoning Conditions Coordinator

CD Staff: Seth Gunnerson, Planner
Betty Sheets, Administrative Assistant

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

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

Roll call was answered with five (5) Commissioners present, two (2) Commissioners absent and Commissioner Halverson arrived for the meeting at 3:20p.m.

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the November 21, 2013 Minutes stand approved.

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

1. Case Name: 880 74th Street NE (Rezoning)
Case No: RZNE-006757-2013 Case Manager: Vern Zakostecky

Recommendation for approval of a rezoning from R-3, Single Family Residence Zone District to RMF-1, Multiple Family Residence Zone District as requested by Abode Construction, Inc. (Applicant) and Phyllis M. Rausch (Titleholder)

Mr. Zakostelecky stated this property is located between C Avenue and Council Street NE to allow for 4-unit single-family owner occupied homes. The initial rezoning occurred in 2000. This portion of the site was rezoned to R-3 for single family detached housing. On the west side it was rezoned for multi-family and the market demand for those units has exceeded expectations. The applicant did hold a neighborhood meeting with no major issues expressed. The rezoning includes 8.8 acres, 11 4-plex buildings for a total of 44 housing units with 2 stall garages. Total parking provided is 88 parking spaces with additional parking in front of garage spaces and street parking. Storm water management is not required on this site. Mr. Zakostelecky showed a location map, aerial photo, site plan as well as elevations of the proposed homes.

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

Commissioner Overland called for a representative of the applicant. Brian Vogel, Hall & Hall Engineers, 1860 Boyson Road, Hiawatha, IA stated he would be happy to answer any questions.

Commissioner Overland called for questions of the applicant. No questions were presented.

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

Commissioner Overland called for a motion to approve the rezoning. Commissioner Wilts made a motion to approve the rezoning from R-3, Single Family Residence Zone District to RMF-1, Multiple Family Residence Zone District. Commissioner Knox-Seymour seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was held on the motion.

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

The meeting was adjourned at 3:35pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant
Community Development

DSD BSD
ENG STR
FIR RCR
TITLEHOLDER WTR
CONTACT TED
CLK PKS
RZNE-006757-2013

ORDINANCE NO.

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

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

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

LEGAL DESCRIPTION – RE-ZONING CRESCENT VIEW FOURTH ADDITION:

PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, SECTION 27, TOWNSHIP 84 NORTH, RANGE 7 WEST OF THE 5TH PRINCIPAL MERIDIAN, CEDAR RAPIDS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 27, TOWNSHIP 84 NORTH, RANGE 7 WEST OF THE 5TH PRINCIPAL MERIDIAN; THENCE N89°22'57"E ALONG THE SOUTH LINE OF SAID SECTION 27, 713.20 FEET; THENCE N0°55'03"W, 33.00 FEET TO THE NORTH RIGHT OF WAY OF 74TH STREET N.E. AND THE POINT OF BEGINNING; THENCE CONTINUING N0°55'03"W, 497.00 FEET; THENCE S89°22'57"W, 328.00 FEET; THENCE N13°14'09"E, 174.89 FEET; THENCE N89°12'49"E, 41.48 FEET; THENCE N0°47'11"W, 273.25 FEET; THENCE N89°12'49"E, 486.04 FEET; THENCE S27°08'20"E, 37.93 FEET; THENCE S10°43'03"E, 332.25 FEET; THENCE S0°28'03"E, 276.55 FEET; THENCE S27°52'37"W, 114.19 FEET; THENCE S26°23'30"W, 60.00 FEET; THENCE NORTHWESTERLY, 40.31 FEET ALONG THE ARC OF A 180.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY (CHORD BEARS N57°11'32"W, 40.23 FEET); THENCE S39°13'26"W, 224.46 FEET TO SAID NORTH RIGHT OF WAY; THENCE S89°22'57"W ALONG SAID NORTH RIGHT OF WAY, 53.36 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 367,301 SQ. FT., 8.43 ACRES, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

and located at North of 74th Street NE and East of Crescent View Drive NE, now zoned R-3, Single Family Residence Zone District, and as shown on the "District Map," be rezoned and changed to RMF-1, Multiple Family Residence Zone District, and that the property be used for such purposes as outlined in the RMF-1, Multiple Family Residence Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. Landscaping and buffering/screening shall be provided per the Zoning Ordinance, Subsection 32.05.030.A.
2. Sites will need to comply with off-street loading requirement per Chapter 32, Subsection 32.05.020.C.
3. Design guidelines and standards as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.
4. The subject property shall be subdivided per State of Iowa and Cedar Rapids Subdivision Regulations.

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

Introduced this 28th day of January, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Development Services

Presenter at meeting: Vern Zakostecky **Phone Number/Ext:** 319 286-5043
Email: v.zakostecky@cedar-rapids.org

Alternate Contact Person: Joe Mailander **Phone Number/Ext:** 319 286-5822
Email: j.mailander@cedar-rapids.org

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

A public hearing will be held to consider a change of zone for property at 4001 and 4009 Blairs Ferry Road NE from A, Agriculture Zone District to C-2, Community Commercial Zone District as requested by Buffalo Evangelical United Brethren Church. CIP/DID #RZNE-006769-2013

Background:

The request for rezoning of this property was reviewed by the City Planning Commission on December 12, 2013 and recommended for approval unanimously on a 5 to 0 vote. There were no objectors present.

The property is currently developed with a church and parsonage. The applicant is requesting rezoning to allow redevelopment of the property for a Goodyear Tire Store. If approved, the existing buildings would be demolished to make way for a new commercial building. The applicant has met informally with the Historic Preservation Commission (HPC) and will be working with HPC to document the properties and salvage components of the structures for re-use. The Preliminary Site Development Plan consists of the following improvements:

- Total site area of 30,197 s. f. (0.69 acres).
- Total area of proposed new commercial building is 6,832 s. f.
- Total proposed parking is 31 spaces including 2-handicap spaces-required is 28 spaces.
- Access from will be off Blairs Ferry Road NE.
- Screen fencing is proposed along a portion of the south property.
- Storm water management will be provided along the Blairs Ferry Rd. frontage.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> • City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> • The City Planning Commission reviewed the application on December 12, 2013 and recommended unanimous approval on a 5 to 0 vote. There were no objectors present at the meeting.
City Council	<ul style="list-style-type: none"> • A Public Hearing and First Reading of the Ordinance are scheduled

consideration	<p>for January 28, 2014.</p> <ul style="list-style-type: none"> • Two additional readings of the Ordinance are required by State law before approval is final. • Approval will be subject to the conditions stated in the Ordinance.
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Action / Recommendation:

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

Alternative Recommendation:

City Council may table this item and request further information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 5 minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):





**MINUTES
CITY PLANNING COMMISSION REGULAR MEETING,
Thursday, December 12, 2013 @ 3:00 p.m.**

Cedar Rapids City Hall Council Chambers, 101 First Street SE

Members Present: Scott Overland, Chair
Jim Halverson, Vice - Chair
Samantha Dahlby
Carletta Knox-Seymour
Richard Pankey
Virginia Wilts

Members Absent: Allan Thoms
Mike Tertinger

DSD Staff: Vern Zakostecky, Planner
Dave Houg, Plats & Zoning Conditions Coordinator

CD Staff: Seth Gunnerson, Planner
Betty Sheets, Administrative Assistant

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

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

Roll call was answered with five (5) Commissioners present, two (2) Commissioners absent and Commissioner Halverson arrived for the meeting at 3:20p.m..

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the November 21, 2013 Minutes stand approved.

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

**1. Case Name: 4001 and 4009 Blairs Ferry Road NE (Rezoning)
RZNE-006769-2013 Case Manager: Vern Zakostecky**

Recommendation for approval of a rezoning from A, Agriculture Zone District to C-2, Community Commercial Zone District as requested by Buffalo Evangelical United Brethren Church (Applicant/Titleholders)

Mr. Zakostelecky showed the Commission a location map of the property and surrounding area. To the east is a Casey's convenience and the area to the south and west is zoned agriculture with commercial across the street in Hiawatha to the north. The Future Land Use Map (FLUMA) shows commercial and office to the south and west. The site is developed with a small church and parsonage and the contemplated redevelopment is for a Good Year Tire store. The applicant has met with the Historic Preservation Commission (HPC) and HPC will meet with them to do a walk through with a salvage company to identify parts of the structure that can be salvaged for reuse on other structures. This will be a 6,800 sq. ft. building with 31 parking spaces and two handicap spaces. Access will be off Blairs Ferry Road with a fence along the south property line and staff asked the developer to extend the fence along the south property line to screen the parking lot on the east end of the proposed building. Storm water management is proposed along Blairs Ferry Road. Mr. Zakostelecky showed an aerial map, site plan and elevations.

Commissioner Overland called for questions of Mr. Zakostelecky. Commission Pankey asked where the proposed fencing would be. Mr. Zakostelecky the fencing will begin at the southwest corner of the site and ends at the east side of the building but staff would prefer to see the fencing be extended at the east property line. This type of business can produce noise and screening is advised.

Commissioner Wilts asked if Traffic Engineering looked at the traffic situation. Mr. Zakostelecky stated that Traffic Engineering did review this project and had no major issue or concerns.

Commissioner Overland called for a representative of the applicant. Dan Schmidt, Brain Engineering, Inc. spoke on behalf of the applicant. Dan indicated the applicant was fine with extending the screen fencing along the entire south property line.

Commissioner Overland called for questions of the applicant. Commissioner Pankey asked how the driveway lined up with Miller Road. Dan indicated it was close to lining up with a commercial driveway on the north side of Blairs Ferry Road.

Commissioner Knox-Seymour asked if the Church did not exist anymore. The applicant stated that this church has been closed and for sale for a long time.

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

Commissioner Overland called for a motion to approve the rezoning. Commissioner Pankey made a motion to approve the rezoning in A, Agriculture Zone District to C-2, Community Commercial Zone District. Commissioner Dalhby seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented.

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

The meeting was adjourned at 3:35pm
Respectfully Submitted,
Betty Sheets, Administrative Assistant
Community Development and Planning

ORDINANCE NO.

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

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

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

Lots 1, 2, and that part of Buckeye Street lying east of Lot 1, Block 1 and the north one-half of alley lying south of and adjacent to said Lots 1 and 2 of Block 1 of the plat of New Buffalo, Linn County, Iowa.

AND

Lot 4, Block 3, and that part of Buckeye Street from the centerline (extended) of the east-west alley of Block 3, New Buffalo Addition, north to the north line (extended) of said alley and the north half of said alley adjacent to Lot 4 of said Block 3, Section 6-83-7, Linn County, Iowa.

and located at 4001 and 4009 Blairs Ferry Road NE, now zoned A, Agriculture Zone District, and as shown on the "District Map," be rezoned and changed to C-2, Community Commercial Zone District, and that the property be used for such purposes as outlined in the C-2, Community Commercial Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to construct 6' wide concrete sidewalk along Blairs Ferry Road NE adjoining this site. The City will reimburse the property owner for a 1' wide portion of the 6' wide sidewalk in accordance with City policy. The property owner shall construct the sidewalk improvements in accordance with City Standards, ADA requirements, and improvement plans accepted by the City Public Works Director/City Engineer. The property owner may request deferral of the sidewalk installation requirement if in accordance with the sidewalk installation policy. If a deferral is requested, please submit a formal request with documentation verifying deferral eligibility (cross sections, drawings, etc.).
2. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit to the City a signed Agreement for Private Storm Water Quality improvements on this site. The City Public Works Department shall provide a copy of

the Agreement form upon request by the property owner.

3. Said lots are to be combined so as to constitute a single zoning lot and tax parcel.
4. Effective screening must be provided and maintained so as to screen the proposed structure and open parking from adjacent residential districts or a variance must be obtained.
5. The enclosure for the dumpster will need be a full screen enclosure including the gates and preferably designed using the same building material as the principal building as per Subsection 32.05.030.A.7. of the Zoning Ordinance.
6. Lighting fixtures shall be shielded in a manner that shall not direct illumination on adjacent residential properties, or on any public right-of-way as per Subsection 32.05.030.B. of the Zoning Ordinance.
7. Signage is not being reviewed at this time. Sign permit applications must be submitted and approved and permits obtained prior to erection of signage (Subsection 32.06.020 & 32.06.030 is the sign regulation in the Zoning Ordinance).
8. Historic Preservation Commission review for structures 50-years old or older proposed for demolition is required subject to Chapter 18 of the City's Municipal Code, Subsection 18.10.
9. Design guidelines and standards as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.
10. The existing structures must be removed under appropriate permit and inspections conducted and approved.
11. That screening fencing be erected along the entire south property line.

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

Introduced this 28th day of January, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Development Services

Presenter at meeting: Vern Zakostelecky

Phone Number/Ext: 319 286-5043

Email: v.zakostelecky@cedar-rapids.org

Alternate Contact Person: Joe Mailander

Phone Number/Ext: 319 286-5822

Email: j.mailander@cedar-rapids.org

Description of Agenda Item: Consent Public Hearing Regular Agenda

A public hearing will be held to consider a change of zone for property at 418 9th Street NW, 420 9th Street NW, 424 9th Street NW and 428 9th Street NW from RMF-1, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Richard J. and Michelle L. Lindemann. CIP/DID #RZNE-007160-2013

Background:

The request for rezoning of this property was reviewed by the City Planning Commission on January 2, 2014 and the recommendation from City Planning Commission was unanimous to approve on a 7 to 0 vote.

The property is a single lot currently developed with 3-houses, one that's a duplex. All 3-residential structures were built in 1905 and are in the older established Northwest Neighborhood. The applicant is requesting rezoning to allow the property to be subdivided into 3-lots so the structures can be sold separately. If approved, the applicant will submit an application for formal subdivision approval.

A requirement of the PUD-2 Zoning District approval is to enter into a development agreement with the City that is approved by City Council resolution. In this case, the development agreement provisions will be included in the Ordinance approving the rezoning request. The modification defined in conditions of the rezoning ordinance include:

- Reduction in front, rear and corner side yard setbacks.
- Reduction in minimum lot size/area.
- Allow the one structure to continue to be used as a duplex.
- Increase in minimum lot coverage area.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> • City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> • The City Planning Commission reviewed the application on January 2, 2014 and they recommended approval unanimously on a 7 to 0 vote.

	A portion of the minutes are enclosed as Attachment A.
City Council consideration	<ul style="list-style-type: none"> • A Public Hearing and First Reading of the Ordinance are scheduled for January 28, 2014. • Two additional readings of the Ordinance are required by State law before approval is final. • Approval will be subject to the conditions stated in the Ordinance.

Action / Recommendation:

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

Alternative Recommendation:

City Council may table this item and request further information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 5 minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

Location Map





Minutes
CITY PLANNING COMMISSION MEETING
Thursday, January 2, 2014 @ 3:00 p.m.

Cedar Rapids City Hall Council Chambers, 101 First Street SE

Members Present: Scott Overland, Chair
Jim Halverson, Vice – Chair
Allan Thoms
Samantha Dahlby
Carletta Knox-Seymour
Richard Pankey
Kim King

Members Absent: Mike Tertinger
Virginia Wilts

DSD Staff: Joe Mailander, Manager
Dave Houg, Plats & Zoning Conditions Coordinator

CD Staff: Seth Gunnerson, Planner
Betty Sheets, Administrative Assistant

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

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

Commissioner Overland introduced the newest member of the City Planning Commission, Kim King stating the Commission was happy to welcome Kim.

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

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the December 12, 2013 Minutes stand approved.

Commissioner Overland called for any additions or corrections to the agenda. Commissioner Thoms stated the letter from Hall & Hall Engineers, Inc. requesting the March 1, 2013 date be extended for one year was an incorrect date and asked that a corrected letter be resent. The corrected letter is attached to these minutes. Commissioner Overland stated with one correction, the agenda stands approved.

REGULAR AGENDA

1. Case Name: 418, 420, 424 and 428 9th Street NW (Rezoning)

Recommendation for approval of a rezoning from RMF-1, Multiple Family Residential Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Richard J. & Michelle L. Lindemann (Applicants/Titleholders).

Case No: RZNE-007160-2013; **Case Manager:** Vern Zakostelecky

Mr. Mailander stated the request was for a PUD rezoning. Currently there are 3 homes sitting on one lot, which were all built in 1905. The houses have three separate addresses and are all owned by the same owners. Mr. Mailander showed a site plan and aerial view of the site.

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

Commissioner Overland called for a representative of the applicant.

Daniel Schmidt, Brain Engineering, Inc., 1540 Midland Court NE stated the intent is to sell in the future but no immediate plan to sell the property.

Commissioner Overland called for questions of the applicant.

Commissioner Thoms asked what the access to the property was and if there were any garages and where was the parking.

Richard Lindeman, 1233 Greenville Avenue NW stated the access is from 9th Street with no garages and parking is on the street.

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

Commissioner Overland called for a motion to approve the rezoning. Commissioner Halverson made a motion to approve the rezoning from RMF-1, Multiple Family Residential Zone District to PUD-2, Planned Unit Development Two Zone District. Commissioner Pankey seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented.

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

The meeting was adjourned at 4:10 P.M.

Respectfully Submitted,

Betty Sheets, Administrative Assistant
Community Development and Planning

ORDINANCE NO.

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

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

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

LOT 1, BLOCK 4, KING'S FIRST ADDITION TO CEDAR RAPIDS, LINN COUNTY, IOWA (AS RECORDED IN BOOK 6763 PAGES 616 AT THE LINN COUNTY OFFICE OF THE RECORDER)

and located at 418, 420, 424 and 428 9th Street NW, now zoned RMF-1, Multiple Family Residence Zone District, and as shown on the "District Map," be rezoned and changed to PUD-2, Planned Unit Development Two Zone District, and that the property be used for such purposes as outlined in the PUD-2, Planned Unit Development Two Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. Subject property shall be platted per State and City platting regulations.
2. Based on City Council approval of this request for rezoning to the PUD-2, Planned Unit Development Zone District the following modifications are provided to allow the property to be subdivided into three lots with one structure on each lot:
 - a. Reductions in front, rear and corner side yard setbacks.
 - b. Reductions in minimum lot size/area.
 - c. Allow the one structure (418 & 420 9th St. NW) to continue to be used as a duplex.
 - d. Increase in minimum lot coverage area.
 - e. Allow the property to be subdivided into three lots with one principal structure on each lot.

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

Introduced this 28th day of January, 2014.



Council Agenda Item Cover Sheet Public Hearing and Resolution

Submitting Department: Public Works Department

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

Phone Number/Extension: 5807

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

Phone Number/Extension: 5092

Description of Agenda Item: Consent Agenda Regular Agenda Yes/No Map

To consider the vacation of an interim drainage easement located at 551 West Side Place SW as requested by West Side Property 103, LLC.

Resolution vacating an interim drainage easement located at 551 West Side Place SW as requested by West Side Property 103, LLC. CIP/DID #41-14-020

Background:

West Side Property 103, LLC is redesigning their West Side Corporate Park at this location and has requested that the interim drainage easement be vacated to accommodate their design. This vacant land is in the process of being replatted, and a new drainage easement will be established on the new final plat.

Action / Recommendation:

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

Alternative to the Recommendation:

If the Council does not vote to vacate this interim drainage easement, West Side Property 103, LLC will be required to revise their new development plan for this location.

Time Sensitivity: Normal

Resolution Date: Proposed timeline as follows:

January 28, 2014 – Public Hearing

January 28, 2014 – If no objections, recommend passing the resolution on same date as public hearing.

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

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

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

ENG
AUD FILE
ASR
RCR
CLK
FIN
TRS
TED
BSD
STR
CD
WEST SIDE
41-14-020

RESOLUTION NO.

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

WHEREAS, the City of Cedar Rapids does possess an interim drainage easement on the following described property:

551 West Side Place SW
(The NW ¼ of the SW ¼ Section 33, T82N, R7W, Linn County, Iowa, and
Lot 3, Irregular Survey NW ¼ Section 33, T82N, R7W, Linn County, Iowa
except the North 377 feet thereof, and except the public highway)

, and

WHEREAS, West Side Property 103, LLC, 4201 16th Avenue SW, Cedar Rapids, Iowa 52404, has requested the City of Cedar Rapids vacate the public's interest in and to a portion of said easement, and

WHEREAS, the Cedar Rapids Public Works Department recommends the interim drainage easement be vacated to accommodate a revised development plan at this location,

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

The Council determines the interim drainage easement located on a part of the NW ¼ of the SW ¼ Section 33, T82N, R7W, Linn County, Iowa, and Lot 3, Irregular Survey NW ¼ Section 33, T82N, R7W, Linn County, Iowa as shown on "Exhibit A" attached hereto and made a part thereof no longer serves the public interest and said public interest and use held by the City of Cedar Rapids in and to the property herein described is hereby vacated.

1. The Council determines the fair consideration required for the aforescribed vacation to be recording and publication fees plus a standard \$100 closing fee, payable to the City Treasurer.
2. The release of the aforementioned easement hereby being vacated by the City of Cedar Rapids is subject to the following terms and conditions which shall be agreed to and accepted in writing by the grantee and be binding upon the grantee, successors and assigns as follows:

- a. West Side Property 103, LLC shall save the City of Cedar Rapids harmless from damage or injury or loss of access or diminishing of the value of improved property, under Section 364.15 of the Iowa Code as the result of the vacation of said Interim Drainage Easement hereinbefore described to said property owner.
3. The grantee, West Side Property 103, LLC, shall pay the City Clerk all publication and recording fees associated with this easement vacation.

, and

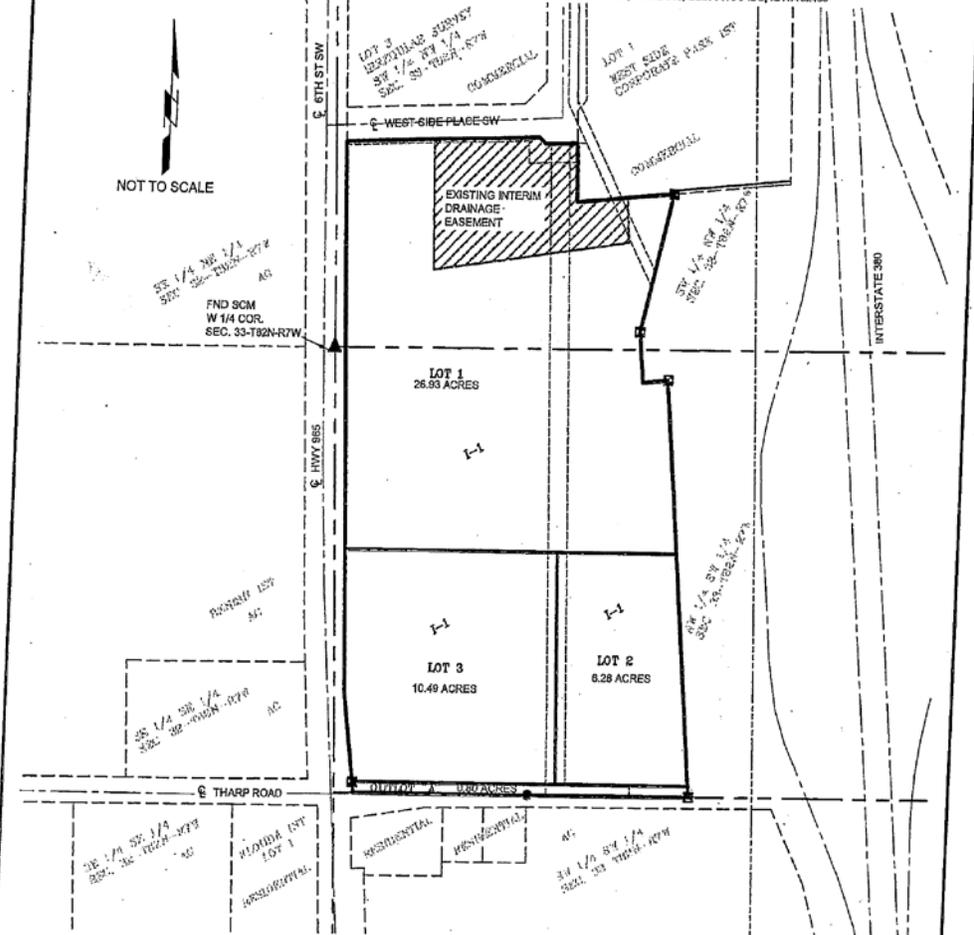
BE IT FURTHER RESOLVED, that this resolution shall be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 28th day of January, 2014.

EXHIBIT A

INTERIM DRAINAGE EASEMENT VACATION EXHIBIT FOR PROPOSED WEST SIDE CORPORATE PARK FIFTH ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA

PREPARED BY: RETURN TO: WADE D. WAMRE PLS, SHIVE-HATTERY INC. 316 2ND STREET SE, SUITE 500, CEDAR RAPIDS, IOWA 52406



SURVEY WORK PERFORMED:
09/27/2013

APPLICANT:
HUNTER GROUP
MIKE LOYD
1625 1ST AVE. SE
CEDAR RAPIDS, IOWA 52402-5454
319-366-8600
mike@hunter-companies.com

TITLE HOLDER:
WEST SIDE PROPERTY 103 LLC
4201 16TH AVE. SW
CEDAR RAPIDS, IOWA 52404
319-390-4466

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

LEGAL DESCRIPTION FOR INTERIM DRAINAGE EASEMENT FOR INTERIM HEADWATER CONDITION AS RECORDED IN BOOK 8082 PAGE 234 AT THE LINN COUNTY, IOWA RECORDERS OFFICE.

PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 82 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 33, TOWNSHIP 82 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPLE MERIDIAN; THENCE N1°45'36"W ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33, 608.39 FEET; THENCE N88°13'27"E, 33.00 FEET TO THE EAST RIGHT OF WAY OF 6TH STREET S.W.; THENCE N88°13'27"E, 275.04 FEET TO THE POINT OF BEGINNING; THENCE S1°46'33"E, 386.83 FEET; THENCE N81°46'32"E, 619.84; THENCE N4°12'01"W, 132.21 FEET; THENCE S84°39'33"W, 158.55 FEET; THENCE N1°46'32"W, 172.98 FEET; THENCE S88°13'29"W, 100.00 FEET; THENCE N 47°38'28"W 28.73 FEET; THENCE S88°13'27"W 331.24 FEET TO THE POINT OF BEGINNING.

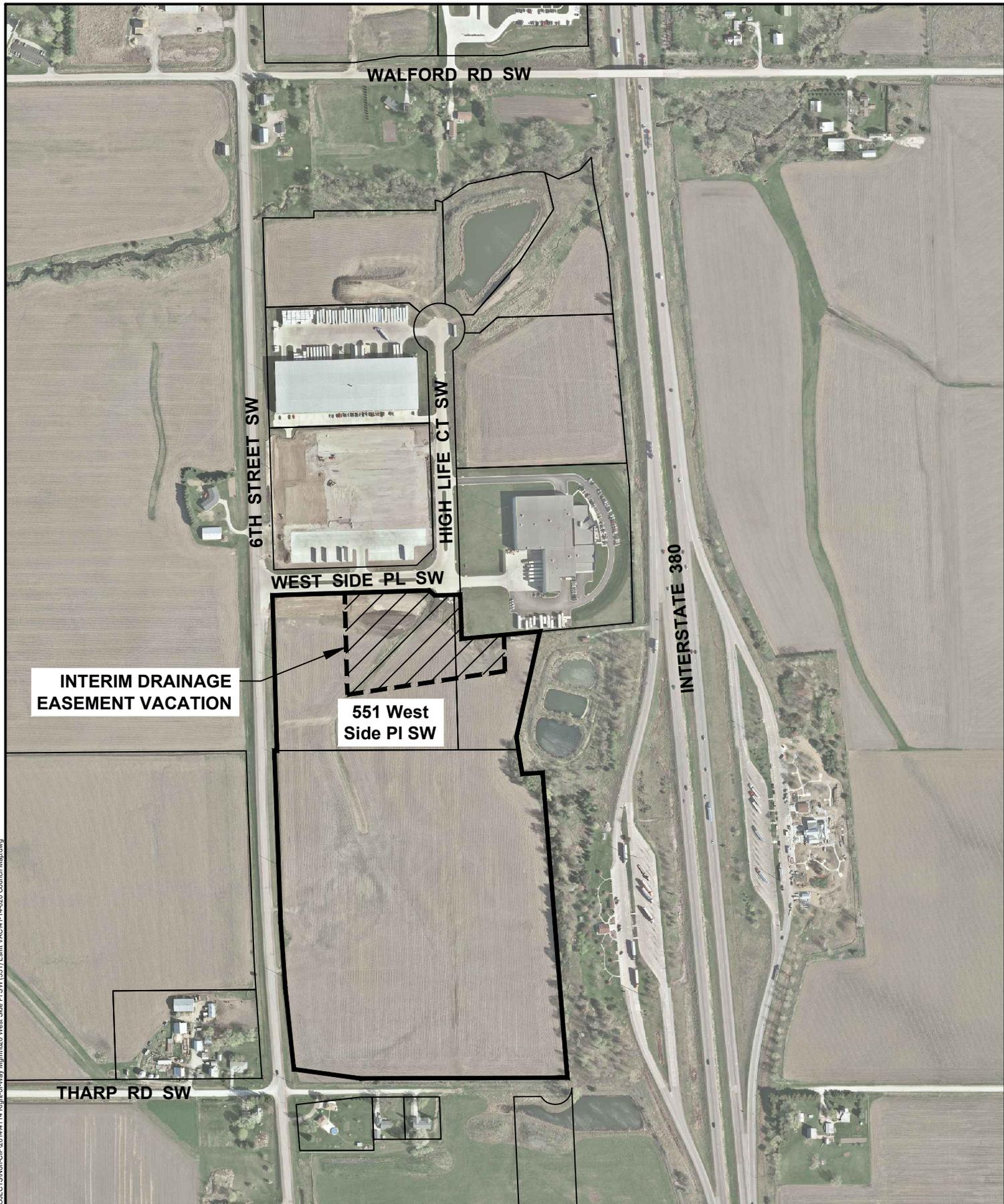
SURVEY LEGEND

●	FOUND 1/2" MARK
▲	FOUND RIGHT OF WAY RAIL
○	SECTION CORNER FOUND SCM
—	EASEMENT LINE
—	PLAT OR SURVEY BOUNDARY
—	PLAT LOT LINE
—	CENTERLINE
—	SECTION LINE
—	EXISTING LOT LINE

1 OF 1

INTERIM DRAINAGE EASEMENT VACATION EXHIBIT FOR PROPOSED WEST SIDE CORPORATE PARK FIFTH ADDITION CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA			
DATE	10-9-2013	SCALE	NOS
DRAWN	cm	FIELD BOOK	1267
APPROVED		REVISION	

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**INTERIM DRAINAGE
EASEMENT VACATION**

**551 West
Side Pl SW**

Cadd File Name: W:\PROJECTS\Non-CIP\2014\4114 Rights-of-Way\Agmt\020 West Side Pl SW (551) Esmt VAC\41-14-020 Council Map.dwg



**INTERIM DRAINAGE EASEMENT VACATION
551 WEST SIDE PLACE SW**



Council Agenda Item Cover Sheet PUBLIC HEARING AND RESOLUTION

Submitting Department: Public Works Department

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

Phone Number/Extension: 5807

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

Phone Number/Extension: 5092

Description of Agenda Item: **Consent Agenda** **Regular Agenda** Yes/No Map
Public Hearing to consider the continuation of the disposition of excess City-owned property described as 12 non-conforming vacant lots.

Resolution authorizing the disposition of excess City-owned property described as 12 non-conforming vacant lots. CIP/DID #3302500004

Background:

The City of Cedar Rapids acquired these parcels through the Voluntary Property Acquisition Program and is seeking to dispose of them by sealed bid to adjacent property owners. The criteria used by City Staff to identify the lots as non-conforming is as follows: lots must either have a total square footage of less than 4,200 square feet or have property frontage less than 30 feet in width. The City Assessor will provide valuations for each lot, and those valuations will be used to determine fair market value.

The following 12 City-owned non-conforming vacant lots are included and are listed in the Notice of Public Hearing:

620 Ellis Blvd NW	501 2 nd St SW	415 7 th Ave SW	340 14 th Ave SW
515 9 th St NW	210 6 th St SW	815 8 th St NW	413 3 rd St SW
704 E Ave NW	211 13 th Ave SW	215 13 th Ave SW	423 7 th Ave SW

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

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

Action / Recommendation:

If there are no objections during the public hearing, the Public Works Department recommends approving the resolution continuing the disposition of these 12 non-conforming vacant lots.

Alternative to the Recommendation:

3302500004/COUNCIL AGENDA ITEMS/COVER SHEET PH & RES DISPOSITION 12 NONCONFORMING VACANT LOTS

Continue with maintenance including mowing and snow removal, and opt not to receive the benefit of property taxes on these parcels.

Time Sensitivity: Normal

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

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

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

RESOLUTION TO CONTINUE THE DISPOSITION OF EXCESS CITY-OWNED PROPERTY

WHEREAS, the City of Cedar Rapids City Council has determined it is in the public interest to dispose of excess City-owned property described as 12 non-conforming vacant lots acquired through the Voluntary Property Acquisition Program and described as 12 non-conforming vacant lots located at:

620 Ellis Boulevard NW	501 2 nd Street SW	415 7 th Avenue SW	340 14 th Avenue SW
515 9 th Street NW	210 6 th Street SW	815 8 th Street NW	413 3 rd Street SW
704 E Avenue NW	211 13 th Avenue SW	215 13 th Avenue SW	423 7 th Avenue SW

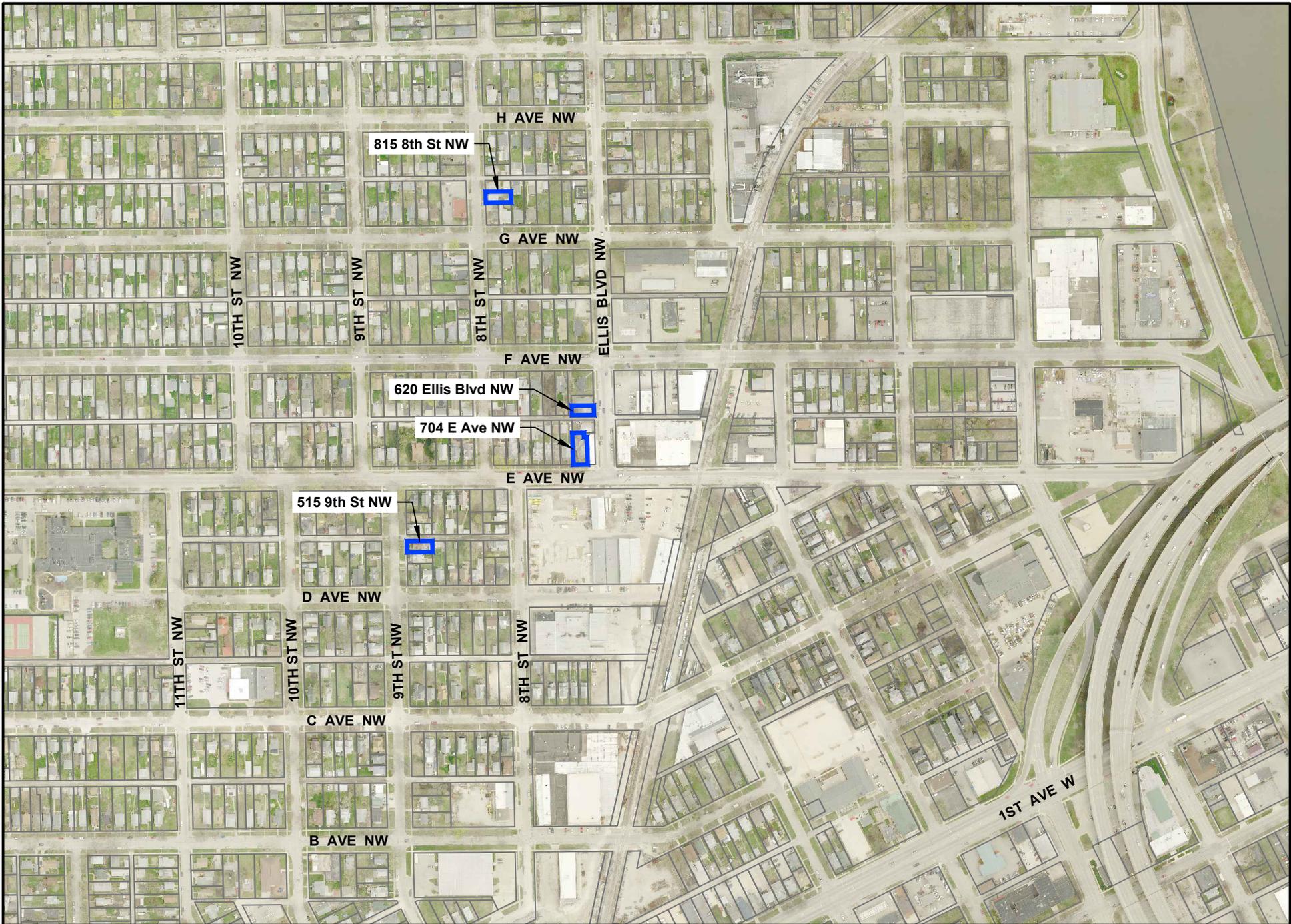
, and

WHEREAS, on January 28, 2014 at the Council Chambers, 3rd Floor, City Hall, 101 First Street SE, Cedar Iowa, the Cedar Rapids City Council, after notice as required by law, held a public hearing to consider the disposition of said property,

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

Passed this 28th day of January, 2014.

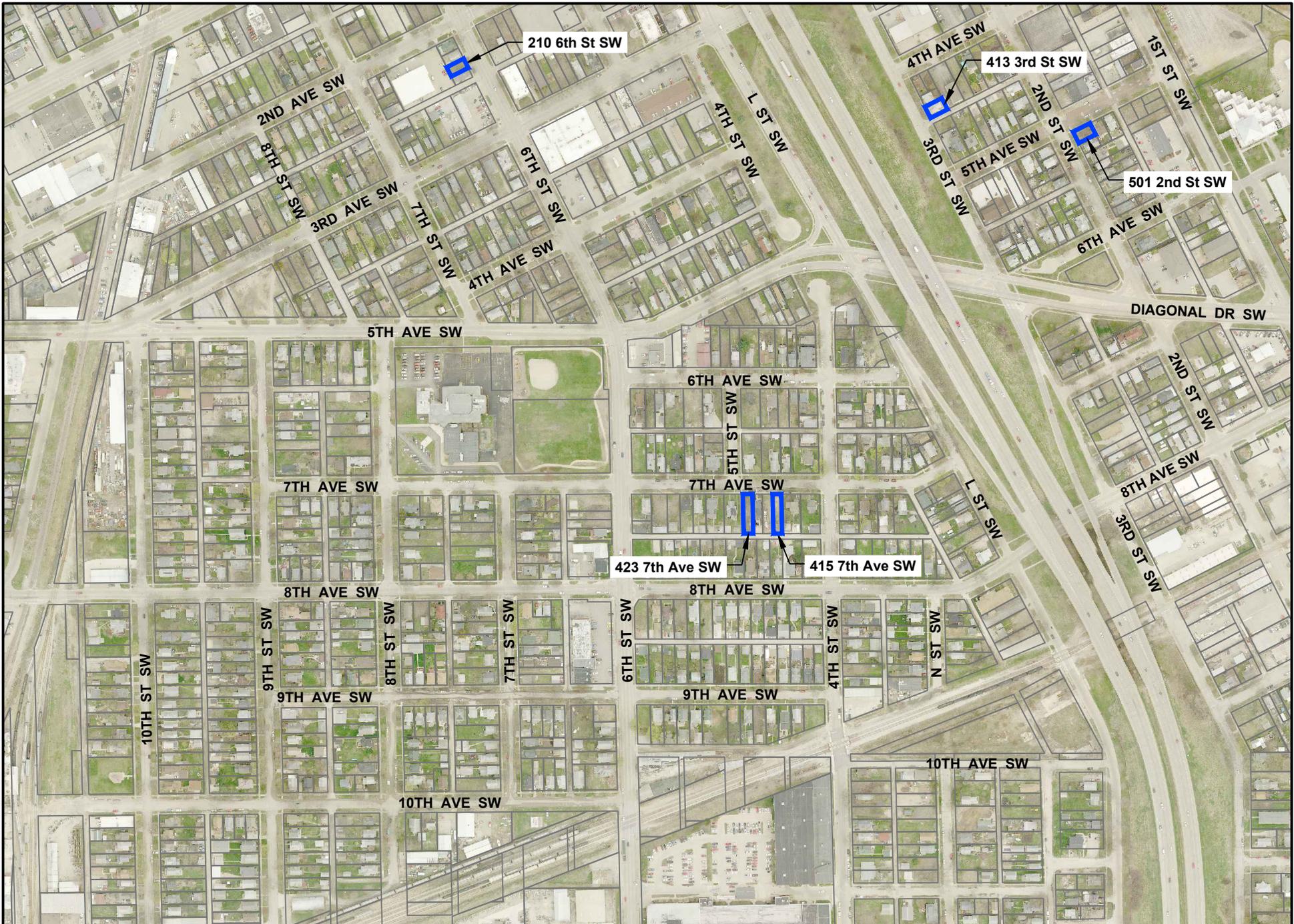
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CDBG ACQUIRED PARCELS
12 NON-CONFORMING VACANT LOTS
Sheet 1 of 3



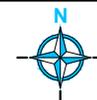
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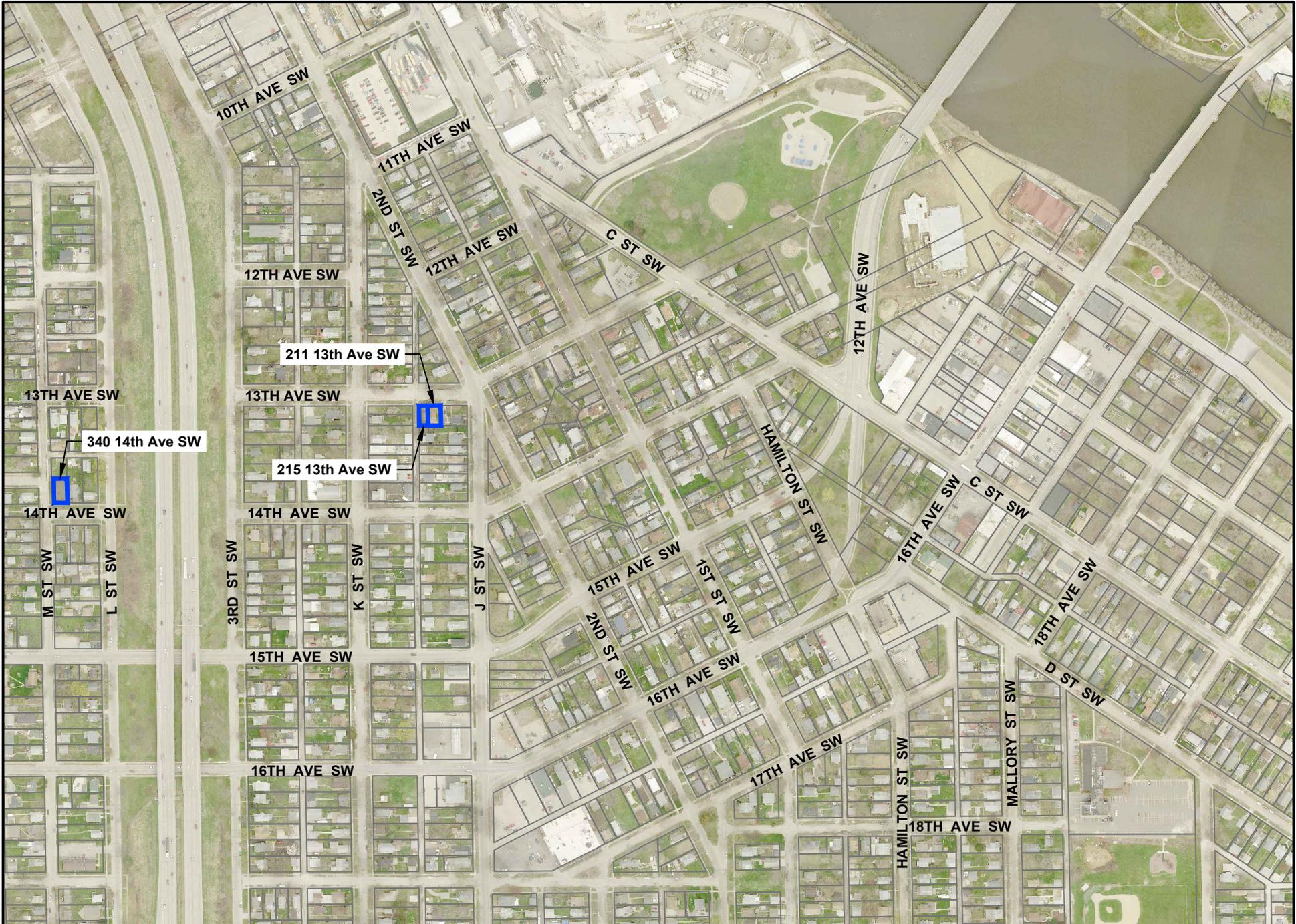
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**CDBG ACQUIRED PARCELS
12 NON-CONFORMING VACANT LOTS
Sheet 2 of 3**



3302500004



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CDBG ACQUIRED PARCELS
12 NON-CONFORMING VACANT LOTS
 Sheet 3 of 3



3302500004



Council Agenda Item Cover Sheet

Council Meeting Date: January 14, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Chrystal Shaver

Phone Number/Ext: 319 286-5182

Email: c.shaver@cedar-rapids.org

Alternate Contact Person: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

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

A public hearing will be held to consider public comments regarding identification of community development needs, program funding for development of proposed activities, and program performance for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs, prior to developing an Annual Action Plan for the period of July 1, 2014 to June 30, 2015. CIP/DID #246513

Background:

The City of Cedar Rapids is an "Entitlement Community" for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs administered by the U.S. Department of Urban Development (HUD). This means Cedar Rapids qualifies, based upon population, to receive an annual allocation of CDBG and HOME funding directly from HUD for use in the community. Funds are allocated based on a formula that considers factors such as population, degree of poverty, and age of housing stock, and are subject to the annual Congressional appropriations process. Though funds have not yet been officially allocated for FY14, estimated funding is approximately \$1,085,181 for CDBG and \$309,892 for HOME. This is similar to funding received in the current fiscal year, but a significant reduction from prior years, due to congressional cuts to discretionary funding.

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

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

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

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

This effort is specifically in regard to preparation of an Annual Actual Plan for the period from July 1, 2014 to June 30, 2015. Following the public hearing, the Grants and Programs committee will review applications and make funding recommendations for City Council's consideration in April or May of 2014. A second public hearing will be held prior to final approval of the Annual Action Plan.

Action / Recommendation:

City staff recommends holding the public hearing.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

The Grants and Programs Citizens' Advisory Committee will begin their work in mid-January. The Annual Action Plan is due to HUD on May 15, 2014.

Resolution Date: N/A

Estimated Presentation Time: 5 minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt N/A

Explanation: No goods or services being purchased.

Recommended by Council Committee Yes No N/A

Explanation (if necessary):



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Caleb Mason
Email: c.mason@cedar-rapids.org

Phone Number/Ext: (319) 286-5188

Alternate Contact Person: Jennifer Pratt
Email: j.pratt@cedar-rapids.org

Phone Number/Ext: (319) 286-5047

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

A public hearing will be held to consider the disposition of excess City-owned property at 1100 3rd Street SE and an approximately 48,000 square foot portion of 400 12th Avenue SE located in the Consolidated Central Urban Renewal Area. CIP/DID#281736

Background:

This public hearing is to clean up the legal description of City-owned property at 1100 3rd Street SE and an approximately 48,000 square foot portion of 400 12th Avenue SE located in the Consolidated Central Urban Renewal Area. The Development Agreement and Lease was approved by the City Council on July 26, 2011.

The Development Agreement and Lease with the Cedar Rapids City Market, Inc. contained error in the legal description of property being Leased which the Market has the option to purchase beginning in 2016. Iowa Code requires a public hearing to be conducted for the leasing or disposition of City-owned property.

Subsequent to the public hearing, staff will bring forward an amendment to the Development Agreement and Lease to correct the legal description.

Action / Recommendation:

City staff recommends holding a public hearing.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

Resolution Date: N/A

Estimated Presentation Time: 5 Minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt N/A

Explanation:

Recommended by Council Committee Yes No N/A



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Seth Gunnerson

Phone Number/Ext: 319 286-5129

Email: s.gunnerson@cedar-rapids.org

Alternate Contact Person: Thomas Smith

Phone Number/Ext: 319 286-5161

Email: t.smith@cedar-rapids.org

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

A public hearing will be held to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to allow on-premise digital display signs to display full motion video as a conditional use in certain zone districts. CIP/DID #817382

Background:

On July 23, 2013 the City Council adopted the Digital Sign Ordinance, which set display criteria standards for on and off-premise signs in the community.

One of the provisions of the ordinance is a prohibition on full motion video on digital signs in the community, effective January 1, 2014. At the time, City Council directed staff to identify a process to allow exceptions to be approved by the City, on a case-by-case basis. Staff explored the existing Conditional Use process, or creating separate permit process.

State law requires that appeals or exceptions to zoning issues are, by state code, exclusively the domain of the Board of Adjustment. The limitation on video on signs is in a gray area, and could be interpreted to not be exclusively a zoning issue.

Due to the fact that locational considerations, such as zoning district, would be considered as part of the acceptance for video on digital signs, City staff is recommending that the Conditional Use process be used. Under the proposed ordinance, full motion video would be permitted by conditional use in all commercial and industrial districts.

- Limitations on full motion video shall not apply to scoreboards or video displays not intended to be viewed from the public right-of-way.
- Limitations shall not apply to video displayed to special events, such as movie nights, which would be reviewed and approved separately by City staff.

City Council's Development Committee recommended the ordinance at its September 25, 2013 meeting.

City Planning Commission reviewed the proposed ordinance on December 12, 2013 and recommended its adoption.

Action / Recommendation:

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

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 5 minutes

Budget Information (if applicable):

N/A

Local Preference Policy Applies Exempt N/A

Explanation:

Recommended by Council Committee Yes No N/A

Explanation:

The Development Committee recommended approval of the proposed ordinance at its September 25, 2013 meeting. The City Planning Commission reviewed the proposed resolution on December 12, 2013 and recommended approval.

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 32 OF THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, THE ZONING ORDINANCE, TO ALLOW ON-PREMISE DIGITAL DISPLAY SIGNS TO DISPLAY FULL MOTION VIDEO AS A CONDITIONAL USE IN CERTAIN ZONE DISTRICTS

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

Section 1. That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.06.050.A – Scope of Regulations and the following Section 32.06.050.A – Scope of Regulations is hereby adopted in lieu of:

A. SCOPE OF REGULATIONS

1. The requirements contained in Sec. 32.06.050 shall apply to digital signs and, together with the provisions of Sec. 32.06.020, Sec. 32.06.030 and Sec. 32.06.040 shall regulate digital signs in all districts.

2. Exceptions

The requirements contained in Sec. 32.06.050 shall not apply to the following types of digital displays:

- a. Digital displays not intended to be viewed from the public right of way which includes but is not limited to menu-board signs and scoreboards.
- b. Digital displays used as part of an approved special event permit.

Section 2. That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.06.050.B.2.a and the following Section 32.06.050.B.2.a here is hereby adopted in lieu of:

a. Full-motion video

- i. Full-motion video as defined in section 32.09.020 shall be permitted as a conditional use in the C-1, C-2, C-MU, C-3, C-4, I-1, I-2, O-S or PUB districts as a conditional use.

- ii. Full-motion video as defined in section 32.09.020 shall not be permitted in any other zone district unless allowed as part of an approved PUD.

Section 3. Separability of Provisions. It is the intention of the Council that each section, paragraph, sentence, clause, and provision of the Ordinance is separable, and, if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof than that affected by such decision.

Section 4. That all ordinances or parts of ordinances in conflict herewith are repealed.

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

Section 6. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 28th day of January, 2014.



Council Agenda Cover Sheet

Public Hearing and Resolution

Submitting Department: Public Works Department

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

Phone Number/Extension: 5814

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

Phone Number/Extension: 5821

Description of Agenda Item: Consent Agenda Regular Agenda No Map

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the FY 2014 Curb Repair Project – Contract 1 project (estimated cost is \$320,000).

Resolution adopting plans, specifications, form of contract and estimated cost for the FY 2014 Curb Repair Project – Contract 1 project. CIP/DID #301998-04

Background:

This is the first of three curb repair projects planned for the 2014 construction season. In the recent past the program was limited to one curb repair bid package per year, but with the Local Option Sales Tax (LOST) revenue now available, the program is being expanded to three projects and nearly four times the number of curb repairs will be completed this year than in past years.

The curb repairs to be completed this year will address numerous locations that have been deferred in the past. In subsequent years, a proactive program for curb repairs will continue, reducing deterioration of municipal streets. Subject to receipt of acceptable bids, construction is scheduled to begin in the spring of 2014 and be completed within 42 working days.

Action / Recommendation:

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

Alternative to the Recommendation:

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

Time Sensitivity: Must be acted upon January 28, 2014 to maintain the project schedule ahead of the January 29, 2014 bid opening.

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 Minute(s)

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

Local Preference Policy: Applies Exempt

Recommended by Council Committee: Yes No N/A

Program objectives reviewed with the Infrastructure Committee

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, on January 14, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the FY 2014 Curb Repair Project – Contract 1 project (Contract No. 301998-04) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

Passed this 28th day of January, 2014.



Council Agenda Item Cover Sheet
MOTION TO SET PUBLIC HEARING

Submitting Department: Public Works Department

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

Phone Number/Extension: 5807

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

Phone Number/Extension: 5092

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

Motion to set a public hearing for February 11, 2014 to consider the vacation and disposition of public ways and grounds described as a 9,252 square-foot parcel of excess 10th Avenue SW right-of-way located adjacent to and northeasterly of vacated 11th Street SW as requested by Cargill, Incorporated. CIP/DID #41-13-029

Background:

Cargill, Incorporated has requested the vacation and disposition of a portion of this excess right-of-way (also known as Plat of Survey No. 1822 Parcel A). Cargill owns the adjacent properties and public access is no longer necessary. This vacation will allow for improvement of security at the site to enhance public safety, and a new 45-foot wide public sanitary sewer, storm sewer and water main easement is being dedicated to the City as a part of this vacation process. The petitioner has paid a \$1,000 application fee, land valuation of \$18,306 and standard 5% closing fee of \$915, for a total of \$20,221 for this vacation.

Action / Recommendation:

The Public Works Department recommends approving the vacation of said right-of-way and accepting an easement for utilities.

Alternative to the Recommendation:

Deny the vacation request and require the City to continue to maintain this portion of 10th Avenue SW as excess public right-of-way.

Time Sensitivity: Normal

Resolution Date: Proposed timeline as follows:

Public Hearing Date and possible 1st reading of Ordinance: February 11, 2014

2nd reading of Ordinance, possible 3rd reading and possible resolution passing: February 25, 2014

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

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

Recommended by Council Committee: Yes No N/A

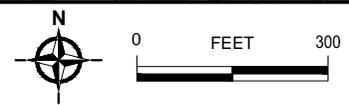
Explanation (if necessary):



Cadd File Name: W:\PROJECTS\Non-CIP\2013\4113029 Cargill 10m Ave SW E from 11th St to alley\41-13-029 Council Map.dwg



10TH AVENUE SW RIGHT-OF-WAY VACATION





Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Development Services

Presenter at meeting: Vern Zakostecky
Email: v.zakostecky@cedar-rapids.org

Phone Number/Ext: 319 286-5043

Alternate Contact Person: Joe Mailander
Email: j.mailander@cedar-rapids.org

Phone Number/Ext: 319 286-5822

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

Motion setting public hearings for February 11, 2014 to consider amending the Future Land Use Map in the City's Comprehensive Plan from Office and Low Density Residential to Commercial and to consider a change of zone for property at 3135 J Avenue SW from R-3, Single Family Residence Zone District and O-S, Office/Service Zone District to C-3, Regional Commercial Zone District as requested by JKLR LLC and James M. Hoke. CIP/DID #FLUMA-007527-2013 and #RZNE-007161-2013

Background:

The request for a Future Land Use Map Amendment and rezoning of this property was reviewed by the City Planning Commission on January 2, 2014 and recommended for approval on a 5 to 2 vote. This motion to set a public hearing was originally presented to Council on January 14, 2014. City Council requested more information about the project and deferred the motion.

The property is currently undeveloped and the applicant is requesting rezoning to allow development of the property for a self-service storage facility. The applicant has also submitted an application for a Future Land Use Map Amendment (FLUMA) in the City's Comprehensive Plan from Office and Low Density Residential to Commercial. The applicant held a neighborhood meeting on October 29, 2013 and no issues or concerns were expressed. The Preliminary Site Development Plan consists of the following improvements:

- Total site area-85,224 s. f. (0.69 acres).
- Total number of proposed buildings-5.
- Total area of proposed commercial buildings-25,075 s. f.
- Total proposed hard surface area-including buildings, parking, & drives-58,360 s. f.
- Total proposed parking-13 spaces including 1-handicap space-required-15 spaces.
- Total open/green spaces- 26,864 s. f. (31.5% of total site area).
- Access from will be from J St. SW.
- Screen fencing is proposed along the north property line.
- Decorative fencing is proposed along J St. SW.
- Storm water management will be provided at the southeast corner of the site.

City Planning Commission FLUMA Findings:

City Planning Commission recommended approval for the FLUMA based on the following:

- The proposed use will provide a low intensity use and will give residents and businesses in the general area an option of storage of personal belongs and business equipment and products.
- Provides a transition use from the major arterial street traffic and non-residential development to the south and west of the single-family residential in the area.
- Provides for non-residential user at the corner of the intersection of 2-major arterial streets.

Two Commissions member where in opposition for the following reason:

- The C-3 Zoning District would allow other uses too intense next to single-family residential.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> • City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> • The City Planning Commission reviewed both applications on January 2, 2014 and recommended approval of both by a 5 to 2 vote. A portion of those minutes are included as Attachment A. • There were no objectors and this is not a flood related item.
City Council consideration	<ul style="list-style-type: none"> • A public hearing, a vote on the FLUMA Resolution and First Reading of the Ordinance are scheduled for February 11, 2014 and allow for public input. • Approval of the Future Land Use Map Amendment would require a majority City Council vote on a resolution. • Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final. • Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.

Action / Recommendation:

City staff recommends setting the public hearings.

Alternative Recommendation:

City Council may table this item and request further information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): N/A

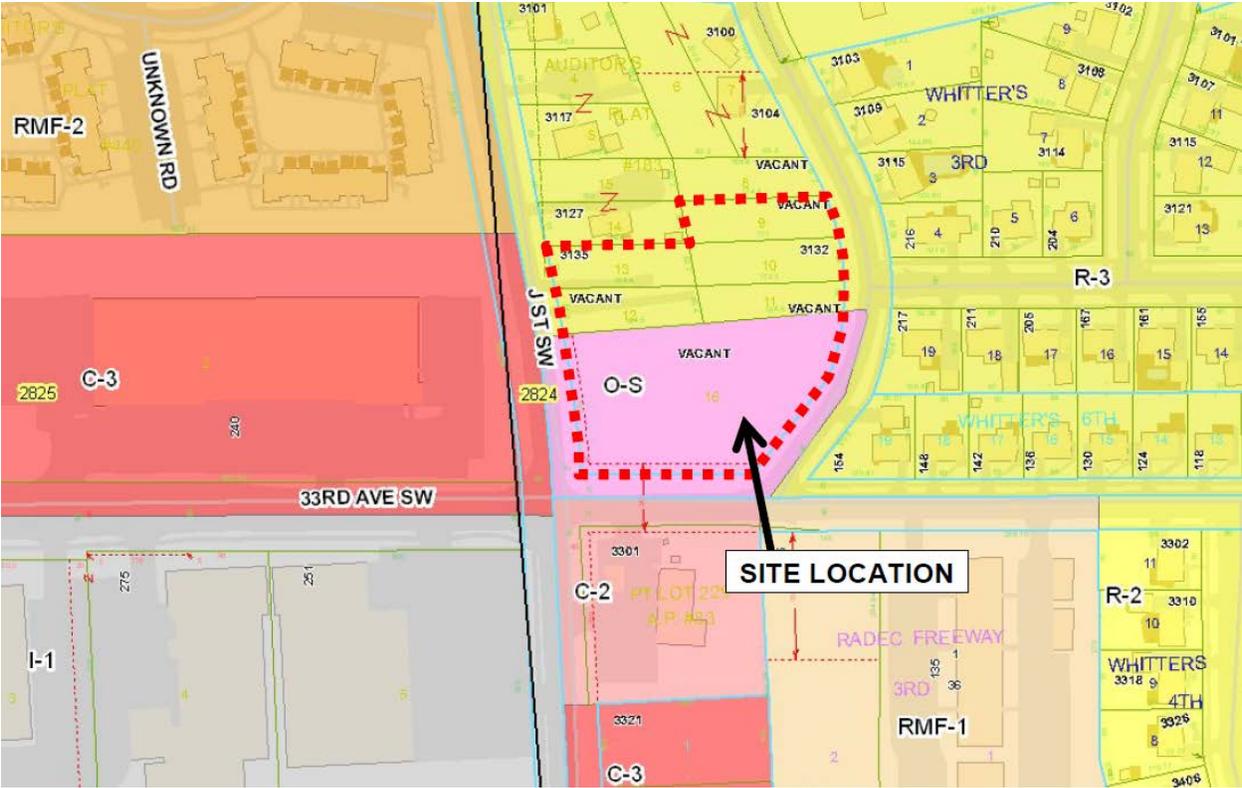
Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

Location Map





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

Minutes
CITY PLANNING COMMISSION MEETING
Thursday, January 2, 2014 @ 3:00 p.m.
Cedar Rapids City Hall Council Chambers, 101 First Street SE

Members Present: Scott Overland, Chair
Jim Halverson, Vice – Chair
Allan Thoms
Samantha Dahlby
Carletta Knox-Seymour
Richard Pankey
Kim King

Members Absent: Mike Tertinger
Virginia Wilts

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

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

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

Commissioner Overland introduced the newest member of the City Planning Commission, Kim King stating the Commission was happy to welcome Kim. Roll call was answered with seven (7) Commissioners present.

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the December 12, 2013 Minutes stand approved.

Commissioner Overland called for any additions or corrections to the agenda. Commissioner Thoms stated the letter from Hall & Hall Engineers, Inc. requesting the March 1, 2013 date be extended for one year was an incorrect date and asked that a corrected letter be resent. The corrected letter is attached to these minutes. Commissioner Overland stated with one correction, the agenda stands approved.

REGULAR AGENDA

1. Case Name: 3135 J Street SW (FLUMA and Rezoning)

- a) Recommendation for an amendment to the Future Land Use Map in the City's Comprehensive Plan from Office and Low Density Residential to Commercial as requested by JKLR LLC (Applicant) and James H. Hoke (Titleholder).
Case No: FLUMA-007527-2013; Case Manager: Vern Zakostelecky

- b) Recommendation for approval of a rezoning from R-3, Single Family Residential Zone District and O-S, Office/Service Zone District to C-3, Regional Commercial Zone District as requested by JKLR LLC (Applicant) and James H. Hoke (Titleholder).
Case No: RZNE-007161-2013; Case Manager: Vern Zakostelecky

Mr. Mailander stated this application is to rezone to the C-3 Regional Commercial Zone District. Currently the property is vacant and is proposing to construct temperature controlled self-storage on the site. Mr. Mailander provided a preliminary site plan, aerial map and building renderings and pointed out fencing along J Street. The FLUMA shows it is low density. A meeting of the neighborhood was held with no one in attendance.

Commissioner Overland called for questions of Mr. Mailander.

Commissioner Thoms stated there were a lot of trees on the property and the topography is very difficult and steep and how much of the property would be used. Mr. Mailander stated that the preliminary site plan would be getting into the tree area and taken to the north property. Commissioner Thoms stated that was a lot of grading and lot of change in topography. Commissioner Thoms also questioned why stacked buildings in a residential neighborhood.

Commissioner Overland called for a representative of the applicant.

Dan Schmidt, Brain Engineering, Inc., 1540 Midland Court NE stated regarding the topography: the two middle buildings would be a walk out at the top and at the bottom and designed to work with the topography as opposed to a slab on grade. The only entrance to the site is on J Street. The east side adjacent to the residential will be a fenced and landscaped per code. There is one home on at the northwest corner and this will also be screened with fencing and landscaping. The northern two proposed buildings are smaller.

Commissioner Thoms stated that lots 8, 9, 10, 11, 12 and 16 would be affected. Mr. Schmidt stated that not lot 8 but lots 9, 10, 11, 12 and 16 would be part of the development site. Commissioner Thoms stated he was parked on Redwood and was looking straight up and asked if there was going to retaining walls. Mr. Schmidt stated yes, there would be retaining walls to work with grade.

Commissioner Pankey asked what the fencing along the north side would be, such as vegetation fence or vinyl type fence. Mr. Schmidt stated there were a couple options, there will be a fence regardless either privacy or chain link, but this hasn't been determined.

Commissioner King asked what the plans for lighting are. Mr. Schmidt referred to the developer.

Jim Schmitt, 185 Morgan Court stated that the lighting will be outdoor lighting for self-storage, some sort of LED lighting with some lights on all the time and some motion censored when customers arrive on the property. Commissioner Halverson asked if the lighting would be

straight down and Mr. Schmitt stated it would be. Commissioner Pankey asked if it would be controlled access. Mr. Schmitt stated that yes it would be controlled access.

Mr. Schmitt stated that they own the property west of this property, the Republic building and to the south of that on 33rd is Hupp Electric and across the street to the south is the convenience store and south of that are industrial uses. The titleholder James Hoke lives out of the area and is interested in selling the property and this would never be developed as residential.

Commissioner Knox-Seymour stated she lives and walks in that area and it has been an undesirable area for some time but why a storage facility. Mr. Schmitt stated that on the property acquired earlier there is warehouse space adjoins the Republic warehouse space and the plan is to convert that 15,000 sq ft to climate controlled storage and adding this property.

Commissioner Dahlby asked if sidewalks would be added. Mr. Schmitt stated that has been discussed.

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

Commissioner Knox-Seymour asked why no neighbors attended the meeting. Mr. Mailander stated that staff had sent out the notice and no one responded.

Commissioner Overland called for a motion to approve the Future Land Use Map Amendment. Commissioner Pankey made a motion to approve the Future Land Use Map in the City's Comprehensive Plan from Office and Low Density Residential to Commercial. Commissioner King seconded the motion.

Commissioner Overland called for discussion on the motion.

Commission Thoms stated he feels this is way over doing that particular embankment is startling and tearing out many trees for storage buildings and it is surrounded by residential, a lot of dirt that needed to be removed and would not support this motion.

Commissioner Overland called for a vote on the motion. The motion passed with five approving and two opposing.

Commissioner Overland called for a motion to approve the rezoning. Commissioner Halverson made a motion to approve the rezoning from R-3, Single Family Residential Zone District and O-S, Office/Service Zone District to C-3, Regional Commercial Zone District. Commissioner Pankey seconded the motion.

Commissioner Overland called for discussion on the motion. Commissioner Thoms stated for the very same reason he would not support this motion.

Commissioner Overland called for a vote on the motion. The motion passed with five approving and two opposing.

The meeting was adjourned at 4:10 P.M.

Respectfully Submitted, Betty Sheets, Administrative Assistant, Community Development

INTERNAL MEMORANDUM

TO: Joe O'Hern
FROM: Joe Mailander, Development Services Department (DSD)
DATE: January 23, 2014
RE: Proposed rezoning of property located at J Street and 33rd Avenue SW from O/S to C-3

Joe,

A request to rezone property located at the northeast corner of the J Street SW and 33rd Avenue intersection from Office/Service to Regional Commercial (C-3) was submitted to the City on November 21, 2013. The other three corners of this intersection are zoned C-3, I-1 and C-2. The proposed plan would add temperature-controlled storage garages at this location. Please see the attached site plan and rendering.

The applicant, Jim Schmitt, held a public information meeting on November 26th to discuss the project with surrounding neighbors. Unfortunately no neighbors attended this meeting. The rezoning request was presented to City Planning Commission on January 2, 2014 and was recommended for approval on a 5-2 vote. At this time the City has not received any objection letters to this project.

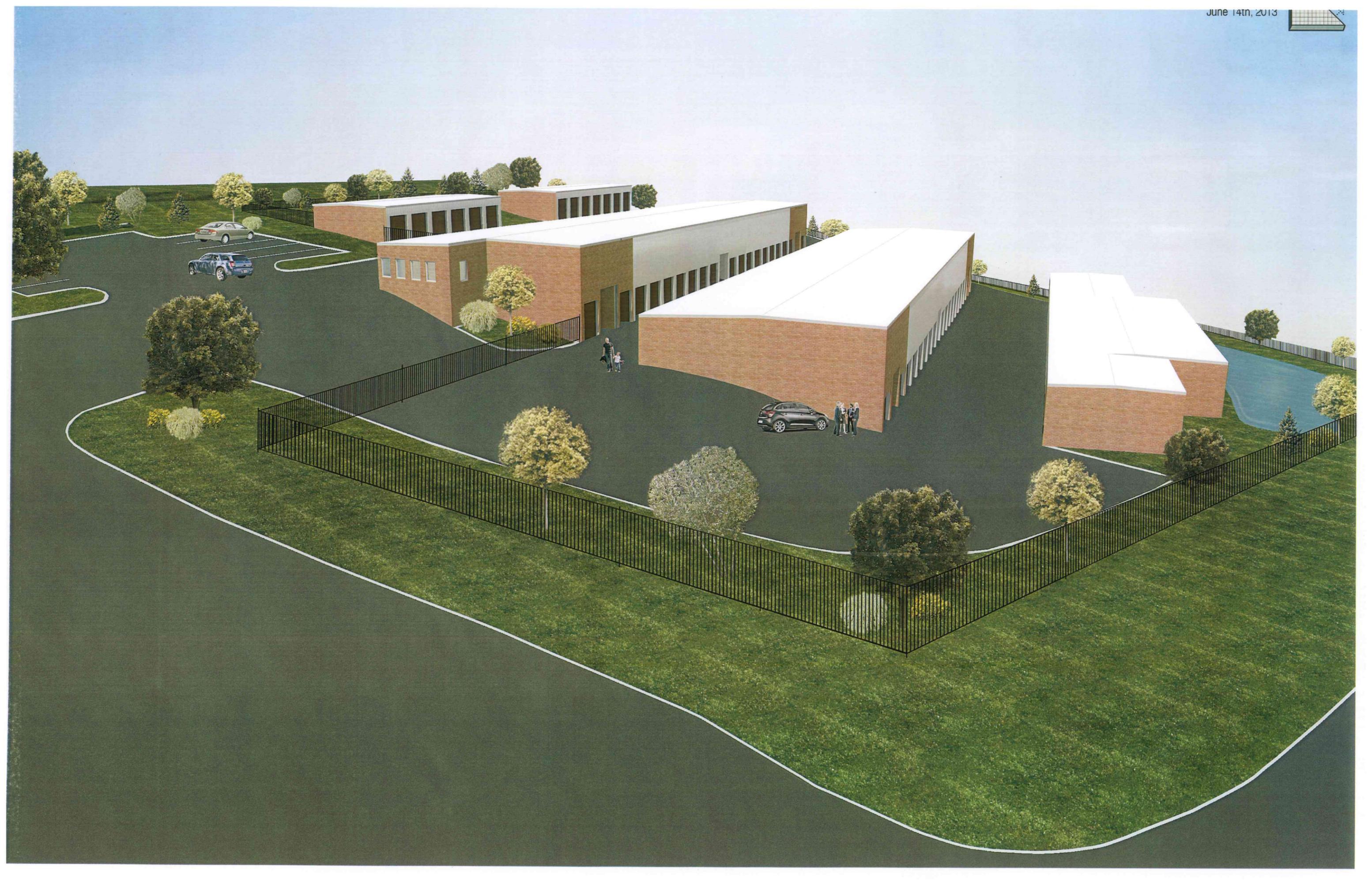
Development Services is working with the applicant to address concerns noted at both the CPC meeting and the January 14th Council meeting. The current site plan attempts to work with the existing grade of the site by terracing the individual buildings. The two central buildings will be similar to a walk out homes with the northern access approximately 10' higher than the southern access. In doing so the developer is trying to reduce any retaining walls as much as possible. Also the storm water treatment area shown on the site plan meets the treatment and detention requirements of the City. It is likely however, that due to existing grades additional storm drain inlets will be needed.

Staff has discussed with the applicant the need to use high quality building materials on this site, and the proposed design includes brick along J Street and Woodland Drive. The site will be surrounded by a black iron fence for security and will need to meet the screening and landscaping requirements of the City. Staff recommends, that should this project be approved, a Condition will be added to ensure that the final structures built match the renderings shown.

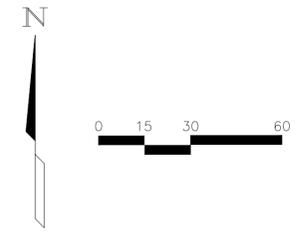
The motion to set the public hearing has been scheduled for the January 28th Council meeting. If there are any questions about this project please contact Development Services at 319-286-5822.

Sincerely,

Joe Mailander, PE
Development Services Program Manager



CONTACT PERSON	
Contact Person	Daniel L. Schmidt
Telephone Number	(319) 294-9424
Fax Number	(319) 294-1056
Mailing Address	1540 Midland Court NE
Date Submitted	11/19/2013
Date Revised	12/9/2013



OWNER:
 JAMES M. HOKE
 5936 E. QUARTZ MOUNTAIN ROAD
 PARADISE VALLEY, AZ. 85253

ENGINEER:
 BRAIN ENGINEERING, INC.
 1540 MIDLAND COURT NE
 CEDAR RAPIDS, IOWA 52402
 PH: 294-9424
 FAX: 294-1056

APPLICANT:
 JKLR LLC
 C/O JIM SCHMITT
 260 33RD AVENUE SW, SUITE B
 CEDAR RAPIDS, IOWA 52404

LEGAL DESCRIPTION
 LOTS 9-13 AND LOT 16, AUDITOR'S PLAT #183, LINN COUNTY, IOWA.

REQUEST: REZONE FROM R-3 AND O-S TO C-3
SITE ADDRESS: 3135 J STREET SW
EXISTING ZONING: R-3 (SINGLE FAMILY RESIDENCE) AND O-S (OFFICE/SERVICE)
PROPOSED ZONING: C-3 (REGIONAL COMMERCIAL)
PROPOSED USE: SELF SERVICE STORAGE FACILITY

BUILDING INFORMATION:
 5 PROPOSED BUILDINGS TOTALING 41,400 SQ. FEET OF FLOOR AREA.
 TWO OF THE BUILDINGS WILL BE TWO STORY BUILDINGS WHICH WILL INCLUDE CLIMATE CONTROLLED STORAGE.

PARKING REQUIREMENTS:
PARKING SPACES REQUIRED:
 1 PER 3,000 SQ. FT. GFA + 1/2 EMPLOYEES
 = 15 SPACES (41,400 SF + 1 EMPLOYEE)
TOTAL PARKING PROVIDED = 13 SPACES (VARIANCE SHALL BE REQUESTED)
HANDICAP SPACES REQUIRED = 1 SPACE (1 VAN ACCESSIBLE)
HANDICAP SPACES PROVIDED = 1 SPACE (1 VAN ACCESSIBLE)

YARD SETBACK REQUIREMENTS: C-3
FRONT YARD: 25 FEET
SIDE YARD: NONE
REAR YARD: NONE
CORNER SIDE YARD: 15 FEET

TOTAL SITE AREA: 85,224 SQ. FT. = 1.96 ACRES
TOTAL SQ. FT. OF STRUCTURES:
 EXISTING: 0 SQ. FEET = 0.0%
 PROPOSED: 25,075 SQ. FEET = 29.4%
TOTAL HARD SURFACE AREA:
 EXISTING: 5,896 SQ. FEET = 6.9%
 PROPOSED: 58,360 SQ. FEET = 68.5%
TOTAL OPEN SPACE:
 EXISTING: 79,328 SQ. FEET = 93.1%
 PROPOSED: 26,864 SQ. FEET = 31.5%

- NOTES:**
- FENCE ALONG J STREET SW AND 33RD AVENUE SW SHALL BE BLACK WROUGHT IRON. FENCING SHALL BE CHAIN LINK IN ALL OTHER AREAS.
 - THE NUMBER OF PARKING SPACES INDICATED DOES NOT MEET CURRENT CODE. A VARIANCE WILL BE REQUESTED TO REDUCE THE NUMBER OF PARKING SPACES IMPLEMENTED WITHIN THIS DEVELOPMENT.
 - SITE RUNOFF SHALL BE DIRECTED TO THE PROPOSED STORMWATER MANAGEMENT BASIN.

LEGEND



Title: REZONING SITE DEVELOPMENT PLAN
 Project No. 474013-10
 Page 1 of 1
 Date 12/9/13
 Drawn: DLS
 Checked: []
 Reviewed: []
 Scale: 1" = 30'
 Revision: []
 No. []
BRAIN ENGINEERING, INC.
 3135 J STREET SW



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt
Email: j.pratt@cedar-rapids.org

Phone Number/Ext: 319 286-5047

Alternate Contact Person: Kirsty Sanchez
Email: k.sanchez@cedar-rapids.org

Phone Number/Ext: 319 286-5428

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

Motion setting a public hearing for March 11, 2014 to consider a request by Acme Electric Company, Inc. for an Urban Revitalization Area designation at 1008 2nd Street SE, 1012 2nd Street SE, 1024 2nd Street SE, and 208 11th Avenue SE. CIP/DID #865223

Background:

City Council selected Acme Electric as part of a competitive proposal for the disposition and redevelopment of property at 1008 2nd Street SE, 1012 2nd Street SE, 1024 2nd Street SE, and 208 11th Avenue SE. The proposal approved by City Council on August 13, 2013 included a request for an Urban Revitalization Property Tax Exemption designation. The proposed project includes: 1) relocation of a historic structure at 1018 2nd Street SE to the adjacent parcels as 1024 2nd Street SE and 208 11th Avenue SE, and 2) the construction of five new row houses for sale on the remaining vacant parcels. The proposed project would commence by April 1, 2014 and be completed within 240 days.

Project Details:

- Project cost – Approximately \$1,400,000
- Estimated assessed value – \$980,000

Benefits to the Community:

- Infill redevelopment in Czech Village/New Bohemia District
- Provide housing options for ten new families or individuals to live in the District

The partial tax exemption would be a ten-year, declining scale exemption, averaging 44% per year, applied only to the increased property valuation generated by the new additions. Based on the scope of the proposed addition, the increased assessed value for the facility is estimated at \$980,000 This would generate an additional \$37,000 in property tax revenue annually. Over a ten-year period, this would be an additional \$370,000 collected in tax revenues and \$165,000 deferred as tax exempt.

Action / Recommendation:

City staff recommends setting the public hearing.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

N/A

Resolution Date: N/A

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Based on a projected increased taxable value of \$980,000 generated by the new construction, the estimated total over the ten-year period is an additional \$370,000 collected in tax revenues and \$165,000 deferred as tax exempt.

Local Preference Policy Applies Exempt N/A

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Jennifer Pratt
Email: j.pratt@cedar-rapids.org

Phone Number/Ext: 319 286-5047

Alternate Contact Person: Kirsty Sanchez
Email: k.sanchez@cedar-rapids.org

Phone Number/Ext: 319 286-5428

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

Motion setting a public hearing for March 11, 2014 to consider a request by Armar Ventures, LC for an Urban Revitalization Area designation for new construction to be located adjacent and to the east of 4850 Armar Drive SE. NEW

Background:

A request has been submitted by Jon Dusek, on behalf of Armar Ventures, LC, for an Urban Revitalization Property Tax Exemption designation for the proposed construction of a single-story building to be located adjacent and to the east of 4850 Armar Drive SE. The proposed project would commence in April of 2014. This would be the site of a local performing arts studio.

Project Details:

- Building – 9,030 square feet
- Project cost – Approximately \$800,000
- Estimated assessed value – \$560,000

Benefits to the Community:

- Project is part of a larger mixed-use master plan that includes residential, office, and service uses, as well as trail connectivity.
- Infill development represents the final piece of the larger master plan.
- Provides opportunity for local performing arts studio to grow within the City of Cedar Rapids.

The partial tax exemption would be a ten-year, declining scale exemption, averaging 44% per year, applied only to the increased property valuation generated by the new additions. Based on the scope of the proposed addition, the increased assessed value for the facility is estimated at \$560,000. This would generate an additional \$21,500 in property tax revenue annually. Over a ten-year period, this would be an additional \$215,000 collected in tax revenues and \$95,000 deferred as tax exempt.

Action / Recommendation:

City staff recommends setting the public hearing.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

N/A

Resolution Date: N/A

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Based on a projected increased taxable value of \$560,000 generated by the new construction, the estimated total over the ten-year period is an additional \$215,000 collected in tax revenues and \$95,000 deferred as tax exempt.

Local Preference Policy Applies Exempt N/A

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt
Email: j.pratt@cedar-rapids.org

Phone Number/Ext: 319 286-5047

Alternate Contact Person: Kirsty Sanchez
Email: k.sanchez@cedar-rapids.org

Phone Number/Ext: 319 286-5428

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

Motion setting a public hearing for March 11, 2014 to consider a request by Auxiant for an Urban Revitalization Area designation for the expansion of an existing building at 424 1st Avenue NE. NEW

Background:

A request has been submitted by Auxiant for an Urban Revitalization Property Tax Exemption designation for the proposed renovation and expansion of an office building located at 424 1st Avenue NE. Specifically, the proposed project would include renovation of the former Chamber of Commerce building with construction of a new 2nd floor addition.

Project Details:

- Project cost –\$1,825,000
- Estimated assessed value - \$1,300,000

Benefits to the Community:

- Facilitates potential growth of an existing downtown business.
- Infill reinvestment that utilizes existing roads, parking, and amenities.

The partial tax exemption would be a ten-year, declining scale exemption, averaging 44% per year, applied only to the increased property valuation generated by the new additions. Based on the scope of the proposed addition, the increased assessed value for the facility is estimated at \$1,300,000. This would generate an additional \$50,000 in property tax revenue annually. Over a ten-year period, this would be an additional \$500,000 collected in tax revenues and \$220,000 deferred as tax exempt.

Action / Recommendation:

City staff recommends setting the public hearing.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

N/A

Resolution Date: N/A

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Based on a projected increased taxable value of \$1,300,000 generated by the new construction, the estimated total over the ten-year period is an additional \$500,000 collected in tax revenues and \$220,000 deferred as tax exempt.

Local Preference Policy Applies Exempt N/A

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt
Email: j.pratt@cedar-rapids.org

Phone Number/Ext: 319 286-5047

Alternate Contact Person: Kirsty Sanchez
Email: k.sanchez@cedar-rapids.org

Phone Number/Ext: 319 286-5428

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

Motion setting a public hearing for March 11, 2014 to consider a request by Fleck Sales Company for an Urban Revitalization Area designation for the construction of an addition to the Fleck Sales Company facility at 11125 High Life Court SW. NEW

Background:

A request has been submitted by Fleck Sales Company for an Urban Revitalization Property Tax Exemption designation for the proposed construction of an addition to be located at 11125 High Life Court SW. The purpose of this facility would be to consolidate some of the West Burlington operation into the Cedar Rapids operation.

Project Details:

- Office Building – 30,000 square feet
- Project cost –\$2,000,000
- Estimated assessed value - \$1,400,000

Benefits to the Community:

- Addition of up to 20 new jobs in Cedar Rapids

The partial tax exemption would be a ten-year, declining scale exemption, averaging 44% per year, applied only to the increased property valuation generated by the new additions. Based on the scope of the proposed addition, the increased assessed value for the facility is estimated at \$1,400,000. This would generate an additional \$53,500 in property tax revenue annually. Over a ten-year period, this would be an additional \$535,000 collected in tax revenues and \$235,000 deferred as tax exempt.

Action / Recommendation:

City staff recommends setting the public hearing.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

N/A

Resolution Date: N/A

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Based on a projected increased taxable value of \$1,400,000 generated by the new construction, the estimated total over the ten-year period is an additional \$535,000 collected in tax revenues and \$235,000 deferred as tax exempt.

Local Preference Policy Applies Exempt N/A

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Community Development

Presenter at meeting: LaSheila Yates
Email: l.yates@cedar-rapids.org

Phone Number/Ext: 319 286-5192

Alternate Contact Person: Jim Borschel
Email: j.borschel@cedar-rapids.org

Phone Number/Ext: 319 286-5181

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

Motion setting a public hearing for March 25, 2014, to consider the Section 8 Housing Choice Voucher (HCV) Program Public Housing Agency (PHA) 5-Year Plan, Annual Plan, and amendments to the PHA Administrative Plan, this includes the Family Self-Sufficiency Action Plan and the Homeownership Option Plan. CIP/DID #363680

Background:

The U.S. Department of Housing and Urban Development (HUD) requires the entities responsible for the administration of the Section 8 Housing Choice Voucher (HCV) Program to submit Public Housing Agency (PHA) 5-year and Annual Plans. In addition, HUD requires each entity to prepare an Administrative Plan that clearly outlines local policies and HUD program regulations. Each year the PHA Administrative Plan is reviewed and revised as necessary to reflect changes in local policy and regulations. HUD requires a 45-day comment period and a public hearing to obtain comments from citizens.

The Public Housing Agency 5-year and Annual Plans address the following:

1. Goals and objectives that will enable the PHA to serve low-income and extremely low-income families for the next five years
2. Supporting documents: PHA Administrative Plan; PHA certification of compliance with the PHA plan; results of the Section 8 Management Assessment System (SEMAP) rating; audit report; and etc.
3. Family Self-Sufficiency Plan
4. Homeownership Option Plan

Significant revisions to the Section 8 HCV Program Administrative Plan for 2014 include:

Regulatory

Chapter 16 - Insufficient Funding – Updated policy that outlines the order Housing Assistance Payment (HAP) contracts will be terminated in the case of insufficient funding. The HAP contracts will be terminated through a random selection process in the

order of categories listed below:

1. Single individuals (non-elderly, non-disabled, & non-Section 8 Homeownership participants)
2. Families with no dependents under the age of 18 and with no elderly or disabled household members (Section 8 Homeownership participants will be excluded)
3. Families with dependents under the age of 18 with no elderly or disabled household members (Section 8 Homeownership Participants will be excluded)
4. All remaining households except Section 8 Homeownership Participants

Chapter 16 - Insufficient Funding – Added policy for restating HAP contracts that have been terminated due to insufficient funding.

Chapter 4 – Local Preferences – Added preference for families that HAP Contracts were terminated due to Insufficient Funding.

Discretionary:

Chapter 4 – Local Preferences – Updated chronically homeless to include families, which is consistent with HUD's definition.

Chapter 4 – Local Preferences – Chapter 4 – Local Preferences – Added a limited Child Welfare and Housing preference for up to 75 families with children under the age of 18 in Linn and Benton Counties on an annual basis, beginning July 1 of each year. The families must be experiencing homelessness or at imminent risk of homelessness and have current involvement with the IA Department of Human Services, Child Welfare Division (DHS). Families must lack housing with supportive services needed to be reunited or staying together. The PHA preference will remain in place so long as service funding is available to serve eligible families; the PHA maintains an active Memorandum of Understanding with the IA Department of Human Services Child Welfare Division; and the preference is consistent with current PHA Plans, and the Consolidated Plan; and the preference is based on local housing needs and priorities that can be documented by generally accepted data sources.

Chapter 16 – Informal Hearing for Participants – Edited language and updated polices to increase consistency with other areas of the admin plan. For example, hearing officer will provide written decision to the family and the PHA no later than 15 business days after the hearing, which is consistent with other notification timelines.

Chapter 16 – Informal Hearing for Participants – Added termination hearing procedures in exhibit section of Chapter 16.

The 5-year, Annual, and Administrative Plans will be made available for public review from February 3, 2014 through March 21, 2014. Copies of these documents will be located at the City Clerk's Office, Cedar Rapids Public Library, and the Housing Services Office.

A Resolution will be submitted for final approval of the Public Housing Agency (PHA) Annual Plan and Administrative Plan at the March 25, 2014 council meeting.

Action / Recommendation:

City staff recommends setting the public hearing.

Alternative Recommendation:

Table the resolution and request additional information.

Time Sensitivity:

HUD requires a 45-day public comment period, a public hearing, and submission of the PHA Plans to HUD no later than April 15, 2014.

Resolution Date: N/A

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Local Preference Policy Applies Exempt N/A

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

Council Agenda Cover Sheet Motion Setting Public Hearing, filing plans and advertising for bids

Submitting Department: Parks & Recreation Department

Presenter at meeting: Sven Leff
E-mail Address: s.leff@cedar-rapids.org

Phone Number/Extension: 5739

Alternate Contact Person: Douglas L. Carper
E-mail Address: d.carper@cedar-rapids.org

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

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for February 11, 2014, and advertising for bids by publishing notice to bidders for the Ushers Ferry Lodge project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on February 19, 2014 (estimated cost is \$1,180,000). (Sven Leff) CIP/DID #PRE136.

Background:

In June of 2008, Ushers Ferry was inundated by floodwaters that impacted 34 of the 36 exhibit buildings on the site. One of the City's last flood recovery projects involves combining 18 FEMA project worksheets from those buildings into a four-season, ADA-accessible park facility that creates an opportunity for tourism, events and activities at Ushers Ferry and the adjacent 387-acre Seminole Valley Park. Upon completion, Parks & Recreation Department staff will operate and maintain the new facility.

Conceptual design work was performed by Neumann-Monson in 2011. Construction plans were developed by Solum Lang Architects starting in August 2012. Building plans were presented to the Parks & Recreation Commission for review & feedback in January 2012, February 2012, June 2012, August 2012, July 2013 and December 2013. Plans were also shared with members of the ADA Advisory Committee in July 2013 after which feedback was incorporated into the design.

Archeological studies were conducted by Wapsi Valley Archeology in October 2011, January 2012, and November 2012 as required by FEMA for gaining approval of the site.

2/8/11	Resolution No. 0157-02-11 – Neumann Monson – Professional Services Contract not to exceed \$37,000.
2/22/11	Resolution No. 0200-02-11 – Authorizing FEMA Alternate Funds in the amount of \$549,973.92 for demo of damaged and building of lodge.
2/12/13	Resolution No. 0253-13 – Solum Lang – Professional Services Contract not to exceed \$146,175

Bids are due for opening on February 19th. Report and award of bids is planned for the February 25th City Council meeting. Construction is expected to last from April – August 2014. The FEMA improved project expires August 31, 2014.

Action / Recommendation:

The Parks and Recreation Department and the Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for February 11, 2014 and advertising for bids by publishing notice to bidders for the project.

Alternative to the Recommendation: Defer the project and request more information. However, delaying the project may cause deadlines to be missed and loss of funding.

Time Sensitivity: Normal

Resolution Date Adopting Plans and Specs: January 28, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable)

PRE136 (Improved Project)	\$590,153
PRE124 (Sunshade)	\$136,554
PWC007B (Roads/Sidewalks)	\$119,558
PRE123 (Contents)	\$112,261
CIP (FY'14)	\$350,000
Donations/Grants	\$45,000

Local Preference Policy: Applies Exempt

Explanation: FEMA does not allow

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda **Phone Number/Ext:**
Email:

Alternate Contact Person: Diane Rodenkirk **Phone Number/Ext:** 5023
Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Motion authorizing publication of a public notice that on February 11, 2014 a resolution will be considered to execute a Rental Agreement with Koch Brothers for the rental of one Lanier digital copier for the City Clerk's Office. (CIP/DID #1213-113)

Background:

The proposed digital copier is a replacement copier for an existing copier that has reached the end of its useful life.

	City Department	Make/Model	Price per Page Black & White
1	City Clerk's Office	Lanier MP5002sp	.02417

This rental agreement will be for a period of 60 months. The price per page is based upon the size of the machine and the anticipated volume. The price per page includes all service, parts, labor and toner.

Action / Recommendation:

Recommend that City Council authorize publication of a public notice that on February 11, 2014 a resolution will be considered to execute a Rental Agreement with Koch Brothers for the rental of one Lanier digital copier as described above.

Alternative Recommendation: none

Time Sensitivity: Not time sensitive

Resolution Date: 01-28-14

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): Department's operating budget

Local Preference Policy Applies Exempt

Explanation: Piggyback on to the University of IA contract #14428. Koch Brothers is a certified local business.

Recommended by Council Committee Yes No N/A
Explanation (if necessary):

Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Finance – Facilities Maintenance

Presenter at meeting: Brent Schlotfeldt

Phone Number/Ext: 286-5809

Email: b.schlotfeldt@cedar-rapids.org

Alternate Contact Person: Dean Archer

Phone Number/Ext: 286-5891

Email: d.archer@cedar-rapids.org

Description of Agenda Item:

Motion authorizing publication of a public notice that on February 11, 2014, a resolution will be considered to execute a Land Lease Agreement in the amount of \$1.00 with Interstate Power and Light Company (an Iowa Corporation) for the City's rental of the parking lot at 430 16th Avenue SW.

Background:

The City of Cedar Rapids has had permission from the Iowa Department of Transportation (IDOT) to use the parking lot at their former location of 430 16th Avenue SW to park City-owned vehicles and equipment. The IDOT sold this property to Interstate Power and Light Company (an Iowa Corporation) (hereinafter referred to as IPL) and though utilization has continued by the City, IPL is now requesting the City enter into a Lease Agreement for continued use of this property.

The City's use consists of parking vehicles and equipment. The term of the agreement is for one year and shall continue thereafter on a monthly basis until the lease is terminated by either party. The rental amount is a one-time payment of \$1.00 and the City will also be required to perform snow/ice removal and lawn care on said property.

Action / Recommendation:

The Facilities Maintenance division recommends the City Council authorize publication of a public notice that on February 11, 2014, a resolution will be considered to execute a Lease Agreement in the amount of \$1.00 with Interstate Power and Light Company (an Iowa Corporation) for the City's rental of the parking lot at 430 16th Avenue SW.

Alternative Recommendation: none

Time Sensitivity: Normal

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): Department's operating budget

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):



COUNCIL AGENDA ITEM COVER SHEET

Meeting Date: 1/28/2014

Submitting Department: City Clerk

Presenter at Meeting: Chief Jerman

Phone Number/Ext: 5374

Email:

Alternate Contact Person: Wanda Miller

Phone Number/Ext: 5274

Email: wandam@cedar-rapids.org

Description of Agenda Item:

Motion approving the beer/liquor/wine applications of:

1. Chrome Horse Slop House & Saloon, 1202 3RD ST SE;
2. Clarion Hotel & Convention Center, 525 33RD AVE SW;
3. Club Basix, 3916 1ST AVE NE;
4. Downtown Drug, 207 2ND AVE SE;
5. Flamingo, 1211 ELLIS BLVD NW;
6. Hy-Vee Food Store #7, 5050 EDGEWOOD RD NE;
7. Irish Democrat, 3207 1ST AVE SE;
8. Kazoku Asian Cuisine, 221 2nd AVE SE (new-formerly Cafe' Bella);
9. Kwik Shop #560, 3301 J ST SW;
10. Kwik Shop #561, 2904 CENTER POINT RD NE;
11. Kwik Shop #563, 1001 1ST AVE SW;
12. Kwik Shop #565, 4201 CENTER POINT RD NE;
13. Lion Bridge Brewing Company, 59 16TH AVE SW (new-formerly retail space);
14. May City Bowl, 1648 TRENT ST SW;
15. Osaka Japanese Steakhouse & Sushi Bar, 5001 1ST AVE SE;
16. Sip N Stir, 1119 1ST AVE SE (new-new ownership);
17. St Andrews Golf Club, 1866 BLAIRS FERRY RD NE;
18. St Pius & Elizabeth Ann Seton School, 4901 COUNCIL ST NE (5-day permit for an event on February 7, 2014 at St Pius Church X, 4949 Council Street NE);
19. Tomaso's Pizza World Headquarters, 3234 CENTER POINT RD NE;
20. Vault, 208 2ND AVE SE;
21. Viking Lounge, 971 16TH AVE SW;

Background:

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

Alternative Recommendation:

Time Sensitivity:

Resolution Date: N/A

Estimated Presentation Time: N/A

Budget Information (if applicable): N/A

Local Preference Policy: Applies Exempt

Explanation:

Recommended by Council Committee: Yes No N/A

Explanation: (if necessary):



Cedar Rapids Police Department Memorandum

To: Chief Jerman
From: Lt. Walter Deeds
Subject: Beer/Liquor License Applications Calls For Service Summary
Date: 1/28/2014

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Chrome Horse Slop House & Saloon 1202 3RD ST SE	45	1	0	7
Clarion Hotel & Convention Center 525 33RD AVE SW	56	0	1	9
Club Basix 3916 1ST AVE NE	13	0	0	6
Downtown Drug 207 2ND AVE SE	5	0	0	0
Flamingo 1211 ELLIS BLVD NW	21	0	0	3
Hy-Vee Food Store #7 5050 EDGEWOOD RD NE	102	0	0	2
Irish Democrat 3207 1ST AVE SE	8	0	0	0
Kazoku Asian Cuisine 221 2nd AVE SE	2	0	0	0
Kwik Shop #560 3301 J ST SW	123	1	5	10
Kwik Shop #561 2904 CENTER POINT RD NE	72	3	0	3
Kwik Shop #563 1001 1ST AVE SW	415	1	2	15
Kwik Shop #565 4201 CENTER POINT RD NE	122	2	1	5

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Lion Bridge Brewing Company 59 16TH AVE SW	0	0	0	0
May City Bowl 1648 TRENT ST SW	6	0	0	0
Osaka Japanese Steakhouse & Sushi Bar 5001 1ST AVE SE	0	0	0	0
Sip N Stir 1119 1ST AVE SE	0	0	0	0
St Andrews Golf Club 1866 BLAIRS FERRY RD NE	3	0	0	0
St Pius & Elizabeth Ann Seton School 4901 COUNCIL ST NE	0	0	0	0
Tomaso's Pizza World Headquarters 3234 CENTER POINT RD NE	0	0	0	0
Vault 208 2ND AVE SE	66	0	0	13
Viking Lounge 1971 16TH AVE SW	18	0	0	5

RESOLUTION NO.

WHEREAS, the attached listing of bills dated January 28, 2014 has been examined and approved by the proper departments, therefore:

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

Passed this 28th day of January, 2014.



Council Agenda Item Cover Sheet

Consent Agenda **Regular Agenda**

Council Meeting Date: January 28, 2014

Submitting Department: Utilities – Water Division

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

Alternate Contact: Kevin Kirchner **Phone No.:** 5902 **E-mail:** k.kirchner@cedar-rapids.org

Description of Agenda Item:

Resolutions approving assessment actions:

- a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 38 properties; CIP/DID #

This is a Resolution to Assess (Intent) – Various Properties for Delinquent Municipal Utility Bills, Penalties and Iowa Sales Tax. (The property address listing is included with the resolution.)

Background:

The Utilities Department – Water Division is responsible for the billing and collection of municipal utility bills for water, sewer, storm sewer, solid waste and recycling services provided to our customers. The Water Division initiates the Notice of Intent to Assess process whenever delinquent utility balances are unpaid; collection efforts have been ignored; and active services have been terminated. Below are the steps taken in typical situations:

- Friendly Reminder is mailed
- Final Notice is mailed
- Door Tag is placed at premise
- Services are terminated

A Notice of Intent to Assess letter is mailed (after Council approves the Resolution of Intent to Assess) giving the property owners 30 days to pay their delinquent municipal utility bill before a resolution for special assessment is approved by City Council to lien properties.

Action / Recommendation: The Utilities Department – Water Division recommends that the Resolution for Intent to Assess various properties for delinquent municipal utility bills be approved.

Alternative Recommendation (if applicable): The City Council could decide not to assess delinquent utility bills or they could approve lien intents to assess properties as a motion item eliminating the need for a resolution.

Time Sensitivity: None, routine item

Resolution Date: 1/28/14

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

Explanation: N/A

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

INTENT TO ASSESS

WHEREAS, utility service charges (water, sewer, storm sewer, solid waste and recycling), penalties and Iowa sales tax have been provided to various properties in the City of Cedar Rapids, Iowa, and

WHEREAS, the occupants of the properties have failed to pay the municipal utility billings mailed for the utility service charges, and

WHEREAS, the utility service charges are now delinquent at these properties, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that special assessments be made against the properties and for the amounts shown on the attached listing, will be made by the City Council on the 11th day of March, 2014 and notice was given by mailing to the owners of the properties, a notice of this proposed assessment, stating the amount of the assessment and the description of the property, and on what account, and that objections to said proposed assessment may be filed prior to 11:00 a.m., March 11, 2014.

Passed this 28th day of January, 2014.

LIEN INTENTS (SPECIAL ASSESSMENTS) 1-28-14

			LIEN INTENTS 01-28-14
#	Balance Due	Premise Address	
1	\$ 211.71	107 KENMORE ST NE	
2	\$ 274.33	115 15TH ST NW	
3	\$ 97.77	150 20TH ST DR NW	
4	\$ 201.98	205 SOUTH TROY RD, ROBINS	
5	\$ 231.95	385 22ND ST SE	
6	\$ 220.08	411 15TH ST SE	
7	\$ 210.88	414 18TH ST SE	
8	\$ 213.37	524 12TH ST SE	
9	\$ 443.02	528 15TH ST SE	
10	\$ 189.09	610 I AVE NW (LOWER)	
11	\$ 346.57	727 DOWS RD SE	
12	\$ 142.05	805 19TH ST SE	
13	\$ 231.05	816 H AVE NW	
14	\$ 233.57	900 ELLIS BLVD NW	
15	\$ 323.81	995 EASTERN DRIVE SE	
16	\$ 249.34	1032 ELLIS BLVD NW	
17	\$ 239.15	1100 WESTWOOD DR NW	
18	\$ 261.08	1111 10TH ST NW	
19	\$ 157.55	1114 2ND AVE SW	
20	\$ 188.20	1118 HAROLD DR SE	
21	\$ 204.25	1210 MEMORIAL DR SE	
22	\$ 102.51	1224 ROSE ST SE	
23	\$ 102.32	1309 22ND AVE SW	
24	\$ 508.55	1407 4TH AVE SE	
25	\$ 106.61	1502 MT VERNON RD SE	
26	\$ 180.89	1555 7TH AVE SE	
27	\$ 99.85	1603 8TH AVE SE	
28	\$ 195.22	1815 8TH AVE SW	
29	\$ 71.18	1900 PARK AVE SE	
30	\$ 234.34	1927 9TH ST SW	
31	\$ 99.91	2520 ELLIS VIEW CT NW	
32	\$ 179.53	2725 JOHNSON AVE NW	
33	\$ 540.70	2905 BEVER AVE SE	
34	\$ 220.03	2916 IOWA AVE SE	
35	\$ 246.54	3435 AMANDA CT NW	
36	\$ 149.55	4408 WENIG RD NE	
37	\$ 200.69	5028 LOUISA ST NE	
38	\$ 137.62	6701 IDLEBROOK LN NE	
	\$ 8,246.84	Grand Total	
	38	Number of Properties	
	\$ 97.77	Balance Due - Low	
	\$ 540.70	Balance Due - High	

Council Agenda Item Cover Sheet

Consent Agenda Regular Agenda

Council Meeting Date: January 28, 2014

Submitting Department: Utilities – Water Division

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

Alternate Contact: Kevin Kirchner **Phone No.:** 5902 **E-mail:** k.kirchner@cedar-rapids.org

Description of Agenda Item:

Resolutions approving assessment actions:

- a. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 19 properties. CIP/DID #1002065

Out of the 19 properties to be assessed, there are two flood properties. The property address listing is included with the resolution [**Note:** The Intent to Assess Resolution was approved at the December 17th Council Meeting.]

Background:

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

Below are the steps taken in typical situations:

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

The Notice of Intent to Assess these properties was approved by City Council Resolution No. 1935-12-13 on December 17, 2013.

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

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

Alternative Recommendation (if applicable): The City Council could decide not to assess delinquent utility bills or they could approve routine "special assessments" as a motion item and eliminate the need for a resolution.

Time Sensitivity: N/A

Resolution Date: 1/28/14

Estimated Presentation Time: 0 Minutes

Budget and Purchase Process Information (if applicable): N/A

Local Preference Policy Applies Exempt

Explanation: N/A

Recommended by Council Committee Yes No N/A

Explanation (if necessary): N/A

RESOLUTION NO.

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 this 28th day of January, 2014.

SPECIAL ASSESSMENTS (TO BE LIENED) 1-28-14

			Special Assessments 1-28-14		
			Lien Intents 12-17-13		
#	Balance Due		Premise Address		Flood
1	\$ 106.43		394 17TH ST SE #A		
2	\$ 166.95		411 36TH ST NE		
3	\$ 114.76		415 6TH AVE SW		Y
4	\$ 239.96		421 17TH ST SE		
5	\$ 166.54		523 14TH ST SE		
6	\$ 163.77		817 15TH ST SE		
7	\$ 232.13		849 14TH ST NE		
8	\$ 160.62		857 OAKLAND RD NE		
9	\$ 123.65		1137 15TH ST SE		
10	\$ 202.14		1238 35TH ST NE		
11	\$ 145.11		1389 H AVE NE		
12	\$ 250.01		1403 WASHINGTON AVE SE		
13	\$ 147.24		1414 HAMILTON ST SW		Y
14	\$ 348.15		1728 B AVE NE		
15	\$ 132.41		1801 7TH AVE SE		
16	\$ 249.31		1815 8TH AVE SE		
17	\$ 240.59		3103 E AVE NE		
18	\$ 204.19		3213 BLUE RIDGE DR NE		
19	\$ 178.58		3648 BEL AIR DR SE		
	\$ 3,572.54		Grand Total		
	19		Number of Properties		
	\$ 106.43		Balance Due - Low		
	\$ 348.15		Balance Due - High		



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Loren Snell, PE
E-mail Address: l.snell@cedar-rapids.org

Phone Number/Extension: 5804

Alternate Contact Person: Pat Wieneke
E-mail Address: p.wieneke@cedar-rapids.org

Phone Number/Extension: 5848

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

Resolution accepting project, authorizing final payment in the amount of \$26,480.35 and approving the 4-year Performance Bond submitted by Pirc-Tobin Construction, Inc. for the Williams Boulevard SW (U.S. Bus. 151/IA922) At Wiley Boulevard SW And Edgewood Road SW Intersection Improvements project (original contract amount was \$540,065.90; final contract amount is \$529,606.99). CIP/DID #301676-01

Background:

Construction has been substantially completed by Pirc-Tobin Construction, Inc. for the Williams Boulevard SW (U.S. Bus. 151/IA922) At Wiley Boulevard SW And Edgewood Road SW Intersection Improvements project. This is an approved Capital Improvements Project (CIP No. 301676-01) with a final construction contract amount of \$529,606.99. Funding resources for this project were approved in FY14 and prior years and the project is completed within the approved budget.

Action / Recommendation:

The Public Works Department recommends adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of \$26,480.35.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP No. 301676, 306166, and 306168.

Local Preference Policy: Applies Exempt

Explanation: Chapter 26 of the Code of Iowa requires construction for highway, bridge, or culvert improvements to be awarded to the lowest responsive, responsible bidder.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary): Project reviewed at the November 2012 Infrastructure Committee and recommended for approval.

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Williams Boulevard SW (U.S. Bus. 151/IA922) At Wiley Boulevard SW And Edgewood Road SW Intersection Improvements project (Contract No. 301676-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated March 26, 2013 in the amount of \$532,065.90 covering said work filed by Pirc-Tobin Construction, Inc. and executed by Capitol Indemnity Corporation provides a four-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$532,065.90
Possible Incentive	8,000.00
Change Order No. 1	3,853.48
Change Order No. 2	(11,312.39)
Removal of Original Incentive Value	<u>(3,000.00)</u>
Amended Contract Amount	\$529,606.99

, now therefore

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

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the Williams Boulevard SW (U.S. Bus. 151/IA922) At Wiley Boulevard SW And Edgewood Road SW Intersection Improvements project, (Contract No. 301676-01) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$26,480.35 to Pirc-Tobin Construction, Inc. as final payment.

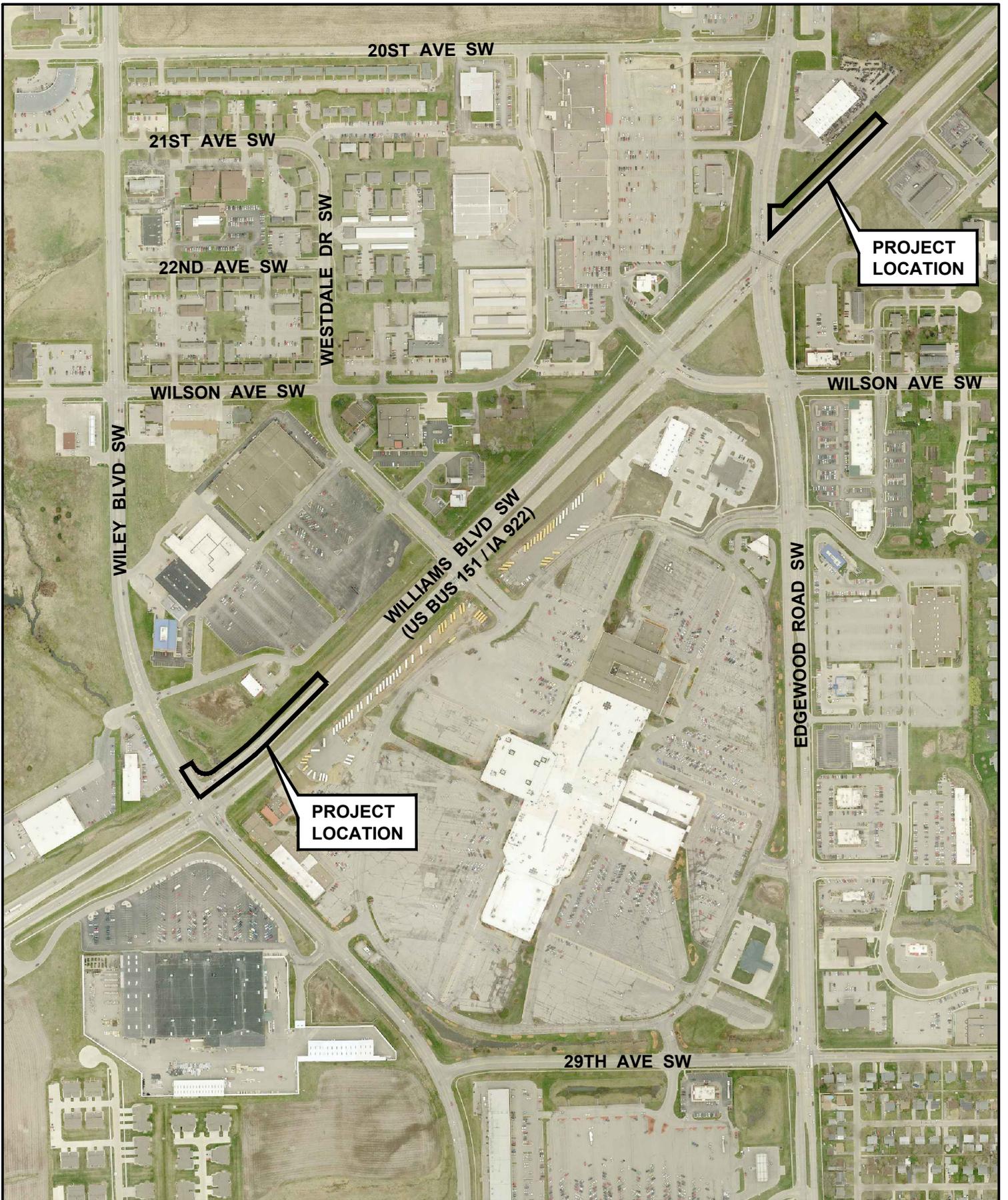
The final contract price is \$529,606.99 distributed as follows:

\$345,632.43	301-301000-301676
\$152,857.84	306-306000-306166
\$ 31,116.72	306-306000-306168

, and

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

Passed this 28th day of January, 2014.



**WILLIAMS BLVD SW (U.S. BUS. 151 / IA 922)
AT WILEY BLVD SW AND EDGEWOOD RD S
INTERSECTION IMPROVEMENTS**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Todd Nelson, CFO, FDG **Phone Number/Extension:** 319-739-4042
E-mail Address: tnelson@frewdev.com

Alternate Contact Person: Rob Davis, P.E. **Phone Number/Extension:** 5808
E-mail Address: r.davis@cedar-rapids.org

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

Resolution accepting project, authorizing final payment in the amount of \$6,020.50 and approving the 2-year Performance Bond submitted by Miron Construction Company, Inc. for the Cedar Rapids Convention Complex - General project (original contract amount was \$28,273,698; final contract amount is \$29,850,779). CIP/DID #535100-23

Background:

Construction has been substantially completed by Miron Construction Company, Inc. for the Cedar Rapids Convention Complex – General project. This is an approved Capital Improvements Project (CIP No. 535100-23) with a final construction contract amount of \$29,850,779. Funding resources for this project were approved in FY14 and prior years and the project is completed within the approved budget.

Action / Recommendation:

The Public Works Department and Frew Development Group (the Construction Manager) recommend adoption of the Resolution to accept the project and performance bond, and issue final payment to the contractor in the amount of \$6,020.50.

Alternative to the Recommendation:

There is no alternative recommendation but an alternative action is to not accept the project. If the project is not accepted, the project cannot be closed out (retainage cannot be released to Contractor, 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 28, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt

Explanation: : I-JOBS funding and Economic Development Administration (EDA) requirements.

Recommended by Council Committee: Yes No N/A

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Cedar Rapids Convention Complex - General project (Contract No. 535100-23), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated September 1, 2011 in the amount of \$28,273,698 covering said work filed by Miron Construction Co., Inc. and executed by Continental Casualty Company provides a two-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$28,273,698
Change Order No. 1	63,221
Change Order No. 2	221,371
Change Order No. 3	47,099
Change Order No. 4	4,856
Change Order No. 5	135,829
Change Order No. 6	61,065
Change Order No. 7	119,199
Change Order No. 8	153,813
Change Order No. 9	1,089
Change Order No. 10	85,897
Change Order No. 11	29,884
Change Order No. 12	(22,774)
Change Order No. 13	0
Change Order No. 14	65,183
Change Order No. 15	79,137
Change Order No. 16	9,748
Change Order No. 17	34,243
Change Order No. 18	33,894
Change Order No. 19	72,852
Change Order No. 20	29,890
Change Order No. 21	61,183
Change Order No. 22	13,930
Change Order No. 23	179,794
Change Order No. 24	(3,732)
Change Order No. 25	<u>100,410</u>
Amended Contract Amount	\$29,850,779

, now therefore

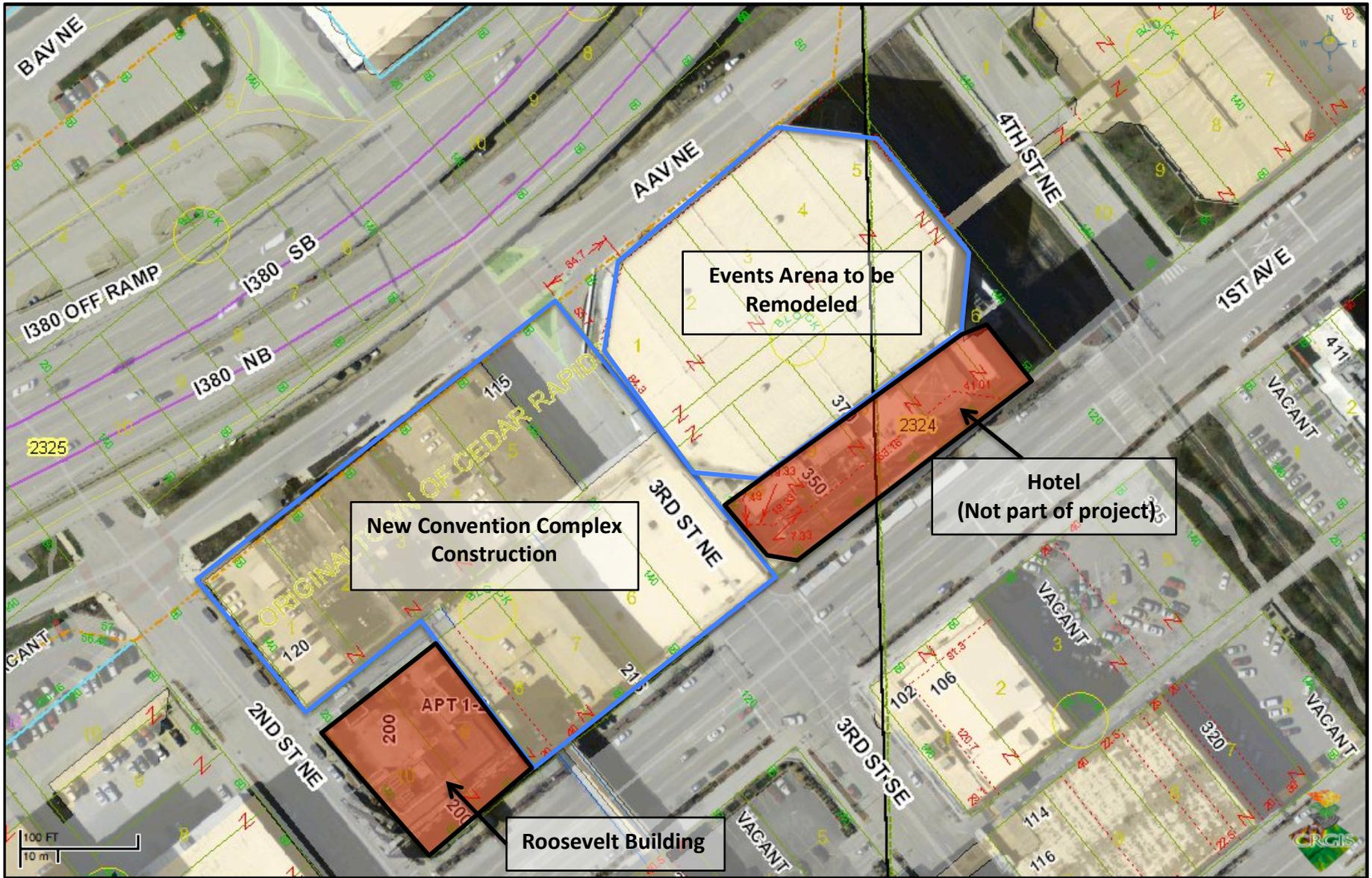
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the two-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the Cedar Rapids Convention Complex - General project, (Contract No. 535100-23) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$6,020.50 to Miron Construction Co., Inc. as final payment.

The final contract price is \$29,850,779 distributed as follows: \$29,850,779 535-535000-535100, and

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

Passed this 28th day of January, 2014.





Council Agenda Item Cover Sheet

FLOOD ITEM

Submitting Department: Public Works Department

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

Phone Number/Extension: 5875

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

Phone Number/Extension: 5807

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **Yes Map**
 Resolution establishing an easement for sanitary sewer, easement for storm sewer and easement for water main on City-owned property located on part of vacated B Street SW, east of 62 16th Avenue SW, in connection with the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration project (**FLOOD**). CIP/DID #SSD103-00

Background:

Previously, the City Council approved the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration project. The project will repair flood damaged sanitary sewers located at various locations within the southwest quadrant of the City. The project is eligible for FEMA funding. There are existing sanitary sewer, storm sewer and water main in this location, but the easements were never properly established. Establishing an easement for sanitary sewer, easement for storm sewer and easement for water main on the City-owned property will protect the public improvement if redeveloped.

Action / Recommendation:

The Public Works Department recommends establishing an easement for sanitary sewer, easement for storm sewer and easement for water main on the City-owned property.

Alternative to the Recommendation:

Not proceed with establishing the easement for sanitary sewer, easement for storm sewer and easement for water main on City-owned property, City utilities will remain undocumented.

Time Sensitivity: Normal

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): SSD/SSD000/SSD103

Local Preference Policy: Applies Exempt

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

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined the need for an easement for sanitary sewer, easement for storm sewer and easement for water main exists in order to accommodate the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration project (FLOOD SSD103), and

WHEREAS, The City of Cedar Rapids, OWNER of the real property located on part of vacated B Street SW, east of 62 16th Avenue SW, and described as:

See Attached Sanitary Sewer Easement Exhibit
See Attached Storm Sewer Easement Exhibit
See Attached Water Main Easement Exhibit

, and

WHEREAS, the Public Works Director / City Engineer recommends the City establish easements over a portion of City-owned property required for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration project, now therefore

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

Passed this 28th day of January, 2014

PREPARED BY: TIM FORINASH SNYDER & ASSOCIATES, INC., 5005 BOWLING STREET S.W., CEDAR RAPIDS, IA 52404 (319) 362-9394

RETURN TO: TIM FORINASH SNYDER & ASSOCIATES, INC., 5005 BOWLING STREET S.W., CEDAR RAPIDS, IA 52404 (319) 362-9394

SANITARY SEWER EASEMENT EXHIBIT

SANITARY SEWER EASEMENT DESCRIPTION

All that part of vacated B Street SW Right of Way as recorded in Book 1696, Page 233, Cedar Rapids, Linn County, Iowa, more particularly described as follows:

Commencing at the Easterly corner of Lot 1, Block 6, J.M. Mays Third Addition to Cedar Rapids, Linn County, Iowa; thence South 33°23'38" West, along the North Right of Way line of 16th Avenue SW, a distance of 199.00 feet, to the Point of Beginning; thence South 33°23'38" West, 40.00 feet, to the Westerly line of Vacated B Street SW; thence North 56°27'57" West, along said Westerly line, a distance of 85.00 feet; thence North 33°23'38" East, 40.00 feet, to the Easterly line of vacated B Street SW; thence South 56°27'57" East, along said Easterly line, a distance of 85.00 feet, to the Point of Beginning, containing 3,400 Square Feet more or less.

LEGEND

<u>Survey</u>	<u>Found</u>	<u>Set</u>
Section Corner	▲	△
1/2" Rebar	●	○
(Unless Otherwise Noted)		
Platted Distance	P	
Measured Bearing & Distance	M	
Recorded As	R	
Deed Distance	D	
Calculated Distance	C	
Minimum Protection Elevation	MPE	
Section Line	— — — — —	
Easement Line	-----	

PREPARED FOR

CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

SW QUADRANT, 2008 FLOOD
AREA SANITARY SEWER
RESTORATION, PHASE 2, PART 3
CIP #SSD103-06

EASEMENT AREA

3,400 SQAURE FEET

DATE OF SURVEY

08-13-2013

OWNER

CITY OF CEDAR RAPIDS

SANITARY SEWER EASEMENT EXHIBIT

CITY OF CEDAR RAPIDS



SNYDER & ASSOCIATES, INC.
Engineers and Planners

5005 BOWLING STREET S.W.
CEDAR RAPIDS, IA 52404 (319) 362-9394

SHEET 1 OF 2

PN: 1120878

PM: PDS

DATE: 08/19/13

TECH: TWF

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Snyder

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8/19/13
TWF

PREPARED BY: TIM FORINASH SNYDER & ASSOCIATES, INC., 5005 BOWLING STREET S.W., CEDAR RAPIDS, IA 52404 (319) 362-9394

RETURN TO: TIM FORINASH SNYDER & ASSOCIATES, INC., 5005 BOWLING STREET S.W., CEDAR RAPIDS, IA 52404 (319) 362-9394

STORM SEWER EASEMENT EXHIBIT

STORM SEWER EASEMENT DESCRIPTION

All that part of vacated B Street SW Right of Way as recorded in Book 1696, Page 233, Cedar Rapids, Linn County, Iowa, more particularly described as follows:

Commencing at the Easterly corner of Lot 1, Block 6, J.M. Mays Third Addition to Cedar Rapids, Linn County, Iowa; thence South 33°23'38" West, along the North Right of Way line of 16th Avenue SW, a distance of 199.00 feet, to the Point of Beginning; thence South 33°23'38" West, 40.00 feet, to the Westerly line of Vacated B Street SW; thence North 56°27'57" West, along said Westerly line, a distance of 85.00 feet; thence North 33°23'38" East, 40.00 feet, to the Easterly line of vacated B Street SW; thence South 56°27'57" East, along said Easterly line, a distance of 85.00 feet, to the Point of Beginning, containing 3,400 Square Feet more or less.

LEGEND

<u>Survey</u>	<u>Found</u>	<u>Set</u>
Section Corner	▲	△
1/2" Rebar (Unless Otherwise Noted)	●	○
Platted Distance	P	
Measured Bearing & Distance Recorded As	M	
Deed Distance	R	
Calculated Distance	D	
Minimum Protection Elevation	C	
Section Line	MPE	
Easement Line	-----	

PREPARED FOR

CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

SW QUADRANT, 2008 FLOOD
AREA SANITARY SEWER
RESTORATION, PHASE 2, PART 3
CIP #SSD103-06

EASEMENT AREA

3,400 SQAURE FEET

DATE OF SURVEY

08-13-2013

OWNER

CITY OF CEDAR RAPIDS

STORM SEWER EASEMENT EXHIBIT

CITY OF CEDAR RAPIDS



SNYDER & ASSOCIATES, INC.
Engineers and Planners

5005 BOWLING STREET S.W.
CEDAR RAPIDS, IA 52404 (319) 362-9394

SHEET 1 OF 2

PN: 1120878

PM: PDS

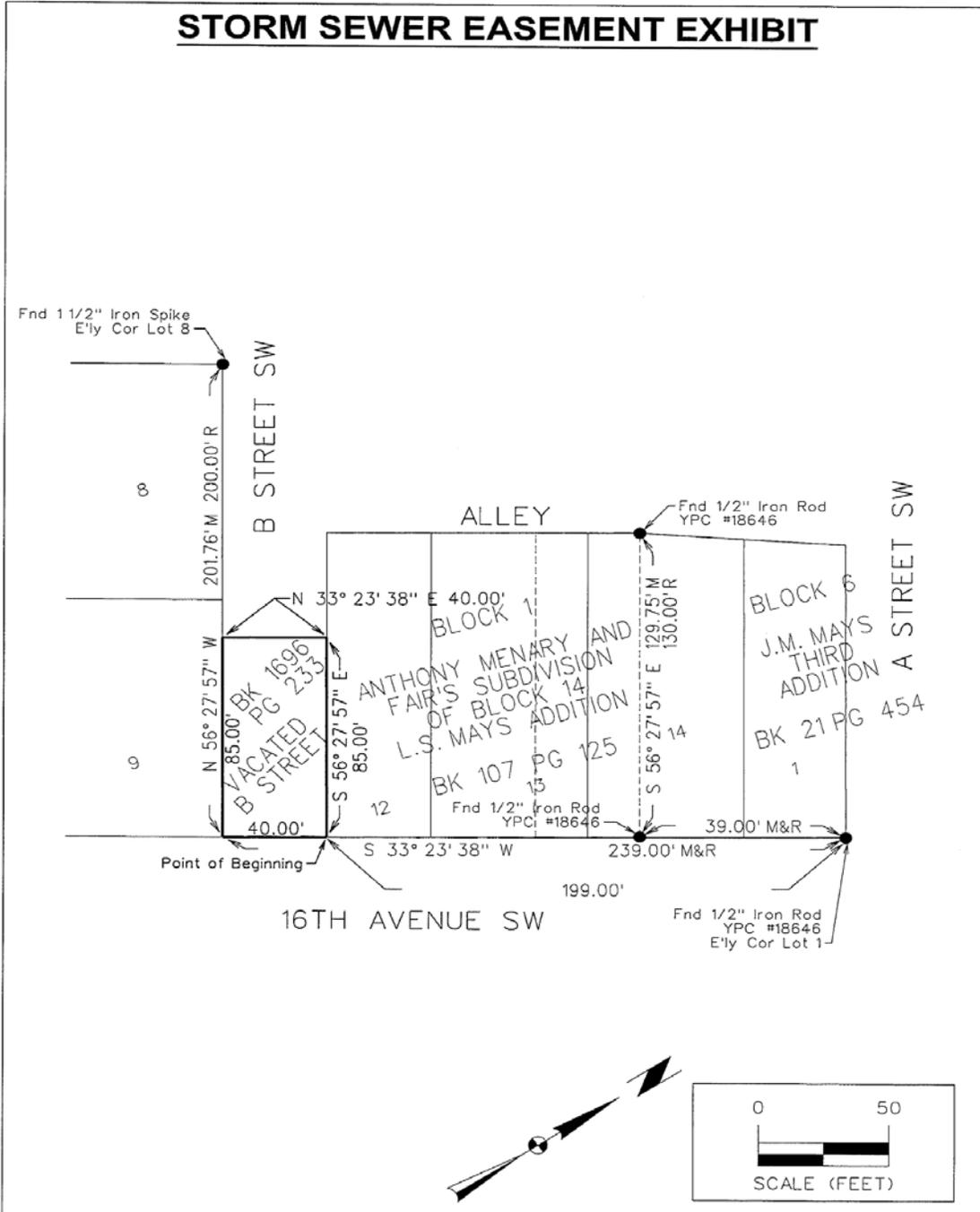
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8/23/2013
TWF

STORM SEWER EASEMENT EXHIBIT



STORM SEWER EASEMENT EXHIBIT		SHEET 2 OF 2
CITY OF CEDAR RAPIDS		PN: 1120878
SNYDER & ASSOCIATES, INC. Engineers and Planners		PM: PDS
5005 BOWLING STREET S.W. CEDAR RAPIDS, IA 52404 (319) 362-9394		DATE: 08/19/13
		TECH: TWF

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PREPARED BY: TIM FORINASH SNYDER & ASSOCIATES, INC., 5005 BOWLING STREET S.W., CEDAR RAPIDS, IA 52404 (319) 362-9394

RETURN TO: TIM FORINASH SNYDER & ASSOCIATES, INC., 5005 BOWLING STREET S.W., CEDAR RAPIDS, IA 52404 (319) 362-9394

WATER MAIN EASEMENT EXHIBIT

WATER MAIN EASEMENT DESCRIPTION

All that part of vacated B Street SW Right of Way as recorded in Book 1696, Page 233, Cedar Rapids, Linn County, Iowa, more particularly described as follows:

Commencing at the Easterly corner of Lot 1, Block 6, J.M. Mays Third Addition to Cedar Rapids, Linn County, Iowa; thence South 33°23'38" West, along the North Right of Way line of 16th Avenue SW, a distance of 199.00 feet, to the Point of Beginning; thence South 33°23'38" West, 40.00 feet, to the Westerly line of Vacated B Street SW; thence North 56°27'57" West, along said Westerly line, a distance of 85.00 feet; thence North 33°23'38" East, 40.00 feet, to the Easterly line of vacated B Street SW; thence South 56°27'57" East, along said Easterly line, a distance of 85.00 feet, to the Point of Beginning, containing 3,400 Square Feet more or less.

PREPARED FOR

CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

SW QUADRANT, 2008 FLOOD
AREA SANITARY SEWER
RESTORATION, PHASE 2, PART 3
CIP #SSD103-06

LEGEND

Survey

Section Corner
1/2" Rebar
(Unless Otherwise Noted)
Platted Distance
Measured Bearing & Distance
Recorded As
Deed Distance
Calculated Distance
Minimum Protection Elevation
Section Line
Easement Line

Found

▲

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P

M

R

D

C

MPE

Set

△

○

EASEMENT AREA

3,400 SQAURE FEET

DATE OF SURVEY

08-13-2013

OWNER

CITY OF CEDAR RAPIDS

WATER MAIN EASEMENT EXHIBIT

CITY OF CEDAR RAPIDS



SNYDER & ASSOCIATES, INC.
Engineers and Planners

5005 BOWLING STREET S.W.
CEDAR RAPIDS, IA 52404 (319) 362-9394

SHEET 1 OF 2

PN: 1120878

PM: PDS

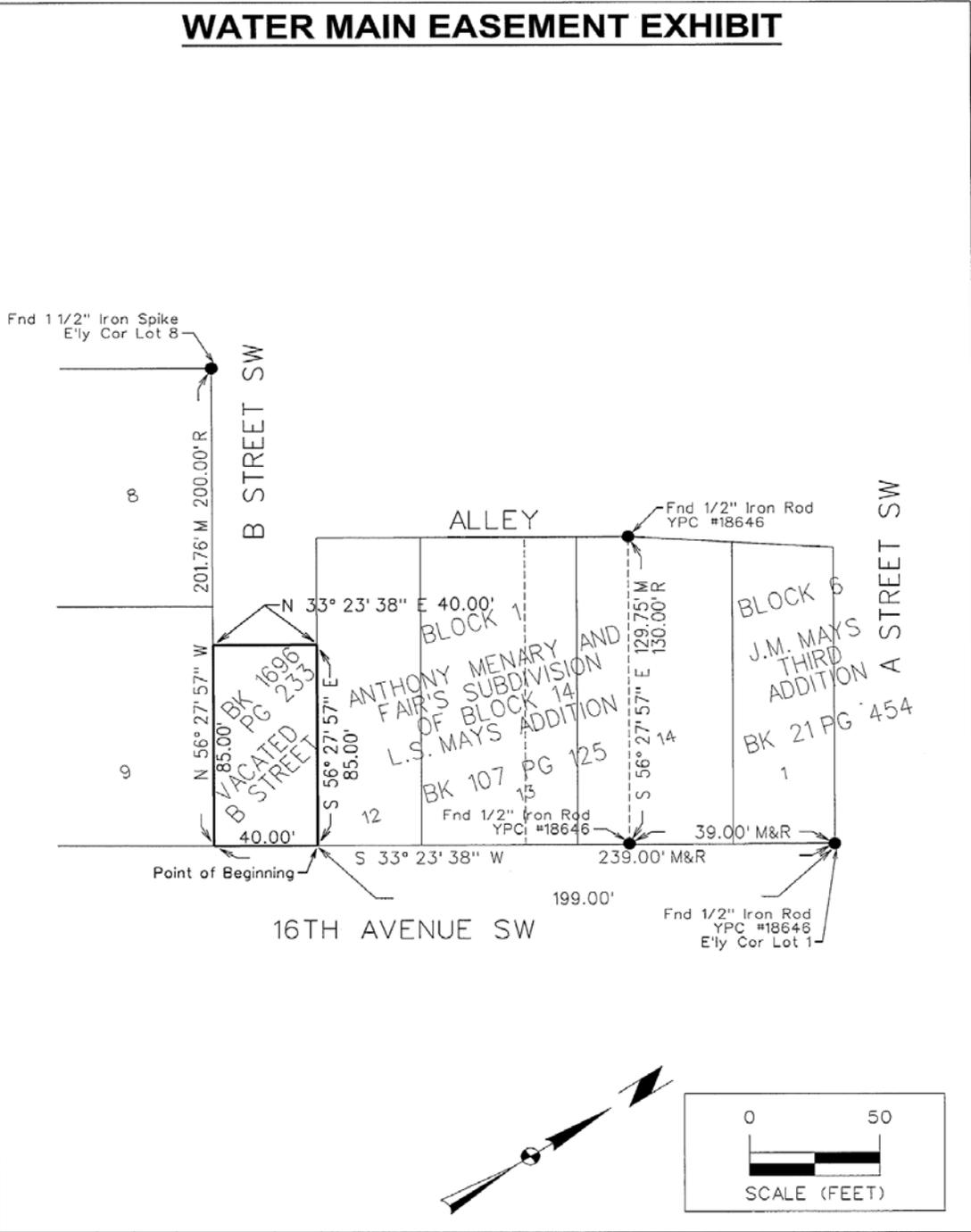
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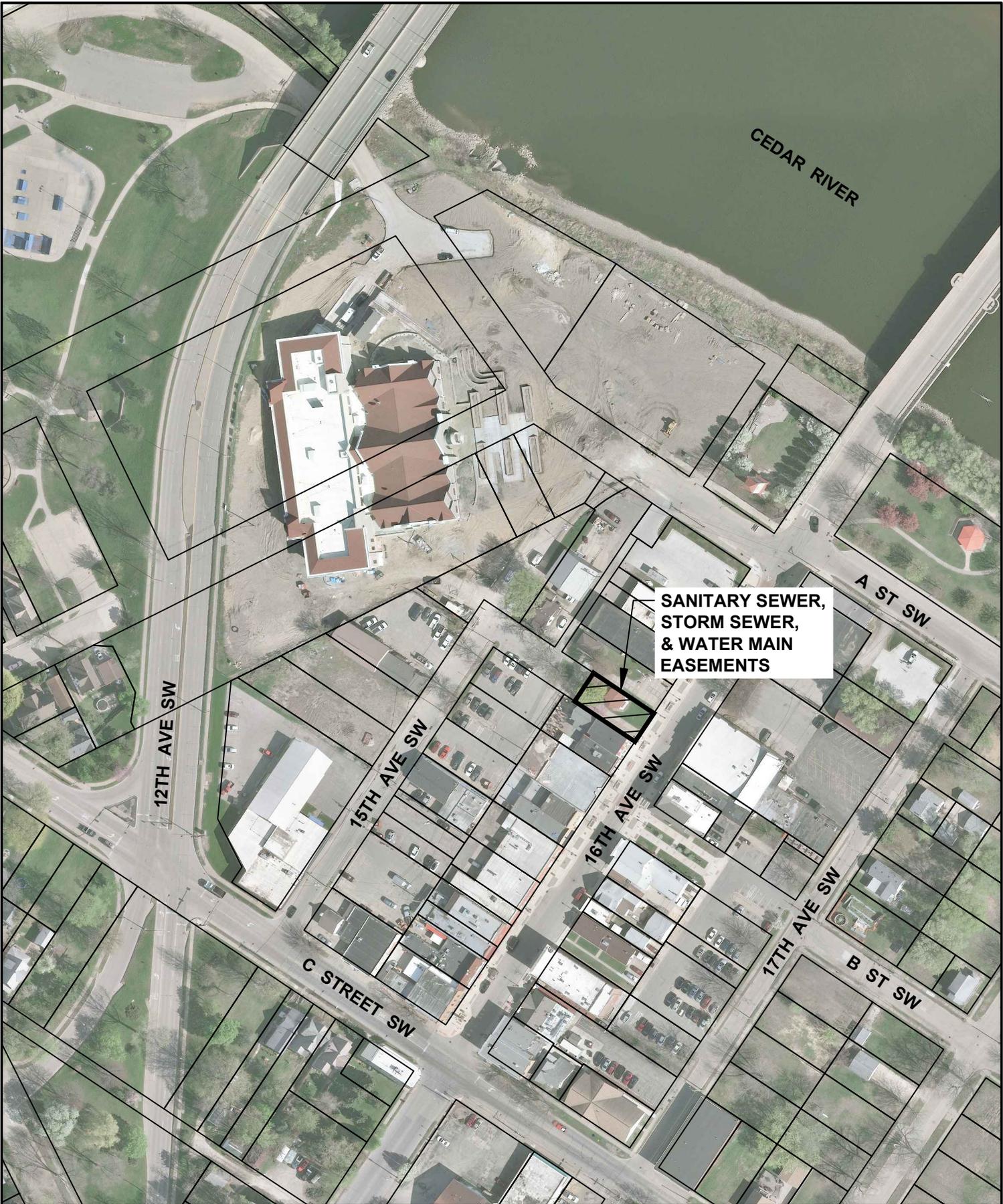
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8/22/2013
TWF

WATER MAIN EASEMENT EXHIBIT



WATER MAIN EASEMENT EXHIBIT		SHEET 2 OF 2
CITY OF CEDAR RAPIDS		PN: 1120878
SNYDER & ASSOCIATES, INC. Engineers and Planners		PM: PDS
5005 BOWLING STREET S.W. CEDAR RAPIDS, IA 52404 (319) 362-9394		DATE: 08/19/13
		TECH: TWF



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**SANITARY SEWER SW QUADRANT FLOOD REPAIRS
SANITARY SEWER, STORM SEWER,
AND WATER MAIN EASEMENTS**



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5806

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

Phone Number/Extension: 5820

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **Yes Map**
Resolution approving the Final Plat of CWP Industrial Park First Addition for property located at 4700 Bowling Street SW. CIP/DID #FLPT-007148-2013

Background:

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

This plat contains two (2) lots and a total plat area of 6.83 acres.

Action / Recommendation:

The Public Works Department recommends approval of the resolution to approve Final Plat of CWP Industrial Park First Addition to Cedar Rapids, Linn County, Iowa.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: January 28, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): NA

Local Preference Policy: Applies Exempt

Explanation: Policy not applicable to final platting subdivisions.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

ENG
CLK
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SWM
BSD
PD
FIR
WTR
STR
IT
LC SHERIFF
AMBULANCE
POST OFFICE
GAZETTE
FLPT-007148-2013

**RESOLUTION NO.
RESOLUTION APPROVING PLAT**

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

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

1. Agreement for Private Storm Water Detention

, and

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

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

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

Passed this 28th day of January, 2014.

_____ Mayor

Attest:

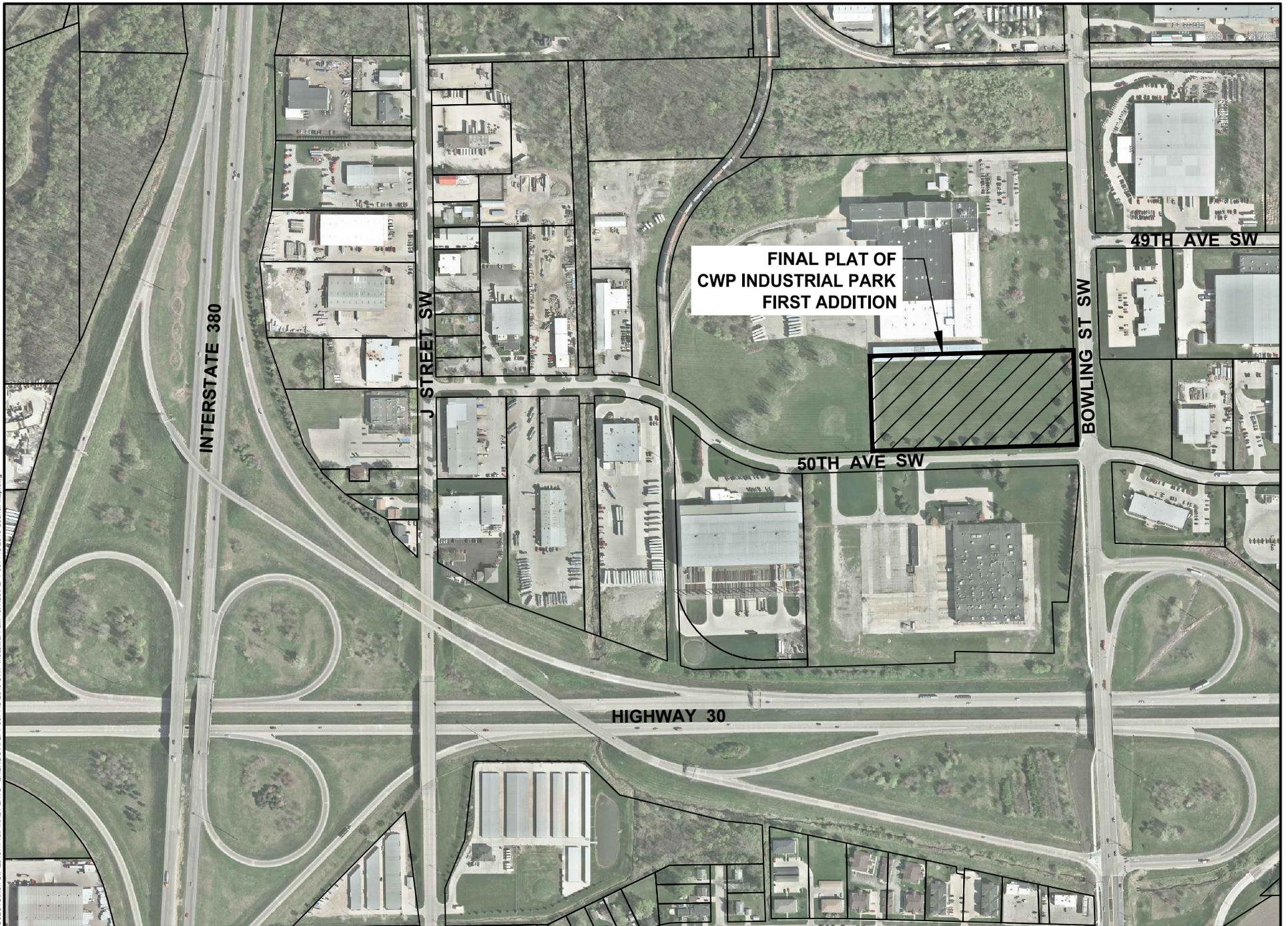
_____ City Clerk

STATE OF IOWA)
) ss.
COUNTY OF LINN)

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

City Clerk

Cadd File Name: W:\PROJECTS\New-CIP\2013\FINAL PLATS - ENERGO\FLPT-007148-2013 CWP Industrial Park 1st Add\FLPT-007148-2013 Council Map.dwg



**FINAL PLAT OF
CWP INDUSTRIAL PARK FIRST ADDITION
Location Map**



Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at meeting: Joe Mailander
E-mail Address: j.mailander@cedar-rapids.org

Phone Number/Extension: 286-5822

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

Phone Number/Extension: 286-5092

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

Resolution correcting a scrivener's error in the legal description on Resolution No. 1777-11-13 for Cottage Ridge, L.L.C. on Lot 17 and Lot 18, Cottage Ridge Third Addition to Cedar Rapids, Linn County, Iowa. CIP/DID #41-14-016

Background:

Resolution No. 1777-11-13 approved the vacation of a road reservation and utility easement to Cottage Ridge, L.L.C. which was subsequently recorded by the Linn County Recorder. After recording, a scrivener's error was discovered in the legal description on the resolution and attached road reservation and utility easement vacation exhibit. In order to correct the error, the City must record a new resolution with the corrected legal description.

Action / Recommendation:

City staff recommends approval of the resolution.

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

Time Sensitivity: N/A

Resolution Date: February 11, 2014

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable): NA

Local Preference Policy: Applies Exempt

Explanation:

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, on November 19, 2013 the City of Cedar Rapids City Council approved Resolution No. 1777-11-13, which vacated a 60-foot wide road reservation and utility easement as requested by Cottage Ridge, L.L.C. and located on the following described property:

Lot 17 and Lot 18, Cedar Ridge Third Addition to
Cedar Rapids, Linn County, Iowa
(6821 and 6901 Cottage Ridge Court NE)

WHEREAS, the resolution was recorded in the office of the Linn County Recorder on December 27, 2013; and

WHEREAS, a scrivener's error was discovered in the legal description on the resolution and attached road reservation and utility easement vacation exhibit; and

WHEREAS, the legal description has been corrected as follows and on the road reservation and utility easement vacation attached as Exhibit "A":

Lot 17 and Lot 18, Cottage Ridge Third Addition to
Cedar Rapids, Linn County, Iowa
(6821 and 6901 Cottage Ridge Court NE)

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that this resolution be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 11th day of February, 2014.

Exhibit "A"

Road Reservation and Utility Easement Vacation Exhibit

Located along the shared property line between Lots 17 and 18 of Cottage Ridge Third Addition





Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Community Development

Presenter at meeting: Adam Lindenlaub
Email: a.lindenlaub@cedar-rapids.org

Phone Number/Ext: 319 286-5064

Alternate Contact Person: Joe O'Hern
Email: j.ohern@cedar-rapids.org

Phone Number/Ext: 319 286-5292

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

Resolution authorizing the use of up to \$263,773,493 in Sales Tax Revenue over 20 years for the funding of flood mitigation in Cedar Rapids. CIP/DID #987556

Background:

On December 4, 2013, the Flood Mitigation Board approved Cedar Rapids' Flood Mitigation Program (FMP) grant request for \$263,773,493 of sales tax revenue over 20 years to build flood protection on both sides of the Cedar River. The City is required to pass a resolution authorizing the use of sales tax increment revenue.

The FMP is a result of the City's lobbying the Iowa Legislature for the recapturing of the growth in sales tax to help fund flood mitigation projects, called the Growth Reinvestment Initiative (GRI). The FMP allows for the increment or growth in sales tax to be returned to a jurisdiction over a twenty year period with an annual cap of 70% of the growth or \$15 million dollars. The FMP allows only one application per jurisdiction with a due date of January of 2016.

A link to both the Executive Summary and the approved application can be accessed on the City's website at this link <http://www.cedar-rapids.org/FMPApplication>

Action / Recommendation:

City staff recommends approval of the resolution.

Alternative Recommendation:

City Council may table the item and request additional information.

Time Sensitivity:

Approval of resolution allows for the City to access the funds as soon as they are available.

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 minutes

Local Preference Policy Applies Exempt N/A

Recommended by Council Committee Yes No N/A

RESOLUTION NO.

RESOLUTION AUTHORIZING THE USE OF SALES TAX REVENUE FOR THE
FUNDING OF FLOOD MITIGATION IN CEDAR RAPIDS

WHEREAS, the City of Cedar Rapids was instrumental in the creation of the Flood Mitigation Program by the State of Iowa; and

WHEREAS, the Flood Mitigation Program allows for the use of the growth in sales tax in a jurisdiction to be used to fund the construction of flood mitigation projects; and

WHEREAS, on December 4, 2013 the Flood Mitigation Board approved the City's application to fund the construction of flood protection on both east and west sides of the river with sales tax revenue in the amount of \$263,773,493; and

WHEREAS, the City must pass a resolution authorizing the use of sales tax increment revenue;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Finance Director, or designee, is authorized to use the sales tax increment revenue per the agreement with the Iowa Flood Mitigation Board for flood mitigation in Cedar Rapids.

Passed this 28th day of January, 2014.

Council Agenda Item Cover Sheet

Consent Agenda **Regular Agenda**

Council Meeting Date: January 28, 2014

Submitting Department: Information Technology

Presenter at meeting: Consent **Phone No.:** **E-mail:**

Alternate Contact: Nic Roberts **Phone No.:** 5088 **E-mail:** n.roberts@cedar-rapids.org

Description of Agenda Item:

Resolution approving the Business Travel Report for Pauline Kikuts, Systems Analyst Supervisor and Chris Nelson, Systems Analyst, in the amount of \$12,500 for attending the Intergraph Computer Aided Dispatch Administration Training in Huntsville, Alabama from June 16 through June 27, 2014.

Background:

The City currently uses the Intergraph Computer Aided Dispatch software suite as the primary CAD software in the 911 Center for both the City and County. As this application changes and is enhanced by new features, IT staff need to stay current with changes. This CAD training will enable Pauline to stay current on new software features and provide system administration.

Action / Recommendation:

The Information Technology Department – recommends that City Council approve Pauline Kikuts' Business Travel Report for attending the Intergraph Computer Aided Dispatch System Administration Training in Huntsville, Alabama for a trip cost of \$12,500.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Information Technology Cost of Conference/Training budget coded to 542102-101-109130

Local Preference Policy Applies Exempt

Explanation: Travel

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Business Travel Report submitted by Pauline Kikuts, Systems Analyst Supervisor and Chris Nelson System Analyst, be hereby approved for attending the Intergraph Computer Aided Dispatch System Administration Training from June 16 through June 27, 2014 in Huntsville, Alabama in the amount of \$12,500. The trip cost will be funded from the Information Technology Department's FY2014 Cost of Conference/Training budget and coded to 542102-101-109130.

Passed this 28th day of January, 2014



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Bill Kiesel

Phone Number/Ext: 5293

Email: w.kiesel@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Amendment No. 1 to renew Contract for Low and Medium Voltage Electrical Services with ESCO Electric for the Water Pollution Control Facility for an estimated annual amount of \$140,000 (original contract amount was \$140,000; renewal contract amount is \$140,000). CIP/DID #0112-126

Background:

City Council approved award of the Contract to ESCO Electric for as-needed low and medium voltage electrical services through Resolution No. 0285-02-12. ESCO Electric has agreed to renew the Contract for a two-year period with no increase in price.

The Contract period is March 1, 2014 through February 29, 2016. There is one (1) two-year renewal option remaining. All work is as-needed and as assigned by a Work Order Form. Pricing for work is per the following unit prices:

Low Voltage Electrical Services		
1	Standard Hourly Rate, 40 hour work week	
	Apprentice @ 75%	\$54.40
	Journeyman	\$61.42
	Foreman	\$64.40
	Testing Technician	\$95.00
	Testing Engineer	\$110.00
2	40+ Hours and Saturday	
	Apprentice @ 75%	\$79.63
	Journeyman	\$89.98
	Foreman	\$121.54
	Testing Technician	\$142.50
	Testing Engineer	\$165.00
3	Sundays and Holidays	
	Apprentice @ 75%	\$107.50
	Journeyman	\$121.54
	Foreman	\$127.50
	Testing Technician	\$190.00

	Testing Engineer	\$220.00
Medium Voltage Electrical Services		
4	Standard Hourly Rate, 40 hour work week	
	Apprentice @ 75%	\$54.40
	Journeyman	\$61.42
	Foreman	\$64.40
	Testing Technician	\$95.00
	Testing Engineer	\$110.00
5	40+ Hours and Saturday	
	Apprentice @ 75%	\$79.63
	Journeyman	\$89.98
	Foreman	\$94.43
	Testing Technician	\$142.50
	Testing Engineer	\$165.00
6	Sundays and Holidays	
	Apprentice @ 75%	\$107.50
	Journeyman	\$121.54
	Foreman	\$127.50
	Testing Technician	\$190.00
	Testing Engineer	\$220.00
7	Lead time for regular service calls	1 day
8	Lead time for emergency calls	2 hours
9	Minimum service call charge	\$150.00
10	Percent mark-up on material/equipment rental	10%
Actual travel time to and from the work location is not reimbursable under this contract		

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity: Contract begins March 1, 2014

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): 91438-521108-611-611035-61112 (25%);
91438-521108-611-611035-61122 (25%);
91438-521108-611-611035-61132 (25%);
91438-521108-611-611035-61142 (25%)

Local Preference Policy Applies Exempt

Explanation: ESCO Electric is a certified local vendor

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

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

WHEREAS, the City desires to renew the Contract with ESCO Electric for the contract period March 1, 2014 through February 29, 2016; and

WHEREAS, this renewal covers years three and four of the Contract; one additional two-year renewal option remains; and

WHEREAS, vendor has agreed to hold their unit pricing firm for the renewal period; and

WHEREAS, the estimated annual cost of this Contract is \$140,000.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute Amendment No. 1 with ESCO Electric as described herein.

Passed this 28th day of January, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda Item

Phone Number/Ext:

Email:

Alternate Contact Person: Jon Resler

Phone Number/Ext: X5802

Email: j.resler@cedar-rapids.org

Description of Agenda Item:

Amendment No. 5 to renew Agreement for Traffic Signal Equipment with Brown Traffic Products, Inc. for the Traffic Engineering Division for a total annual expenditure not to exceed \$250,000 (original contract amount was \$45,000, renewal contract amount is \$250,000).
CIP/DID #1109-110

Background:

Traffic Engineering entered into a sole source agreement with Brown Traffic Products in 2009 to provide various traffic signal equipment including, EPAC signal control, and Polara pushbutton equipment.

This amendment is for a fourth renewal period of February 1, 2014 through January 31, 2015 with no renewal options remaining. Annual expenditure shall not exceed \$250,000. Purchases made under this agreement are for approved CIP construction projects.

Action / Recommendation:

Resolution authorizing execution of Amendment No. 5 to Agreement for Traffic Signal Equipment for a total estimated annual amount not to exceed \$250,000.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Purchases will be for approved CIP construction projects.

Local Preference Policy Applies Exempt

Explanation:

There are no local suppliers for traffic signal equipment.

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City entered into a sole source agreement with Brown Traffic Products, Inc. in 2009 as the supplier to provide various traffic signal equipment including EPAC signal control, and Polara pushbutton equipment to the Traffic Engineering Division; and

WHEREAS, Amendment No. 5 extends the agreement through January 31, 2015 with no increase in price, with no renewal options remaining; and

WHEREAS, the total annual expenditure is not to exceed \$250,000 with purchases to be for approved CIP projects;

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 purchase agreement, which were attached to and made a part of the Purchase Agreement, and that the City Manager and City Clerk are hereby directed to execute Amendment No. 5 to the Agreement for Traffic Signal Equipment with Brown Traffic Products, Inc. as described herein.

Passed this 28th day of January, 2014.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Loren Snell, PE
E-mail Address: l.snell@cedar-rapids.org

Phone Number/Extension: 5804

Alternate Contact Person: Pat Wieneke
E-mail Address: p.wieneke@cedar-rapids.org

Phone Number/Extension: 5848

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

Authorizing Change Order No. 5 in the amount of \$14,086.86, plus an additional 1.25 days, with Rathje Construction Company for the Bever-Linden-Blake SE Area Water Main Improvements – Phase II project (original contract amount was \$941,580.60; total contract amount with this amendment is \$1,025,515.27). CIP/DID #2011025-03

Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Additional cost was incurred to change the water service to 306 Crescent to a 2-inch water line. The cross slope on Crescent Street was incorrect where it meets Linden Drive so the contractor needed to correct the slope. Additional work was required to install drain tile along 19th Street. 1.25 days was added to completion date for work associated with this change order.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 5 submitted by Rathje Construction Company.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt

Recommended by Council Committee: Yes No N/A

ENG
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FIN
CLK
RATHJE
SHIVE HATTERY
2011025-03

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 5 in the amount of \$14,086.86, plus an additional 1.25 days, with Rathje Construction Company for the Bever-Linden-Blake SE Area Water Main Improvements – Phase II, Contract No. 2011025-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$941,580.60
Change Order No. 1	19,102.00
Change Order No. 2	1,541.40
Change Order No. 3	44,364.41
Change Order No. 4	4,840.00
Change Order No. 5	<u>14,086.86</u>
Amended Contract Amount	\$1,025,515.27

General ledger coding for this Change Order to be as follows:

\$ 1,565.86	625-625000-625884-6252011025
\$ 6,893.00	301-301000-30185-3012040
\$ 5,628.00	301-301000-30185-301227

Passed this 28th day of January, 2014.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Loren Snell, PE
E-mail Address: l.snell@cedar-rapids.org

Phone Number/Extension: 5804

Alternate Contact Person: Pat Wieneke
E-mail Address: p.wieneke@cedar-rapids.org

Phone Number/Extension: 5848

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

Authorizing Change Order No. 3 in the amount of \$749.14 with Horsfield Construction, Inc. for the Bever Avenue SE from Indiandale Road to 200 Feet East of Lost Valley Road Reconstruction project (original contract amount was \$519,440.45; total contract amount with this amendment is \$584,728.19). CIP/DID #301380-02

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. Two of the existing manhole castings were broken and Horsfield replaced them.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 3 submitted by Horsfield Construction, Inc.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP 301380

Local Preference Policy: Applies Exempt

Explanation: Chapter 26 of the Code of Iowa requires construction contracts for highway, bridge, or culvert improvements be awarded to the lowest responsive, responsible bidder.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary): Infrastructure Committee September 18, 2012

ENG
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HORSFIELD
SNYDER & ASSOC
301380-02

RESOLUTION NO.

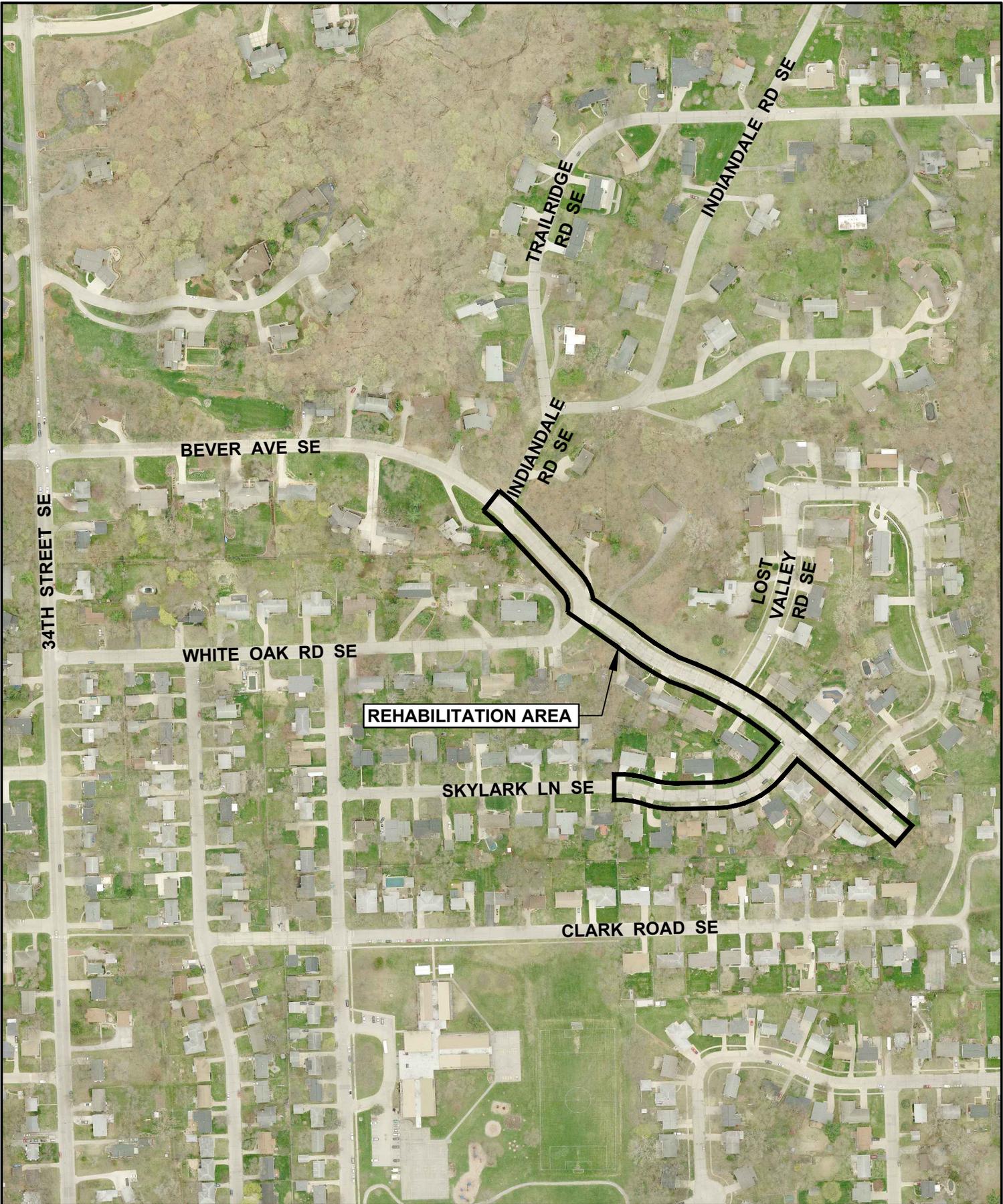
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 3 in the amount of \$749.14 with Horsfield Construction, Inc. for the Bever Avenue SE from Indiandale Road to 200 Feet East of Lost Valley Road Reconstruction, Contract No. 301380-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$506,340.45
Possible Incentive	13,100.00
Change Order No. 1	2,490.00
Change Order No. 2	62,048.60
Change Order No. 3	<u>749.14</u>
Amended Contract Amount	\$584,728.19

General ledger coding for this Change Order to be as follows:

\$749.14 301-301000-301380

Passed this 28th day of January, 2014.



REHABILITATION AREA



**BEVER AVENUE SE STREET REHABILITATION PROJECT
INDIANDALE RD TO 200 FEET EAST OF LOST VALLEY RD**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Loren Snell, PE
E-mail Address: l.snell@cedar-rapids.org

Phone Number/Extension: 5804

Alternate Contact Person: Pat Wieneke
E-mail Address: p.wieneke@cedar-rapids.org

Phone Number/Extension: 5848

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

Authorizing Change Order No. 7 in the amount of \$19,191.55 with Rathje Construction Company for the Bever Avenue SE Rehabilitation From Memorial Drive SE to 34th Street SE project (original contract amount was \$1,529,777.11; total contract amount with this amendment is \$1,615,821.44). CIP/DID #301696-01

Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Additional storm sewer work was added due to a redesign of the storm sewer intakes and cross road pipes to avoid the high pressure gas main under Bever Avenue.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 7 submitted by Rathje Construction Company.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP 301696

Local Preference Policy: Applies Exempt

Explanation: Chapter 26 of the Code of Iowa requires construction contracts for highway, bridge, or culvert improvements be awarded to the lowest responsive, responsible bidder.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary): Infrastructure Committee

ENG
AUD FILE
FIN
CLK
RATHJE
SNYDER
301696-01

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 7 in the amount of \$19,191.55 with Rathje Construction Company for the Bever Avenue SE Rehabilitation From Memorial Drive SE to 34th Street SE, Contract No. 301696-01. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,459,777.11
Possible Incentive	70,000.00
Change Order No. 1	127.00
Change Order No. 2	18,600.00
Change Order No. 3	2,025.00
Change Order No. 4	20,892.80
Change Order No. 5	4,365.00
Change Order No. 6	20,842.98
Change Order No. 7	<u>19,191.55</u>
Amended Contract Amount	\$1,615,821.44

General ledger coding for this Change Order to be as follows:

\$14,991.55	301-301000-301696
\$ 4,200.00	625-625000-625884-6252013027

Passed this 28th day of January, 2014.



**PROJECT
LOCATION**



**BEVER AVENUE SE REHABILITATION
FROM MEMORIAL DRIVE SE TO 34TH STREET SE**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Loren Snell
E-mail Address: l.snell@cedar-rapids.org

Phone Number/Extension: 5804

Alternate Contact Person: Pat Wieneke
E-mail Address: p.wieneke@cedar-rapids.org

Phone Number/Extension: 5848

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **No Map**
Authorizing Change Order No. 13 (Final) deducting the amount of \$29,388.36 with BWC Excavating, LC for the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project (original contract amount was \$189,177.50; total contract amount with this amendment is \$243,974.39). CIP/DID #3017012-01

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. 13 (Final) submitted by BWC Excavating, LC.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt

Explanation: Per Code of Iowa, Chapter 26, contracts for public improvements not related to public utilities must be awarded to the lowest responsive, responsible bidder.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 13 (Final) deducting the amount of \$29,388.36 with BWC Excavating, LC for the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project, Contract No. 3017012-01. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$185,177.50
Possible Incentive	4,000.00
Change Order No. 1	56,093.20
Change Order No. 2	7,816.50
Change Order No. 3	1,350.75
Change Order No. 4	5,369.13
Change Order No. 5	133.50
Change Order No. 6	310.50
Change Order No. 7	405.00
Change Order No. 8	790.50
Change Order No. 9	1,209.00
Change Order No. 10	453.75
Change Order No. 11	11,693.67
Change Order No.12	1,059.75
Change Order No. 13 (Final)	(29,388.36)
Removal of Original Incentive	<u>(2,500.00)</u>
Amended Contract Amount	\$243,974.39

General ledger coding for this Change Order to be as follows:

(\$24,638.36)	301-301000-3017012
(\$4,750.00)	661-661002-66131

Passed this 28th day of January, 2014.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Loren Snell, PE
E-mail Address: l.snell@cedar-rapids.org

Phone Number/Extension: 5804

Alternate Contact Person: Pat Wieneke
E-mail Address: p.wieneke@cedar-rapids.org

Phone Number/Extension: 5848

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

Authorizing Change Order No. 8 in the amount of \$12,724.70 with Zinser Grading & Excavating, LLC for the E Avenue NW–Phase II 13th Street to Ellis Boulevard Storm Sewer, Water Main, Sidewalk and Street Improvements project (original contract amount was \$3,037,467.35; total contract amount with this amendment is \$3,101,814.15). CIP/DID #304037-06

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.

During both stages of this project, the grading of the yards was executed per plan by the onsite contractor. Even doing so, the grading didn't allow for existing trees to be given a good chance to be healthy as well as the questionable stability of the remaining yards. The solutions suggested were some retaining walls at the corner of 9th Street and E Avenue NW as well as the north side of the road where 11th Street and E Avenue intersect. Zinser crews prepped the areas by digging behind the new sidewalk and removing tree roots that would interfere with these two retaining walls. Whitters Landscaping then installed the two walls to insure that the yards were stable, as well as to encourage the remaining trees stability. During construction three trees were removed by City Crews. They could not remove the rest of the trees until after the desired time. Zinser offered to remove the stumps while they were onsite to allow for progress to continue.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 8 submitted by Zinser Grading & Excavating, LLC.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 Minute(s)

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

Local Preference Policy: Applies Exempt

Explanation: Grant-funded project

Recommended by Council Committee: Yes No N/A

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

RESOLUTION NO.

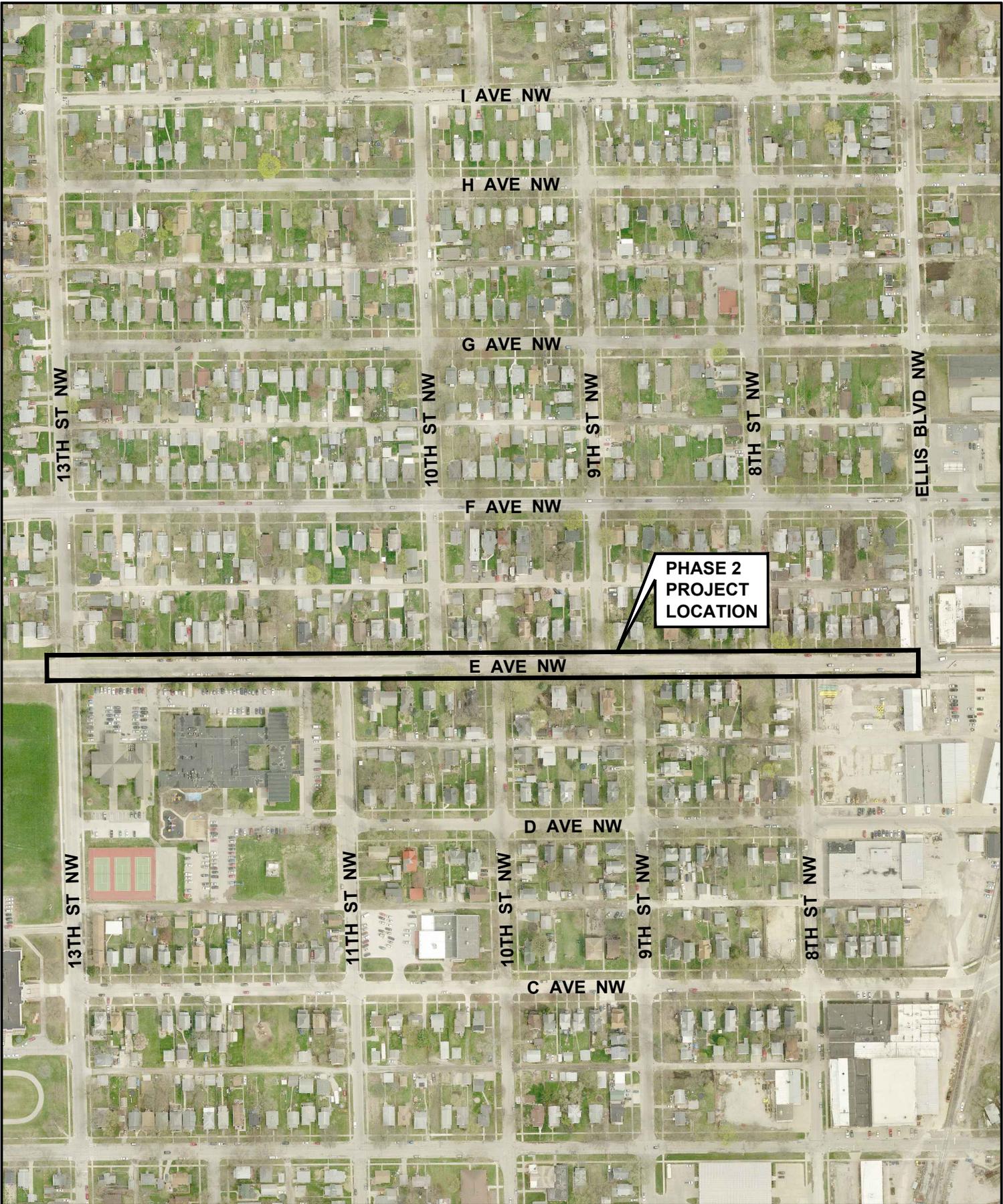
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 8 in the amount of \$12,724.70 with Zinser Grading & Excavating, LLC for the E Avenue NW–Phase II 13th Street to Ellis Boulevard Storm Sewer, Water Main, Sidewalk and Street Improvements, Contract No. 304037-06. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	2,987,467.35
Possible Incentive	50,000.00
Change Order No. 1	7,250.96
Change Order No. 2	850.00
Change Order No. 3	375.00
Change Order No. 4	4,274.52
Change Order No. 5	36,199.00
Change Order No. 6	2,613.16
Change Order No. 7	59.46
Change Order No. 8	<u>12,724.70</u>
Amended Contract Amount	\$3,101,814.15

General ledger coding for this Change Order to be as follows:

\$12,724.70 304-304000-304037

Passed this 28th day of January, 2014.



**E AVENUE NW - PHASE 2, 13TH STREET TO ELLIS BLVD
STORM SEWER, WATER MAIN, SIDEWALK
AND STREET IMPROVEMENTS**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Loren Snell, PE
E-mail Address: l.snell@cedar-rapids.org

Phone Number/Extension: 5804

Alternate Contact Person: Pat Wieneke
E-mail Address: p.wieneke@cedar-rapids.org

Phone Number/Extension: 5848

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

Authorizing Change Order No. 3 (Final) deducting the amount of \$3,698.26 with Price Industrial Electric, Inc. for the E and F Avenue at 1st Street NW and 1st Street NE Traffic Signal Improvements project (original contract amount was \$318,463; total contract amount with this amendment is \$345,459.37). CIP/DID #306222-01

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.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 3 (Final) submitted by Price Industrial Electric, Inc.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt

Explanation: Chapter 26 of the Code of Iowa requires construction for highway, bridge, or culvert improvements to be awarded to the lowest responsive, responsible bidder.

Recommended by Council Committee: Yes No N/A

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

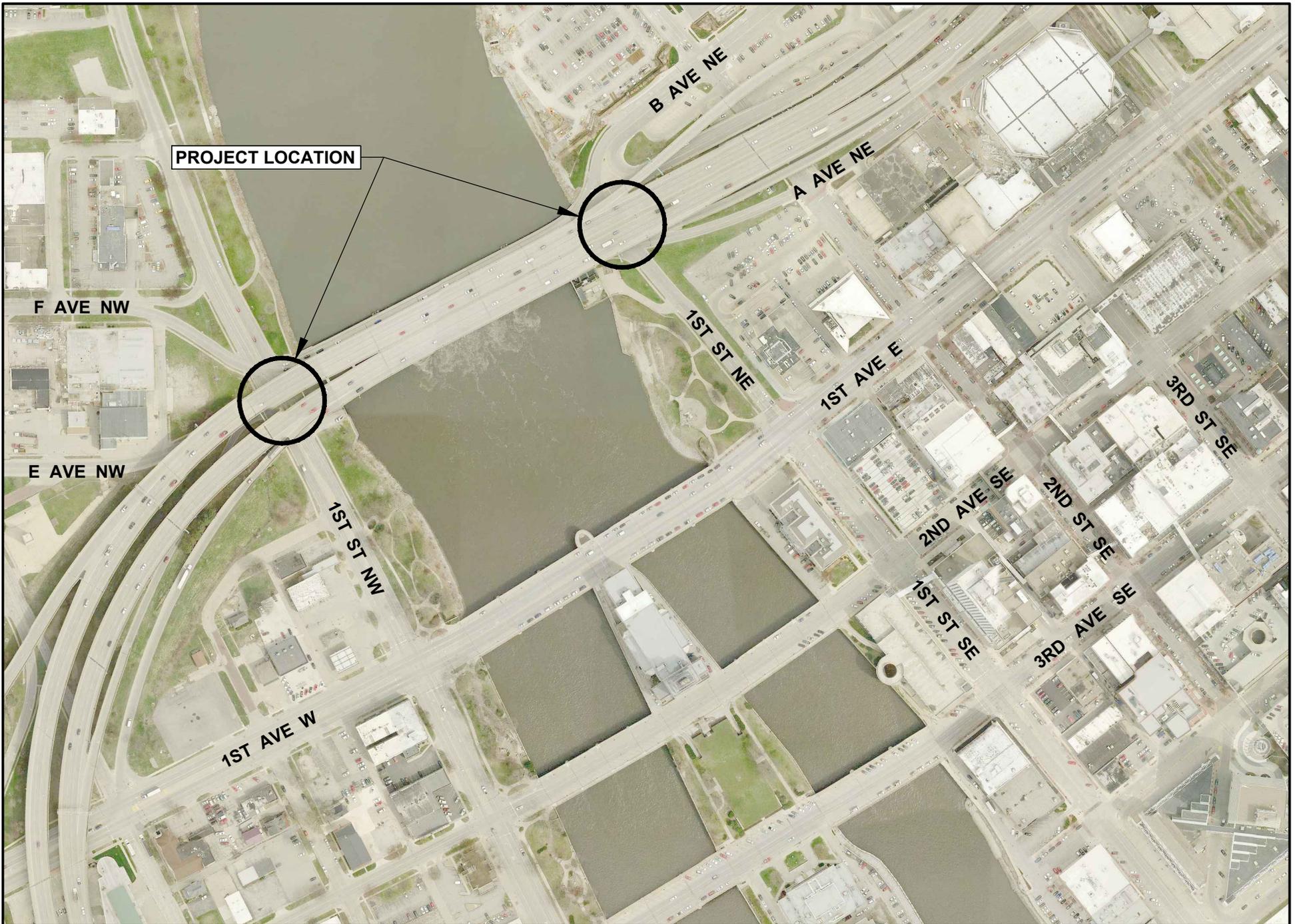
RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 3 (Final) deducting the amount of \$3,698.26 with Price Industrial Electric, Inc. for the E and F Avenue at 1st Street NW and 1st Street NE Traffic Signal Improvements project, Contract No. 306222-01. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$314,963.00
Possible Incentive	3,500.00
Change Order No. 1	13,753.70
Change Order No. 2	18,440.93
Change Order No. 3 (Final)	(3,698.26)
Removal of Original Incentive	<u>(1,500.00)</u>
Amended Contract Amount	\$345,459.37

General ledger coding for this Change Order to be as follows: (\$3,698.26) 306-306000-306222

Passed this 28th day of January, 2014.



PROJECT LOCATION

F AVE NW

E AVE NW

1ST ST NW

1ST AVE W

1ST ST NE

1ST AVE E

2ND AVE SE

2ND ST SE

1ST ST SE

3RD AVE SE

3RD ST SE

B AVE NE

A AVE NE



**E AND F AVENUE AT 1ST STREET NW AND 1ST STREET NE
TRAFFIC SIGNAL IMPROVEMENT PROJECT**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Loren Snell, P.E.
E-mail Address: l.snell@cedar-rapids.org

Phone Number/Extension: 5804

Alternate Contact Person: Pat Wieneke
E-mail Address: p.wieneke@cedar-rapids.org

Phone Number/Extension: 5848

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

Resolution authorizing Change Order No. 6 (Final) in the amount of \$23,906 with Knutson Construction Services Midwest for the 1st Street SW Outdoor Amphitheater & Festival Grounds project (original contract amount was \$4,576,671; total contract amount with this amendment is \$5,018,651.16). CIP/DID #307218-06

Background:

This change order includes additional work as follows:

- Additional paving and curb repairs necessary to install American with Disabilities Act (ADA) compliant sidewalk ramps.
- Additional cost to move the 4th Avenue entrance lights to allow for extra turning radius for trucks and providing added light on the donor wall.
- Additional cost to compensate the contractor for changing the paint system on the floodwall arches.
- Additional cost for modification to the floodwall plantings and landscaping so that the donor wall would not be covered by the plantings.
- Backflow preventers were installed on the water supplies for the irrigation and drinking water fountains.
- Decorative edging and river rock were added to help minimize maintenance issues around the lighting and electrical service boxes.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 6 (Final) submitted by Knutson Construction Services Midwest.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP 307218

Local Preference Policy: Applies Exempt

Explanation: Does not fit the criteria.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary): Reviewed by the Infrastructure Committee on August 16, 2011

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ANDERSON BOGERT
307218-06

RESOLUTION NO.

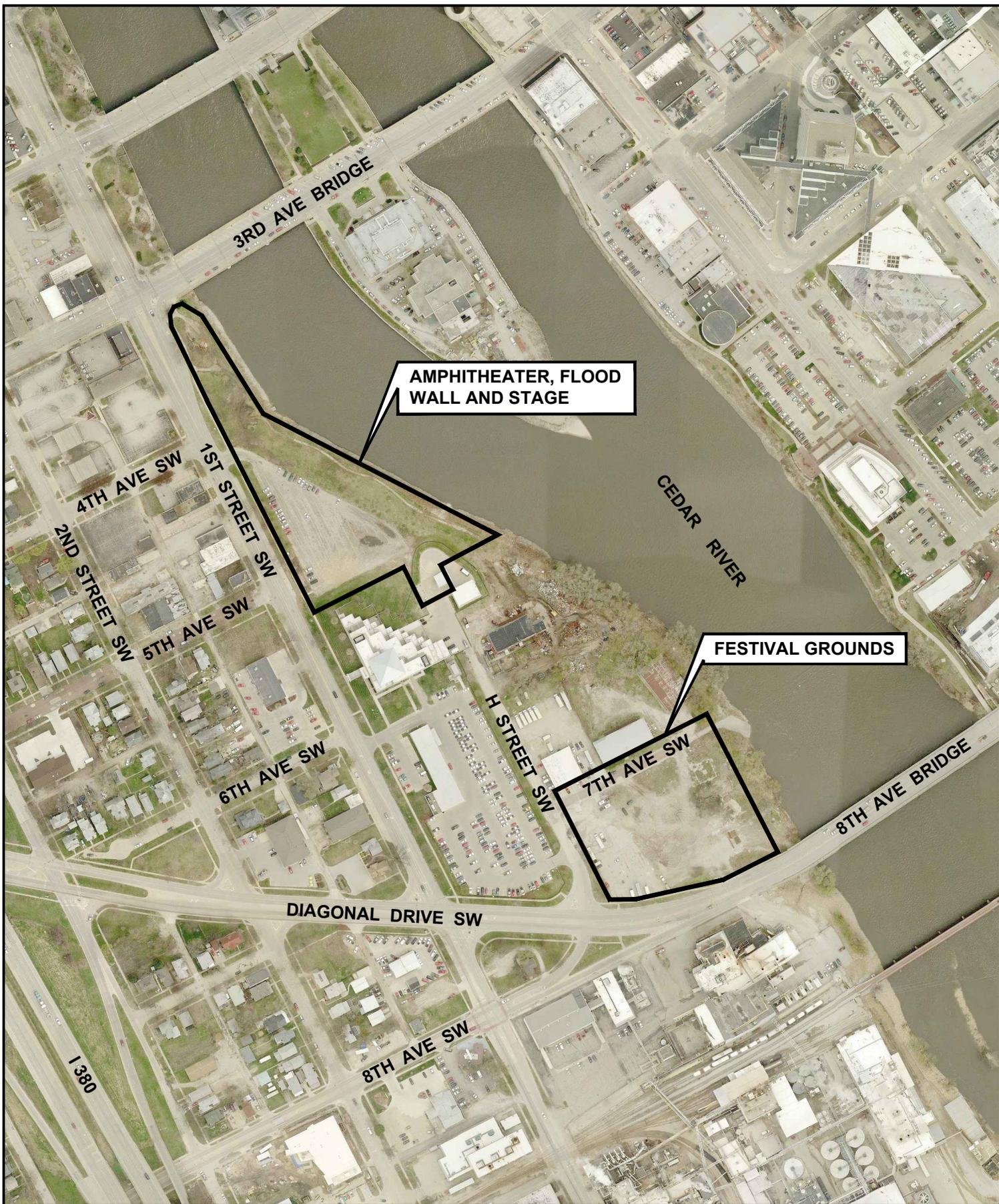
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 6 (Final) in the amount of \$23,906 with Knutson Construction Services Midwest for the 1st Street SW Outdoor Amphitheater & Festival Grounds project, Contract No. 307218-06. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$4,546,671.00
Possible Incentive	30,000.00
Change Order No. 1	66,965.16
Change Order No. 2	43,687.00
Change Order No. 3	8,699.00
Change Order No. 4	224,084.00
Change Order No. 5	74,639.00
Change Order No. 6 (Final)	<u>23,906.00</u>
Amended Contract Amount	\$5,018,651.16

General ledger coding for this Change Order to be as follows:

\$23,906 307-307000-307218

Passed this 28th day of January, 2014.

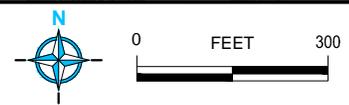


AMPHITHEATER, FLOOD WALL AND STAGE

FESTIVAL GROUNDS



**1ST STREET SW
OUTDOOR AMPHITHEATER & FESTIVAL GROUNDS**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

Alternate Contact Person: Keith Nuehring
E-mail Address: k.nuehring@cedar-rapids.org

Phone Number/Extension: 5622

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **No Map**

Authorizing Change Order No. 18 in the amount of \$345.60 with Price Industrial Electric, Inc. for the Joint Communications Network Splicing and Testing – Groups 1 and 3, Traffic Signal Interconnect Groups 1 and 2 project (original contract amount was \$1,148,668; total contract amount with this amendment is \$1,986,909.68). CIP/DID #354004-05

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. 18 submitted by Price Industrial Electric, Inc.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt

Explanation:

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 18 in the amount of \$345.60 with Price Industrial Electric, Inc. for the Joint Communications Network Splicing and Testing – Groups 1 and 3, Traffic Signal Interconnect Groups 1 and 2 project, Contract No. 354004-05. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,143,668.00
Incentive Up to	5,000.00
Change Order No. 1	43,100.00
Change Order No. 2	21,600.00
Change Order No. 3	18,524.00
Change Order No. 4	68,445.38
Change Order No. 5	78,575.00
Change Order No. 6	42,287.60
Change Order No. 7	48,218.88
Change Order No. 8	124,800.00
Change Order No. 9	7,590.40
Change Order No. 10	52,182.00
Change Order No. 11 revised 2	219,900.40
Change Order No. 12	48,624.00
Change Order No. 13	15,254.40
Change Order No. 14	7,270.00
Change Order No. 15	2,900.00
Change Order No. 16	18,744.00
Change Order No. 17	19,880.00
Change Order No. 18	<u>345.60</u>
Amended Contract Amount	\$1,986,909.66

General ledger coding for this Change Order to be as follows: \$345.60 354-354000-35486-354004

Passed this 28th day of January, 2014.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Loren Snell, PE
E-mail Address: l.snell@cedar-rapids.org

Phone Number/Extension: 5804

Alternate Contact Person: Pat Wieneke
E-mail Address: p.wieneke@cedar-rapids.org

Phone Number/Extension: 5848

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

Authorizing Change Order No. 8 in the amount of \$47,700 plus an additional 8 working days, with S.M. Hentges & Sons, Inc. for the Cedar River Sanitary Sewer Crossing Improvements project (original contract amount was \$5,394,964; total contract amount with this amendment is \$5,503,041.25). CIP/DID #655080-03

Background:

This is a contract change order to adjust the contract price for additional work based on contractor quotes reviewed and accepted based on the scope of work. The existing rock in the river was not accurately shown in the plans. The contractor had to excavate an additional 265 cubic yards of rock underwater.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 8 submitted by S.M. Hentges & Sons, Inc.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 655080: \$7,370,000 (CDBG) and \$1,000,000 (Revenue bonds), 615229: \$271,500 (Revenue bonds)

Local Preference Policy: Applies Exempt

Explanation: Grant-funded project.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary): Project was discussed at September 20, 2011 Infrastructure Committee meeting.

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SM HENTGES
ANDERSON BOGRET
655080-03

RESOLUTION NO.

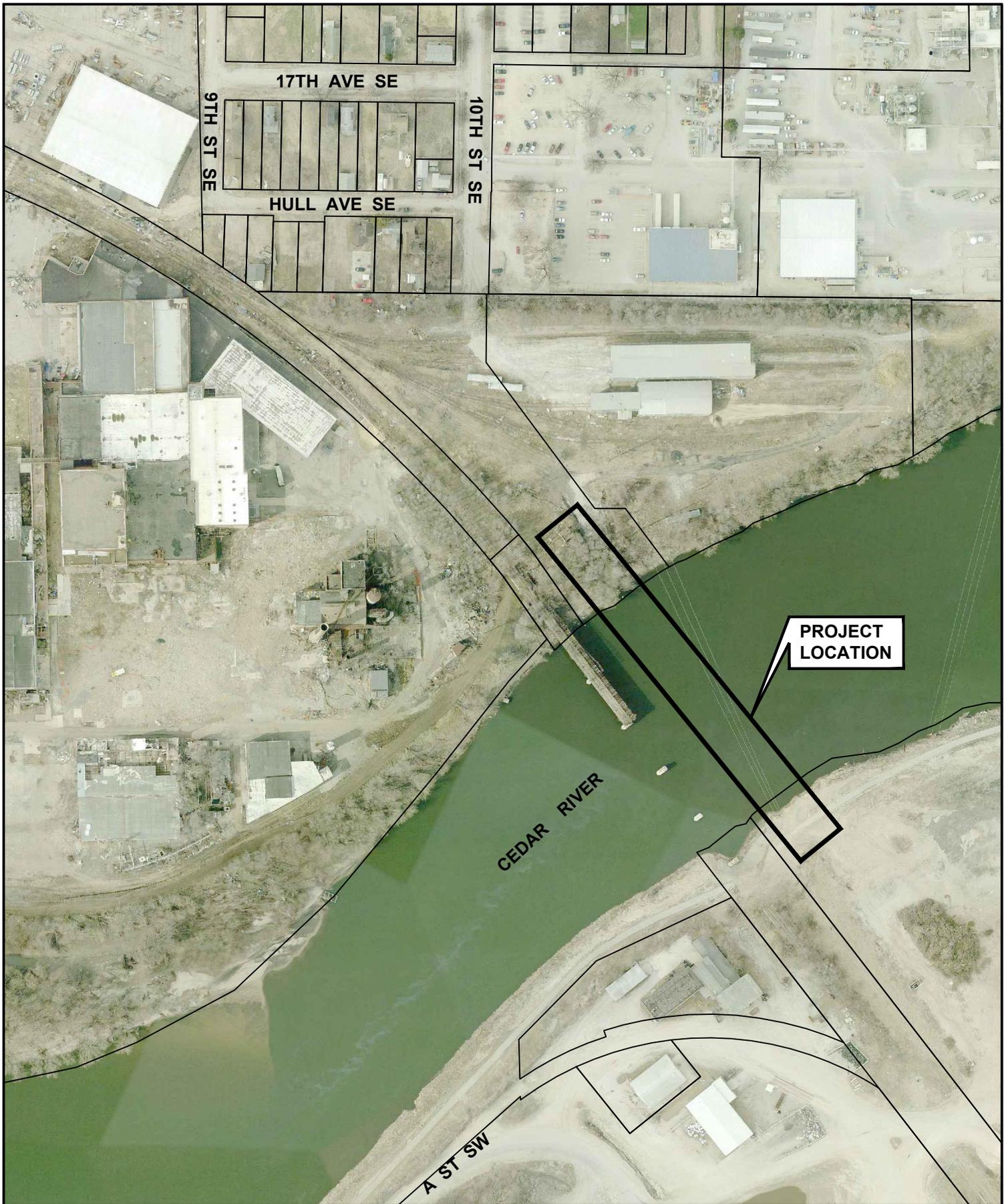
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 8 in the amount of \$47,700 plus an additional 8 working days, with S.M. Hentges & Sons, Inc. for the Cedar River Sanitary Sewer Crossing Improvements project, Contract No. 655080-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$5,370,464.00
Possible Incentive	24,500.00
Change Order No. 1	1,186.81
Change Order No. 2	9,105.14
Change Order No. 3	4,804.16
Change Order No. 4	7,628.19
Change Order No. 5	20,094.74
Change Order No. 6	16,804.72
Change Order No. 7	753.49
Change Order No. 8	<u>47,700.00</u>
Amended Contract Amount	\$5,503,041.25

General ledger coding for this Change Order to be as follows:

\$47,700 655-655000-655080

Passed this 28th day of January, 2014.



**CEDAR RIVER SANITARY SEWER
CROSSING IMPROVEMENTS**





Council Agenda Item Cover Sheet
****FLOOD ITEM****

Submitting Department: Public Works Department

Presenter at meeting: Loren Snell, P.E.
E-mail Address: l.snell@cedar-rapids.org

Phone Number/Extension: 5804

Alternate Contact Person: Pat Wieneke
E-mail Address: p.wieneke@cedar-rapids.org

Phone Number/Extension: 5848

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **Yes Map**
 Authorizing Change Order No. 11 (Final) deducting the amount of \$42,263.34 with Borst Brothers Construction, Inc. for the SW Quadrant, 2008 Flood Area, Sanitary Sewer Restoration, Phase 1 project (original contract amount was \$501,121.24; total contract amount with this amendment is \$529,031.85) (**FLOOD**). CIP/DID #SSD103-04

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. 11 (Final) submitted by Borst Brothers Construction, Inc.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): FEMA

Local Preference Policy: Applies Exempt

Explanation: FEMA funded project

Recommended by Council Committee: Yes No N/A

Explanation: Presented to Infrastructure Committee on July 19, 2011

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BORST
SHIVE HATTERY
SSD103-04
377545

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 11 (Final) deducting the amount of \$42,263.34 with Borst Brothers Construction, Inc. for the SW Quadrant, 2008 Flood Area, Sanitary Sewer Restoration, Phase 1 project, Contract No. SSD103-04. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$491,121.24
Possible Incentive	10,000.00
Change Order No. 1	1,160.00
Change Order No. 2	580.00
Change Order No. 3	12,596.51
Change Order No. 4	10,719.67
Change Order No. 5	409.32
Change Order No. 6	157.26
Change Order No. 7	6,931.69
Change Order No. 8	2,938.81
Change Order No. 9	36,281.94
Change Order No. 10	8,398.75
Change Order No. 11 (Final)	(42,263.34)
Removal of Original Incentive Value	<u>(10,000.00)</u>
Amended Contract Amount	\$529,031.85

General ledger coding for this Change Order to be as follows: (\$42,263.34) 330-330210-18511-SSD103

Passed this 28th day of January, 2014.



24m

Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

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

Phone Number/Extension: 5153

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **MAP**
Resolution authorizing payment to Linn County in the amount of \$189,059.31 for the actual cost of construction of a concrete overlay per a 28E Agreement in connection with the Cottage Grove Avenue from East of Indian Creek to East Post Road project. CIP/DID #3012064-00

Background:

On March 12, 2013, City Council passed Resolution 0404-03-13 authorizing execution of a 28E Agreement with Linn County to participate in the cost for construction of a concrete overlay for the Cottage Grove Avenue SE from East of Indian Creek to East Post Road project within the corporate limits. The project has been completed. The 28E Agreement states the City agrees to reimburse the County for the actual cost of the project. The original estimated cost was \$232,054.48; the final cost is \$189,059.31.

Action / Recommendation:

The Public Works Department recommends accepting the project and authorizing payment in the amount of \$189,059.31 to Linn County for construction of a concrete overlay for the Cottage Grove Avenue from East of Indian Creek to East Post Road project in accordance with the 28E Agreement.

Alternative to Recommendation: None

Time Sensitivity: Normal

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): CIP 3012064

Local Preference Policy: Applies Exempt
Explanation: State Bidding Requirements Apply

Recommended by Council Committee: Yes No N/A
Explanation (if necessary):

RESOLUTION NO.

WHEREAS, Resolution 0404-03-13 authorized execution of a 28E Agreement with Linn County to participate in a project to construct concrete resurfacing on the Cottage Grove Avenue SE from East of Indian Creek to East Post Road, and

WHEREAS, the work is substantially complete and in conjunction with the executed 28E Agreement the City will pay the actual cost of the project, and

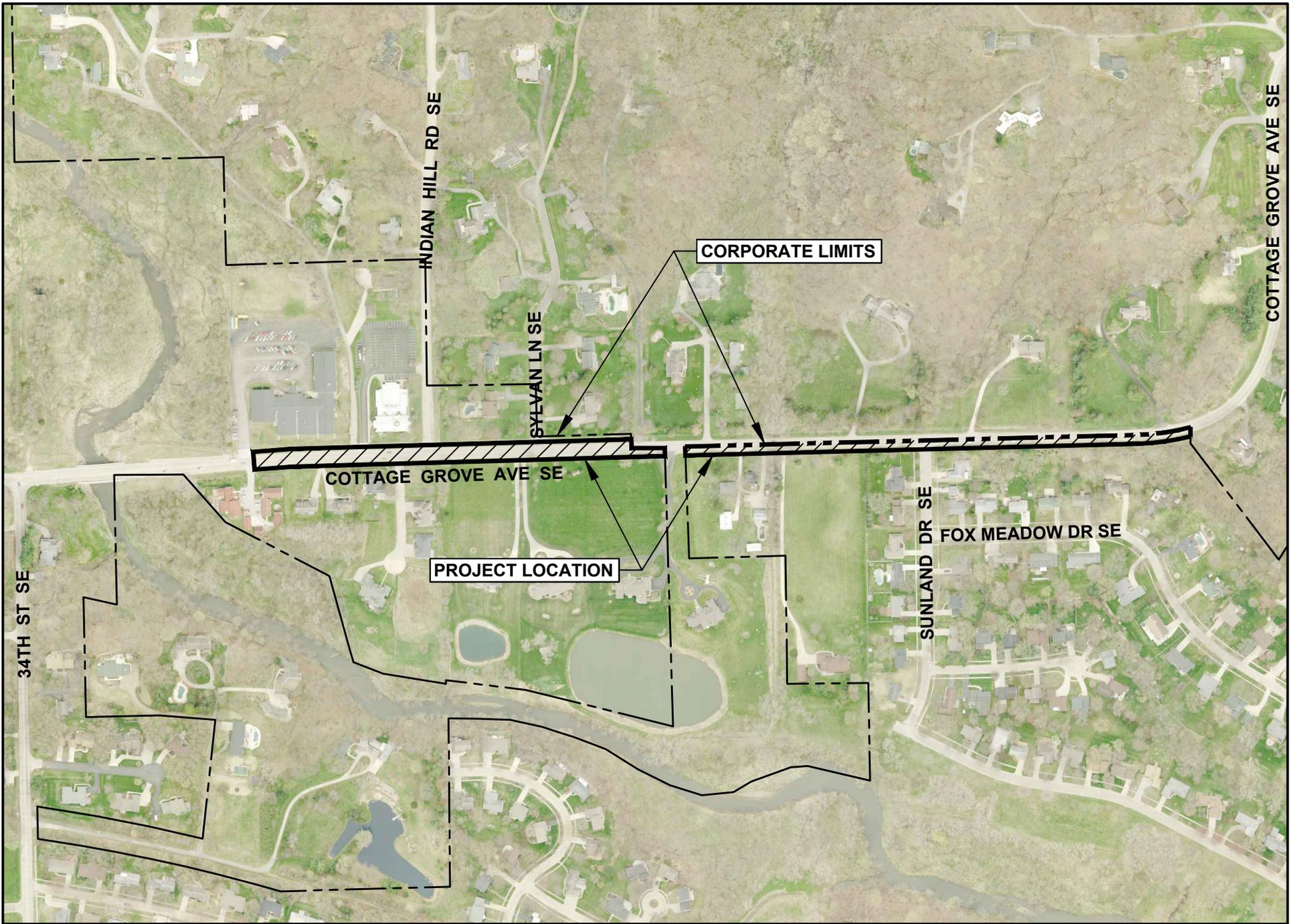
WHEREAS, the Public Works Director /City Engineer recommends the City pay for the actual cost of the project, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that based on the Public Works Director / City Engineer's recommendation for the concrete resurfacing project on Cottage Grove Avenue SE from East of Indian Creek to East Post Road, be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to make payment to Linn County in the amount of \$189,059.31.

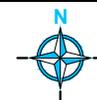
The final contract price is \$189,059.31 distributed as follows:

\$189,059.31 Fund 301, Dept ID 301000 Project 3012064

Passed this 28th day of January, 2014.



**JOINT PROJECT WITH LINN COUNTY
PORTLAND CEMENT CONCRETE OVERLAY OF COTTAGE GROVE AVE SE**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Robert A. Davis, PE
E-mail Address: r.davis@cedar-rapids.org

Phone Number/Extension: 5808

Alternate Contact Person: Lee J. Tippe, PE
E-mail Address: l.tippe@cedar-rapids.org

Phone Number/Extension: 5816

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

Resolution authorizing execution of a Supplemental Agreement with the Iowa Department of Transportation (IDOT) in an estimated amount of \$74,000 in connection with the 1st Avenue East From 17th Street SE to 27th Street SE And 40th Street NE to Collins Road NE Crack and Joint Cleaning and Sealing project. CIP/DID #3012034-02

Background:

Under Resolution No. 1125-08-11, dated August 23, 2011, IDOT and the City of Cedar Rapids, entered into the current Agreement for Maintenance and Repair of Primary Roads in Municipalities. Under said agreement, the City accepts responsibility for routine maintenance activities on 1st Avenue East (IA 922/Business US 151) within corporate limits. The proposed Supplemental Agreement obligates the City to prepare contract documents and administer a construction contract for routing, cleaning and sealing joints and cracks in the existing hot mix asphalt (HMA) surface of 1st Avenue East between 17th Street SE and 27th Street SE and between 40th Street NE and Collins Road NE.

The existing HMA surfaces on 1st Avenue East within the above-described limits were placed between 2010 and 2012. Recommended maintenance practice for HMA surfaces includes routing, cleaning and sealing joints and cracks to reduce or prevent damage to the HMA surface or underlying pavement. Work performed under the Supplemental Agreement will extend the useful life of the existing HMA surfaces.

Under the Supplemental Agreement, IDOT is responsible for costs associated with the four (4) travel lanes (2 each direction), the center left turn lane, and other dedicated turn lanes. The City is responsible for costs associated with on-street parking areas, side streets and other work identified as necessary. Estimated projects costs, including design and contract administration are \$105,000. Estimated IDOT reimbursement is \$74,000. Actual reimbursement will be based on contract unit prices and verified quantities of applicable work items.

Action / Recommendation:

The Public Works Department recommends approving the resolution authorizing execution of a Supplemental Agreement between the IDOT and the City of Cedar Rapids for the 1st Avenue East From 17th Street SE to 27th Street SE And 40th Street NE to Collins Road NE Crack and Joint Cleaning and Sealing project. Upon City approval, signed agreements will be returned to the IDOT for necessary signatures.

Alternative to Recommendation:

The City does not have resources to complete work on this project internally. An engineering consultant may be hired to prepare construction contract documents, but associated costs would not be eligible for reimbursement under this agreement.

Time Sensitivity: Normal

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

CIP No. 3012034

FY 2014: \$100,000 GOB

Local Preference Policy: Applies Exempt

Explanation: Project is a roadway project. Under Code of Iowa, municipalities must award roadway contracts to lowest responsible, responsive bidder or reject all bids and rebid the project.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary): Routine maintenance work.

RESOLUTION NO.

WHEREAS, per Resolution No. 1125-08-11, the City of Cedar Rapids and Iowa Department of Transportation (IDOT) entered into an Agreement for Maintenance and Repair of Primary Roads in Municipalities on August 30, 2011, and

WHEREAS, said agreement is in effect from July 1 2011 to June 30, 2016, and covers routine maintenance including snow removal, sweeping and minor patching, and

WHEREAS, Iowa Department of Transportation proposes execution of a Supplemental Agreement to the Agreement for Maintenance and Repair of Primary Roads in Municipalities requiring the City of Cedar Rapids to prepare contract documents and administer a construction contract for sealing cracks and joints in the existing Hot Mix Asphalt (HMA) surface on 1st Avenue East (Iowa Highway 922/Business US 151) from 17th Street SE to 27th Street SE and from 40th Street NE to Collins Road NE, and

WHEREAS, Iowa Department of Transportation further proposes to reimburse the City of Cedar Rapids for construction costs associated with four travel lanes (two lanes each direction), the center turn lane and dedicated turn lanes, and

WHEREAS, estimated reimbursable costs are \$74,000 and actual reimbursement shall be based on actual quantities of work performed and contract unit prices, and

WHEREAS, Public Works Department has reviewed and concurs with Iowa Department of Transportation's proposal and estimated reimbursable costs and recommends approval of the Supplemental Agreement to the Agreement for Maintenance and Repair of Primary Roads in Municipalities,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager is authorized to sign the Supplemental Agreement to the Agreement for Maintenance and Repair of Primary Roads in Municipalities with Iowa Department of Transportation in estimated amount of \$74,000 in connection with the 1st Avenue East From 17th Street SE to 27th Street SE and 40th Street NE to Collins Road NE Crack and Joint Cleaning and Sealing project (CIP No. 3012034; Contract No. 3012034-02), and

BE IT FURTHER RESOLVED, said Supplemental Agreement shall be filed with the City of Cedar Rapids Finance Director.

Passed this 28th day of January, 2014.

**PROJECT LOCATION
(SEGMENT No. 2)**

**PROJECT LOCATION
(SEGMENT No. 1)**

**1ST AVENUE EAST FROM 17TH STREET SE TO 27TH STREET SE
AND 40TH STREET NE TO COLLINS ROAD NE
CRACK AND JOINT CLEANING AND SEALING**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5153

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

Phone Number/Extension: 5141

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

Resolution authorizing execution of an Iowa Clean Air Attainment Program (ICAAP) Agreement in the amount of \$1,500,000 with the Iowa Department of Transportation (IDOT) for a complete streets project in connection with the Collins Road (IA 100) from East of Northland Avenue NE to Twixt Town Road NE project. CIP/DID #301446-00

Background:

The Collins Road (IA 100) Complete Streets Project from east of Northland Avenue NE to Twixt Town Road NE is partially funded with federal-aid Iowa Clean Air Attainment Program (ICAAP) funding. The project will raise Collins Road at Lindale Drive NE and construct an undercrossing of Lindale Drive at Collins Road and a pedestrian undercrossing of the entrance to the former Kmart building at Collins Road. The project will also mitigate congestion on Collins Road by adding roadway capacity, providing alternate vehicle routes other than Collins Road, and providing bicycle and pedestrian facilities for alternative transportation modes that do not exist today. The pedestrian and bicycle undercrossing will provide safe alternative routes to cross Collins Road and the commercial entrance to the former Kmart building. Significant operational efficiencies are attained by eliminating the pedestrian crossing signal timing at the Collins Road & Lindale Mall/Kmart entrance intersection.

Action / Recommendation:

The Public Works Department recommends approving the resolution authorizing execution of an Iowa Clean Air Attainment Program Agreement between the IDOT and the City of Cedar Rapids for a complete streets project in connection with the the Collins Road (IA 100) from East of Northland Avenue NE to Twixt Town Road project. Upon City approval, signed agreements will be returned to the IDOT for necessary signatures.

Alternative to Recommendation:

If the City Council decides to not approve the Iowa DOT Agreement there are two alternative recommendations:

1. Proceed with the improvements with local funding only. The project schedule would be significantly altered to provide alternate funding in the future fiscal year Capital Improvement budgets. This approach would risk retaining other federal-aid grants that have been approved for the project.
2. Proceed with the at-grade project improvements. This approach would significantly affect the schedule of the project, requiring redesign, and would risk retaining other federal-aid grants that have been approved for the project.

Time Sensitivity: Urgent. Approval of this Agreement is required for federal authorization for the City to proceed with right-of-way acquisition for the project.

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): CIP No. 301446. Six other federal and state grants in a total amount of \$11.3 million dollars are being obligated to the improvements for this project.

Local Preference Policy: Applies Exempt

Explanation:

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids has received an Iowa Clean Air Attainment Program (ICAAP) grant for a Complete Streets Project the in connection with the Collins Road (IA 100) from East of Northland Avenue NE to Twixt Town Road NE project to reduce delays and vehicle emissions, improving the air quality in the City of Cedar Rapids, and

WHEREAS, the Public Works Director / City Engineer recommends authorizing execution of the Iowa Clean Air Attainment Program (ICAAP) Agreement No. 2014-16-247 with the Iowa Department of Transportation (IDOT),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager and City Clerk are authorized to execute Iowa Clean Air Attainment Program (ICAAP) Agreement No. 2014-16-247 in the amount of \$1,500,000 with the Iowa Department of Transportation for a Complete Streets Project in connection with the Collins Road (IA 100) from east of Northland Avenue NE to Twixt Town Road NE project (CIP No. 301446-00).

Passed this 28th day of January, 2014.





Council Agenda Item Cover Sheet

FLOOD ITEM

Submitting Department: Public Works Department

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

Phone Number/Extension: 5807

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

Phone Number/Extension: 5814

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **Yes Map**
 Resolution authorizing execution of Tenant Purchase Agreements in the amount of \$1 each from D J Machine, D A Bunch Co., Gearhart Auto Repair, and Crane Rental and Rigging; and authorizing execution of a Purchase Agreement in the amount of \$25,500 and accepting an Easement for Sanitary Sewer and a Temporary Grading Easement for Construction from Judith A. Pedersen and Allen Pedersen Sr. from land located at 4003 J Street SW in connection with the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction Phase 3 project **(FLOOD)**. CIP/DID #SSD011-00

Background:

In previous fiscal years, the City Council approved funding in connection with the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction Phase 3 project.

These easements are required to accommodate the proposed improvements, including repairing damage to sanitary sewers as a result of the 2008 flood. Compensation amounts proposed are based on an appraisal of the subject property, provided by a qualified appraiser and a review appraiser's recommendation, both hired by the City.

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of four Tenant Purchase Agreements in the amount of \$1 each from D J Machine, D A Bunch Co., Gearhart Auto Repair, and Crane Rental and Rigging; and authorizing execution of a Purchase Agreement in the amount of \$25,500 and accepting an Easement for Sanitary Sewer and a Temporary Grading Easement for Construction from Judith A. Pedersen and Allen Pedersen Sr.

Alternative to the Recommendation:

Do not proceed with acquiring the proposed Easement for Sanitary Sewer and Temporary Grading Easement for Construction and direct City staff to abandon or reconfigure sanitary sewer replacement.

Time Sensitivity: Normal

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information: SSD/SSD000/SSD011

Local Preference Policy: Applies Exempt

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

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

ENG
AUD FILE
FIN
TRS
RCR
PEDERSEN
SSD011-00
377545

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined the need for an easement for sanitary sewer and a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Judith A. Pedersen and Allen Pedersen Sr., 2247 Williams Boulevard SW, Cedar Rapids, Iowa 52404, OWNERS and D J Machine, D A Bunch Co., Gearhart Auto Repair, and Crane Rental and Rigging, 4003 J Street SW, Cedar Rapids, Iowa 52404, TENANTS of the real property known and described as:

See Attached Permanent Easement Exhibit

have agreed to convey the necessary easement for sanitary sewer and temporary grading easement for construction at 4003 J Street SW to the City of Cedar Rapids for consideration as follows:

Permanent Easement	\$20,281
Temporary Easement	\$5,219
TOTAL	<u>\$25,500</u>

, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into an agreement to purchase easement for sanitary sewer and temporary grading easement for construction in accordance with the terms set forth in the Tenant Purchase Agreements, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into an agreement to purchase an easement for sanitary sewer and a temporary grading easement for construction in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction Phase 3 project (Fund SSD, Dept. ID SSD000, Project SSD011), 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 and Tenant Purchase Agreements as described herein, and

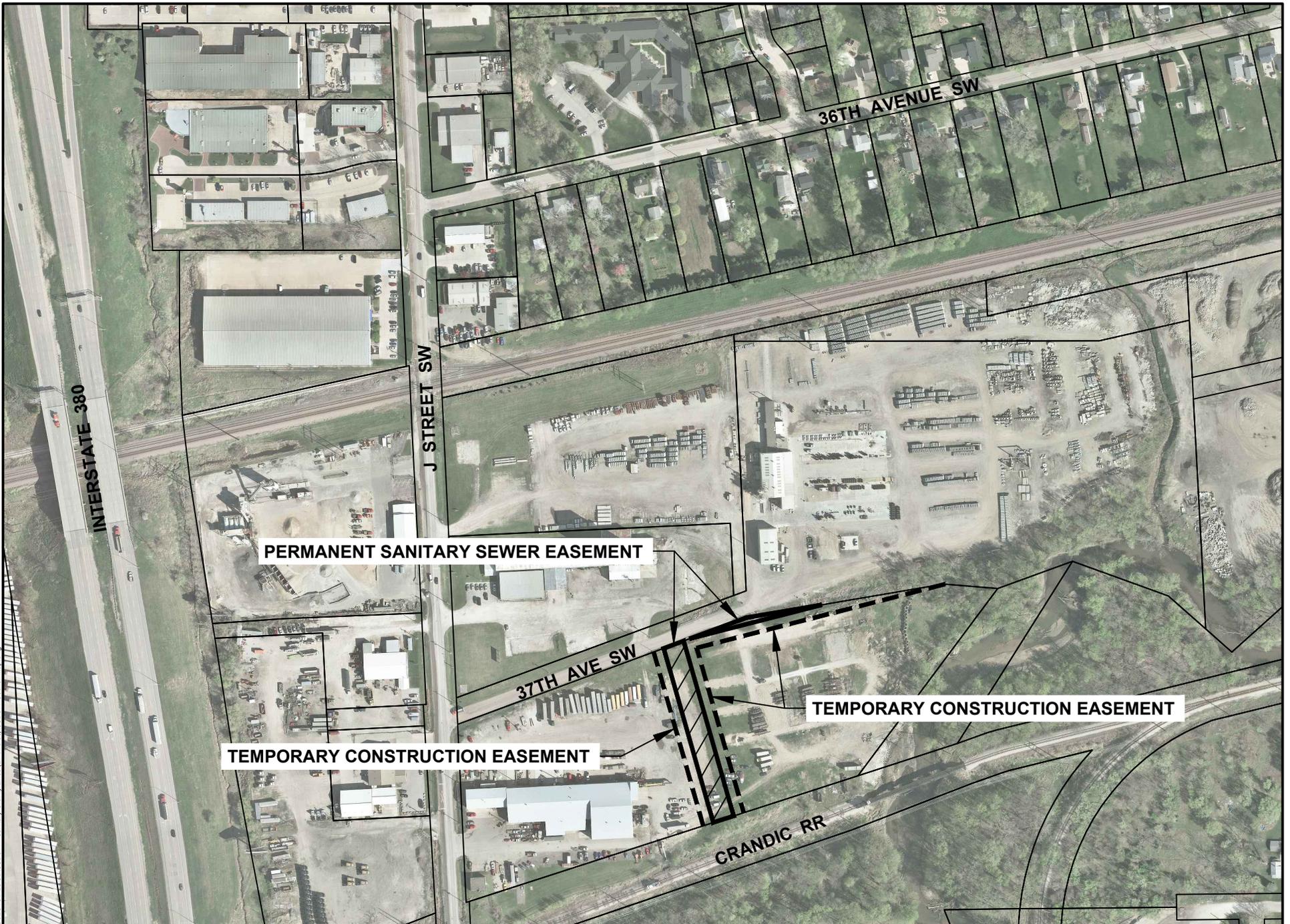
BE IT FURTHER RESOLVED that the Purchase Agreement, Tenant Purchase Agreements and the Temporary Grading Easement for Construction are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

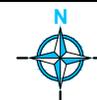
BE IT FURTHER RESOLVED, that the Easement for Sanitary Sewer be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 28th day of January, 2014.

Cadd File Name: W:\PROJECTS\FLOOD\SSD011 - Sanitary Gravity Lines (27 thru 66)\SSD011 Council Map.dwg



**PRAIRIE CREEK FROM J STREET SW TO CEDAR RIVER
SANITARY SEWER RECONSTRUCTION**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Dave Wallace, PE
E-mail Address: d.wallace@cedar-rapids.org

Phone Number/Extension: 5814

Alternate Contact Person: Scott Sovers, PE
E-mail Address: s.rovers@cedar-rapids.org

Phone Number/Extension: 5547

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

Resolution awarding and approving contract in the amount of \$1,800,940.67, plus incentive up to \$35,000, bond and insurance of S.M. Hentges & Sons, Inc. for the Indian Creek Trunk Sanitary Sewer Segment 2 – Phase 2 Reconstruction project (estimated cost is \$2,840,000). CIP/DID #655625-05

Background:

S.M. Hentges & Sons, Inc., Jordan, MN	\$1,800,940.67
Possible Incentive	<u>\$ 35,000.00</u>
Total Award	\$1,835,940.67
Minger Construction, Inc., Chanhassen, MN	\$1,949,206.00
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	\$2,157,616.50
Carstensen Contracting, Inc., Pipestone, MN	\$2,259,591.00
Ricklefs Excavating, Ltd., Anamosa, IA	\$2,269,013.00
S.J. Louis Construction, Inc., Rockville, MN	\$2,387,950.00
Langman Construction, Inc., Rock Island, IL	\$2,496,611.03
S.R. Weidema, Inc., Maple Grove, MN	*\$2,772,590.00
BWC Excavating, LC, Solon, IA	*\$2,901,635.43
Tschiggfrie Excavating, Dubuque, IA	\$2,985,595.00

*Addition/Multiplication errors found in bid

S.M. Hentges & Sons, Inc. submitted the lowest of the bids received on January 8, 2014 for the Indian Creek Trunk Sanitary Sewer Segment 2 – Phase 2 Reconstruction project. The bid is within the approved budget. Construction work is anticipated to begin this spring and be completed within 420 calendar days.

Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$1,800,940.67 plus incentive up to \$35,000, bond and insurance of S.M. Hentges & Sons, Inc. for the Indian Creek Trunk Sanitary Sewer Segment 2 – Phase 2 Reconstruction project.

Alternative to the Recommendation:

If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

Time Sensitivity: Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after January 28, 2014 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 655625-03 total funding: \$3,817,000 (Cedar Rapids: \$1,304,848, Marion: \$1,154,232, Hiawatha: \$595,976, Robins: \$761,944, Linn County: \$0). Funding split per multi-jurisdictional agreement (Cedar Rapids Resolution 0827-10-08)

Local Preference Policy: Applies Exempt

Explanation: Chapter 26 of the Code of Iowa requires public improvement projects to be awarded to the lowest, responsive, responsible bidder.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on December 3, 2013 the City Council adopted a motion that directed the City Clerk to give notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the Indian Creek Trunk Sanitary Sewer Segment 2 – Phase 2 Reconstruction public improvement project (Contract No. 655625-05) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on December 7, 2013 pursuant to which a public hearing was held on December 17, 2013, and

WHEREAS, the following bids were received, opened and announced on January 8, 2014 by the City Engineer, or designee, and said officer has now reported the results of the bidding on January 14, 2014 and made recommendations thereon to the City Council at its next meeting on January 28, 2014:

S.M. Hentges & Sons, Inc., Jordan, MN	\$1,800,940.67
Possible Incentive	<u>\$ 35,000.00</u>
Total Award	\$1,835,940.67
Minger Construction, Inc., Chanhassen, MN	\$1,949,206.00
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	\$2,157,616.50
Carstensen Contracting, Inc., Pipestone, MN	\$2,259,591.00
Ricklefs Excavating, Ltd., Anamosa, IA	\$2,269,013.00
S.J. Louis Construction, Inc., Rockville, MN	\$2,387,950.00
Langman Construction, Inc., Rock Island, IL	\$2,496,611.03
S.R. Weidema, Inc., Maple Grove, MN	*\$2,772,590.00
BWC Excavating, LC, Solon, IA	*\$2,901,635.43
Tschiggfrie Excavating, Dubuque, IA	\$2,985,595.00

*Multiplication/Addition error found in bid

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$1,835,940.67, 655-655000-655625; and

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

1. The previous delegation to the City Engineer, or his designee, to receive, open and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;

2. S.M. Hentges & Sons, Inc. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;

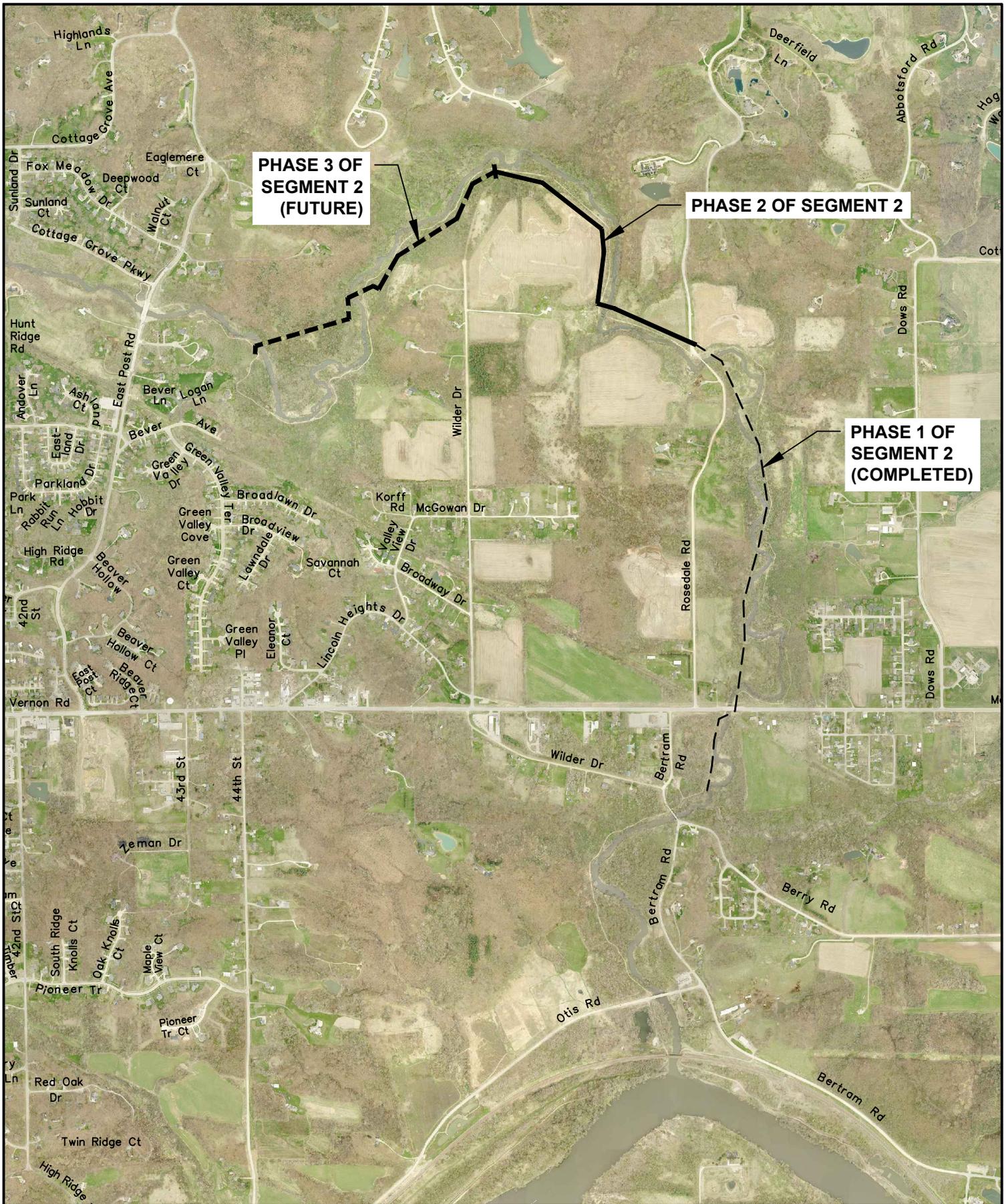
3. Subject to registration with the Department of Labor, the Bid of S.M. Hentges & Sons, Inc. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to S.M. Hentges & Sons, Inc.;

4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

Passed this 28th day of January, 2014.



**INDIAN CREEK AND DRY RUN CREEK
SANITARY SEWER CAPACITY IMPROVEMENTS
SEGMENT 2, PHASE 2**



Council Agenda Item Cover Sheet

Consent Agenda **Regular Agenda**

Council Meeting Date: January 28, 2014

Submitting Department: Utilities – Water Pollution Control Facility

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

Alternate Contact: John Ernst **Phone No.:** 4684 **E-mail:** JohnE@cedar-rapids.org

Description of Agenda Item:

Professional Services Agreement with Lee Crawford Quarry Company for an amount not to exceed \$200,000 for the Lagoon Ash Sand Deposits for the Water Pollution Control Facility. CIP/DID #611001-02.

Background:

The incinerator ash generated at the Water Pollution Control Facility is permitted with IDNR as a solid waste. IDNR regulations limit the available options for disposal of the material – if it is not landfilled, the generator (WPCF) is allowed to apply for a Beneficial Use Designation for the solid waste, which if granted, allows the material to be used for a specific purpose and not landfilled. Lee Crawford Quarry Company has obtained a Beneficial Use Determination – Amendment #10 from the IDNR to allow the ash to be used as fill material at the F Ave Crawford Quarry facility.

Action / Recommendation:

The Utilities Department – Water Pollution Control Facility Staff recommends approval of the Professional Services Agreement with Lee Crawford Quarry Company for an amount not to exceed \$200,000 for the Lagoon Ash Sand Deposits and authorizing the City Manager and City Clerk to execute said Agreement.

Alternative Recommendation: None

Time Sensitivity: Action needed 1-28-14

Resolution Date: 1-28-14

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

1. **Included in Current Budget Year.** Yes, funding for the Lagoon Ash Sand Deposits is included in FY14 WPC budget and coded to 521108-611-611001-611026.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** n/a
3. **Purchasing Department used or Purchasing Guidelines followed:** Sole Source

Local Preference Policy Applies Exempt

Explanation Consultant Evaluation form gives preference to local consultants.

Recommend by Council Committee Yes No N/A

Explanation (if necessary)

RESOLUTION NO.

WHEREAS, incinerator ash generated at the Water Pollution Control Facility is permitted with IDNR as a solid waste and regulations limit the available options for disposal of the material, and

WHEREAS, if it is not landfilled, the generator (WPCF) is allowed to apply for a Beneficial Use Designation for the solid waste, which if granted, allows the material to be used for a specific purpose and not landfilled, and Lee Crawford Quarry Company has obtained a Beneficial Use Determination – Amendment #10 from the IDNR to allow the ash to be used as fill material at the F Ave Crawford Quarry facility, and

WHEREAS, Lee Crawford Quarry Company has obtained a Beneficial Use Determination – Amendment #10 from the IDNR to allow the ash to be used as fill material at the F Ave Crawford Quarry facility, and

WHEREAS, the Utilities Department – Water Pollution Control Facility recommends approval of the Professional Services Agreement with Lee Crawford Quarry Company for the Lagoon Ash Sand Deposits and authorizing the City Manager and City Clerk to execute said Agreement, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Water Pollution Control Facility be hereby authorized to enter into a Professional Services Agreement with Lee Crawford Quarry Company for the Lagoon Ash Sand Deposits for an amount not to exceed \$200,000 be hereby approved and the City Manager and City Clerk authorized to execute. To be funded from the FY14 WPC budget and coded to 521108-611-611001-611026.

Passed this 28TH day of January, 2014.



Council Agenda Item Cover Sheet

Consent Agenda **Regular Agenda**

Council Meeting Date: January 28, 2014

Submitting Department: Utilities – Water Pollution Control Facility

Presenter at meeting: Steve Hershner **Phone:** 5281 **E-mail:** s.hershner@cedar-rapids.org

Alternate Contact: Mark Potter **Phone:** 5288 **Email:** m.potter@cedar-rapids.org

Description of Agenda Item:

Purchase order in the amount of \$27,402 to Lightnin-SPX Flow Tech. C/O Trident Process, Inc., for a Rebuild of Model 780Q60CMX Gearbox at the Water Pollution Control Facility. CIP/DID #

Background:

These gearboxes are used on the CAS and NAS decks to mix oxygen into our primary sludge to keep the bacteria alive. These gearboxes are for replacement of the current gearboxes that have been in service since the plant opened. The cost of a new gearbox is between \$50,000 and \$60,000.

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

The Water Pollution Control Facility requested a quote from Trident Process, Inc. for the Gearbox. Trident Process, Inc. submitted a quote in the amount of \$27,402 for labor, parts, materials, and round trip freight.

Action / Recommendation:

The Water Pollution Control Facility staff recommends approval of the Resolution authorizing a purchase order to Lightnin-SPX Flow Tech. C/O Trident Process, Inc., for a Rebuild of Model 780Q60CMX Gearbox in the amount of \$27,402.

Alternative Recommendation: N/A

Time Sensitivity: Action needed 1-28-14

Resolution Date: 1-28-14

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): Funded from FY2014 services and operations budget and coded to 533101-611-611002-611016.

Local Preference Policy Applies Exempt

Explanation: N/A

Recommended by Council Committee Yes No N/A

Explanation (if necessary): N/A

RESOLUTION NO.

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

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

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

WHEREAS, Trident Process, Inc. submitted a quote in the amount of \$27,402 for labor, parts, materials, and round trip freight, and

WHEREAS, the Water Pollution Control Facility's staff recommends that a purchase order be issued in the amount of \$27,402 to Lightnin-SPX Flow Tech. C/O Trident Process, Inc. for the gearbox, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Water Pollution Control Facility be hereby authorized to issue a purchase order to Lightnin-SPX Flow Tech. C/O Trident Process, Inc. in the amount of \$27,402 for a Rebuild of Model 780Q60CMX Gearbox for the Water Pollution Control Facility. To be funded from Water Pollution Control Facility's FY2014 services and operations budget and coded to 533101-611-611002-611016.

Passed this 28th day of January, 2014.

SOLE SOURCE/SINGLE SOURCE PROCUREMENT JUSTIFICATION

Sole Source:

A type of procurement used when it is determined that there is ONLY one known source of supply for the product and/or service. The term "sole source" refers to the source of the product or service, not the product. Use of brand names and model numbers does not constitute a sole source.

Single Source (also called Preferred Manufacturer):

A type of procurement used when there are two or more viable suppliers that can provide the needed product and/or service but the department has determined that it is in their best interest to select a particular manufacturer/source based on valid and legitimate business reasons, therefore leaving only one supplier from which to purchase the product and/or service.

Submitted by: Mark Potter **Date:** 1-9-2014
(Employee Name & Title)

Department Name: Water Pollution Control

1. **Name of product or service:** Lightnin Gearbox
2. **Name of product manufacturer:** Lightnin C/O Trident Process Inc.
3. **Name of 'sole' product supplier or service provider:** Trident Process Inc.
4. **What other product suppliers or service providers have been evaluated to demonstrate that a good faith effort has been made in seeking other sources? (Please furnish names, addresses and other documentation.)**

See Item#5

5. **What specifications make this particular product or service unique and unavailable from other sources?**

These gearboxes are used on our cas and nas decks to mix oxygen into our primary sludge to keep the bacteria alive. These gearboxes are for replacement of the current gearboxes that have been in service since the plant opened. Lightnin is the manufacturer of these gearboxes and Trident Process Inc. is the sole Lightnin representative for the state of Iowa.

6. **How did you determine that there was only one source for the product or service?**

See Item #5

7. **What product supplier or service provider has your department used until now to satisfy similar requirements?**

See Item 5

8. Explain the efforts that were made to conduct a noncompetitive negotiation to obtain the best possible price for the tax payers dollar:

Department Manager
Signature for Approval _____ **Date:** _____

Purchase price less than \$1,000, complete this form and keep a copy in the department purchase file.

Purchase price is greater than or equal to \$1,000 and less than \$25,000, electronically submit this form with your Purchase Order Request Form. The AP Specialist will copy this information and insert it into the purchase order. The department manager approval for both the PO and Sole Source Form will be electronic.

Purchase price is \$25,000 or greater, submit this form with your cover sheet and resolution for council approval.

In all of the above scenarios, the departmental employee is required to obtain their manager's signature on a hard copy of this form and keep it on file.

Purchasing Services strongly recommends that a Purchase Agreement be issued to the sole/single source vendor. The Purchase Agreement will ensure the City's terms and conditions are followed, as well as lock the pricing in place and prevent "extra" charges, i.e., delivery, fuel surcharges, etc. Contact Purchasing (286-5021) to request a Purchase Agreement for a sole source/single source purchase.

(Attach additional sheets as necessary)



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: City Manager's Office

Presenter at meeting: Sandi Fowler
Email: s.fowler@cedar-rapids.org

Phone Number/Ext: 319-286-5077

Alternate Contact Person: Kim Greene
Email: Ki.greene@cedar-rapids.org

Phone Number/Ext: 319-286-5083

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

Resolution authorizing payments to various non-profit special events held in Cedar Rapids during the first half of the fiscal year 2014 from the Special Event Public Safety Fund. CIP/DID #568164

Background:

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

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

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

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

This resolution is authorizing payment to eight non-profit special event applicants for a total of \$8,879.30 for FY14 funding (July 1, 2013 to December 31, 2013).

Action / Recommendation:

Approve payment to non-profit organizations for special events held in Cedar Rapids from July 1, 2013 to December 31, 2013 as indicated in resolution.

Alternative Recommendation:

Request more information

Time Sensitivity:

Resolution Date: January 28, 2014

Estimated Presentation Time: 0

Fund 101, deptid 181000, class 13218

Budget Information (if applicable):

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

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

WHEREAS, eight individual non-profit applicants have applied for reimbursement for their Special Duty Police officers utilized to provide public safety, traffic control and/or crowd management services at special events in Cedar Rapids during the first portion of FY14 (July 1, 2013 to December 31, 2013).

Non-Profit Organization	Event Name	Event Dates	Amount
Cedar Valley Running Association	CVRA 5 th Season Races	7/4/13	\$1,000
Cedar Rapids Jaycees	Uptown Friday Nights	7/5/13	343
Cedar Rapids Jaycees	Uptown Friday Nights	7/12/13	343
Cedar Rapids Jaycees	Uptown Friday Nights	7/19/13	343
Cedar Rapids Jaycees	Uptown Friday Nights	7/26/1	343
KCCK-FM	Jazz Under the Stars	8/1, 8/8, 8/15, 8/22/13	588
Alzheimer's Association	Cedar Rapids Walk to End Alzheimer's	9/28/13	294
Cedar Rapids Washington High School	Homecoming activities	9/20 to 9/27/13	608.02
Mercy Medical Center	Especially for you Race Against Breast Cancer	10/13/13	1,000
McKinley Middle School	School Musical – Seussical Jr	11/1/13	152.01
McKinley Middle School	Vocal concert	12/12/13	130.29
McKinley Middle School	Band concert	11/18/13	130.29
Coe College	Athletic competitions (Football)	9/14/13	521.16
Coe College	Athletic competition (football)	9/21/13	488.59
Coe College	Athletic competition (football)	10/19/13	456.66
Coe College	Athletic competition (football)	10/26/13	585.66
Coe College	Athletic competition (football)	11/9/13	477.73
Coe College	Athletic competition (basketball/wrestling)	11/19-11/23/13	521.16
Coe College	Athletic competition (basketball/wrestling)	11/26 – 12/7/13	553.73

TOTAL \$8,879.30

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Department is hereby authorized to issue payments to the above non-profit organizations for the amounts listed above from the public safety FY14 fund [Fund 101, Dept ID 181000, class 13218].

Passed this 28th day of January, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda
Email:

Phone Number/Ext:

Alternate Contact Person: Jon Resler
Email: j.resler@cedar-rapids.org

Phone Number/Ext: 5802

Alternate Contact Person: Heather Mell
Email: h.mell@cedar-rapids.org

Phone Number/Ext: 5117

Description of Agenda Item:

Contract for Sensys Equipment with Sensys Networks, Inc for the Traffic Engineering Division for a total annual expenditure not to exceed \$50,000. CIP/DID #1013-081

Background:

Purchasing Services solicited sole source pricing from Sensys Networks, Inc. for the purchase and delivery of Sensys Equipment.

The Contract period is February 1, 2014 through January 31, 2015. The contract may be renewed for additional one-year time periods by mutual agreement.

Action / Recommendation:

Recommend Council approve resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Purchases will be for approved CIP construction projects.

Local Preference Policy Applies Exempt

Explanation: There are no local suppliers of Sensys Equipment

Recommended by Council Committee
Explanation (if necessary):

Yes

No

N/A

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited pricing for Sensys Equipment on behalf of the City of Cedar Rapids Traffic Engineering Division; and

WHEREAS, Sensys Networks, Inc. is a sole provider of Sensys Equipment; and

WHEREAS, the Contract period will be February 1, 2014 through January 31, 2015, with additional one (1) year renewals by mutual agreement; and

WHEREAS, the total annual expenditure is not to exceed \$50,000.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute a Contract with Sensys Networks, Inc. as described herein.

Passed this 28th day of January, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2013

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Dennis Hogan

Phone Number/Ext: 5680

Email: d.hogan@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Fleet Services purchase of three single axle cab and chassis with Swaploader bodies from Truck Country in the amount of \$497,478. CIP/DID #1213-111

Background:

Purchasing Services solicited bids on behalf of Fleet Services for the purchase and delivery of single axle chippers and Swaploaders. Nine responses were received. Fleet Services is recommending award of three single axle cab and chassis with Swaploader bodies to Truck Country, utilizing Henderson Truck Equipment bodies. The lowest price cab and chassis dealer, Thompson Truck, did not meet the engine specification. The lowest price bodies from Tri-State Truck Equipment are not acceptable, since Tri-State is not an authorized Swaploader dealer. The chippers will be awarded on a separate resolution.

Bids received:

Company Name	Location	Price
Truck Country (Henderson Swaploader)	Cedar Rapids	\$497,478
Thompson Truck (Tri-State Swaploader)	Cedar Rapids	\$481,515
Truck Country (Tri-State Swaploader)	Cedar Rapids	\$483,633
Thompson Truck (Henderson Swaploader)	Cedar Rapids	\$497,460
Thompson Truck (Monroe Swaploader)	Cedar Rapids	\$503,013
Truck Country (Monroe Swaploader)	Cedar Rapids	\$505,131
Thompson Truck (Truck Equipment Swaploader)	Cedar Rapids	\$527,604
Cedar Rapids Truck Center (Monroe Swaploader)	Cedar Rapids	\$528,072
Truck Country (Truck Equipment Swaploader)	Cedar Rapids	\$529,722

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): 073-073000-073001

Local Preference Policy Applies Exempt

Explanation: Truck Country is a certified local vendor

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for the purchase and delivery of single axle chippers and Swaploaders on behalf of the City of Cedar Rapids Fleet Services Division; and

WHEREAS, nine responses were received; and

WHEREAS, Fleet Services is making the following recommendation for award of three single axle cab and chassis with Swaploader bodies to Truck Country, utilizing Henderson Truck Equipment bodies, which was the lowest responsive and responsible bidder; and

WHEREAS, neither the lowest priced body dealer nor the cab and chassis dealer meet the specifications; and

WHEREAS, the chippers will be awarded on another resolution; and

WHEREAS, the total cost is \$497,478.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted as described herein.

Passed this 28th day of January, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2013

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Dennis Hogan

Phone Number/Ext: 5680

Email: d.hogan@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Fleet Services purchase of two single axle wood chip dump bodies from Truck Country in the amount of \$229,882. CIP/DID #1213-111

Background:

Purchasing Services solicited bids on behalf of Fleet Services for the purchase and delivery of single axle chippers and Swaploaders. Nine responses were received. Fleet Services is recommending award of two single axle cab and chassis with wood chip dump bodies to Truck Country, utilizing Tri-State Truck Equipment bodies. The lowest price, from Thompson Truck, did not meet the engine specification. The Swaploaders will be awarded on a separate resolution.

Bids received:

Company Name	Location	Price
Truck Country (Tri-State chipper bodies)	Cedar Rapids	\$229,882
Thompson Truck (Tri-State chipper bodies)	Cedar Rapids	\$229,352
Thompson Truck (Monroe chipper bodies)	Cedar Rapids	\$234,264
Truck Country (Monroe chipper bodies)	Cedar Rapids	\$234,794
Thompson Truck (Truck Equipment bodies)	Cedar Rapids	\$236,500
Truck Country (Truck Equipment bodies)	Cedar Rapids	\$237,030
Truck Country (with Henderson)	Cedar Rapids	\$240,626
Thompson Truck (Henderson bodies)	Cedar Rapids	\$241,496
Cedar Rapids Truck Center (Monroe bodies)	Cedar Rapids	\$244,092

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): 073-073000-073001

Local Preference Policy Applies Exempt

Explanation: Truck Country is a certified local vendor

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for the purchase and delivery of single axle chippers and Swaploaders on behalf of the City of Cedar Rapids Fleet Services Division; and

WHEREAS, nine responses were received; and

WHEREAS, Fleet Services is making the following recommendation for award of two single axle cab and chassis with wood chip dump bodies to Truck Country, utilizing Tri-State Truck Equipment bodies, which was the lowest responsive and responsible bidder; and

WHEREAS, the lowest priced bidder did not meet the engine specification; and

WHEREAS, the Swaploaders will be awarded on another resolution; and

WHEREAS, the total cost is \$229,882.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted as described herein.

Passed this 28th day of January, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: John Ernst

Phone Number/Ext: 4684

Email: j.ernst@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Contract for Excavation & Hauling of Lagoon Ash Sand with BWC Excavating LC for the Water Pollution Control Facility for an amount not to exceed \$164,000. CIP/DID #1213-107

Background:

The sewage sludge incinerator ash is a byproduct of the wastewater treatment process. The incinerator ash is a “sandy” material that is approximately 60-70% solids. Purchasing Services solicited bids on behalf of the Water Pollution Control Facility for excavation and hauling of lagoon ash sand. The excavated material will be hauled to Crawford Quarry. Four bids were received. WPC staff are recommending award to BWC Excavating LC as the lowest responsive and responsible bidder.

The contract period is February 1, 2014 through December 31, 2015. The ash sand will be removed during the scheduled incinerator shutdowns, anticipated to occur twice per year for two weeks each shutdown. The estimated tonnage of ash sand to be removed is 20,000 for the two years of the contract.

Bids received:

Company Name	Location	Price
BWC Excavating LC	Solon	\$164,000
Mike McMurrin Trucking, Inc.	Cedar Rapids	\$164,800
Peterson Contractors, Inc.	Reinbeck	\$206,000
Wulfekuhle Injection & Pumping, Inc.	New Vienna	\$224,000

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): 521108-611-611004-611026

Local Preference Policy Applies Exempt

Explanation: BWC Excavating LC is a certified local company

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for excavation and hauling of lagoon ash sand on behalf of the City of Cedar Rapids Water Pollution Control Facility; and

WHEREAS, responses were received from four vendors; and

WHEREAS, the Water Pollution Control Facility is making the following recommendation for award to BWC Excavating LC, which was the lowest responsive and responsible bidder; and

WHEREAS, the Contract period will be February 1, 2014 through December 31, 2015; and

WHEREAS, an estimated 20,000 wet tons of ash sand will be excavated and hauled to Crawford Quarry over the term of this contract; and

WHEREAS, the not-to-exceed expenditure for the contract period is \$164,000.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute a Contract with BWC Excavating LC as described herein.

Passed this 28th day of January, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Caleb Mason

Phone Number/Ext: 319 286-5188

Email: c.mason@cedar-rapids.org

Alternate Contact Person: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

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

Resolutions authorizing execution of Development Agreements and Special Warranty Deeds for City-owned property participating in the third round of the Single Family New Construction Program (**FLOOD**). CIP/DID #540257

- a. Skogman Construction Company of Iowa for property at 1347 F Avenue NW
- b. Skogman Construction Company of Iowa for property at 614 G Avenue NW

Background:

The resolutions for City Council consideration provide for the execution of Development Agreements and deeds with the above listed developers and associated City-owned properties through the third round of the Single Family New Construction Program, known locally as the ROOTs program. The properties have been awarded through a competitive proposal process and the City and developers are ready to execute the Development Agreements and deeds to allow construction on the homes to begin. To date, 151 such agreements and deeds for City property have been executed for the ROOTs program.

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

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

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

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

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

A total of 200 properties were identified by 23 developers through three phases of property allocation for this round of the program.

Action / Recommendation:

City staff recommends approval of the resolutions.

Alternative Recommendation:

City Council may table the items and request additional information.

Time Sensitivity: N/A

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt N/A

Explanation: Federal grant funds

Recommended by Council Committee Yes No N/A

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
AND SPECIAL WARRANTY DEED WITH SKOGMAN CONSTRUCTION
COMPANY OF IOWA FOR CITY-OWNED PROPERTY AT 614 G AVENUE NW
PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY NEW
CONSTRUCTION PROGRAM

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

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

WHEREAS, the City purchased property at 614 G Avenue NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on July 14, 2012 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on July 24, 2012 on the possible disposition of this property in accordance with Iowa Code; and

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

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

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

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute a Development Agreement and Special Warranty Deed with Skogman Construction Company of Iowa for City-owned property at 614 G Avenue NW and that both be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 28th Day of January, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
AND SPECIAL WARRANTY DEED WITH SKOGMAN CONSTRUCTION
COMPANY OF IOWA FOR CITY-OWNED PROPERTY AT 1347 F AVENUE NW
PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY NEW
CONSTRUCTION PROGRAM

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

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

WHEREAS, the City purchased property at 1347 F Avenue NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

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

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

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

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

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

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute a Development Agreement and Special Warranty Deed with Skogman Construction Company of Iowa for City-owned property at 1347 F Avenue NW and both be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 28th Day of January, 2014



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Community Development

Presenter at meeting: Adam Lindenlaub
Email: a.lindenlaub@cedar-rapids.org

Phone Number/Ext: 319 286-5064

Alternate Contact Person: Joe O'Hern
Email: j.ohern@cedar-rapids.org

Phone Number/Ext: 319 286-5292

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

Resolution authorizing execution of Agreement with the Flood Mitigation Board for approved use of up to \$263,773,493 in Sales Tax Revenue over 20 years for the funding of flood mitigation in Cedar Rapids. CID/DID #987556

Background:

On December 4, 2013, the Flood Mitigation Board approved Cedar Rapids' Flood Mitigation Program (FMP) grant request for \$263,773,493 of sales tax revenue over 20 years to build flood protection on both sides of the Cedar River. The City is required to execute an agreement that formalizes the award and documents the requirements of the award. The approved application included a commitment of \$110,124,000 in funding over 20 years from the City.

The FMP is a result of the City's lobbying the Iowa Legislature for the recapturing of the growth in sales tax to help fund flood mitigation projects, called the Growth Reinvestment Initiative (GRI). The FMP allows for the increment or growth in sales tax to be returned to a jurisdiction over a twenty year period with an annual cap of 70% of the growth or \$15 million dollars. The FMP allows only one application per jurisdiction with a due date of January of 2016.

A link to both the Executive Summary and the approved application can be accessed on the City's website at this link <http://www.cedar-rapids.org/FMPApplication>

Action / Recommendation:

City staff recommends approval of the resolution.

Alternative Recommendation:

City Council may table the item and request additional information.

Time Sensitivity:

Approval of resolution allows for the City to access the funds as soon as they are available.

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 minutes

Local Preference Policy Applies Exempt N/A

Recommended by Council Committee Yes No N/A

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH THE
FLOOD MITIGATION BOARD FOR APPROVED USE OF SALES TAX
REVENUE FOR THE FUNDING OF FLOOD MITIGATION IN CEDAR RAPIDS

WHEREAS, the City of Cedar Rapids was instrumental in the creation of the Flood Mitigation Program by the State of Iowa; and

WHEREAS, the Flood Mitigation Program allows for the use of the growth in sales tax in a jurisdiction to be used to fund the construction of flood mitigation projects; and

WHEREAS, on December 4, 2013 the Flood Mitigation Board approved the City's application to fund the construction of flood protection on both east and west sides of the river with sales tax revenue in the amount of \$263,773,493; and

WHEREAS, the City agrees to provide and make available up to \$110,124,000 of local funding to be used to meet the match requirement for this grant; and

WHEREAS, the City must sign an agreement with the Flood Mitigation Board to allow the City to access these sales tax revenue funds;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk be authorized to execute agreement with the Flood Mitigation Board to use sales tax revenue to fund construction of flood protection on both east and west sides of the river.

Passed this 28th day of January, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Community Development

Presenter at meeting: Thomas Smith

Phone Number/Ext: 319 286-5161

Email: t.smith@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

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

Resolution authorizing execution of \$10,000 grant from the State Historical Society of Iowa to host the 2014 Preserve Iowa Summit in Cedar Rapids. NEW

Background:

On January 9, 2014, the State Historical Society of Iowa notified the City that it is the recipient of a \$10,000 matching grant to be used to host the Preserve Iowa Summit, August 21-23, 2014. The Preserve Iowa Summit is the only statewide annual conference for professionals and volunteers involved in historic preservation and historic commercial district revitalization in Iowa. It will serve as an excellent opportunity for the City to showcase its many successes in historic preservation and commercial district revitalization to citizens from around the state.

The 40% match requirement for the grant has already been exceeded by dedicating \$15,000 in funds toward hosting the Summit. The funds were provided by the State of Iowa through a Letter of Agreement related to the 2008 flood. Over the past two years, the funds have been used to host the Historic Preservation Commission's Preservation Showcase, which is being rolled into programming for the Summit this year. In addition, volunteer and staff hours dedicated toward the coordination and planning of the event will further boost the community's match well above the required amount.

Action / Recommendation:

City staff recommends approval of the resolution.

Alternative Recommendation:

City Council may table the resolution and request additional information.

Time Sensitivity: N/A

Resolution Date: January 28, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

Recommended by Council Committee Yes No N/A

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A MATCHING GRANT FROM
THE STATE HISTORICAL SOCIETY OF IOWA TO HOST THE 2014
PRESERVE IOWA SUMMIT IN CEDAR RAPIDS

WHEREAS, on January 9, 2014, the State Historical Society of Iowa notified the City of Cedar Rapids that it is the recipient of a matching grant in the amount of \$10,000; and

WHEREAS, the grant funds will be used to host the 2014 Preserve Iowa Summit in downtown Cedar Rapids, August 21 through August 23, 2014; and

WHEREAS, the Preserve Iowa Summit is the only statewide annual conference for professionals and volunteers involved in historic preservation and historic commercial district revitalization in Iowa; and

WHEREAS, the City is collaborating with the Historic Preservation Commission, the State Historical Society of Iowa, Main Street Iowa, Preservation Iowa, the Iowa Economic Development Authority, the Iowa Department of Cultural Affairs, and others to program the event; and

WHEREAS, the 40% match requirement for the grant has already been achieved by dedicating funds typically used to host the Historic Preservation Commission's annual Preservation Showcase toward the combined effort of the statewide Preserve Iowa Summit; and

WHEREAS, the Summit will be an excellent opportunity for the City to showcase its many successes in historic preservation and commercial district revitalization to citizens from around the state of Iowa;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the Mayor is hereby authorized to execute the Certified Local Government Grant Agreement with the State Historical Society of Iowa.

Passed this 28th Day of January, 2014



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

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

Phone Number/Extension: 5821

Description of Agenda Item: Consent Agenda Regular Agenda **Yes Map**
REPORT ON BIDS:

Bids were received on January 22, 2014 in the office of the Iowa Department of Transportation, Ames, Iowa for the Prairie Drive NE from 29th Street to Franklin Avenue Portland Cement Concrete (PCC) Sidewalk project (estimated cost is \$155,000). A report of bids received from the City officer conducting the bid opening is attached. CIP/DID #301385-01

Action / Recommendation:
 Noted on attached bid report.

Alternative Recommendation: None

Time Sensitivity: None

Resolution Date: None

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 301385

Local Preference Policy: Applies Exempt

Explanation: Project funding is through a federal Safe Routes to School grant.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary): On May 21, 2013, the Infrastructure Committee recommended abandoning assessments for this Prairie Drive NE Sidewalk project and proceeding with the addition to the project of sidewalk on the east side of Prairie Drive between 29th Street and 27th Street. Subsequently, the City Council passed Resolution No. 0845-05-13, abandoning the Resolution of Necessity in regard to the assessments.



January 22, 2014

City Council
City of Cedar Rapids

RE: Report on bids as read for the Prairie Drive NE from 29th Street to Franklin Avenue Portland Cement Concrete (PCC) Sidewalk (IDOT No. SRTS-U-1187(760)—8U-57), Contract Number 301385-01

Dear City Council:

Bids were received on January 22, 2014 in the office of the Iowa Department of Transportation, Ames, Iowa for the Prairie Drive NE from 29th Street to Franklin Avenue Portland Cement Concrete (PCC) Sidewalk project as follows:

Vieth Construction Corporation, Cedar Falls, IA	\$139,741.00
Ricklefs Excavating, Ltd., Anamosa, IA	\$153,349.00
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$175,733.15
Pirc-Tobin Construction Inc., Alburnett, IA	\$185,357.50
Boulder Contracting, LLC., Grundy Center, IA	\$230,932.50
Tschiggfrie Excavating Co., Dubuque, IA	\$239,457.40
Absolute Concrete Construction, Slater, IA	\$245,233.50
OEL Construction Services, Inc., Eldora, IA	\$312,019.40

The engineers cost opinion for this work is \$155,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in blue ink, appearing to read "Doug Wilson", written over a faint, larger version of the same signature.

Doug Wilson, P.E.
Capital Improvement Project Manager

DFW/cap

cc: David J. Elgin, P.E., L.S., Public Works Director/City Engineer
Robert A. Davis, P.E., Engineering Manager

Public Works Department

1201 Sixth Street S.W. • Cedar Rapids, Iowa 52404-5836 • (319) 286-5802 • FAX (319) 286-5801





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

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

Phone Number/Extension: 5153

Description of Agenda Item: Consent Agenda Regular Agenda **Yes Map**
REPORT ON BIDS:

Bids were received on January 22, 2014 in the office of the Iowa Department of Transportation, Ames, Iowa for the 76th Avenue SW and Kirkwood Boulevard SW Traffic Signalization project (estimated cost is \$247,000). A report of bids received from the City officer conducting the bid opening is attached. CIP/DID #3012025-02

Action / Recommendation:
 Noted on attached bid report.

Alternative Recommendation: None

Time Sensitivity: None

Resolution Date: None

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 3012025

Local Preference Policy: Applies Exempt

Explanation: State Code prohibits local preferences.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):



January 22, 2014

City Council
City of Cedar Rapids

RE: Report on bids as read for the 76th Avenue SW and Kirkwood Boulevard SW Traffic Signalization project (IDOT No. STP-A-1187(765)—86-57), Contract Number 3012025-02

Dear City Council:

Bids were received on January 22, 2014 in the office of the Iowa Department of Transportation, Ames, Iowa for the 76th Avenue SW and Kirkwood Boulevard SW Traffic Signalization project as follows:

Trey Electric Corp, Swisher, IA	\$240,586.00
Price Industrial Electric Inc., Hiawatha, IA	\$240,975.00
VOLTMER, INC., Decorah, IA	\$264,353.00
KWS Inc., Cedar Falls, IA	\$265,675.00

The engineers cost opinion for this work is \$247,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

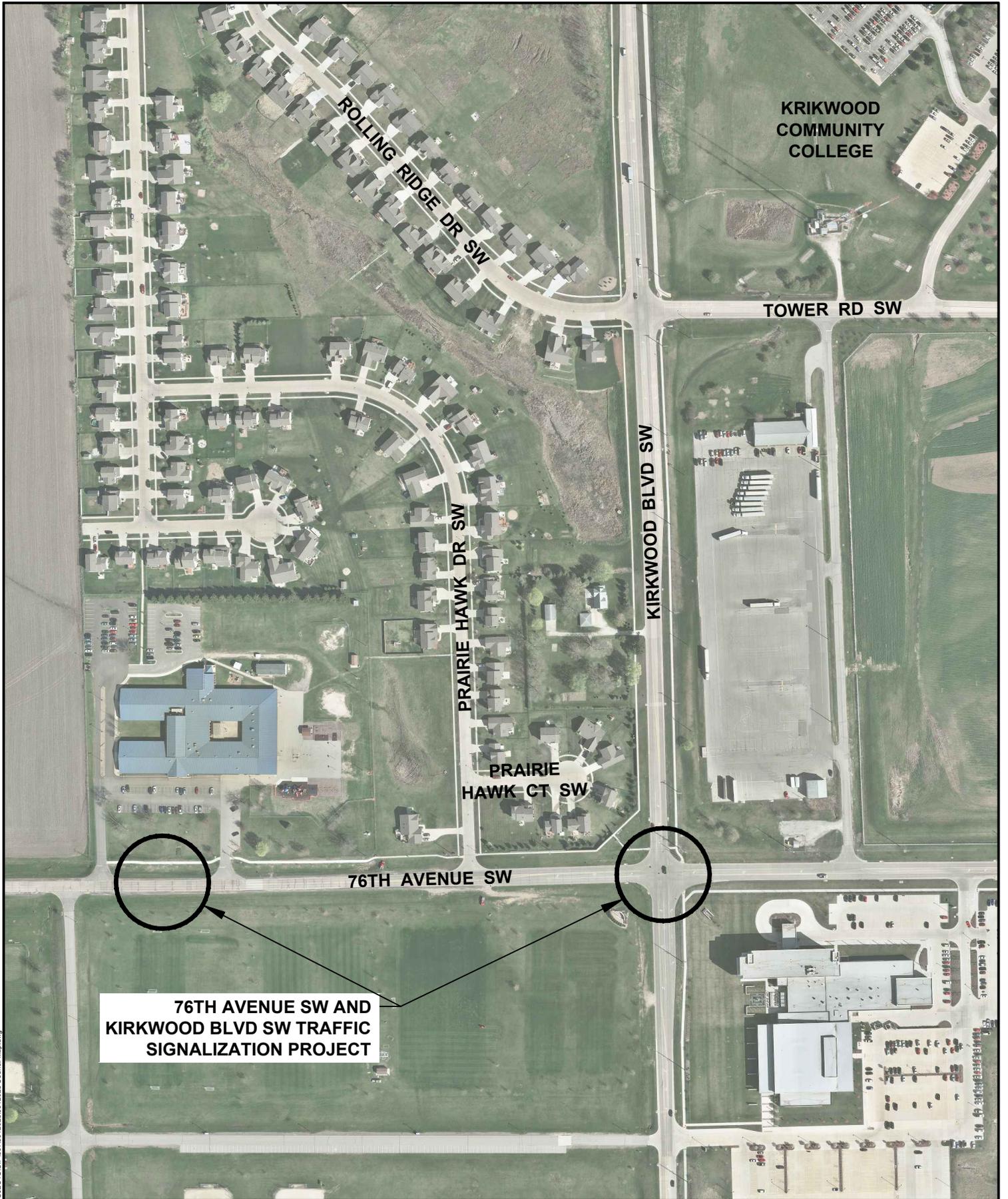
A handwritten signature in blue ink, appearing to read "Doug Wilson", written over the typed name.

Doug Wilson, P.E.
Capital Improvement Project Manager

DFW/cap

cc: David J. Elgin, P.E., L.S., Public Works Director/City Engineer
Robert A. Davis, P.E., Engineering Manager

Public Works Department
1201 Sixth Street S.W. • Cedar Rapids, Iowa 52404-5836 • (319) 286-5802 • FAX (319) 286-5801



**76TH AVENUE SW AND
KIRKWOOD BLVD SW TRAFFIC
SIGNALIZATION PROJECT**



**76TH AVENUE SW AND KIRKWOOD BOULEVARD SW
TRAFFIC SIGNALIZATION PROJECT**





Council Agenda Item Cover Sheet

FLOOD

Submitting Department: Public Works Department

Presenter at meeting: Dave Wallace, PE
E-mail Address: d.wallace@cedar-rapids.org

Phone Number/Extension: 5814

Alternate Contact Person: Scott Sovers, PE
E-mail Address: s.sovers@cedar-rapids.org

Phone Number/Extension: 5547

Description of Agenda Item: Consent Agenda Regular Agenda **Yes Map**
REPORT ON BIDS:

Bids were received on January 22, 2014 for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (estimated cost is \$2,400,000). A report of bids received from the City officer conducting the bid opening is attached (**FLOOD**). CIP/DID #SSD103-11

Action / Recommendation:
 Noted on attached bid report.

Alternative Recommendation: None

Time Sensitivity: None

Resolution Date: None

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): FEMA PW #SSD103

Local Preference Policy: Applies Exempt

Recommended by Council Committee: Yes No N/A



January 22, 2014

City Council
City of Cedar Rapids

RE: Report on bids as read for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2, Contract Number SSD103-11

Dear City Council:

Bids were received on January 22, 2014 for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project as follows:

Ricklefs Excavating, Ltd., Anamosa, IA	\$1,765,564.20
Rathje Construction Co., Marion, IA	\$1,769,934.85
Dave Schmitt Construction Co., Cedar Rapids, IA	\$1,878,528.53
BWC Excavating LC, Solon, IA	\$1,967,857.02
Langman Construction, Inc. Rock Island, IL	\$1,971,792.19
Pirc-Tobin Construction, Inc., Alburnett, IA	\$2,107,418.65
Maxwell Construction, Inc., Iowa City, IA	\$2,515,864.50

The engineers cost opinion for this work is \$2,400,000. 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 that reads "Scott Sovers".

Scott Sovers, P.E.
Project Engineer I

SKS/cap

cc: David J. Elgin, P.E., L.S., Public Works Director/City Engineer
Robert A. Davis, P.E., Engineering Manager

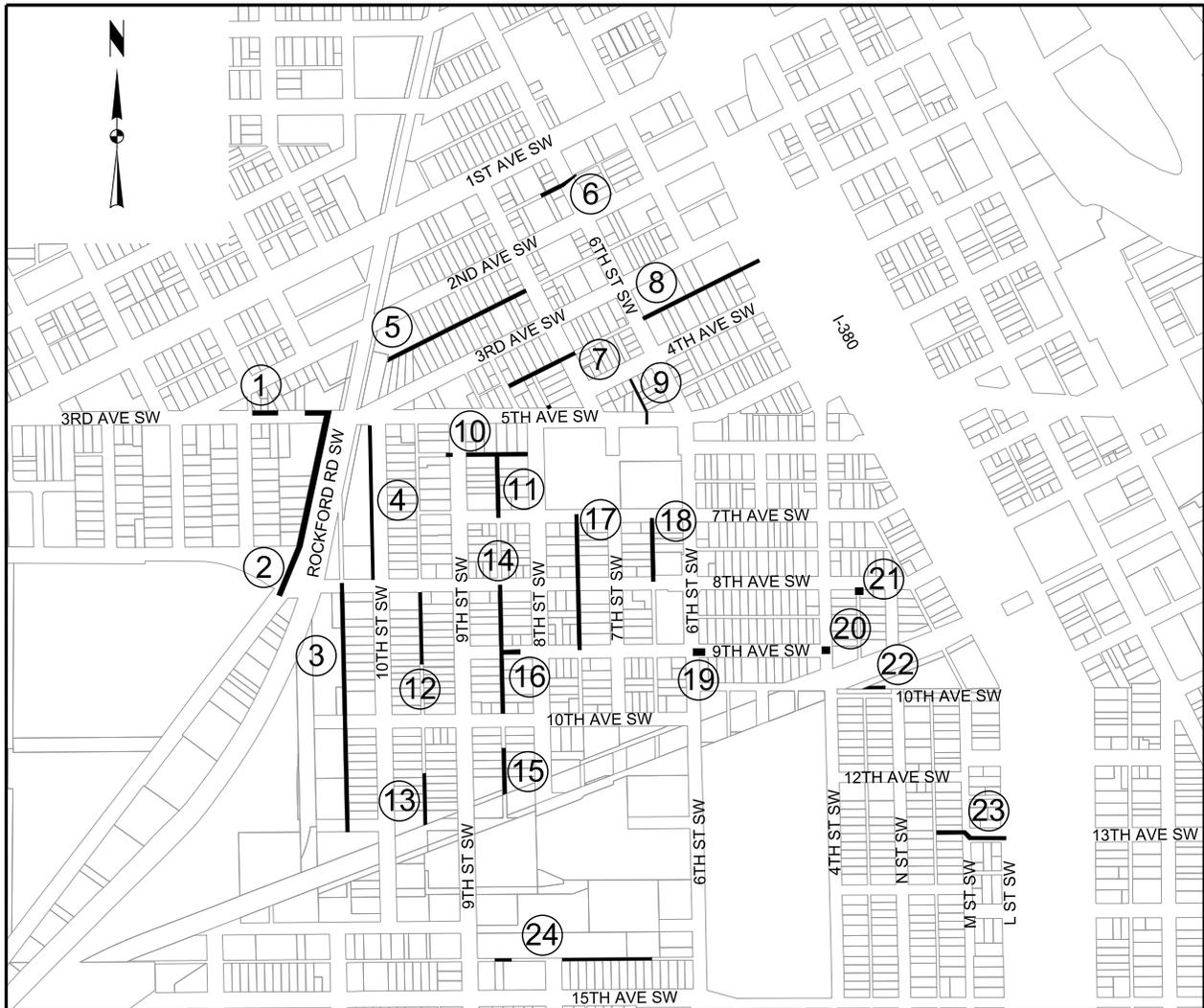
Public Works Department
1201 Sixth Street S.W. • Cedar Rapids, Iowa 52404-5836 • (319) 286-5802 • FAX (319) 286-5801

SW QUADRANT, 2008 FLOOD AREA SANITARY SEWER RESTORATION, PHASE II, PART 2

CONTRACT NUMBER SSD103-11

Project Location Map & Table Reference		
#	Street or alley	Location
1	3rd Ave. SW	11th St. SW to Rockford Rd. SW
2	Rockford Rd. SW	8th Ave. SW to 3rd Ave. SW
3	Alley West of 10th St. SW	12th Ave. SW to 8th Ave. SW
4	10th St. SW	8th Ave. SW to 5th Ave. SW
5	2nd-3rd Ave. SW Alley	CRANDIC Rail to 7th St. SW
6	1st-2nd Ave. SW Alley	7th to 6th Streets SW
7	3rd-5th Ave. SW Alley	8th to 7th Streets SW
8	3rd-4th Ave. SW Alley	6th to 4th Streets SW
9	7th-6th St. SW Alley	5th to 4th Ave. SW
10	7th-5th St. SW Alley	9th to 8th Ave. SW
11	8th-9th St. SW Alley	7th to 5th Ave. SW
12	10th-9th St. SW Alley	9th to 8th Ave. SW

Project Location Map & Table Reference (Continued)		
13	10th-9th St. SW Alley	CRANDIC Rail to 10th Ave. SW
14	8th-9th St. SW Alley	8th to 10th Ave. SW
15	8th-9th St. SW Alley	10th Ave. SW to CRANDIC Rail
16	9th Ave. SW	Between 8th and 9th Streets SW
17	8th-7th St. SW Alley	9th to 7th Ave. SW
18	7th-6th St. SW Alley	8th to 7th Ave. SW
19	19th Ave. SW	East of 6th St. SW
20	4th St. SW	9th Ave. SW
21	4th-N St SW Alley	South of 8th Ave. SW
22	10th Ave. SW	Between 4th and N St. SW
23	13th Ave. SW	West of M St. SW to L St. SW
24	Alley north of 15th Ave. SW	9th to 6th St. SW



PROJECT LOCATION
MAP & TABLE REFERENCE



Council Agenda Item Cover Sheet

Consent Agenda **Regular Agenda**

Council Meeting Date: January 28, 2014

Submitting Department: Utilities – Water Division

Presenter at meeting: Steve Hershner **Phone No.:** 5281 **E-mail:** stevehe@cedar-rapids.org

Alternate Contact: Andrew Lundy **Phone No.:** 5968 **E-mail:** a.lundy@cedar-rapids.org

Description of Agenda Item:

Report on bids for the J Avenue Water Plant Process Improvements – Phase 1 project (estimated cost is \$7,060,000). (Steve Hershner)

- a. Resolution awarding and approving contract in the amount of \$7,276,000, bond and insurance to Tricon General Construction for the J Avenue Water Treatment Plant Process Improvements – Phase 1 project CIP/DID #6250026-02

Background:

The J Avenue Water Treatment plant was originally constructed in 1929. Additions were made to the plant in 1949, 1969, and 2009. Sound maintenance practices have kept the plant in good operating condition throughout its service life. However, the plant is starting to experience age related issues that are not readily correctable through preventative maintenance. There is also the issue of technological obsolescence.

A study of the J Avenue Water Treatment Plant was completed by Strand Associates, Inc. in October 2011. The report detailed alternatives that would be beneficial for the longevity of the J Avenue water treatment plant. These alternatives were reviewed and staged in a specific manner and over many years. This staging was done to both improve operational factors during the construction work and to minimize the effect of the cost on ratepayers. This Project is related to only the first phase (Phase 1) of a much larger improvements program. All of the work required is currently staged in five separate phases and spread out over ten years.

Phase 1 of this project generally includes the replacement of the existing filter backwash piping, installation of new backwash supply pumps, rehabilitation of the flocculation basins, replacement of the re-carbonation basins with a piping header, and carbon dioxide chemical feed improvements. A mandatory pre-bid meeting was held on December 10th, 2013.

Five bids were received on January 15, 2014 for the J Avenue Water Plant Improvements – Phase 1 project.

<u>Bidder</u>	<u>Location</u>	<u>Lump Sum Bid Plus Allowance</u>
Tricon General Construction	Cedar Rapids, IA	\$7,276,000
Rice Lake Construction Group	Deerwood, WI	\$7,316,800
Kleiman Construction Inc.	Cedar Rapids, IA	\$7,396,201
Leander Construction, Inc.	Canton, IL	\$7,439,000
WRH, Inc.	Amana, IA	\$7,539,000

The engineer's opinion of probable cost for the construction of this project was \$7,060,000. The estimate was within 3% of the low bid, well within industry cost estimating standards. Several items were added to the project by addendum during bidding and after the preparation of the cost estimate. Additional items included disposal of lead pipe joints, disposal of lead paint and floor grating to improve access and safety.

A motion to publish a Notice of Hearing and Letting was approved by the City Council on November 19, 2013. The public hearing was held December 17, 2013. A mandatory pre-bid meeting was held on December 10, 2013. The work is anticipated to begin February 2014 and be completed by May 2016.

Action / Recommendation:

The Utilities Department recommends awarding the contract to Tricon General Construction in the amount of \$7,276,000.

Alternative Recommendation: None

Time Sensitivity: Action needed 1-28-14

Resolution Date: 1-28-14

Estimated Presentation Time: 2 minutes

Budget Purchase Process Information:

1. **Included in Current Budget Year.** Yes, funding for J Avenue Water Plant Improvements – Phase 1 project is included in FY14 thru FY16 Water Capital Improvement Program budgets. Project costs will be coded to 553000-625-625000-6250026, 6250027 and 625565.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The total capital cost budgeted for this work in the Water Capital Improvement Program budgets for FY14 thru FY16 is \$7,100,000. The FY16 budget amount will be modified prior to submission to City Council in late 2014. The anticipated completion date for these improvements is May 2016.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project is being publicly bid as a Capital Improvement Project.

Local Preference Policy Applies Exempt

Explanation: The Local Preference Policy does not apply to capital improvement projects.

Recommend by Council Committee Yes No N/A

Explanation:

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on November 19, 2013 the City Council adopted a motion that directed the City Clerk to give notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the J Avenue Water Plant Process Improvements – Phase 1 public improvement project (Contract No. 6250026-02) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on November 23 and December 7, 2013 pursuant to which a public hearing was held on December 17, 2013, and

WHEREAS, the following bids were received, opened and announced on January 15, 2014 by the Utilities Director, or designee, and said officer has now reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on January 28, 2014:

Tricon General Construction, Cedar Rapids, IA	\$7,276,000
Rice Lake Construction Group, Deerwood, WI	\$7,316,800
Kleiman Construction Inc., Cedar Rapids, IA	\$7,396,201
Leander Construction, Inc., Canton, IL	\$7,439,000
WRH, Inc., Amana, IA	\$7,539,000

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$7,276,000, 553000-625-625000-6250026, 6250027 and 625565; and

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

1. The previous delegation to the Utilities Director, or his designee, to receive, open and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;

2. Tricon General Construction is the lowest responsive, responsible bidder on said work and the Utilities Director, or his designee, has recommended that the City accept its Base Bid plus Allowance and award the contract to it;

3. Subject to registration with the Department of Labor, the Bid of Tricon General Construction is hereby accepted, and the contract for this public improvement is hereby awarded to Tricon General Construction;

4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

Passed this 28th day of January, 2014.

**TABULATION OF BIDS
 UTILITIES DEPARTMENT
 J AVENUE WATER PLANT
 PROCESS IMPROVEMENTS – PHASE 1
 CITY OF CEDAR RAPIDS, IOWA
 CONTRACT #6250026-02**

Engineer's Estimate: \$7,060,000.00
 Engineer: CH2M Hill Engineers, Inc.

Bid Date: Wednesday, January 15, 2014
 Time: 11:00 AM

The following proposals were received by the J Avenue Water Plant Improvements - Phase 1 project. The work generally includes the replacement of the existing filter backwash piping, installation of new backwash supply pumps, rehabilitation of the flocculation basins, replacement of the recarbonation basins with a piping header, and carbon dioxide chemical feed improvements.

Bidders	Tricon General Construction 746 58th Ave Ct SE Cedar Rapids, IA 52404	Rice Lake Construction Group 22360 County Road 12 Deerwood, MN 56444	Kleiman Construction Inc. 6205 Locust Road SW Cedar Rapids, IA 52404	Leander Construction, Inc. PO Box 345 Canton, IL 61520	WRH, Inc. PO Box 256 Amana, IA 52203
5% BID BOND	Y	Y	Y	Y	Y
ADDENDA 1, 2 & 3 ACKNOWLEDGED?	Y	Y	Y	Y	Y
TOTAL LUMP SUM INCLUDING ALLOWANCE	\$7,276,000	\$7,316,800	\$7,396,201	\$7,439,000	\$7,539,000

Utilities Department staff recommends award to: Tricon General Construction

Council Agenda Item Cover Sheet

Council Date: January 28, 2014

Submitting Department: Utilities - Water Division

Presenter at meeting: Steve Hershner **Phone No.:** 5281 **E-mail:** SteveHe@cedar-rapids.org

Alternate Contact: Ken Russell **Phone No.:** 5926 **E-mail:** k.russell@cedar-rapids.org

Description of Agenda Item:

Report on bids for the Replacement of Fire Hydrants and Blow Off Completes FY 14 project (estimated cost is \$48,000).

- a) Resolution awarding and approving the contract amount of \$53,340, bond and insurance to B.G. Brecke, Inc. for the Replacement of Fire Hydrants and Blow Off Completes FY 14 project. CIP/DID #2014037-01

Background:

The Water Division has selected 19 fire hydrant and blow off complete replacement locations within the Cedar Rapids water distribution area. The work will consist of removing and/or replacing blow off completes, replacing existing fire hydrants, valves, and tees, and replacing blow off completes with fire hydrants located within the public right-of-way. The Contractor shall also perform the appurtenant work necessary to make a complete job, consisting of: pavement removal; excavation; sheet, brace, and support the adjoining ground or structures where necessary; handle all drainage or ground water; provide barricades, guards, and warning lights; flush and test the replacement; repair sewer and drain lines disturbed by the replacement; backfill and compact the excavation; restore the surface; remove and dispose of surplus excavated material; and perform final clean-up of the work site.

Six (6) bids were received on January 22, 2014 for the Replacement of Fire Hydrants and Blow Off Completes FY 14 project (Contract 2014037-01), the results are reported as follows:

Bidder	Total Bid
1. B.G. Brecke, Inc. (Cedar Rapids, IA)	\$53,340.00
2. Ricklefs Excavating, Ltd. (Anamosa, IA)	\$60,595.00
3. Connolly Construction Inc. (Peosta, IA)	\$70,448.80
4. Ken-Way Excavating Services, Inc. (Walford, IA)	\$77,829.75
5. Rathje Construction Co. (Marion, IA)	\$83,593.00
6. Eastern Iowa Excavating & Concrete, LLC (Cascade, IA)	\$91,410.50

A motion to publish a Notice of Hearing and Letting was approved by the City Council on December 17, 2013; a public hearing was held on January 14, 2014 and bids were opened on January 22, 2014. The work is anticipated to begin in spring, 2014.

Action / Recommendation: The Utilities Department – Water Division staff recommends awarding the contract in the amount of \$53,340 to B.G. Brecke, Inc. for the Replacement of Fire Hydrants and Blow Off Completes FY14 project.

Alternative Recommendation: None

Time Sensitivity: The Water Division recommends awarding this contract at the January 28, 2014 City Council meeting in order to maintain a spring 2014 construction schedule for this project.

Resolution Date: January 28, 2014

Estimated Presentation Time: 3 Minutes

Budget Information (if applicable):

1. **Included in Current Budget Year.** This project will be funded from the FY 14 Utilities Department–Water Division CIP budget and coded to 625-625000-625884-6252014037.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The FY14 Water CIP budget includes \$1,500,000 for engineering and construction of water main replacement projects under CIP number 625884. The budget for construction will be established pursuant to the completion of the initial evaluation by the Engineer.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, purchasing guidelines are being followed for Public Improvement Projects.

Local Preference Policy Applies Exempt

Explanation: Local Preference does not apply to Public Bid Capital Improvement Projects.

Recommended by Council Committee Yes No N/A

Explanation (if necessary): N/A

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on December 17, 2013 the City Council adopted a motion that directed the City Clerk to give notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the Replacement of Fire Hydrants and Blow Off Completes FY 14 public improvement project (Contract No. 2014037-01) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on December 28, 2013 pursuant to which a public hearing was held on January 14, 2014, and

WHEREAS, the following bids were received, opened and announced on January 22, 2014 by the Utilities Director, or designee, and said officer has now reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on January 28, 2014:

B.G. Brecke, Inc., Cedar Rapids, IA	\$53,340.00
Ricklefs Excavating, Ltd., Anamosa, IA	\$60,595.00
Connolly Construction Inc., Peosta, IA	\$70,448.80
Ken-Way Excavating Services, Inc., Walford, IA	\$77,829.75
Rathje Construction Co., Marion, IA	\$83,593.00
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$91,410.50

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$53,340.00, 625-625000-625884-6252014037, and

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

1. The previous delegation to the Utilities Director, or his designee, to receive, open and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;

2. B.G. Brecke, Inc. is the lowest responsive, responsible bidder on said work and the Utilities Director, or his designee, has recommended that the City accept its bid and award the contract to it;

3. Subject to registration with the Department of Labor, the Bid of B.G. Brecke, Inc. is hereby accepted, and the contract for this public improvement is hereby awarded to B.G. Brecke, Inc.;

4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

Passed this 28th day of January, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: January 28, 2014

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt

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Description of Agenda Item: Consent Public Hearing Regular Agenda

Discussion and Resolution authorizing execution of a Development Agreement with New Bohemia Station, L.L.C. for disposition and redevelopment of City-owned property at 1020 and 1028 3rd Street SE (former Brosh site) (**FLOOD**). CIP/DID #803603

Background:

On January 22, 2014, the Development Committee reviewed and recommends proceeding with a Development Agreement based on updates to the proposed the New Bohemia Station project. The Resolution authorizes execution of a Development Agreement with New Bohemia Station, L.L.C. (NBS) for the purchase and redevelopment of City-owned property at 1020 & 1028 3rd Street SE (the "Property"). Here is a list of the key provisions in the Development Agreement with information from the original proposal in parenthesis:

- Property tax reimbursement of 100% of increased value for a 10-year period (40% for 10 years) ;
- NBS will provide a minimum investment of no less than \$9.0 Million (\$6.5 Million minimum investment);
- Project consists of the construction of a 5-story, multi-use facility, substantially in the scope and scale of the Attachment A, Building Renderings (multi-use, 4-story structure);
- Construction of the facility is to begin by June 1, 2014 with completion by October 1, 2015;
- NBS will provides an employment commitment of 20 jobs by April 1, 2016 (estimated 48 new jobs);
- Flood proofing of the structure at or above one (1') foot above the 100-year floodplain and maintaining flood insurance;

On April 9, 2013 the City Council passed Resolution No. 0578-04-13 authorizing the negotiation of a Development Agreement with New Bohemia Station, L.L.C. based upon their proposal for redevelopment of the Property. The proposal was recommended by an evaluation team comprised of City staff and representatives of the following neighborhood organizations:

- Oak Hill Jackson Neighborhood Association
- Czech Village/New Bohemia Main Street
- Southside Investment Board

- Design Review Technical Advisory Committee
- New Bohemia, Inc.
- Development Community

On October 24, 2012, the Development Committee voted unanimously to recommend the disposition of City-owned property at 1020 and 1028 3rd Street SE (former Brosh site) through a competitive proposal process.

Action / Recommendation:

City staff recommends approval of the resolution.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity: N/A

Resolution Date: January 28, 2014

Estimated Presentation Time: 5 Minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt N/A

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

On October 24, 2012, the Development Committee voted unanimously to recommend the disposition of City-owned property at 1020 and 1028 3rd Street SE (former Brosh site) through a competitive proposal process.

Attachment A
Building Renderings



RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT
AGREEMENT WITH NEW BOHEMIA STATION, L.L.C. FOR DISPOSITION
AND REDEVELOPMENT OF CITY-OWNED PROPERTY AT 1020 AND 1028
3RD STREET SE (FORMER BROSH SITE)

WHEREAS, the City-owns the property at 1020 and 1028 3rd Street SE; and

WHEREAS, on October 24, 2012 the City Council's Development Committee recommended proposals be sought for redevelopment of said property; and

WHEREAS, on November 13, 2012 City Council made a motion to conduct a public hearing, a notice was published on November 17, 2012, and the public hearing was held on November 17, 2013 on the possible disposition of the property; and

WHEREAS, an informational meeting was held on December 10, 2012 for all interested proposers to discuss proposal criteria; and

WHEREAS, the City received two (2) proposals to purchase and redevelop the property; and

WHEREAS, an evaluation team comprised of City staff and representatives of Oak Hill/Jackson Neighborhood Association, New Bohemia, Inc., Main Street, Southside Development, Development Community, and Design Review – Technical Advisory Committee reviewed the proposals on March 22, 2013; and

WHEREAS, the City Council adopted Resolution No. 0578-04-13 authorizing the negotiation of a Development Agreement with New Bohemia Station, L.L.C. based upon the overall benefit to the community, as described below:

- Mixed-use, multi-story design which enhances the neighborhood character;
- Design and setbacks in compliance with the overlay district guidelines;
- Sustainable design features;
- Economic impact, including number of jobs to be created/retained, total project investment, and projected post-development property valuation;

WHEREAS, the demonstrated financial gap can be satisfied through a one-hundred percent (100%) reimbursement of property tax increment received by the increased value of the development project for a ten-year period;

WHEREAS, the City Council has also determined that the development proposal submitted by New Bohemia Station, L.L.C. will provide an economic benefit to the community through a minimum investment of \$9,000,000 and a job commitment of 20 full-time positions;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk, or their designees, are directed to executed a Development Agreement and associated documents with New Bohemia Station, L.L.C.

Passed this 28th Day of January, 2014.