

**AMENDED**

*“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, April 22, 2014 at 4:00 p.m. in the Council Chambers, 3<sup>rd</sup> 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:
  - ❖ Proclamation – AMVETS Chapter 6 Motorcycle Awareness Day (Paul Nelson)
  - ❖ Presentation – iGreen CR (Megan Murphy)
  - ❖ Presentation – New Bohemia and Czech Village Main Street District Program (Jennifer Pruden, Executive Director and Todd McNall, Board President)
  - ❖ **Proclamation – iExplore STEM Day (Steve Goodall)**

**PUBLIC HEARINGS**

1. A public hearing will be held to consider adoption of an Annual Action Plan for the Community Development Block Grant (CDBG) Program and HOME Investment Partnership Program for the program year July 1, 2014 – June 30, 2015 (Paula Mitchell). CIP/DID #OB660905
2. A public hearing will be held to consider the disposition of three excess City-owned properties at 432, 500 and 502 F Avenue NW (Paula Mitchell). CID/DID #OB540257
3. A public hearing will be held to consider amending Chapter 72 of the Municipal Code, Stormwater Management Ordinance, increasing existing tier rates by 2.5%, creating an additional non-residential tier for lots sized greater than seven acres with a daily flat rate charge of \$5.1552 per day, and providing additional clarification on definitions (Rob Davis).
  - a. First Reading: Ordinance amending Chapter 72 of the Municipal Code, Stormwater Management Ordinance, increasing tier rates by 2.5%, creating an additional non-residential tier for lots sized greater than seven acres with a daily flat rate charge of \$5.1552 per day, and providing additional clarification on definitions. CIP/DID #43-10-007

4. A public hearing will be held to consider an Overhang Easement Agreement with ITC Midwest LLC for property located on City-owned land between 20<sup>th</sup> Street and 29<sup>th</sup> Street NE (also known as the CEMAR Trail) in connection with ITC's electric transmission line improvements (Rita Rasmussen).
  - a. Resolution authorizing execution of an Overhang Easement Agreement with ITC Midwest LLC for property located on City-owned land between 20<sup>th</sup> Street and 29<sup>th</sup> Street NE (also known as the CEMAR Trail) in connection with ITC's electric transmission line improvements. CIP/DID #49-13-025
5. A public hearing will be held to consider an Overhead Electric Line Easement Agreement with ITC Midwest LLC for property located on City-owned land along the northerly right-of-way line of F Avenue NE between 16<sup>th</sup> Street and 17<sup>th</sup> Street NE in connection with ITC's electric transmission line improvements (Rita Rasmussen).
  - a. Resolution authorizing execution of an Overhead Electric Line Easement Agreement with ITC Midwest LLC for property located on City-owned land along the northerly right-of-way line of F Avenue NE between 16<sup>th</sup> Street and 17<sup>th</sup> Street NE in connection with ITC's electric transmission line improvements. CIP/DID #49-13-026
6. A public hearing will be held to consider the execution of an Underground Electric Line Easement Agreement with Interstate Power and Light Company in connection with an electric upgrade located on City-owned land along the northwest corner of Twin Pines Golf Course and the intersection of Highway 100 and Edgewood Road NE (Rita Rasmussen).
  - a. Resolution authorizing execution of an Underground Electric Line Easement Agreement with Interstate Power and Light Company in connection with an electric upgrade located on City-owned land at the northwest corner of Twin Pines Golf Course and the intersection of Highway 100 and Edgewood Road NE. CIP/DID #49-14-036
7. A public hearing will be held to consider the vacation and disposition of public ways and grounds described as a 10-foot wide strip of excess alley right-of-way located between 8<sup>th</sup> Street and 9<sup>th</sup> Street NW and adjacent to 210 8<sup>th</sup> Street NW as requested by Kevin and Gail Kennedy (Rita Rasmussen).
  - a. First Reading: Ordinance vacating public ways and grounds in and to the property described as a 10-foot-wide strip of excess alley right-of-way located between 8<sup>th</sup> Street and 9<sup>th</sup> Street NW and adjacent to 210 8<sup>th</sup> Street NW as requested by Kevin and Gail Kennedy. CIP/DID #41-14-015
8. A public hearing will be held to consider the disposition of excess City-owned property at 1419 5<sup>th</sup> Avenue SE in the Neighborhood Revitalization Area for the third round of the Single Family New Construction Program (Tony Lerud) (**FLOOD**). CIP/DID #OB540257

9. A public hearing will be held to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to modify standards for accessory structures, urban agriculture, on-site navigational signage, gymnasiums in industrial areas and to correct other errors and omissions in the Zoning Ordinance (Jeff Hintz).
  - a. First Reading: Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to modify standards for accessory structures, urban agriculture, on-site navigational signage, gymnasiums in industrial areas and to correct other errors and omissions in the Zoning Ordinance. CIP/DID #OB72241
10. A public hearing will be held to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to clarify the roles and responsibilities of the Development Services Department for the land development review and approval process (Jeff Hintz).
  - a. First Reading: Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to clarify the roles and responsibilities of the Development Services Department for the land development review and approval process. CIP/DID #OB72241
11. A public hearing will be held to consider granting a change of zone for property at 1410 Tower Lane NE from O-S, Office/Service Zone District to RMF-1, Multiple Family Residence Zone District as requested by Capital Commercial Division, LLC (Vern Zakostelecky).
  - a. First Reading: Ordinance granting a change of zone for property at 1410 Tower Lane NE from O-S, Office/Service Zone District to RMF-1, Multiple Family Residence Zone District as requested by Capital Commercial Division, LLC. CIP/DID #RZNE-005870-2013
12. A public hearing will be held to consider granting a change of zone for property at 5015 Center Point Road NE, 2025 Sylvia Avenue NE and 5020 Louisa Street NE from O-S, Office/Service Zone District and R-3, Single Family Residence Zone District to C-3, Regional Commercial Zone District as requested by D & S Building Co., Inc. (Vern Zakostelecky).
  - a. First Reading: Ordinance granting a change of zone for property at 5015 Center Point Road NE, 2025 Sylvia Avenue NE and 5020 Louisa Street NE from O-S, Office/Service Zone District and R-3, Single Family Residence Zone District to C-3, Regional Commercial Zone District as requested by D & S Building Co., Inc. CIP/DID #RZNE-008136-2014
13. A public hearing will be held to consider granting a change of zone for property at 4420 Bowling Street SW from I-2, General Industrial Zone District to R-3/RMH-O, Single Family Residence Zone District/Residential Manufactured/Mobile Home Park Overlay District and I-1, Light Industrial Zone District as requested by Prairie Oaks Homes, LLC. (Vern Zakostelecky)
  - a. First Reading: Ordinance granting a change of zone for property at 4420 Bowling Street SW from I-2, General Industrial Zone District to R-3/RMH-O, Single Family Residence Zone District/Residential Manufactured/Mobile Home Park Overlay District and I-1, Light Industrial Zone District as requested by Prairie Oaks Homes, LLC. CIP/DID #RZNE-008252-2014

14. A public hearing will be held to consider granting a change of zone for property at 1508 6<sup>th</sup> Avenue SE, 1542 Bever Avenue SE and 1707 Washington Avenue SE from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Affordable Housing Network, Inc. (Vern Zakostelecky)
  - a. First Reading: Ordinance granting a change of zone for property at 1508 6<sup>th</sup> Avenue SE from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Affordable Housing Network, Inc.; CIP/DID #RZNE-008228-2014
  - b. First Reading: Ordinance granting a change of zone for property at 1542 Bever Avenue SE from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Affordable Housing Network, Inc.; CIP/DID #RZNE-008229-2014
  - c. First Reading: Ordinance granting a change of zone for property at 1707 Washington Avenue SE from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Affordable Housing Network, Inc. CIP/DID #RZNE-008230-2014
15. A public hearing will be held to consider granting a change of zone for property north of Blairs Ferry Road and west of Michael Drive and Sanden Road NE from A, Agriculture Zone District to R-1, Single Family Residence Zone District as requested by Wexford, Inc., Galilee Baptist Church of Cedar Rapids, Salem United Methodist Church of Cedar Rapids and La Vonne E. Hudson (Vern Zakostelecky).
  - a. First Reading: Ordinance granting a change of zone for property north of Blairs Ferry Road and west of Michael Drive and Sanden Road NE from A, Agriculture Zone District to R-1, Single Family Residence Zone District as requested by Wexford, Inc., Galilee Baptist Church of Cedar Rapids, Salem United Methodist Church of Cedar Rapids and La Vonne E. Hudson. CIP/DID #RZNE-008263-2014
16. A public hearing will be held to consider an ordinance to establish the Willowbrook-Georgia-Woodview Water and Sewer Extension Area (Steve Hershner).
  - a. First Reading: Ordinance to establish the Willowbrook-Georgia-Woodview Water and Sewer Extension Area. CIP/DID #OB1115312
17. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Water Division Bowling Street Booster Station Pump Upgrade project (estimated cost is \$150,000) (Steve Hershner).
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Water Division Bowling Street Booster Station Pump Upgrade project. CIP/DID #625876-01
18. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the C3 Clarifier Rehabilitation project (estimated cost is \$826,000) (Steve Hershner).
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the C3 Clarifier Rehabilitation project. CIP/DID #615172-02

19. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Oakland Road NE from E Avenue NE to H Avenue NE Pavement Rehabilitation project (estimated cost is \$635,000) (Doug Wilson) (**Paving for Progress**).
- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Oakland Road NE from E Avenue NE to H Avenue NE Pavement Rehabilitation project. CIP/DID #301374-02

### **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.**

20. Motion to approve minutes.
21. Motions setting public hearing dates for:
- a. May 13, 2014 – to consider the vacation of public ways and grounds described as a portion of a frontage road easement located at 2630 Williams Boulevard SW as requested by Seafood Property No. 4, LLC; CIP/DID #41-14-018
- b. May 27, 2014 – to consider a request by Kingston Village LLC for an Urban Revitalization Area designation for the construction of a 64 unit apartment building for property at 6<sup>th</sup> Avenue SW between 2<sup>nd</sup> and 3<sup>rd</sup> Streets. CIP/DID #OB959319
22. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for May 13, 2014 and advertising for bids by publishing notice to bidders for the 1<sup>st</sup> Avenue East from 34<sup>th</sup> Street to 40<sup>th</sup> Street Utilities Rehabilitation project and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on May 21, 2014 (estimated cost is \$2,275,000). CIP/DID #301240-04
23. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
- a. All Saints Church, 720 29<sup>th</sup> Street SE (5-day permit for an event on May 3, 2014);
- b. Benz Beverage Depot, 501 7<sup>th</sup> Avenue SE (5-day permit for an event on May 10, 2014);
- c. Biaggi's Ristorante Italiano, 320 Collins Road NE;

- d. Cedar Rapids Moose Lodge #304, 1820 West Post Road SW;
- e. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on May 25-26, 2014);
- f. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on May 17, 2014);
- g. Cheddar's Casual Café, 161 Collins Road NE (new – new construction);
- h. Chrome Horse Slop House & Saloon, 1202 3<sup>rd</sup> Street SE (outdoor service for an event on May 30-31, 2014);
- i. Chrome Horse Slop House & Saloon, 1202 3<sup>rd</sup> Street SE (outdoor service for an event on May 8-9, 2014);
- j. El Paraiso Bar & Grill, 2730 Edgewood Road SW;
- k. Green Gable Inn, 1227 J Avenue NE;
- l. Happy Joe's Pizza, 5070 Lindale Drive NE;
- m. Hawkeye Convenience Store-16<sup>th</sup> Avenue, 250 16<sup>th</sup> Avenue SW;
- n. Hometown Inn & Suites, 3315 Southgate Court SW;
- o. Hy-Vee #3 Club Room, 20 Wilson Avenue SW;
- p. Java Creek Cafe, 588 Boyson Road NE;
- q. JM O'Malley's, 1502 H Avenue NE;
- r. Murdoch Funeral Homes & Cremation Service, 520 Wilson Avenue SW;
- s. Red Baron Bar & Dance Club, 62 16<sup>th</sup> Avenue SW;
- t. Red Frog, 88 16<sup>th</sup> Avenue SW;
- u. Smokin' Joe's Tobacco & Liquor Outlet #7, 904 1<sup>st</sup> Avenue NW;
- v. Tic Toc, 600 17<sup>th</sup> Street NE;
- w. US Cellular Center, 370 1<sup>st</sup> Avenue NE;
- x. Walgreens #12393, 5750 C Avenue NE;
- y. Brewed Café, 1101-1103 3<sup>rd</sup> Street SE (5-day permit for an event at the Cedar Rapids Public Library, 450 5<sup>th</sup> Avenue SE, on May 9, 2014).**

24. Resolutions (2) approving payment of bills and payroll. CIP/DID #OB1143566

25. Resolutions approving the following special events:

- a. Benz Beverage Depot "Benz Beerfest" event at 501 7<sup>th</sup> Avenue SE (includes road closure) on May 10, 2014; CIP/DID #SPEC-017458-2014
- b. Juvenile Diabetes Research Foundation "JDRF Walk to Cure Diabetes" event on city streets and sidewalks in the NewBo Market and Czech Village area (includes road closure) on May 10, 2014; CIP/DID #SPEC-019221-2014
- c. Czech Village Association "Houby Days Festival" in the Czech Village area (includes road closures) on May 16, 17 and 18, 2014; CIP/DID SPEC #018585-2014
- d. Matthew 25 "Flood the Run" event on city streets and sidewalks in the Ellis Park area (includes road closures) on August 9, 2014. CIP/DID #SPEC-014119-2014

26. Resolutions approving assessment actions:

- a. Levy assessment – Solid Waste & Recycling – clean-up costs – three properties; CIP/DID #OB1097765
- b. Levy assessment – delinquent snow removal charges – 10 properties; CIP/DID #OB1145867
- c. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 52 properties; CIP/DID #OB114593
- d. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – nine properties. CIP/DID #OB1090314

27. Resolutions accepting projects, approving Performance Bonds and/or authorizing issuance of final payments:
- a. Veterans Memorial Phase III – Bid Package #7 – Flooring project, final payment in the amount of \$4,459.05 and 2-Year Performance Bond submitted by Grazzini Brothers & Company (original contract amount was \$77,850; final contract amount is \$89,181) **(FLOOD)**; CIP/DID #VME001-06
  - b. Cedar Rapids Central Fire Station project, final payment in the amount of \$69,684.40 and 2-year Performance Bond submitted by Miron Construction Co., Inc. (original contract amount was \$13,591,254; final contract amount is \$13,913,688) **(FLOOD)**. CIP/DID #FDE010-21
28. Resolution authorizing Change Order No. 14 (Final Revised) in the amount of \$172,507.02, accepting project, authorizing final payment in the amount of \$32,618.95 and approving the 4-year Performance Bond submitted by Northwest Underwater Construction, LLC for the Main Interceptor from A Street SW to Prairie Creek Sanitary Sewer Repair project (original contract amount was \$352,400.24; final contract amount is \$652,378.97) **(FLOOD)**. CIP/DID #SSD010-01
29. Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the 33<sup>rd</sup> Avenue SW from 10<sup>th</sup> Street to Prairie Creek Road and 18<sup>th</sup> Street SW from 33<sup>rd</sup> Avenue to 1000 Feet North project. CIP/DID #301136-00
30. Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the 33<sup>rd</sup> Avenue SW from 18<sup>th</sup> Street to Edgewood Road Improvements project. CIP/DID #301182-00
31. Resolution establishing “No Parking Anytime” on the east side of 16<sup>th</sup> Street SE from the lot line between 816 and 818 16<sup>th</sup> Street SE southerly to 17<sup>th</sup> Street SE. CIP/DID #PARK-008843-2014
32. Resolution changing the name of a private drive known as “Transit Way SE” to “Tom Aller Way SE”, located between 4<sup>th</sup> Avenue SE and 5<sup>th</sup> Avenue SE, easterly of 1<sup>st</sup> Street SE as requested by the City of Cedar Rapids. CIP/DID #41-14-025
- ~~33. Resolution authorizing the vacation of a 20-foot by 140-foot gas pipeline easement located along the southeasterly property line of vacant land lying northwesterly of and adjacent to 115 2<sup>nd</sup> Street SW in connection with the proposed Cedar Crossing Casino project as requested by the City of Cedar Rapids. CIP/DID #41-13-038~~
34. Resolution establishing an easement for sanitary sewer on City-owned property located at 217 10<sup>th</sup> Avenue SW in connection with the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration project **(FLOOD)**. CIP/DID #SSD103-00
35. Resolution authorizing execution of the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for one property in connection with the HUD Community Development Block Grant (CDBG) **(FLOOD)**. CIP/DID #3302500001
36. Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects. CIP/DID #OB1145993

37. Resolution directing the advertisement for sale of not to exceed \$4,280,000 (subject to adjustment per terms of offering) General Obligation Bonds, Series 2014A, and approving electronic bidding procedures and Official Statement. CIP/DID #838449
38. Resolution directing the advertisement for sale of not to exceed \$10,640,000 (subject to adjustment per terms of offering) Taxable General Obligation Urban Renewal Bonds, Series 2014B, and approving electronic bidding procedures and Official Statement. CIP/DID #838449
39. Resolution directing the advertisement for sale of not to exceed \$11,570,000 (subject to adjustment per terms of offering) Sewer Revenue Bonds, Series 2014C, and approving electronic bidding procedures and Official Statement. CIP/DID #838449
40. Resolution directing the advertisement for sale of not to exceed \$4,570,000 (subject to adjustment per terms of offering) Water Revenue Bonds, Series 2014D, and approving electronic bidding procedures and Official Statement. CIP/DID #838449
41. Resolution authorizing a Systems Support Technician to attend EnerGov Land Management Training in Duluth, Georgia for an amount not to exceed \$5,000. CIP/DID #OB1145854
42. Resolution authorizing a Network Technician II to attend vSphere Fast Track Training in Schaumburg, Illinois for an amount not to exceed \$7,500. CIP/DID #OB1145858
43. Resolution executing a three-year CenturyLink Line Volume Plan for 1FB (single line flat business rate) telephone lines to support technology needs with CenturyLink. CIP/DID #OB1145860
44. Resolution authorizing an Agreement for Private Redevelopment with Red Ball Route LLC providing for a Streetscape Property Assessment Grant of \$29,111 for property at 310 14<sup>th</sup> Avenue SE. CIP/DID #321526-00
45. Resolution extending the competitive proposal deadline from April 28, 2014 to May 19, 2014 for the disposition and redevelopment of City-owned commercial property at 615 K Avenue NW (**FLOOD**). CIP/DID #OB1058253
46. Resolutions approving actions regarding Purchases/Contracts/Agreements:
  - a. Amendment No. 2 to the Agreement with Guaranteed On Site for an increased amount of \$660 for the Veterans Memorial Stage Curtains project (original contract amount was \$34,118; total contract amount with this amendment is \$40,187.60) (**FLOOD**); CIP/DID #VME001-09
  - b. Amendment No. 7 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$37,033 for additional design services in connection with the 1<sup>st</sup> Avenue East and Collins Road NE intersection and approaches reconstruction and improvements project (original contract amount was \$541,257.09; total contract amount with this amendment is \$944,941.99); CIP/DID #301447-01
  - c. Amendment No. 5 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$21,776 for design services in connection with the CEMAR Trail Phase 1 and 2 project (original contract amount was \$134,000; total contract amount with this amendment is \$339,826); CIP/DID #325012-02

- d. Amendment No. 5 for pricing adjustment to Agreement for Beverage Concession Products for the Parks & Recreation Department with Pepsi Americas for an amount not to exceed \$100,000 (original contract amount was \$70,000 annually; total contract amount with this amendment is \$100,000 annually); CIP/DID #1008-137
- e. Amendment No. 2 to the Contract for Elevator Maintenance and Repair Services project with Kone, Inc. to add services for two elevators for the Downtown Library for an amount not to exceed \$6,048 annually (original contract amount was \$55,128; total contract amount with this amendment is \$57,144); CIP/DID #0413-246
- f. Amendment No. 2 to renew agreement for the purchase of ShoreTel Hardware & Software by the Information Technology Department with Sencommunications, Inc. for a total annual amount not to exceed \$100,000 (original contract amount was \$100,000 annually; renewal contract amount is \$100,000 annually); CIP/DID #0313-222
- g. Amendment No. 5 for price adjustments to Agreement for Food Concession Products for the Parks & Recreation Department with Myers-Cox Company for a total annual amount not to exceed \$140,000 (original contract amount was \$100,000 annually; contract amount with this amendment is \$140,000 annually); CIP/DID #0109-201
- h. Amendment No. 5 to renew Agreement for Garbage Carts for the Solid Waste & Recycling Division with Rehrig Pacific Company for a total annual amount not to exceed \$80,000 (original contract amount was \$1,460,800, renewal contract amount is \$80,000); CIP/DID #0211-179
- i. Amendment No. 3 to renew Agreement for GIS One-Call Utility Locate System with Pro-West & Associates, Inc. for the Utilities, Public Works, and Information Technology Departments and amend the Scope of Work for a total additional amount of \$2,300 (original contract amount was \$43,000; total contract amount with this amendment is \$55,550); CIP/DID #1209-125
- j. Amendment No. 4 to contract for Environmental Remediation and Demolition Services for Flood-Damaged Structures project with D.W. Zinser Company to reflect a discovery item and accepting project and Performance Bond and authorizing issuance of payment in the amount of \$10,695 (original contract amount was \$212,400; final contract amount is \$213,900) **(FLOOD)**; CIP/DID #0813-038
- k. Change Order No. 4 (Revised) in the amount of \$15,216 plus an additional 34 calendar days with Knutson Construction Services Midwest, Inc. for the 2<sup>nd</sup> Street SE Parking Ramp at 7<sup>th</sup> Avenue – General Construction project (original contract amount was \$7,801,500; total contract amount with this amendment is \$7,888,428); CIP/DID #635120-20
- l. Change Order No. 15 in the amount of \$120,969 with Knutson Construction Services Midwest, Inc. for the Cedar Rapids Public Library Project – General Contractor project (original contract amount was \$14,235,000; total contract amount with this amendment is \$15,566,793.10) **(FLOOD)**; CIP/DID #PLE001-20
- m. Change Order No. 7 in the amount of \$56,647 with Miron Construction Co., Inc. for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – General Contractor project (original contract amount was \$19,185,000; total contract amount with this amendment is \$19,428,890) **(FLOOD)**; CIP/DID #PWE006-21
- n. Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. in an amount not to exceed \$43,290 for design services in connection with the CEMAR Trail Lindale Connector project; CIP/DID #325050-01
- ~~e. Special Warranty Deed to Cedar Rapids Development Group, LLC for the disposition of 12 City-owned parcels generally located between 1<sup>st</sup> Avenue SW and 2<sup>nd</sup> Avenue SW, and from 4<sup>th</sup> Street SW to 3<sup>rd</sup> Street SW in connection with the proposed Cedar Crossing Casino project; CIP/DID #3302500004~~

- p. Purchase Agreement in the amount of \$190 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Michael J. Belay and Susan P. Belay from land located at 2742 Prairie Drive NE in connection with the 29<sup>th</sup> Street NE from Oakland Road NE to Prairie Drive NE Traffic Signal Improvements project; CIP/DID #306204-00
- q. Purchase Agreement in the amount of \$300 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Justin P. Rozinek from land located at 1200 29<sup>th</sup> Street NE in connection with the 29<sup>th</sup> Street NE from Oakland Road NE to Prairie Drive NE Traffic Signal Improvements project; CIP/DID #306204-00
- r. Public Works Department purchase of traffic marking paint from Vogel Paint & Wax Co., Inc. to be used for roadway markings in an amount not to exceed \$72,324; CIP/DID #80-14-007
- s. Payment to the Iowa Department of Transportation (IDOT) in the amount of \$46,115.57 for reimbursement of funds found to be ineligible for the FHWA Bridge and Roadway Repair project (original contract amount was \$457,318.10; total contract amount is \$764,507.60); CIP/DID #330004-01
- ~~t. Accepting two Easements for Utilities from Cedar Rapids Development Group, LLC in connection with the proposed Cedar Crossing Casino project; CIP/DID #41-13-038~~
- ~~u. Accepting an Easement for Utilities from Steve and Jean Novak in connection with the proposed Cedar Crossing Casino project; CIP/DID #41-13-038~~
- v. Awarding and approving contract in the amount of \$56,012 plus incentive up to \$2,000, bond and insurance of Illowa Investment, Inc. for the 1<sup>st</sup> Avenue East from 17<sup>th</sup> Street SE to 27<sup>th</sup> Street SE and 40<sup>th</sup> Street NE to Collins Road NE Crack and Joint Cleaning and Sealing project (estimated cost is \$81,000); CIP/DID #3012034-02
- w. Awarding and approving contract in the amount of \$165,784.94 plus incentive up to \$5,000, bond and insurance of Rathje Construction Company for the Sun Valley Neighborhood SE Storm Sewer Installation project (estimated cost is \$370,000); CIP/DID #304224-04
- ~~x. Agreement for Utility Relocation with Interstate Power and Light Company in the amount of \$350,000 in connection with the A Avenue NW to Diagonal Drive SW between the Cedar River and 3<sup>rd</sup> Street SW Utility Relocation project; CIP/DID #3012105-00~~
- y. Fleet Services Division purchase of seven Ford Fusion sedans from Junge Center Point in the amount of \$134,106; CIP/DID #00314-151
- z. Fleet Services Division purchase of five 2014 Ford Police Interceptor sedans and three Ford Police Interceptor SUV's for use by the Police Department patrol unit, from Charles Gabus Ford for a total amount of \$229,285.21; CIP/DID #4568-14
- aa. Fleet Services Division purchase of three 2014 Ford Focus sedans for use by the Fire Marshal's office from Stivers Ford, for a total amount of \$50,487; CIP/DID #4652-14
- bb. Agreement for Mowing Services for Public Works Maintenance with Larry's Landscape for a total annual amount not to exceed \$30,000; CIP/DID #0114-114
- cc. Payments to participants in the Jumpstart Housing Program, the Jumpstart Rental Rehabilitation Program, and the Local Option Sales Tax (LOST) Rental Rehabilitation Program for payment requests that are submitted prior to June 30, 2014; CIP/DID #OB406356
- dd. Assignment and Assumption of Agreement for Redevelopment from Matthew 25 Ministry Hub to Stonebrook Homes, LLC for property at 615 H Avenue NW participating in the third round of the Single Family New Construction Program (**FLOOD**); CIP/DID #OB540257
- ee. Cedar Rapids Police Department payment of quarterly invoices for using the Iowa On-Line Warrants and Articles System, according to the user agreement (totaling \$53,830.08 annually); CIP/DID #OB759137
- ~~ff. Amendment No. 1 to the Parking Facility Use Agreement with Cedar Rapids Development Group, LLC for the proposed casino parking ramp; CIP/DID #OB838346~~

- ~~gg. Amendment No. 2 to Development Agreement with Cedar Rapids Development Group, LLC for proposed development of a new casino; CIP/DID #OB838346~~
- hh. Historical Resource Development Program grant application contract to assist in the restoration of the east wall mural within the Cedar Rapids City Council Chambers. CIP/DID #OB731177

## **REGULAR AGENDA**

47. Report on bids for the Park Avenue SE from 17<sup>th</sup> Street to 18<sup>th</sup> Street and 18<sup>th</sup> Street SE from Park Avenue to Half Block South – Sanitary Sewer, Storm Sewer, Water Main, Street and Sidewalk Improvements project (estimated cost is \$740,000) (Doug Wilson). CIP/DID #655996-07
48. Report on bids for the Cedar River Bridges Miscellaneous Repairs project (estimated cost is \$1,490,000) (Doug Wilson).
- a. Resolution awarding and approving contract in the amount of \$1,250,800 plus incentive up to \$25,000, bond and insurance of Peterson Contractors, Inc. for the Cedar River Bridges Miscellaneous Repairs project. CIP/DID #305127-03
49. Report on bids for the Veterans Memorial Stadium 2014 Storm Sewer Improvements – Phase 1 project (estimated cost is \$90,000) (Doug Wilson).
- a. Resolution awarding and approving contract in the amount of \$67,800 plus incentive up to \$1,000, bond and insurance of Iowa State Contractors, Inc. for the Veterans Memorial Stadium 2014 Storm Sewer Improvements – Phase 1 project. CIP/DID #314338-03
50. Report on bids for the NW Water Treatment Plant Chlorine System Improvements project (estimated cost is \$150,000) (Steve Hershner). CIP/DID #625900-01
51. Report on bids for the J Avenue Water Treatment Plant 1929 Tower Renovation project (estimated cost is \$172,000) (Steve Hershner).
- a. Resolution awarding and approving contract in the amount of \$170,000, bond and insurance of Bi-State Masonry, Inc. for the J Avenue Water Treatment Plant 1929 Tower Renovation project. CIP/DID #625028-07
52. Report on bids for the WPC Electric Metering Upgrade project (estimated cost is \$826,000) (Steve Hershner).
- a. Resolution awarding and approving contract in the amount of \$848,000, bond and insurance of ESCO Electric Company for the WPC Electric Metering Upgrade project. CIP/DID #615225-02
53. Presentation and Resolution authorizing execution of a License for Multi-Use Pathway/Sidewalk agreement in the amount of \$63,361 with the Chicago, Central & Pacific Railroad Company in connection with the 42<sup>nd</sup> Street and Interstate 380 Intersection Improvements project (Doug Wilson). CIP/DID #301614-00

## ORDINANCES

### (Third Reading)

54. Ordinance vacating public ways and grounds described as a portion of 2<sup>nd</sup> Street NW right-of-way located between A Avenue NW and 1<sup>st</sup> Avenue West; a 20-foot wide strip of alley right-of-way located between A Avenue NW and 1<sup>st</sup> Avenue West, and between 1<sup>st</sup> Street NW and 2<sup>nd</sup> Street NW; a 20-foot wide strip of alley right-of-way located between 1<sup>st</sup> Avenue West and 2<sup>nd</sup> Avenue SW, and between 1<sup>st</sup> Street SW and 2<sup>nd</sup> Street SW; a 20-foot wide strip of alley right-of-way located between 2<sup>nd</sup> Street SW and 3<sup>rd</sup> Street SW, and between 1<sup>st</sup> Avenue West and 2<sup>nd</sup> Avenue SW; and 2<sup>nd</sup> Street SW right-of-way located between 1<sup>st</sup> Avenue West and 2<sup>nd</sup> Avenue SW as requested by the Cedar Rapids Development Group, LLC.
- a. Resolution authorizing the disposition of the property described as a 20-foot wide strip of alley right-of-way located between 1<sup>st</sup> Avenue SW and 2<sup>nd</sup> Avenue SW, and between 1<sup>st</sup> Street SW and 2<sup>nd</sup> Street SW; a 20-foot wide strip of alley right-of-way located between 2<sup>nd</sup> Street SW and 3<sup>rd</sup> Street SW, and between 1<sup>st</sup> Avenue SW and 2<sup>nd</sup> Avenue SW; and 2<sup>nd</sup> Street SW right-of-way located between 1<sup>st</sup> Avenue SW and 2<sup>nd</sup> Avenue SW as requested by the Cedar Rapids Development Group, LLC. CIP/DID #41-13-038
55. Ordinance granting a change of zone for property at 837 44<sup>th</sup> Street SE from RMF-1, Multiple Family Residence Zone District to I-1, Light Industrial Zone District as requested by Randall J. and Christine C. Maher. CIP/DID #RZNE-007144-2013

### (Second and possible Third Readings)

56. Ordinance granting a change of zone for property at 101 1<sup>st</sup> Avenue SW and 200 1<sup>st</sup> Avenue NW from C-4, Central Business Zone District and C-3, Regional Commercial Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Cedar Rapids Development Group, LLC, City of Cedar Rapids and Steven M. and Jean M. Novak. CIP/DID #RZNE-008542-2014
57. Ordinance changing the name of H Street SW to Valor Way SW, from Diagonal Drive SW northwesterly to the northwesterly end of H Street SW as requested by the City of Cedar Rapids Police Department. CIP/DID #STREET-007954-2014

## 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](http://www.cedar-rapids.org)*



## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Paula Mitchell

**Phone Number/Ext:** 319 286-5852

**Email:** [p.mitchell@cedar-rapids.org](mailto:p.mitchell@cedar-rapids.org)

**Alternate Contact Person:** Chrystal Shaver

**Phone Number/Ext:** 319 286-5182

**Email:** [c.shaver@cedar-rapids.org](mailto:c.shaver@cedar-rapids.org)

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

A public hearing will be held to consider adoption of an Annual Action Plan for the Community Development Block Grant (CDBG) Program and HOME Investment Partnership Program for the program year July 1, 2014 – June 30, 2015. CIP/DID #OB660905

### **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. Allocations for the current year are estimated at \$1,085,181 in formula funding through the CDBG program and \$309,892 through the HOME Program. Activities undertaken with CDBG and HOME must meet specific eligibility requirements and fulfill defined National Objectives, which include Benefit to Low- and Moderate-Income Persons and Elimination of Slum and Blight.

Proposed activities contained in the federal FY2014 Annual Action Plan have been reviewed by members of the Grants and Programs (GAP) Citizens Advisory Committee and recommended for approval with respective budget allocations based on amounts anticipated to be received.

A public hearing is required prior to adoption of the Action Plan, and provides opportunities 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 regards to preparation of an Annual Action Plan for proposed activity allocations for the (Federal) FY14 period from July 1, 2014 to June 30, 2015, in association with an adopted five-year strategy for the period covering July 1, 2010 to June 30, 2015. The Action Plan typically must be submitted to HUD by May 15 of each year.

### **Action / Recommendation:**

Staff recommends holding the public hearing.

**Alternative Recommendation:**

City Council may table the motion and request additional information.

**Time Sensitivity:** Annual Action Plan is due to HUD by May 15, 2014.

**Resolution Date:** May 13, 2014

**Estimated Presentation Time:** 5 minutes

**Budget Information (if applicable):** N/A – federal grant funds

**Local Preference Policy** Applies  Exempt  N/A

**Explanation:** Federal grant funds.

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):**



## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Paula Mitchell

**Phone Number/Ext:** 319 286-5852

**Email:** [p.mitchell@cedar-rapids.org](mailto:p.mitchell@cedar-rapids.org)

**Alternate Contact Person:** Caleb Mason

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

**Email:** [c.mason@cedar-rapids.org](mailto:c.mason@cedar-rapids.org)

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

A public hearing will be held to consider disposition of three excess City-owned properties at 432, 500, and 502 F Avenue NW. CID/DID #OB540257

### **Background:**

The City has received a request from Matthew 25 Ministry Hub to dispose of three vacant excess City-owned properties at 432, 500, and 502 F Avenue NW. The properties were previously offered for the City's ROOTs program and were determined infeasible for housing due to incompatibility with adjacent industrial, commercial, and urban agricultural uses. A separate public hearing was held on March 25, 2014, on a change of use as required by CDBG program rules.

Based upon the known interest to redevelop these properties, staff recommends holding a public hearing and seeking proposals to redevelop these lots for non-housing uses. Staff recommends the following criteria:

- Project design compatibility with existing neighborhood and adjacent uses;
- Financial feasibility;
- Market feasibility;
- Experienced developer;
- Neighborhood support;
- Community benefit to be provided;
- Consistent with meeting a CDBG National Objective;
- Consideration given to projects that propose master development concepts that fully address the subject properties.

Staff recommends the following timeline:

April 22, 2014	–	Public Hearing to consider disposition.
May 12, 2014	–	Proposals due at 11:00 a.m.
Week of May 12	–	Proposals reviewed by stakeholder committee.
May 27, 2014	–	Council consideration of proposals.

**Action / Recommendation:**

City staff recommends holding a public hearing.

**Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** May 27, 2014

**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 (if necessary):**



## Council Agenda Item Cover Sheet Public Hearing and Possible 1<sup>st</sup> Reading of Ordinance

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5808

**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 **No Map**

A public hearing will be held to consider amending Chapter 72 of the Municipal Code, Storm Water Management Ordinance, increasing existing tier rates by 2.5%, creating an additional non-residential tier for lots sized greater than 7 acres with a daily flat rate charge of \$5.1552 per day, and providing additional clarification on definitions.

First Reading: Ordinance amending Chapter 72 of the Municipal Code, Storm Water Management Ordinance, increasing tier rates by 2.5", creating an additional non-residential tier for lots sized greater than seven acres with a daily flat rate charge of \$5.1552 per day, and providing additional clarification on definitions. CIP/DID #43-10-007

### **Background:**

The ordinance change reflects 3 items:

- 1) 2.5% rate increase for existing tiers (as approved by the Council in FY15 Budget approval), effective July 1, 2014.
- 2) Dividing the current largest non-residential tier, which is currently "Greater than 6 acres" into two tiers, one for "Greater than 6 acres to 7 acres" and a second for "Greater than 7 acres". The purpose is to provide additional equity (as recommended by Infrastructure Committee). This divides the current highest tier of 213 properties as follows:
  - a. "Greater than 6 acres to 7 acres" = 29 properties (proposed average monthly rate of \$137.20)
  - b. "Greater than 7 acres" = 184 properties (proposed average monthly rate of \$156.80)

These changes are also effective July 1, 2014.

- 3) Clarification of definitions (as requested by billing staff and recommended by Infrastructure Committee), effective upon adoption.

These ordinance changes were deferred from March 11, 2014 Council meeting, when the other City utility rate changes were approved. This allowed time to evaluate feedback from the first six months of the new tiered rate Storm Water Utility, which went into effect in July 2013. Analyzing the financials and processing the feedback, lead to items two and three above.

City staff is pleased to report the new tiered rate Storm Water Utility is fully supporting itself for FY 2014, without the need to borrow via bonding.

**Action / Recommendation:**

If there are no objections during the public hearing, the Public Works Department recommends holding the first reading of the ordinance.

**Alternative to the Recommendation:**

Separate items 1, 2, 3 as necessary to address any City Council concerns.

**Time Sensitivity:** Normal (scheduled adoption prior to 7/1/2014 to reflect FY2015 budget approval)

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

Public Hearing Date and 1<sup>st</sup> reading of Ordinance: April 22, 2014

2<sup>nd</sup> reading of Ordinance: May 13, 2014

3<sup>rd</sup> reading of Ordinance: May 27, 2014

**Estimated Presentation Time:** 5 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:** Infrastructure Committee on February 24, 2014 recommended sending to full Council.

ORDINANCE NO.

**AN ORDINANCE AMENDING CHAPTER 72 (STORMWATER MANAGEMENT) OF THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, BY REPEALING CERTAIN SUBSECTIONS THEREFROM AND ENACTING SUBSTITUTIONS IN LIEU THERE OF ESTABLISHING CERTAIN STORMWATER UTILITY CHARGES.**

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

**Section 72.102 - Definitions.** That section of Chapter 72 of the Municipal Code, City of Cedar Rapids, be modified adding the following definitions:

40. Contiguous means sharing a common property line boundary, less any public right-of-way separating them (if applicable), for any distance. To be contiguous the property owner and the utility account holder must be the same legal entity.
41. Property owner means the person or entity that is listed on the recorded deed for the subject property.
42. Tenant means the person or entity that is occupying the subject property and has a separate active utility account for services provided to the subject property.

**Section 72.305.** That subsection b), c) and d) of Chapter 72 of the Municipal Code, City of Cedar Rapids, be and the same is hereby repealed and the following new section enacted as a substitute in lieu thereof.

**72.305 - Stormwater utility charge; establishment of policy regarding expenditure of utility revenues.**

b) Billing Policy

1. A stormwater utility charge will apply to every lot that is receiving any municipal utility service as provided by this section.
  2. If a water meter or any other municipal utility is removed from a lot, the lot will not be exempt from a stormwater utility charge unless said lot has:
    - i. Been combined with another lot to make one larger parcel;
    - ii. Been split into 2 or more separate parcels;
    - iii. Involved in a buyout and became green space; or has
    - iv. Become an exempt lot defined in 72.304 (a) or (b)
- c) Residential Lots (Including all multi-family) shall be charged on a per lot basis and pay as follows for all billings beginning July 1, 2014 and after:

1. Single family and multi-family with 2 to 4 dwelling units shall pay a flat charge of \$0.1611 per dwelling unit per day (regardless of lot size) during the billing period (Monthly Average \$4.90).
  2. Multi-family dwelling units with 5 dwelling units and greater (which are individually metered for potable water per dwelling unit) shall pay a flat charge of \$0.1611 per dwelling unit per day and per common area per day (regardless of lot size) during the billing period (Monthly Average \$4.90).
  3. Multi-family dwelling units with 5 dwelling units and greater (which are metered for potable water on a single meter per building) shall pay the non-residential rate based upon lot size and impervious area per Chapter 72.305(d) 1, 2, 3, 4, 5, 6.
  4. Multi-family dwelling units with 5 dwelling units and greater, receiving a municipal utility service, but not being served with municipal potable water shall pay the non-residential rate based upon lot size and impervious area per Chapter 72.305(d) 1, 2, 3, 4, 5, 6.
- d) Non-residential lots shall be charged a stormwater utility charge based on a lot's size and impervious area as follows:
1. For each individual lot with one potable water meter (non-irrigation/fire) per lot:
    - i. Less than or equal to 0.5 acre, flat charge of \$0.3222/day (Monthly Average \$9.80)
    - ii. Greater than 0.5 to 1 acre, flat charge of \$0.6444/day (Monthly Average \$19.60)
    - iii. Greater than 1 to 2 acres, flat charge of \$1.2888/day (Monthly Average \$39.20)
    - iv. Greater than 2 to 3 acres, flat charge of \$1.9332/day (Monthly Average \$58.80)
    - v. Greater than 3 to 4 acres, flat charge of \$2.5776/day (Monthly Average \$78.40)
    - vi. Greater than 4 to 5 acres, flat charge of \$3.2220/day (Monthly Average \$98.00)
    - vii. Greater than 5 to 6 acres, flat charge of \$3.8664/day (Monthly Average \$117.60)
    - viii. Greater than 6 to 7 acres, flat charge of \$4.5108/day (Monthly Average \$137.20)
    - ix. Greater than 7 acres, flat charge of \$5.1552/day (Monthly Average \$156.80)
  2. Lot areas with the same ownership shall be aggregated into one number for contiguous lots with one or more potable water meters per building or lot (non-irrigation/fire) and charged as follows:
    - i. Property Owner – according to 72.305 (d)1
    - ii. Tenant(s) - \$0.3222/day/potable water meter

3. Each individual lot with one or more potable water meters per building or lot (non-irrigation/fire), where the parcel owner does not have a utility account for that lot, shall be charged whichever is greater:
  - i. The daily rate of \$0.3222 per day per account, or
  - ii. The daily rate based on 72.305(d)1 billed evenly between each account.
4. Each individual lot, where the parcel owner does not have a utility account via water meter for that lot may be aggregated per 72.305(d) 2 for contiguous situations and shall be charged as follows:
  - i. The daily rate based upon the lot area under 72.305(d) 1 applied to the owner's primary account
  - ii. The daily rate of \$0.3222 per day per water meter will be applied to all tenant accounts, and excludes other non-primary accounts in the parcel owners name.
5. A lot under section 72.305(d)(1) qualifies for a 33% reduction of charge if it meets the following criteria:
  - i. 66% or more of lot is undeveloped or agricultural use
  - ii. Mowed lawn is not included in the undeveloped area calculation
  - iii. Property owner submits an application for a reduction to the Director showing measurements and use.
  - iv. Application letter is submitted annually to Director in order to annual receive reduction.
  - v. The Director or their designee will send out a letter approving reduction or explaining why the reduction was denied.
6. A rate reduction factor will be applied for each charged non-contiguous, non-multi-family lot, which are billed on an area basis and under same ownership as follows. The ownership name must match exactly to qualify:
 

Multiply the reduction rate per lot fee as listed below:

  - i. 1 – 14 lots under same ownership = 1 (No reduction Rate)
  - ii. 15 – 49 lots =  $[100 - (\# \text{ parcels} \times 1.44)]/100$
  - iii. 50+ lots = .28

Introduced this 22<sup>nd</sup> day of April 2014.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_, Mayor  
 Ron J. Corbett

Attest:

\_\_\_\_\_, City Clerk  
 Amy Stevenson



## 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 execution of an Overhang Easement Agreement with ITC Midwest LLC (ITC) for property located on City-owned land between 20<sup>th</sup> Street and 29<sup>th</sup> Street NE (also known as the CEMAR Trail) in connection with ITC's electric transmission line.

Resolution authorizing execution of an Overhang Easement Agreement with ITC Midwest LLC (ITC) for property located on City-owned land between 20<sup>th</sup> Street and 29<sup>th</sup> Street NE (also known as the CEMAR Trail) in connection with improvements to ITC's electric transmission line. CIP/DID #49-13-025

### Background:

The City of Cedar Rapids has received a request from ITC Midwest LLC (ITC) to grant a permanent easement in connection with improvements to ITC's 6<sup>th</sup> Street transmission line. This easement will be located between 20<sup>th</sup> Street and 29<sup>th</sup> Street NE (also known as the CEMAR Trail), and ITC has agreed to pay \$5,475 to the City for the easement.

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

### Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of the Overhang Easement Agreement to ITC.

### Alternative to the Recommendation:

Deny the easement request and require ITC to revise their upgrade between 20<sup>th</sup> and 29<sup>th</sup> Streets NE (also known as the CEMAR Trail) plans.

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):**

**Local Preference Policy:** Applies  Exempt

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

**Recommended by Council Committee:** Yes  No  N/A

**Explanation (if necessary):**

ENG  
CLK  
AUD FILE  
FIN  
TRS  
RCR  
ITC  
49-13-025

RESOLUTION NO.

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

WHEREAS, the City of Cedar Rapids, an Iowa municipal corporation, 101 First Street SE, Owner of the real property located on City-owned land between 20<sup>th</sup> Street and 29<sup>th</sup> Street NE (also known as the CEMAR Trail) in connection with improvements to ITC's electric transmission line and described as:

See Attached Exhibit A

has agreed to convey to ITC, the necessary easement on City-owned land at this location for the consideration of \$5,475, and

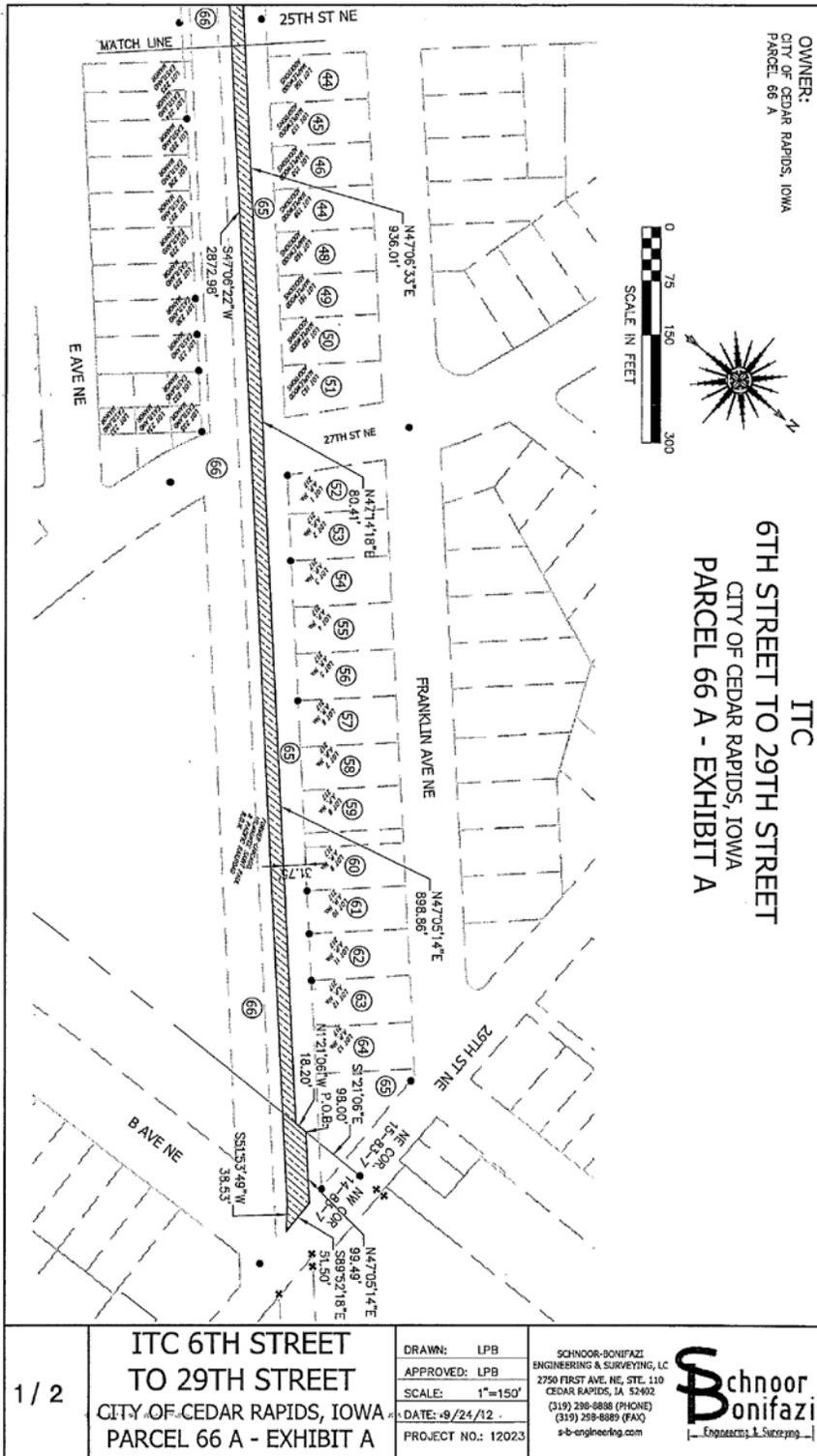
WHEREAS, the City of Cedar Rapids held a Public Hearing on April 22, 2014, in which no objections were presented or heard, now therefore

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

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

Passed this 22<sup>nd</sup> day of April, 2014

EXHIBIT A

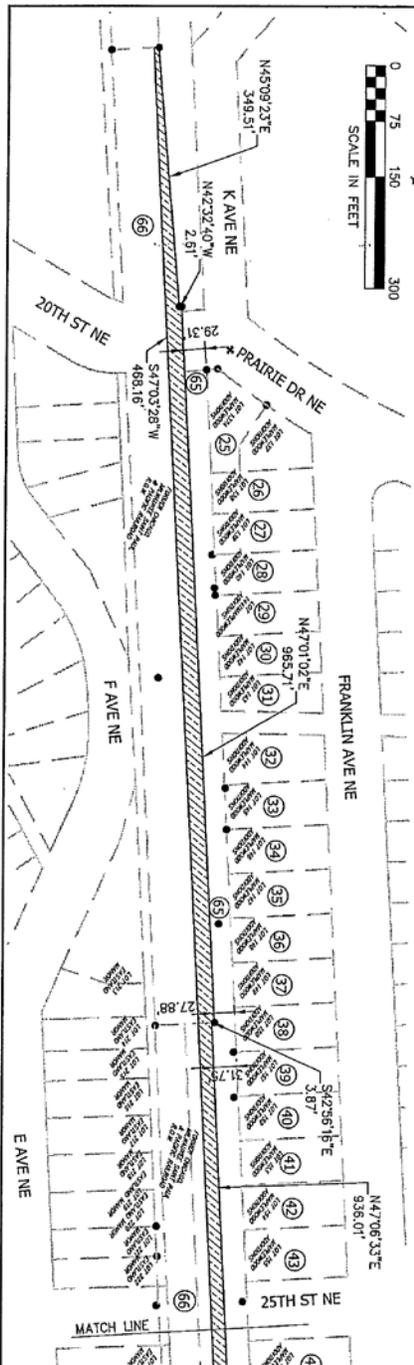
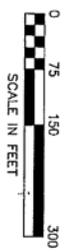


1 / 2	ITC 6TH STREET TO 29TH STREET CITY OF CEDAR RAPIDS, IOWA PARCEL 66 A - EXHIBIT A	DRAWN: LPB APPROVED: LPB SCALE: 1"=150' DATE: 8/24/12 PROJECT NO.: 12023	SCHNOOR-BONIFAZI ENGINEERING & SURVEYING, LC 2750 FIRST AVE. NE, STE. 110 CEDAR RAPIDS, IA 52402 (319) 298-8888 (PHONE) (319) 298-8889 (FAX) s-b-engineering.com	
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OWNER:  
CITY OF CEDAR RAPIDS, IOWA  
PARCEL 66 A

**LEGEND**

- PROPERTY LINE
- - - ADJOINING LOT LINE
- - - EASEMENT LINE
- FOUND 5/8" REBAR UNLESS OTHERWISE NOTED
- FOUND P/K NAIL
- ⊗ FOUND CUT 'X'
- (R) RECORD



**UTILITY EASEMENT OVERHANG LEGAL DESCRIPTION**

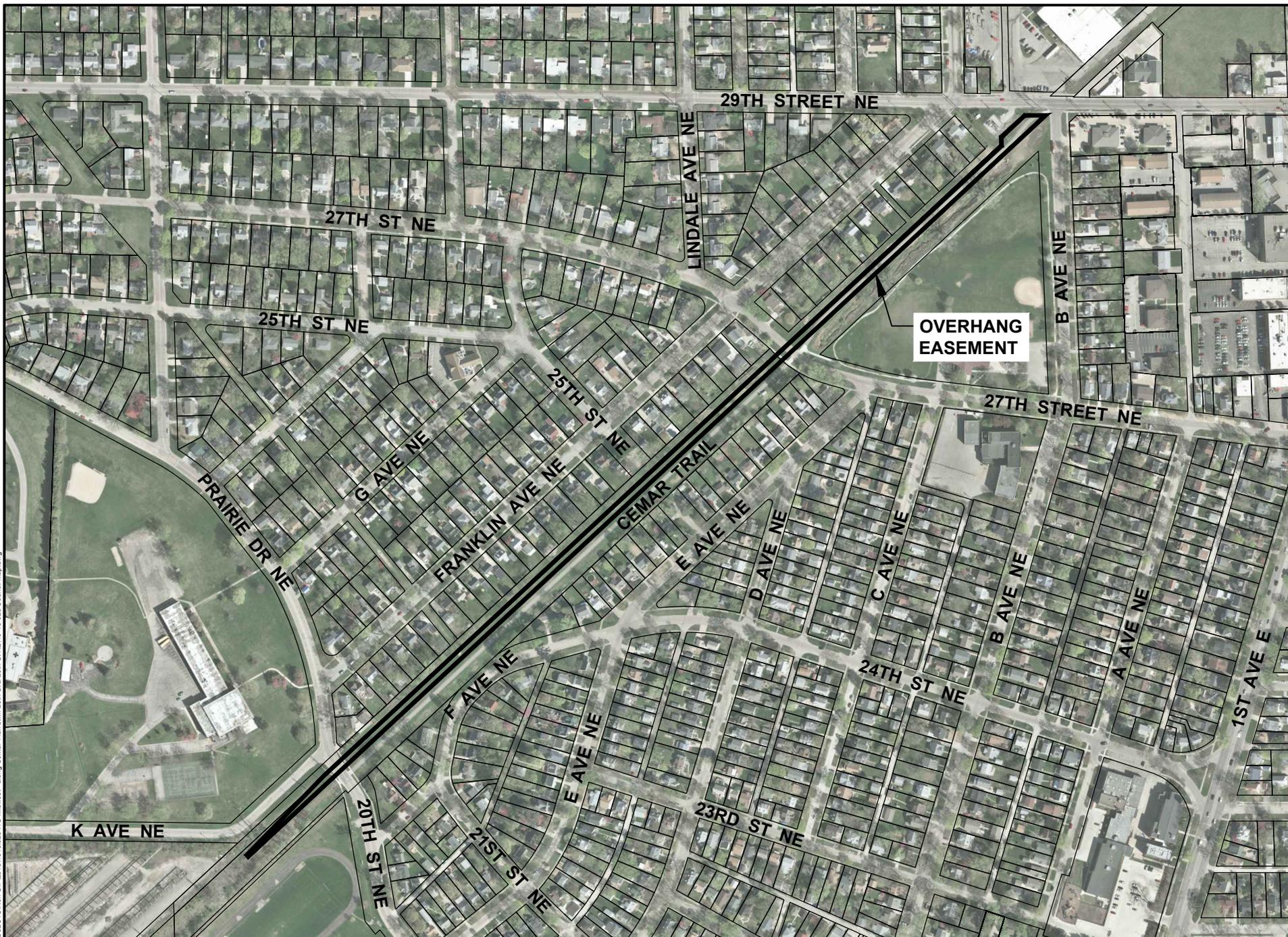
That part of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company right of way in the Northeast Quarter of Section 15 and the Northwest Quarter of Section 14, located in Township 83 North, Range 7 West of the 5th P.M., City of Cedar Rapids, Linn County, Iowa, described as follows:

Commencing at the Northeast Corner of said Section 15; thence South 1° 21' 08" East 98.00 feet along the East line of the Northeast Quarter of said Section 15 to the point of beginning; thence North 47° 05' 14" East 99.49 feet to a point of intersection with the South right of way line of 29th Street NE; thence South 89° 52' 18" East 51.50 feet along said South right of way line; thence South 51° 53' 49" West 38.53 feet; thence South 47° 06' 22" West 2872.98 feet; thence South 47° 03' 28" West 468.16 feet to a point of intersection with the Southerly line of that tract of land as recorded in Book 8159, Page 267 Office of the Recorder Linn County, Iowa; thence North 42° 52' 20" West 6.48 feet along said Southerly line; thence North 45° 09' 23" East 349.51 feet (349.41 feet record); thence North 42° 32' 40" West 2.61 feet (2.63 feet record); thence North 47° 01' 02" East 985.71 feet (985.75 feet record); thence South 42° 56' 16" East 3.87 feet; thence North 47° 08' 33" East 936.01 feet; thence North 47° 14' 18" East 80.41 feet; thence North 47° 05' 14" East 898.86 feet to the East line of the Northeast Quarter of said Section 15; thence North 1° 21' 08" West 18.20 feet along said East line to the point of beginning, containing 63,709 square feet (1.46 Acres).

For the purpose of this description, the East line of the Northeast Quarter of said Section 15 is assumed to bear South 1° 21' 08" East.

2/2	<p><b>ITC 6TH STREET TO 29TH STREET</b> CITY OF CEDAR RAPIDS, IOWA PARCEL 66 A - EXHIBIT A</p>	<p>DRAWN: LPB APPROVED: LPB SCALE: 1"=150' DATE: 9/24/12 PROJECT NO.: 12023</p>	<p>SCHNOOR-BONIFAZI ENGINEERING &amp; SURVEYING, LC 2750 FIRST AVE. NE, STE. 110 CEDAR RAPIDS, IA 52402 (515) 398-8888 (PHONE) (515) 299-8889 (FAX) s-b-engineering.com</p>
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Cadd File Name: W:\PROJECTS\New-CIP\2011\34913\025 ITC Midwest - along Cedar Trail.bwm 20th St & 29th St, NE49-13-025 Council Map.dwg



**OVERHANG EASEMENT AGREEMENT  
 CEDAR TRAIL BETWEEN 20TH STREET AND 29TH STREET NE**





## 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 execution of an Overhead Electric Line Easement Agreement with ITC Midwest LLC (ITC) for property located on City-owned land along the northerly right-of-way line of F Avenue NE between 16<sup>th</sup> and 17<sup>th</sup> Streets NE in connection with improvements to ITC's electric transmission line.

Resolution authorizing execution of an Overhead Electric Line Easement Agreement with ITC Midwest LLC (ITC) for property located on City-owned land along the northerly right-of-way line of F Avenue NE between 16<sup>th</sup> and 17<sup>th</sup> Streets NE in connection with improvements to ITC's electric transmission line. CIP/DID #49-13-026

### Background:

The City of Cedar Rapids has received a request from ITC Midwest LLC (ITC) to grant a permanent easement in connection with improvements to ITC's 6<sup>th</sup> Street transmission line. This easement will be located along the northerly right-of-way line of F Avenue NE between 16<sup>th</sup> and 17<sup>th</sup> Streets NE, and ITC has agreed to pay \$3,225 to the City for the easement.

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

### Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of the Overhead Electric Line Easement Agreement to ITC.

### Alternative to the Recommendation:

Deny the easement request and require ITC to revise their upgrade plans.

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):**

**Local Preference Policy:** Applies  Exempt

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

**Recommended by Council Committee:** Yes  No  N/A

**Explanation (if necessary):**

ENG  
CLK  
AUD FILE  
FIN  
TRS  
RCR  
ITC  
49-13-026

RESOLUTION NO.

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

WHEREAS, the City of Cedar Rapids, an Iowa municipal corporation, 101 First Street SE, Owner of the real property located along the northerly right of way line of F Avenue NE between 16<sup>th</sup> and 17<sup>th</sup> Streets NE and described as:

See Attached Exhibit A

has agreed to convey to ITC, the necessary easement on City-owned land at this location for the consideration of \$3,225, and

WHEREAS, the City of Cedar Rapids held a Public Hearing on April 22, 2014, in which no objections were presented or heard, now therefore

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

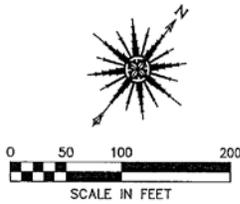
BE IT FURTHER RESOLVED, that the Overhead Electric Line Easement agreement be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 22<sup>nd</sup> day of April, 2014

**ITC 6TH STREET  
TO 29TH STREET  
CITY OF CEDAR RAPIDS, IOWA  
EXHIBIT A**

**LEGEND**

- PROPERTY LINE
- - - - - ADJOINING LOT LINE
- - - - - EASEMENT LINE
- FOUND 5/8" REBAR  
UNLESS OTHERWISE NOTED
- ⊙ FOUND P/K NAIL
- ⊠ FOUND CUT 'X'
- (R) RECORD

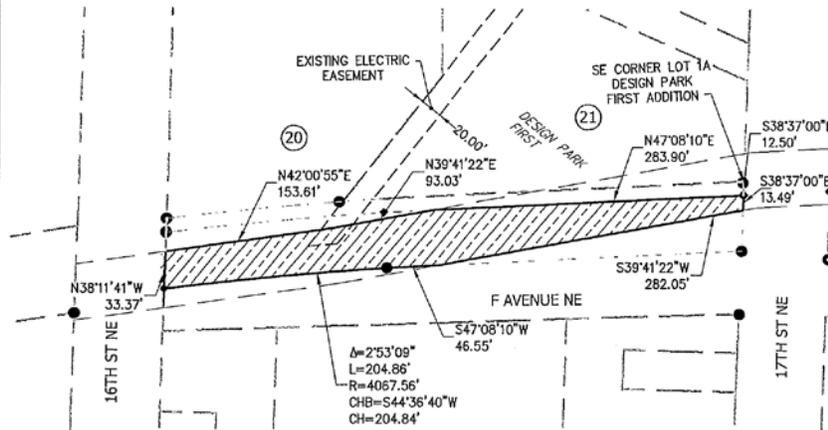


**LEGAL DESCRIPTION**

That part of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company right of way in the Northeast Quarter of Section 15, Township 83 North, Range 7 West of the 5th P.M., City of Cedar Rapids, Linn County, Iowa, lying between 16th Street and 17th Street Northeast, described as follows:

Commencing at the Southeast Corner of Lot 1A, Design Park First Addition to Cedar Rapids, Iowa;  
 thence South 38° 37' 00" East 12.50 feet along the Westerly right of way line of said 17th Street to the point of beginning;  
 thence continuing South 38° 37' 00" East 13.49 feet along said Westerly right of way line;  
 thence South 39° 41' 22" West 282.05 feet;  
 thence South 47° 08' 10" West 46.55 feet to the beginning of a 4067.56 foot radius non-tangent curve concave Southeasterly,  
 thence Southwesterly through a central angle of 2° 53' 09" an arc distance of 204.86 feet (chord bearing South 44° 36' 40" West 204.84 feet) to a point of intersection with the Easterly right of way line of 16th Street Northeast;  
 thence North 38° 11' 41" West 33.37 feet along said Easterly right of way line;  
 thence North 42° 00' 55" East 153.61 feet;  
 thence North 39° 41' 22" East 93.03 feet;  
 thence North 47° 08' 10" East 283.90 feet to the point of beginning, containing 18,622 square feet (0.43 Acres).

For the purpose of this description, the East line of Lot 1A, Design Park First Addition to Cedar Rapids, Iowa is assumed to bear South 38° 37' 00" East.



OWNER:  
CITY OF CEDAR RAPIDS, IOWA  
PARCEL 66 B

**ITC 6TH STREET  
TO 29TH STREET  
CITY OF CEDAR RAPIDS, IOWA  
EXHIBIT A**

DRAWN: LPB  
 APPROVED: LPB  
 SCALE: 1"=100'  
 DATE: 9/24/12  
 PROJECT NO.: 12023

SCHNOOR-BONIFAZI  
 ENGINEERING & SURVEYING, L.C.  
 2750 FIRST AVE. NE, STE. 110  
 CEDAR RAPIDS, IA 52402  
 (319) 298-8888 (PHONE)  
 (319) 298-8889 (FAX)  
 s-b-engl@snet.net



**OVERHEAD  
ELECTRIC LINE  
EASEMENT**

**F AVE NE**

**17TH STREET NE**

**16TH STREET NE**

**E AVE NE**



**OVERHEAD ELECTRIC LINE EASEMENT  
ALONG NORTHERLY RIGHT-OF-WAY LINE OF F AVENUE NE  
BETWEEN 16TH STREET AND 17TH STREET NE**



## 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  Map

A public hearing will be held to consider the execution of an Underground Electric Line Easement Agreement with Interstate Power and Light Company in connection with an electric upgrade located on City-owned land located at the northwest corner of Twin Pines Golf Course and the intersection of Highway 100 and Edgewood Road NE.

Resolution authorizing execution of an Underground Electric Line Easement Agreement with Interstate Power and Light Company in connection with an electric upgrade located on City-owned land at the northwest corner of Twin Pines Golf Course and the intersection of Highway 100 and Edgewood Road NE. CIP/DID #49-14-036

### Background:

The City of Cedar Rapids has received a request from Interstate Power and Light Company (IPL) to grant a permanent 10-foot wide underground easement in connection with an electric upgrade located on City-owned land at the northwest corner of Twin Pines Golf Course and the intersection of Highway 100 and Edgewood Road NE. The City has waived the cost of the easement because the cost of the proposed underground facilities exceeds the value of the requested easement; however, IPL has paid the \$250 application fee.

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

### Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of the Underground Electric Line Easement Agreement to Interstate Power and Light Company.

### Alternative to the Recommendation:

Deny the easement request and require IPL to revise their upgrade plans.

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):**

**Local Preference Policy:** Applies  Exempt

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

**Recommended by Council Committee:** Yes  No  N/A

ENG  
CLK  
AUD FILE  
FIN  
TRS  
RCR  
IPL  
49-14-036

RESOLUTION NO.

WHEREAS, Interstate Power and Light Company (IPL), an Iowa Corporation, is requesting a permanent easement from City-owned land in connection with an electric upgrade, and

WHEREAS, the City of Cedar Rapids, an Iowa municipal corporation, 101 First Street SE, Owner of the real property located at the northwest corner of Twin Pines Golf Course and the intersection of Highway 100 and Edgewood Road NE and known and described as:

See Attached Exhibit "A"

has agreed to convey to Interstate Power and Light Company, an Iowa Corporation, the necessary easement on City-owned land at this location for the consideration of a \$250 application fee and publication and recording fees, and

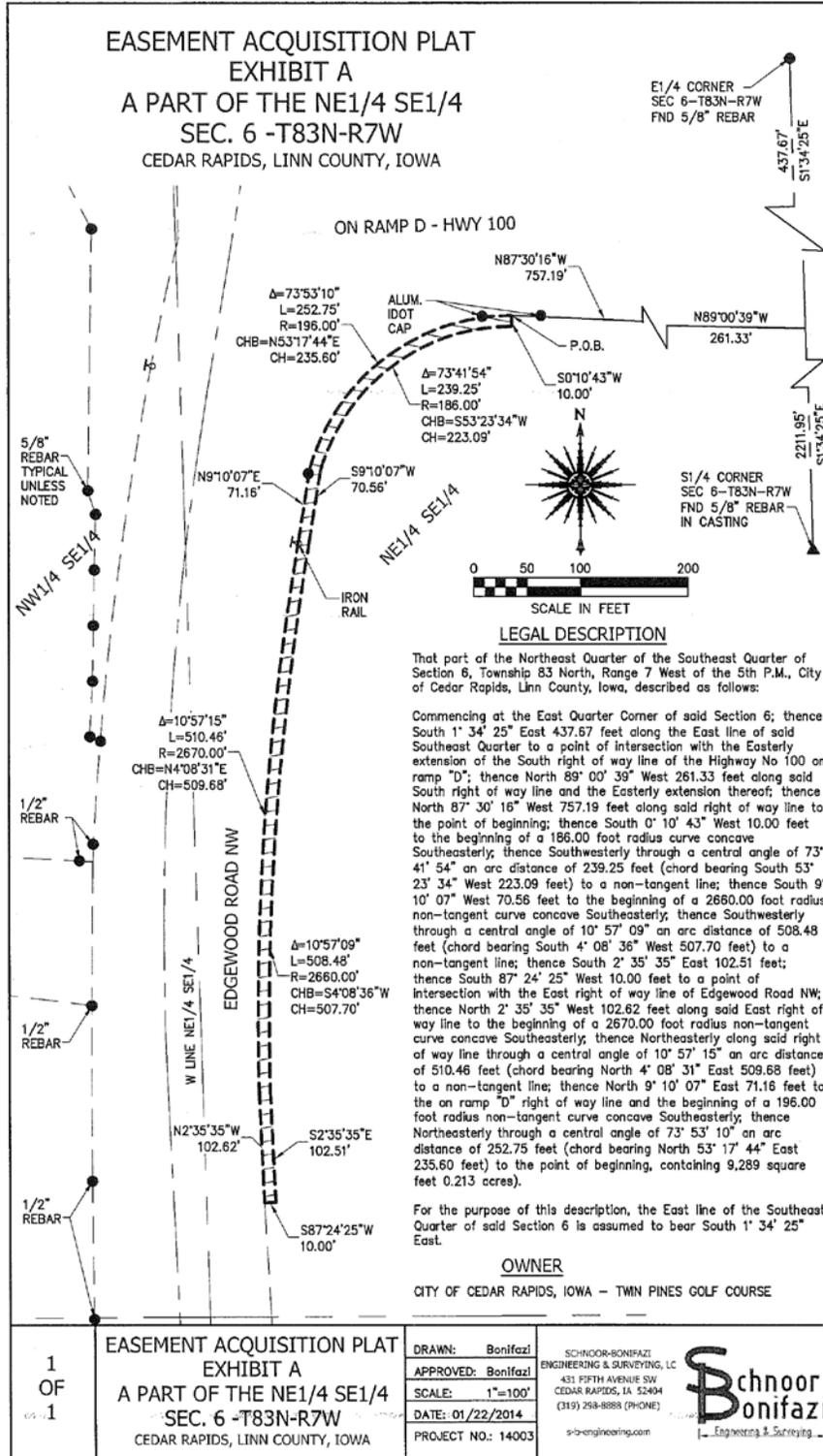
WHEREAS, the City of Cedar Rapids held a Public Hearing on April 22, 2014, in which no objections were presented or heard, now therefore

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

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

Passed this 22<sup>nd</sup> day of April, 2014

# EXHIBIT "A"





Cadd File Name: W:\TOOLS AND UTILITIES\Drafting Standards\Council Exhibit Template.dwg



**UNDERGROUND ELECTRIC UTILITY EASEMENT**





### Council Agenda Cover Sheet

## PUBLIC HEARING and Possible 1st Reading of Ordinance 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:** Carol Morgan  
**E-mail Address:** c.morgan@cedar-rapids.org

**Phone Number/Extension:** 5092

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

A public hearing will be held to consider the vacation and disposition of public ways and grounds described as a 10-foot wide strip of excess alley right-of-way located between 8th Street and 9th Street NW and adjacent to 210 8th Street NW as requested by Kevin and Gail Kennedy.

First Reading: Ordinance vacating public ways and grounds described as a 10-foot wide strip of excess alley right-of-way located between 8th Street and 9th Street NW and adjacent to 210 8th Street NW as requested by Kevin and Gail Kennedy. CIP/DID #41-14-015

**Background:**

Kevin and Gail Kennedy (Kennedy Marine) have requested the vacation and disposition of this 10-foot wide strip of excess alley right-of-way in order to combine this parcel with their current business property at 210 8th Street NW. This vacation and disposition will allow the Kennedys to completely fence their parking lot and outside storage facility, thereby providing increased security. The applicants are granting a sanitary sewer easement to the City as a part of this vacation process and have paid a \$1,000 application fee, land valuation of \$2,000, and a standard 5% closing fee of \$100, for a total of \$3,100 for this vacation.

**Action / Recommendation:**

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

**Alternative to the Recommendation:**

Continue to hold and maintain this excess alley right-of-way and require the Kennedy's to revise their plans for fence security at this location.

**Time Sensitivity:** Normal

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

Public Hearing Date and possible 1<sup>st</sup> reading of Ordinance: April 22, 2014

2<sup>nd</sup> reading of Ordinance, possible 3<sup>rd</sup> reading and possible resolution passing: May 13, 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):**

ORDINANCE NO. \_\_\_\_\_

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

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

Section 1. That the public ways and grounds in and to the property hereafter described is permanently vacated:

A 10-foot wide strip of excess alley right-of-way located between 8th Street and 9th Street NW and adjacent to 210 8th Street NW (also known as Plat of Survey #1873 Parcel A as shown in Book 8935, Page 202 and recorded on April 4, 2014 at the Office of the Linn County Recorder)

Section 2. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 22<sup>nd</sup> day of April, 2014.

Passed this 13<sup>th</sup> day of May, 2014.



210 8th St NW

SANITARY SEWER EASEMENT  
(CROSS-HATCHED AREA)

POS No. 1873

B AVENUE NW

8TH STREET NW

9TH STREET NW

A AVENUE NW

1ST AVE W



PLAT OF SURVEY No. 1873 AND  
SANITARY SEWER EASEMENT





## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Tony Lerud

**Phone Number/Ext:** (319) 286-5817

**Email:** [a.lerud@cedar-rapids.org](mailto:a.lerud@cedar-rapids.org)

**Alternate Contact Person:** Paula Mitchell

**Phone Number/Ext:** (319) 286-5852

**Email:** [p.mitchell@cedar-rapids.org](mailto:p.mitchell@cedar-rapids.org)

**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 1419 5<sup>th</sup> Avenue SE in the Neighborhood Revitalization Area for the third round of Single Family New Construction Program (**FLOOD**). CIP/DID #OB540257

### **Background:**

The following city-owned property has been identified for a builder participating in the third round of the Single Family New Construction Program (known locally as the ROOTs Program):

- 1419 5<sup>th</sup> Avenue SE

On November 9, 2010, by Resolution No. 1306-11-10 the City Council approved the Administrative Plan for the ROOTs Program. The administrative plan limits development of homes to lots within the "Neighborhood Revitalization Area" of the flood inundation area and areas outside of the 100-year floodplain. The administrative plan further directs staff to use lots acquired by the City 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, Home Builders Association members, and Neighborhood Planning Process Steering Committee members evaluated these proposals based on: financial and performance capacity, experience with projects of similar scope, architectural design, compatibility with the existing neighborhood, green building practices, and site marketing plan. A total of 205 properties were identified by 23 developers for the program. Additional public hearings will be held to consider additional properties acquired by the City which have been identified by the approved developers.

Future City Council action related to these properties will include development agreements for each property/developer pairing as well as the conveyance of the property to the developer.

**Action / Recommendation:**

City staff recommends holding the public hearing.

**Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:** NA

**Resolution Date:** NA

**Estimated Presentation Time:** 5 Minutes

**Budget Information (if applicable):** NA – Federal Funds

**Local Preference Policy** Applies  Exempt

**Explanation:**

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):**



## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Jeff Hintz

**Phone Number/Ext:** 319 286-5781

**Email:** [j.hintz@cedar-rapids.org](mailto:j.hintz@cedar-rapids.org)

**Alternate Contact Person:** Seth Gunnerson

**Phone Number/Ext:** 319 286-5129

**Email:** [s.gunnerson@cedar-rapids.org](mailto:s.gunnerson@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 modify standards for accessory structures, urban agriculture, on-site navigational signage, gymnasiums in industrial areas and to correct other errors and omissions in the Zoning Ordinance. CIP/DID #OB72241

### **Background:**

Staff has identified a number of areas within the City Code which are out of date or subject to numerous variance requests. Staff is recommending several changes, to be incorporated within a single update to the Zoning Ordinance.

The proposed ordinance was recommended by the City Council Development Committee on February 26, 2014 and recommended for approval by a vote of 7 to 0 by the City Planning Commission on March 27, 2014.

1. **Garage Size Limitation** – Give staff the authority to approve detached garages larger than 900 square feet provided they meet certain performance requirements, for example, a location behind the primary structure or number of garage doors facing the street.
2. **Urban Agriculture** – Proposed ordinance would allow in all zone districts and would allow small garden tractors to be used.
3. **On-Site Navigation Signs** – Exempt on-site navigational signs less than 6 square feet from sign area limitations.
4. **Gymnasiums in Industrial Areas** – Recommendation to allow gyms and other similar businesses to operate by conditional use in industrial areas.
5. **Correct errors** – Staff has identified errors that were made with a recent parking standard update and an error in the definition table that will be corrected by this ordinance.

**Action / Recommendation:**

City staff recommends holding the public hearing and possible approval of the 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:**

Items in the proposed ordinance were recommended by the City Council Development Committee on February 26, 2014.

The ordinance was recommended for approval by the City Planning Commission on March 27, 2014

ORDINANCE NO.

ORDINANCE AMENDING CHAPTER 32 OF THE MUNICIPAL CODE, THE ZONING  
ORDINANCE TO AMEND CERTAIN REQUIREMENTS FOR ACCESSORY STRUCTURES,  
URBAN AGRICULTURE, ON-SITE NAVIGATIONAL SIGNAGE, GYMNASIUMS IN  
INDUSTRIAL AREAS, AND CORRECTING OMISSIONS.

WHEREAS, Ordinance No. 033-06 dated and approved August 9, 2006 established and updated zoning requirements for the City of Cedar Rapids, and

WHEREAS, the proposed amendment to Chapter 32 of the Municipal Code clarifies certain requirements and numerical standards while streamlining and simplifying the permitting process, and

WHEREAS, the City Planning Commission reviewed the proposed amendment on March 27, 2014 and recommended it for approval;

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

**Section 1:** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.05.010.A.4 - Detached Accessory Structures & Buildings and in its place a new Section 32.05.010.A.4 is enacted as follows:

“32.05.010.A.4.

4. Detached Accessory Structures and Buildings

All detached accessory structures and buildings shall meet all the requirements of this Ordinance, except as modified in Sec. 32.05.010.D.

a) Placement & separation

- i. Shall not be located in a required front yard.
- ii. Separation distances for accessory structures located in the RMHO zone district are regulated by Chapter 65 of the Cedar Rapids Municipal Code.
- iii. Shall be separated from other structures by at least the minimum distance required by the Building and Fire Code.

- iv. Shall not be located closer than three (3) feet to any interior side or rear lot line. The roof overhang of any accessory structure shall not be located closer than two (2) feet to any interior side or rear lot line.
- v. Shall be set back from any adjacent street in accord with the minimum distance required for a principal building on the same lot.
- vi. Reversed Corner Lot  
On a reversed corner lot in a residential district, and within fifteen (15) feet of any adjacent property to the rear in a residential district, no detached accessory building or portion of such building located in a required rear yard shall be closer to the side lot line abutting the street than the required front yard on the adjacent property to the rear. In addition, for such lots, all such accessory buildings shall be located no closer to the rear lot line than the minimum side yard of the adjacent residential property.

b) Size of structure

In a residential district, the aggregate total square footage for a detached accessory structure shall be no greater than nine hundred (900) square feet for each dwelling unit to which such structure is accessory. In the Agricultural District, accessory structures may not exceed two hundred percent (200%) of the gross floor area of the principal residential structure on the site.

c) Exceptions to size of structure

The nine hundred (900) Square foot (or 200% for the Agricultural District) limit may be exceeded if **all** the following criteria, i-vi below are met (for the proposed accessory structure):

- i. The height shall not exceed the height of the primary structure on the lot.
- ii. The accessory structure shall be constructed of materials similar to that of the primary structure.
- iii. Structures may have no more than three (3) vehicle doors facing the primary street. All other doors shall not face the primary street. Doors for exclusive use of a person shall be excluded.
- iv. The accessory structure shall be setback no less than the primary structure on the lot.
- v. Shall not be placed in a required side yard as required in Section 32.05.010.B.1 of the Municipal Code.
- vi. Aggregate square footage of all structures on the lot shall not exceed the Maximum Lot Coverage set forth in 32.05.010.B.1 of the Municipal Code.
- vii. In the Agricultural District, accessory structures exceeding two hundred percent (200%) of the gross floor area of the principal residential structure on the lot shall be exempt from requirements

of 32.05.010.A.4.c.i, 32.05.010.A.4.c.ii, 32.05.010.A.4.c.iii and 32.05.010.A.4.c.iv (i –iv above).

- d) Use of detached accessory structures for home occupations shall comply with the requirements of Sec. 32.04.030.C.8. No business or industry related to any automotive or vehicle repair, maintenance, servicing or sales shall be conducted in any detached accessory structure.
- e) **Dispensing Devices**  
Filling station fuel pumps, air, drink, ice, and food dispensing devices where permitted, and with a height not exceeding six (6) feet, shall be exempt from the established front yard or corner side yard requirements, but on a corner lot all such dispensing devices shall be subject to the restrictions provided in Sec. 32.05.010.D.3.
- f) **Awnings & Canopies**  
Awnings and canopies that provide shelter for fuel pumps may encroach into required yards to a point no closer than three (3) feet from the lot line, but on a corner lot all such awnings and canopies shall be subject to the restrictions provided in Sec. 32.05.010.D.3.
- g) **Solar Energy Collector**  
A solar energy collector and heat storage unit to supply a principal building shall be considered an accessory structure and shall be subject to regulations applicable to accessory structures.”

**Section 2:** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.05.010.A.5 - Attached Accessory Structures & Buildings and in its place a new Section 32.05.010.A.5 is enacted as follows:

“32.05.010.A.5

#### 5. Attached Accessory Structures & Buildings

- a) The aggregate gross floor area of all attached accessory structure(s) in a residential zone district may be the **greater** of the following, 1) up to fifty percent (50%) of the gross floor area of the principal residential structure on the lot **or** 2) 1,250 square feet.
- b) Attached accessory structures may exceed fifty percent (50%) of the gross floor area of the principal residential structure or 1,250 square feet on the lot if **all** the following criteria, i-v below are met (for the proposed attached accessory structure):
  - i. Structures may have no more than three (3) vehicle doors facing the primary street. All other doors shall not face the primary street. Doors for exclusive use of a person shall be excluded.
  - ii. The height shall not exceed the height of the primary structure on the lot.
  - iii. The accessory structure wall on the primary frontage shall not exceed the length of the primary structure wall facing the primary frontage.

- iv. The accessory structure shall be setback no less than the primary structure on the lot.
- v. Aggregate square footage of all structures on the lot shall not exceed the Maximum Lot Coverage set forth in 32.05.010.B.1 of the Municipal Code.
- vi. In the Agricultural District, attached accessory structures exceeding fifty percent (50%) of the gross floor area of the principal residential structure on the lot shall be exempt from requirements of 32.05.010.A.5.b.i, 32.05.010.A.5.b.ii, 32.05.010.A.5.b.iii and 32.05.010.A.5.b.iv (i–iv above)."

**Section 3:** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Sections 32.05.010.A.5 - Attached Accessory Structures & Buildings and 32.05.010.A.6 – Use Limitations and in their place a new Section 32.01.060.A.5 is enacted as follows:

“32.05.020.A.5

5. Use Limitations

- a) Except as may additionally be provided for the parking of trucks and other large vehicles, accessory off-street parking facilities provided in accord with the requirements of this Ordinance shall be (i) solely for the parking of passenger motor vehicles of patrons, occupants, visitors, or employees of such uses, or (ii) for a temporary use specifically permitted on such parking areas by this Ordinance, and in compliance with any conditions or limitations imposed by this Ordinance.
- b) No person shall park, place, keep or store, or permit the parking or storage of a stock car, racing car, inoperable vehicle, vehicular component parts, or miscellaneous junk and debris on any public or private property, in any zoning district, unless it shall be in a completely enclosed building. Stock cars and racing cars are allowed to be parked outside on private property for a period of no more than twelve (12) consecutive hours. This regulation shall not apply to legitimate businesses operating in a lawful place and manner, provided that any outside areas used for parking and storage are screened from public view if required by the regulations of the zoning district within which they are located. Restrictions contained in Sec. 61.102 of the Cedar Rapids Municipal Code shall also apply.
- c) No such vehicles or equipment shall be used for living, sleeping, or housekeeping purposes while so parked or stored.”

**Section 4.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.06.020.C – Signs That Are Exempt From Regulations and in its place a new Section 32.06.020.C is enacted as follows:

“32.06.020.C

C. SIGNS THAT ARE EXEMPT FROM REGULATIONS

The following signs are exempted from the regulations of this Section, except for those described in Sec. 32.06.020.B or Sec. 32.06.020.F:

- 1. Miscellaneous traffic or other signs, signs approved by the controlling public agency for placement on or over the public right-of-way, and signs warning of danger, hazards or unsafe conditions. If the controlling public agency is the City, such approval shall be based on standards or criteria approved by the City Council pursuant to applicable law.

2. Display of any official flag or emblem of a nation, state, or city.
3. Any sign that is located within a building and not visible from a public right-of-way.
4. Grave markers, statues, or remembrances of persons or events.
5. Works of art and murals that have been referred to the Cedar Rapids Visual Arts Commission pursuant to chapter 33E of the Cedar Rapids Municipal Code and have been reviewed pursuant to criteria addressing the time, place, and manner (rather than the content) of the work of art or mural and have been determined to be exempt from the regulations of this Section 32.06.
6. Temporary decorations or displays celebrating the occasion of a holiday, such as, but not limited to, the Fourth of July, Halloween, Mother's Day, Christmas Day , or Hanukkah.
7. Signs applied directly or attached to the body of a car, bus, trailer, or other vehicle are exempt from the regulations of this Chapter if such vehicle has a valid registration, is utilized in the normal course of business or in the operator's usual routine activities, and is not used primarily for the display of such sign or signs. If a sign bearing vehicle does not meet all these exemption criteria it shall be considered a freestanding sign and be governed as such by the regulations of this chapter. However, any such vehicular signs that are no larger than one (1) square foot in area shall be exempt from the regulations contained within this Chapter even though the vehicle which bears them does not meet the exemption criteria listed previously in this paragraph.
8. Informational signs not exceeding six (6) square feet in surface area or the maximum surface area for accessory signs set forth in Table 32.06-1, whichever is larger, displayed strictly for the direction, safety or convenience of the public, including signs that identify restrooms, telephones, danger areas, parking area entrances or exits, freight entrances, navigation, or the like. When viewable from a public right-of-way, these signs shall meet **all** of the following criteria:
  - a. No more than four (4) feet in total height (mounted on wall or in ground);
  - b. No more than two (2) such signs per approved entry/exit point;
  - c. Permanently anchored or fastened.
9. Signs and notices required to be displayed, maintained, or posted by law or by any court or governmental order, rule, or regulation.
10. Signage intended solely for internal use on site or campus setting, not intended for view or readily legible from the public right-of-way.
11. Address signs, not exceeding two (2) square feet in surface area, limited to no more than one (1) sign for every forty (40) feet of lot street frontage.
12. Temporary signs that meet the requirements of Sec. 32.06.020.E. or 32.06.030.C, as applicable.”

**Section 5.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.09.020.2D – Assisted Living Small (3 or fewer persons) and in its place a new Section 32.09.020.2D is enacted as follows:

“32.09.020.2D

2D. Assisted Living Small (2 or fewer persons)

A facility that provides shelter, supervision and assistance with day-to-day living activities for one (1) or two (2) persons who have had physical or social disabilities that make operation in society difficult or that have difficulty with day-to-day care, but who do not require regular medical care. Facilities participating in a work release, or similar programs from a state institution, and under the supervision of a court, state or local agency shall not be included within this definition.”

**Section 6.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Table 32.05-4 Minimum Off-Street Parking Requirements – Retail Sales & Service (Not Otherwise Classified) – No Drive Through Facilities and in its place a new Table 32.05-4 is enacted as follows:

“Table 32.05-4

<b><i>Retail Sales or Service (Not Otherwise Classified) — No Drive-Through Facilities</i></b>	
Retail, Shopping centers	6 per 1,000 SF GFA for the first 18,000 SF + 4 per 1,000 SF for additional SF GFA over 18,000 SF
Retail, General	3 Per 1,000 SF GFA
Art, sculptor and composer studio	2 per 1,000 SF GFA
Auction house	5 per 1,000 SF GFA
Fuel and ice sale	1 per 3,000 SF GLA + 1 per each 2 employees of the largest shift
Furniture store	2 per 1,000 SF GFA
Garden supply, tool, or seed store	3 per 1,000 SF GFA
Grave marker or monuments display and sales	2 per 1,000 SF Indoor GFA
Machinery sales -farm, industrial, business, and construction	1 per each employee of the largest shift

Photography studio	3 per 1,000 SF GFA
Secondhand store or rummage Shop	3 per 1,000 SF GFA
Taxidermist	1 per each employee of the largest shift

“

**Section 7.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.04.030.A.44 – Urban Agriculture and in its place a new Section 32.04.030.A.44 is enacted as follows:

“32.04.030.A.44

#### **44. Urban Agriculture**

a. Intent

Urban Agriculture refers to agricultural activities allowed within an urban setting. The purpose of creating a definition and standards for Urban Agriculture is to allow for agricultural operations to exist within developed portions of the city and to set requirements that ensure compatibility with adjacent land uses. Any agriculture activity not consistent with this Section 32.04.030.A.44 shall be considered Agriculture and shall be governed by applicable sections of the Zoning Ordinance.

The purpose of this Section is to provide requirements and conditions relating to the establishment and operation of urban agricultural operations. Urban agricultural operations in established neighborhoods should be carefully considered and reviewed to ensure compatibility and reduce potential land use conflicts.

b. Where Permitted

- i. Urban Agriculture activities shall be permitted as a primary or as an accessory use in all zone districts
- ii. An annual permit shall be required for the following:
  - (A) When Urban Agriculture is the primary use on any parcel
  - (B) When Urban Agriculture is established as an accessory use and one quarter of an acre or more (10,890 sq. ft. or more) of land is disturbed on any parcel.
- iii. A permit shall not be required for any urban agriculture or gardening activities as an accessory use if less than one quarter of an acre (less than 10,890 sq. ft.) of land is disturbed.

c. Regulations

- i. Urban Agricultural uses shall be limited to the cultivation of plants and produce. Animal husbandry, livestock, and bees shall not be considered Urban Agricultural uses.
- ii. Parcels used for urban agricultural uses shall be situated, equipped, operated and maintained so as to minimize to the maximum extent possible, using the best available methods, any impacts on, or interference with other land uses and activities in the general area, or the public health, safety and general welfare. Specific requirements include:

- (A) Odor control;
  - (B) Debris control;
  - (C) Rodent and pest control; and
  - (D) Secure, enclosed, rodent-proof storage of all seed, fertilizer, and other chemical products used in operations.
  - (E) Mechanical equipment shall not be operated in a manner that would violate noise limits as defined in Chapter 56 of this Code.
- iii. Use of mechanical farm equipment shall be limited to walk-behind equipment or small garden tractors of a size typical of residential use. Larger machinery intended for industrial agricultural operations shall not be used as part of Urban Agriculture.
  - iv. Pesticides, insecticides, fertilizers and other chemical products used in urban agricultural operations must be designed for household use. Pesticides, insecticides, fertilizers and other chemical products designed for commercial agricultural operations shall not be permitted.
  - v. Excess stormwater runoff shall be detained on site in connection with any new construction, development, redevelopment or land use change related to urban agricultural operations.
  - vi. Minimum setbacks of five (5) feet shall be maintained in the front, side and rear yards of any parcel used for urban agricultural uses.
  - vii. No fence, wall, vegetation or combination of such items exceeding a height of three (3) feet above ground level shall be erected within the required front yard in any district unless a higher screening is required by Sec. 32.05.030.A. No encroachments shall be permitted in Corner Visual Clearance Areas required by Sec. 32.05.010.D.3.”

**Section 8.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Table 32.04-1 - Permitted Uses and in its place a new 32.04-1 is enacted as follows:

“Table 32.04-1: Permitted Uses

TABLE 32.04-1: PERMITTED USES																													
USES	Residential Districts								Commercial & Industrial Districts						Special Purpose Districts			Use Specific Standards											
	A	R	R	R	R	R	R	R	O	C	C	C	C	C	I	I	P		A	S	P	R							
	T	1	2	3	3	T	M	M	S	1	M	2	3	4	1	2	U	B	i	R	W	F	O	D	O	U	M	H	O
<b>PRINCIPAL USES</b>																													
<b>Residential Uses</b>																													
<b>Household Living</b>																													
Single-	P	P	P	P	P	P	P	P																			U	P	32.04.0























Solid waste facility																				P	U	32.04.030.A.	
<b>Transportation, Parking and Utility Uses</b>																							
Essential services, not listed separately	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		U	P	32.04.030.A.
Airport/Heliport																				P	P	U	
Bus station, terminal or passenger railroad	C	C	C	C	C	C	C	C	C		C	C	C	P	P	P	P	P				U	
Parking lot or structure		C	C	C	C	C	C	C	C	P		C	P	P	P	P	P	P				U	
Taxicab business													P	P	P	P	P					U	
Utility, major																	P	P				U	
Utility office, shop, or yard																P	P	P				U	
Utility substation	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P			U	C
<b>Agricultural and Resource Uses</b>																							
Agriculture	P	C	C	C																	P	U	32.04.030.A.
Urban Agriculture	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		U	P	32.04.030.A.
Aquaculture	C															P	P/C					U	32.04.030.A.
Dairy products processing																P	P					U	









## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Jeff Hintz

**Phone Number/Ext:** 319 286-5781

**Email:** [j.hintz@cedar-rapids.org](mailto:j.hintz@cedar-rapids.org)

**Alternate Contact Person:** Seth Gunnerson

**Phone Number/Ext:** 319 286-5129

**Email:** [s.gunnerson@cedar-rapids.org](mailto:s.gunnerson@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 clarify the roles and responsibilities of the Development Services Department for the land development review and approval process. CIP/DID #OB72241

**Background:**

Chapter 32 of the Municipal Code mentions responsibilities that the Development Services staff now handles rather than the Department of Community Development. The proposed changes alter this wording to the correct current roles and responsibilities.

The proposed ordinance was recommended by the City Council Development Committee on February 26, 2014 and recommended for approval by the City Planning Commission on March 27, 2014.

**Action / Recommendation:**

City staff recommends holding the public hearing and possible approval of the 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:**

Items in the proposed ordinance were recommended by the City Council Development Committee on February 26, 2014.

The ordinance was recommended for approval by the City Planning Commission on March 27, 2014

ORDINANCE NO.

ORDINANCE AMENDING CHAPTER 32 OF THE MUNICIPAL CODE, THE  
ZONING ORDINANCE TO CLARIFY ROLES AND RESPONSIBILITIES OF THE  
DEVELOPMENT SERVICES DEPARTMENT FOR THE LAND DEVELOPMENT  
REVIEW AND APPROVAL PROCESS

WHEREAS, Ordinance No. 033-06 dated and approved August 9, 2006 established and updated zoning requirements for the City of Cedar Rapids, and

WHEREAS, the proposed amendments to Chapter 32 of the Municipal Code clarifies Municipal Department roles in the development process, and

WHEREAS, the City Planning Commission reviewed the proposed amendment on March 27, 2014 and recommended it for approval;

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

**Section 1.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.01.060.A.6 - Applicability to Combinations of Platted Lots or Parcels and in its place a new Section 32.01.060.A.6 is enacted as follows:

“32.01.060.A.6

6. Applicability to Combinations of Platted Lots or Parcels

Unless otherwise noted in this Ordinance or in a permit or approval issued pursuant to this Ordinance, the provisions of this Ordinance shall apply to each zoning lot (as defined in Sec. 32.09, Definitions) and to each unplatted parcel of land in the City. A property owner that owns more than one contiguous lot or parcel or one lot or parcel plus a portion(s) of one or more contiguous lot(s) or parcel(s), may request that the standards and criteria of this Ordinance be applied to a combination of contiguous platted lots or parcels, taken as a whole, rather than individually. The Development Services Department shall determine whether application of this Ordinance to any such combination of lots or parcels as a whole would be consistent with the intent of this Ordinance, the established character of the surrounding area, and the general expectations of other property owners in the surrounding area. The Development Services Department shall review such a request through the Site Development Plan procedure in Sec. 32.02.030.G. If the Development Services Department determines that the proposal would be consistent with those criteria, then the Department may apply some or all of the standards in this Ordinance to the combination of lots or parcels, and shall note such application of standards to a combination of lots or parcels on the Site Development Plan.”

**Section 2.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.01.100.G - CONDITIONAL USE PERMITS DEEMED APPROVED and in its place a new Section 32.01.100.G is enacted as follows:

“32.01.100.G

**G. 32.01.100.G - CONDITIONAL USE PERMITS DEEMED APPROVED**

If (a) a use of land or structures was listed as a permitted use in a specific zone district under the previous zoning ordinance, and (b) that use of land or structures was established on property in that zone district prior to the adoption of this Ordinance, and (c) the same use of land or property is now listed as a Conditional Use in the same zone district in Table 32.04-1 of this Ordinance, then the established use shall be deemed to have received a Conditional Use Permit and shall be a legal, conforming use of land. Upon request by the property owner and submission that the use was established prior to approval of this Ordinance, the Development Services Department shall provide written confirmation of the legal, conforming status of the use.”

**Section 3.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Table 32.02-1 – SUMMARY OF REVIEW PROCEDURES and in its place a new Table 32.02-1 is enacted as follows:

“Table 32.02-1

Table 32.02-1 – SUMMARY OF REVIEW PROCEDURES

TABLE 32.02-1: SUMMARY OF REVIEW PROCEDURES										
Procedure	Review and Decision-Making Bodies							Required Notices		
	Pre-app Mtg.	Neigh. Mtg.	Dev. Dept.	Dev. Services	PC	BOA	CC	Post	Mail	Pub
Amendments of Zoning Map or Regulations (including PUDs) Sec. 32.02.030.A.	R	(R)	(R)	R	R/M		D/H	✓	✓	✓
Amendments to Comprehensive Plan or Future Land Use Plan Sec. 32.02.030.B.	R	(R)	R	R	R/M		D/H	✓	✓	✓
PUD Master or PUD Preliminary Plan Sec. 32.02.030.A	R	(R)	(R)	R	R/M		D/H	✓	✓	
Successive Application Sec. 32.02.020.H.	(R)	(R)		R	R/M	D/H	D/H			
Major Amendment to Preliminary Plan	R	(R)	(R)	R	D/H			✓	✓	
Approval of Site Plans when City participation is being provided.	R	(R)	R	R/D	D/H	D/H	R/D	✓	✓	
Conditional Uses Sec. 32.02.030.D.	R	(R)	(R)	R	R/M	D/H		✓	✓	✓

Conditional Expansion of Legal Nonconforming Use Sec. 32.02.030.E.	R	(R)	(R)	R	R/M	D/H		✓	✓	✓
Major Amendment to Conditional Use or Conditional Expansion Sec. 32.02.020.M	R	(R)	(R)	R	R/M	D/H		✓	✓	✓
Variances Sec. 32.02.030.F.	(R)			R		D/H		✓		✓
Site Development Plans Sec. 32.02.030.G.	(R)		(R)	D			A			
Administrative Adjustment Sec. 32.02.020.L.	(R)		(R)	D		A				
Home Occupations Sec. 32.02.030.H.				D		A				
Certificates of Occupancy Sec. 32.02.030.I.				D		A				
R = Review; (R) = Review if Requested by Staff or Applicant; D = Decision; H = Hearing; M = Meeting; A = Appeal										

**Section 4.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.02.010 - REVIEW AND DECISION-MAKING BODIES and in its place a new Section 32.02.010 is enacted as follows:

**“32.02.010 - REVIEW AND DECISION-MAKING BODIES**

This section describes the powers and duties of the Staff, the Development Services Department Staff, the Board of Adjustment, the City Planning Commission, and the City Council in the administration of this Ordinance. Throughout this Section 32.02, the body that has authority to make a final decision on a particular type of application is sometimes referred to as the "Decision-Making Body", and any body that has authority to review and/or make a recommendation (but not to make a final decision) on a particular type of application is sometimes referred to as the "Reviewing Body.”

**A. CITY COUNCIL**

**1. Powers and Duties**

The City Council shall have the following powers and duties under this Ordinance:

- a. To approve amendments to the zoning regulations or map, including any related Preliminary Plan, PUD Master Plan or PUD Preliminary Plan, (or, if the applicant chooses to submit one, any related Site Development Plan) in accordance with the procedures, standards, and criteria in Secs. 32.02.020 and 32.02.030.C.
- b. To approve Major Amendments to approved Preliminary Plans or PUD Preliminary Plans, in accordance with the procedures, standards, and criteria in Secs. 32.02.020 and 32.02.030.C.
- c. To review Site Development Plans prior to City Planning Commission, Board of Adjustment or City staff action that are approved for, or are being considered for City Participation.

d. By a majority vote, the City Council may elect to review and provide comment on any Site Development Plan.

2. Membership and Procedures

The membership and procedures for the City Council are established in Chapter 4 of the Cedar Rapids Municipal Code.

B. CITY PLANNING COMMISSION

1. Powers and Duties

The City Planning Commission shall have the following powers and duties under this Ordinance:

a. To review and make a recommendation to the City Council on applications for amendments to the zoning regulations or map, including any related Preliminary Plan or Preliminary Site Development Plan (if the applicant chooses to submit one) or PUD Master Plan or PUD Preliminary Plan, in accordance with the procedures, standards, and criteria in Secs. 32.02.020 and 32.02.030.C.

b. To approve Preliminary Site Development Plans or Major Amendments to approved Preliminary Site Development Plans, in accordance with the procedures, standards, and criteria in Secs. 32.02.020 and 32.02.030.C.

c. To review and make a recommendation to the City Council on applications for PUD Master Plans or PUD Preliminary Plans, in accordance with the procedures, standards, and criteria in Secs. 32.02.020 and 32.02.030.C.

d. To review and make a recommendation to the Board of Adjustment on applications for Conditional Uses, and major Amendments to approved Conditional Uses, in accordance with the procedures, standards, and criteria in Secs. 32.02.020 and 32.02.030.D.

e. To review and make a recommendation to the Board of Adjustment on applications for Conditional Expansions, and Major Amendments to approved Conditional Expansions, of legal non-conforming uses, in accordance with the procedures, standards, and criteria in Secs. 32.02.020 and 32.02.030.D.

f. To complete additional studies and/or to review or make recommendations on other matters related to the planning or development of the city or as requested by City Council.

g. To review and make recommendations on the Cedar Rapids Comprehensive Plan or any amendments to that Plan.

2. Membership and Procedures

The membership and procedures for the Planning Commission are established in Sec. 6.03 of the Cedar Rapids Municipal Code.

C. BOARD OF ADJUSTMENT

1. Creation

a. *Membership*

There is hereby created a Board of Adjustment consisting of five (5) members.

b. *Appointment and Terms*

Members of the Board shall be appointed by the Mayor and confirmed by the City Council to serve respectively for the following terms:

- i. One for one year;
- ii. One for two years;
- iii. One for three years;
- iv. One for four years; and
- v. One for five years.

Vacancies shall be filled by the Mayor, subject to confirmation by City Council, for any unexpired term. Members may be removed by the Mayor, with consent of City Council, for cause after written charges have been filed and after a public hearing has been held.

c. *Chairperson*

One of the members of said Board shall be designated by the Mayor, with the consent of the City Council, as chairperson of said Board and shall hold office as chairperson until a successor chairperson is appointed.

2. Powers and Duties

The Board of Adjustment shall have the following powers and duties under this Ordinance:

- a. To approve Conditional Uses, and Major Amendments to approved Conditional Uses, in accordance with the procedures, standards, and criteria in Secs. 32.02.020 and 32.02.030.D.
- b. To approve Conditional Expansions, and Major Amendments to approved Conditional Expansions, of legal non-conforming uses, in accordance with the procedures, standards, and criteria in Secs. 32.02.020 and 32.02.030.E.
- c. To approve Variances from the regulations of this Ordinance in accordance with the procedures, standards, and criteria in Secs. 32.02.020 and 32.02.030.F.
- d. To hear and decide appeals of any final administrative decision made by the Zoning Administrator or by the Director of Development Services under this Ordinance, pursuant to the procedures, standards, and criteria in Sec. 32.02.020.P.

3. Meetings

Meetings of the Board of Adjustment shall be held at the call of the chairperson, and at such other times as the Board may determine. Meetings shall be held if so requested by any three members of the Board. All meetings and hearings conducted by the Board shall be open to the public. Any person may appear and testify at a hearing either in person or by duly authorized agent or attorney. The chairperson or, in his absence, the acting chairperson may administer oaths and compel attendance of witnesses. In addition, the Board shall comply with the following requirements.

a. *Rules and Procedures*

The Board shall adopt its own rules and procedures not in conflict with this Ordinance or with the Code of Iowa.

b. Records

The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall also keep records of its hearings, examinations, and other official actions. Every decision of the Board shall be by written record that shall include findings and set forth the specific relief or use granted or relief denied, and shall expressly set forth any limitations or conditions imposed on any relief granted, or work or use authorized. A copy of every rule or regulation, order, requirement, decision, or determination of the Board shall be filed immediately in the office of the Zoning Administrator and shall be a public record.

4. Finality of Decisions and Necessary Vote

All decisions and findings of the Board on any appeal or upon any application for a variance, Conditional Use, or Conditional Expansion, shall, in all instances, be the final administrative decision and shall be subject to judicial review as may be provided by law. The concurring vote of three (3) members of the Board shall be necessary to reverse an order, requirement, decision, or determination of the Zoning Administrator, or to decide in favor of the applicant on any matter before it under this Ordinance, or to effect any variance of the standards and requirements of this Ordinance.

D. DEVELOPMENT SERVICES DEPARTMENT

1. Powers and Duties

The Development Services Department shall have the following powers and duties under this Ordinance:

a. To interpret whether a proposed land use is included within a use listed in Table 32.04-1 as defined in Section 32.09 Definitions, pursuant to the following criteria:

i. No use interpretation shall permit any use in a particular district unless such use is substantially similar to, and compatible with, other uses permitted in such district.

ii. No use interpretation shall permit any use in a district as a permitted use if such use is already listed in the district as a Conditional Use.

iii. No use interpretation shall permit any use in any district unless it can comply with all regulations established for that particular district and any use specific standards for such use in Sec. 32.04.030

iv. If the proposed use is more similar to uses listed as Conditional Uses than it is to the listed permitted uses in the district for which it is proposed, then any interpretation permitting such use shall identify it as a Conditional Use and specify that before such use may be established the requirements of Sec. 32.02.030.D must be met.

b. To review and make recommendations on any application for:

i. An Amendment to the Zoning Regulations or Map, pursuant to the procedures, standards, and criteria in Secs. 32.02.020 and 32.02.030.C;

ii. A Conditional Use, or Major Amendment to an approved Conditional Use, pursuant to the procedures, standards, and criteria in Secs. 32.02.020 and 32.02.030.D;

iii. A Conditional Expansion, or a Major Amendment to an approved Conditional Expansion, of a legal non-conforming use, pursuant to the procedures, standards, and criteria in Secs. 32.02.020 and 32.02.030.E; or

iv. A Variance, pursuant to the procedures, standards, and criteria in Secs. 32.02.020 and 32.02.030.F.

c. To review applications for a Site Development Plan, and to make a decision to approve, approve with conditions, or deny the Site Development Plan, pursuant to procedure, standards, and criteria set forth in Secs. 32.02.020 and 32.02.030.G.

d. To review applications for Administrative Adjustments, and to make a decision to approve, approve with conditions, or deny such application, pursuant to procedures, standards, and criteria set forth in Secs. 32.02.020 and 32.02.020.L.

## E. DEPARTMENT OF COMMUNITY DEVELOPMENT

### 1. Powers and Duties

The Department of Community Development shall have the following powers and duties under this Ordinance:

a. To review the following types of applications jointly with the Development Services Department:

i. Amendments to the Zoning Map, including any related Preliminary Plan PUD Master Plan or PUD Preliminary Plan (or, if the applicant chooses to submit one, any related Site Development Plan), in accordance with the procedures, standards, and criteria in Secs. 32.02.020 and 32.02.030.C.

ii. Conditional Uses, Major Amendments to Conditional Uses, Conditional Expansions, and Major Amendments to Conditional Expansions, in accordance with the procedures, standards, and criteria in Secs. 32.02.020, 32.02.030.D, and 32.02.030.E, as applicable.

b. To review applications for Site Development Plans and/or Administrative Adjustments jointly with the Development Services Department, if requested by the Development Services Department, pursuant to procedures, standards, and criteria in Secs. 32.02.030.G and 32.02.020.L, as applicable.”

**Section 5.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.02.020.A – Neighborhood Meetings and in its place a new Section 32.02.020.A is enacted as follows:

“32.02.020.A

## A. NEIGHBORHOOD MEETINGS

### 1. Purpose

The purpose of a neighborhood meeting shall be to inform neighboring property owners of the details of a proposed development, how the developer intends to meet

the standards contained in this Ordinance, and to receive public comment on the proposal at an early time in the review process.

2. Applicability

Where an applicant has filed or intends to file an application, and Table 32.02-1 indicates that a neighborhood meeting may be requested, Development Services may request that the applicant conduct a neighborhood meeting before further processing of the application. Development Services may request a neighborhood meeting where it appears that the potential uses, size, scale, traffic impacts, or operating impacts of the proposed activity or development may materially affect the surrounding area. If the applicant is requested to conduct a neighborhood meeting and does not do so, that fact may be noted in the staff report on the application. An applicant may voluntarily conduct a neighborhood meeting prior to submission of any application.

3. Notice

Where Development Services has requested that the applicant conduct a public meeting, Development Services may also require that the applicant post the property with a sign meeting the requirements of Sec. 32.02.020.F and/or that the applicant mail notices meeting the requirements of Sec. 32.02.020.F to the adjacent property owners.”

**Section 6.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.02.020.C – Submittal Requirements and in its place a new Section 32.02.020.C is enacted as follows:

“32.02.020.C

C. Submittal Requirements

All applications for all permits and approvals, or modifications of permits or approvals, pursuant to this Section 32.02, shall be submitted in accordance with the application submittal schedule, required forms, and required numbers of copies of each document, established from time to time by the Development Services Department.”

**Section 7.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.02.020.E - DETERMINATION OF COMPLETENESS and in its place a new Section 32.02.020.E is enacted as follows:

“32.02.020.E

E. DETERMINATION OF COMPLETENESS

1. Completeness Review

Within five (5) business days of receipt of an application for any type of approval identified in this Section 32.02, the Development Services Department shall determine if the application includes all material required by the applicable application submittal schedule (including required supporting material), and includes information in sufficient detail to evaluate the application and to determine whether it complies with the requirements of this Ordinance.

2. Application Incomplete

If the application is determined to be incomplete, the applicant shall be notified of the

deficiencies, in writing, within five (5) business days from the date of receipt of the application, and shall indicate that development review timetables do not begin to run until a complete application has been received. No further action shall be taken on the application until the deficiencies are remedied. The applicant may correct the deficiencies and resubmit the application for completeness review. If requested by the applicant, Development Services Department staff will meet with the applicant to clarify what additional materials, or what level of detail, will be required to obtain a determination of completeness. If additional information is submitted by the applicant, but is still incomplete or provided in insufficient detail, the applicant will again be notified within ten (10) business days. If the applicant fails to respond to a notice of identified deficiencies within thirty (30) calendar days after notification of the deficiencies is mailed or delivered, the application shall be considered withdrawn.

3. Application Complete

When the application is determined complete, the applicant shall be notified and the application shall be reviewed pursuant to the procedures and standards of this Ordinance.”

**Section 8.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.02.020.F.1 – CONTENT and in its place a new Section 32.02.020.F.1 is enacted as follows:

“32.02.020.F.1

1. Content

All notices required by this Sec. 32.02.020.F shall comply with the requirements of Iowa Code Secs. 362.3 and 414, as applicable, and shall:

- a. Indicate the name and address of the applicant or the applicant's agent where additional information about the proposed development may be obtained;
- b. Sufficiently describe the property involved; for example, by legal description, general vicinity, street address, size, and/or nearest cross street, and the zoning district in which the property is located;
- c. Describe the nature, scope, and purpose of the application or proposal being advertised and the type of approval or decision being sought;
- d. Indicate the date, time and place of any required neighborhood meeting or any meeting or public hearing of any recommending or Decision-Making Body regarding the application;
- e. Indicate that interested parties may appear at the meeting or public hearing and speak on the matter or may file written comments with the Development Services Department; and
- f. Provide contact information for the Development Services Department.
- g. Contain any additional information required by the applicable Decision-Making Body for the type of application being proposed.”

**Section 9.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.02.020.H.2.a – APPLICATION and in its place a new Section 32.02.020.H.2.a is enacted as follows:

“32.02.020.H.2.a

a. Application

The owner shall submit an application clearly labeled as an "Application for a Successive Application."

- i. In the case of a successive application where the Decision-Making Body is the City Council, the application shall be submitted to the City Clerk, and shall be addressed to the City Council.
- ii. In the case of a successive application where the Decision-Making Body is the Board of Adjustment, the application shall be submitted to the Zoning Administrator, and shall be addressed to the Board of Adjustment.
- iii. In the case of a decision where the Decision-Making Body is the Development Services Department, the application shall be submitted to and addressed to the Executive Director of Development Services.”

**Section 10.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.02.020.L – ADMINISTRATIVE ADJUSTMENTS and in its place a new Section 32.02.020.L is enacted as follows:

“32.02.020.L

L. ADMINISTRATIVE ADJUSTMENTS

1. Purpose

This section sets out the procedures and standards for approval of Administrative Adjustments. The purpose of an Administrative Adjustment is to avoid the need for applicants to go through a formal Variance process when an applicant requires only a minor adjustment to a dimensional requirement and the adjustment requested will be consistent with the prevailing character of the surrounding character. Pursuant to Sec. 32.02.020.N, applications for modification of previously approved permits or approvals that are determined to involve only modifications that could be approved as Administrative Adjustments shall be reviewed and approved pursuant to this section.

2. Authority

The Development Services Department is authorized to approve Administrative Adjustments of the following types pursuant to the procedures and standards set forth in this section.

a. Modifications of ten (10) percent or less of any numeric dimensional standard set out in Sec. 32.05.010, except those related to residential density or nonresidential intensity.

b. Modifications of the minimum off-street parking or loading requirements in Sec. 32.05.020 by no more than five percent (5%).

c. Modifications of any previously approved Preliminary Plan or Site Development Plan to adjust the size of any building or structure by not more than ten (10) percent or to change the location of any building or structure by more than ten (10) feet in any direction, provided that such modification will not increase residential density or non-residential intensity beyond that in the previously approved Plan. For modification to a PUD Master Plan or PUD Preliminary Plan to see Subsection 32.03.010.C.4.

“Planned Unit Development One District and Planned Unit Development Two District”

3. Review and Approval

An application for an Administrative Adjustment shall be reviewed by the Development Services Department, and a decision on the application shall be made, pursuant to the criteria in the following Subsection 4. The Department may approve, approve with conditions, or deny the application. If necessary to determine whether the application meets the criteria in said Subsection 4, the Development Services Department shall convene a meeting of the Project Review Group to review the application.

4. Criteria for Action on Administrative Adjustment

a. The requested Administrative Adjustment is consistent with the character of development in the surrounding area, will not result in land uses or structures significantly larger, more intense, or more congested than the majority of development in the surrounding area;

b. Any adverse impacts resulting from the Administrative Adjustment will be mitigated to the maximum extent feasible as determined by staff; and

c. The Administrative Adjustment is of a technical nature and is required to compensate for some unusual aspect of the site or the proposed development that is not shared by landowners in general.”

**Section 11.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.02.020.N – MODIFICATION OF APPROVALS and in its place a new Section 32.02.020.N is enacted as follows:

“32.02.020.N

N. MODIFICATIONS OF APPROVALS

1. Application

If, at any time, the owner of land subject to an approval under this Section 32.02 desires to modify the terms of that approval or the conditions attached to that approval, the owner shall submit a written application requesting such revision. The owner shall submit an application clearly labeled as an "Application for a Modification."

a. In the case of a modified application where the Decision-Making Body is the City Council, the application shall be submitted to the City Clerk, and shall be addressed to the City Council.

b. In the case of a modified application where the Decision-Making Body is the City Planning Commission, the application shall be submitted to the City Clerk, and shall be addressed to the City Planning Commission.

c. In the case of a modified application where the Decision-Making Body is the Board of Adjustment, the application shall be submitted to the Zoning Administrator, and shall be addressed to the Board of Adjustment.

d. In the case of a decision where the Decision-Making Body is the Development Services Department, the application shall be submitted to and addressed to the Development Services Department.

2. Review and Determination of Major/Administrative Adjustment Status

The application shall be referred to the Development Services Department for review and report. After review of such report, a determination shall be made by the Development Services Department as to whether the proposed modifications constitute a major or minor revision to the existing approval. In the case of an application for approval of a Site Development Plan or PUD Master Development Plan or PUD Preliminary Development Plan, the Development Services Department report shall review whether the proposed modifications are consistent with the approved Preliminary Development Plan for the property, and the Development Services Department will make a determination regarding such consistency.

a. Minor Modifications are those that qualify as Administrative Adjustments pursuant to Sec. 32.02.020.L.

b. Major Modifications are those that do not qualify as Administrative Adjustments pursuant to Sec. 32.02.020.L.

3. Action by Decision-Making Body

a. Applications for Minor Modifications shall be treated as applications for Administrative Adjustments pursuant to Sec. 32.02.020.L. However, Development Services may require that an application for Minor Modification shall be treated as an application for a Major Modification if the Executive Director determines that:

i. The application raises a significant public controversy on which numerous parties other than the owner of the property may want to offer testimony; or

ii. The applicant has exerted significant and undue pressure on the Development Department to interpret this Ordinance in a novel or ambiguous manner in order to obtain an approval, or has attempted to influence the decision of the Development Department in an improper manner.

b. Applications for Major Modifications shall be treated as new applications for an approval of the same type being modified, unless the following Subsection c applies.

c. If the Development Services Department determines that an application for modification of a Site Development Plan, PUD Master Plan or PUD Preliminary Plan is not consistent with the approved Preliminary Plan, PUD Master Plan or PUD Preliminary Plan for the property (as applicable), then the Development Services Department shall inform the applicant that a new Preliminary Plan, PUD Master Plan or PUD Preliminary Plan (as applicable) will be required to be submitted and approved before the revisions to the Preliminary Plan, PUD Master Plan or the PUD Preliminary Plan may be approved.

4. Effect of Modification

If approved, the modification shall then supersede the previous approval, and subsequent development on the property shall be in accord with such approved revised plan.”

**Section 12.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.02.030.B – AMENDMENTS TO FUTURE LAND USE PLAN AND COMPREHENSIVE PLAN and in its place a new Section 32.02.030.B is enacted as follows:

“32.02.030.B

**B. AMENDMENTS TO FUTURE LAND USE PLAN AND COMPREHENSIVE PLAN**

The Comprehensive Plan may be amended, or the Future Land Use Map may be amended independently of other changes to the Comprehensive Plan, through the same procedure used to rezone property pursuant to Sec. 32.02.030.C, except that approval of the amendment may be by resolution rather than ordinance. An amendment to the Future Land Use Map and a rezoning of property may not be processed simultaneously unless Development Services determines that the proposed amendment to the Future Land Use Map is minor, will not create substantial controversy in the surrounding neighborhood, and is consistent with the overall goals and objectives of the Comprehensive Plan. If Development Services makes that determination, but (a) written objection to the simultaneous processing is received from a property owner whose property is located either within or immediately adjacent to the area proposed for re-designation on the Future Land Use Map, and (b) such written notice is received before the public hearing on either the Future Land Use Map amendment or the rezoning application, then Development Services shall suspend the processing of the rezoning application until the City Council has made a final decision regarding the proposed Future Land Use Plan amendment. If the City Council approves or approves with modifications the proposed Future Land Use Map amendment, then the processing of the related rezoning shall continue from the point at which it was suspended. If the City Council denies the proposed Future Land Use Plan amendment, then the application for rezoning shall be considered withdrawn.”

**Section 13.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.02.030.C.4.b – STAFF REPORT and in its place a new Section 32.02.030.C.4.b is enacted as follows:

“32.02.030.C.4.b

**b. Staff Report**

Each application shall be referred to the Development Services Department for preparation of a staff report, which shall accompany the application through review by the City Planning Commission and action by the City Council.”

**Section 14.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.02.030.C.5.c – STAFF REPORT and in its place a new Section 32.02.030.C.5.c is enacted as follows:

“32.02.030.C.5.c

**c. Staff Report**

Each application shall be referred to the Development Services Department for preparation of a staff report on the proposed application. The Development Services Department shall convene a meeting of the Project Review Group to review the application and/or a draft staff report on the application. The staff report shall accompany the application through the review and approval process.”

**Section 15.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.02.030.D.7 – STAFF REPORT and in its place a new Section 32.02.030.D.7 is enacted as follows:

“32.02.030.D.7

7. Staff Report

Each application shall be referred to the Development Services Department for preparation of a staff report on the proposed application. The Development Services Department shall convene a meeting of the Project Review Group to review the application and/or a draft staff report on the application. The staff report shall accompany the application through the review and approval process.”

**Section 16.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.02.030.F.4 – STAFF REPORT and in its place a new Section 32.02.030.F.4 is enacted as follows:

“32.02.030.F.4

4. Staff Report

Each application shall be referred to the Development Services Department for preparation of a staff report on the proposed application. The staff report shall accompany the application through the review and approval process.”

**Section 17.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.02.030.G – PRELIMINARY SITE DEVELOPMENT PLANS AND ADMINISTRATIVE SITE DEVELOPMENT PLANS and in its place a new Section 32.02.030.G is enacted as follows:

“32.02.030.G

G. PRELIMINARY SITE DEVELOPMENT PLANS AND ADMINISTRATIVE SITE DEVELOPMENT PLANS

1. Purpose

The purpose of this section is to set forth the procedures and criteria for review and approval of Site Development Plans. Site Development Plans are technical documents that illustrate the proposed use(s) and layout of an area and meet the requirements of the Cedar Rapids Zoning Ordinance. The purpose of Site Development Plans is to confirm that all covered development is consistent with the requirements of this Ordinance and with all previously approved Preliminary Plans or PUD Preliminary Plans applicable to the property. The determination of the adequacy of a Site Development Plan is an administrative matter delegated to the City Planning Commission or the Development Services Department pursuant to the procedures and criteria of this section. The Development Services Department will make the determine whether the Site Development Plan shall be processed as a Preliminary or Administrative Site Development Plan based on guideline established by City Council resolution.

a. A Preliminary Site Development Plan reviewed as part of a re-zoning application is approved by City Council. All other Preliminary Site Development Plans shall be

approved by the City Planning Commission or the Board of Adjustment. For all Site Plans where the City is providing financial participation the City Council shall review said Site Plan prior to action by the decision making body. A Preliminary Site Development Plan is required if the proposed development is adjacent to residentially zoned property or property which is indicated for residential uses on the Future Land Use Map in the City's Comprehensive Plan. Also if a Preliminary Site Development Plan for property adjacent to residentially zoned property, or property that is indicated for residential uses has been approved and significant changes are proposed, a new application for Preliminary Site Development Plan approval is required. The Preliminary Site Development Plan can be submitted as an engineer certified plan of improvements, certified by a registered civil engineering licensed in the State of Iowa. Prior to submittal for Preliminary Site Development Plan approval the applicant must apply for Pre-Application Plan review.

b. An Administrative Site Development Plan is reviewed by The Project Review Group and approved by the Development Services Department. The Administrative Site Development Plan is considered an engineer certified plan of improvements, certified by a registered civil engineering licensed in the State of Iowa. Prior to submittal for Administrative Site Development Plan approval the applicant must apply for Pre-Application Plan review.

## 2. Applicability

A Site Development Plan may be required to be submitted as part of another application for a permit or approval, or may be required even if no other permit or approval is required.

a. A Site Development Plan shall be submitted in connection with any application for Conditional Use, Conditional Expansion, or Variance.

b. A Site Development Plan may, at the applicant's option, be submitted at the time of an application for an amendment to the zoning map, in lieu of the Preliminary Plan that would otherwise be required.

c. Where an amendment to the zoning map for the RMF-1, RMF-2, or Commercial and Industrial Districts has been approved without the approval of a Site Development Plan, then a Site Development Plan shall be required to be submitted prior to the issuance of any Building Permit.

d. Where no other types of permits or approvals are required pursuant to this Section 32.02, but (i) the proposed development involves a use listed in Table 32.04-1 as a Civic or Institutional, Commercial, Industrial, Wholesale, or Storage Use, or (ii) the proposed development is a residential development subject to the requirements of Secs. 32.05.030.D.1 or 32.05.030.D.2, a Site Development Plan shall be required to be submitted. Such Site Development Plan may be submitted in conjunction with a proposed subdivision of the project.

e. A Site Development Plan shall not be required to be submitted for construction of a single-family residential structure on a single lot or the construction of a two-family structure on two adjacent lots where the regulations of 32.05.030.D do not apply. However, in the case of sheds, fences, or other minor accessory structures or additions to an existing house (i.e. porches, decks, additional rooms) on the same property, the Site Development Plan shall only be required to show the location of the proposed structure or addition in relation to property boundaries, required setbacks, and terrain changes as more fully detailed in the Cedar Rapids Zoning Ordinance.

f. The Development Services Department may waive any Site Development Plan requirements stated in the Cedar Rapids Zoning Ordinance if it determines that the request is not applicable to the type of activity or development being proposed.

3. Authority

The City Planning Commission is authorized to approve Preliminary Site Development Plans unless the Preliminary Site Development Plan is part of a zoning amendment request or if the City is providing financial participation in the proposed development. In the case of City participation a Preliminary Site Development Plan shall be reviewed by City Council prior to action by City Planning Commission and application for Administrative Site Plan approval. An application for a Site Development Plan may be combined with an application for an Administrative Adjustment as described in Sec. 32.02.020.L, and the City Planning Commission and the Community Development Department are authorized to review both applications together, provided that each application is reviewed against the standards applicable for that type of application.

4. Contents

The Site Development Plan shall conform to the requirements set forth in the Cedar Rapids Zoning Ordinance and the City of Cedar Rapids Submittal Checklist.

5. Pre-Application Meeting

A pre-application meeting with the Project Review Group shall be required pursuant to Sec. 32.02.020.B, and a neighborhood meeting may be required pursuant to Sec. 32.02.020.A.

6. Review and Approval

a. Where a Site Development Plan is required to be submitted in connection with an application for a Conditional Use, Conditional Expansion, or Variance, the procedure for review and approval shall be the same as for the review and approval of the Conditional Use, Conditional Expansion, or Variance.

b. Where a Site Development Plan is required to be submitted even though no other permit or approval under this Section 32.02 is required at that time, the application shall be reviewed by the Development Services Department, and a decision on the application shall be made, pursuant to the criteria in the following Subsection 7. The Department may approve, approve with conditions, or deny the application. If necessary to determine whether the application meets the standards in said Subsection 7, the Development Services Department shall convene a meeting of the Project Review Group to review the application.

7. Criteria for Action on Site Development Plan

The City Council, the City Planning Commission, or the Development Services Department shall approve a proposed Site Development Plan if it finds that:

a. The Site Development Plan is consistent with the previously approved Preliminary Plan for the property (if applicable); and

b. The Site Development Plan conforms with all applicable requirements of this Ordinance, or with all applicable requirements as modified by a request for an Administrative Adjustment meeting the requirements of Sec. 32.02.020.L.

8. Appeal to City Council

The applicant or any interested person may appeal, in writing, setting forth the reasons for such appeal to the City Council. Such appeal shall be filed with the City Clerk within ten (10) days after action by the City Planning Commission or the Development Services Department as provided under Subsection 7, above. The appeal shall be placed on the next available regular City Council meeting after the appeal is filed. The City Council shall review the Site Development Plan, the City Planning Commission or the Development Services Department action, and the basis of appeal. After consideration, the City Council may, by Resolution, approve, approve with revisions, or disapprove said appeal.”

**Section 18.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.02.030.H – HOME OCCUPATION LICENSING AND FEES and in its place a new Section 32.02.030.H is enacted as follows:

“32.02.030.H

H. HOME OCCUPATION LICENSING AND FEES

No home occupation shall be established unless and until a permit has been issued for a use that meets the requirements of Sec. 32.04.030.C.8. Application shall be made to the Development Department, pursuant to Table 32.02-1, and the permit shall be approved or approved with conditions only if it complies with the requirements of Sec. 32.04.030.C.8. A non-refundable application fee, as established from time to time by a Resolution of City Council, shall be paid to the Development Services Department with each permit requested.”

**Section 19.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.02.030.I – CERTIFICATE OF OCCUPANCY and in its place a new Section 32.02.030.I is enacted as follows:

“32.02.030.I

I. CERTIFICATE OF OCCUPANCY

No structure or building shall be occupied, and the primary use of a structure or building shall not be changed, unless and until a Certificate of Occupancy has been issued. Application shall be made to the Development Services Department, and the procedure for approval shall be that set forth in Table 32.02-1. A Certificate of Occupancy shall only be approved if the structure or building conforms to all applicable requirements of this Zoning Ordinance, all applicable subdivision approval requirements, all applicable building codes, and any other applicable laws and regulations of the City of Cedar Rapids. A non-refundable application fee, as established from time to time by a Resolution of City Council, shall be paid to the Development Services Department with each permit requested.”

**Section 20.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.04.010.F – CLASSIFICATION OF NEW AND UNLISTED USES and in its place a new Section 32.04.010.F is enacted as follows:

“32.04.010.F

F. CLASSIFICATION OF NEW AND UNLISTED USES

New types of land use will develop and forms of land use not anticipated may seek to locate in the city in the future. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use shall be made. When application is made for a use category or use type that is not specifically listed in Table 32.04-1, Development Services shall make a determination as to whether the proposed use falls within an existing use type. Development Service's decision may be appealed pursuant to the procedures in Sec. 32.02.020.P. An applicant may request an interpretation in writing from Development Services."

**Section 21.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.04.030.A.8.b.iv – SHARED USE and in its place a new Section 32.04.030.A.8.b.iv is enacted as follows:

"32.04.030.A.8.b.iv

iv. *Shared Use*

(A) At all times, shared use of existing towers, including legal conforming and legal nonconforming, shall be preferred to the construction of new towers. Additionally, where such shared use is unavailable, location of antennas on pre-existing structures shall be considered. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the City that no existing tower, structure, or alternative technology can accommodate the applicant's needs. Evidence submitted shall address the following:

(1) That no existing towers or structures are located within the geographic area that meets the applicant's engineering requirements.

(2) That existing towers or structures are not of sufficient height to meet the applicant's engineering requirements.

(3) That existing towers or structures do not have sufficient strength to support the applicant's proposed antenna and related equipment.

(4) That the applicant's proposed antenna would cause electromagnetic interference with the antenna(s) on the existing tower or structure, or antenna on the existing tower or structure would interfere with the applicant's proposed antenna.

(5) That the fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable.

(6) That other limiting factors that render existing towers or structures unsuitable are demonstrated.

(7) That alternative technology that does not require the use of towers or structures, such as a cable micro cell network using multiple low-powered transmitters/receivers attached to a wire line system, is unsuitable.

(B) An applicant intending to share use of an existing tower or structure, including legal conforming and legal nonconforming, shall be required to document intent from an existing tower or structure owner to share use. The applicant shall pay reasonable fees and costs of adapting an existing tower or structure to a new shared use.

(C) An applicant intending to share use of an existing tower, including legal conforming and legal nonconforming, or locate an antenna and supporting electrical and mechanical equipment on a pre-existing building or structure shall be required to submit to the Development Services Department the following information for review and approval prior to the issuance of a Building Permit:

(1) Documentation of the intent from the owner of the existing facility to allow shared use.

(2) A site plan which shall show all existing and proposed structures and improvements including antennas, roads, buildings, guy wires and anchors, parking, and landscaping. Any methods used to conceal the modification of the existing facility, as required in Section 32.04.030.A.8.b.i., shall be indicated on the site plan.

(3) An engineer's report certifying that the proposed shared use will not diminish the structural integrity and safety of the existing tower, building, or structure and explaining what modifications, if any, will be required in order to certify to the above.

(4) A copy of its Federal Communications Commission (FCC) license.”

**Section 22.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.04.030.A.9 – Community Center, Other and Neighborhood Community Center and in its place a new Section 32.04.030.A.9 is enacted as follows:

“32.04.030.A.9

9. Community Center, Other and Neighborhood Community Center

a. In the Residential zone districts, conditions and limitations on uses, hours, of operation, off-street parking, and related issues may be imposed through the conditional use process to protect neighborhood character and prevent adverse neighborhood impacts.

b. Neighborhood Community Centers are permitted in residential districts and shall be subject to review of the proposed operation and development standards by the Development Services Department. Activities shall not include commercial uses or uses that create land use conflicts within a residential neighborhood.”

**Section 23.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.05.010.A.1.g – Setbacks and in its place a new Section 32.05.010.A.1.g is enacted as follows:

“32.05.010.A.1.g

g. *Setbacks*

i. Setbacks are measured between the lot line and the closest projection of a building or structure along a line at right angles to the lot line, and must remain unobstructed from the ground to the sky except as otherwise specifically allowed in this Ordinance.

- ii. If the Cedar Rapids Major Street Rights-of-Way Resolution No. 2276-12-93 (adopted on December 22, 1993) shows or lists a proposed street right-of-way line that differs from the current right-of-way line, street frontage setback shall be measured from the proposed street right-of-way line if determined by the City of Cedar Rapids said Right-of-Way is required.

**Section 24.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting line 32.05-4. Multiple Family Dwelling.C) – Students and in its place a new line 32.05-4. Multiple Family Dwelling. C) is enacted as follows:

“Line 32.05-4 MINIMUM OFF-STREET PARKING REQUIREMENTS – Multiple Family dwelling.C)

C) Students: 1 per bedroom if Development Services determines that due to location and design of facility it is likely to be occupied by students.”

**Section 25.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.05.020.B.5.d – Private Shared Parking and in its place a new Section 32.05.020.B.5.d is enacted as follows:

“32.05.020.B.5.d

d. *Private Shared Parking*

- i. Off-street parking facilities for separate uses may be provided collectively if the total number of spaces so provided is not less than seventy-five percent (75%) of the sum of the separate requirements governing location of accessory parking spaces in relation to the use served and adhered to.

- ii. Off-street parking facilities for a mixed use project may be provided through a shared parking agreement when uses are located near one another and have different peak parking demands and operating hours, or other characteristics that would enable them to share parking areas. The total amount of parking provided in such plan may be less than that required for each use considered individually, provided that the applicant provides a parking study documenting the adequacy of the proposed parking, and the Development Services Department approves that study. Development Services Department shall approve a shared parking study if determined that it is an accurate reflection of anticipated parking demand and an adequate response to that demand that will not result in significantly higher on-street parking in surrounding areas or unauthorized use of other parking facilities.”

**Section 26.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.05.020.B.5.e – Private Shared Parking and in its place a new Section 32.05.020.B.5.e is enacted as follows:

“32.05.020.B.5.e

e. *Public Shared Parking District*

- i. Where the City has constructed, or proposes to construct, public off-street parking facilities, and where in the judgment of the City Council special circumstances or conditions warrant such action, the City Council may, by

resolution, establish a shared parking district within the boundaries of an area set forth by the resolution. The special conditions warranting such action may relate to preservation of sites or structures of unique historical or architectural value to the community, a hardship created by public action, or other unusual circumstances.

ii. When such a shared parking district has been established, all or a part of the private off-street parking spaces required within the parking district may be provided by a public off-street parking facility located within said district.

iii. Prior to property owners within the established parking district being enabled to so reduce the number of private off-street parking spaces, such owners or the Development Services Department shall submit, and the City Council must approve, a Parking and Site Development Plan for the affected properties within the parking district. Such Plan shall show proposed development of the area and how the total number of required off-street parking spaces will be provided by the use of public and private facilities.

iv. The City Council may, as it deems necessary and appropriate, require formal agreement with the property owners concerning land dedications and easements, participation in construction and maintenance costs of the public parking facilities, and other related matters. Subsequent to formal execution of agreements property owners may reduce the number of private off-street spaces required in accord with City Council action. The total number of off-street parking spaces provided by the combined public and private facilities within the shared parking district shall not be less than the number required by this Ordinance unless the City Council specifically approves such a reduction.”

**Section 27.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.05.030.A.2.b.ii – Expansion of Existing Buildings and in its place a new Section 32.05.030.A.2.b.ii is enacted as follows:

“32.05.030.A.2.b.ii

ii. *Expansion of existing buildings*

- q. All requirements of Sec. 32.05.030.A shall apply to the whole site, when an expansion increases the size of an existing building(s) by more than 50% of its current foot print.
- r. All requirements of Sec. 32.05.030.A shall apply to the whole site, when an expansion increases the total assessed value by 50% or more.
- s. Street trees and bufferyards shall apply when an expansion increases the size of an existing building(s) by less than 50% of its current foot print.
- t. Landscaping is identified as an essential design element and applicants required to comply with all requirements of Sec. 32.05.030.A when expanding. Especially, when developing in highly visible areas or next to residential uses.
- u. The Development Services Department may modify the requirements based on site conditions and existing improvements.”

**Section 28.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.05.030.A.3.g – Credit for Existing Living Materials and in its place a new Section 32.05.030.A.3.g is enacted as follows:

“32.05.030.A.3.g

*g. Credit for Existing Living Materials*

Existing mature trees and vegetation are encouraged to be incorporated into overall site design and shall be considered in meeting the requirements of this section. In general, each tree, shrub, or area of groundcover preserved and incorporated into required landscaping shall reduce the amount of required new landscaping by an equal amount. The extent that such existing vegetation meets the requirements of these standards shall be reviewed and approved by the City Arborist and Development Services Department.”

**Section 29.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.05.030.C.1 – Intent and in its place a new Section 32.05.030.C.1 is enacted as follows:

“32.05.030.C.1

1. Intent

Multiple public input events have identified the importance of high quality design in Cedar Rapids. Commercial development presents unique compatibility issues related to the size and mass of such buildings. It is the intent of this Section to provide design elements that should be included in such project design to mitigate these issues and lessen such impacts. It is not the intent of this section to establish design review or prescribe specific architectural treatments. The Development Services Department shall review Site Plans for consistency with the intent of this Section and the use of design elements.”

**Section 30.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.07.010.G.1 – Structure Or Building Damaged Or Destroyed and in its place a new Section 32.07.010.G.1 is enacted as follows:

“32.07.010.G.1

1. Structure Or Building Damaged Or Destroyed

A nonconforming building or structure with the exception of a single-family dwelling, attached or detached, on a nonconforming lot (see Sec. 32.07.050.F.), that is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration to the condition in which it was before the occurrence shall exceed sixty-five (65) percent of the fair market value of the building before damage, based upon insurance value, shall not be restored except in conformity with all of the regulations of the district in which it is located. If a nonconforming building or structure is damaged less than sixty-five (65) percent, it may be repaired, restored, or reconstructed and used as before the time of damage, provided that such repair, restoration or reconstruction is started within twelve (12) months of such damage and diligently prosecuted to completion. Development Services may extend the twelve (12) month period for one additional period of up to twelve (12) months if concluding that delay in repair, restoration or construction were caused in part by factors beyond the control of the owner.”

**Section 31.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.08.090.B.1 – Voluntary Compliance Request Letter and in its place a new Section 32.08.090.B.1 is enacted as follows:

“32.08.090.B.1

1. Voluntary Compliance Request Letter

The City may issue a voluntary compliance request letter to the property owner of record citing the violation of this Ordinance, stating that the City urges voluntary compliance with the Ordinance, requesting that the violation be removed within the time set forth in the following Table 32.08-1. If the recipient responds to the letter with a request for additional time to remedy the violation, Development Services Department may grant additional time as reasonably required to complete the remedy but such additional time shall not exceed six (6) months.”

**Section 32.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.08.090.B.2 – Warning Letter and in its place a new Section 32.08.090.B.2 is enacted as follows:

“32.08.090.B.2

2. Warning Letter

The City may issue a warning letter to the property owner of record citing the violation of this Ordinance, stating that the violation must be removed within the time set forth in Table 32.08-1 in the preceding subsection 1., or the City will consider further enforcement action, and stating what other forms of enforcement are available to the City. If the recipient responds to the letter with a request for additional time to remedy the violation, the Development Services Department may grant additional time as reasonably required to complete the remedy but such additional time shall not exceed six (6) months.”

**Section 33.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.08.090.B.6 – Revoke Approvals or Permits and in its place a new Section 32.08.090.B.6 is enacted as follows:

“32.08.090.B.6

6. Revoke Approvals or Permits

a. The City may revoke any development approval, permit, or other authorization a) after providing the applicant an opportunity to remedy the violation within the time set forth in Table 32-08-1 in preceding subsection 1., and b) after notice and a public hearing by the Decision-Making Body that originally granted the final approval, permit, or other authorization, when it is determined that either:

- i. There is a material departure from the approved plans, specifications, or conditions of approval;
- ii. There is a violation of any provision of this Ordinance;
- iii. The development approval or permit was obtained by false representation;  
or
- iv. The development approval or permit was issued in error.

b. If the recipient responds to the letter with a request for additional time to remedy the violation, the Development Services Department may grant additional time as reasonably required to complete the remedy but such additional time shall not exceed six (6) months.

c. Written notice of revocation shall be served upon the property owner of record, the owner's agent, the applicant, or other person to whom the permit was issued or such notice may be posted in a prominent location at the place of the violation. No work or construction shall proceed after service of the revocation notice."

**Section 34.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting 32.09.030.A – Introduction and in its place a new Section 32.09.030.A is enacted as follows:

"32.09.030.A

**A. INTRODUCTION**

This section identifies each of the use categories used in Table 32.04-1 Permitted Uses as well as the characteristics of uses in that category, a non-exhaustive list of examples of included uses, and a list of exceptions (i.e. uses that may share some similarity but that are not included in that category). This section is intended to be used by the Development Services Department to categorize grouped uses and to determine whether they are included in an existing use listed in Table 32.04-1."

**Section 35.** 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 36.** That all ordinances or parts of ordinances in conflict herewith are repealed.

**Section 37.** That the afore described Amended Chapter 32 shall be included as part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

**Section 38.** That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 22<sup>nd</sup> of April, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** Vern Zakostelecky **Phone Number/Ext:** 319 286-5043  
**Email:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

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

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

A public hearing to consider granting a change of zone for property at 1410 Tower Lane NE from O-S, Office/Service Zone District to RMF-1, Multiple Family Residence Zone District as requested by Capital Commercial Division, LLC. CIP/DID #RZNE-005870-2013

### **Background:**

The request for rezoning of this property was reviewed by the City Planning Commission on March 27, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

The applicant is requesting rezoning to allow for development of an apartment complex. The property is currently undeveloped and was initially rezoned to the O-S Zoning District in 1999. The previous property owner was unable to market the site for office uses. The applicant originally proposed a more dense development and was recommended for denial by the City Planning Commission on October 31, 2013 for the following reasons:

- The applicant didn't provide enough lead time with notices of neighborhood meeting.
- Shared access drive with the daycare center not adequate and safe to serve the proposed apartment complex and daycare both.
- Density of the development too high.
- Three story buildings out of scale with the surrounding development.

The applicant has made significant changes to the development proposal and held another neighborhood meeting on February 24, 2014. Fourteen residents from the neighborhood attended. The Preliminary Site Development Plan consists of the following:

- Total site area is 1.88 acres (82,034 s. f.).
- Total building area footprint is 14,500 s. f. including 1-2 story apartment building and 5,500 s. f. for two garages with a total of 25 spaces. (Previous-3-3 story buildings).
- Total of 24-units (Previous-40-units)
- Total hard surface area proposed including buildings is 34,380 s. f. (Previous-40,689 s. f.).
- Total open space- proposed is 47,654 s. f. / 58.0% of total site area (Previous-39,897 s. f. / 49.5% of total site area).
- Total parking required is 53 spaces-provided is 54 spaces (Previous-required-83 spaces-provided-62 spaces including 2-handicap spaces).
- Access change from shared access with daycare at southwest corner of site to access drive at southeast corner of site.

- Storm water management for the new improvements will be provided on the south side of the site.

**Application Process/Next Steps:**

Actions	Comments
City staff review	<ul style="list-style-type: none"> <li>• City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>• The City Planning Commission reviewed the application on March 27, 2014 and recommended approval on a 7 to 0 vote. A portion of the minutes are included as Attachment A.</li> <li>• There were several objectors and this is not a flood related item.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>• A Public Hearing and First Reading of the Ordinance are scheduled for April 22, 2014 to allow for public input.</li> <li>• Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li> <li>• Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.</li> </ul>

**Action / Recommendation:**

City staff recommends holding the public hearing and approval of 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

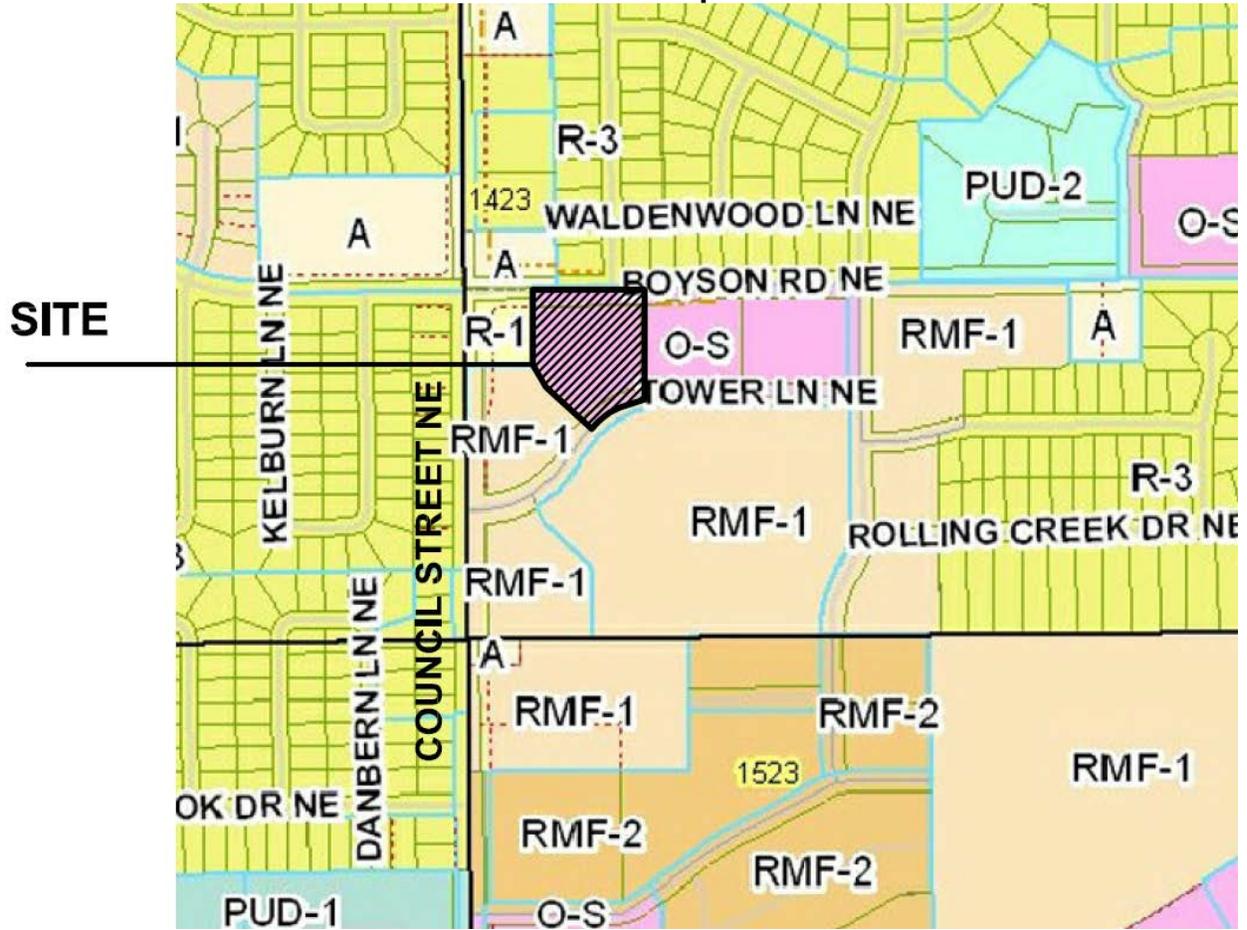
**Local Preference Policy** Applies  Exempt

**Explanation:**

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):**

Location Map





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 REGULAR MEETING,**  
**Thursday, March 27, 2014 @ 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  
Kim King

Members Absent: Allan Thoms

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

CD Staff: Seth Gunnerson, Planner  
Jeff Hintz, 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 seven (7) Commissioners present.

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the March 6, 2014 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.

Commissioner Knox-Seymour made a motion to move the Conditional Use from the table. This case was tabled at the September 19, 2013 meeting. Commissioner Halverson seconded the motion.

The motion passed unanimously with none opposed.

***Case Name: 1410 Tower Lane NE (Rezoning)***

Recommendation for approval of a rezoning from O-S, Office/Service Zone District to RMF-2, Multiple Family Residence Zone District as requested by Capital Commercial Division, LLC. (Applicant/Titleholder)

***Case No: RZNE-005870-2013; Case Manager: Joe Mailander***

Mr. Zakostelecky stated the Commissioners reviewed this rezoning proposal on October 31, 2013 and the applicant has revised their proposal. The applicant has asked that the rezoning be changed to RMF-1 rather than RMF-2. The property is east of Council Street and south of Boyson Road. There were several concerns including lead time for the neighborhood meeting, the shared access and safety with the day care, the density of the site was too high and the proposed 3 story buildings were not in character with the surrounding neighborhood. The applicant has changed from RMF-2 to RMF-1, reduced the number of buildings from three to one, reduced building from 3 stories to 2, reduced the number of units, reduced parking by 10 spaces and moved the access to the southeast corner of the site and not shared with day care center. Mr. Zakostelecky showed an aerial photo of the site, site plan as well as a 3-D rendering of the building. An administrative site plan would still have to be submitted to assure that the applicant meets the City's design standard.

Commissioner Overland called for questions of Mr. Zakostelecky.

Commissioner Halverson asked for clarification that the applicant will be RMF-1 and will need to submit a new petition prior to this rezoning going to the City Council.

Commissioner Overland called for a representative of the applicant.

Ghassan Halloosh, 1930 St. Andrews Court stated he was involved when this property was rezoned to O-S, Office/Service Zone District. Mr. Halloosh stated that this site plan submitted is what will be built and there are no hidden agenda. The initial rezoning that was recommended for denial in October was RMF-2 and denser. This is being rezoning to be less dense and will create less traffic than an office building. The applicant has moved the access to the east and has included garages plus added more green space.

Steve Stefani, 4561 Fox Meadow Drive SE with Capital Commercial, the current owner and developer of this property wanted to respond to the concerns in October. Mr. Stefani stated that he listened to the concerns of the neighbors with two key issues being density and shared access. Mr. Stefani assured everyone that the redesign was based on RMF-1 rather than the RMF-2 that was requested the first time. Mr. Stefani wanted to answer some of Teri's concerns in her letter. Increased traffic on Tower Lane: increased traffic office vs. residential; issue how the property would be maintained. The property is not designed to have a higher price point with all the amenities that will be provided. The property as designed now is consistent with the neighborhood.

Commissioner Overland called for questions of the applicant.

Commissioner Wilts asked if the building will be higher or lower than the other buildings. Mr. Stefani stated that he feels this building will be same level as other buildings in the area.

Commissioner Knox-Seymour asked why apartment buildings are not proposed to be owner occupied. Mr. Stefani said this area is in need of apartments. Commissioner Knox-Seymour asked about the neighbors concerned with the value of their homes. Mr. Stefani stated that this is not a lower price point project.

Commissioner Overland called for members of the public who wished to speak.

Concerned citizens that spoke including Kathleen Kimmerer, 1475 Tower Lane NE, Tim Wendt, 1315 Waldenwood Lane NE; Kathy Clarahan, 1321 Waldenwood Lane NE and Joe Clarahan, 1321 Waldenwood Lane NE expressed their concerns as follows:

- Appreciates that the applicant has scaled back the project however Tower Lane is a short, narrow and curved street and the amount of traffic will be increased.
- Feels building will look larger than others in the area and garages do not change the look
- Noisy now with traffic from Boyson Road and would prefer an office building than an apartment building
- Property value decreased
- Maintenance of the property

Commissioner Overland called for a motion to approve the rezoning. Commissioner Halverson made a motion to approve the rezoning from O-S, Office/Service Zone District to RMF-1, Multiple Family Residence Zone District. Commissioner Pankey seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Halverson appreciated that the applicant returned with substantial changes. From a property maintenance standpoint, the owner will want to maintain the property to keep the property rented with so many other apartments in the area.

Commissioner Pankey stated he supports the motion and that there are many apartments on Boyson Road and is the nature of our city. The owners will have to maintain the property.

Commissioner Knox-Seymour asked what the initial zone was. Mr. Zakostecky stated that at the time this property was developed to the south and east it was mixed development with single-family, multifamily and office.

Commissioner Wilts asked about the access area to the project. Mr. Zakostecky stated that the original application was going to share access with the daycare and now they have moved the access to the east.

Commissioner Overland stated he is in favor since they have changed the rezoning to RMF-1

The motion passed unanimously with none opposed.

The meeting was adjourned at 6:50 pm

Respectfully Submitted,  
Betty Sheets, Administrative Assistant  
Community Development

DSD                    BSD  
ENG                    STR  
FIR                    RCR  
TITLEHOLDER    WTR  
CONTACT            TED  
CLK                    PKS  
RZNE-005870-2013

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;

LOT 79, BOYSON PARK SECOND ADDITION IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA

and located at 1410 Tower Lane NE, now zoned O-S, Office/Service Zone District, and as shown on the "District Map," be rezoned and changed to RMF-2, Multiple Family Residence Zone District, and that the property be used for such purposes as outlined in the RMF-2, Multiple Family Residence Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. Design guidelines and standards as specified in Subsection 32.05.030.D. shall be met or a variance must be obtained.
2. The parking spaces shall be screened from the public street and adjacent residential properties or a variance must be obtained.
3. That all lighting shall be of a type, design and placement, and also be shielded in a manner to minimize impact on adjacent residential properties per Subsection 32.05.030.B. of the Zoning Ordinance.
4. 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.
5. Landscaping and buffering/screening shall be provided per the Zoning Ordinance, Subsection 32.05.030.A. This includes parking lot trees at one per every 12 parking spaces, street front landscaping for parking area adjoining public streets, street front landscaping including 15' on one public street frontage and 5' on the other, etc.
6. 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.

7. 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 Ownership and Maintenance of Private Water Main to be located on this site. The City Public Works Department shall furnish said Agreement form upon request by the property owner.
8. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible for removal and replacement of City sidewalk adjoining this site, damaged as a result of construction activities on this site or not meeting ADA standards. Said removal and replacement areas shall be determined by the City Public Works Department, shall be completed by the property owner, and approved by the City.

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 22<sup>nd</sup> day of April, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** Vern Zakostelecky  
**Email:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

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

**Alternate Contact Person:** Joe Mailander  
**Email:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

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

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

A public hearing will be held to consider granting a change of zone for property at 5015 Center Point Road NE, 2025 Sylvia Avenue NE and 5020 Louisa Street NE from O-S, Office/Service Zone District and R-3, Single Family Residence Zone District to C-3, Regional Commercial Zone District as requested by D & S Building Co., Inc. CIP/DID #RZNE-008136-2014

### **Background:**

The request for rezoning of these properties was reviewed by the City Planning Commission on March 27, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

The property is currently developed with an existing commercial building on 5015 Center Point Road and the other two parcels at 2025 Louisa Street and Sylvia Drive NE are vacant parcels. The applicant is rezoning the property to allow for the potential for expansion of the existing commercial development or redevelopment of commercial at this location. The applicant also has a pole sign on the O-S zoned property, which is non-conforming and is working with the City to upgrade the sign. In order to make future improvements to the sign, the C-3 Zoning is necessary. This application was submitted without a Preliminary Site Development Plan, so prior to major expansion or redevelopment of the site the property owner will need to submit an application for Preliminary Site Development Plan review and approval.

### **Application Process/Next Steps:**

<b>Actions</b>	<b>Comments</b>
City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on March 27, 2014 and recommended approval on a 7 to 0 vote. A portion of the minutes are included as Attachment A.</li> <li>There were no objectors and this is not a flood related item.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing and First Reading of the Ordinance are scheduled for April 22, 2014 to allow for public input.</li> <li>Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li> </ul>

- |  |  |
|--|--|
|  | <ul style="list-style-type: none"> <li>Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.</li> </ul> |
|--|--|

**Action / Recommendation:**

City staff recommends holding the public hearing and approval of 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 REGULAR MEETING,  
Thursday, March 27, 2014 @ 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  
Kim King

Members Absent: Allan Thoms

DSD Staff: Joe Mailander, Manager  
Vern Zakostecky, Planner  
Dave Houg, Plats & Zoning Conditions Coordinator  
CD Staff: Seth Gunnerson, Planner  
Jeff Hintz, 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 seven (7) Commissioners present.

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the March 6, 2014 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.

Commissioner Knox-Seymour made a motion to move the Conditional Use from the table. This case was tabled at the September 19, 2013 meeting. Commissioner Halverson seconded the motion.

The motion passed unanimously with none opposed.

***Case Name: 5015 Center Point Road NE, 2025 Sylvia Avenue NE and 5020 Louisa Street NE (Rezoning)***

Consideration of a rezoning from C-3, Regional Commercial Zone District, O-S, Office/Service Zone District and R-3, Single Family Residence Zone District to C-3, Regional Commercial Zone District as requested by D&S Building Co, Inc.  
(Applicant/Titleholder)

***Case No: RZNE-008136-2014; Case Manager: Joe Mailander***

Mr. Zakostelecky showed the location map and pointed out that the area on the north side of the property is active railroad line and I-380 to the west and ramp to Hwy 100, with Hwy 100 to the south and Center Point Road to the east. Most of the area is zoned commercial and because of the railroad and high traffic roadways that surrounds this property that this area would be more conducive for commercial. This is a rezoning without a site plan, and the applicant just wants to position themselves to market the property as commercial. Therefore any development on this site will come back with a Development Site Plan.

Commissioner Overland called for questions of Mr. Zakostelecky.

Commission Dahlby asked about the recommending condition about sidewalks connecting to existing trail system. Mr. Zakostelecky said that when the development plan was submitted it would be required.

Commissioner Halverson asked about uses shown on the future land use map  
Mr. Zakostelecky said the map shows the existing zoning and not proposed future land uses

Commissioner Overland called for a representative of the applicant.

Tred Schnoor, Schnoor Bonifazi, 431 5<sup>th</sup> Avenue SW stated that he was asked of the applicant to clean up the zoning of this parcel to clean up zoning issues.

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

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

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

The meeting was adjourned at 6:50 pm

Respectfully Submitted,  
Betty Sheets, Administrative Assistant  
Community Development

DSD            BSD  
ENG            STR  
FIR            RCR  
TITLEHOLDER WTR  
CONTACT      TED  
CLK            PKS  
RZNE-008136-2014

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 FOR PROPOSED O-S TO C-3 REZONING AREA:**

WEST OR REAR 125 FEET OF LOT 48 AND ALL OF LOTS 39 AND 49, "AUDITOR'S PLAT NO. 169, LINN COUNTY, IOWA" EXCEPT THE PUBLIC HIGHWAY.

**LEGAL DESCRIPTION FOR PROPOSED R-3 TO C-3 REZONING AREA:**

LOT 38, "AUDITOR'S PLAT NO. 169, LINN COUNTY, IOWA".

and located at Center Point Road and Collins Road NE, now zoned C-3, Regional Commercial Zone District, O-S, Office/Service Zone District and R-3, Single Family Residence Zone District, and as shown on the "District Map," be rezoned and changed to C-3, Regional Commercial Zone District, and that the property be used for such purposes as outlined in the C-3, Regional 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. That future development under this rezoning action shall be subject to the PSDP review process as set forth in Section 32.02.030.G. prior to issuance of building permit(s). Such Development shall meet all City development standards in effect at the time of plan submittal.
2. Direct access to Center Point Road NE shall be prohibited.
3. Sidewalk connections to the existing trail system will be required with future development.

4. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to construct 5' wide concrete sidewalk along Sylvia Avenue NE and Louisa Street NE adjoining this site. 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.).
5. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit to the City a signed Concrete Pavement Petition and Assessment Agreement for Street Improvements along Sylvia Avenue NE and Louisa Street NE adjoining this site. The City Public Works Department shall furnish the Agreement form upon request by the property owner.
6. 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.

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 22<sup>nd</sup> day of April, 2014.

ACCEPTANCE OF CONDITIONS OF REZONING

ORDINANCE NO.

I/we hereby agree to the terms and conditions set out in the attached Ordinance dated this

25<sup>th</sup> day of MARCH, 2014

D & S BUILDING CO., INC.

BY



Steve Dunsmuir, SR - AGENT  
(Please Print Name and Title)



**Council Agenda Item Cover Sheet**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** Vern Zakostelecky **Phone Number/Ext:** 319 286-5043  
**Email:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

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

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

A public hearing for April 22, 2014 to consider a change of zone for property at 4420 Bowling Street SW from I-2, General Industrial Zone District to R-3/RMH-O, Single Family Residence Zone District/Residential Manufactured/Mobile Home Park Overlay District and I-1, Light Industrial Zone District as requested by Prairie Oaks Homes, LLC. CIP/DID. #RZNE-008252-2014

**Background:**

The request for rezoning of this property was reviewed by the City Planning Commission on March 27, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

The property is currently developed with an existing manufactured home park, which is a legal non-conforming use in the I-2 Zoning District. The property should already be zoned R-3 with the RMH-O Overlay since the manufactured home park existed prior to the adoption in 2006 of the current Zoning Ordinance. The applicant is applying for rezoning in order to continue the manufactured home park use and to allow for development of self-storage garages for the residents of the park and the general public. The Preliminary Site Development Plan submitted includes the general layout of the existing park which is not changing other than the addition of storage garages and a more detail site plan for the proposed self-storage garages. The following proposed improvements are shown on the detailed site plan for the self-storage garages:

- Total site area-25,475 s. f.
- Removal/relocation of 7 manufactured housing units.
- Total proposed building area-7,400 s. f.
- Total of 41 storage units.
- Total parking-3 spaces including 1 handicap space.
- Access from existing driveway onto Bowling St. SW.
- No change to the rest of the existing manufactured home park..

**Application Process/Next Steps:**

Actions	Comments
City staff review	<ul style="list-style-type: none"> <li>• City staff reviewed the application and recommended revisions, which were made.</li> </ul>

City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on March 27, 2014 and recommended approval on a 7 to 0 vote. A portion of the minutes are included as Attachment A.</li> <li>There were no objectors and this is not a flood related item.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing and First Reading of the Ordinance are scheduled for April 22, 2014 to allow for public input.</li> <li>Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li> <li>Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.</li> </ul>

**Action / Recommendation:**

City staff recommends holding the public hearing and approval of 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

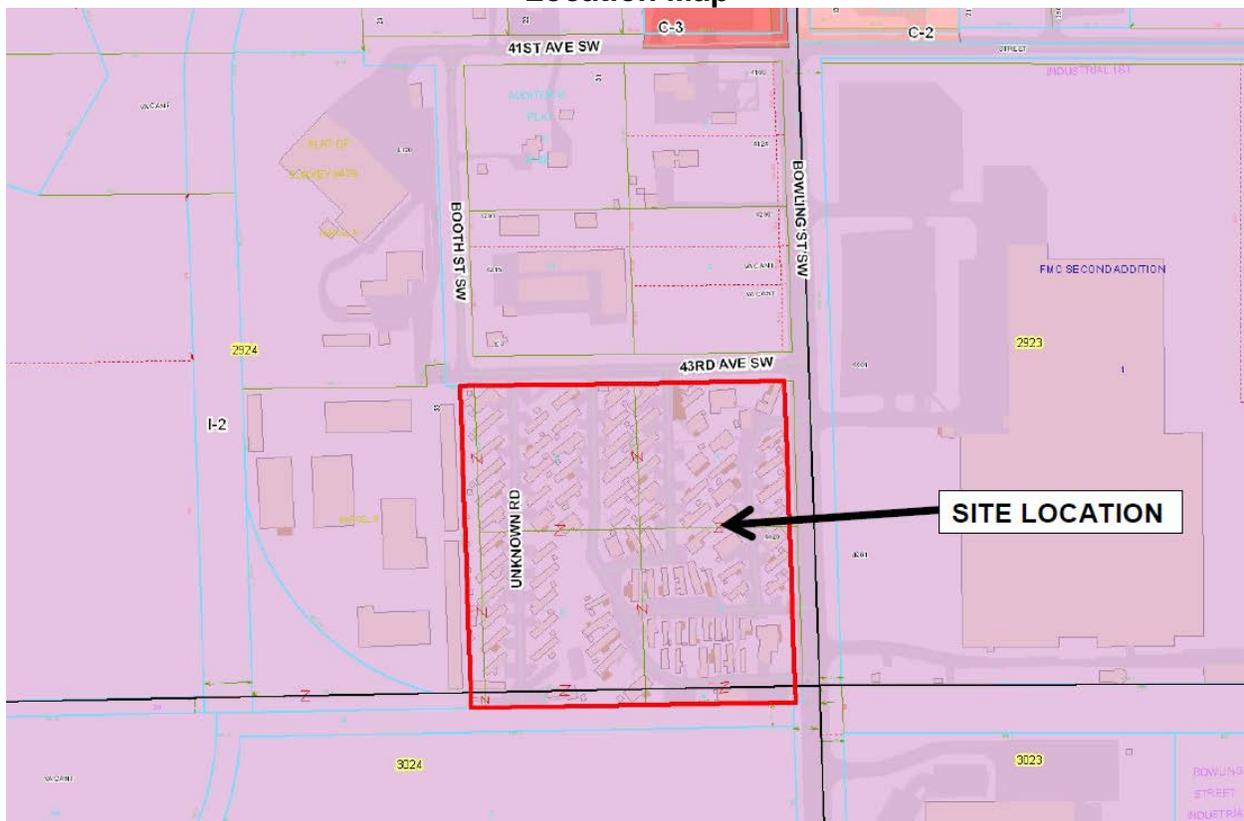
**Local Preference Policy** Applies  Exempt

**Explanation:**

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):**

**Location Map**





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 REGULAR MEETING,  
Thursday, March 27, 2014 @ 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  
Kim King

Members Absent: Allan Thoms

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

CD Staff: Seth Gunnerson, Planner  
Jeff Hintz, 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 seven (7) Commissioners present.

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the March 6, 2014 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.

Commissioner Knox-Seymour made a motion to move the Conditional Use from the table. This case was tabled at the September 19, 2013 meeting. Commissioner Halverson seconded the motion.

The motion passed unanimously with none opposed.

***Case Name: 4420 Bowling Street SW (Rezoning)***

Recommendation for approval of a rezoning from I-2, General Industrial Zone District to I-1, Light Industrial Zone District and RMH-O, Residential Manufactured/Mobile Home Park Overlay District as requested by Prairie Oaks Homes LLC (Applicant/Titleholder)

***Case No: RZNE-008252-2014; Case Manager: Joe Mailander***

Mr. Zakostecky showed a location map and said that it is a manufactured home park developed in 1942 that shows up on the map as heavy industrial. The request to rezone to R-3/RMH-O

The other part of the request is the applicant wants to have storage garages built for the general public as well as the tenants in the park. The rezoning needs to go from I-2 to I-1. A 41 unit storage garage is being requested to market to the general public. Mr. Zakostecky showed a rendering of the storage units.

Commissioner Overland called for questions of Mr. Zakostecky. No questions were asked of Mr. Zakostecky

Commissioner Overland called for a representative of the applicant.

Dan Schmidt, Brain Engineering stated that seven mobile home units would be relocated within the park itself to make way for the storage garages.

Commissioner Overland called for questions of the applicant.

Commissioner Dahlby asked if the tenants had been asked if there were any concerns and would there be additional traffic. Mr. Schmidt stated that the tenants had asked for additional storage on site. The tenants would have first chance on renting the storage units with the possibility of renting to outsiders.

Commissioner Dahlby asked if this would be 24 hours for everyone renting units. Mr. Schmidt stated it would be.

Commissioner Knox-Seymour asked if there were only 3 parking spaces. Mr. Zakostecky stated that there would be no office and parking would be in front of the units.

Commissioner Halverson asked if a PUD had been discussed for this project.

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 an I-2, General Industrial Zone District to R-3, Single Family Zone District with RMH-O, Residential Manufactured/Mobile Home Park Overlay District. Commissioner Halverson seconded the motion.

Commissioner Overland called for a motion to approve the rezoning. Commissioner Knox-Seymour made a motion to approve the rezoning in an I-2, General Industrial Zone District to I-1, Light Industrial Zone District. Commissioner Pankey seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

The meeting was adjourned at 6:50 pm

Respectfully Submitted,  
Betty Sheets, Administrative Assistant  
Community Development

DSD           BSD  
ENG           STR  
FIR           RCR  
TITLEHOLDER WTR  
CONTACT      TED  
CLK           PKS  
RZNE-008252-2014

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;

Commencing as a point of reference at the intersection of the south right-of-way line of 43rd Avenue SW and the west right-of-way line of Bowling Street SW;  
thence S-ly along said west right-of-way line, 461 feet to the point-of-beginning;  
thence continuing S-ly along said west right-of-way line, 24 feet:  
thence W-ly, 62 feet;  
thence NW-ly, 35 feet;  
thence W-ly, 270 feet;  
thence N-ly, 89 feet;  
thence E-ly, 211 feet;  
thence S-ly, 37 feet;  
thence E-ly, 79 feet;  
thence S-ly, 48 feet;  
thence E-ly, 72 feet to the west right-of-way line of said Bowling Street SW and the point-of-beginning.

LEGAL DESCRIPTION (I-2 TO RMH-O)

Lots 5, 6, 7, and 8, Auditor's Plat No. 188, Linn County, Iowa, excepting therefrom all public highways;

and

Lot 4, excepting therefrom the East 17 feet, and all of Lot 9, Auditor's Plat No. 188, Linn County, Iowa and the East 1/2 of vacated Booth Street S.W., lying westerly of and adjacent to the west line of Lot 7, Lot 8 and Lot 9, Auditor's Plat No. 188, Linn County, Iowa.

Except;

Commencing as a point of reference at the intersection of the south right-of-way line of 43rd Avenue SW and the west right-of-way line of Bowling Street SW;  
thence S-ly along said west right-of-way line, 461 feet to the point-of-beginning;  
thence continuing S-ly along said west right-of-way line, 24 feet:  
thence W-ly, 62 feet;

thence NW-ly, 35 feet;  
thence W-ly, 270 feet;  
thence N-ly, 89 feet;  
thence E-ly, 211 feet;  
thence S-ly, 37 feet;  
thence E-ly, 79 feet;  
thence S-ly, 48 feet;  
thence E-ly, 72 feet to the west right-of-way line of said Bowling Street SW and  
the point-of-beginning.

and located at 4420 Bowling Street SW, now zoned I-2, General Industrial Zone District, and as shown on the "District Map," be rezoned and changed to I-1, Light Industrial Zone District, and that the property be used for such purposes as outlined in the I-1, Light Industrial Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

Conditions for I-1 Zoning District:

1. Subject property shall be platted per State and City platting regulations.
2. That prior to the issuance of a building permit, evidence of recorded shared access and parking easement agreements must be submitted.
3. Required side and rear buffer-yards shall be provided or a variance must be obtained.
4. PRIOR TO ISSUANCE OF A BUILDING PERMIT, the property owner shall provide evidence of shared access easements across lot lines to accommodate traffic in and out of the development.

Conditions for R-3 with RMH-O Zoning Districts:

1. Subject property shall be platted per State and City platting regulations.
2. Development on subject property shall comply with provisions of Chapter 65 of the Cedar Rapids Municipal Code.

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 22<sup>nd</sup> day of April, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** Vern Zakostelecky  
**Email:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

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

**Alternate Contact Person:** Joe Mailander  
**Email:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

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

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

A public hearing will be held to consider granting a change of zone for property at 1508 6<sup>th</sup> Avenue SE, 1542 Bever Avenue SE and 1707 Washington Avenue SE from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Affordable Housing Network. Inc. CIP/DID. #RZNE-008228-2014

### **Background:**

The request for rezoning of these properties was reviewed by the City Planning Commission on March 27, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

The properties are currently undeveloped and in the Wellington Heights Neighborhood. The applicant wishes to develop the lots with a single-family homes, which would provide for in-fill in an area that has seen increased interest in rehabbing of existing residential properties and new construction on lots that are vacant. The R-TN Zoning District was created for neighborhoods like this to allow vacant lots to be redeveloped since the lot does not meet the minimum requirements for the current R-3 Zoning District. Since this is a rezoning for single-family residential there is no site plan requirement at this time. A detailed site plan will be required at the time of application for a building permit.

### **Application Process/Next Steps:**

<b>Actions</b>	<b>Comments</b>
City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on March 27, 2014 and recommended approval on a 7 to 0 vote. A portion of the minutes are included as Attachment A.</li> <li>There were was one objector and this is not a flood related item.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing and First Reading of the Ordinance are scheduled for April 22, 2014 to allow for public input.</li> <li>Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li> <li>Approval of the rezoning will be subject to the conditions stated in the</li> </ul>

attached Ordinance.

**Action / Recommendation:**

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

**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 Maps**







**MINUTES  
CITY PLANNING COMMISSION REGULAR MEETING,  
Thursday, March 27, 2014 @ 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  
Kim King

Members Absent: Allan Thoms

DSD Staff: Joe Mailander, Manager  
Vern Zakostecky, Planner  
Dave Houg, Plats & Zoning Conditions Coordinator  
CD Staff: Seth Gunnerson, Planner  
Jeff Hintz, 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 seven (7) Commissioners present.

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the March 6, 2014 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.

Commissioner Knox-Seymour made a motion to move the Conditional Use from the table. This case was tabled at the September 19, 2013 meeting. Commissioner Halverson seconded the motion.

The motion passed unanimously with none opposed.

***Case Name: 1508 6<sup>th</sup> Avenue SE; 1542 Bever Avenue SE; 1707 Washington Avenue SE (Rezoning)***

Consideration of three (3) Rezoning from R-3, Single Family Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Affordable Housing Network, Inc. (Applicant/Titleholder)

***Case No: RZNE-008228-2014; RZNE-008229-2014 and RZNE-008230-2014 Case***

***Manager: Joe Mailander***

Commissioner Overland stated that the next three agenda items no. 4, 5 and 6 are all requesting the same thing and suggested that the applicant make the presentation on behalf of all three and then the Commissioners would vote all three individually.

Mr. Zakostecky stated the three addresses are in the Wellington Heights Neighborhood area, lots that previous had homes on them and the applicant wants to rezone these to Traditional Neighborhood Zone District to allow for infill on these lots. Mr. Zakostecky showed a location map as well as a rendering of the homes that would be built.

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

Commissioner Overland called for a representative of the applicant.

Kathie Pennetta, Affordable Housing Network Inc., 404 17<sup>th</sup> Street SE responded to the objections that were raised by a Steve Hanken for the property at 1508 6<sup>th</sup> Avenue SE:

Objection: AHNI is the only group in Wellington Heights conducting rehabilitation activity.  
Response: False. In addition to AHNI, many contractors and groups are in the neighborhood rehabbing buildings, both for-profit and non-profit. AHNI has been outbid on several properties by for-profit contractors/individuals. The market has many players.

Objection: AHNI is destroying the character of the neighborhood.  
Response: False. AHNI is working in collaboration with the Wellington Heights Neighborhood Association to preserve the character of the neighborhood by turning rentals into homeownership opportunities for working families in Cedar Rapids. We have already sold several homes and we have 20 working families currently occupying Homeownership Incubator Program homes, which they will purchase within three years. AHNI also preserves the historic character of the neighborhood by rehabbing homes in the area and preserving the unique architectural features of these homes.

Objection: AHNI's activity is destroying property values in the neighborhood.  
Response: False. AHNI's rehab activity generally increases the value of properties it works on, which can only pull up the value of properties surrounding these improved buildings. One example is 1439 Bever Avenue SE, which saw an increase in assessed value of 47% after it was rehabbed by AHNI (about \$44K to \$65K). The new construction house built at 1508 6<sup>th</sup> Avenue SE is expected to appraise at \$150K.

Objection: AHNI's activities concentrate poverty in the neighborhood.

Response: False. AHNI's renters and homeowners are working families and individuals. AHNI's rental properties in the neighborhood are made available at market rates (\$750 for a single family home). All renters are required to pay rent, and payment generally comes from families whose main source of income is from employment. The new houses being constructed by AHNI in Wellington Heights are accessible to households with incomes up to 100% of the area median (about \$75K for a family of four in Cedar Rapids).

Objection: The Wellington Heights Neighborhood Association is not representative of the neighborhood.

Response: False. The Wellington Heights Neighborhood Association is one of the strongest associations in the City. Attendance at these meetings is among the highest of any neighborhood association in the City. The Wellington Heights Neighborhood Association strongly supports the new construction homes planned for the area.

Objection/  
Concern:

The author of the objection letter appears to complain at length about assessed values in the neighborhood, and in particular that they do not match market values.

Response: Assessed values do not generally match market value because of the different methods used to determine these values. In some neighborhoods, assessed values and market values are further apart than in other neighborhoods. AHNI's activities in the neighborhood do not impact the mismatch of assessed versus market value for any particular house. AHNI's investment in the neighborhood can only increase the value of properties it rehabilitates, and as a result, pull up values of properties surrounding each improved building.

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 member of the public wished to speak.

***1. Case Name: 1508 6<sup>th</sup> Avenue SE; (Rezoning)***

Commissioner Overland called for a motion to approve the rezoning. Commissioner Halverson made a motion to approve the rezoning at 1508 6<sup>th</sup> Avenue SE from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District. Commissioner Pankey seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

***2. 1542 Bever Avenue SE (Rezoning)***

Commissioner Overland called for a motion to approve the rezoning. Commissioner King made a motion to approve the rezoning at 1542 Bever Avenue SE from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District. Commissioner Dahlby seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

**3. Case Name: 1707 Washington Avenue SE (Rezoning)**

Commissioner Overland called for a motion to approve the rezoning. Commissioner Knox-Seymour made a motion to approve the rezoning from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District. Commissioner Dahlby seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

The meeting was adjourned at 6:50 pm

Respectfully Submitted,  
Betty Sheets, Administrative Assistant  
Community Development

DSD            BSD  
ENG            STR  
FIR            RCR  
TITLEHOLDER WTR  
CONTACT      TED  
CLK            PKS  
RZNE-008228-2014

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;

The West 40 feet of Lot 13, Block 5, Wellington Place Fifth Addition to Cedar Rapids, Linn County, Iowa

and located at 1508 6th Avenue SE, now zoned R-3, Single Family Residence Zone District, and as shown on the "District Map," be rezoned and changed to R-TN, Traditional Neighborhood Residence Zone District, and that the property be used for such purposes as outlined in the R-TN, Traditional Neighborhood Residence Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit to the City a signed Concrete Pavement Petition and Assessment Agreement for Alley Improvements adjoining this site. The City Public Works Department shall furnish the Agreement form upon request by the property owner.
2. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible for removal and replacement of City sidewalk along 6<sup>th</sup> Avenue SE adjoining this site, damaged as a result of construction activities or not meeting ADA requirements will be required to be replaced on this site. Said removal and replacement areas shall be determined by the City Public Works Department, shall be completed by the property owner, and approved by the City.
3. Work within the right of way will require separate excavation permits.

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 22nd day of April, 2014

DSD            BSD  
ENG            STR  
FIR            RCR  
TITLEHOLDER WTR  
CONTACT      TED  
CLK            PKS  
RZNE-008229-2014

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;

The East 20 feet of Lot 17 and the West 20 feet of Lot 18, Block 13, "The Bever Park Addition to Cedar Rapids," Linn County, Iowa

and located at 1542 Bever Avenue SE, now zoned R-3, Single Family Residence Zone District, and as shown on the "District Map," be rezoned and changed to R-TN, Traditional Neighborhood Residence Zone District, and that the property be used for such purposes as outlined in the R-TN, Traditional Neighborhood Residence Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit to the City a signed Concrete Pavement Petition and Assessment Agreement for Alley Improvements adjoining this site. The City Public Works Department shall furnish the Agreement form upon request by the property owner.
2. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible for removal and replacement of City sidewalk along 6<sup>th</sup> Avenue SE adjoining this site, damaged as a result of construction activities or not meeting ADA requirements will be required to be replaced on this site. Said removal and replacement areas shall be determined by the City Public Works Department, shall be completed by the property owner, and approved by the City.
3. Work within the right of way will require separate excavation permits.

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 22<sup>nd</sup> day of April, 2014.

DSD            BSD  
ENG            STR  
FIR            RCR  
TITLEHOLDER WTR  
CONTACT      TED  
CLK            PKS  
RZNE-008230-2014

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;

West 40 feet of Lot 5, Block 17, Bever Park Second Addition to Cedar Rapids, Linn County, Iowa

and located at 1707 Washington Avenue SE, now zoned R-3, Single Family Residence Zone District, and as shown on the "District Map," be rezoned and changed to R-TN, Traditional Neighborhood Residence Zone District, and that the property be used for such purposes as outlined in the R-TN, Traditional Neighborhood Residence Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit to the City a signed Concrete Pavement Petition and Assessment Agreement for Alley Improvements adjoining this site. The City Public Works Department shall furnish the Agreement form upon request by the property owner.
2. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible for removal and replacement of City sidewalk along 6<sup>th</sup> Avenue SE adjoining this site, damaged as a result of construction activities or not meeting ADA requirements will be required to be replaced on this site. Said removal and replacement areas shall be determined by the City Public Works Department, shall be completed by the property owner, and approved by the City.
3. Work within the right of way will require separate excavation permits.

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 22<sup>nd</sup> day of April, 2014.



**Council Agenda Item Cover Sheet**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** Vern Zakostelecky  
**Email:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

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

**Alternate Contact Person:** Joe Mailander  
**Email:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

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

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

A public hearing to consider granting a change of zone for property at north of Blairs Ferry Road and west of Michael Drive and Sanden Road NE from A, Agriculture Zone District to R-1, Single Family Residence Zone District as requested by Wexford, Inc., Galilee Baptist Church of Cedar Rapids, Salem United Methodist Church of Cedar Rapids and La Vonne E. Hudson. CIP/DID #RZNE-008263-2014

**Background:**

The request for rezoning of this property was reviewed by the City Planning Commission on March 27, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

The applicant is requesting rezoning to allow for the residential development of Wexford Heights First Addition to the City of Cedar Rapids.

The Preliminary Plat consists of the following:

- Total site area is 49.05 acres
- Total number of proposed lots is 83
- Proposed access to the development will be through Rapids Ridge Drive NE, Sanden Road NE and Michael Drive NE
- Storm water management will be provided for in two separate basins, one public owned and one privately owned.

**Application Process/Next Steps:**

Actions	Comments
City staff review	<ul style="list-style-type: none"> <li>• City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>• The City Planning Commission reviewed the application on March 27, 2014 and recommended approval a 7 to 0 vote. A portion of the minutes are included as Attachment A.</li> <li>• There were objectors and this is not a flood related item.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>• A Public Hearing and First Reading of the Ordinance are scheduled for April 22, 2014 to allow for public input.</li> </ul>

- |  |  |
|--|--|
|  | <ul style="list-style-type: none"> <li>• Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li> <li>• Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.</li> </ul> |
|--|--|

**Action / Recommendation:**

City staff recommends holding the public hearing and possible approval of 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

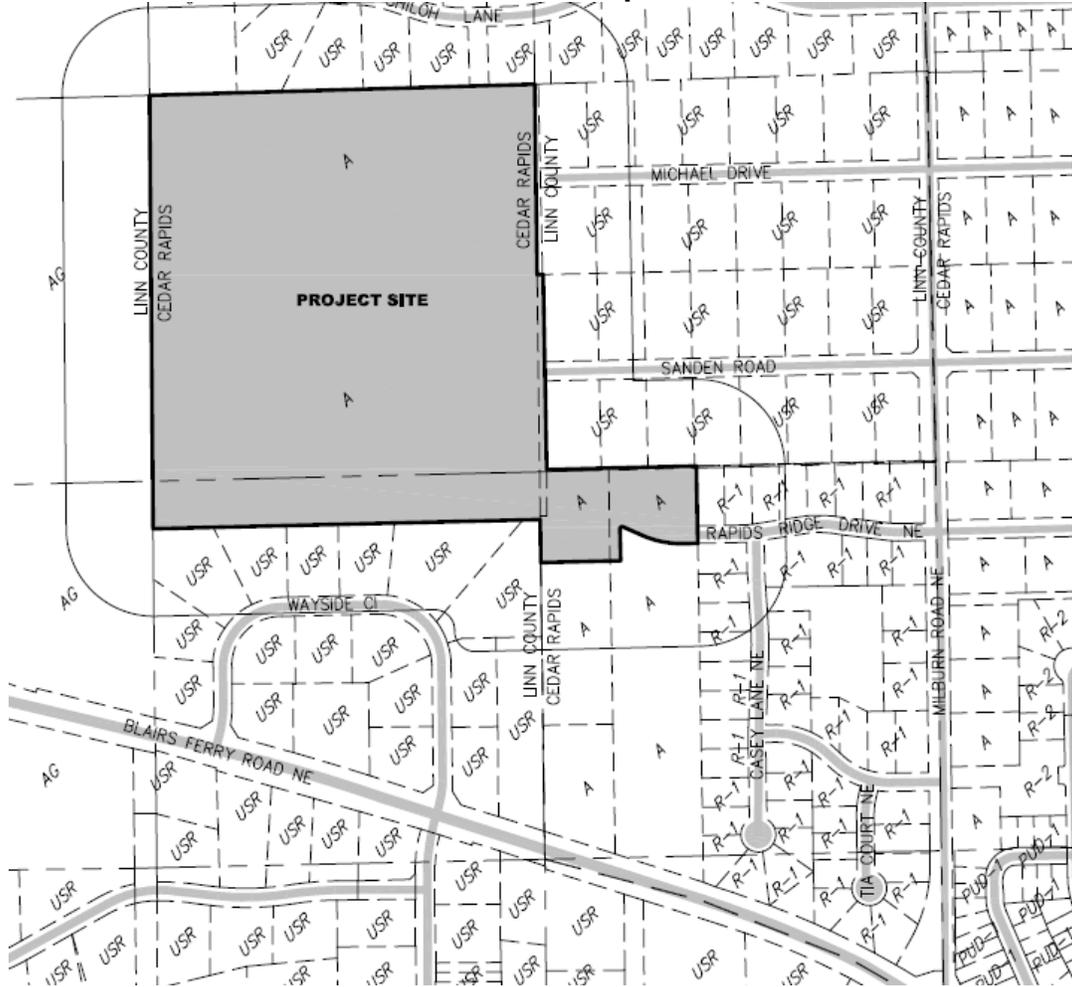
**Local Preference Policy** Applies  Exempt

**Explanation:**

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):**

**Location Map**





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 REGULAR MEETING,  
Thursday, March 27, 2014 @ 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  
Kim King

Members Absent: Allan Thoms

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

CD Staff: Seth Gunnerson, Planner  
Jeff Hintz, 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 seven (7) Commissioners present.

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the March 6, 2014 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.

Commissioner Knox-Seymour made a motion to move the Conditional Use from the table. This case was tabled at the September 19, 2013 meeting. Commissioner Halverson seconded the motion.

The motion passed unanimously with none opposed.

**1. Case Name: Wexford Heights First Addition (Major Preliminary Plat and Rezoning)**

- a) Consideration of a Major Preliminary Plat, for property north of Blairs Ferry Road NW and east of Michael Drive and Sanden Road as requested by Wexford, Inc. (Applicant) Galilee Baptist Church of Cedar Rapids, Russell and Marjorie Morris, Salem United Methodist Church of Cedar Rapids and LaVonne Hudson (Titleholders).

*Case No: PRPT-008261-2014; Case Manager: Chris Strecker*

- b) Consideration of a rezoning for property north of Blairs Ferry Road NW and east of Michael Drive and Sanden Road from A, Agriculture Zone District to R-1, Single Family Zone District as requested by Wexford, Inc. (Applicant) Galilee Baptist Church of Cedar Rapids, Russell and Marjorie Morris, Salem United Methodist Church of Cedar Rapids and LaVonne Hudson (Titleholders).

*Case No: RZNE-008263-2014; Case Manager: Joe Mailander*

Mr. Zakostelecky stated this is property that was recently annexed into Cedar Rapids. The development consists of 83 single-family lots with 1/3 acre lots adjacent to existing residential. Mr. Zakostelecky showed a photo of the site and the Preliminary Plat.

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

Commissioner Overland called for a representative of the applicant.

Representatives included Dustin Kerns, 1077 7<sup>th</sup> Street, Marion, one of the managing developers for the project along with Jon Dusek and Tred Schnoor, Schnoor Bonifazi Engineering, 421 5<sup>th</sup> Avenue SW

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

Commissioner Overland called for members of the public who wished to speak.

Verl Day, 5851 Sanden Road stated that adjacent lots be 1/3 acre and asked if they would consider the lots to be larger.

Andrew Barden, 6075 Wells Lane stated he has a horse pasture is on the north side of this property and is concerned about the drainage and he is concerned about the electricity fence for safety of young children.

Mr. Schnoor said that drainage is always a huge concern and would recommend working with the neighbor to resolve the issue. Mr. Schnoor further stated that most of the lots are larger than a third acre. Mr. Kerns said they would be comfortable with making the lots larger than designed.

Commissioner Overland called for a motion to approve the Major Preliminary Plat. Commissioner King made a motion to approve the Major Preliminary Plat. Commissioner Pankey seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

Commissioner Overland called for a motion to approve the rezoning. Commissioner Knox-Seymour made a motion to approve the rezoning from A, Agriculture Zone District to R-1, Single Family Zone District. Commissioner Halverson seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

The meeting was adjourned at 6:50 pm

Respectfully Submitted,  
Betty Sheets, Administrative Assistant  
Community Development

DSD                   BSD  
ENG                   STR  
FIR                   RCR  
TITLEHOLDER       WTR  
CONTACT             TED  
CLK                   PKS  
RZNE-008263-2014

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;

Wexford Heights First Addition to Cedar Rapids, Iowa is that part of Blair-Winds First Addition to Linn County, Iowa, that part of the Southwest Quarter of the Northeast Quarter, that part of the Northeast Quarter of the Southwest Quarter, that part of the Northwest Quarter of the Southeast Quarter, and the Southeast Quarter of the Northwest Quarter of Section 36, Township 84 North, Range 8 West of the 5th P.M., described as follows:

Beginning at the Southwest corner of said Southeast Quarter of the Northwest Quarter of said Section 36;  
thence North 00° 27' 13" West 1,326.75 feet along the West line, to the Northwest corner thereof;  
thence North 88° 20' 12" East 1,321.31 feet along the North line of said Southeast Quarter of the Northwest Quarter to the Northeast corner thereof;  
thence South 00° 43' 21" East 654.95 feet along the East line of said Southeast Quarter of the Northwest Quarter of said Section 36;  
thence North 88° 42' 25" East 20.58 feet to the Northwest corner of Lot 8, Lyon's Fifth Addition to Linn County, Iowa;  
thence South 01° 02' 00" East 671.22 feet along the West line of said Lyon's Fifth Addition to the Southwest corner of Lot 9, Lyon's Fifth Addition to Linn County Iowa also being a point on the North line of Blair-Winds First Addition to Linn County, Iowa;  
thence North 88° 36' 29" East 513.72 feet along said North line to the Northeast corner thereof;  
thence South 00° 59' 11" East 205.55 feet along the East line of said Blair-Winds First Addition to a point of intersection with the North right-of-way line of Rapids Ridge Road NE, also being the beginning of a 60.00 foot radius curve concave Southeasterly;  
thence Southwesterly along said North right-of-way line through a central angle of 175° 08' 51" an arc distance of 183.41 feet (chord bearing South 61° 26' 24" West 119.89 feet) to the beginning of a 330.00 foot radius curve concave Northeasterly;  
thence Northwesterly through a central angle of 15° 29' 42" an arc distance of 89.24 feet (chord bearing North 73° 44' 55" West 88.97 feet);  
thence North 66° 00' 05" West 80.67 feet;

thence South 56° 30' 06" West 8.70 feet;  
thence South 00° 59' 44" East 115.64 feet;  
thence South 88° 36' 29" West 267.71 feet to a point on the East line of the  
Northeast Quarter of the Southwest Quarter of said Section 36;  
thence North 00° 43' 32" West 148.13 feet along said East line to the Northeast  
corner of Blair Ridge Estates Addition to Linn County, Iowa;  
thence South 88° 37' 21" West 1,328.05 feet along the North line of said Blair  
Ridge Estates Addition to a point of intersection with the West line of the  
Northeast Quarter of the Southwest Quarter of said Section 36;  
thence North 00° 30' 43" West 163.88 feet along said West line to the Point of  
Beginning, containing 49.05 acres, subject to Covenants, Easements and  
Restrictions of Records.

For purposes of this description, the West line of the Southeast Quarter of the  
Northwest Quarter of Section 36, Township 84 North, Range 8 West of the 5th  
P.M., Cedar Rapids, Linn County, Iowa, is assumed to bear North 00° 27' 13"  
West.

and located north of Blairs Ferry Road NW and east of Michael Drive and Sanden Road, now  
zoned A, Agriculture Zone District, and as shown on the "District Map," be rezoned and  
changed to R-1, Single Family Residence Zone District, and that the property be used for such  
purposes as outlined in the R-1, Single Family Residence Zone District, as defined in Chapter  
32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. Those Lots 1-10, 34-45, 47-50 and 58-64 as shown on the preliminary plat shall meet  
the minimum lot size for the R-T, Single Family Transitional Residence Zone District as  
set forth in the City Zoning Ordinance.

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 22<sup>nd</sup> day of April, 2014.

## Public Hearing and First Reading of Ordinance

Consent Agenda       Regular Agenda

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Utilities Department

**Primary Contact:** Steve Hershner    **Phone:** 5281    **E-mail Address:** [s.hershner@cedar-rapids.org](mailto:s.hershner@cedar-rapids.org)

**Alternate Contact:** Bruce Jacobs    **Phone:** 5913    **E-mail Address:** [b.jacobs@cedar-rapids.org](mailto:b.jacobs@cedar-rapids.org)

**Description of Agenda Item:**

A public hearing will be held to consider an ordinance to establish the Willowbrook-Georgia-Woodview Water and Sewer Extension Area (Steve Hershner).

- a. First Reading: Ordinance to establish the Willowbrook-Georgia-Woodview Water and Sewer Extension Area. CIP/DID #OB1115312

**Background:**

In 2010 some owners of property within the Crestwood Acres subdivision, an unincorporated area of Linn County, had concerns regarding the continued availability of water from the aging private community well system serving them at the time, and concerns regarding remaining service life of their septic systems. These property owners requested the City of Cedar Rapids to install and provide water and sanitary sewer service for their homes. The City of Cedar Rapids agreed to extend water mains and sanitary sewers to serve the properties provided that property owners annex to the City of Cedar Rapids, and pay a portion of the costs of extending such mains and sewers through an extension fee when they connect to the Cedar Rapids mains and sewers. An extension fee for these properties in the area was determined in 2011 to be \$35.00 per foot of lot frontage for water and \$35.00 per foot of lot frontage for sanitary sewer, with a maximum extension fee based on 200 feet of lot frontage.

The City of Cedar Rapids Public Works and Utilities Departments completed installation of water mains and sanitary sewers into the area in 2013 through project 625884-2012027-02, serving twenty-three (23) lots in the Crestwood Acres subdivision.

As of March 1, 2014, owners of thirteen (13) of the twenty-three (23) lots within the area now served with water and sanitary sewer have signed annexation agreements, paid extension fees as established, and have connected to the water and sanitary sewer. Two others have applied for Water and Sewer utility services and will. The thirteen (13) lots within the Extension Area that have been connected to water and sanitary sewer each paid their share of the extension costs at the established rate, averaging \$12,374 per lot.

The creation of a Water and Sewer Extension Area defines the properties served and fixes the cost participation for remaining lots within the project limits independent of future connection fee changes. If the Extension Area is not created and future connection fees are reduced the cost recovery from remaining lots would not support the infrastructure investment the City has made in this area, and would unfairly advantage the property owners who have not yet applied for service.

The timeline for adoption of the ordinance will be as follows:

April 22, 2014 – Public Hearing and First Reading of the Ordinance

May 27, 2014 – Second Reading (Third Reading may be combined with Second Reading)

June 10, 2014 – Third Reading (if not adopted at the May 27, 2014 council meeting)

**Action / Recommendation:**

The Utilities Department recommends holding the Public Hearing and approval of the first reading of this Ordinance.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 4/22/2014

**Council Meeting Date:** 4/22/2014

**Estimated Presentation Time:** 5 Minutes

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

**Included in Current Budget Year:** N/A

**Analysis of the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** N/A

**Purchasing Department used or Purchasing Guidelines followed:** N/A

**Local Preference Policy** Applies  Exempt

**Explanation:** N/A

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):** N/A

ORDINANCE NO.

ORDINANCE ESTABLISHING THE WILLOWBROOK-GEORGIA-WOODVIEW NORTHEAST  
WATER AND SEWER EXTENSION AREA AND AN EXTENSION FEE FOR WATER MAINS  
AND SANITARY SEWERS

WHEREAS, some owners of property within the Crestwood Acres subdivision, an unincorporated area of Linn County, had concerns regarding the continued availability of water from the aging private community well system serving them at the time, and concerns regarding remaining service life of their septic systems, and

WHEREAS, these owners requested the City of Cedar Rapids to install and provide water and sanitary sewer service for their homes, and

WHEREAS, the City of Cedar Rapids agreed to extend water mains and sanitary sewers to serve the properties provided that property owners annex to the City of Cedar Rapids, and pay a portion of the costs of extending such mains and sewers through an extension fee when they connect to the Cedar Rapids mains and sewers, and

WHEREAS, an extension fee for these properties in the area was determined in 2011 to be \$35.00 per foot of lot frontage for water and \$35.00 per foot of lot frontage for sanitary sewer, with a maximum extension fee based on 200 feet of lot frontage, and

WHEREAS, the City of Cedar Rapids Public Works and Utilities Departments completed installation of water mains and sanitary sewers into the area in 2013 through project 625884-2012027-02, and

WHEREAS, as of March 1, 2014, owners of thirteen (13) of the twenty-three (23) lots within the area now served with water and sanitary sewer have signed annexation agreements, paid extension fees as established, and have connected to the water and sanitary sewer (Lots 2, 3, 12, 15, 25, 27, 30, 35 36, 38, 39, 40, and 41), and

WHEREAS, the Public Works and Utilities Departments have named the area served by the project as the "Willowbrook-Georgia-Woodview Northeast Water and Sanitary Sewer Extension Area," and

WHEREAS, the Public Works and Utilities Departments recommend adoption of an ordinance establishing the extension fees for the remaining lots within the Willowbrook-Georgia-Woodview Northeast Water and Sewer Extension Area,

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

1. A Water and Sanitary Sewer Extension Area known as the 'WILLOWBROOK-GEORGIA-WOODVIEW NORTHEAST WATER AND SANITARY SEWER EXTENSION AREA' is hereby created (hereinafter referred to as 'Extension Area').
2. The Extension Area includes twenty-three (23) lots identified as Crestview Acres, Linn County, Lots numbered 2, 3, 4, 11,12,15,16, 19, 20, 25, 26, 27, 28, 29, 30, 31, and 35 thru 41 as identified on the attached exhibit 1.

3. An extension fee is hereby established for lots within the Extension Area at \$35.00 per foot of lot frontage for water and \$35.00 per foot of lot frontage for sanitary sewer, with a maximum extension fee based on 200 feet of lot frontage. An extension fee for a lot is due and payable in full at the time water and/or sewer services are provided.
4. The Extension Area, and extension fee, will remain in effect until all lots within the Extension Area are connected to City of Cedar Rapids water and sewer and annexed into the City of Cedar Rapids.
5. 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. All ordinances or parts of ordinances in conflict herewith are repealed. This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.
6. This ordinance will become part of the City of Cedar Rapids Municipal Code by inclusion in the same manner as are certain franchise and other ordinances.

Introduced this \_\_\_\_ day of April, 2014.

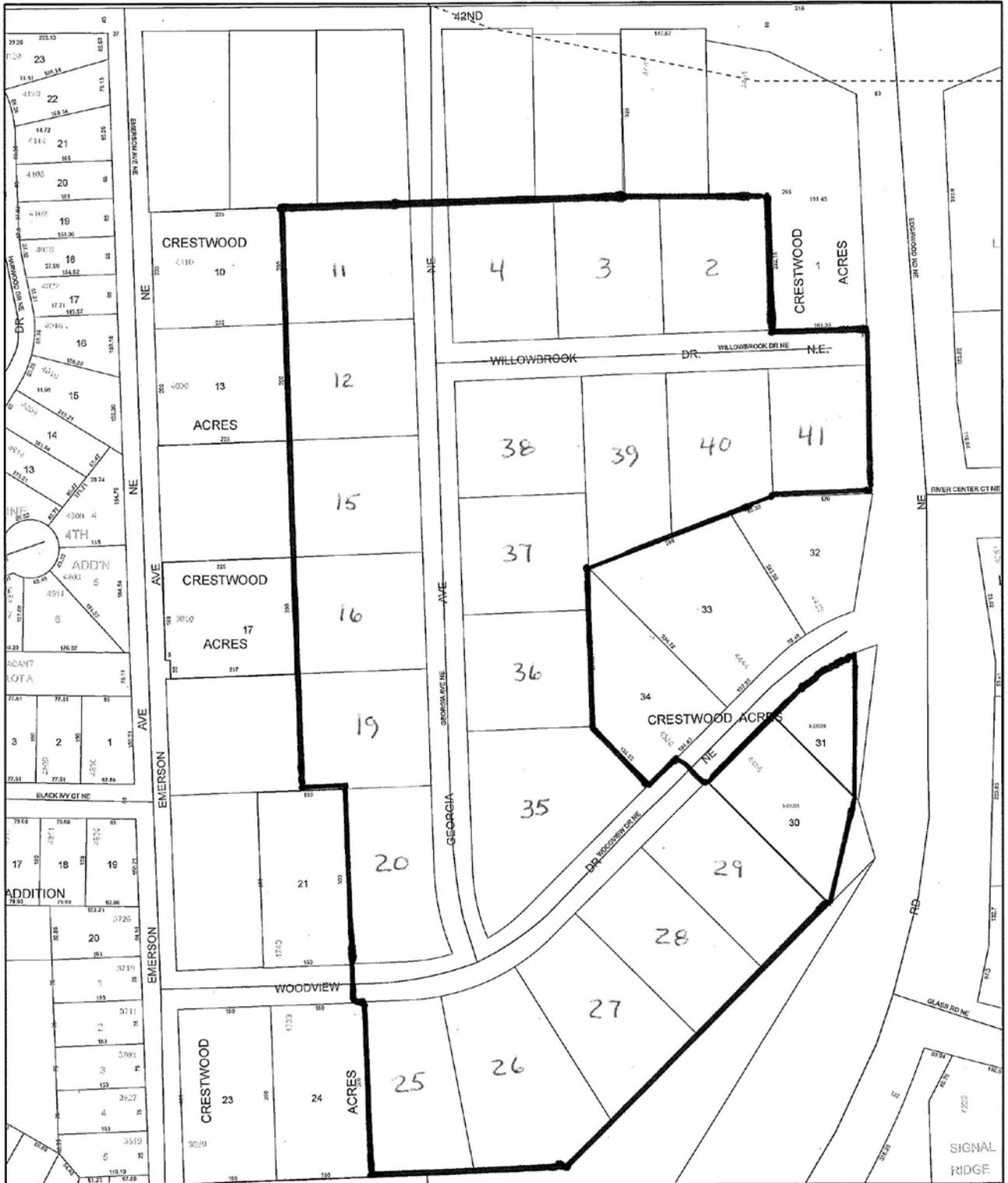
Passed this: \_\_\_\_\_ day of May, 2014

\_\_\_\_\_, Mayor  
Ron J. Corbett

Attest:

\_\_\_\_\_, City Clerk  
Amy Stevenson

# Exhibit 1



This product has been developed by City of Cedar Rapids staff for City purposes. The GIS database and data in the product is subject to constant change, and the accuracy and completeness cannot be guaranteed. CITY OF CEDAR RAPIDS MAKES NO WARRANTIES OR GUARANTEES, EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS, ACCURACY OR CORRECTNESS OF SUCH PRODUCT, NOR ACCEPTS ANY LIABILITY ARISING FROM ANY INCORRECT, INCOMPLETE, OR MISLEADING INFORMATION CONTAINED THEREIN. No part of product may be copied, reproduced or transmitted in any form or by means whatsoever, including but not limited to electronic, mechanical, photocopying, recording, scanning, or any information retrieval system or any non-approved purpose without express written consent of the City of Cedar Rapids.

**WILLOWBROOK-GEORGIA-WOODVIEW  
NORTHEAST AREA WATER AND SEWER  
EXTENSION AREA**

## **PUBLIC HEARING Item Cover Sheet**

Consent Agenda       Regular Agenda

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Utilities – Water Division

**Presenter at meeting:** Steve Hershner    **Phone:** 5281    **E-mail:** [SteveHe@cedar-rapids.org](mailto:SteveHe@cedar-rapids.org)

**Alternate Contact:** Andrew Lundy      **Phone:** 5968    **E-mail:** [a.lundy@cedar-rapids.org](mailto:a.lundy@cedar-rapids.org)

**Description of Agenda Item:** (insert same wording as used on agenda summary)

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Water Division Bowling Street Booster Station Pump Upgrade project (estimated cost is \$150,000) (Steve Hershner).

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Water Division Bowling Street Booster Station Pump Upgrade project. CIP/DID #625876-01

**Background:**

The City of Cedar Rapids is upgrading the pumping capacity of the Bowling Street Booster Station in an effort increase the reliability of the Water Distribution system and ensure adequate water pressure is maintained for customers. The Bowling Booster Station currently has three pumps which maintain system pressure in the surrounding pressure district; during periods of high water demand, all three pumps are in use. In order to improve system reliability, a fourth pump is being added to provide a backup in the event that one of the other three pumps fails during a period of high demand.

In addition to providing increased reliability, the new pump will also be equipped with a variable frequency drive. This will allow the system operators to fine tune their control of the system and to minimize pressure disturbances in the piping system. The variable frequency drive will also be useful in maintaining water pressure in the area during painting and maintenance of the C Street SW water tower.

A pre-bid meeting was held on April 22<sup>nd</sup> at the Water Administration Building. Bids will be opened and publicly announced April 30, 2014.

**Action / Recommendation:**

The Utilities Department – Water Division staff recommends approval of the resolution adopting the plans, specifications, form of contract and estimated cost for the Water Division Bowling Street Booster Station Pump Upgrade project.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 4-22-14

**Resolution Date:** 4-22-14

**Estimated Presentation Time:** 2 minutes

**Budget Information (if applicable):**

1. **Included in Current Budget Year.** Yes. The project will be funded from the FY 2014 Water Division Capital Improvement Projects budget. The project will be coded to the following CIP fund: 553000-625-625000-x-x-625876.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$150,000 budgeted in the FY2014 CIP budget for the construction of the Water Division Bowling Street Booster Station Pump Upgrade project.
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:** Capital Improvement Projects are not subject to local preference policy.

**Recommend by Council Committee**

Yes

No

N/A

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, on April 8, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Water Division Bowling Street Booster Station Pump Upgrade project (Contract No. 625876-01) 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 22nd day of April, 2014.

**PUBLIC HEARING Item Cover Sheet**

Consent Agenda       Regular Agenda

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Utilities – Water Pollution Control Facility

**Presenter at meeting:** Steve Hershner    **Phone:** 5281    **E-mail:** [s.hershner@cedar-rapids.org](mailto:s.hershner@cedar-rapids.org)

**Alternate Contact:** Matt Jensen            **Phone:** 5937    **E-mail:** [m.jensen@cedar-rapids.org](mailto:m.jensen@cedar-rapids.org)

**Description of Agenda Item:**

A public hearing will be held to consider the plans, specifications, form of contract and estimated cost for the C3 Clarifier Rehabilitation project (estimated cost is \$826,000). (Steve Hershner)

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the C3 Clarifier Rehabilitation project. CIP/DID #615172-02

**Background:**

The Water Pollution Control Facility is in the final stage of a program to replace the eleven original clarifier mechanisms. This program was started twenty years ago. The C3 clarifier mechanism is the last of the original such equipment that remains at the facility. In addition to replacement of the clarifier mechanism, crack injection & concrete repair needs to be performed on the walls and floor of the clarifier basin.

The project specifies equipment that will be identical to the equipment installed in the C2 Clarifier, which was rehabilitated in 2010. This will allow the maintenance staff of the plant to standardize on spare parts, maintenance procedures, and trouble-shooting checklists between the two clarifiers.

A pre-bid meeting was held on April 21<sup>st</sup> at the WPC Administration Building. Bids will be opened and publicly announced May 14<sup>th</sup>, 2014.

**Action / Recommendation:**

The Utilities Department – Water Pollution Control Division staff recommends approval of the resolution adopting the plans, specifications, form of contract and estimated cost for the C3 Clarifier Rehabilitation project.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 4-22-14

**Resolution Date:** 4-22-14

**Estimated Presentation Time:** 2 minutes

**Budget Information (if applicable):**

1. **Included in Current Budget Year.** Yes. The project will be funded from the FY 2014 and FY2015 WPC Capital Improvement Projects budget. The project will be coded to the following CIP fund: 553000-615-615000-x-x-615172.

2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$230,000 budgeted in the FY2014 CIP budget and \$700,000 in the projected FY2015 Capital Improvement Projects budget for WPC for the construction of the C3 Clarifier Rehabilitation project.
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:** Capital Improvement Projects are not subject to local preference policy.

**Recommend by Council Committee**

Yes

No

N/A

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, on April 8, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the C3 Clarifier Rehabilitation project (Contract No. 615172-02) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

Passed this 22nd day of April, 2014.



## Council Agenda Item 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:** 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**

A public hearing will be held to consider Oakland Road NE from E Avenue NE to H Avenue NE Pavement Rehabilitation project (estimated cost is \$635,000).

Resolution adopting plans, specifications, form of contract and estimated cost for Oakland Road NE from E Avenue NE to H Avenue NE Pavement Rehabilitation project. CIP/DID #301374-02

**Background:**

Oakland Road NE from north of E Avenue to H Avenue is in poor condition and in need of rehabilitation. This project will include concrete patching, curb and gutter replacement, driveway replacement, asphalt surface rehabilitation, improvements to handicap ramps in the project limits to meet current accessibility requirements, sanitary manhole replacement, water main replacement and storm sewer intake replacement.

**Action / Recommendation:**

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

**Alternative Recommendation:**

Defer action on the resolution to adopt plans and specifications, form of contract and estimated cost or abandon the project, direct staff to repackage the project into multiple smaller projects or abandon the project.

**Time Sensitivity:** Must be acted upon April 22, 2014 to maintain the project schedule, and which must occur ahead of the project's April 30, 2014 bid opening.

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 5 Minute(s)

**Budget Information (if applicable):** CIP's 301374 (Streets), 655998 (Sanitary Sewer), 625-2013022 (Water Distribution)

**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):

ENG  
CLK  
SHOEMAKER  
301374-02  
7970

RESOLUTION NO.

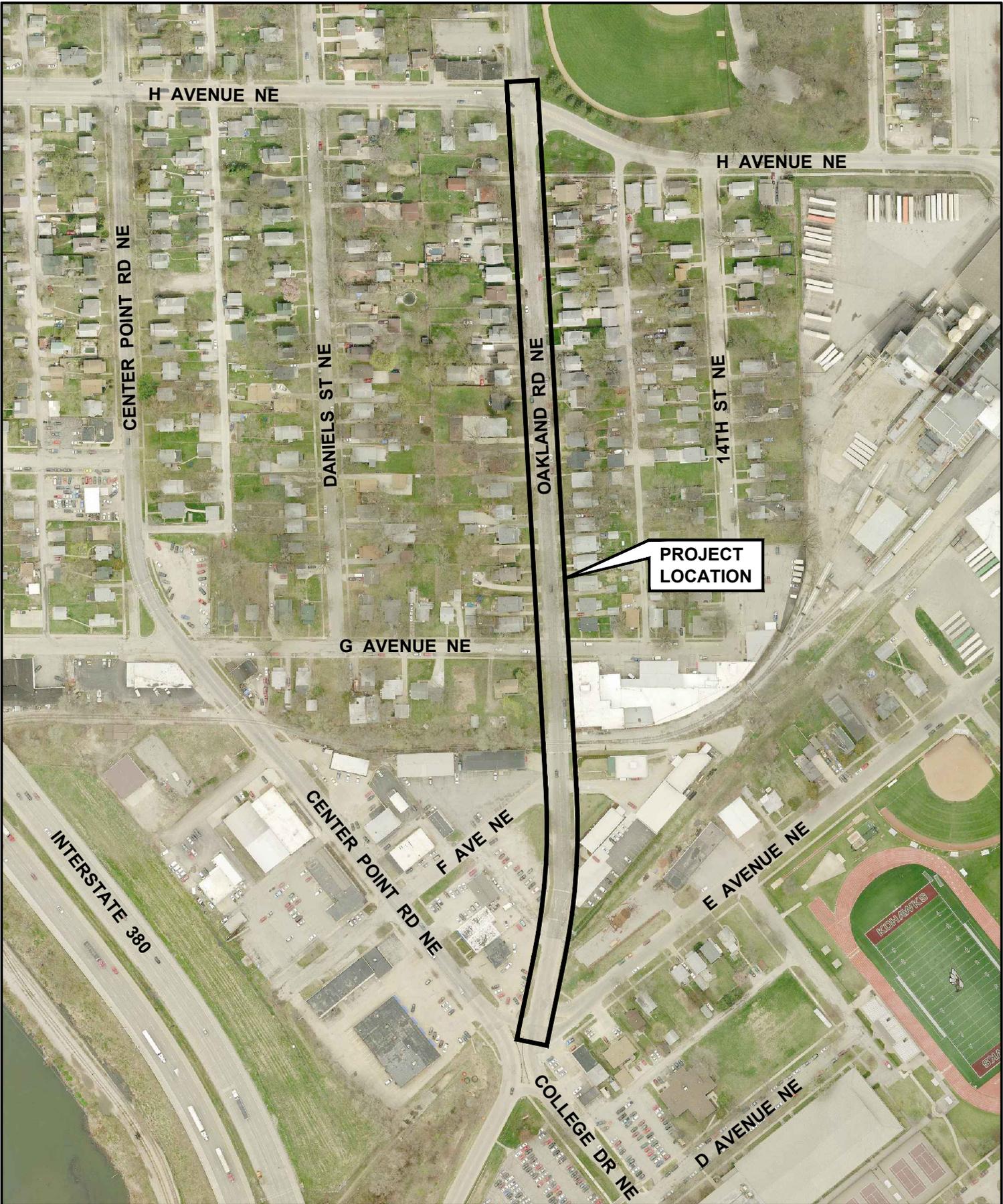
WHEREAS, on April 8, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Oakland Road NE from E Avenue NE to H Avenue NE Pavement Rehabilitation project (Contract No. 301374-02) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

Passed this 22nd day of April, 2014.



**PROJECT  
LOCATION**



**OAKLAND ROAD NE FROM E AVENUE TO H AVENUE  
REHABILITATION PROJECT**





## 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**     **Map**

Motion to set a public hearing for May 13, 2014 to consider the vacation of public ways and grounds described as a portion of a frontage road easement located at 2630 Williams Boulevard SW as requested by Seafood Property No. 4, LLC. CIP/DID #41-14-018

**Background:**

Seafood Property No. 4, LLC has requested that a portion of the frontage road easement at this location be vacated, as it is no longer necessary for the adjacent property owners at 2701 12th Avenue SW and 2640 16th Avenue SW, to access their properties through this easement. Written approval has been received from the adjacent owners, and this vacation will allow Seafood Property No. 4 to fully utilize their parcel without the encumbrance of the non-purposeful portion of the road easement.

**Action / Recommendation:**

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

**Alternative to the Recommendation:**

Continue to encumber the parcel with this easement and limit full utilization.

**Time Sensitivity:** Normal

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

May 13, 2014 – Public Hearing

May 13, 2014 – If no objections, recommend passing the resolution on same date as public hearing.

**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):



**FRONTAGE ROAD  
EASEMENT VACATION**

**2630  
Williams  
Blvd SW**

**12TH AVENUE SW**

**WILLIAMS BLVD SW**

**16TH AVENUE SW**

Cadd File Name: W:\PROJECTS\New-CIP\2014\14114 Right-of-Way Mgmt\018 Williams Blvd SW (2630) Easmt VAC Sealcoed Prep No 4 LLC\041-14-018 Council Map.dwg



**2630 WILLIAMS BOULEVARD SW  
FRONTAGE ROAD EASEMENT VACATION**





## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Jennifer Pratt

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

**Email:** [j.pratt@cedar-rapids.org](mailto:j.pratt@cedar-rapids.org)

**Alternate Contact Person:** Kirsty Sanchez

**Phone Number/Ext:** 319 286-5428

**Email:** [k.sanchez@cedar-rapids.org](mailto:k.sanchez@cedar-rapids.org)

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

Motion setting a public hearing for May 27, 2014 to consider a request by Kingston Village LLC for an Urban Revitalization Area designation for the construction of a sixty-four unit apartment building for property at 6<sup>th</sup> Avenue SW between 2<sup>nd</sup> and 3<sup>rd</sup> Streets. CID/DID #OB959319

### **Background:**

A request has been submitted by Kingston Village LLC for an Urban Revitalization Property Tax Exemption designation for the proposed construction of a sixty-four unit apartment complex located on 6<sup>th</sup> Avenue SW between 2<sup>nd</sup> and 3<sup>rd</sup> Streets. This project applied for and received Low Income Housing Tax Credits through the Iowa Finance Authority. It was reviewed and approved by City Council on December 3, 2013.

### **Project Details:**

- Apartment Building – 72,000 square feet
- Project cost –\$9,766,000

### **Benefits to the Community:**

- Centrally located infill redevelopment project with a mix of affordable and market-rate units
- The proposed development is consistent with the goals and objectives of the Kingston Area Revitalization Plan

The tax exemption would be a 100% ten-year exemption. Based on the scope of the proposed construction, the annual property tax would be \$83,600. Over a ten-year period, this would be \$836,000 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):**

The estimated total over the ten-year period is \$836,000 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 Cover Sheet

### Motion Setting Public Hearing, filing plans and advertising for bids

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5153

**Alternate Contact Person:** 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**

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for May 13, 2014 and advertising for bids by publishing notice to bidders for the 1<sup>st</sup> Avenue East from 34<sup>th</sup> Street to 40<sup>th</sup> Street Utilities Rehabilitation project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on May 21, 2014 (estimated cost is \$2,275,000). CIP/DID #301240-04

**Background:**

Resolution No. 1220-07-13, dated July 23, 2013, authorized final design services for two public utility construction contracts for the 1<sup>st</sup> Avenue East from 27<sup>th</sup> Street to 40<sup>th</sup> Street project. This project is the first of the public utilities construction contracts, and subject to receipt of acceptable bids, will start in the 2014 construction season and be completed in the 2015 construction season. The public utilities construction contracts are required to occur prior to the two roadway improvement construction contracts that will begin in the 2016 construction season.

The existing water and sanitary sewer infrastructure is 60 to 95 years old and has substantial maintenance, water main break history, and operational issues. In addition, the public sanitary sewer that is located under the Town and Country Shopping Center is being relocated to 38<sup>th</sup> Street Drive SE to eliminate this maintenance issue and to improve the sanitary sewer lines on 1<sup>st</sup> Avenue East that flow to this sanitary sewer line.

**Action / Recommendation:**

The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for May 13, 2014 and advertising for bids by publishing notice to bidders for the project.

**Alternative to the Recommendation:** Repackage bid documents to provide different improvements as directed by Council

**Time Sensitivity:** Normal

**Resolution Date Adopting Plans and Specs:** May 13, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):**

CIP No. 301240 (streets) -	\$153,500
CIP No. 6250024 (water) -	\$1,159,050
CIP No. 655939 (sanitary sewer) -	\$1,304,250
Total Construction Budget	\$2,616,800

**Local Preference Policy:** Applies  Exempt

**Explanation:** Chapter 26 of the Code of Iowa requires construction of public improvements to be awarded to the lowest responsive, responsible bidder.

**Recommended by Council Committee:** Yes  No  N/A

**Explanation** (if necessary):



**1ST AVENUE E FROM 34TH STREET TO 40TH STREET  
UTILITIES REHABILITATION PROJECT**





## COUNCIL AGENDA ITEM COVER SHEET

**Meeting Date:** 4/22/2014

**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. All Saints Church, 720 29TH ST SE (5-day permit for an event on May 3, 2014);
2. Benz Beverage Depot, 501 7TH AVE SE (5-day permit for an event on May 10, 2014);
3. Biaggi's Ristorante Italiano, 320 COLLINS RD NE;
4. Cedar Rapids Moose Lodge #304, 1820 WEST POST RD SW;
5. Cedar River Landing, 301 F AVE NW (outdoor service for an event on May 25-26, 2014);
6. Cedar River Landing, 301 F AVE NW (outdoor service for an event on May 17, 2014);
7. Cheddar's Casual Cafe', 161 COLLINS RD NE (new - new construction);
8. Chrome Horse Slop House & Saloon, 1202 3RD ST SE (outdoor service for an event on May 8-9, 2014);
9. Chrome Horse Slop House & Saloon, 1202 3RD ST SE (outdoor service for an event on May 30-31, 2014);
10. El Paraiso Bar & Grill, 2730 EDGEWOOD RD SW;
11. Green Gable Inn, 1227 J AVE NE;
12. Happy Joe's Pizza, 5070 LINDALE DR NE;
13. Hawkeye Convenience Store 16th Ave, 250 16TH AVE SW;
14. Hometown Inn & Suites, 3315 SOUTHGATE CT SW;
15. Hy-Vee #3 Club Room, 20 WILSON AVE SW;
16. Java Creek Cafe, 588 BOYSON RD NE;
17. JM O'Malley's, 1502 H AVE NE;
18. Murdoch Funeral Homes & Cremation Service, 520 WILSON AVE SW;
19. Red Baron Bar & Dance Club, 62 16TH AVE SW;
20. Red Frog, 88 16TH AVE SW;

- 21. Smokin' Joe's Tobacco & Liquor Outlet #7, 904 1ST AVE NW;
- 22. Tic Toc, 600 17TH ST NE;
- 23. US Cellular Center, 370 1ST AVE NE;
- 24. Walgreens #12393, 5750 C AVE NE.

**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    **X**

**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:** 4/22/2014

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
All Saints Church 720 29TH ST SE	0	0	0	0
Benz Beverage Depot 501 7TH AVE SE	6	0	0	0
Biaggi's Ristorante Italiano 320 COLLINS RD NE	17	1	0	2
Cedar Rapids Moose Lodge #304 1820 WEST POST RD SW	2	0	0	0
Cedar River Landing	81	1	2	8

301 F AVE NW				
Cedar River Landing	81	1	2	8
301 F AVE NW				
Cheddar's Casual Cafe'	0	0	0	0
161 COLLINS RD NE				
Chrome Horse Slop House & Saloon	39	1	2	5
1202 3RD ST SE				
Chrome Horse Slop House & Saloon	39	1	2	5
1202 3RD ST SE				
El Paraiso Bar & Grill	0	0	0	0
2730 EDGEWOOD RD SW				
Green Gable Inn	120	1	1	11
1227 J AVE NE				
Happy Joe's Pizza	3	0	0	0
5070 LINDALE DR NE				
Hawkeye Convenience Store 16th Ave	27	0	1	9
250 16TH AVE SW				
Hy-Vee #3 Club Room	304	5	1	12
20 WILSON AVE SW				
Java Creek Cafe	2	0	0	0
588 BOYSON RD NE				
JM O'Malley's	19	2	0	1
1502 H AVE NE				
Murdoch Funeral Homes & Cremation Service	14	0	0	0
520 WILSON AVE SW				
Red Baron Bar & Dance Club	76	0	1	20
62 16TH AVE SW				
Red Frog	36	2	0	8
88 16TH AVE SW				
Smokin' Joe's Tobacco & Liquor Outlet #7	17	0	0	6
904 1ST AVE NW				
Tic Toc	21	0	0	1
600 17TH ST NE				
US Cellular Center	84	0	0	8
370 1ST AVE NE				
Walgreens #12393	50	0	0	1
5750 C AVE NE				

## RESOLUTION NO.

WHEREAS, the attached listing of bills dated April 22, 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 22<sup>nd</sup> day of April, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** City Manager's Office

**Presenter at meeting:** Angie Charipar  
**Email:** a.charipar@cedar-rapids.org

**Phone Number/Ext:** 319-286-5090

**Alternate Contact Person:** Kim Greene  
**Email:** [kimg@cedar-rapids.org](mailto:kimg@cedar-rapids.org)

**Phone Number/Ext:** 319-286-5083

**Description of Agenda Item:** (insert same wording as used on agenda summary)

Resolution approving the following special events:

- a. Benz Beverage Depot "Benz Beerfest" event at 501 7<sup>th</sup> Avenue SE (includes road closure) on May 10, 2014. CIP/DID #SPEC-017458-2014
- b. Matthew 26 "Flood the Run" event on city streets and sidewalks in the Ellis Park area (includes road closures) on August 9, 2014. CIP/DID #SPEC-141119-2014

### **Background:**

Referencing the Special Event applications received for the above special events which are requesting permission to hold activities with street closures, approval is recommended subject to the conditions stated on the attached resolutions.

### **Action / Recommendation:**

Approve motion for this event.

### **Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** N/A

**Budget Information (if applicable):** N/A

**Local Preference Policy** Applies  Exempt X

### **Explanation:**

**Recommended by Council Committee** Yes  No  N/A X

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, Matt Hanlin on behalf of Benz Beverage Depot located at 501 7<sup>th</sup> Avenue SE has requested approval to conduct "Benz Beerfest", a beer tasting event, at the Benz parking lot on 7<sup>th</sup> Avenue SE and on adjacent public property areas including a request to close 7<sup>th</sup> Avenue SE between 5<sup>th</sup> and 6<sup>th</sup> Streets on Saturday, May 10, 2014, from 6:00 AM until 7:00 PM (including setup and teardown) for a promotional beer tasting event including participant fees, live musical entertainment and food cooked on site, and

WHEREAS, adequate event parking will be available in an adjacent private property lot

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

1. Applicant shall install and maintain fence as required by the Police Department. No alcoholic beverages shall be carried beyond the fenced areas. Any event fencing must be placed a minimum of two feet behind the public sidewalk or alley edge for safety reasons.
2. The outermost event fencing shall be no closer than two (2) feet from all public sidewalks to avoid obstructing a public sidewalk or impeding pedestrian traffic.
3. Applicant shall not obstruct the public sidewalk or impede normal pedestrian traffic. A minimum sidewalk clearance width of five (5) feet shall be maintained on all public sidewalks adjacent to the event site.
4. Applicant's insured traffic control contractor shall provide all barricades/traffic controls required by the City for the temporary street closure. All barricades/traffic controls must conform to the requirements of the Manual on Uniform Traffic Control Devices. Applicant shall provide the name and phone number of the company providing the barricades/traffic controls to the Police Department and Traffic Engineering one week prior to the event.
5. If food is served and/or sold at the event, the applicant (or vendors) shall meet all applicable requirements of the Linn County Health Department and the City Code.
6. Applicant is aware of the existence and requirements of the Municipal Noise Ordinance (Chapter 56 of the Cedar Rapids City Code) as relates to the intent to provide amplified music at the event.
7. Applicant shall make themselves aware of the state and city codes pertaining to disorderly conduct and disturbing the peace. The Police Department will reserve the right to terminate the event if complaints are received.
8. Applicant shall provide adequate rest room facilities.
10. Applicant will contact Fire Marshal Vance McKinnon at 319-286-5862 to acquire an
9. Applicant shall not use any equipment that penetrates or damages the City street or sidewalk surface. All tents, stages, and other structures shall be water barrel or sand weight supported.

Outdoor Place of Assembly permit as required for the outdoor service area and request the appropriate inspections prior to the event taking place.

11. No minors shall be allowed in the alcohol service area.
12. Upon completion of event, all areas associated with the operations will be cleaned up and costs to repair any damage to any public property resulting from this operation will be reimbursed to the City of Cedar Rapids.
13. Applicant must comply with the Fire Codes in force in the City.
14. Applicant agrees to defend, indemnify, and save the City of Cedar Rapids harmless from all liability and place on file at the City Clerk's Office, a certificate of liability insurance with policy limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa, and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.
15. Applicant shall contact the Cedar Rapids Police Department at least 15 to 30 days prior to the event to hire off-duty police officers, as required by the Police Department to attend barricades at street closures, to assist with traffic control at designated intersections and for event security. Contact Sgt. Mark Andries (319-286-5438) to arrange for one (1) officer from 1 PM until 5 PM for an estimated cost of \$210.00
16. Applicant shall provide written notification of the event to all affected property owners adjoining the barricaded street closures (to help minimize traffic conflicts between motorists and race participants). Written notification shall include information on the race route, event date, start and finish times, and the name and telephone number of the Applicant's contact person. A copy of this written notification shall be provided to the City Manager's Office.
17. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.
18. Applicant shall comply with all existing parking regulations on all adjacent areas of public property.
19. Applicant shall contact the City Clerk's Office (319-286-5060) to obtain appropriate alcohol related applications and information on processing deadlines.

Passed this 22<sup>nd</sup> day of April, 2014.

RESOLUTION NO.

WHEREAS, Emily Hoover on behalf of Juvenile Diabetes Research Foundation (Applicant) has requested approval to hold a fundraiser event "JDRF Walk to Cure Diabetes" on city streets in New Bo and Czech Village area on Saturday, May 10, 2014, and

WHEREAS, Applicant requests permission to close 11<sup>th</sup> Avenue SE between 3rd Street SE and the 4<sup>th</sup> Street corridor railroad tracks (adjacent to the NewBo City Market) from 6:30 a.m. until noon on Saturday, May 10, 2014, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, the Special Events Committee has reviewed the request and recommends approval subject to the following conditions:

1. Applicant has requested to close 11th Ave SE, between 3rd Street SE and the end of the road (next to the NewBo Market) from 6:30 am until Noon.
2. Applicant's insured traffic control contractor shall provide all barricades/traffic controls required by the City for the temporary street closure. All barricades/traffic controls must conform to the requirements of the Manual on Uniform Traffic Control Devices. Applicant shall provide the name and phone number of the company providing the barricades/traffic controls to the Police Department and Traffic Engineering one week prior to the event.
3. Applicant is responsible for reimbursing the City for damage to any portion of public property.
4. Applicant is responsible for clean-up of the entire walk route and event area.
5. Applicant shall provide adequate restroom facilities for the event.
6. Applicant agrees that if utilizing tents that are greater than 400 square feet with sides, a permit will be required from Fire Marshal Vance McKinnon (319-286-5862). Tents without sides (canopies) do not require a permit.
7. Applicant shall be responsible for receiving from each participant in the walk an individual signed Waiver of Liabilities of the City of Cedar Rapids.
8. Applicant agrees that any course markings and/or signage required for this event will be done with prior approval of the City Traffic Engineering Division; and no permanent markings of any type will be permitted. Any signage and/or markings used must be removed immediately following the event.
9. Applicant and participants shall obey all traffic control devices and traffic regulations.
10. Applicant shall provide written notification to all property owners adjoining closure. Written notification shall include the location of closure, event date and time required and the name and telephone number of the applicant's contact person. Applicant shall provide a copy of the notification to the Traffic Engineering Division.

11. Applicant shall provide adequate adult volunteers at all intersections and other locations as required by the Police Department to assist with walk event instructions, event monitoring, and event participant safety.

Volunteers are NOT authorized to direct vehicular traffic at any time.

12. Applicant shall comply with all traffic controls as may be required and/or provided by the Police Department.
13. Applicant shall contact the Sgt. Mark Andries of the Cedar Rapids Police Department at 319-286-5438 to hire off-duty police officers as may be required by the Police Department.
  - a. Applicant will be required to hire one off-duty Cedar Rapids Police officer @ \$49/hr, 0630-1200, total estimate is \$269.50.

14. Applicant is aware of the possibility of construction projects in the area that may require sidewalk closures.

- a. Participants shall walk on sidewalks, or on the left edge of the road, facing traffic, where there are no sidewalks, or where sidewalks are closed.

- b. Participants shall use any pedestrian detours established along the walk route.

11. Applicant and participants shall comply with all existing parking regulations on all adjacent areas of public property.

12. Applicant and participants shall not impede normal pedestrian or vehicular movement through the area.

13. Applicant and participants shall not obstruct public streets, sidewalks or trails.

14. Walk staging area for participants will be at NewBo City Market.

15. Walk staggered start at 10:00 AM beginning at NewBo City Market and proceeding as follows:

- Exit the staging area and proceed south on 3rd Street SE to 14th Avenue SE
- turn west and proceed on 14th Avenue SE, crossing the bridge
- continue west on 16th Avenue SW to D Street SW
- turnaround and proceed east on 16th Avenue SW, crossing the bridge
- continue east on 14th Avenue SE to 3rd Street SE
- turn north and proceed on 3rd Street SE to finish line on 11th Avenue SE

16. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.

17. Applicant agrees to defend, indemnify and save the City of Cedar Rapids harmless from all liability and place on file a liability insurance policy in limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

Passed this 22<sup>nd</sup> day of April, 2014.

RESOLUTION NO.

WHEREAS, Pam Imerman, on behalf of the Czech Village Association, has requested approval to hold the "Houby Days Festival" in the Czech Village area on Friday, Saturday and Sunday, May 16, 17 and 18, 2014, including craft and food vendors, car show, live and recorded music, and carnival, and

WHEREAS, the applicant requests approval to close 16<sup>th</sup> Avenue SW (between 1st Street SE and C Street SW), a portion of Inspiration Drive and A Street (between 16<sup>th</sup> Avenue SW and 17<sup>th</sup> Avenue SW) from 1:00 PM on Friday, May 16, 2014 until 5:00 PM on Sunday May 18, 2014. Craft and food vendors, music and various other activities are planned for this area, and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that this request be approved subject to following conditions:

1. Hours of live and/or recorded music operation are limited to:  
Friday, 5/16/2014, 1:00 pm to 10:00 pm  
Saturday, 5/17/2014, 9:00 am to 10:00 pm  
Sunday, 5/18/2014, 9:00 am to 7:00 pm

Hours of craft and food vendors operation are limited to:  
Friday, 5/16/2014, 1:00 pm to 10:00 pm  
Saturday, 5/17/2014, 9:00 am to 10:00 pm  
Sunday, 5/18/2014, 9:00 am to 7:00 pm

Hours of carnival operation are limited to:  
Friday, 5/16/2014, 1:00 pm to 10:00 pm  
Saturday, 5/17/2014, 11:00 am to 10:00 pm  
Sunday, 5/18/2014, 11:00 am to 7:00 pm

Hours of car show operation are limited to:  
Saturday, 5/17/2014, 8:00 am to 5:00 pm

2. Applicant shall contact Fire Marshal Vance McKinnon (319-286-5862) to obtain Temporary LP permits required for each LP setup \$55.00  
Carnival permit required \$60.00  
These permits will be given upon inspection of the site.
3. Applicant shall contact and hire an insured traffic control contractor prior to the event date. Applicant's insured traffic control contractor shall provide all barricades and traffic controls required by the City. All barricades and traffic control shall conform to the requirements of the Manual on Uniform Traffic Control Devices. Applicant shall provide the name and phone number of the traffic control contractor providing the barricades, and a traffic control plan to the Traffic Engineering Division.
4. Applicant shall contact the Cedar Rapids Police Department at least 15 to 30 days prior to

the event to hire off-duty police officers, as required by the Police Department to attend barricades at street closures, to assist with traffic control at designated intersections, and for event security. Contact Sgt. Mark Andries (286-5438) to arrange officers.

Applicant will be required to hire nine (9) off duty Cedar Rapids Police Officers. Friday, nine (9) hours @ \$49; Saturday, eighteen (18) hours, Sunday, eight (8) hours, for a total of 35 hours @ \$49/hr. Estimated total is \$1,715 however is dependent upon time officers are able to leave in the evening hours.

5. Applicant shall provide written notification to all adjacent property owners affected by all street closures related to the event. Written notification shall include identification of the street closures, event date and times required for street closures, and the name and telephone number of applicant's contact person. A copy of the notifications shall be provided to the City Manager's office in advance of the event.
6. Applicant and participants shall comply with all existing parking regulations on all adjacent areas of public property.
7. Applicant and participants shall not obstruct the public sidewalk or impede normal pedestrian traffic.
8. Applicant, vendors and participants shall not block or restrict access to the Cedar River Trail, which is routed on the sidewalk across the 16th Avenue Bridge and through Sokol Park.
9. Carnival rides shall NOT be placed on the bridge. Carnival rides may be placed on public property only at Fire Department approved locations.
10. Vendors, carnival games and concessions, chairs and tables may be placed on the bridge pavement. NOTHING shall be placed on the sidewalks on the bridge.
11. Applicant and food vendors shall meet all applicable requirements of both the Linn County Health Department and the City Code.
13. Applicant shall provide adequate restroom facilities for the event.
12. Applicant agrees that any pavement markings and/ or signage required for this event will be done with prior approval of the City Traffic Engineering Division, and no permanent markings of any type will be permitted. Any signage and pavement markings used must be removed immediately following the event.
14. Applicant shall be responsible for clean-up of all event areas. Any cost associated with clean-up done by the City will be billed to the applicant.
15. Applicant shall reimburse the City for any damage done to public property.
16. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.
17. Applicant agrees to defend, indemnify and save the City of Cedar Rapids harmless from all liability and place on file a liability insurance policy in limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

Passed this 22<sup>nd</sup> day of April, 2014.

RESOLUTION NO.

WHEREAS, Courtney Ball on behalf of Matthew 25 (Applicant) has requested approval to hold a fundraiser event "Flood the Run" on city streets in Ellis Park and various streets in the area on Saturday, August 9, 2014, and

WHEREAS, Applicant requests permission to close Ellis Blvd NW between 18th Street NW and Ellis Park Road NW and 16th Street NW between Ellis Blvd NW and Zika Avenue NW from 7:00 a.m. until noon on Saturday, August 9, 2014, and

WHEREAS, Applicant requests permission to utilize various city lots on 8<sup>th</sup> Street, Ellis Blvd NW and Ellis Lane NW for parking, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, the Special Events Committee has reviewed the request and recommends approval subject to the following conditions:

1. Race Route:
  - Exit Ellis Park and turn west proceeding on Ellis Blvd NW
  - Turn north and proceed on Ellis Harbor Rd to the park road in Manhattan/Robbins Lake Park
  - Proceed on the park road in Manhattan/Robbins Lake Park to Ellis Harbor Rd
  - Turn south and proceed on Ellis Harbor Rd to Ellis Blvd NW
  - Turn east and proceed on Ellis Blvd NW to 16th Street NW
  - Turn south and proceed on 16th Street NW to near Zika Avenue NW
  - Turn east and proceed through the Ellis Park area to the park road
  - Cross the park road and proceed east/south on Ellis Park Rd NW
  - Turn east and proceed through the Ellis Park area to the finish line
2. Event will start in Ellis Park with waves of race participants approximately every ten minutes beginning at 8:00 a.m.
3. Event staging area for participants will be in Ellis Park (not in any portion of public streets).
4. The following streets will be closed from 7:00 a.m. until noon on Saturday, August 9, 2014: Ellis Blvd NW between 18th Street NW and Ellis Park Road NW, 16th Street NW between Ellis Blvd NW and Zika Avenue NW
5. Applicant must meet with designated park staff to verify electrical and water hookup requests for the Event.
6. Applicant will require Event participants to use standard courtesies and yield appropriate right-of-way to non-event traffic. Any temporary signs placed along the event must be removed the day of the event.

7. Applicant shall upon completion of the event, clean up all areas associated with the Event and shall reimburse the City for damage to any portion of public property resulting from the Event.
8. The following park pavilions must be reserved for the morning and afternoon time slots: Manhattan, Duckpond, Rose Garden, Harborview, Pool, Lakeview. Overlook Pavilion must be rented for the morning time slot and parking must be reserved for the 11-4 rental currently in place by coning off the parking spaces adjacent to this pavilion. These rentals will total \$546. Reservations may be placed through the Ambroz Recreation Center at 2000 Mt Vernon Rd SE, Cedar Rapids 52403 or phone (319-286-5731). For reservation of the Ellis Pool, applicant shall work directly with Parks and Recreation Aquatics division for related fees and rules.
9. Applicant shall comply with all traffic controls as may be required and/or provided by the Police Department.
10. Applicant shall contact the Sgt. Mark Andries of the Police Department (319-286-5438) at least 15 to 30 days prior to the Event to hire off-duty police officers, as required by the Police Department to attend barricades at street closures, to assist with traffic control at designated intersections and for Event security. Contact Sgt. Mark Andries to arrange officers.

Applicant will be required to hire an estimated four (4) Off-Duty Police Officers to maintain the barricades for the street closures.

Four (4) officers @ \$49.00 per hour = \$784.00 (Estimated) Subject to change if officers work more or less than 4 hours

11. Applicant should contact Water Department Customer Service (319-286-5900) preferably one week prior to the event and request the number (one per hydrant) of hydrant meter assemblies they will need and the location of each hydrant the units are to be placed on.
  - a. Each hydrant assembly would require a charge to connect the assembly of \$38.41, a charge to remove the assembly of \$38.41, a charge of \$9.18 per day plus the cost of water used at a rate of \$1.82 per unit (unit = 748 gallons). This cost is per hydrant assembly needed. These costs are for a ¾" assembly. The larger 2" device would have the same costs except the daily charge would be \$13.63. There will be a \$500 damage deposit required.
12. Applicant agrees that any disturbance to the city-owned lots that are created by usage shall be repaired by the Applicant. The parcels shall be left in the same condition as when Applicant started using the lots.
13. Applicant shall provide written notification of the Event to all affected property owners adjoining the street closures and vacant lots being utilized. Written notification shall include information on the race route, event date, start and finish times, and the name and telephone number of the Applicant's contact person. A copy of this written notification shall be provided to the City Manager's Office. Applicant and participants shall cooperate with public officials concerning public safety requirements for this event.
14. Applicant shall provide a command post, near the race start/finish, for police officers and race staff.

15. Applicant shall clean up the entire race route and Event area. Any cost associated with clean up done by the City will be billed to the Applicant.
16. Applicant agrees that any race course pavement markings will be done with prior approval of the Traffic Engineering Division, and no permanent markings of any type will be permitted.
17. Applicant shall receive from each participant in the race, an individual signed Event Waiver of Liabilities which shall include the City of Cedar Rapids.
18. Applicant shall provide adequate volunteers at all intersections and other locations as required by the Police Department to assist with race instructions and Event participant safety.
19. Applicant shall work with the Parks Department and the City's flood properties representative to coordinate a parking plan.
20. Applicant and participants shall comply with all existing parking regulations on all adjacent areas of public property.
21. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.
22. Applicant agrees to defend, indemnify and save the City of Cedar Rapids harmless from all liability and place on file a liability insurance policy in limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

Passed this 22<sup>nd</sup> day of April, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Solid Waste & Recycling

**Presenter at meeting:** Mark Jones

**Phone Number/Ext:** 4791

**Email:** [m.jones@cedar-rapids.org](mailto:m.jones@cedar-rapids.org)

**Alternate Contact Person:** Sarah

**Phone Number/Ext:** X4786

**Email:** [s.augustine@cedar-rapids.org](mailto:s.augustine@cedar-rapids.org)

**Description of Agenda Item:** (insert same wording as used on agenda summary)

Resolutions approving assessment actions:

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

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

(Note: The Intent to Assess Resolution was approved at the Council Meeting on March 25, 2014.)

### **Background:**

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

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

The Notice of Intent to Assess these properties were approved by Resolution No. 0337-03-14 passed on March 25, 2014.

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

### **Action / Recommendation:**

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

### **Alternative Recommendation:**

The City Council could decide not to assess.

**Time Sensitivity:**

**Resolution Date:** 4-22-14

**Estimated Presentation Time:** 0 Minutes

**Budget Information (if applicable):**

**Local Preference Policy** Applies  Exempt   
**Explanation:**

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

RESOLUTION NO.

LEVY ASSESSMENT

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

NUISANCE ABATEMENTS

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

BE IT RESOLVED, by the City Council of the City of Cedar Rapids, Iowa, that there be and is hereby levied an assessment against the lots, parts of lots and parcels of ground for the amounts shown in said assessments, which invoiced listing attached is made a part of this resolution, and the names of the owners are shown thereon so far as practicable, and

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

Passed this 22nd day of April, 2014.

City of Cedar Rapids  
Solid Waste & Recycling Department  
Special Assessment List  
Service Dates: 2-24-14 - 2-28-14

Date	Customer #	GPN#/ Parcel	First Name	Last Name	House	Street	Quad	Lot	Block	Amount	Flood Zone
2/24/2014	A01436	141648004600000	Mary L	Madlon	889	Oakland Rd	NE	2	3	\$ 248.25	
2/24/2014	A00396	142233401000000	Casey	Sickles	512	12th St	SE	47		\$ 248.25	
2/28/2014	A00466	141647704400000	Adu	Saarah-Mensah	861	14th St	NE	38	9	\$ 294.75	
										<u>\$ 791.25</u>	



**Council Agenda Item Cover Sheet**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Finance Department

**Presenter at meeting:** Casey Drew  
**Email:** [c.drew@cedar-rapids.org](mailto:c.drew@cedar-rapids.org)

**Phone Number/Ext:** 5097

**Alternate Contact Person:** Judy Jones  
**Email:** [j.jones2@cedar-rapids.org](mailto:j.jones2@cedar-rapids.org)

**Phone Number/Ext:** 5134

**Description of Agenda Item:**

Levy Special Assessments for delinquent snow removal charges – ten (10) properties.

**Background:**

The Finance Department is responsible for the billing and collection of charges incurred by the Public Works Maintenance Division to bring properties into compliance with Cedar Rapids Municipal Code Chapter 9.11 and Ordinance 036-08.

For services between February 21, 2014 and March 5, 2014, ten (10) property owners did not submit payment for invoices issued due to a violation of the City’s snow removal ordinance. Property owners were notified that if payment was not made the charges would be levied against their property and collected in the same manner as property taxes. The levied amount totals \$2140.00.

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

**Action / Recommendation:**

The Finance Department recommends approval of the Resolution to levy Special Assessments.

**Alternative Recommendation:**

Should the City Council decide not to approve the resolution, the City will not be reimbursed for the work performed.

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 Minutes

**Budget Information (if applicable):** PW Operating – Snow & Ice Control

**Local Preference Policy** Applies  Exempt

**Recommended by Council Committee** Yes  No  N/A

RESOLUTION NO.

WHEREAS, the Finance Department requests the City Council of the City of Cedar Rapids, Iowa, approve a Resolution of Special Assessment on ten (10) properties in violation of Ordinance 036-08 and Municipal Code Chapter 9.11, Clearing of Snow from Sidewalk;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that there be and is hereby levied an assessment against the lots, parts of lots, and parcels of ground for a total amount of \$2140.00, as shown below, and which have been invoiced and are on file with the Finance Department, and

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

#	Service Location	Name	Amount	Service Date	GPN	Invoice
1	1417 OAKLAND RD NE	Hannah White	194.00	2/26/2014	141610601100000	STS_0002 8088
2	1527 BEVER AVE SE	Nicholas A Freno	194.00	2/28/2014	142230101000000	STS_0002 8089
3	1714 WOODSIDE CT NW	Joseph N Alger	234.00	2/21/2014	141922602400000	STS_0002 8090
4	8428 WOODSTONE CT SW	Catherine A Boeset	194.00	2/24/2014	192140102300000	STS_0002 8091
5	1903 NORTHBROOK DR NE	Randal A Ridenour	194.00	2/26/2014	113343001100000	STS_0002 8092
6	1968 B AVE NE	Tiffany N Recker	194.00	2/26/2014	141543302900000	STS_0002 8093
7	211 17TH ST NE	David & Julie Zentz	234.00	3/4/2014	142220300300000	STS_0002 8135
8	1650 A AVE NE	Dillion J & Beverly J Lacy	234.00	3/4/2014	142220300100000	STS_0002 8136
9	6803 SURREY DR NE	Kyle J Miller	234.00	3/4/2014	113528200600000	STS_0002 8137
10	2519 MALLORY ST SW	Willie J Hurd Jr & Rachell Swise	234.00	3/5/2014	143340901100000	STS_0002 8178

Passed this 22nd day of April, 2014.

**Council Agenda Item Cover Sheet**

**Consent Agenda**       **Regular Agenda**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Utilities – Water Division

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

**Alternate Contact:** Kevin Kirchner      **Phone No.:** 5902    **E-mail:** [k.kirchner@cedar-rapids.org](mailto:k.kirchner@cedar-rapids.org)

**Description of Agenda Item:**

Resolutions approving assessment actions:

- a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 52 properties; CIP/DID #OB

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:** 4/22/14

**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 27<sup>th</sup> day of May, 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 3:00 p.m., May 27, 2014.

Passed this 22<sup>nd</sup> day of April 2014.

**LIEN INTENTS (SPECIAL ASSESSMENTS) 4/22/14**

				<b>LIEN INTENTS 4/22/14</b>
<b>#</b>		<b>Balance Due</b>		<b>Premise Address</b>
1		\$ 513.85		111 6TH AVE SW
2		\$ 101.67		141 34TH ST NE
3		\$ 111.41		221 18TH ST NE
4		\$ 170.86		614 18TH ST SE
5		\$ 150.13		620 15TH ST SE
6		\$ 48.68		620 36TH ST NE
7		\$ 102.07		711 3RD AVE SE
8		\$ 485.53		822 10TH AVE SW
9		\$ 250.70		861 14TH ST NE
10		\$ 125.49		881 OAKLAND RD NE
11		\$ 481.26		909 28TH ST SE
12		\$ 213.06		1053 17TH ST NE
13		\$ 258.45		1109 31ST ST NE
14		\$ 55.03		1132 29TH ST NE
15		\$ 115.33		1135 33RD ST NE
16		\$ 103.40		1158 28TH ST SE
17		\$ 71.84		1306 K AVE NE
18		\$ 200.10		1316 L AVE NE
19		\$ 221.65		1414 HAMILTON ST SW
20		\$ 193.85		1415 HOLLYWOOD BLVD NE
21		\$ 213.10		1440 3RD AVE SE
22		\$ 53.57		1450 COUNCIL ST NE
23		\$ 177.28		1477 WILSON AVE SW
24		\$ 89.32		1503 4TH AVE SE
25		\$ 273.98		1514 11TH AVE SW
26		\$ 62.95		1602 11TH AVE SW
27		\$ 258.72		1602 13TH AVE SE
28		\$ 135.25		1604 1ST AVE NW
29		\$ 144.93		1620 14TH AVE SE
30		\$ 67.45		1731 5TH AVE SE
31		\$ 43.58		1924 CHANDLER ST SW
32		\$ 51.35		2043 SUGAR CREEK DR NW
33		\$ 63.09		2153 29TH ST NW #1
34		\$ 69.49		2156 SUGAR CREEK DR NW
35		\$ 204.27		2208 FRUITLAND BLVD SW
36		\$ 252.96		2519 INDIANA ST SW
37		\$ 77.38		2931 33RD AVE SW
38		\$ 197.28		3043 LEONARD ST NE (REAR)
39		\$ 214.56		3200 G AVE NW
40		\$ 268.96		3201 G AVE NW
41		\$ 194.74		3308 SUSAN DR NW
42		\$ 88.31		3319 O AVE NW

<b>LIEN INTENTS 4/22/14</b>			
<b>#</b>	<b>Balance Due</b>	<b>Premise Address</b>	
43	\$ 188.79	3609 HOUSTON ST NE	
44	\$ 546.53	4009 WESTOVER RD SE	
45	\$ 671.98	4011 WESTOVER RD SE	
46	\$ 102.93	4101 WEST POST RD SW	
47	\$ 105.63	4218 PINE VIEW DR NE	
48	\$ 104.58	4317 CULVER ST NE	
49	\$ 41.25	4515 C AVE NE	
50	\$ 191.67	4627 1ST AVE SW #2	
51	\$ 225.52	MOSSWOOD LN NE	
52	\$ 176.32	MOSSWOOD LN NE	
	<b>\$ 9,532.08</b>	<b>Grand Total</b>	
	<b>52</b>	<b>Number of Properties</b>	
	<b>\$ 41.25</b>	<b>Balance Due - Low</b>	
	<b>\$ 671.98</b>	<b>Balance Due - High</b>	

## Council Agenda Item Cover Sheet

Consent Agenda       Regular Agenda

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Utilities – Water Division

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

**Alternate Contact:** Kevin Kirchner      **Phone No.:** 5902      **E-mail:** [k.kirchner@cedar-rapids.org](mailto:k.kirchner@cedar-rapids.org)

### **Description of Agenda Item:**

Resolutions approving assessment actions:

- a. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 9 properties. CIP/DID #OB1090314

The property address listing is included with the resolution. [**Note:** The Intent to Assess Resolution was approved at the March 11<sup>th</sup> 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. 0279-03-14 on March 11, 2014.

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:** 4/22/14

**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 22<sup>nd</sup> day of April, 2014.

**SPECIAL ASSESSMENTS (TO BE LIENED) 4-22-14**

<b>SPECIAL ASSESSMENTS 4-22-14</b>			
<b>Lien Intents 3-11-14</b>			
<b>#</b>	<b>Balance Due</b>	<b>Premise Address</b>	
1	\$ 126.61	995 EASTERN DR SE	
2	\$ 296.87	1006 SIOUX DR NW	
3	\$ 182.10	1029 11TH AVE SE	
4	\$ 182.29	1509 B AVE NE	
5	\$ 285.06	2021 GRANDE AVE SE	
6	\$ 532.48	2520 ELLIS VIEW CT NW	
7	\$ 89.79	2806 SOUTHLAND ST SW	
8	\$ 237.74	3011 PIONEER AVE SE	
9	\$ 1,074.21	5449 J ST SW	
	<b>\$ 3,007.15</b>	<b>Grand Total</b>	
	<b>9</b>	<b>Number of Properties</b>	
	<b>\$ 89.79</b>	<b>Balance Due - Low</b>	
	<b>\$ 1,074.21</b>	<b>Balance Due - High</b>	

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Veterans Memorial

**Presenter at meeting:** Consent Agenda  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Mike Jager  
**Email:** M.Jager@cedar-rapids.org

**Phone Number/Ext:** 5039

**Description of Agenda Item:**

Resolution accepting project, approving performance bond and authorizing issuance of final payment for the Veterans Memorial Phase III – Bid Package #7 – Flooring project, final payment in the amount of \$4,459.05 and the 2-Year Performance Bond submitted by Grazzini Brothers & Company (original contract amount was \$77,850; final contract amount is \$89,181) (**FLOOD**); CIP/DID #VME001-06

**Background:**

Construction has been substantially completed by Grazzini Brothers & Company for the Veterans Memorial Phase III – Bid Package #7 – Flooring project. This is a FEMA funded project (VME-001-06) with a final construction contract amount of \$89,181.

**Action / Recommendation:**

The Veterans Memorial Director recommends adoption of the Resolution to accept the project, the performance bond and issue final payment to the contractor in the amount of \$4,459.05.

**Alternative Recommendation:**

None

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:**

**Budget Information (if applicable):** VME-001-06 (522000-330-330020-18512-VME001)

**Local Preference Policy** Applies  Exempt

**Explanation:**

VET  
FIN  
CLK  
TRS  
AUD FILE  
GRAZZINI  
NEUMANN  
VME-001-06  
OB377545

RESOLUTION NO.

WHEREAS, the Veterans Memorial Director certifies construction contract work on the Veterans Memorial Phase III – Bid Package #7 - Flooring project, Contract No. VME001-06, has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated January 22, 2013 in the amount of \$77,850 covering said work filed by Grazzini Brothers & Company and executed by Western Surety Company provides a two-year correction period for defects in materials and workmanship, now therefore

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

BE IT FURTHER RESOLVED that based on the Veterans Memorial Director's recommendation, the Veterans Memorial Phase III – Bid Package #7 - Flooring project, Contract No. VME001-06, 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 \$4,459.05 to Grazzini Brothers & Company as final payment.

The final contract price is \$89,181 distributed as follows: 522000-330-330020-18512-VME001 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 22nd day of April, 2014.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Doug Carper  
**E-mail Address:** d.carper@cedar-rapids.org

**Phone Number/Extension:** 5258

**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 \$695,684.40 and approving the two-year Performance Bond submitted by Miron Construction Co. Inc. for the Cedar Rapids Central Fire Station project (original contract amount was \$13,591,254; final contract amount is \$13,913,688) (**FLOOD**). CIP/DID #FDE010-21

### Background:

Construction has been substantially completed by Miron Construction Co., Inc. for the Cedar Rapids Central Fire Station project. This is an approved Capital Improvements Project (CIP No. FDE010-21), with a final construction contract amount of \$13,913,688. 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 \$695,684.40.

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

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** Fund 330 Dept ID 330610 Project FDE010

**Local Preference Policy:** Applies  Exempt

**Explanation:** Does not fit the criteria.

**Recommended by Council Committee:** Yes  No  N/A

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Cedar Rapids Central Fire Station project (Contract No. FDE010-21), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated June 26, 2012 in the amount of \$13,591.254 covering said work filed by Miron Construction Co., Inc. and executed by Fidelity and Deposit Company of Maryland 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	\$13,591,254
Change Order No. 1	78,898
Change Order No. 2	40,166
Change Order No. 3	(24,803)
Change Order No. 4	30,628
Change Order No. 5	22,471
Change Order No. 6	80,448
Change Order No. 7	<u>94,626</u>
Amended Contract Amount	\$13,913,688

, now therefore

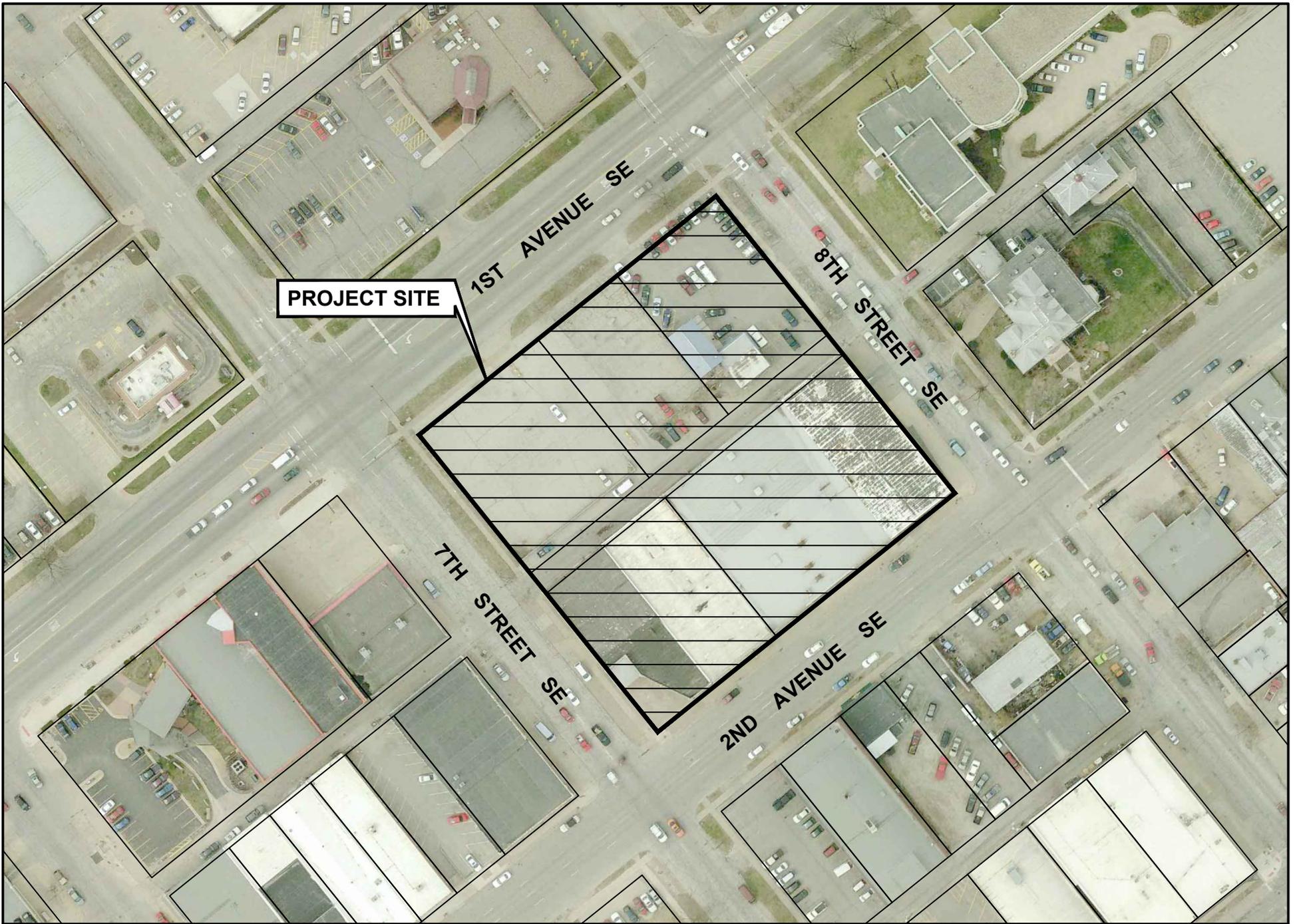
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the two-year correction period as provided by the Performance Bond commences on September 9, 2013, ending on September 9, 2015, and

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the Cedar Rapids Central Fire Station project, (Contract No. FDE010-21) 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 \$695,684.40 to Miron Construction Co., Inc. as final payment.

The final contract price is \$13,913,688 distributed as follows: \$33,951.50 552000-625-625000-625884, \$9,586,311 552000-330-330610-18512-FDE010, \$275,000 552000-330-330610-18515-FDE010-EN, \$3,631,272.50 552000-330-330610-18517 FDE010-IJC, \$113,132 552000-330-330610-18512-FDE011, \$274,021 552000-330-330610-18512-FME001

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 22<sup>nd</sup> day of April, 2014.



PROJECT SITE

1ST AVENUE SE

8TH STREET SE

7TH STREET SE

2ND AVENUE SE



CENTRAL FIRE STATION PROJECT





## Council Agenda Item Cover Sheet

**\*\* FLOOD \*\***

**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. 14 (Final Revised) in the amount of \$172,507.02 and accepting project, authorizing final payment in the amount of \$32,618.95 and approving the 4-year Performance Bond submitted by Northwest Underwater Construction, LLC for the Main Interceptor from A Street SW to Prairie Creek Sanitary Sewer Repair project (original contract amount was \$352,400.24; final contract amount is \$652,378.97) (**FLOOD**). CIP/DID #SSD010-01

**Background:**

Additional costs are related to problems with the initial o-rings and the cost to correct the problem. Varying internal dimensions of the pipe, poor conditions of the existing pipe's internal surface, and unexpected flooding that resulted in higher sewer flow rates added to the cost. Additional work at Manhole #4 was required to remove broken parts of a manhole that had fallen into the sewer and replace the broken cone section on Manhole #4. Manhole #3 was closer to the trail than shown on the plans, resulting in additional excavation and traffic control.

Construction has been substantially completed by Northwest Underwater Construction, LLC for the Main Interceptor from A Street SW to Prairie Creek Sanitary Sewer Repair project. This is an approved Capital Improvements Project (CIP No. SSD010-01), with a final construction contract amount of \$652,378.97. 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 \$32,618.95.

**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:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** Fund obligated under FEMA PW #10540

**Local Preference Policy:** Applies  Exempt

**Explanation:** FEMA-funded project

**Recommended by Council Committee:** Yes  No  N/A

**Explanation (if necessary):** Infrastructure Committee November 2011

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies that the work on the Main Interceptor from A Street SW to Prairie Creek Sanitary Sewer Repair project (Contract No. SSD010-01), has been substantially completed in accordance with the plans and specifications, and

WHEREAS, a Performance Bond, dated August 28, 2012 in the amount of \$352,400.24 covering said work filed by Northwest Underwater Construction, LLC and executed by RLI Insurance Company provides a four-year correction period for defects in materials and workmanship, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 4 (Final Revised) in the amount of \$172,507.02 with Northwest Underwater Construction, LLC for the Main Interceptor from A Street SW to Prairie Creek Sanitary Sewer Repair, Contract No. SSD010-01. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$352,400.24
Change Order No. 1	41,926.19
Change Order No. 2	7,000.00
Change Order No. 3	78,545.52
Change Order No. 4 (Final Revised)	<u>172,507.02</u>
Amended Contract Amount	\$652,378.97

General ledger coding for this Change Order to be as follows: \$172,507.02 330-330210-18511-SSD010

BE IT FURTHER RESOLVED that the Main Interceptor from A Street SW to Prairie Creek Sanitary Sewer Repair project, (Contract No. SSD010-01) be and the same is hereby accepted by the City Public Works Department, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$32,618.95 to Northwest Underwater Construction, LLC as final payment.

The final contract price is \$652,378.97, distributed as follows: \$652,378.97 330-330210-18511-SSD010

BE IT FURTHER RESOLVED, that the four-year correction period as provided by the Performance Bond commences on this date, 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 22<sup>nd</sup> day of April, 2014.



MAIN INTERCEPTOR, FROM A STREET SW TO PRAIRIE CREEK, SANITARY SEWER RESTORATION  
CONTRACT NO. SSD010-01

NOT TO SCALE



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5153

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

**Phone Number/Extension:** 5808

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

Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the 33<sup>rd</sup> Avenue SW from 10<sup>th</sup> Street to Prairie Creek Road and 18<sup>th</sup> Street SW from 33<sup>rd</sup> Avenue to 1000 Feet North project. CIP/DID #301136-00

### Background:

Construction has been substantially completed by Horsfield Construction, Inc. for the subject project. This is a previously approved Capital Improvements Project (CIP No. 301136) with a total cost of completed work to date of \$1,924,489.24. Amount proposed to be assessed to 18 benefiting properties is \$42,020. The preliminary assessment amount of \$160,260 was approved by City Council on October 19, 2005. It should be noted that \$94,940 of the preliminary assessment amount was pre-paid by the property owners, leaving the balance of \$42,020 to be final assessed. Total assessments, including pre-pays, is \$136,960. The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements. In conformance with the provisions of the Iowa Code for special assessment (Chapter 384) the City of Cedar Rapids proposes a resolution to levy the final assessment.

### Action / Recommendation:

The Public Works Department recommends adoption of the resolution.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Must be acted on by April 22, 2014 due to assessment schedule per State Code timeline.

**Resolution Date:** April 22, 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.

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

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

That after full consideration of the final schedule of assessments and accompanying plat showing the assessments proposed to be made for the construction of the 33<sup>rd</sup> Avenue SW from 10<sup>th</sup> Street to Prairie Creek Road and 18<sup>th</sup> Street SW from 33<sup>rd</sup> Avenue to 1000 Feet North project, within the City, under contract with Horsfield Construction, Inc. of Epworth, Iowa, which final plat and schedule was filed in the office of the Clerk on the 17<sup>th</sup> day of March, 2014, said assessments are hereby corrected by making the following changes and reductions:

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

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

BE IT FURTHER RESOLVED, that said assessments of an amount subject to the provisions of Section 384.60, Code of Iowa, shall be payable in ten (10) equal annual installments and shall bear interest at the rate of 9 percent per annum, the maximum rate permitted by law, from the date of the acceptance of the improvements; the first installment of each assessment, or total amount thereof, if it be less than the amount subject to the provisions of Section 384.60 Code of Iowa, with interest on the whole assessment from date of acceptance of the work by the Council, shall become due and payable on July 1, 2014; succeeding annual installments, with interest on the whole unpaid amount, shall respectively become due on July 1<sup>st</sup> annually thereafter, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary

taxes. Said assessments shall be payable at the office of the City Treasurer, in full or in part and without interest within thirty days after the date of the first publication of the notice of the filing of the final plat and schedule of assessments to the County Treasurer of Linn County, Iowa.

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

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

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

PASSED AND APPROVED this 22<sup>nd</sup> day of April, 2014.

Published in the Cedar Rapids Gazette 4/26/14 & 5/03/14  
(Two publications required)

NOTICE OF FILING OF THE FINAL PLAT AND SCHEDULE  
OF ASSESSMENTS AGAINST BENEFITED PROPERTIES FOR  
THE CONSTRUCTION OF THE 33<sup>RD</sup> AVENUE SW FROM 10<sup>TH</sup> STREET TO PRAIRIE CREEK  
ROAD AND 18<sup>TH</sup> STREET SW FROM 33<sup>RD</sup> AVENUE TO 1000 FEET NORTH PROJECT  
WITHIN THE CITY OF CEDAR RAPIDS, IOWA

TO THE PERSONS OWNING LAND LOCATED WITHIN THE DISTRICT DESCRIBED AS THE  
33<sup>RD</sup> AVENUE SW FROM 10<sup>TH</sup> STREET TO PRAIRIE CREEK ROAD AND 18<sup>TH</sup> STREET SW FROM  
33<sup>RD</sup> AVENUE TO 1000 FEET NORTH PROJECT WITHIN THE CITY OF CEDAR RAPIDS, IOWA:

Consisting of the properties which are described as follows:

Parcel No. 1190525100100000 LANDS E OF RD & N OF AP 135 SE NE 6-82-7 & N 20' W 383.5' & THAT PT E OF RR SW NW 5-82-7	Parcel No. 190527700100000 LANDS (LESS ST) W'LY OF CR & IC RR SE NW 5-82-7	Parcel No. 190610100100000 EX E118.8' & EX P.O.S. #1000 & EX p.o.s #1056 & EX RDS NE NE 6-82-7
Parcel No. 190610100300000 LOT A P.O.S. #1056	Parcel No. 190522700100000 LANDS (LESS ST) E 118' NE NE 6-82-7 & (LESS ST) W OF RR NW NW 5-82-7	Parcel No. 190610100200000 LOT A P.O.S #1000
Parcel No. 190617800200000 REMINGTON RIDGE 3RD LOTS 27 THRU EX RD	Parcel No. 190617800400000 REMINGTON RIDGE 3RD	Parcel No. 190617800500000 REMINGTON RIDGE 3RD
Parcel No. 190617800600000 REMINGTON RIDGE 3RD	Parcel No. 190617800700000 REMINGTON RIDGE 3RD	Parcel No. 190617800800000 REMINGTON RIDGE 3RD
Parcel No. 190617800900000 REMINGTON RIDGE 3RD	Parcel No. 190617801000000 REMINGTON RIDGE 3RD	Parcel No. 190617801100000 REMINGTON RIDGE 3RD
Parcel No. 190617801200000 REMINGTON RIDGE 3RD EX S7'	Parcel No. 190617801300000 REMINGTON RIDGE 3RD S7' LOT 18 & ALL LOT	Parcel No. 190617801400000 REMINGTON RIDGE 3RD

The extent of the work completed on the 33<sup>rd</sup> Avenue SW from 10<sup>th</sup> Street to Prairie Creek Road and 18<sup>th</sup> Street SW from 33<sup>rd</sup> Avenue to 1000 Feet North project is as follows:

Paving, grading, sidewalks, and drainage work located at 33<sup>rd</sup> Avenue SW from 10<sup>th</sup> Street to Prairie Creek Road and 18<sup>th</sup> Street SW from 33<sup>rd</sup> Avenue to 1000 feet north

You are hereby notified that the final plat and schedule of assessments against benefited properties within the District described as the 33<sup>rd</sup> Avenue SW from 10<sup>th</sup> Street to Prairie Creek Road and 18<sup>th</sup> Street SW from 33<sup>rd</sup> Avenue to 1000 Feet North project, for the construction of Portland cement concrete pavement, grading, drainage, and sidewalk improvements, has been adopted and levied by the Council of Cedar Rapids, Iowa, and that said plat and schedule of assessments has been certified to the County Treasurer of Linn County, Iowa. Assessments of \$500 or more are

payable in ten (10) equal annual installments, with interest on the unpaid balance, all as provided in Section 384.65, City Code of Iowa. Conditional deficiency assessment, if any, may be levied against the applicable property for the same period of years as the assessments are made payable.

You are further notified that assessments may be paid in full or in part without interest at the office of the City Treasurer at any time within thirty days after the date of the first publication of this notice of the filing of the final plat and schedule of assessments with the County Treasurer. Unless said assessments are paid in full within said thirty day period, all unpaid assessments will draw annual interest computed at 9 percent (commencing on the date of acceptance of the work) computed to the next December 1<sup>st</sup> following the due dates of the respective installments. Each installment will be delinquent on September 30<sup>th</sup> following its due date on July 1<sup>st</sup> in each year. Property owners may elect to pay any annual installment semiannually in advance.

All properties located within the boundaries of the 33<sup>rd</sup> Avenue SW from 10<sup>th</sup> Street to Prairie Creek Road and 18<sup>th</sup> Street SW from 33<sup>rd</sup> Avenue to 1000 Feet North project, above described have been assessed for the cost of the making of said improvements, the amount of each assessment, and the amount of any conditional deficiency assessment having been set out in the schedule of assessments and plat accompanying the same, which are now on file in the office of the County Treasurer of Linn County, Iowa. For further information you are referred to said plat and schedule of assessments.

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

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Clerk of the City of Cedar Rapids, Iowa

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

STATE OF IOWA

COUNTY OF LINN

I, \_\_\_\_\_, Clerk of the City of Cedar Rapids, County of Linn, State of Iowa, do hereby certify that at a meeting of the Council of Cedar Rapids, Iowa, held on the 22<sup>nd</sup> day of April, 2014, the said Council did levy special assessments for and on account of the cost of construction of the 33<sup>rd</sup> Avenue SW from 10<sup>th</sup> Street to Prairie Creek Road and 18<sup>th</sup> Street SW from 33<sup>rd</sup> Avenue to 1000 Feet North project, under contract with Horsfield Construction, Inc. of Epworth, Iowa, on the following or portions thereof, in said Municipality, to-wit:

Parcel No. 1190525100100000 LANDS E OF RD & N OF AP 135 SE NE 6-82-7 & N 20' W 383.5' & THAT PT E OF RR SW NW 5-82-7	Parcel No. 190527700100000 LANDS (LESS ST) W'LY OF CR & IC RR SE NW 5-82-7	Parcel No. 190610100100000 EX E118.8' & EX P.O.S. #1000 & EX p.o.s #1056 & EX RDS NE NE 6-82-7
Parcel No. 190610100300000 LOT A P.O.S. #1056	Parcel No. 190522700100000 LANDS (LESS ST) E 118' NE NE 6-82-7 & (LESS ST) W OF RR NW NW 5-82-7	Parcel No. 190610100200000 LOT A P.O.S #1000
Parcel No. 190617800200000 REMINGTON RIDGE 3RD LOTS 27 THRU EX RD	Parcel No. 190617800400000 REMINGTON RIDGE 3RD	Parcel No. 190617800500000 REMINGTON RIDGE 3RD
Parcel No. 190617800600000 REMINGTON RIDGE 3RD	Parcel No. 190617800700000 REMINGTON RIDGE 3RD	Parcel No. 190617800800000 REMINGTON RIDGE 3RD
Parcel No. 190617800900000 REMINGTON RIDGE 3RD	Parcel No. 190617801000000 REMINGTON RIDGE 3RD	Parcel No. 190617801100000 REMINGTON RIDGE 3RD
Parcel No. 190617801200000 REMINGTON RIDGE 3RD EX S7'	Parcel No. 190617801300000 REMINGTON RIDGE 3RD S7' LOT 18 & ALL LOT	Parcel No. 190617801400000 REMINGTON RIDGE 3RD

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

33<sup>rd</sup> Avenue SW from 10<sup>th</sup> Street to Prairie Creek Road and 18<sup>th</sup> Street SW from 33<sup>rd</sup> Avenue to 1000 Feet North project

I further certify that the said assessments of \$500 or more are payable in ten (10) equal annual installments, together with interest thereon at the rate of 9 percent per annum computed to December 1<sup>st</sup> following the due date of each installment. Interest commences on March 25, 2014, the date of acceptance of the work. The first annual installment, or the full amount of assessments less than \$500.00, are due and payable on July 1<sup>st</sup> following the date of levy of these assessments as set forth above (unless this certification is made within less than thirty days prior to July 1<sup>st</sup>) and

is subject to the provisions of Section 384.65, City Code of Iowa, with respect to lien, delinquent dates, interest, penalties and years of payment.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the 22<sup>nd</sup> day of April, 2014.

\_\_\_\_\_  
City Clerk

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

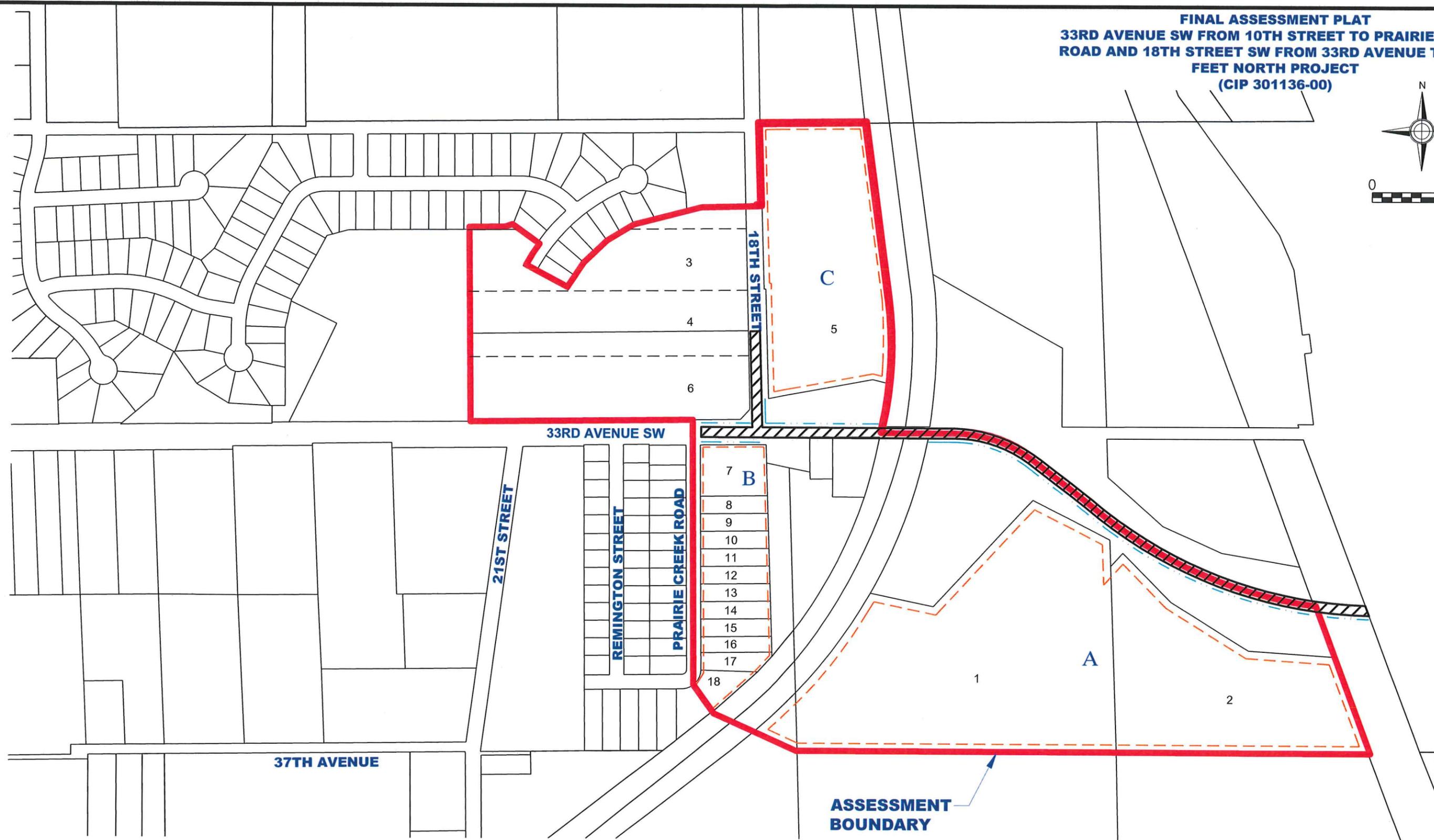
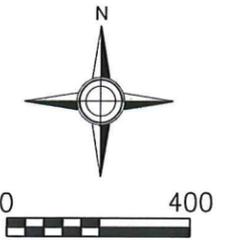
\_\_\_\_\_  
County Treasurer

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

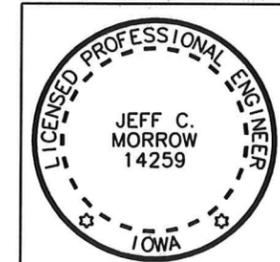
\_\_\_\_\_  
Building Permit Official of the City of Cedar  
Rapids, Iowa

T:\ACAD\208030\dwg\301136 Final Plat.dwg 3-18-14 03:15:31 PM jcm239

**FINAL ASSESSMENT PLAT**  
**33RD AVENUE SW FROM 10TH STREET TO PRAIRIE CREEK**  
**ROAD AND 18TH STREET SW FROM 33RD AVENUE TO 1000**  
**FEET NORTH PROJECT**  
**(CIP 301136-00)**



- Legend**
- Turn Lane Benefit District
  - Sidewalk Benefit
  - A** Turn Lane Benefit District ID
  - 22** Assessment Number (Refer to Preliminary Assessment Schedule)
  - Project Improvements (Including Left Turn Lanes, Sidewalks, Grading, Drainage)



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

*Jeff C. Morrow*  
 Jeff C. Morrow Iowa Reg No.14259  
 My License renewal date is December 31, 2015  
 Pages covered by this seal: ALL



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5153

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

**Phone Number/Extension:** 5808

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

Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the 33rd Avenue SW from 18<sup>th</sup> Street to Edgewood Road Improvements project. CIP/DID #301182-00

### Background:

Construction has been substantially completed by Horsfield Construction, Inc. and by Rathje Construction Co. for the subject project. This is a previously approved Capital Improvements Project (CIP No. 301182), with a total cost of completed work to date of \$2,658,528.79. Amount proposed to be assessed to 302 benefiting properties is \$315,850. The preliminary assessment amount of \$397,340 was approved by City Council on November 12, 2008. The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements. In conformance with the provisions of the Iowa Code for special assessment (Chapter 384) the City of Cedar Rapids proposes a resolution to levy the final assessment.

### Action / Recommendation:

The Public Works Department recommends adoption of the resolution.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Must be acted on by April 22, 2014 due to assessment schedule per State Code timeline.

**Resolution Date:** April 22, 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.

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

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

That after full consideration of the final schedule of assessments and accompanying plat showing the assessments proposed to be made for the construction of the 33<sup>rd</sup> Avenue SW from 18<sup>th</sup> Street to Edgewood Road Improvements, within the City, under contract with Horsfield Construction, Inc. of Epworth, Iowa, and for the construction of the 33<sup>rd</sup> Avenue SW at Hallbrook Street SW Water Main Improvements, within the City, under contract with Rathje Construction Co. of Marion, Iowa, which final plat and schedule was filed in the office of the Clerk on the 17<sup>th</sup> day of March, 2014, said assessments are hereby corrected by making the following changes and reductions:

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

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

BE IT FURTHER RESOLVED, that said assessments of an amount subject to the provisions of Section 384.60, Code of Iowa, shall be payable in ten (10) equal annual installments and shall bear interest at the rate of 9 percent per annum, the maximum rate permitted by law, from the date of the acceptance of the improvements; the first installment of each assessment, or total amount thereof, if it be less than the amount subject to the provisions of Section 384.60 Code of Iowa, with interest on the whole assessment from date of acceptance of the work by the Council, shall become due and payable on July 1, 2014; succeeding annual installments, with interest on the

whole unpaid amount, shall respectively become due on July 1<sup>st</sup> annually thereafter, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. Said assessments shall be payable at the office of the City Treasurer, in full or in part and without interest within thirty days after the date of the first publication of the notice of the filing of the final plat and schedule of assessments to the County Treasurer of Linn County, Iowa.

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

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

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

PASSED AND APPROVED this 22<sup>nd</sup> day of April, 2014.

NOTICE OF FILING OF THE FINAL PLAT AND SCHEDULE  
OF ASSESSMENTS AGAINST BENEFITED PROPERTIES FOR  
THE CONSTRUCTION OF THE 33RD AVENUE SW  
FROM 18TH STREET TO EDGEWOOD ROAD IMPROVEMENTS  
WITHIN THE CITY OF CEDAR RAPIDS, IOWA

TO THE PERSONS OWNING LAND LOCATED WITHIN THE DISTRICT DESCRIBED AS THE  
33RD AVENUE SW FROM 18TH STREET TO EDGEWOOD ROAD IMPROVEMENTS WITHIN  
THE CITY OF CEDAR RAPIDS, IOWA:

Consisting of the properties which are described as follows:

Parcel No. 190617800200000 REMINGTON RIDGE 3RD LOTS 27 THRU EX RD	Parcel No. 190617800400000 REMINGTON RIDGE 3RD	Parcel No. 190617800500000 REMINGTON RIDGE 3RD
Parcel No. 190617800600000 REMINGTON RIDGE 3RD	Parcel No. 190617800700000 REMINGTON RIDGE 3RD	Parcel No. 190617800800000 REMINGTON RIDGE 3RD
Parcel No. 190617800900000 REMINGTON RIDGE 3RD	Parcel No. 190617801000000 REMINGTON RIDGE 3RD	Parcel No. 190617801100000 REMINGTON RIDGE 3RD
Parcel No. 190617801200000 REMINGTON RIDGE 3RD EX S7'	Parcel No. 190617801300000 REMINGTON RIDGE 3RD S7' LOT 18 & ALL LOT	Parcel No. 190617801400000 REMINGTON RIDGE 3RD
Parcel No. 190617801500000 REMINGTON RIDGE 3RD EX P.O.S. #1109	Parcel No. 190617801600000 REMINGTON RIDGE 3RD LOT 14 & P.O.S. #1109 PARCEL A	Parcel No. 190617602100000 REMINGTON RIDGE 3RD
Parcel No. 190617602200000 REMINGTON RIDGE 3RD	Parcel No. 190617602300000 REMINGTON RIDGE 3RD	Parcel No. 190617602400000 REMINGTON RIDGE 3RD
Parcel No. 190617602600000 REMINGTON RIDGE 3RD	Parcel No. 190617602500000 REMINGTON RIDGE 3RD	Parcel No. 190617602700000 REMINGTON RIDGE 3RD
Parcel No. 190617602800000 REMINGTON RIDGE 3RD	Parcel No. 190617603000000 REMINGTON RIDGE 3RD	Parcel No. 190617602900000 REMINGTON RIDGE 3RD
Parcel No. 190617603100000 REMINGTON RIDGE 3RD	Parcel No. 190617603200000 REMINGTON RIDGE 3RD EX N10'	Parcel No. 190617603300000 REMINGTON RIDGE 3RD LOT 1 & N10'
Parcel No. 190617600400000 REMINGTON RIDGE 1ST EX RDS	Parcel No. 190617600500000 REMINGTON RIDGE 1ST	Parcel No. 190617600600000 REMINGTON RIDGE 1ST
Parcel No. 190617600700000 REMINGTON RIDGE 1ST	Parcel No. 190617600800000 REMINGTON RIDGE 1ST	Parcel No. 190617600900000 REMINGTON RIDGE 2ND
Parcel No. 190617601000000 REMINGTON RIDGE 2ND	Parcel No. 190617601100000 REMINGTON RIDGE 2ND	Parcel No. 190617601200000 REMINGTON RIDGE 2ND

Parcel No. 190617601300000 REMINGTON RIDGE 2ND	Parcel No. 190617601400000 REMINGTON RIDGE 2ND	Parcel No. 190617601500000 REMINGTON RIDGE 2ND
Parcel No. 190617601600000 REMINGTON RIDGE 2ND	Parcel No. 190617601700000 REMINGTON RIDGE 2ND	Parcel No. 190617601800000 REMINGTON RIDGE 2ND
Parcel No. 190617601900000 REMINGTON RIDGE 2ND	Parcel No. 190617602000000 REMINGTON RIDGE 2ND	Parcel No. 190617701400000 REMINGTON RIDGE 2ND
Parcel No. 190617701300000 REMINGTON RIDGE 2ND	Parcel No. 190617701200000 REMINGTON RIDGE 2ND	Parcel No. 190617701100000 REMINGTON RIDGE 2ND
Parcel No. 190617701000000 REMINGTON RIDGE 2ND	Parcel No. 190617700900000 REMINGTON RIDGE 2ND	Parcel No. 190617700700000 REMINGTON RIDGE 2ND EX N 5'
Parcel No. 190617700800000 REMINGTON RIDGE 2ND	Parcel No. 190617700500000 REMINGTON RIDGE 1ST LOT 5 & REMINGTON RIDGE 2ND N 5' LOT 1	Parcel No. 190617700400000 REMINGTON RIDGE 1ST
Parcel No. 190617700300000 REMINGTON RIDGE 1ST	Parcel No. 190617700200000 REMINGTON RIDGE 1ST S 2' LOT 1 & ALL LOT	Parcel No. 190617700100000 REMINGTON RIDGE 1ST EX S2' & EX RD
Parcel No. 190617700600000 A.P. #211 EX E542.8' & EX RD	Parcel No. 190615100100000 N1/2 S1/2 NE W OF RD & EX W990' & EX RD	Parcel No. 190615100200000 W 5AC NE SW NE & E350' W1010' N310' S660' SW NE-EX RD
Parcel No. 190615100300000 NW SW NE E 5AC-EX RD	Parcel No. 190615100400000 NW SW NE W 5AC-EX RD	Parcel No. 190627600100000 E1/2 N1/2 E1/4 SE NW EX RD
Parcel No. 190627600200000 W1/2 N1/2 E1/4 SE NW EX RD	Parcel No. 190627600300000 AULWE'S 1ST EX RD	Parcel No. 190627600400000 AULWE'S 1ST EX RD
Parcel No. 190627600500000 E 1/2 SE NW EX S660' E98' W158' & EX RD	Parcel No. 190627600600000 LANDS (LESS ST) & (LESS S 660') W 60' E 1/2 SE NW	Parcel No. 190627601500000 REMINGTON WEST 1ST
Parcel No. 190627601600000 REMINGTON WEST 1ST	Parcel No. 190627601700000 REMINGTON WEST 1ST	Parcel No. 190627601800000 REMINGTON WEST 1ST OUTLOT
Parcel No. 190627601900000 REMINGTON WEST 1ST	Parcel No. 190627602000000 REMINGTON WEST 1ST	Parcel No. 190627602100000 REMINGTON WEST 1ST
Parcel No. 190627602200000 REMINGTON WEST 1ST	Parcel No. 190627700600000 REMINGTON WEST 1ST	Parcel No. 190627700500000 REMINGTON WEST 1ST
Parcel No. 190627700400000 REMINGTON WEST 1ST	Parcel No. 190627700300000 REMINGTON WEST 1ST	Parcel No. 190627700200000 REMINGTON WEST 1ST
Parcel No. 190627700100000 REMINGTON WEST 1ST	Parcel No. 190627600900000 W1/2 SE NW W172.5' N188' E10AC W16AC EX RD	Parcel No. 190627601000000 SE NW N230' E100' W6AC-EX RD
Parcel No. 190627601100000 W 6A SE NW EX N230' E100' & EX ROLLING GREEN UNIT V & EX RD	Parcel No. 190625100100000 ROLLING GREEN UNIT 5 EX RD	Parcel No. 190625100200000 ROLLING GREEN UNIT 5 EX RD

Parcel No. 190625100300000 ROLLING GREEN UNIT 5	Parcel No. 190625100400000 ROLLING GREEN UNIT 5	Parcel No. 190625100500000 ROLLING GREEN UNIT 5
Parcel No. 190625100600000 ROLLING GREEN UNIT 5	Parcel No. 190625100700000 ROLLING GREEN UNIT 5	Parcel No. 190625100800000 ROLLING GREEN UNIT 5
Parcel No. 190625100900000 ROLLING GREEN UNIT 5	Parcel No. 190625101000000 ROLLING GREEN UNIT 5	Parcel No. 190625101100000 ROLLING GREEN UNIT 5
Parcel No. 190625101200000 ROLLING GREEN UNIT 5	Parcel No. 190625101300000 ROLLING GREEN UNIT 5	Parcel No. 190625101400000 ROLLING GREEN UNIT 5
Parcel No. 190625101500000 ROLLING GREEN UNIT 5	Parcel No. 190625101600000 ROLLING GREEN UNIT 5	Parcel No. 190625101700000 ROLLING GREEN UNIT 5
Parcel No. 190625101800000 ROLLING GREEN UNIT 5	Parcel No. 190625101900000 ROLLING GREEN UNIT 5	Parcel No. 190625102000000 ROLLING GREEN UNIT 5
Parcel No. 190625102100000 ROLLING GREEN UNIT 5	Parcel No. 190625102200000 ROLLING GREEN UNIT 5	Parcel No. 190625102300000 ROLLING GREEN UNIT 5
Parcel No. 190625102400000 ROLLING GREEN UNIT 5	Parcel No. 190625102500000 ROLLING GREEN UNIT 5	Parcel No. 190625102600000 ROLLING GREEN UNIT 5
Parcel No. 190625102700000 ROLLING GREEN UNIT 5	Parcel No. 190625102800000 ROLLING GREEN UNIT 5	Parcel No. 190625102900000 ROLLING GREEN UNIT 5
Parcel No. 190625103000000 ROLLING GREEN UNIT 5	Parcel No. 190625103100000 ROLLING GREEN UNIT 5	Parcel No. 190625103200000 ROLLING GREEN UNIT 5
Parcel No. 190625103300000 ROLLING GREEN UNIT 5	Parcel No. 190625200200000 ROLLING GREEN UNIT 5	Parcel No. 190625200300000 ROLLING GREEN UNIT 5
Parcel No. 190625200400000 ROLLING GREEN UNIT 5	Parcel No. 190625200500000 ROLLING GREEN UNIT 5	Parcel No. 190625200600000 ROLLING GREEN UNIT 5
Parcel No. 190625200700000 ROLLING GREEN UNIT 5	Parcel No. 190625200800000 ROLLING GREEN UNIT 5	Parcel No. 190625200900000 ROLLING GREEN UNIT 5
Parcel No. 190625201000000 ROLLING GREEN UNIT 5	Parcel No. 190625201100000 ROLLING GREEN UNIT 5	Parcel No. 190625201200000 ROLLING GREEN UNIT 5
Parcel No. 190625201300000 ROLLING GREEN UNIT 5	Parcel No. 190625201400000 ROLLING GREEN UNIT 5	Parcel No. 190625201500000 ROLLING GREEN UNIT 5
Parcel No. 190625201600000 ROLLING GREEN UNIT 5	Parcel No. 190625201700000 ROLLING GREEN UNIT 5	Parcel No. 190625200100000 ROLLING GREEN UNIT 5
Parcel No. 190625103400000 ROLLING GREEN UNIT 5	Parcel No. 190625103500000 ROLLING GREEN UNIT 5	Parcel No. 190625103600000 ROLLING GREEN UNIT 5 EX RD
Parcel No. 190625103700000 ROLLING GREEN UNIT 5 EX RD	Parcel No. 190625103800000 ROLLING GREEN UNIT 5 EX RD	Parcel No. 190625103900000 ROLLING GREEN UNIT 5 EX RD
Parcel No. 190625104000000 ROLLING GREEN UNIT 5 EX RD	Parcel No. 190625104100000 ROYAL HEIGHTS FIRST EX RDS	Parcel No. 190625104200000 ROYAL HEIGHTS FIRST
Parcel No. 190625104300000 ROYAL HEIGHTS FIRST	Parcel No. 190625104400000 ROYAL HEIGHTS FIRST	Parcel No. 190625304500000 ROYAL HEIGHTS 3RD
Parcel No. 190625304600000 ROYAL HEIGHTS 3RD	Parcel No. 190625304700000 ROYAL HEIGHTS 3RD	Parcel No. 190625304800000 ROYAL HEIGHTS 3RD

Parcel No. 190625304900000 ROYAL HEIGHTS 3RD	Parcel No. 190625305000000 ROYAL HEIGHTS 3RD	Parcel No. 190625305100000 ROYAL HEIGHTS 3RD
Parcel No. 190625305200000 ROYAL HEIGHTS 3RD	Parcel No. 190625305300000 ROYAL HEIGHTS 3RD	Parcel No. 190625305400000 ROYAL HEIGHTS 3RD
Parcel No. 190625105500000 ROYAL HEIGHTS 3RD	Parcel No. 190625301900000 ROYAL HEIGHTS 3RD	Parcel No. 190625302000000 ROYAL HEIGHTS 3RD
Parcel No. 190625302100000 ROYAL HEIGHTS 3RD	Parcel No. 190625302200000 ROYAL HEIGHTS 3RD	Parcel No. 190625302300000 ROYAL HEIGHTS 3RD
Parcel No. 190625302400000 ROYAL HEIGHTS 3RD	Parcel No. 190625302500000 ROYAL HEIGHTS 3RD	Parcel No. 190625302600000 ROYAL HEIGHTS 3RD
Parcel No. 190625302700000 ROYAL HEIGHTS 3RD	Parcel No. 190625302800000 ROYAL HEIGHTS 3RD	Parcel No. 190625302900000 ROYAL HEIGHTS 3RD
Parcel No. 190625303000000 ROYAL HEIGHTS FIRST	Parcel No. 190625303100000 ROYAL HEIGHTS FIRST	Parcel No. 190625303200000 ROYAL HEIGHTS FIRST
Parcel No. 190625300100000 ROYAL HEIGHTS FIRST EX RDS	Parcel No. 190625300200000 ROYAL HEIGHTS 1ST EX RD	Parcel No. 190625300300000 ROYAL HEIGHTS FIRST EX RD
Parcel No. 190625300400000 ROYAL HEIGHTS FIRST EX	Parcel No. 190625300501000 ROYAL HEIGHTS 4TH LOT 1 ROYAL HEIGHTS I CONDOMINIUM COMP- RISING UNIT 3315	Parcel No. 190625300501001 ROYAL HEIGHTS 4TH LOT 1 ROYAL HEIGHTS I CONDOMINIUM COMP- RISING UNIT 3317
Parcel No. 190625300501002 ROYAL HEIGHTS 4TH LOT 1 ROYAL HEIGHTS I CONDOMINIUM COMP- RISING UNIT 3321	Parcel No. 190625300501003 ROYAL HEIGHTS 4TH LOT 1 ROYAL HEIGHTS I CONDOMINIUM COMP- RISING UNIT 3323	Parcel No. 190625300501004 ROYAL HEIGHTS 4TH LOT 1 ROYAL HEIGHTS I CONDOMINIUM COMP- RISING UNIT 3327
Parcel No. 190625300501005 ROYAL HEIGHTS 4TH LOT 1 ROYAL HEIGHTS I CONDOMINIUM COMP- RISING UNIT 3329	Parcel No. 190625300501006 ROYAL HEIGHTS 4TH LOT 1 ROYAL HEIGHTS I CONDOMINIUM COMP- RISING UNIT 3333	Parcel No. 190625300501007 ROYAL HEIGHTS 4TH LOT 1 ROYAL HEIGHTS I CONDOMINIUM COMP- RISING UNIT 3335
Parcel No. 190625300601000 ROYAL HEIGHTS 4TH LOT 2 ROYAL HEIGHTS II CONDOMINIUM COMP- RISING UNIT 3405	Parcel No. 190625300601001 ROYAL HEIGHTS 4TH LOT 2 ROYAL HEIGHTS II CONDOMINIUM COMP- RISING UNIT 3407	Parcel No. 190625300601002 ROYAL HEIGHTS 4TH LOT 2 ROYAL HEIGHTS II CONDOMINIUM COMP- RISING UNIT 3409
Parcel No. 190625300701000 ROYAL HEIGHTS II CONDO UNIT 3415-A	Parcel No. 190625300701001 ROYAL HEIGHTS II CONDO UNIT 3415-B	Parcel No. 190625300701002 ROYAL HEIGHTS II CONDO UNIT 3415-C
Parcel No. 190625300701003 ROYAL HEIGHTS II CONDO UNIT 3415-D	Parcel No. 190625300801000 WESTCOVE CONDO UNIT 3425-1	Parcel No. 190625300801001 WESTCOVE CONDO UNIT 3425-2
Parcel No. 190625300801002 WESTCOVE CONDO UNIT 3425-3	Parcel No. 190625300801003 WESTCOVE CONDO UNIT 3425-4	Parcel No. 190625300801004 WESTCOVE CONDO UNIT 3425-5

Parcel No. 190625300801005 WESTCOVE CONDO UNIT 3425-6	Parcel No. 190625300801006 WESTCOVE CONDO UNIT 3425-7	Parcel No. 190625300801007 WESTCOVE CONDO UNIT 3425-8
Parcel No. 190625400300000 ROYAL HEIGHTS 2ND	Parcel No. 190625400100000 ROYAL HEIGHTS 1ST EX RD	Parcel No. 190623201200000 ROLLING GREEN UNIT 4 EX RDS
Parcel No. 190623201300000 ROLLING GREEN UNIT 1	Parcel No. 190623201400000 ROLLING GREEN UNIT 1	Parcel No. 190623201500000 ROLLING GREEN UNIT 1
Parcel No. 190623201600000 ROLLING GREEN UNIT 1	Parcel No. 190623101100000 ROLLING GREEN UNIT 1	Parcel No. 190623101200000 ROLLING GREEN UNIT 1
Parcel No. 190623101300000 ROLLING GREEN UNIT 1	Parcel No. 190623101400000 ROLLING GREEN UNIT 1	Parcel No. 190623101500000 ROLLING GREEN UNIT 1
Parcel No. 190623101600000 ROLLING GREEN UNIT 1	Parcel No. 190623101700000 ROLLING GREEN UNIT 1	Parcel No. 190623101800000 ROLLING GREEN UNIT 1
Parcel No. 190623101900000 ROLLING GREEN UNIT 1	Parcel No. 190623102000000 ROLLING GREEN UNIT 1	Parcel No. 190623300100000 ROLLING GREEN UNIT 1 EX RDS
Parcel No. 190623300200000 ROLLING GREEN UNIT 1	Parcel No. 190623300300000 ROLLING GREEN UNIT 1	Parcel No. 190623300400000 ROLLING GREEN UNIT 1
Parcel No. 190623300500000 ROLLING GREEN UNIT 1	Parcel No. 190623300600000 ROLLING GREEN UNIT 1	Parcel No. 190623300700000 ROLLING GREEN UNIT 1
Parcel No. 190623300800000 ROLLING GREEN UNIT 1	Parcel No. 190623300900000 ROLLING GREEN UNIT 1	Parcel No. 190623301000000 ROLLING GREEN UNIT 1
Parcel No. 190623301100000 ROLLING GREEN UNIT 4 EX RDS	Parcel No. 190623301200000 ROLLING GREEN UNIT 4 EX RD	Parcel No. 190623301300000 ROLLING GREEN UNIT 4 EX RD
Parcel No. 190623301400000 ROLLING GREEN UNIT 4 EX RD	Parcel No. 190623301500000 ROLLING GREEN UNIT 4 EX RD	Parcel No. 190623301600000 ROLLING GREEN UNIT 4 EX RD
Parcel No. 190623301700000 ROLLING GREEN UNIT 4 EX RD	Parcel No. 190623301800000 ROLLING GREEN UNIT 4 EX RD	Parcel No. 190623301900000 ROLLING GREEN UNIT 4 EX RD
Parcel No. 190623302000000 ROLLING GREEN UNIT 4 EX RDS	Parcel No. 190622901300000 ROLLING GREEN UNIT 4 EX RDS	Parcel No. 190622901200000 ROLLING GREEN UNIT 1
Parcel No. 190622901100000 ROLLING GREEN UNIT 1	Parcel No. 190622901000000 ROLLING GREEN UNIT 1	Parcel No. 190622900900000 ROLLING GREEN UNIT 1
Parcel No. 190622900800000 ROLLING GREEN UNIT 1	Parcel No. 190622901400000 ROLLING GREEN UNIT 3 EX RDS	Parcel No. 190622901500000 ROLLING GREEN UNIT 3
Parcel No. 190622901600000 ROLLING GREEN UNIT 3	Parcel No. 190622901700000 ROLLING GREEN UNIT 3	Parcel No. 190622901800000 ROLLING GREEN UNIT 3
Parcel No. 190622901900000 ROLLING GREEN UNIT 3	Parcel No. 190622902000000 ROLLING GREEN UNIT 3	Parcel No. 190622902100000 ROLLING GREEN UNIT 3
Parcel No. 190622902200000 ROLLING GREEN UNIT 3	Parcel No. 190622902300000 ROLLING GREEN UNIT 3	Parcel No. 190620105100000 ROLLING GREEN UNIT 3

Parcel No. 190620105200000 ROLLING GREEN UNIT 3	Parcel No. 190620105300000 ROLLING GREEN UNIT 3	Parcel No. 190620105400000 ROLLING GREEN UNIT 3
Parcel No. 190620105500000 ROLLING GREEN UNIT 3	Parcel No. 190620105600000 ROLLING GREEN UNIT 3	Parcel No. 190620105700000 ROLLING GREEN UNIT 3
Parcel No. 190620105800000 ROLLING GREEN UNIT 3	Parcel No. 190620105900000 ROLLING GREEN UNIT 3	Parcel No. 190620106000000 ROLLING GREEN UNIT 3
Parcel No. 190620106100000 ROLLING GREEN UNIT 3 EX RDS	Parcel No. 190620106200000 ROLLING GREEN UNIT 3 EX RD	Parcel No. 190620106300000 ROLLING GREEN UNIT 3 EX E2' & EX RD
Parcel No. 190620106400000 ROLLING GREEN UNIT 3 E2' LOT 92 & ALL EX RD	Parcel No. 190620106500000 ROLLING GREEN UNIT 3 LOT 94 & W'LY 2' EX RD	Parcel No. 190620106600000 ROLLING GREEN UNIT 3 LOT 95-EX W 2' & W12' & EX RD
Parcel No. 190620106700000 ROLLING GREEN UNIT 3 EX W 12' LOT 96 EX RD & W 24' EX RD	Parcel No. 190620106800000 ROLLING GREEN UNIT 3 LOT 97-EX W24' & W36' & EX RD	Parcel No. 190620106900000 ROLLING GREEN UNIT 3 E 22' LOT 98 & W 48' EX RD
Parcel No. 190620107000000 ROLLING GREEN UNIT 3 EX W48' LOT 99 & ALL & EX RD	Parcel No. 190620107100000 E 1/2 NE NW W265' S330' EX RD	Parcel No. 190620108800000 WESTWIND CREEK 2ND EX RD
Parcel No. 190620108900000 WESTWIND CREEK 2ND EX RD	Parcel No. 190612600400000 WESTWIND CREEK 2ND EX P.O.S. #1232	Parcel No. 190620107200000 P.O.S. #933 PARCEL EX WESTWIND CREEK 1ST, 2ND & 3RD
Parcel No. 190612900800000 P.O.S. #1348 PARCEL EX WESTWIND CREEK 6TH	Parcel No. 190612604200000 WESTWIND CREEK 6TH	Parcel No. 190612604100000 WESTWIND CREEK 6TH
Parcel No. 190612604000000 WESTWIND CREEK 6TH	Parcel No. 190612603900000 WESTWIND CREEK 6TH	Parcel No. 190612603800000 WESTWIND CREEK 6TH
Parcel No. 190612603700000 WESTWIND CREEK 6TH	Parcel No. 190612603600000 WESTWIND CREEK 6TH	Parcel No. 190612603500000 WESTWIND CREEK 6TH
Parcel No. 190612900100000 WESTWIND CREEK 6TH	Parcel No. 190612900200000 WESTWIND CREEK 6TH	Parcel No. 190612900300000 WESTWIND CREEK 6TH
Parcel No. 190612900400000 WESTWIND CREEK 6TH	Parcel No. 190612900500000 WESTWIND CREEK 6TH	Parcel No. 190612900600000 WESTWIND CREEK 6TH
Parcel No. 190612900700000 WESTWIND CREEK 6TH	Parcel No. 190610103200000 P.O.S. #1000 PARCEL EX WESTWIND CREEK 6TH & EX RD	Parcel No. 190610103100000 P.O.S. #1056 PARCEL A & P.O.S. #1348 PARCEL A-EX WESTWIND CREEK 5TH &
Parcel No. 190610102800000 WESTWIND CREEK 6TH	Parcel No. 190610102900000 WESTWIND CREEK 6TH	Parcel No. 190610103000000 WESTWIND CREEK 6TH
Parcel No. 190610300100000 WESTWIND CREEK 6TH	Parcel No. 190610300200000 WESTWIND CREEK 6TH	Parcel No. 190610200800000 WESTWIND CREEK 6TH
Parcel No. 190610200700000 WESTWIND CREEK 6TH	Parcel No. 190610200600000 WESTWIND CREEK 6TH	

The extent of the work completed on the 33rd Avenue SW from 18th Street to Edgewood Road Improvements is as follows:

Paving, grading, sidewalks, and drainage work located at 33<sup>rd</sup> Avenue SW from 18<sup>th</sup> Street to Edgewood Road

You are hereby notified that the final plat and schedule of assessments against benefited properties within the District described as the 33rd Avenue SW from 18th Street to Edgewood Road Improvements, for the construction of Portland cement concrete pavement, grading, drainage, and sidewalk improvements, has been adopted and levied by the Council of Cedar Rapids, Iowa, and that said plat and schedule of assessments has been certified to the County Treasurer of Linn County, Iowa. Assessments of \$500 or more are payable in ten (10) equal annual installments, with interest on the unpaid balance, all as provided in Section 384.65, City Code of Iowa. Conditional deficiency assessment, if any, may be levied against the applicable property for the same period of years as the assessments are made payable.

You are further notified that assessments may be paid in full or in part without interest at the office of the City Treasurer at any time within thirty days after the date of the first publication of this notice of the filing of the final plat and schedule of assessments with the County Treasurer. Unless said assessments are paid in full within said thirty day period, all unpaid assessments will draw annual interest computed at 9 percent (commencing on the date of acceptance of the work) computed to the next December 1<sup>st</sup> following the due dates of the respective installments. Each installment will be delinquent on September 30<sup>th</sup> following its due date on July 1<sup>st</sup> in each year. Property owners may elect to pay any annual installment semiannually in advance.

All properties located within the boundaries of the 33rd Avenue SW from 18th Street to Edgewood Road Improvements, above described have been assessed for the cost of the making of said improvements, the amount of each assessment, and the amount of any conditional deficiency assessment having been set out in the schedule of assessments and plat accompanying the same, which are now on file in the office of the County Treasurer of Linn County, Iowa. For further information you are referred to said plat and schedule of assessments.

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

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Clerk of the City of Cedar Rapids, Iowa

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

STATE OF IOWA

COUNTY OF LINN

I, \_\_\_\_\_, Clerk of the City of Cedar Rapids, County of Linn, State of Iowa, do hereby certify that at a meeting of the Council of Cedar Rapids, Iowa, held on the 22<sup>nd</sup> day of April, 2014, the said Council did levy special assessments for and on account of the cost of construction of the 33<sup>rd</sup> Avenue SW from 18<sup>th</sup> Street to Edgewood Road Improvements, under contract with Horsfield Construction, Inc. of Epworth, Iowa, and for the construction of the 33<sup>rd</sup> Avenue SW at Hallbrook Street SW Water Main Improvements, under contract with Rathje Construction Co. of Marion, Iowa, on the following or portions thereof, in said Municipality, to-wit:

Parcel No. 190617800200000 REMINGTON RIDGE 3RD LOTS 27 THRU EX RD	Parcel No. 190617800400000 REMINGTON RIDGE 3RD	Parcel No. 190617800500000 REMINGTON RIDGE 3RD
Parcel No. 190617800600000 REMINGTON RIDGE 3RD	Parcel No. 190617800700000 REMINGTON RIDGE 3RD	Parcel No. 190617800800000 REMINGTON RIDGE 3RD
Parcel No. 190617800900000 REMINGTON RIDGE 3RD	Parcel No. 190617801000000 REMINGTON RIDGE 3RD	Parcel No. 190617801100000 REMINGTON RIDGE 3RD
Parcel No. 190617801200000 REMINGTON RIDGE 3RD EX S7'	Parcel No. 190617801300000 REMINGTON RIDGE 3RD S7' LOT 18 & ALL LOT	Parcel No. 190617801400000 REMINGTON RIDGE 3RD
Parcel No. 190617801500000 REMINGTON RIDGE 3RD EX P.O.S. #1109	Parcel No. 190617801600000 REMINGTON RIDGE 3RD LOT 14 & P.O.S. #1109 PARCEL A	Parcel No. 190617602100000 REMINGTON RIDGE 3RD
Parcel No. 190617602200000 REMINGTON RIDGE 3RD	Parcel No. 190617602300000 REMINGTON RIDGE 3RD	Parcel No. 190617602400000 REMINGTON RIDGE 3RD
Parcel No. 190617602600000 REMINGTON RIDGE 3RD	Parcel No. 190617602500000 REMINGTON RIDGE 3RD	Parcel No. 190617602700000 REMINGTON RIDGE 3RD
Parcel No. 190617602800000 REMINGTON RIDGE 3RD	Parcel No. 190617603000000 REMINGTON RIDGE 3RD	Parcel No. 190617602900000 REMINGTON RIDGE 3RD
Parcel No. 190617603100000 REMINGTON RIDGE 3RD	Parcel No. 190617603200000 REMINGTON RIDGE 3RD EX N10'	Parcel No. 190617603300000 REMINGTON RIDGE 3RD LOT 1 & N10'
Parcel No. 190617600400000 REMINGTON RIDGE 1ST EX RDS	Parcel No. 190617600500000 REMINGTON RIDGE 1ST	Parcel No. 190617600600000 REMINGTON RIDGE 1ST
Parcel No. 190617600700000 REMINGTON RIDGE 1ST	Parcel No. 190617600800000 REMINGTON RIDGE 1ST	Parcel No. 190617600900000 REMINGTON RIDGE 2ND

Parcel No. 190617601000000 REMINGTON RIDGE 2ND	Parcel No. 190617601100000 REMINGTON RIDGE 2ND	Parcel No. 190617601200000 REMINGTON RIDGE 2ND
Parcel No. 190617601300000 REMINGTON RIDGE 2ND	Parcel No. 190617601400000 REMINGTON RIDGE 2ND	Parcel No. 190617601500000 REMINGTON RIDGE 2ND
Parcel No. 190617601600000 REMINGTON RIDGE 2ND	Parcel No. 190617601700000 REMINGTON RIDGE 2ND	Parcel No. 190617601800000 REMINGTON RIDGE 2ND
Parcel No. 190617601900000 REMINGTON RIDGE 2ND	Parcel No. 190617602000000 REMINGTON RIDGE 2ND	Parcel No. 190617701400000 REMINGTON RIDGE 2ND
Parcel No. 190617701300000 REMINGTON RIDGE 2ND	Parcel No. 190617701200000 REMINGTON RIDGE 2ND	Parcel No. 190617701100000 REMINGTON RIDGE 2ND
Parcel No. 190617701000000 REMINGTON RIDGE 2ND	Parcel No. 190617700900000 REMINGTON RIDGE 2ND	Parcel No. 190617700700000 REMINGTON RIDGE 2ND EX N 5'
Parcel No. 190617700800000 REMINGTON RIDGE 2ND	Parcel No. 190617700500000 REMINGTON RIDGE 1ST LOT 5 & REMINGTON RIDGE 2ND N 5' LOT 1	Parcel No. 190617700400000 REMINGTON RIDGE 1ST
Parcel No. 190617700300000 REMINGTON RIDGE 1ST	Parcel No. 190617700200000 REMINGTON RIDGE 1ST S 2' LOT 1 & ALL LOT	Parcel No. 190617700100000 REMINGTON RIDGE 1ST EX S2' & EX RD
Parcel No. 190617700600000 A.P. #211 EX E542.8' & EX RD	Parcel No. 190615100100000 N1/2 S1/2 NE W OF RD & EX W990' & EX RD	Parcel No. 190615100200000 W 5AC NE SW NE & E350' W1010' N310' S660' SW NE-EX RD
Parcel No. 190615100300000 NW SW NE E 5AC-EX RD	Parcel No. 190615100400000 NW SW NE W 5AC-EX RD	Parcel No. 190627600100000 E1/2 N1/2 E1/4 SE NW EX RD
Parcel No. 190627600200000 W1/2 N1/2 E1/4 SE NW EX RD	Parcel No. 190627600300000 AULWE'S 1ST EX RD	Parcel No. 190627600400000 AULWE'S 1ST EX RD
Parcel No. 190627600500000 E 1/2 SE NW EX S660' E98' W158' & EX RD	Parcel No. 190627600600000 LANDS (LESS ST) & (LESS S 660') W 60' E 1/2 SE NW	Parcel No. 190627601500000 REMINGTON WEST 1ST
Parcel No. 190627601600000 REMINGTON WEST 1ST	Parcel No. 190627601700000 REMINGTON WEST 1ST	Parcel No. 190627601800000 REMINGTON WEST 1ST OUTLOT
Parcel No. 190627601900000 REMINGTON WEST 1ST	Parcel No. 190627602000000 REMINGTON WEST 1ST	Parcel No. 190627602100000 REMINGTON WEST 1ST
Parcel No. 190627602200000 REMINGTON WEST 1ST	Parcel No. 190627700600000 REMINGTON WEST 1ST	Parcel No. 190627700500000 REMINGTON WEST 1ST
Parcel No. 190627700400000 REMINGTON WEST 1ST	Parcel No. 190627700300000 REMINGTON WEST 1ST	Parcel No. 190627700200000 REMINGTON WEST 1ST
Parcel No. 190627700100000 REMINGTON WEST 1ST	Parcel No. 190627600900000 W1/2 SE NW W172.5' N188' E10AC W16AC EX RD	Parcel No. 190627601000000 SE NW N230' E100' W6AC-EX RD
Parcel No. 190627601100000 W 6A SE NW EX N230' E100' & EX ROLLING GREEN UNIT V & EX RD	Parcel No. 190625100100000 ROLLING GREEN UNIT 5 EX RD	Parcel No. 190625100200000 ROLLING GREEN UNIT 5 EX RD

Parcel No. 190625100300000 ROLLING GREEN UNIT 5	Parcel No. 190625100400000 ROLLING GREEN UNIT 5	Parcel No. 190625100500000 ROLLING GREEN UNIT 5
Parcel No. 190625100600000 ROLLING GREEN UNIT 5	Parcel No. 190625100700000 ROLLING GREEN UNIT 5	Parcel No. 190625100800000 ROLLING GREEN UNIT 5
Parcel No. 190625100900000 ROLLING GREEN UNIT 5	Parcel No. 190625101000000 ROLLING GREEN UNIT 5	Parcel No. 190625101100000 ROLLING GREEN UNIT 5
Parcel No. 190625101200000 ROLLING GREEN UNIT 5	Parcel No. 190625101300000 ROLLING GREEN UNIT 5	Parcel No. 190625101400000 ROLLING GREEN UNIT 5
Parcel No. 190625101500000 ROLLING GREEN UNIT 5	Parcel No. 190625101600000 ROLLING GREEN UNIT 5	Parcel No. 190625101700000 ROLLING GREEN UNIT 5
Parcel No. 190625101800000 ROLLING GREEN UNIT 5	Parcel No. 190625101900000 ROLLING GREEN UNIT 5	Parcel No. 190625102000000 ROLLING GREEN UNIT 5
Parcel No. 190625102100000 ROLLING GREEN UNIT 5	Parcel No. 190625102200000 ROLLING GREEN UNIT 5	Parcel No. 190625102300000 ROLLING GREEN UNIT 5
Parcel No. 190625102400000 ROLLING GREEN UNIT 5	Parcel No. 190625102500000 ROLLING GREEN UNIT 5	Parcel No. 190625102600000 ROLLING GREEN UNIT 5
Parcel No. 190625102700000 ROLLING GREEN UNIT 5	Parcel No. 190625102800000 ROLLING GREEN UNIT 5	Parcel No. 190625102900000 ROLLING GREEN UNIT 5
Parcel No. 190625103000000 ROLLING GREEN UNIT 5	Parcel No. 190625103100000 ROLLING GREEN UNIT 5	Parcel No. 190625103200000 ROLLING GREEN UNIT 5
Parcel No. 190625103300000 ROLLING GREEN UNIT 5	Parcel No. 190625200200000 ROLLING GREEN UNIT 5	Parcel No. 190625200300000 ROLLING GREEN UNIT 5
Parcel No. 190625200400000 ROLLING GREEN UNIT 5	Parcel No. 190625200500000 ROLLING GREEN UNIT 5	Parcel No. 190625200600000 ROLLING GREEN UNIT 5
Parcel No. 190625200700000 ROLLING GREEN UNIT 5	Parcel No. 190625200800000 ROLLING GREEN UNIT 5	Parcel No. 190625200900000 ROLLING GREEN UNIT 5
Parcel No. 190625201000000 ROLLING GREEN UNIT 5	Parcel No. 190625201100000 ROLLING GREEN UNIT 5	Parcel No. 190625201200000 ROLLING GREEN UNIT 5
Parcel No. 190625201300000 ROLLING GREEN UNIT 5	Parcel No. 190625201400000 ROLLING GREEN UNIT 5	Parcel No. 190625201500000 ROLLING GREEN UNIT 5
Parcel No. 190625201600000 ROLLING GREEN UNIT 5	Parcel No. 190625201700000 ROLLING GREEN UNIT 5	Parcel No. 190625200100000 ROLLING GREEN UNIT 5
Parcel No. 190625103400000 ROLLING GREEN UNIT 5	Parcel No. 190625103500000 ROLLING GREEN UNIT 5	Parcel No. 190625103600000 ROLLING GREEN UNIT 5 EX RD
Parcel No. 190625103700000 ROLLING GREEN UNIT 5 EX RD	Parcel No. 190625103800000 ROLLING GREEN UNIT 5 EX RD	Parcel No. 190625103900000 ROLLING GREEN UNIT 5 EX RD
Parcel No. 190625104000000 ROLLING GREEN UNIT 5 EX RD	Parcel No. 190625104100000 ROYAL HEIGHTS FIRST EX RDS	Parcel No. 190625104200000 ROYAL HEIGHTS FIRST
Parcel No. 190625104300000 ROYAL HEIGHTS FIRST	Parcel No. 190625104400000 ROYAL HEIGHTS FIRST	Parcel No. 190625304500000 ROYAL HEIGHTS 3RD
Parcel No. 190625304600000 ROYAL HEIGHTS 3RD	Parcel No. 190625304700000 ROYAL HEIGHTS 3RD	Parcel No. 190625304800000 ROYAL HEIGHTS 3RD

Parcel No. 190625304900000 ROYAL HEIGHTS 3RD	Parcel No. 190625305000000 ROYAL HEIGHTS 3RD	Parcel No. 190625305100000 ROYAL HEIGHTS 3RD
Parcel No. 190625305200000 ROYAL HEIGHTS 3RD	Parcel No. 190625305300000 ROYAL HEIGHTS 3RD	Parcel No. 190625305400000 ROYAL HEIGHTS 3RD
Parcel No. 190625105500000 ROYAL HEIGHTS 3RD	Parcel No. 190625301900000 ROYAL HEIGHTS 3RD	Parcel No. 190625302000000 ROYAL HEIGHTS 3RD
Parcel No. 190625302100000 ROYAL HEIGHTS 3RD	Parcel No. 190625302200000 ROYAL HEIGHTS 3RD	Parcel No. 190625302300000 ROYAL HEIGHTS 3RD
Parcel No. 190625302400000 ROYAL HEIGHTS 3RD	Parcel No. 190625302500000 ROYAL HEIGHTS 3RD	Parcel No. 190625302600000 ROYAL HEIGHTS 3RD
Parcel No. 190625302700000 ROYAL HEIGHTS 3RD	Parcel No. 190625302800000 ROYAL HEIGHTS 3RD	Parcel No. 190625302900000 ROYAL HEIGHTS 3RD
Parcel No. 190625303000000 ROYAL HEIGHTS FIRST	Parcel No. 190625303100000 ROYAL HEIGHTS FIRST	Parcel No. 190625303200000 ROYAL HEIGHTS FIRST
Parcel No. 190625300100000 ROYAL HEIGHTS FIRST EX RDS	Parcel No. 190625300200000 ROYAL HEIGHTS 1ST EX RD	Parcel No. 190625300300000 ROYAL HEIGHTS FIRST EX RD
Parcel No. 190625300400000 ROYAL HEIGHTS FIRST EX	Parcel No. 190625300501000 ROYAL HEIGHTS 4TH LOT 1 ROYAL HEIGHTS I CONDOMINIUM COMP- RISING UNIT 3315	Parcel No. 190625300501001 ROYAL HEIGHTS 4TH LOT 1 ROYAL HEIGHTS I CONDOMINIUM COMP- RISING UNIT 3317
Parcel No. 190625300501002 ROYAL HEIGHTS 4TH LOT 1 ROYAL HEIGHTS I CONDOMINIUM COMP- RISING UNIT 3321	Parcel No. 190625300501003 ROYAL HEIGHTS 4TH LOT 1 ROYAL HEIGHTS I CONDOMINIUM COMP- RISING UNIT 3323	Parcel No. 190625300501004 ROYAL HEIGHTS 4TH LOT 1 ROYAL HEIGHTS I CONDOMINIUM COMP- RISING UNIT 3327
Parcel No. 190625300501005 ROYAL HEIGHTS 4TH LOT 1 ROYAL HEIGHTS I CONDOMINIUM COMP- RISING UNIT 3329	Parcel No. 190625300501006 ROYAL HEIGHTS 4TH LOT 1 ROYAL HEIGHTS I CONDOMINIUM COMP- RISING UNIT 3333	Parcel No. 190625300501007 ROYAL HEIGHTS 4TH LOT 1 ROYAL HEIGHTS I CONDOMINIUM COMP- RISING UNIT 3335
Parcel No. 190625300601000 ROYAL HEIGHTS 4TH LOT 2 ROYAL HEIGHTS II CONDOMINIUM COMP- RISING UNIT 3405	Parcel No. 190625300601001 ROYAL HEIGHTS 4TH LOT 2 ROYAL HEIGHTS II CONDOMINIUM COMP- RISING UNIT 3407	Parcel No. 190625300601002 ROYAL HEIGHTS 4TH LOT 2 ROYAL HEIGHTS II CONDOMINIUM COMP- RISING UNIT 3409
Parcel No. 190625300701000 ROYAL HEIGHTS II CONDO UNIT 3415-A	Parcel No. 190625300701001 ROYAL HEIGHTS II CONDO UNIT 3415-B	Parcel No. 190625300701002 ROYAL HEIGHTS II CONDO UNIT 3415-C
Parcel No. 190625300701003 ROYAL HEIGHTS II CONDO UNIT 3415-D	Parcel No. 190625300801000 WESTCOVE CONDO UNIT 3425-1	Parcel No. 190625300801001 WESTCOVE CONDO UNIT 3425-2
Parcel No. 190625300801002 WESTCOVE CONDO UNIT 3425-3	Parcel No. 190625300801003 WESTCOVE CONDO UNIT 3425-4	Parcel No. 190625300801004 WESTCOVE CONDO UNIT 3425-5

Parcel No. 190625300801005 WESTCOVE CONDO UNIT 3425-6	Parcel No. 190625300801006 WESTCOVE CONDO UNIT 3425-7	Parcel No. 190625300801007 WESTCOVE CONDO UNIT 3425-8
Parcel No. 190625400300000 ROYAL HEIGHTS 2ND	Parcel No. 190625400100000 ROYAL HEIGHTS 1ST EX RD	Parcel No. 190623201200000 ROLLING GREEN UNIT 4 EX RDS
Parcel No. 190623201300000 ROLLING GREEN UNIT 1	Parcel No. 190623201400000 ROLLING GREEN UNIT 1	Parcel No. 190623201500000 ROLLING GREEN UNIT 1
Parcel No. 190623201600000 ROLLING GREEN UNIT 1	Parcel No. 190623101100000 ROLLING GREEN UNIT 1	Parcel No. 190623101200000 ROLLING GREEN UNIT 1
Parcel No. 190623101300000 ROLLING GREEN UNIT 1	Parcel No. 190623101400000 ROLLING GREEN UNIT 1	Parcel No. 190623101500000 ROLLING GREEN UNIT 1
Parcel No. 190623101600000 ROLLING GREEN UNIT 1	Parcel No. 190623101700000 ROLLING GREEN UNIT 1	Parcel No. 190623101800000 ROLLING GREEN UNIT 1
Parcel No. 190623101900000 ROLLING GREEN UNIT 1	Parcel No. 190623102000000 ROLLING GREEN UNIT 1	Parcel No. 190623300100000 ROLLING GREEN UNIT 1 EX RDS
Parcel No. 190623300200000 ROLLING GREEN UNIT 1	Parcel No. 190623300300000 ROLLING GREEN UNIT 1	Parcel No. 190623300400000 ROLLING GREEN UNIT 1
Parcel No. 190623300500000 ROLLING GREEN UNIT 1	Parcel No. 190623300600000 ROLLING GREEN UNIT 1	Parcel No. 190623300700000 ROLLING GREEN UNIT 1
Parcel No. 190623300800000 ROLLING GREEN UNIT 1	Parcel No. 190623300900000 ROLLING GREEN UNIT 1	Parcel No. 190623301000000 ROLLING GREEN UNIT 1
Parcel No. 190623301100000 ROLLING GREEN UNIT 4 EX RDS	Parcel No. 190623301200000 ROLLING GREEN UNIT 4 EX RD	Parcel No. 190623301300000 ROLLING GREEN UNIT 4 EX RD
Parcel No. 190623301400000 ROLLING GREEN UNIT 4 EX RD	Parcel No. 190623301500000 ROLLING GREEN UNIT 4 EX RD	Parcel No. 190623301600000 ROLLING GREEN UNIT 4 EX RD
Parcel No. 190623301700000 ROLLING GREEN UNIT 4 EX RD	Parcel No. 190623301800000 ROLLING GREEN UNIT 4 EX RD	Parcel No. 190623301900000 ROLLING GREEN UNIT 4 EX RD
Parcel No. 190623302000000 ROLLING GREEN UNIT 4 EX RDS	Parcel No. 190622901300000 ROLLING GREEN UNIT 4 EX RDS	Parcel No. 190622901200000 ROLLING GREEN UNIT 1
Parcel No. 190622901100000 ROLLING GREEN UNIT 1	Parcel No. 190622901000000 ROLLING GREEN UNIT 1	Parcel No. 190622900900000 ROLLING GREEN UNIT 1
Parcel No. 190622900800000 ROLLING GREEN UNIT 1	Parcel No. 190622901400000 ROLLING GREEN UNIT 3 EX RDS	Parcel No. 190622901500000 ROLLING GREEN UNIT 3
Parcel No. 190622901600000 ROLLING GREEN UNIT 3	Parcel No. 190622901700000 ROLLING GREEN UNIT 3	Parcel No. 190622901800000 ROLLING GREEN UNIT 3
Parcel No. 190622901900000 ROLLING GREEN UNIT 3	Parcel No. 190622902000000 ROLLING GREEN UNIT 3	Parcel No. 190622902100000 ROLLING GREEN UNIT 3
Parcel No. 190622902200000 ROLLING GREEN UNIT 3	Parcel No. 190622902300000 ROLLING GREEN UNIT 3	Parcel No. 190620105100000 ROLLING GREEN UNIT 3

Parcel No. 190620105200000 ROLLING GREEN UNIT 3	Parcel No. 190620105300000 ROLLING GREEN UNIT 3	Parcel No. 190620105400000 ROLLING GREEN UNIT 3
Parcel No. 190620105500000 ROLLING GREEN UNIT 3	Parcel No. 190620105600000 ROLLING GREEN UNIT 3	Parcel No. 190620105700000 ROLLING GREEN UNIT 3
Parcel No. 190620105800000 ROLLING GREEN UNIT 3	Parcel No. 190620105900000 ROLLING GREEN UNIT 3	Parcel No. 190620106000000 ROLLING GREEN UNIT 3
Parcel No. 190620106100000 ROLLING GREEN UNIT 3 EX RDS	Parcel No. 190620106200000 ROLLING GREEN UNIT 3 EX RD	Parcel No. 190620106300000 ROLLING GREEN UNIT 3 EX E2' & EX RD
Parcel No. 190620106400000 ROLLING GREEN UNIT 3 E2' LOT 92 & ALL EX RD	Parcel No. 190620106500000 ROLLING GREEN UNIT 3 LOT 94 & W'LY 2' EX RD	Parcel No. 190620106600000 ROLLING GREEN UNIT 3 LOT 95-EX W 2' & W12' & EX RD
Parcel No. 190620106700000 ROLLING GREEN UNIT 3 EX W 12' LOT 96 EX RD & W 24' EX RD	Parcel No. 190620106800000 ROLLING GREEN UNIT 3 LOT 97-EX W24' & W36' & EX RD	Parcel No. 190620106900000 ROLLING GREEN UNIT 3 E 22' LOT 98 & W 48' EX RD
Parcel No. 190620107000000 ROLLING GREEN UNIT 3 EX W48' LOT 99 & ALL & EX RD	Parcel No. 190620107100000 E 1/2 NE NW W265' S330' EX RD	Parcel No. 190620108800000 WESTWIND CREEK 2ND EX RD
Parcel No. 190620108900000 WESTWIND CREEK 2ND EX RD	Parcel No. 190612600400000 WESTWIND CREEK 2ND EX P.O.S. #1232	Parcel No. 190620107200000 P.O.S. #933 PARCEL EX WESTWIND CREEK 1ST, 2ND & 3RD
Parcel No. 190612900800000 P.O.S. #1348 PARCEL EX WESTWIND CREEK 6TH	Parcel No. 190612604200000 WESTWIND CREEK 6TH	Parcel No. 190612604100000 WESTWIND CREEK 6TH
Parcel No. 190612604000000 WESTWIND CREEK 6TH	Parcel No. 190612603900000 WESTWIND CREEK 6TH	Parcel No. 190612603800000 WESTWIND CREEK 6TH
Parcel No. 190612603700000 WESTWIND CREEK 6TH	Parcel No. 190612603600000 WESTWIND CREEK 6TH	Parcel No. 190612603500000 WESTWIND CREEK 6TH
Parcel No. 190612900100000 WESTWIND CREEK 6TH	Parcel No. 190612900200000 WESTWIND CREEK 6TH	Parcel No. 190612900300000 WESTWIND CREEK 6TH
Parcel No. 190612900400000 WESTWIND CREEK 6TH	Parcel No. 190612900500000 WESTWIND CREEK 6TH	Parcel No. 190612900600000 WESTWIND CREEK 6TH
Parcel No. 190612900700000 WESTWIND CREEK 6TH	Parcel No. 190610103200000 P.O.S. #1000 PARCEL EX WESTWIND CREEK 6TH & EX RD	Parcel No. 190610103100000 P.O.S. #1056 PARCEL A & P.O.S. #1348 PARCEL A-EX WESTWIND CREEK 5TH &
Parcel No. 190610102800000 WESTWIND CREEK 6TH	Parcel No. 190610102900000 WESTWIND CREEK 6TH	Parcel No. 190610103000000 WESTWIND CREEK 6TH
Parcel No. 190610300100000 WESTWIND CREEK 6TH	Parcel No. 190610300200000 WESTWIND CREEK 6TH	Parcel No. 190610200800000 WESTWIND CREEK 6TH
Parcel No. 190610200700000 WESTWIND CREEK 6TH	Parcel No. 190610200600000 WESTWIND CREEK 6TH	

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

33<sup>rd</sup> Avenue SW from 18<sup>th</sup> Street to Edgewood Road Improvements

I further certify that the said assessments of \$500 or more are payable in ten (10) equal annual installments, together with interest thereon at the rate of 9 percent per annum computed to December 1<sup>st</sup> following the due date of each installment. Interest commences on March 25, 2014, the date of acceptance of the work. The first annual installment, or the full amount of assessments less than \$500.00, are due and payable on July 1<sup>st</sup> following the date of levy of these assessments as set forth above (unless this certification is made within less than thirty days prior to July 1<sup>st</sup>) and is subject to the provisions of Section 384.65, City Code of Iowa, with respect to lien, delinquent dates, interest, penalties and years of payment.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the 22<sup>nd</sup> day of April, 2014.

\_\_\_\_\_  
City Clerk

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

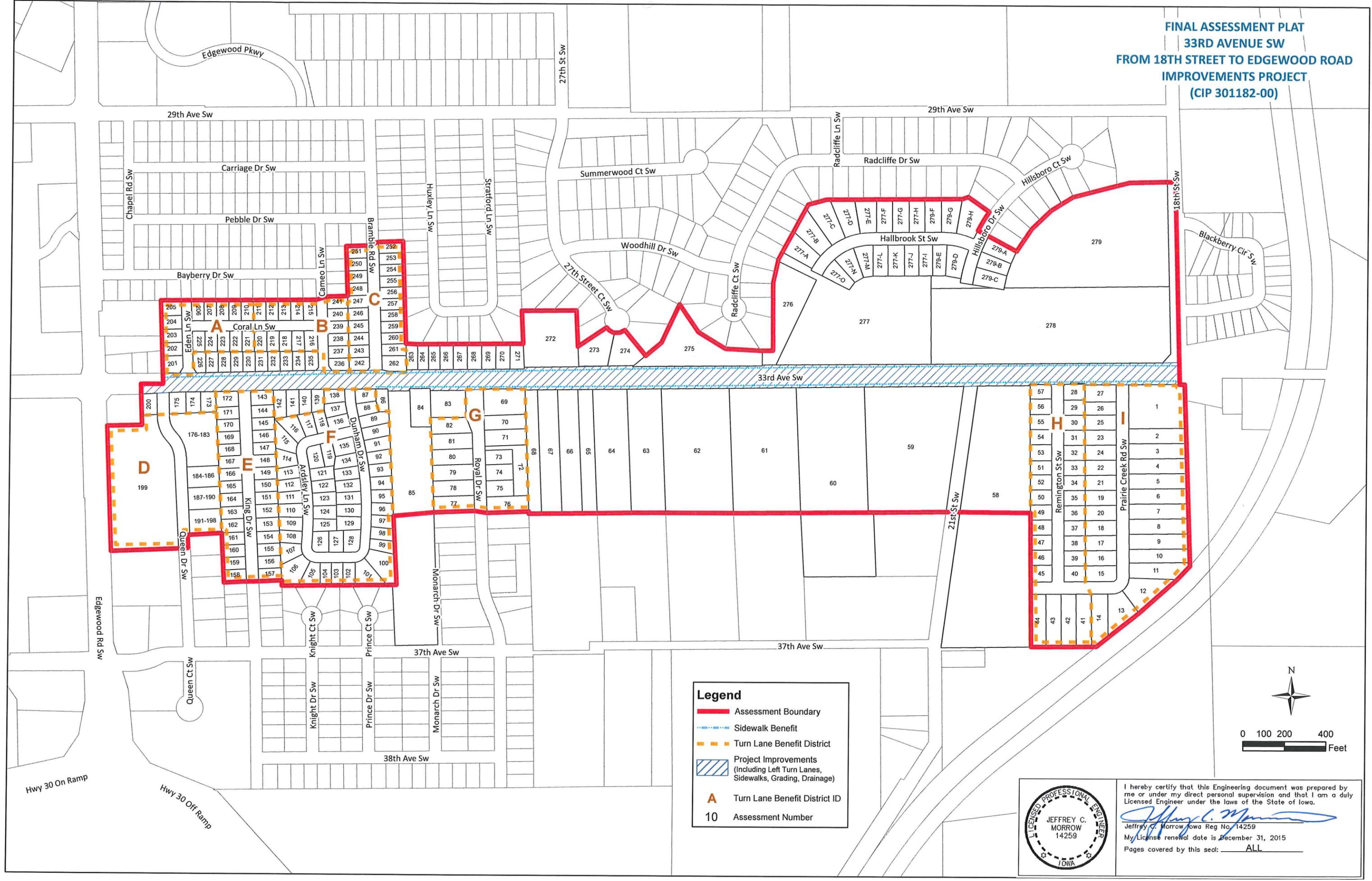
\_\_\_\_\_  
County Treasurer

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

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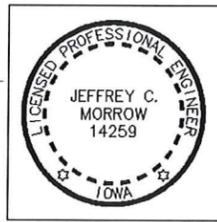
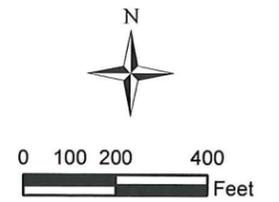
Building Permit Official of the City of Cedar  
Rapids, Iowa

**FINAL ASSESSMENT PLAT**  
**33RD AVENUE SW**  
**FROM 18TH STREET TO EDGEWOOD ROAD**  
**IMPROVEMENTS PROJECT**  
**(CIP 301182-00)**



**Legend**

- Assessment Boundary
- - - Sidewalk Benefit
- - - Turn Lane Benefit District
- ▨ Project Improvements (Including Left Turn Lanes, Sidewalks, Grading, Drainage)
- A** Turn Lane Benefit District ID
- 10** Assessment Number



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

*Jeffrey C. Morrow*  
 Jeffrey C. Morrow Iowa Reg No. 14259  
 My License renewal date is December 31, 2015  
 Pages covered by this seal: ALL

## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Cari Pauli  
**E-mail Address:** c.pauli@cedar-rapids.org

**Phone Number/Extension:** 5157

**Alternate Contact Person:** Tom Peterson  
**E-mail Address:** t.peterson@cedar-rapids.org

**Phone Number/Extension:** 5847

**Description of Agenda Item:**       **Consent Agenda**       **Regular Agenda**  
Resolution establishing "No Parking Anytime" on the east side of 16<sup>th</sup> Street SE from the lot line between 816 and 818 16<sup>th</sup> Street SE southerly to 17<sup>th</sup> Street SE. CIP/DID #PARK-008843-2014

**Background:**

The Public Works Department received a request from a citizen for removal of parking on one side of 16<sup>th</sup> Street SE in the 800 block. The Traffic Engineering Division reviewed this site and confirmed the street width from the lot line between 816 and 818 16<sup>th</sup> Street SE southerly to 17<sup>th</sup> Street SE is not wide enough to accommodate a parking lane on both sides, in addition to a travel lane. The site review also indicated on-street accessible parking stalls located on the west side of 16<sup>th</sup> Street in front of 823 and 831 16<sup>th</sup> Street SE, which is within the narrow street width area. Therefore, the Traffic Engineering Division recommends removal of parking on the east side of 16<sup>th</sup> Street SE from the lot line between 816 and 818 16<sup>th</sup> Street SE southerly to 17<sup>th</sup> Street SE.

**Action / Recommendation:**

The Public Works Department recommends approving the resolution.

**Alternative Recommendation:**

Should the Council determine not to approve the requested parking restriction, the parking will remain unrestricted.

**Time Sensitivity:** Normal.

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** NA

**Local Preference Policy:** Applies  Exempt

**Explanation:** Local Preference Policy does not apply to parking.

**Recommended by Council Committee:** Yes  No  N/A

**Explanation (if necessary):**

TED  
PD  
PKO  
62-14-000  
PARK-008843-2014

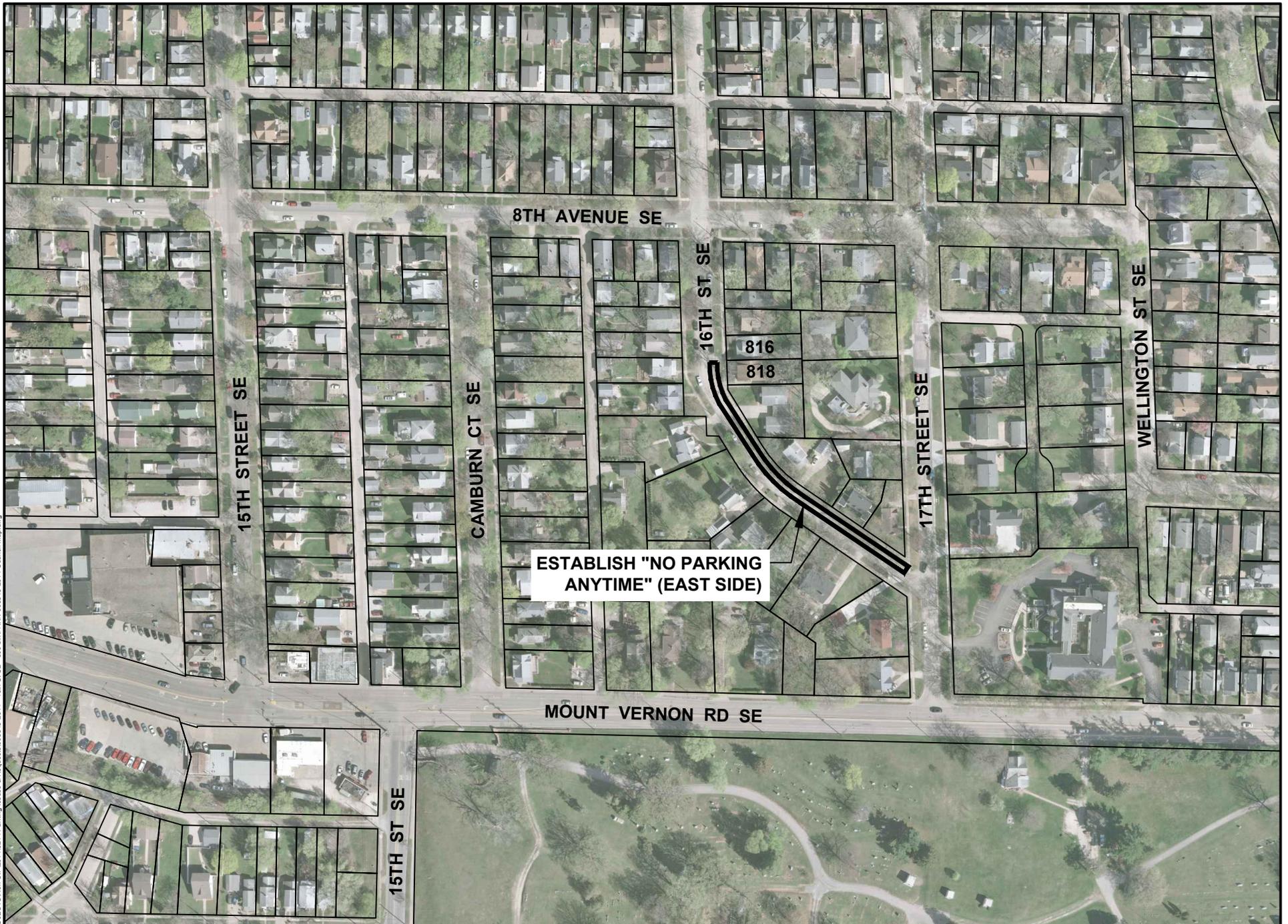
RESOLUTION NO.

WHEREAS, the Public Works Department received a request from a concerned citizen to restrict parking on one side of 16<sup>th</sup> Street SE in the 800 block due to narrow street width, and

WHEREAS, the Traffic Engineering Division of the Public Works Department has recommended establishing "No Parking Anytime" on the east side of 16<sup>th</sup> Street SE from the property line between 816 and 818 16<sup>th</sup> Street SE southerly to 17<sup>th</sup> Street SE due to the lack of street width to accommodate a parking lane on both sides of the street and still have a travel lane, now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that "No Parking Anytime" on the east side of 16<sup>th</sup> Street SE from the property line between 816 and 818 16<sup>th</sup> Street SE southerly to 17<sup>th</sup> Street SE, be and the same is hereby approved.

Passed this 22<sup>nd</sup> day of April, 2014



**ESTABLISH "NO PARKING ANYTIME" ON THE EAST SIDE OF  
16TH STREET SE FROM THE PROPERTY LINE BETWEEN 816 AND 818  
16TH STREET SE SOUTHERLY TO 17TH STREET SE**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rob Davis, P.E.  
**E-mail Address:** r.davis@cedar-rapids.org

**Phone Number/Extension:** 5808

**Alternate Contact Person:** Dave Elgin, P.E.  
**E-mail Address:** d.elgin@cedar-rapids.org

**Phone Number/Extension:** 5803

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

Resolution authorizing changing the name of a driveway known as "Transit Way SE" to "Tom Aller Way SE" located between 4<sup>th</sup> Avenue SE and 5<sup>th</sup> Avenue SE, easterly of First Street SE as requested by the Cedar Rapids Police Department. CIP/DID #41-14-025

**Background:**

The City Council directed the Public Works Director/City Engineer to prepare a resolution to approve renaming the existing private drive described above as "Tom Aller Way SE". City Development Services Department staff has reviewed the proposed driveway name and have no objections.

**Action / Recommendation:**

The Public Works Department recommends approval of the resolution renaming the driveway known as "Transit Way SE" to "Tom Aller Way SE".

**Alternative to the Recommendation:**

Defer action until additional information is provided to address City Council requests.

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** NA

**Local Preference Policy:** Applies  Exempt

**Explanation:** Policy not applicable to naming private driveways.

**Recommended by Council Committee:** Yes  No  N/A

**Explanation (if necessary):**

RCR  
ENG  
ASR  
CD  
DSD  
SWM  
BSD  
PD  
FIR  
WTR  
STR  
IT  
LC SHERIFF  
AMBULANCE  
POST OFFICE  
41-14-025

## RESOLUTION NO.

WHEREAS, City Council requested the City Public Works Director/City Engineer prepare a resolution approving renaming of an existing private driveway known as "Transit Way SE", located between 4<sup>th</sup> Avenue SE and 5<sup>th</sup> Avenue SE; easterly of 1<sup>st</sup> Street SE (approximately 420 feet in length) to "Tom Aller Way SE", as shown on attached Exhibit "A", and

WHEREAS, the City Development Services Department staff has reviewed the driveway renaming proposal and has no objections to the City Council approving renaming the driveway as "Tom Aller Way SE", subject to the following conditions:

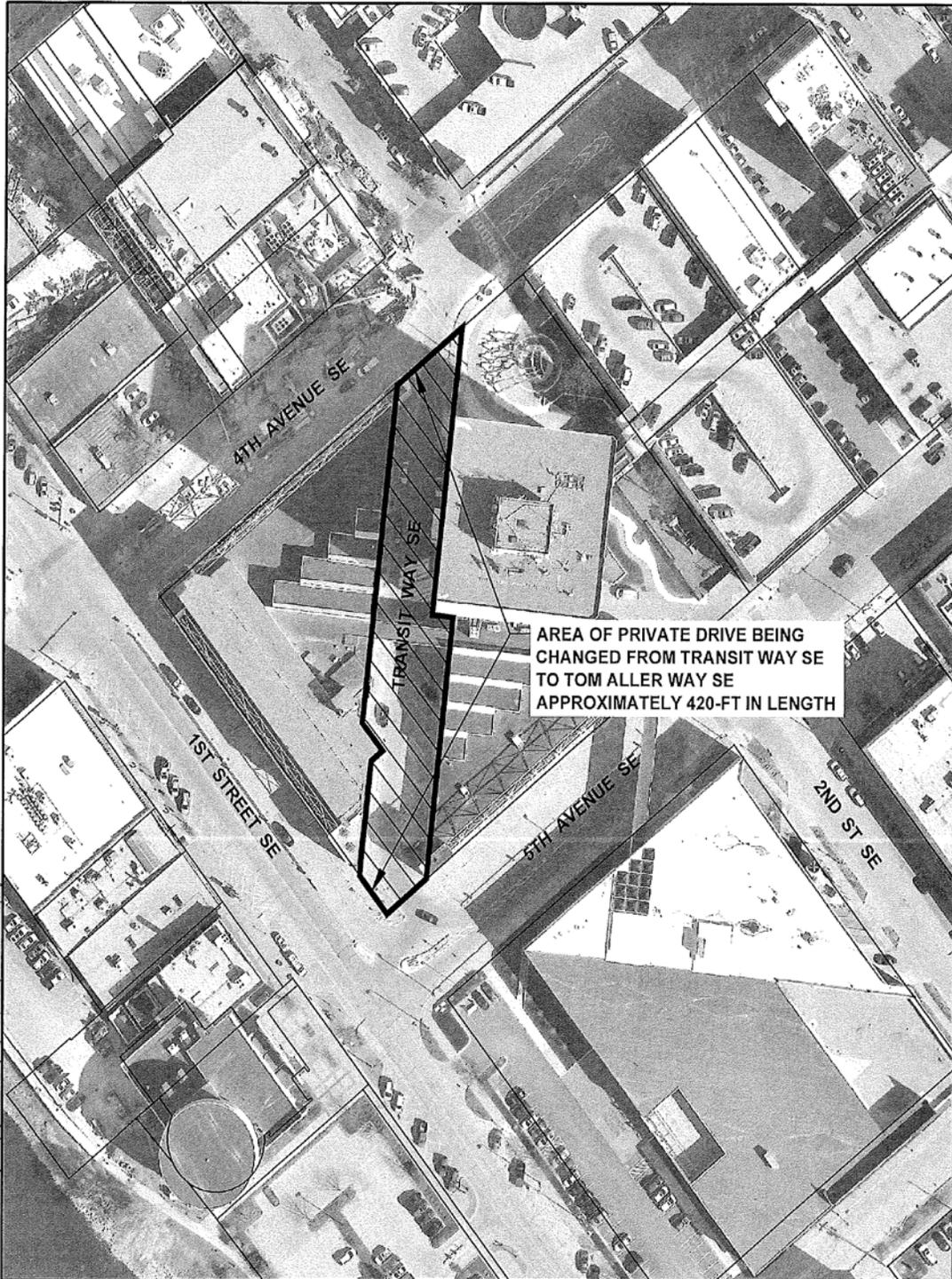
1. The named driveway shall not serve as legal lot frontage as set forth in City Zoning Regulations for the purpose of subdividing adjoining property and for conveyance of title of property, unless otherwise approved by City Council.
2. That no properties adjoining the driveway shown on attached Exhibit "A" are addressed based on the driveway name, "Tom Aller Way SE", unless otherwise approved by City Council.

and,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Council concurs with the recommendation of the City Development Services Department, and

BE IT FURTHER RESOLVED the City Council hereby approves renaming the area shown on attached Exhibit "A", from "Transit Way SE" to "Tom Aller Way SE", subject to the conditions noted above.

Passed this 22<sup>nd</sup> day of April, 2014.



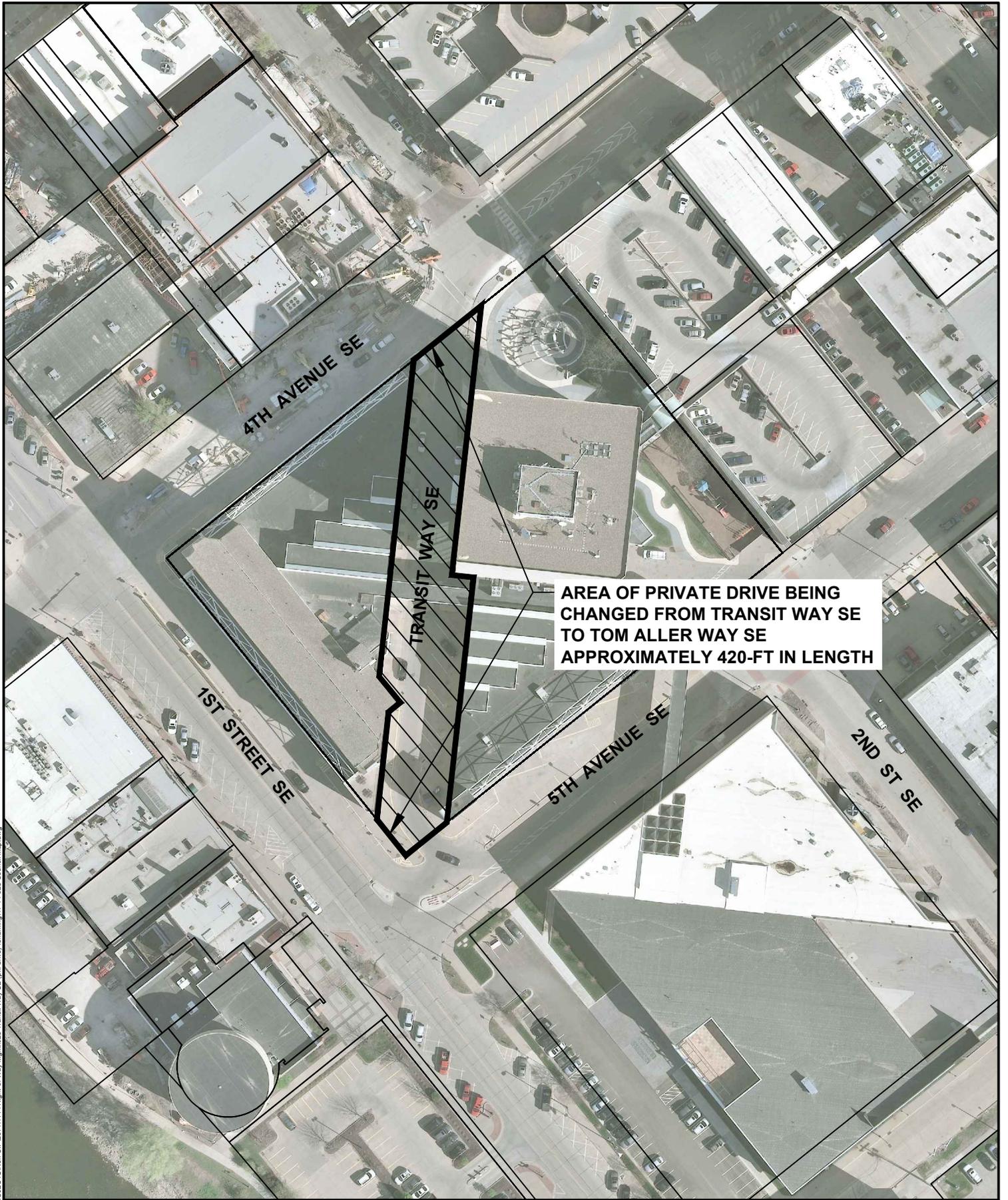
Grid File Name: W:\PROJECTS\New-CIP\000\_04114\_01\Map\005\_TransitWay SE (pt. 01)\01\000004114-025\_Council Map.docx



EXHIBIT "A"



41-14-025



**AREA OF PRIVATE DRIVE BEING  
CHANGED FROM TRANSIT WAY SE  
TO TOM ALLER WAY SE  
APPROXIMATELY 420-FT IN LENGTH**

Cadd File Name: W:\PROJECTS\Non-CIP\2014\114 Right-of-Way Mgmt\025 Transit Way SE (pt. dwn) renamng\01-14-025 Council Map.dwg



**PRIVATE DRIVE NAME CHANGE FROM  
"TRANSIT WAY SE" TO "TOM ALLER WAY SE"**





## 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 on City-owned property located at 217 10<sup>th</sup> 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. This 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 is an existing sanitary sewer in this location, but the easement was never properly established. Establishing an easement for sanitary sewer 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 on the City-owned property.

**Alternative to the Recommendation:**

Not proceed with establishing the easement for sanitary sewer on City-owned property, the City sanitary sewer will remain undocumented.

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 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 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 at 217 10<sup>th</sup> Avenue SW, and described as:

See Attached Sanitary Sewer Easement Exhibit

, and

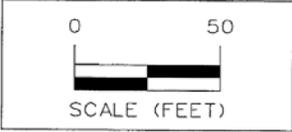
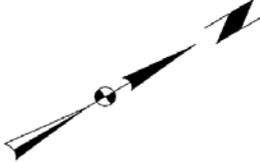
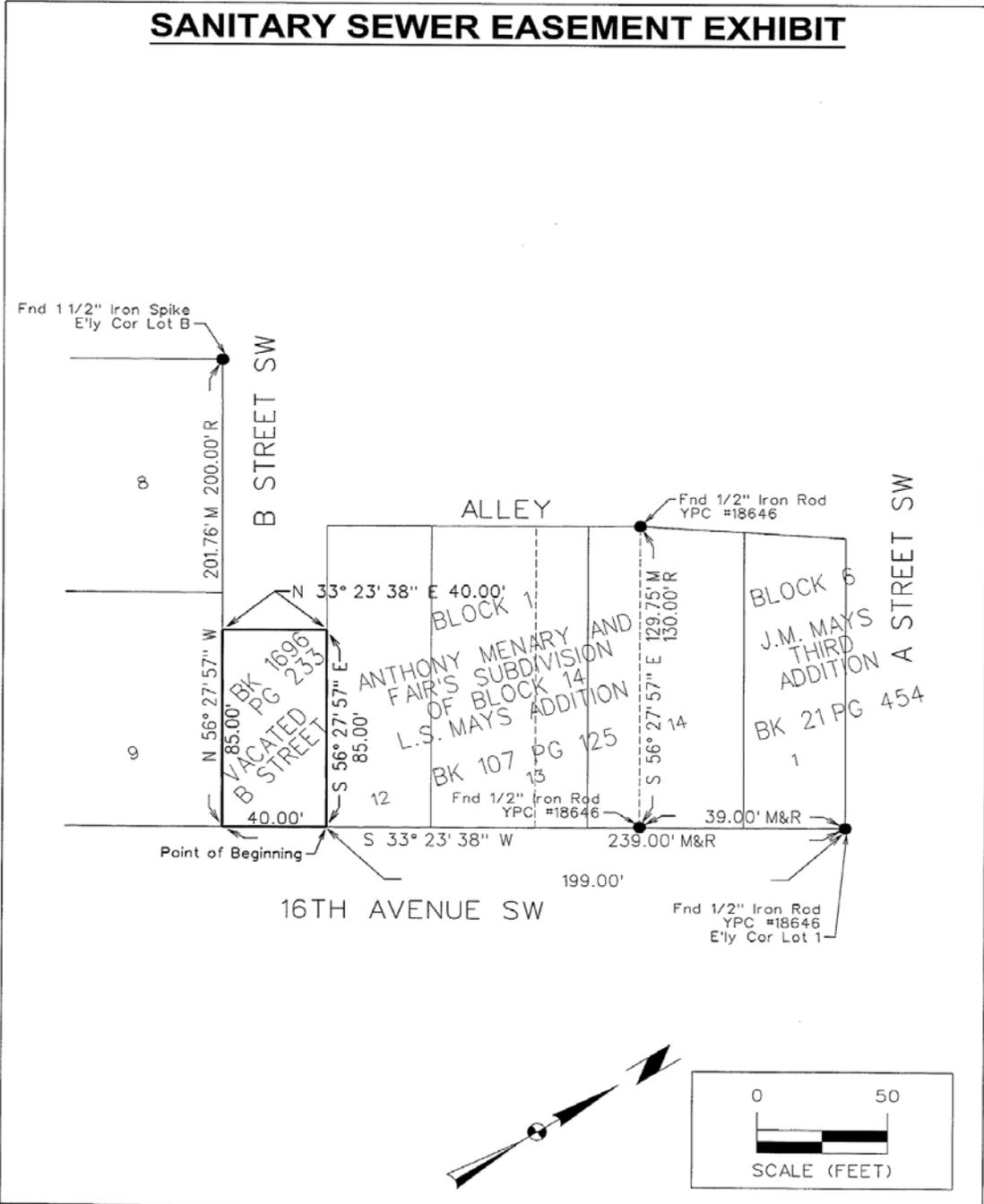
WHEREAS, the Public Works Director / City Engineer recommends the City establish an easement on City-owned property required for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration project, now therefore

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

Passed this 22<sup>nd</sup> day of April, 2014



# SANITARY SEWER EASEMENT EXHIBIT



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

Y:\proj\civ\blk\blk\_grey\wbd\hlf\hlf\pdr\pdr.dwg  
Y:\proj\civ\blk\blk\_grey\wbd\hlf\hlf\pdr\pdr.dwg  
Snyder  
m:\2012\_projects\1120878\_cr\_sv\_fnd\_repd\code\area\_3\plots\000\_cr\_bond\_sanitary.dwg  
8/23/2013  
TWF



Cadd File Name: W:\PROJECTS\FLOODSSD103 - Sanitary Sewer, SW QuadSSD103 Council Map.dwg



**217 10TH AVENUE SW - SANITARY SEWER EASEMENT  
SW QUADRANT, 2008 FLOOD AREA SANITARY SEWER RESTORATION PROJECT**





## Council Agenda Item Cover Sheet

**\*FLOOD\***

**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:** Sandi Fowler  
**E-mail Address:** s.fowler@cedar-rapids.org

**Phone Number/Extension:** 5077

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

Resolution authorizing execution of the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for one property in connection with the HUD Community Development Block Grant (CDBG) (**FLOOD**). CIP/DID #3302500001

### **Background:**

The City of Cedar Rapids received a HUD Community Development Block Grant award on November 4, 2009, to voluntarily acquire approved parcels located in the Greenway Area, Construction/Study Area and the Neighborhood Revitalization Area. To date, 228 property owners have opted to not participate in the voluntary property acquisition program.

To date, 1,289 offers were previously accepted by City Council. The total accepted offers, including the one offer within this agenda item yet to be approved by City Council, will bring the total signed offers to 1,290.

The eligible Owner(s) of real property located in the flood-impacted areas, as outlined on the Exhibits attached to the resolution, have agreed to convey their property to the City of Cedar Rapids for pre-flood assessed value (adjusted to 107%), less any duplication of benefits.

### **Action / Recommendation:**

The Public Works Department recommends to accept the offer to voluntarily convey property in the flood-impacted areas to the City of Cedar Rapids in accordance with the terms set forth in the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance of one property as provided in the HUD Community Development Block Grant previously approved by Resolution No. 1137-11-09 and as amended per Resolution No. 0469-05-10.

### **Alternative Recommendation:**

If Council does not approve the resolution, the HUD Community Development Block Grant program will not be implemented as previously approved.

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information** (if applicable): 330/330000/330250/3302500001, 3302500002 and 3302500003

ENG  
AUD FILE  
CD  
FIN  
ASR  
TRS  
3302500001  
3302500002  
3302500003  
330250-01  
330250-02  
330250-03  
OB377545

RESOLUTION NO.

WHEREAS, parcels located in the flood-impacted area were offered the opportunity to participate in the HUD Community Development Block Grant (CDBG) program, and

WHEREAS, the City of Cedar Rapids received a HUD Community Development Block Grant award on November 4, 2009, to voluntarily acquire approved parcels, and

WHEREAS, the original contract with the Iowa Economic Development Authority approved to voluntarily acquire 854 parcels and a contract amendment approved an additional 211 parcels, all parcels located in the Greenway Area, the Construction/Study Area and the Neighborhood Revitalization Area, and

WHEREAS, subsequent contract amendments were approved as additional parcels registered for the voluntary buyout program, and

WHEREAS, one eligible Owner(s) of real property as outlined on Exhibit "A" have agreed to convey their property to the City of Cedar Rapids, and

WHEREAS, as provided in the HUD Community Development Block Grant Administrative Plan previously approved by Resolution No. 0057-01-10, it is recommended the City Council approve the additional following benefit payments to the Owner(s), if applicable, as defined on Exhibit "A", and

WHEREAS, the Public Works Director / City Engineer has reviewed the compensation recommendations as outlined in Exhibit "A", and subsequently recommends to accept the Owner(s) offers to voluntarily convey their flood-impacted property to the City of Cedar Rapids in accordance with the terms set forth in the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance, and

WHEREAS, the City Council has allocated Capital Improvement funds for HUD Community Development Block Grant Program (Fund 330, Dept ID 330000, Project 3302500001, 3302500002 and 3302500003),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are hereby authorized to execute the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance as described herein, and

BE IT FURTHER RESOLVED that the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City Manager and or his designee be authorized to execute the approved HUD Closing Statement, and

BE IT FUTHER RESOLVED the City of Cedar Rapids Finance Director be authorized to issue payment per the HUD Closing Statement and Check Request form, for each parcel closing, and

BE IT FUTHER RESOLVED that upon the transfer of title for the property outlined in Exhibit "A", the recorded deeds and other required conveyance documents be accepted and filed with the City of Cedar Rapids Finance Director.

Passed this 22<sup>nd</sup> day of April, 2014.

**EXHIBIT "A"**  
**CDBG Community Development Block Grant Program**  
**City of Cedar Rapids, Iowa - Offer to Buy Real Estate and Acceptance**  
**Batch # 77**

Flood ID #	Deed Holder Name(s)	Flood Address	Legal Description	Pre-Flood Value	Offer Amount - less DOB (CDBG)	Other Benefits (CDBG*)	Other Benefits (LOST**)	Estimated Total Proceeds	Property Ownership Status
CR3112 CA RED	The Estate of Richard Aucutt	331 I Ave NW	The North Sixty-five feet (N 65') of Lot Eight (8), Block One (1), Brown's Second Addition to the City of Cedar Rapids, Iowa.	\$47,006.17	\$24,579.07	\$700.00	\$0.00	\$25,279.07	Primary Residence
<b>Totals</b>				<b>\$47,006.17</b>	<b>\$24,579.07</b>	<b>\$700.00</b>	<b>\$0.00</b>	<b>\$25,279.07</b>	

\* CDBG - Other Benefits  
 Replacement Housing Assistance  
 Moving Allowance  
 Unmet Needs  
 \*\*LOST - Other Benefits  
 Flood Insurance Incentive  
 Replacement Housing Assistance (GAP)  
 Contract Sellers (GAP)

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Treasury Operations

**Presenter at meeting:** Casey Drew

**Phone Number/Ext:** 5097

**Email:** [c.drew@cedar-rapids.org](mailto:c.drew@cedar-rapids.org)

**Alternate Contact Person:** Michele Tamerius

**Phone Number/Ext:** 5113

**Email:** [m.tamerius@cedar-rapids.org](mailto:m.tamerius@cedar-rapids.org)

**Description of Agenda Item:**

Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects.

**Background:**

The City shall issue bonds in 2015. The projects covered by this issue have been budgeted and the work has been scheduled to start. This resolution will allow for the reimbursement of City funds used (such as cash on hand and/or reserves) to cover any expenses of budgeted bond projects paid prior to the issuance of the bonds.

**Action / Recommendation:**

Recommend that Council approve the resolution of reimbursement.

**Alternative Recommendation:**

None

**Time Sensitivity:**

High

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** Consent Agenda

**Budget Information (if applicable):**

No effect on the FY 2014 Budget.

**Local Preference Policy** Applies  Exempt

**Explanation:** N/A

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of the City of Cedar Rapids, State of Iowa.  
Date of Meeting: April 22, 2014.  
Time of Meeting: 4:00 o'clock P.M.  
Place of Meeting: Council Chambers, City Hall, 101 1st Street SE,  
Cedar Rapids, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for the meeting is as follows:

- Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified Projects.

Such additional matters as are set forth on the additional \_\_\_\_\_ page(s) attached hereto.  
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.

---

Amy Stevenson, City Clerk, City of  
Cedar Rapids, State of Iowa

April 22, 2014

The City Council of the City of Cedar Rapids, State of Iowa, met in \_\_\_\_\_ session, in the Council Chambers, City Hall, 101 1<sup>st</sup> Street SE, Cedar Rapids, Iowa at 4:00 o'clock P.M., on the above date. There were present Mayor Ron Corbett, in the chair, and the following named Council Members:

\_\_\_\_\_

\_\_\_\_\_

Absent: \_\_\_\_\_

\* \* \* \* \*

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE CITY FOR CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH SPECIFIED PROJECTS" and moved that it be adopted. Council Member \_\_\_\_\_ seconded the motion to adopt, and the roll being called thereon, the vote was as follows:

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the Resolution duly adopted as follows:

**RESOLUTION DECLARING AN OFFICIAL INTENT  
UNDERTREASURY REGULATION 1.150-2 TO ISSUE DEBT  
TO REIMBURSE THE CITY FOR CERTAIN ORIGINAL  
EXPENDITURES PAID IN CONNECTION WITH SPECIFIED  
PROJECTS**

WHEREAS, the City anticipates making cash expenditures for one or more of the approved fiscal year 2015 capital improvement projects generally described on Exhibit "A" attached hereto and made a part hereof (which shall hereinafter be referred to as the "FY15 Reimbursement Projects"); and

WHEREAS, the City reasonably expects to issue debt to reimburse the costs of the FY15 Reimbursement Projects; and

WHEREAS, the Council believes it is consistent with the City's budgetary and financial circumstances to issue this declaration of official intent.

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

Section 1. That this Resolution be and does hereby serve as a declaration of official intent under Treasury Regulation 1.150-2.

Section 2. That it is reasonably expected that capital expenditures will be made in respect of the FY15 Reimbursement Projects, from time to time and in such amounts as this Council determines to be necessary or desirable under the circumstances then and there existing, and this Council reasonably expects to reimburse all or a portion of such expenditures with the proceeds of bonds, notes or other indebtedness to be issued or incurred by the City in the future.

Section 3. The maximum principal amount of the bonds, notes or other indebtedness to be issued for the FY15 Reimbursement Projects and the name of the fund or account from which the original expenditures will be paid are reasonably expected to be as set forth on Exhibit "A" attached hereto and made a part hereof.

Section 4. That the City reasonably expects to reimburse the FY15 Reimbursement Project costs not later than the later of eighteen months after the capital expenditures are paid or eighteen months after the property is placed in service.

Section 5. That this Resolution shall be maintained by the City Clerk in an Official Intent File maintained in the office of the Clerk and available at all times for public inspection, subject to such revisions as may be necessary.

PASSED AND APPROVED this 22<sup>nd</sup> day of April, 2014.

---

Ron Corbett, Mayor

ATTEST:

---

Amy Stevenson, City Clerk



## EXHIBIT A

NAME OF FY15 REIMBURSEMENT PROJECT	ANTICIPATED BOND ISSUANCE FOR THE PROJECT	FUND NO. FROM WHICH EXPENDITURES WILL BE PAID
Traffic Construction	\$180,000.00	306
Park Improvements	\$630,000.00	307
Fire Improvements	\$700,000.00	308
Forestry Improvements	\$150,000.00	309
Police Improvements	\$50,000.00	310
Recreation Improvements	\$250,000.00	311
Trail Improvements	\$400,000.00	325
Flood Recovery	\$10,000,000.00	330
Information Technology	\$150,000.00	354
City Facilities	\$500,000.00	360
Water Pollution Control System	\$12,145,000.00	615
Water System	\$13,027,500.00	625
Sanitary Sewer System	\$3,110,000.00	655
 Total	 \$41,292,500.00	

## Council Agenda Item Cover Sheet

**Council Meeting Date:** 4/22/14

**Submitting Department:** Finance – Treasury Operations

**Presenter at meeting:** Casey Drew

**Phone Number/Ext:** 5097

**Email:** [c.drew@cedar-rapids.org](mailto:c.drew@cedar-rapids.org)

**Alternate Contact Person:** Michele Tamerius

**Phone Number/Ext:** 5113

**Email:** [m.tamerius@cedar-rapids.org](mailto:m.tamerius@cedar-rapids.org)

### **Description of Agenda Item:**

1. Resolution directing the advertisement for sale of not to exceed \$4,280,000 (subject to adjustment per terms of offering) General Obligations Bonds, Series 2014A, and approving electronic bidding procedures and Official Statement. CIP/DID #838449
2. Resolution directing the advertisement for sale of not to exceed \$10,640,000 (subject to adjustment per terms of offering) Taxable General Obligations Urban Renewal Bonds, Series 2014B, and approving electronic bidding procedures and Official Statement. CIP/DID #838449
3. Resolution directing the advertisement for sale of not to exceed \$11,570,000 (subject to adjustment per terms of offering) Sewer Revenue Bonds, Series 2014C, and approving electronic bidding procedures and Official Statement. CIP/DID #838449
4. Resolution directing the advertisement for sale of not to exceed \$4,570,000 (subject to adjustment per terms of offering) Water Revenue Bonds, Series 2014D, and approving electronic bidding procedures and Official Statement. CIP/DID #838449

### **Background:**

The sale of Series 2014A, 2014B, 2014C and 2014D is scheduled for May 13<sup>th</sup>, 2014.

### **Action / Recommendation:**

Recommend that the resolution be approved.

**Alternative Recommendation:** None

**Time Sensitivity:** High

**Resolution Date:** 4/22/14

**Estimated Presentation Time:** Consent Agenda

**Budget Information (if applicable):**

No effect on the FY 2014 budget.

**Local Preference Policy** Applies  Exempt

**Explanation:** N/A

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of the City of Cedar Rapids, State of Iowa.  
Date of Meeting: April 22, 2014.  
Time of Meeting: 4:00 o'clock P.M.  
Place of Meeting: Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for the meeting is as follows:

\$4,280,000 (Subject to Adjustment per Terms of Offering) General Obligation Bonds, Series 2014A.

- Resolution directing the advertisement for sale and approving electronic bidding procedures and Official Statement.

Such additional matters as are set forth on the additional \_\_\_\_\_ page(s) attached hereto.  
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.

---

Amy Stevenson, City Clerk, City of  
Cedar Rapids, State of Iowa

April 22, 2014

The City Council of the City of Cedar Rapids, State of Iowa, met in \_\_\_\_\_ session, in the Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa, at 4:00 o'clock P.M., on the above date. There were present Mayor Ron Corbett, in the chair, and the following named Council Members:

\_\_\_\_\_

\_\_\_\_\_

Absent: \_\_\_\_\_

\* \* \* \* \*

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF NOT TO EXCEED \$4,280,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION BONDS, SERIES 2014A, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT" and moved its adoption. Council Member \_\_\_\_\_ seconded the Resolution to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF NOT TO EXCEED \$4,280,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION BONDS, SERIES 2014A, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT

WHEREAS, the City of Cedar Rapids, State of Iowa, is in need of funds to pay costs of certain projects included within the Capital Improvements Program of the City, including the construction, reconstruction and repair of streets, curbing, and related street, storm sewer and streetscape improvements and the acquisition of public rights of way for the same, including street widening, paving and intersection improvements and tree replacements in public rights of way; the construction, reconstruction and repair of sidewalks, trails and bikepaths; the construction, reconstruction, improvement and repair of bridges; the acquisition, installation and repair of traffic control devices and traffic signals and signs; the replacement of trees and the rehabilitation and improvement of City parks, including the replacement and the construction, acquisition and improvement of recreational facilities, equipment, recreation trails, buildings, and other park improvements, public space amenities or attractions located in City parks; the acquisition of a fire aerial truck for the Fire Department; and the remediation, restoration, repair, cleanup, replacement, and improvement of property, buildings, equipment and public facilities that have been damaged by a disaster as defined in Section 29C.2 of the Code of Iowa and are located in an area that the President of the United States has declared a major disaster (FEMA-DA-1763), including the rehabilitation of the Knutson Building project, an essential corporate purpose project, and it is deemed necessary and advisable that the City issue General Obligation Bonds for such purpose to the amount of not to exceed \$3,815,000 as authorized by Section 384.25 of the Code of Iowa; and

WHEREAS, pursuant to notice published as required by Section 384.25 this Council has held a public meeting and hearing on April 8, 2014, upon the proposal to institute proceedings for the issuance of the Bonds, and all objections, if any, to such Council action made by any resident or property owner of the City were received and considered by the Council; and it is the decision of the Council that additional action be taken for the issuance of said Bonds, and that such action is considered to be in the best interests of the City and the residents thereof; and

WHEREAS, the City of Cedar Rapids, State of Iowa, is in need of funds to pay costs of Police Department facility improvements, including renovations of the outdoor range; the acquisition, improvement and continued extension and enhancement of the City's enterprise communications and data management systems, including voice systems, data and communications infrastructure, enterprise software applications and data management systems; and the improvement repair, construction and remodeling of the Ushers Ferry Lodge, a general corporate purpose project, and it is deemed necessary and advisable that the City issue General Obligation Bonds for such purpose to the amount of not to exceed \$625,000, as authorized by Section 384.26 of the Code of Iowa; and

WHEREAS, the City has a population in excess of 75,000 and the amount of the bonds for these purposes is not more than \$1,000,000; and

WHEREAS, pursuant to notice published as required by Section 384.26 (5), this Council has held a public meeting and hearing on April 8, 2014, upon the proposal to institute proceedings for the issuance of not to exceed \$625,000 General Obligation Bonds, and no petition was filed in the manner provided by Section 362.4 of the City Code of Iowa; and it is the decision of the Council that additional action be taken for the issuance of said Bonds, and that such action is considered to be in the best interests of the City and the residents thereof; and

WHEREAS, the City of Cedar Rapids, State of Iowa, is in need of funds to pay costs of aiding in the planning, undertaking and carrying out of the urban renewal project activities under the authority of Chapter 403 of the Code of Iowa and the Council Street Urban Renewal Plan for the Council Street Urban Renewal Area, including street improvement projects and traffic signal relocation and replacement, an essential corporate purpose project, and it is deemed necessary and advisable that the City issue General Obligation Bonds for such purpose to the amount of not to exceed \$6,140,000 as authorized by Sections 384.24, 384.25 and 403.12 of the Code of Iowa; and

WHEREAS, pursuant to notice published as required by Sections 384.24(3)(q), 384.25 and 403.12 this Council has held a public meeting and hearing on April 8, 2014, upon the proposal to institute proceedings for the issuance of not to exceed \$6,140,000 General Obligation Urban Renewal Bonds, and all objections, if any, to such Council action made by any resident or property owner of the City were received and considered by the Council; and no petition having been filed, it is the decision of the Council that additional action be taken for the issuance of \$60,000 General Obligation Bonds, and that such action is considered to be in the best interests of the City and the residents thereof; and

WHEREAS, pursuant to Section 384.28 of the Code of Iowa, it is deemed appropriate that the various general obligation bonds hereinabove described be combined for purposes of issuance and sale in a single issue of corporate purpose bonds as hereinafter set forth; and

WHEREAS, in conjunction with its Financial Advisor, Public Financial Management, Inc., the City has caused a Preliminary Official Statement to be prepared outlining the details of the proposed sale of the Bonds; and

WHEREAS, the Council has received information from its Financial Advisor evaluating and recommending the procedure hereinafter described for electronic, facsimile and internet bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

WHEREAS, the Council deems it in the best interests of the City and the residents thereof to receive bids to purchase such Bonds by means of both sealed and electronic internet communication.

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

Section 1. That the receipt of electronic bids by facsimile machine and through the Parity Competitive Bidding System described in the Notice of Sale are hereby found and determined to provide reasonable security and to maintain the integrity of the competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

Section 2. That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Mayor and City Clerk, upon the advice of bond counsel and the City's Financial Advisor, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Bonds for sale.

Section 3. That the Clerk is hereby directed to publish notice of sale of said bonds at least once, the last one of which shall be not less than four clear days nor more than twenty days before the date of the sale. Publication shall be made in "Cedar Rapids Gazette", a legal newspaper, printed wholly in the English language, published within the county in which the bonds are to be offered for sale or an adjacent county. Said notice is given pursuant to Chapter 75 of the Code of Iowa, and shall state that this Council, on the 13<sup>th</sup> day of May, 2014, at 12:00 o'clock P.M. (NOON), will hold a meeting to act upon bids for said bonds, which bids were previously received and opened by City Officials at 9:00 o'clock A.M. on said date. The notice shall be in substantially the following form:

## NOTICE OF BOND SALE

Time and Place of Sealed Bids: Bids for the sale of the Bonds (as defined below), of the City of Cedar Rapids, State of Iowa (the "Issuer"); must be received at the office of the City Clerk, 101 First Street SE, Cedar Rapids, Iowa (Telephone: 319-286-5113) before 9:00 o'clock A.M., on the 13<sup>th</sup> day of May, 2014. The bids will then be publicly opened and referred for action to the meeting of the City Council in conformity with the TERMS OF OFFERING.

The Bonds: The Bonds to be offered are the following:

GENERAL OBLIGATION BONDS, SERIES 2014A, in the amount of \$4,280,000\*, to be dated June 17, 2014; and

TAXABLE GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2014B (State of Iowa Exempt), in the amount of \$10,640,000\*, to be dated June 17, 2014

(collectively the "Bonds")

\*Subject to principal adjustment per the Official Terms of Offering.

Manner of Bidding: Open bids will not be received. Bids will be received in any of the following methods:

- Sealed Bidding: Sealed bids may be submitted and will be received at the office of the City Clerk at 101 First Street SE, Cedar Rapids, Iowa.
- Electronic Internet Bidding: Electronic internet bids will be received at the office of the City Clerk at 101 First Street SE, Cedar Rapids, Iowa. The bids must be submitted through the PARITY® competitive bidding system.
- Electronic Facsimile Bidding: Electronic facsimile bids will be received at the office of the City Clerk at 101 First Street SE, Cedar Rapids, Iowa (facsimile number: 319-286-5130). Electronic facsimile bids will be sealed and treated as sealed bids.

Consideration of Bids: After the time for receipt of bids has passed, the close of sealed bids will be announced. Sealed bids will then be publicly opened and announced. Finally, electronic internet bids will be accessed and announced.

Sale and Award: The sale and award of the Bonds will be held at the Council Chambers, City Hall, 101 First Street SE, Cedar Rapids, Iowa at a meeting of the City Council on the above date at 12:00 o'clock P.M. (NOON).

Official Statement: The Issuer has issued an Official Statement of information pertaining to the Bonds to be offered, including a statement of the Terms of Offering and an Official Bid

Form, which is incorporated by reference as a part of this notice. The Official Statement may be obtained by request addressed to the City Treasurer's Office, P.O. Box 2148, Cedar Rapids, Iowa, 52406-2148; Telephone: 319-286-5003 or the Issuer's Financial Advisor, Public Financial Management, Inc., 801 Grand Ave, Suite 3300, Des Moines, Iowa, 50309, Telephone: 515-243-2600.

Terms of Offering: All bids shall be in conformity with and the sale shall be in accord with the Terms of Offering as set forth in the Official Statement.

Legal Opinion: The Bonds will be sold subject to the opinion of Ahlers & Cooney, P.C., Attorneys of Des Moines, Iowa, as to the legality and their opinion will be furnished together with the printed bonds without cost to the purchaser and all bids will be so conditioned. Except to the extent necessary to issue their opinion as to the legality of the Bonds, the attorneys will not examine or review or express any opinion with respect to the accuracy or completeness of documents, materials or statements made or furnished in connection with the sale, issuance or marketing of the Bonds.

Rights Reserved: The right is reserved to reject any or all bids, and to waive any irregularities as deemed to be in the best interests of the public.

By order of the City Council of the City of Cedar Rapids, State of Iowa.

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Amy Stevenson, City Clerk, City of  
Cedar Rapids, State of Iowa

(End of Notice)

PASSED AND APPROVED this 22<sup>nd</sup> day of April, 2014.

---

Ron Corbett, Mayor

ATTEST:

---

Amy Stevenson, City Clerk



CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF LINN )

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Cedar Rapids, in the County of Linn, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF BOND SALE  
(\$4,280,000 General Obligation Bonds, Series 2014A)  
(\$10,640,000 Taxable General Obligation Urban Renewal Bonds, Series 2014B)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Cedar Rapids Gazette", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

\_\_\_\_\_, 2014.

WITNESS my official signature at Cedar Rapids, Iowa, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Amy Stevenson, City Clerk, City of  
Cedar Rapids, State of Iowa

(SEAL)

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of the City of Cedar Rapids, State of Iowa.  
Date of Meeting: April 22, 2014.  
Time of Meeting: 4:00 o'clock P.M.  
Place of Meeting: Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for the meeting is as follows:

\$10,640,000 (Subject to Adjustment per Terms of Offering) Taxable General Obligation Urban Renewal Bonds, Series 2014B.

- Resolution directing the advertisement for sale and approving electronic bidding procedures and Official Statement.

Such additional matters as are set forth on the additional \_\_\_\_\_ page(s) attached hereto.  
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.

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Amy Stevenson, City Clerk, City of  
Cedar Rapids, State of Iowa

April 22, 2014

The City Council of the City of Cedar Rapids, State of Iowa, met in \_\_\_\_\_ session, in the Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa, at 4:00 o'clock P.M., on the above date. There were present Mayor Ron Corbett, in the chair, and the following named Council Members:

\_\_\_\_\_

\_\_\_\_\_

Absent: \_\_\_\_\_

\* \* \* \* \*

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF NOT TO EXCEED \$10,640,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) TAXABLE GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2014B, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT" and moved its adoption. Council Member \_\_\_\_\_ seconded the Resolution to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF NOT TO EXCEED \$10,640,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) TAXABLE GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2014B, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT

WHEREAS, the City of Cedar Rapids, State of Iowa, is in need of funds to pay costs of aiding in the planning, undertaking and carrying out of the urban renewal project activities under the authority of Chapter 403 of the Code of Iowa and the Second Amended and Restated Urban Renewal Plan for the Central Urban Renewal Area, including repairs associated with the City parkade facilities, and Convention Center improvements, an essential corporate purpose project, and it is deemed necessary and advisable that the City issue Taxable General Obligation Urban Renewal Bonds for such purpose to the amount of not to exceed \$6,140,000 as authorized by Sections 384.24, 384.25 and 403.12 of the Code of Iowa; and

WHEREAS, pursuant to notice published as required by Sections 384.24(3)(q), 384.25 and 403.12 this Council has held a public meeting and hearing on April 8, 2014, upon the proposal to institute proceedings for the issuance of not to exceed \$6,140,000 Taxable General Obligation Urban Renewal Bonds, and all objections, if any, to such Council action made by any resident or property owner of the City were received and considered by the Council; and no petition having been filed, it is the decision of the Council that additional action be taken for the issuance of not to exceed \$6,080,000 Taxable General Obligation Urban Renewal Bonds, and that such action is considered to be in the best interests of the City and the residents thereof; and

WHEREAS, the City of Cedar Rapids, State of Iowa, is in need of funds to pay costs of aiding in the planning, undertaking and carrying out of urban renewal project activities under the authority of chapter 403 of the Code of Iowa, as amended, and Urban Renewal Plan for the Westdale Mall Urban Renewal Area, including providing funds for one or more economic development grants to private developers constructing taxable improvements in the project area, an essential corporate purpose project, and it is deemed necessary and advisable that the City issue Taxable General Obligation Urban Renewal Bonds for such purpose to the amount of \$6,000,000 as authorized by Sections 384.24, 384.25 and 403.12 of the Code of Iowa; and

WHEREAS, pursuant to notice published as required by Sections 384.24(3)(q), 384.25 and 403.12 this Council has held a public meeting and hearing on April 9, 2013, upon the proposal to institute proceedings for the issuance of \$6,000,000 Taxable General Obligation Urban Renewal Bonds, and all objections, if any, to such Council action made by any resident or property owner of the City were received and considered by the Council; and no petition having been filed, it is the decision of the Council that additional action be taken for the issuance of not to exceed \$6,000,000 Taxable General Obligation Urban Renewal Bonds, and that such action is considered to be in the best interests of the City and the residents thereof; and

WHEREAS, in conjunction with its Financial Advisor, Public Financial Management, Inc., the City has caused a Preliminary Official Statement to be prepared outlining the details of the proposed sale of the Bonds; and

WHEREAS, the Council has received information from its Financial Advisor evaluating and recommending the procedure hereinafter described for electronic, facsimile and internet bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

WHEREAS, the Council deems it in the best interests of the City and the residents thereof to receive bids to purchase such Bonds by means of both sealed and electronic internet communication.

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

Section 1. That the receipt of electronic bids by facsimile machine and through the Parity Competitive Bidding System described in the Notice of Sale are hereby found and determined to provide reasonable security and to maintain the integrity of the competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

Section 2. That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Mayor and City Clerk, upon the advice of bond counsel and the City's Financial Advisor, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Bonds for sale.

Section 3. That the Clerk is hereby directed to publish notice of sale of said bonds at least once, the last one of which shall be not less than four clear days nor more than twenty days before the date of the sale. Publication shall be made in "Cedar Rapids Gazette", a legal newspaper, printed wholly in the English language, published within the county in which the bonds are to be offered for sale or an adjacent county. Said notice is given pursuant to Chapter 75 of the Code of Iowa, and shall state that this Council, on the 13<sup>th</sup> day of May, 2014, at 12:00 o'clock P.M. (NOON), will hold a meeting to act upon bids for said bonds, which bids were previously received and opened by City Officials at 9:00 o'clock A.M. on said date. The notice shall be in substantially the following form:

## NOTICE OF BOND SALE

Time and Place of Sealed Bids: Bids for the sale of the Bonds (as defined below), of the City of Cedar Rapids, State of Iowa (the "Issuer"); must be received at the office of the City Clerk, 101 First Street SE, Cedar Rapids, Iowa (Telephone: 319-286-5113) before 9:00 o'clock A.M., on the 13<sup>th</sup> day of May, 2014. The bids will then be publicly opened and referred for action to the meeting of the City Council in conformity with the TERMS OF OFFERING.

The Bonds: The Bonds to be offered are the following:

GENERAL OBLIGATION BONDS, SERIES 2014A, in the amount of \$4,280,000\*, to be dated June 17, 2014; and

TAXABLE GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2014B (State of Iowa Exempt), in the amount of \$10,640,000\*, to be dated June 17, 2014

(collectively the "Bonds")

\*Subject to principal adjustment per the Official Terms of Offering.

Manner of Bidding: Open bids will not be received. Bids will be received in any of the following methods:

- Sealed Bidding: Sealed bids may be submitted and will be received at the office of the City Clerk at 101 First Street SE, Cedar Rapids, Iowa.
- Electronic Internet Bidding: Electronic internet bids will be received at the office of the City Clerk at 101 First Street SE, Cedar Rapids, Iowa. The bids must be submitted through the PARITY® competitive bidding system.
- Electronic Facsimile Bidding: Electronic facsimile bids will be received at the office of the City Clerk at 101 First Street SE, Cedar Rapids, Iowa (facsimile number: 319-286-5130). Electronic facsimile bids will be sealed and treated as sealed bids.

Consideration of Bids: After the time for receipt of bids has passed, the close of sealed bids will be announced. Sealed bids will then be publicly opened and announced. Finally, electronic internet bids will be accessed and announced.

Sale and Award: The sale and award of the Bonds will be held at the Council Chambers, City Hall, 101 First Street SE, Cedar Rapids, Iowa at a meeting of the City Council on the above date at 12:00 o'clock P.M. (NOON).

Official Statement: The Issuer has issued an Official Statement of information pertaining to the Bonds to be offered, including a statement of the Terms of Offering and an Official Bid

Form, which is incorporated by reference as a part of this notice. The Official Statement may be obtained by request addressed to the City Treasurer's Office, P.O. Box 2148, Cedar Rapids, Iowa, 52406-2148; Telephone: 319-286-5003 or the Issuer's Financial Advisor, Public Financial Management, Inc., 801 Grand Ave, Suite 3300, Des Moines, Iowa, 50309, Telephone: 515-243-2600.

Terms of Offering: All bids shall be in conformity with and the sale shall be in accord with the Terms of Offering as set forth in the Official Statement.

Legal Opinion: The Bonds will be sold subject to the opinion of Ahlers & Cooney, P.C., Attorneys of Des Moines, Iowa, as to the legality and their opinion will be furnished together with the printed bonds without cost to the purchaser and all bids will be so conditioned. Except to the extent necessary to issue their opinion as to the legality of the Bonds, the attorneys will not examine or review or express any opinion with respect to the accuracy or completeness of documents, materials or statements made or furnished in connection with the sale, issuance or marketing of the Bonds.

Rights Reserved: The right is reserved to reject any or all bids, and to waive any irregularities as deemed to be in the best interests of the public.

By order of the City Council of the City of Cedar Rapids, State of Iowa.

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Amy Stevenson, City Clerk, City of  
Cedar Rapids, State of Iowa

(End of Notice)

PASSED AND APPROVED this 22<sup>nd</sup> day of April, 2014.

---

Ron Corbett, Mayor

ATTEST:

---

Amy Stevenson, City Clerk



CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF LINN )

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Cedar Rapids, in the County of Linn, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF BOND SALE  
(\$4,280,000 General Obligation Bonds, Series 2014A)  
(\$10,640,000 Taxable General Obligation Urban Renewal Bonds, Series 2014B)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Cedar Rapids Gazette", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

\_\_\_\_\_, 2014.

WITNESS my official signature at Cedar Rapids, Iowa, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Amy Stevenson, City Clerk, City of  
Cedar Rapids, State of Iowa

(SEAL)

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of the City of Cedar Rapids, State of Iowa.  
Date of Meeting: April 22, 2014.  
Time of Meeting: 4:00 o'clock P.M.  
Place of Meeting: Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for the meeting is as follows:

\$11,570,000 (Subject to Adjustment per Terms of Offering) Sewer Revenue Bonds, Series 2014C.

- Resolution directing the advertisement for sale and approving electronic bidding procedures and Official Statement.

Such additional matters as are set forth on the additional \_\_\_\_\_ page(s) attached hereto.  
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.

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Amy Stevenson, City Clerk, City of  
Cedar Rapids, State of Iowa

April 22, 2014

The City Council of the City of Cedar Rapids, State of Iowa, met in \_\_\_\_\_ session, in the Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa, at 4:00 o'clock P.M., on the above date. There were present Mayor Ron Corbett, in the chair, and the following named Council Members:

\_\_\_\_\_

\_\_\_\_\_

Absent: \_\_\_\_\_

\* \* \* \* \*

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$11,570,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) SEWER REVENUE BONDS, SERIES 2014C, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT" and moved its adoption. Council Member \_\_\_\_\_ seconded the Resolution to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$11,570,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) SEWER REVENUE BONDS, SERIES 2014C, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT

WHEREAS, it is deemed necessary and advisable that the City of Cedar Rapids, State of Iowa, should issue its Sewer Revenue Bonds to the amount of not to exceed \$12,100,000, as authorized by Section 384.82 of the Code of Iowa, for the purpose of providing funds to pay costs of improvements and extensions to the Municipal Sewer Utility; and

WHEREAS, pursuant to notice published as required by Section 384.83 of the Code of Iowa, public meeting and hearing was held on April 8, 2014, upon the proposal to institute proceedings for the issuance of the above described bonds, and all objections, if any, to such action made by any resident or property owner of the City were received and considered; and, it is the decision of this governing body that additional action be taken for the issuance of the bonds, and that such action is considered to be in the best interests of the City and the residents thereof; and

WHEREAS, in conjunction with its Financial Advisor, Public Financial Management, Inc., the City has caused a Preliminary Official Statement to be prepared outlining the details of the proposed sale of the Bonds; and

WHEREAS, the Council has received information from its Financial Advisor evaluating and recommending the procedure hereinafter described for electronic, facsimile and internet bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

WHEREAS, the Council deems it in the best interests of the City and the residents thereof to receive bids to purchase such Bonds by means of both sealed and electronic internet communication.

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

Section 1. That the receipt of electronic bids by facsimile machine and through the Parity Competitive Bidding System described in the Notice of Sale are hereby found and determined to provide reasonable security and to maintain the integrity of the competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

Section 2. That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Mayor and City Clerk, upon the advice of bond counsel and the City's Financial Advisor, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Bonds for sale.

Section 3. That the Clerk is hereby directed to publish notice of sale of said bonds at least once, the last one of which shall be not less than four clear days nor more than twenty days before the date of the sale. Publication shall be made in "Cedar Rapids Gazette", a legal newspaper, printed wholly in the English language, published within the county in which the bonds are to be offered for sale or an adjacent county. Said notice is given pursuant to Chapter 75 of the Code of Iowa, and shall state that this Council, on the 13<sup>th</sup> day of May, 2014, at 12:00 o'clock P.M. (NOON), will hold a meeting to act upon bids for said bonds, which bids were previously received and opened by City Officials at 9:00 o'clock A.M. on said date. The notice shall be in substantially the following form:

## NOTICE OF BOND SALE

Time and Place of Sealed Bids: Bids for the sale of the Bonds (as defined below), of the City of Cedar Rapids, State of Iowa (the "Issuer"); must be received at the office of the City Clerk, 101 First Street SE, Cedar Rapids, Iowa (Telephone: 319-286-5113) before 9:00 o'clock A.M., on the 13<sup>th</sup> day of May, 2014. The bids will then be publicly opened and referred for action to the meeting of the City Council in conformity with the TERMS OF OFFERING.

The Bonds: The Bonds to be offered are the following:

SEWER REVENUE BONDS, SERIES 2014C, in the amount of \$11,570,000\*, to be dated June 17, 2014; and

WATER REVENUE BONDS, SERIES 2014D, in the amount of \$4,570,000\*, to be dated June 17, 2014

(collectively the "Bonds")

\*Subject to principal adjustment per the Official Terms of Offering.

Manner of Bidding: Open bids will not be received. Bids will be received in any of the following methods:

- Sealed Bidding: Sealed bids may be submitted and will be received at the office of the City Clerk at 101 First Street SE, Cedar Rapids, Iowa.
- Electronic Internet Bidding: Electronic internet bids will be received at the office of the City Clerk at 101 First Street SE, Cedar Rapids, Iowa. The bids must be submitted through the PARITY® competitive bidding system.
- Electronic Facsimile Bidding: Electronic facsimile bids will be received at the office of the City Clerk at 101 First Street SE, Cedar Rapids, Iowa (facsimile number: 319-286-5130). Electronic facsimile bids will be sealed and treated as sealed bids.

Consideration of Bids: After the time for receipt of bids has passed, the close of sealed bids will be announced. Sealed bids will then be publicly opened and announced. Finally, electronic internet bids will be accessed and announced.

Sale and Award: The sale and award of the Bonds will be held at the Council Chambers, City Hall, 101 First Street SE, Cedar Rapids, Iowa at a meeting of the City Council on the above date at 12:00 o'clock P.M. (NOON).

Official Statement: The Issuer has issued an Official Statement of information pertaining to the Bonds to be offered, including a statement of the Terms of Offering and an Official Bid Form, which is incorporated by reference as a part of this notice. The Official Statement may be

obtained by request addressed to the City Treasurer's Office, P.O. Box 2148, Cedar Rapids, Iowa, 52406-2148; Telephone: 319-286-5003 or the Issuer's Financial Advisor, Public Financial Management, Inc., 801 Grand Ave, Suite 3300, Des Moines, Iowa, 50309, Telephone: 515-243-2600.

Terms of Offering: All bids shall be in conformity with and the sale shall be in accord with the Terms of Offering as set forth in the Official Statement.

Legal Opinion: The Bonds will be sold subject to the opinion of Ahlers & Cooney, P.C., Attorneys of Des Moines, Iowa, as to the legality and their opinion will be furnished together with the printed bonds without cost to the purchaser and all bids will be so conditioned. Except to the extent necessary to issue their opinion as to the legality of the Bonds, the attorneys will not examine or review or express any opinion with respect to the accuracy or completeness of documents, materials or statements made or furnished in connection with the sale, issuance or marketing of the Bonds.

Rights Reserved: The right is reserved to reject any or all bids, and to waive any irregularities as deemed to be in the best interests of the public.

By order of the City Council of the City of Cedar Rapids, State of Iowa.

---

Amy Stevenson, City Clerk, City of  
Cedar Rapids, State of Iowa

(End of Notice)

PASSED AND APPROVED this 22<sup>nd</sup> day of April, 2014.

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Ron Corbett, Mayor

ATTEST:

---

Amy Stevenson, City Clerk



CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF LINN )

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Cedar Rapids, in the County of Linn, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF BOND SALE  
(\$11,570,000 Sewer Revenue Bonds, Series 2014C)  
(\$4,570,000 Water Revenue Bonds, Series 2014D)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Cedar Rapids Gazette", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

\_\_\_\_\_, 2014.

WITNESS my official signature at Cedar Rapids, Iowa, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Amy Stevenson, City Clerk, City of  
Cedar Rapids, State of Iowa

(SEAL)

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of the City of Cedar Rapids, State of Iowa.  
Date of Meeting: April 22, 2014.  
Time of Meeting: 4:00 o'clock P.M.  
Place of Meeting: Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for the meeting is as follows:

\$4,570,000 (Subject to Adjustment per Terms of Offering) Water Revenue Bonds, Series 2014D.

- Resolution directing the advertisement for sale and approving electronic bidding procedures and Official Statement.

Such additional matters as are set forth on the additional \_\_\_\_\_ page(s) attached hereto.  
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.

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Amy Stevenson, City Clerk, City of  
Cedar Rapids, State of Iowa

April 22, 2014

The City Council of the City of Cedar Rapids, State of Iowa, met in \_\_\_\_\_ session, in the Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa, at 4:00 o'clock P.M., on the above date. There were present Mayor Ron Corbett, in the chair, and the following named Council Members:

\_\_\_\_\_

\_\_\_\_\_

Absent: \_\_\_\_\_

\* \* \* \* \*

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$4,570,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) WATER REVENUE BONDS, SERIES 2014D, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT" and moved its adoption. Council Member \_\_\_\_\_ seconded the Resolution to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION DIRECTING THE ADVERTISEMENT FOR  
SALE OF \$4,570,000 (SUBJECT TO ADJUSTMENT PER  
TERMS OF OFFERING) WATER REVENUE BONDS, SERIES  
2014D, AND APPROVING ELECTRONIC BIDDING  
PROCEDURES AND OFFICIAL STATEMENT

WHEREAS, it is deemed necessary and advisable that the City of Cedar Rapids, State of Iowa, should issue its Water Revenue Bonds to the amount of not to exceed \$4,800,000, as authorized by Section 384.82 of the Code of Iowa, for the purpose of providing funds to pay costs of improvements and extensions to the Municipal Water Utility; and

WHEREAS, pursuant to notice published as required by Section 384.83 of the Code of Iowa, public meeting and hearing was held on April 8, 2014, upon the proposal to institute proceedings for the issuance of the above described bonds, and all objections, if any, to such action made by any resident or property owner of the City were received and considered; and, it is the decision of this governing body that additional action be taken for the issuance of the bonds, and that such action is considered to be in the best interests of the City and the residents thereof; and

WHEREAS, in conjunction with its Financial Advisor, Public Financial Management, Inc., the City has caused a Preliminary Official Statement to be prepared outlining the details of the proposed sale of the Bonds; and

WHEREAS, the Council has received information from its Financial Advisor evaluating and recommending the procedure hereinafter described for electronic, facsimile and internet bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

WHEREAS, the Council deems it in the best interests of the City and the residents thereof to receive bids to purchase such Bonds by means of both sealed and electronic internet communication.

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

Section 1. That the receipt of electronic bids by facsimile machine and through the Parity Competitive Bidding System described in the Notice of Sale are hereby found and determined to provide reasonable security and to maintain the integrity of the competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

Section 2. That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Mayor and City Clerk, upon the advice of bond counsel and the City's Financial Advisor, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Bonds for sale.

Section 3. That the Clerk is hereby directed to publish notice of sale of said bonds at least once, the last one of which shall be not less than four clear days nor more than twenty days before the date of the sale. Publication shall be made in "Cedar Rapids Gazette", a legal newspaper, printed wholly in the English language, published within the county in which the bonds are to be offered for sale or an adjacent county. Said notice is given pursuant to Chapter 75 of the Code of Iowa, and shall state that this Council, on the 13<sup>th</sup> day of May, 2014, at 12:00 o'clock P.M. (NOON), will hold a meeting to act upon bids for said bonds, which bids were previously received and opened by City Officials at 9:00 o'clock A.M. on said date. The notice shall be in substantially the following form:

## NOTICE OF BOND SALE

Time and Place of Sealed Bids: Bids for the sale of the Bonds (as defined below), of the City of Cedar Rapids, State of Iowa (the "Issuer"); must be received at the office of the City Clerk, 101 First Street SE, Cedar Rapids, Iowa (Telephone: 319-286-5113) before 9:00 o'clock A.M., on the 13<sup>th</sup> day of May, 2014. The bids will then be publicly opened and referred for action to the meeting of the City Council in conformity with the TERMS OF OFFERING.

The Bonds: The Bonds to be offered are the following:

SEWER REVENUE BONDS, SERIES 2014C, in the amount of \$11,570,000\*, to be dated June 17, 2014; and

WATER REVENUE BONDS, SERIES 2014D, in the amount of \$4,570,000\*, to be dated June 17, 2014

(collectively the "Bonds")

\*Subject to principal adjustment per the Official Terms of Offering.

Manner of Bidding: Open bids will not be received. Bids will be received in any of the following methods:

- Sealed Bidding: Sealed bids may be submitted and will be received at the office of the City Clerk at 101 First Street SE, Cedar Rapids, Iowa.
- Electronic Internet Bidding: Electronic internet bids will be received at the office of the City Clerk at 101 First Street SE, Cedar Rapids, Iowa. The bids must be submitted through the PARITY® competitive bidding system.
- Electronic Facsimile Bidding: Electronic facsimile bids will be received at the office of the City Clerk at 101 First Street SE, Cedar Rapids, Iowa (facsimile number: 319-286-5130). Electronic facsimile bids will be sealed and treated as sealed bids.

Consideration of Bids: After the time for receipt of bids has passed, the close of sealed bids will be announced. Sealed bids will then be publicly opened and announced. Finally, electronic internet bids will be accessed and announced.

Sale and Award: The sale and award of the Bonds will be held at the Council Chambers, City Hall, 101 First Street SE, Cedar Rapids, Iowa at a meeting of the City Council on the above date at 12:00 o'clock P.M. (NOON).

Official Statement: The Issuer has issued an Official Statement of information pertaining to the Bonds to be offered, including a statement of the Terms of Offering and an Official Bid Form, which is incorporated by reference as a part of this notice. The Official Statement may be

obtained by request addressed to the City Treasurer's Office, P.O. Box 2148, Cedar Rapids, Iowa, 52406-2148; Telephone: 319-286-5003 or the Issuer's Financial Advisor, Public Financial Management, Inc., 801 Grand Ave, Suite 3300, Des Moines, Iowa, 50309, Telephone: 515-243-2600.

Terms of Offering: All bids shall be in conformity with and the sale shall be in accord with the Terms of Offering as set forth in the Official Statement.

Legal Opinion: The Bonds will be sold subject to the opinion of Ahlers & Cooney, P.C., Attorneys of Des Moines, Iowa, as to the legality and their opinion will be furnished together with the printed bonds without cost to the purchaser and all bids will be so conditioned. Except to the extent necessary to issue their opinion as to the legality of the Bonds, the attorneys will not examine or review or express any opinion with respect to the accuracy or completeness of documents, materials or statements made or furnished in connection with the sale, issuance or marketing of the Bonds.

Rights Reserved: The right is reserved to reject any or all bids, and to waive any irregularities as deemed to be in the best interests of the public.

By order of the City Council of the City of Cedar Rapids, State of Iowa.

---

Amy Stevenson, City Clerk, City of  
Cedar Rapids, State of Iowa

(End of Notice)

PASSED AND APPROVED this 22<sup>nd</sup> day of April, 2014.

---

Ron Corbett, Mayor

ATTEST:

---

Amy Stevenson, City Clerk



CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF LINN )

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Cedar Rapids, in the County of Linn, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF BOND SALE  
(\$11,570,000 Sewer Revenue Bonds, Series 2014C)  
(\$4,570,000 Water Revenue Bonds, Series 2014D)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Cedar Rapids Gazette", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

\_\_\_\_\_, 2014.

WITNESS my official signature at Cedar Rapids, Iowa, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Amy Stevenson, City Clerk, City of  
Cedar Rapids, State of Iowa

(SEAL)

**Council Agenda Item Cover Sheet**

Consent Agenda       Regular Agenda

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Information Technology

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

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

**Description of Agenda Item:**

Resolution approving the Business Travel Report for a Systems Support Technician in the amount not to exceed \$5,000 for attending EnerGov Land Management Training in Duluth, Georgia from June 15 through June 20, 2014.

**Background:**

The City currently uses EnerGov as the Enterprise Land Systems Management (LSM) Application. Forty two of the six LSM modules have been implemented within thirteen city departments. The LSM portal is also used from the citizen side.

This LSM training will enable Paul to gain knowledge on the system to assist in support and process improvement within the Land System across city departments.

**Action / Recommendation:**

The Information Technology Department recommends the City Council approve the Business Travel Report for EnerGov Training for Paul Cross.

**Alternative Recommendation:** N/A

**Time Sensitivity:** N/A

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

Information Technology Budget

**Local Preference Policy**      Applies       Exempt

**Explanation:** Travel

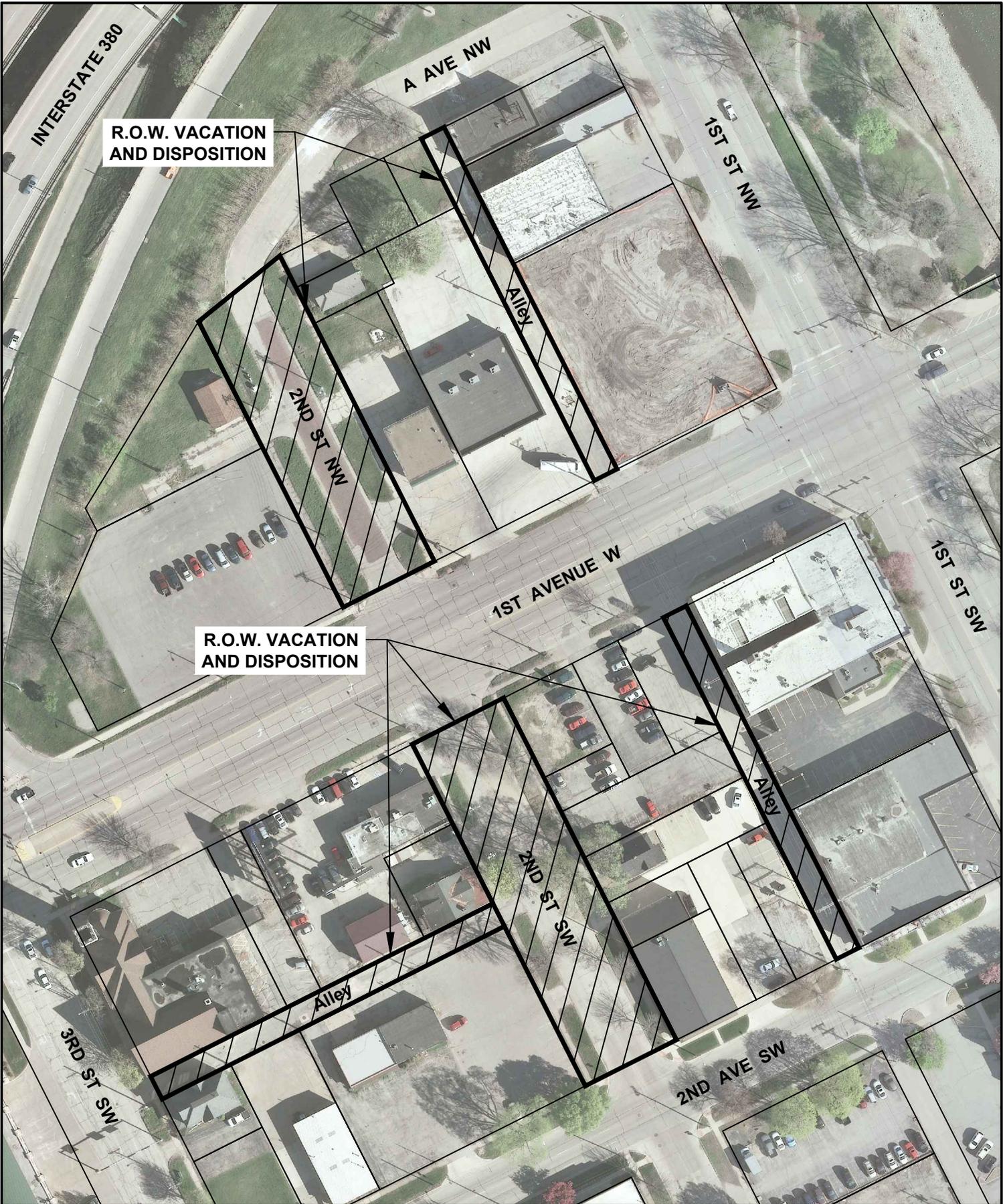
**Recommended by Council Committee**      Yes       No       N/A

**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 Paul Cross, Systems Support Technician, be hereby approved for attending the EnerGov Land Management Training from June 15 through June 20, 2014 in an amount not to exceed \$5,000. The trip cost will be funded from the Information Technology Department's budget.

Passed this 22<sup>th</sup> day of April, 2014



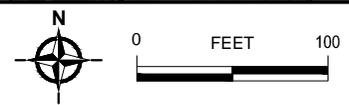
**R.O.W. VACATION AND DISPOSITION**

**R.O.W. VACATION AND DISPOSITION**

Cadd File Name: W:\PROJECTS\Non-CIP\2013\4113\038 City of CR - 2nd Street thru A Ave NW & 2nd Ave SW\41-13-038 Council Map.dwg



**RIGHT-OF-WAY VACATION AND DISPOSITION**



**Council Agenda Item Cover Sheet**

**Consent Agenda**       **Regular Agenda**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Information Technology

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

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

**Description of Agenda Item:**

Resolution approving the Business Travel Report for a Network Technician II, in the amount not to exceed \$7,500 for attending the vSphere Fast Track Training in Schaumburg, Illinois from May 18, through May 23, 2014.

**Background:**

The City currently uses vSphere as our primary server virtualization software at the Involta Datacenter and the CSC Datacenter. As this application changes and is enhanced by new features, IT staff need to stay current with changes. This vSphere training will enable Wayne to stay current on new software features and provide system administration.

**Action / Recommendation:**

The Information Technology Department recommends the City Council approve the Business Travel Report for Wayne Parsons for attending the vSphere Fast Track Training.

**Alternative Recommendation:** N/A

**Time Sensitivity:** N/A

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

Information Technology Cost of Conference/Training budget coded to 542102-101-109420

**Local Preference Policy**      Applies       Exempt

**Explanation:** Travel

**Recommended by Council Committee**      Yes       No       N/A

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Information Technology Department identified the need for VMWare training for Wayne Parsons, Network Technician II and it was approved in the original resolution #0356-03-14; and

WHEAREAS, the training course scheduled is not going to be held as originally planned and a new training session for the same course is available at a different time/location; and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Business Travel Report submitted by Wayne Parsons, Network Technician II, be hereby approved for attending the vSphere Fast Track Training from May 18 through May 23, 2014 in Schaumburg, Illinois in the amount not to exceed \$7,500. The trip cost will be funded from the Information Technology Department's FY2014 Cost of Conference/Training budget and coded to 542102-101-109420.

Passed this 22<sup>th</sup> day of April, 2014



## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Information Technology

**Presenter at meeting:** Consent

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Dominic Roberts

**Phone Number/Ext:** 5088

**Email:** d.roberts@cedar-rapids.org

**Description of Agenda Item:**

Execution of a 3 year CenturyLink Line Volume Plan for 1FB (single line flat business rate) telephone lines to support technology needs with Century Link.

**Background:**

The City of Cedar Rapids Information Technology is responsible to provide technology circuitry solutions for department needs. The 1 FB line is recommended as the most cost effective solution for fire, alarm, fax and elevator lines. As facilities were transitioning, the City was on a month to month agreement with CenturyLink. Since City facilities are permanent, the IT Department would like to secure three year contract pricing for maintaining at least 50 1FB lines.

The current month to month cost for a standard 1FB line with no features is \$35.50. The new pricing for a standard 1FB line with no features will be \$23.99. The City currently has 154 lines. Within the first month of the new 3 year agreement the City will save \$1,772.54.

**Action / Recommendation:**

Recommend Council approves the Resolution.

**Alternative Recommendation:**

City elects not to proceed with 3 year agreement and staying month to month for 1FB line service.

**Time Sensitivity:**

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0

**Budget Information (if applicable):** 523107-101-109420

**Local Preference Policy** Applies  Exempt

**Explanation:**

**Recommended by Council Committee**  
**Explanation (if necessary):**

Yes

No

N/A

RESOLUTION NO.

WHEREAS, the Information Technology Department is responsible for determining circuitry technology solutions for city department needs, and

WHEREAS, there is a need to have 1FB (flat business) telephone lines for fax, alarm, fire and elevator lines to provide city services, and

WHEREAS, the funding for this operating expense will come from 523107-101-109420 and be allocated to departments; now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager be authorized to execute a three year CenturyLink Line Volume Plan for 1FB telephone lines at set pricing with CenturyLink, 4201 Kingman BLVD, Des Moines, IA 50311.

Passed this 22<sup>th</sup> day of April, 2014



## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Jennifer Pratt

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

**Email:** [j.pratt@cedar-rapids.org](mailto:j.pratt@cedar-rapids.org)

**Alternate Contact Person:** Kirsty Sanchez

**Phone Number/Ext:** 319 286-5428

**Email:** [k.sanchez@cedar-rapids.org](mailto:k.sanchez@cedar-rapids.org)

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

Resolution authorizing an Agreement for Private Redevelopment with Red Ball Route LLC providing for a Streetscape Property Assessment Grant of \$29,111 for property at 310 14<sup>th</sup> Avenue SE. CIP/DID #321526-00

### **Background:**

City staff received a proposal for the historic restoration of a property located at 310 14<sup>th</sup> Avenue SE. The project cost is estimated at \$80,000 but will not generate sufficient property tax revenue to off-set the streetscape assessment. Based on projections, the restoration will generate an additional \$10,630 over the 10-year period. This will not cover the assessment as the property is located on a corner lot with extensive linear footage. The final assessment is \$29,111. Based on the historic restoration which drives up the project cost, staff recommends a Streetscape Property Assessment Grant equal to the \$29,111 assessment to facilitate this reinvestment.

On August 23, 2011, the City Council approved Resolution No. 1134-08-11 adopting the Property Assessment Agreement Program for the 3<sup>rd</sup> Street SE Streetscape Reinvestment Project. (CIP/DID #321526-00). The goal of this program is to encourage private reinvestment by off-setting the streetscape assessment proportionately to the increased property tax revenue projected to be generated over ten years.

This resolution is necessary to increase the grant amount to off-set the higher assessment. There are sufficient funds available in the project budget to cover this cost.

### **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:** April 22, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

There is sufficient funding in the project budget.

**Local Preference Policy** Applies  Exempt  N/A

**Explanation:**

**Recommended by Council Committee** Yes  No  N/A

RESOLUTION NO.

RESOLUTION AUTHORIZING AN AGREEMENT FOR PRIVATE  
REDEVELOPMENT WITH RED BALL ROUTE LLC PROVIDING FOR A  
STREETSCAPE PROPERTY ASSESSMENT GRANT OF \$29,111 FOR  
PROPERTY AT 310 14<sup>TH</sup> AVENUE SE

WHEREAS, on August 23, 2011, the Cedar Rapids City Council approved Resolution No. 1134-08-11 which established the Property Assessment Agreement Program for the 3<sup>rd</sup> Street SE Reconstruction and Streetscape Improvements from 8<sup>th</sup> Avenue to 14<sup>th</sup> Avenue SE project (CIP No. 321526-00); and

WHEREAS, the goal of the Property Assessment Agreement Program project is to encourage private reinvestment by off-setting the streetscape assessment proportionately to the increased property tax revenue projected to be generated over ten years; and

WHEREAS, Staff received a request from Creative Development Solutions, Inc. for the historic renovation of the property at 310 14<sup>th</sup> Avenue SE with an estimated cost of at least \$80,000 satisfies the requirements of the Property Assessment Agreement Program; and

WHEREAS, the building is only 780 square feet with a corner configuration which has extensive linear frontage which results in a streetscape assessment of \$29,111; and

WHEREAS, the proposed renovations will not generate sufficient property tax revenue to off-set the streetscape assessment; and

WHEREAS, the City Council has determined the proposed project retains the historic character of the area which meets the goals of the Property Assessment Agreement Program, and qualifies for a Street Property Assessment Grant of \$29,111;

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 hereby authorized to execute an Agreement for Private Redevelopment and associated documents with Red Ball Route, LLC providing for a \$29,111 Streetscape Property Assessment Grant in consideration of a historic restoration of the property at 310 14<sup>th</sup> Avenue SE.

Passed this 22nd Day of April, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Thomas Smith

**Phone Number/Ext:** 319 286-5161

**Email:** [t.smith@cedar-rapids.org](mailto:t.smith@cedar-rapids.org)

**Alternate Contact Person:** Caleb Mason

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

**Email:** [c.mason@cedar-rapids.org](mailto:c.mason@cedar-rapids.org)

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

Resolution extending the competitive proposal deadline from April 28 to May 19, 2014 for the disposition and redevelopment of City-owned commercial property at 615 K Avenue NW (**FLOOD**). CID/DID #OB1058253

**Background:**

On April 7, 2014, the City received a written request for an extension of the proposal submission deadline for the property at 615 K Avenue NW from April 28 to May 19, 2014. The reason for the request is to allow time for preparation of an Iowa Site Inventory Form and review by the State Historic Preservation Office. This process will help to make the property eligible for historic tax credits, which would benefit all potential proposers interested in rehabilitation of the structure. For this reason, City staff is recommending consideration of extending the proposed deadline to May 19, 2014.

Based on the current timeline, the proposed deadline would shift the timing as follows:

<u>Activity</u>	<u>Existing Date</u>	<u>Proposed Date</u>
1. Proposal deadline	04/28/14	05/19/14
2. Evaluation of proposals by staff/stakeholders	05/02/14	05/23/14
3. City Council consideration of proposals	05/13/14	06/10/14

**Action / Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:**

N/A 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):** N/A

**Local Preference Policy** Applies  Exempt  N/A

**Explanation:**

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):** On January 22, 2014, the Development Committee recommended disposition of 615 K Avenue NW through a competitive proposal process.

RESOLUTION NO.

RESOLUTION EXTENDING THE COMPETITIVE PROPOSAL DEADLINE  
FROM APRIL 28 TO MAY 19, 2014 FOR THE DISPOSITION AND  
REDEVELOPMENT OF CITY-OWNED COMMERCIAL PROPERTY AT  
615 K AVENUE NW

WHEREAS, the City acquired property at 615 K Avenue NW through the Voluntary Property Acquisition Program; and

WHEREAS, on January 22, 2014 the City Council Development Committee recommended competitive proposals be sought for redevelopment of said property; and

WHEREAS, on February 11, 2014 City Council made a motion to conduct a public hearing, a notice was published on February 15, 2014, and the public hearing was held on February 25, 2014 on the possible disposition of this property; and

WHEREAS, the deadline for proposals was set for 11:00 a.m. on April 28, 2014; and

WHEREAS, on April 7, 2014, the City received a written request for an extension of the proposal submission deadline; and

WHEREAS, the City Council has determined that it is in the best interest of the City to extend the submission deadline to May 19, 2014 to allow the preparation of an Iowa Site Inventory Form to potentially qualify the property for historic tax credits, thereby increasing the quality of proposals for the redevelopment of the property; and

WHEREAS, public notice will be given that the City Council of Cedar Rapids, Iowa, is extending the deadline to consider the disposition of City-owned commercial property at 615 K Avenue NW from April 28, 2014 to May 19, 2014;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City will accept competitive proposals for the redevelopment of City-owned property at 615 K Avenue NW until 11:00 a.m. on May 19, 2014.

Passed this 22nd day of April, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Veterans Memorial

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Mike Jager

**Phone Number/Ext:** 5039

**Email:** M.Jager@cedar-rapids.org

**Description of Agenda Item:** (insert same wording as used on agenda summary)

Resolution approving Amendment No. 2 to the agreement with Guaranteed On Site for an increased amount of \$660 for the Veterans Memorial Stage Curtains project (original contract amount was \$34,118; total contract amount with this amendment is \$40,187.60) **(FLOOD)**; CIP/DID #VME001-09

**Background:**

Original contract was for all removable curtains to be cleaned, stored & returned upon completion of the bldg. remodel. There is an additional fee of \$660 for the five and one half months of additional storage of the curtains. The curtains were returned on February 18, 2014.

**Action / Recommendation:**

Veterans Memorial recommends approval of the resolution authorizing the City Manager to sign the agreement for Amendment No. 2 with Guaranteed On Site.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:**

**Budget Information (if applicable):** FEMA

**Local Preference Policy** Applies  Exempt X

**Explanation:** FEMA policy does not allow

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):**

VET  
AUD FILE  
FIN  
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VME001-09  
OB377545

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 2

WHEREAS, the City of Cedar Rapids previously entered into an agreement with Guaranteed On Site to provide stage curtain removal, cleaning, storage and reinstallation for the Veterans Memorial Stage Curtains project; and

WHEREAS, it is agreed by the City and the Contractor that the following terms and conditions shall become part of the agreement and the agreement shall be amended as follows:

Add, under Term of Agreement:

- E. Additional storage of the curtains in excess of the stipulated 18 months at the agreed upon cost of \$120 per month for five and one half extra months as established within this contract.

Add, under Pricing/Payment/Invoicing, LetterA:

5. Upon curtain return on 2/18/2014, extra storage costs in the amount of \$660.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager and City Clerk are authorized to execute Amendment No. 2 to the agreement for the Veterans Memorial Stage Curtains project.

Passed this 22nd day of April, 2014.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Gary Petersen, PE

**Phone Number/Extension:** 5153

**E-mail Address:** g.petersen@cedar-rapids.org

**Alternate contact person:** Doug Wilson, PE

**Phone Number/Extension:** 5141

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

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

Resolution authorizing execution of Amendment No. 7 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$37,033 for additional design services in connection with the 1<sup>st</sup> Avenue East and Collins Road NE intersection and approaches reconstruction and improvements project (original contract amount was \$541,257.09; total contract amount with this amendment is \$944,941.99). CIP/DID #301447-01

### **Background:**

The original Professional Services Agreement was executed on September 20, 2006 for design services in connection with this project. Construction contract was awarded to Peterson Contractors, Inc. by the City Council at the November 10, 2009 council meeting in the amount of \$7,661,700.36, with the current Amended Contract Amount of \$8,803,872.39. Six amendments have previously been executed and construction contract issues and opportunities have occurred.

### Amendment No. 7 includes the following:

1. Review of existing pavement conditions on 1<sup>st</sup> Avenue/Marion Boulevard, northerly of Collins Road, and preparation of a rehabilitation plan for construction.
2. Additional design services for pedestrian ramps at two intersection locations, and modifications of pavement/drainage design along the Zimmerman Ford frontage.
3. Project budget reviews related to construction costs vs. funding availability.
4. Review of year-end construction season progress and recommendations on temporary construction for overwinter construction phasing.
5. Redesign of the sidewalk along the north side of Collins Road from Twixt Town Road to 1<sup>st</sup> Avenue to accommodate the metro trail system.
6. Additional construction period services for the extended construction season(s) for the project.

The Iowa Department of Transportation (IDOT) has provided pre-approval of Amendment No. 7. The Consultant provided exceptional service to facilitate the project design and support to utilize the eight federal and state grants for this project. Bidding and award of the construction contract was time sensitive to utilize grant funding for the project.

**Action / Recommendation:**

The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 7 of the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$37,033.

**Alternative Recommendation:**

None. Approval of Amendment No. 7 is completion of just compensation for the additional services provided by Anderson-Bogert Engineers & Surveyors, Inc.

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** CIP No. 301447

**Local Preference Policy:** Applies  Exempt

**Explanation:** Anderson-Bogert Engineers & Surveyors, Inc. is a local firm in compliance with this policy.

**Recommended by Council Committee:** Yes  No  N/A

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, construction contract No. 301447-02 awarded to Peterson Contractors, Inc. by the City Council at the November 10, 2009 City Council meeting has required extensions of contract time, and

WHEREAS, the extended construction contract time, changed project design elements, and project opportunities have required additional design services, now therefore

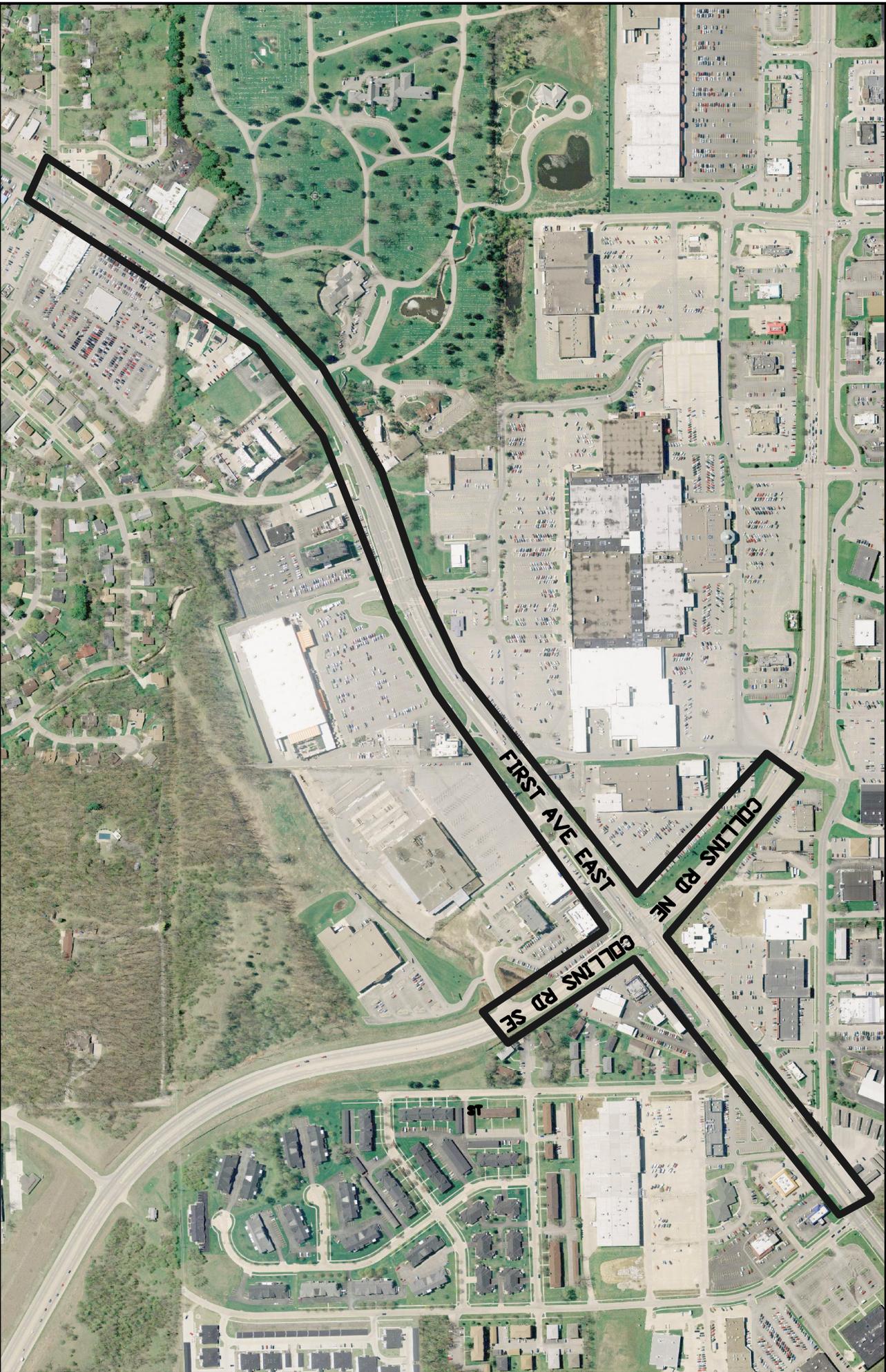
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 7 to the professional services agreement with Anderson-Bogert Engineers & Surveyors, Inc. in an amount not to exceed \$37,033 for the 1<sup>st</sup> Avenue East and Collins Road NE intersection and approaches reconstruction and widening project (Contract No. 301447-01). A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	541,257.09
Amendment No. 1	\$0
Amendment No. 2	\$319,398.68
Amendment No. 3	\$0
Amendment No. 4	\$26,730.25
Amendment No. 5	\$19,982.97
Amendment No. 6	\$0
Amendment No. 7	\$37,033.00
	<hr/>
Amended Contract Amount	\$944,941.99

General ledger coding for this amendment to be as follows:

Fund 301, Dept ID 301000 Project 301447	\$37,033
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Passed this 22<sup>nd</sup> day of April, 2014



SCALE: NONE

# 1ST AVENUE EAST AND COLLINS ROAD



CEDAR RAPIDS  
City Of Five Seasons

301447-02



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Gary Petersen, PE

**Phone Number/Extension:** 5153

**E-mail Address:** g.petersen@cedar-rapids.org

**Alternate contact person:** Doug Wilson, PE

**Phone Number/Extension:** 5141

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

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

Resolution authorizing execution of Amendment No. 5 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$21,776 for design services in connection with the CEMAR Trail Phase 1 and 2 project (original contract amount was \$134,000; total contract amount with this amendment is \$339,826). CIP/DID #325012-02

### **Background:**

The City Council approved Agreement No. 10-STEP-111 (Federal Appropriation and Transportation Enhancement grant of \$870,800), and Agreement No. 2007-RT-004 (State Recreational Trails grant of \$150,000), for the CEMAR Trail Phase 1 and 2 project on December 22, 2009. The CEMAR Phase 2 portion of the project from 20<sup>th</sup> Street NE to 29<sup>th</sup> Street has been completed, and the balance of the above grant funding remaining is \$754,796.

The Phase 1 Archeological Study for the CEMAR Trail Phase 1 project indicated the potential for Indian burial mounds in the project corridor along H Avenue NE from the Canadian National (CN) Railroad to Daniels Park. In order to obtain environmental clearance to utilize federal aid grant funding for the proposed improvements, the Iowa Tribe of Kansas and Nebraska, and the Iowa Department of Transportation (IDOT) requested the City further investigate the burial mounds location and impacts to the proposed trail project. The additional investigation is required to obtain environmental clearance to utilize the federal aid grant funding approved for the proposed project improvements.

The work includes investigation of pre-urban map study, drilling and sampling at 16 sites along the corridor, and consultation with the Iowa Tribe of Kansas and Nebraska and the Iowa DOT. The additional studies could result in avoidance of certain portions of the project corridor by routing the pedestrian components around the potential area of concern, or the studies may confirm that the location of the burial mounds is not within the project corridor, and the agencies could provide environmental clearance for the project as proposed.

### **Action / Recommendation:**

The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 5 of the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$21,776.

### **Alternative Recommendation:**

325012-02/COUNCIL AGENDA/COVER SHEET AGR PROF SERV ANDERSON-BOGERT 325012-02 AMEND 05

The additional studies provided in this Amendment are required to utilize the grant funding approved for the proposed improvements for the portion of the project along H Avenue NE from the CN Railroad to Daniels Park. Proposed improvements include pavement removal to provide safety and snow storage between the street curb and the proposed sidewalks, reconstruction of sidewalks for Americans with Disabilities (ADA) compliant sidewalks and sidewalk ramps. Restriping of H Avenue NE for bicycle lanes has been completed.

Council could choose to not approve this Amendment and direct City staff to approach the IDOT with a revised project with no further improvements to H Avenue NE between the CN Railroad and Daniels Park. This approach may not be approved to utilize the federal aid grant funding for the project, and would not provide for the safety, snow storage, and Americans with Disabilities Act (ADA) compliant sidewalk facilities contained in the proposed improvements. In addition, this action could risk losing the approved grant funding for the project due to inactivity on the project.

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** CIP No. 325012

**Local Preference Policy:** Applies  Exempt

**Explanation:** Anderson-Bogert Engineers & Surveyors, Inc. is local company

**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 and City Clerk are authorized to sign Amendment No. 5 to the professional services agreement with Anderson-Bogert Engineers & Surveyors, Inc. in the amount of \$21,776 for the CEMAR Trail Phase 1 & 2 project (Contract No. 325012-02). A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$134,000
Amendment No. 1	\$64,500
Amendment No. 2	\$8,150
Amendment No. 3	\$96,900
Amendment No. 4	\$14,500
Amendment No. 5	<u>\$21,776</u>
Amended Contract Amount	\$339,826

General ledger coding for this amendment to be as follows:

Fund 325, Dept ID 325000 Project 325012	\$21,776
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Passed this 22<sup>th</sup> day of April, 2014



**CEMAR TRAIL PHASE 1 AND 2**



## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Finance – Purchasing Services

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

**Alternate Contact Person:** Sven Leff                                      **Phone Number/Ext:** X5739  
**Email:** [s.leff@cedar-rapids.org](mailto:s.leff@cedar-rapids.org)

**Description of Agenda Item:**

Amendment No. 5 for pricing adjustment to Agreement for Beverage Concession Products for the Parks & Recreation Department with Pepsi Americas for a total amount not to exceed \$100,000 (original contract amount was \$70,000 annually; current contract amount is \$100,000 annually). CIP/DID #1008-137

**Background:**

Beverage concession products for resale at the City's parks, swimming pools, golf courses and ball parks were competitively solicited in January 2009. The agreement was awarded to Pepsi Americas for a period of three years with one 3-year renewal option. The terms also allow for annual price adjustments of up to 6% and additional new product items to be added.

Amendment No. 5 reflects a 4% price increase due to increases in product and transportation costs for Pepsi Americas. Based on 2013 volume the total anticipated expenditure for 2014 is estimated not to exceed \$100,000.

The adjusted pricing is effective April 1, 2014 and will remain in effect through March 30, 2015. This will be year three of the final three-year renewal option.

**Action / Recommendation:**

Resolution authorizing execution of Amendment No. 5 to Agreement for Beverage Concession Products for a total estimated annual amount not to exceed \$100,000.

**Alternative Recommendation:** None

**Time Sensitivity:** Products need to be ordered as soon as possible.

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** Consent

**Budget Information (if applicable):** Parks, Recreation and Golf operating budgets

**Local Preference Policy** Applies  Exempt

**Explanation:**

These products were competitively bid prior to the Local Preference Policy

**Recommended by Council Committee**    Yes     No     N/A

**Explanation (if necessary):**

PUR  
PKS  
REC  
GLF  
FIN  
AUD FILE  
PEPSI  
449337  
1008-137

RESOLUTION NO.

WHEREAS, the Purchasing Services Division solicited bids in 2009 on behalf of the Parks & Recreation Department for Beverage Concession Products; and

WHEREAS, the City entered into an agreement with Pepsi Americas as the vendor to supply the beverage concession products; and

WHEREAS, Amendment No. 5 amends the pricing by an average increase of 4%; and

WHEREAS, amended pricing shall remain unchanged through March 31, 2015; and

WHEREAS, the total annual expenditure is not to exceed \$100,000, budgeted in the Parks, Recreation and Golf operating budgets;

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. 5 with Pepsi Americas as described herein.

Passed this 22<sup>nd</sup> day of April, 2014



**Council Agenda Item Cover Sheet**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Finance-Purchasing Services Division

**Presenter at meeting:** consent **Phone Number/Ext:**  
**Email:**

**Alternate Contact Person:** **Phone Number/Ext:** 5022  
**Email:** Judy Lehman

**Description of Agenda Item:**

Amendment No. 2 to the Contract for Elevator Maintenance and Repair Services project with Kone, Inc. to add services for two elevators for the Downtown Library for an amount not to exceed \$6,048 annually (original contract amount was \$55,128; total contract amount with this amendment is \$57,144). CIP/DID #0413-246

**Background:**

The two elevators at the Downtown Library are being added to the citywide contract for Elevator Maintenance and Repair Services.

Kone Passenger Elevator	S/N 2033863	State ID #13516	\$252/month
Kone Service Elevator	S/N 20338684	State ID #13517	\$252/month

A summary of the contract is as follows:

Original Contract	\$55,128.00	Resolution No. 1232-07-13
Amendment No. 1	(4,032.00)	To delete 2 elevators from the Contract
Amendment No. 2	6,048.00	To add 2 elevators to the Contract
Total	\$57,144.00	Not to exceed, except by written amendment

**Action / Recommendation:**

That the above recommendation be approved and that the City Manager and the City Clerk be authorized to sign Amendment No. 2 with Kone, Inc.

**Alternative Recommendation:** none

**Time Sensitivity:**

**Resolution Date:** 04-22-14

**Estimated Presentation Time:** consent

**Budget Information (if applicable):** Department operating budget

**Local Preference Policy** Applies  Exempt

**Explanation:**

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):**



RESOLUTION

WHEREAS, the City of Cedar Rapids, Iowa and KONE, Inc. are parties to a Contract, authorized by Resolution No. 1232-07-13, whereby KONE provides Elevator Maintenance and Repair Services to the CITY; and

WHEREAS, the City and Kone are desirous of amending the Contract to add services for the Cedar Rapids Downtown Library elevators as follows:

Kone Passenger Elevator	S/N 2033863	State ID #13516	\$252/month
Kone Service Elevator	S/N 20338684	State ID #13517	\$252/month

AND WHEREAS, a summary of the Contract is as follows:

Original Contract	\$55,128.00	Resolution No. 1232-07-13
Amendment No. 1	(4,032.00)	To delete 2 elevators from the Contract
Amendment No. 2	6,048.00	To add 2 elevators to the Contract
Total	\$57,144.00	Not to exceed, except by written amendment

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above is accepted and the City Manager and the City Clerk are authorized to execute Amendment No. 2 with Kone, Inc.

Passed this 22<sup>nd</sup> day of April 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda Item

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Julie Macauley

**Phone Number/Ext:** X5118

**Email:** [j.macauley@cedar-rapids.org](mailto:j.macauley@cedar-rapids.org)

### **Description of Agenda Item:**

Amendment No. 2 to renew Agreement for the purchase of ShoreTel Hardware & Software by the Information Technology Department with Sencommunications, Inc. for a total annual expenditure not to exceed \$100,000 (Original contract amount was \$100,000 annually; contract renewal amount is \$100,000 annually). CIP/DID #0313-222

### **Background:**

Bids were solicited in 2013 on behalf of the Information Technology Department for the purchase and delivery of ShoreTel Hardware and Software with one (1) bid submitted. A contract was awarded to Sencommunications, Inc., the only bidder, for the initial agreement period of April 24, 2013 through April 30, 2014 with four (4) one-year renewal options.

Amendment No. 2 is to renew the Agreement through April 30, 2015 with three (3) one-year renewal options remaining. The total annual expenditure will not exceed \$100,000 with funding coming from individual department budgets for whom the equipment is purchased.

Pricing remains the same with no increase on existing items. Several new items have been added to the contract.

### **Action / Recommendation:**

Resolution authorizing execution of Amendment No. 2 to Agreement for ShoreTel Hardware & Software for a total annual amount not to exceed \$100,000.

### **Alternative Recommendation:**

### **Time Sensitivity:**

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

Equipment is funded from individual department budgets for whom the equipment is purchased.

**Local Preference Policy** Applies  Exempt

**Explanation:**

Local preference applies but did not have any effect on the outcome because there was only one bid submitted.

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for Shoretel Hardware & Software to be purchased on an as-needed basis for the Information Technology Department; and

WHEREAS, award was made to Sencommunications, Inc. as the only bidder for an initial agreement period of April 24, 2013 to April 30, 2014 with four one-year renewal options available; and

WHEREAS, Amendment No. 2 renews the Agreement with Sencommunications, Inc. through April 30, 2015 with three one-year renewal options remaining; and

WHEREAS, the total annual expenditure will not exceed \$100,000, funded by individual department budgets;

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 be hereby directed to execute Amendment No. 2 with Sencommunications, Inc. as described herein.

Passed this 22<sup>nd</sup> day of April, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda Item

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Sven Leff

**Phone Number/Ext:** X5739

**Email:** [s.leff@cedar-rapids.org](mailto:s.leff@cedar-rapids.org)

### **Description of Agenda Item:**

Amendment No. 5 for price adjustments to Agreement for Food Concession Products for the Parks & Recreation Department with Myers-Cox Company for a total annual amount not to exceed \$140,000 (original contract amount was \$100,000 annually, amended contract amount is \$140,000 annually). CIP/DID #0109-201

### **Background:**

The agreement for food concession products for resale at the city's parks, swimming pools, golf courses and ball parks was competitively solicited in March 2009. The agreement was awarded to Myers-Cox Company for a period of three years with one 3-year renewal option.

Amendment No. 5 is for price adjustments for the third year of the current three-year renewal period that continues through February 28, 2015. The terms allow for annual price adjustments and additional new product items to be added throughout the renewal period. Pricing for all except for the beef products on this Amendment No. 5 will remain unchanged through February 28, 2014. Due to fluctuations in the beef market price adjustments may be allowed for beef products upon two-week notice from the Contractor and mutual agreement of both parties. Pricing for many items remains unchanged, with an average increase of 2% across all offerings.

Total annual expenditure will not exceed \$140,000, budgeted in Parks, Recreation and Golf operating budgets.

### **Action / Recommendation:**

Resolution authorizing execution of Amendment No. 5 to Agreement for Food Concession Products for a total estimated annual amount not to exceed \$140,000.

### **Alternative Recommendation:**

### **Time Sensitivity:**

**Resolution Date:** April 23, 2013

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** Parks, Recreation and Golf operating budgets

**Local Preference Policy** Applies  Exempt

**Explanation:**

These products were competitively bid prior to the Local Preference Policy

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):**

PUR  
PKS  
REC  
GLF  
FIN  
AUD FILE  
MYERS-COX  
0109-201

RESOLUTION NO.

WHEREAS, the Purchasing Services Division solicited bids in 2009 on behalf of the Parks & Recreation Department for Food Concession Products; and

WHEREAS, the City entered into an agreement with Myers-Cox Company as the vendor to supply the food concession products; and

WHEREAS, Amendment No. 5 amends the pricing by an average increase of 2% per line item; and

WHEREAS, amended pricing shall remain unchanged through February 28, 2014 with the exception of beef products; and

WHEREAS, price adjustments shall be allowable for beef products with two-week's notice and mutual agreement by both parties; and

WHEREAS, the total annual expenditure is not to exceed \$140,000, budgeted in the Parks, Recreation and Golf operating budgets;

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. 5 with Myers-Cox Company as described herein.

Passed this 22<sup>nd</sup> day of April, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda Item

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Mark Jones

**Phone Number/Ext:** X4791

**Email:** [markj@cedar-rapids.org](mailto:markj@cedar-rapids.org)

### **Description of Agenda Item:**

Amendment No. 5 to renew Agreement for Garbage Carts for the Solid Waste & Recycling Division with Rehrig Pacific Company for a total annual amount not to exceed \$80,000 (original contract amount was \$1,460,800, renewal amount is \$80,000). CIP/DID #0211-179

### **Background:**

Proposals were solicited in 2011 on behalf of the Solid Waste & Recycling Division for the purchase and distribution of 35-gallon garbage carts for the automated garbage collection program implemented in FY12. Six (6) vendors submitted proposals and sample containers for evaluation.

Award was made to Rehrig Pacific Company as the vendor to supply the 35-gallon garbage containers for an initial contract period of May 10, 2010 through April 30, 2012. The initial contract period included the purchase and distribution of approximately 38,800 carts for the initial rollout of the automated garbage collection program.

Rehrig has agreed to renew the contract for another year with a 5.9% increase in price due to an increase in the cost of resin used to manufacture the carts. This Amendment No. 5 is to renew the Agreement for a contract period of May 1, 2014 through April 30, 2015, with one (1) one-year renewal option remaining. The Solid Waste & Recycling Division anticipates purchasing one to two truckloads (approximately 1080 to 2160 carts) during the renewal period. Total annual expenditure shall not to exceed \$80,000, budgeted in Solid Waste operating budget.

### **Action / Recommendation:**

Resolution authorizing execution of Amendment No. 5 to Agreement for Garbage Carts for a total annual amount not to exceed \$80,000.

### **Alternative Recommendation:**

### **Time Sensitivity:**

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** Solid Waste operating budget

**Local Preference Policy** Applies  Exempt

**Explanation:**

There were no local companies who responded to the RFP when the initial agreement was established.

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division solicited proposals in 2011 for garbage carts on behalf of the City of Cedar Rapids Solid Waste & Recycling Division; and

WHEREAS, responses were received from six (6) suppliers; and

WHEREAS, Rehrig Pacific Company was awarded as the vendor to provide the Garbage Carts for the initial contract period of May 10, 2011 through April 30, 2012; and

WHEREAS, Rehrig has agreed to renew the contract for another year with a 5.9% increase in price per cart; and

WHEREAS, Amendment No. 5 to the Agreement for Garbage Carts is for the renewal period of May 1, 2014 through April 30, 2015 with an estimated annual expenditure not to exceed \$80,000 budgeted in the Solid Waste operating budget; and

WHEREAS, the pricing will remain unchanged throughout the renewal period through April 30, 2015, with the option of one (1) additional one-year renewal; no

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. 5 with Rehrig Pacific Company as described herein.

Passed this 22<sup>nd</sup> day of April, 2014.



**Council Agenda Item Cover Sheet**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Finance – Purchasing Services

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

**Alternate Contact Person:** Russ Camp      **Phone Number/Ext:** x5086  
**Email:** [russc@cedar-rapids.org](mailto:russc@cedar-rapids.org)

**Description of Agenda Item:**

Amendment No. 3 to renew Agreement for GIS One-Call Utility Locate System with Pro-West & Associates, Inc. for the Utilities, Public Works, and Information Technology Departments and amend the Scope of Work for a total additional amount of \$2,300 (original contract amount was \$43,000, total contract amount with this amendment is \$55,550). CIP/DID #1209-125

**Background:**

Proposals were solicited on behalf of the Utilities, Public Works and Information Technology Departments for the GIS One-Call Utility Locate System with six (6) firms responding. Award was made to Pro-West & Associates, Inc. as the firm who submitted the most responsive proposal of best value to the City.

This Amendment No. 3 renews the Contract through April 30, 2016 and amends the scope of work for a total additional amount of \$2,300. The additional expenditure includes options for on-demand auto ticket refresh, disabling of zooming to ticket extent / full extent when a ticket is cleared, updating remarks to support formatting, and ticket filtering. These revisions bring the revised total for this Agreement to \$55,550.

Original contact amount:	\$ 43,000	Resolution No. 0415-04-10
Amendment No. 1:	\$ 0	Renewal within original \$43,000; no Reso
Amendment No. 2:	\$ 10,250	Amended Scope; Resolution No. 0203-02-13
Amendment No. 3:	\$ 2,300	Amended Scope; Resolution pending
Total amount for project:	\$ 55,550	Total not to exceed

**Action / Recommendation:**

Resolution authorizing execution of Amendment No. 3 to Agreement for GIS One-Call Utility Locate System for the total additional amount of \$2,300.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 522101-651-651500-651155

**Local Preference Policy** Applies  Exempt

**Explanation:**

If proposals were solicited today local preference would apply; however, this RFP was issued prior to implementation of the buy local program. There were no local proposers.

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division solicited proposals in 2010 for a GIS One-Call Utility Locate System, as requested by the Utilities, Public Works, and Information Technology Departments; and

WHEREAS, responses were received from six (6) firms; and

WHEREAS, award was made to Pro-West & Associates, Inc., for an initial Agreement period of May 1, 2010 through April 30, 2012; and

WHEREAS, this Addendum No. 2 extends the Agreement through April 30, 2016 and updates the scope of work for a total additional amount of \$2,300, funded by the Public Works Department; and

WHEREAS, the total updated amount is \$55,550 as follows:

Original contact amount:	\$ 43,000	Resolution No. 0415-04-10
Amendment No. 1:	\$ 0	Renewal within original \$43,000; no Reso
Amendment No. 2:	\$ 10,250	Amended Scope; Resolution No. 0203-02-13
Amendment No. 3:	\$ 2,300	Amended Scope; Resolution pending
Total amount for project:	\$ 55,550	Total not to exceed

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. 3 with Pro-West & Associates, Inc. as described herein.

Passed this 22<sup>nd</sup> day of April, 2014.



**Council Agenda Item Cover Sheet**

**Council Meeting Date:** 04-22-14

**Submitting Department:** Finance-Purchasing Services Division

**Presenter at meeting:** consent **Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** John Riggs **Phone Number/Ext:** x5981

**Email:** [j.riggs@cedar-rapids.org](mailto:j.riggs@cedar-rapids.org)

**Description of Agenda Item:**

Amendment No. 4 to contract for Environmental Remediation and Demolition Services for Flood-Damaged Structures project with D.W. Zinser Company to reflect a discovery item and accepting project and performance bond and authorizing issuance of payment in the amount of \$10,695 (original contract amount was \$212,400; final contract amount is \$213,900) (**FLOOD**). CIP/DID #0813-038

**Background:**

The Work to be performed under this project is to provide all-inclusive environmental remediation and demolition services for nine (9) flood-damaged parcels consisting of 9 main structures and 5 accessory structures, all funded through the Community Development Block Grant (CDBG) Program. Payment for environmental remediation and demolition services rendered shall be based on a firm fixed price basis.

The construction contract work on the Environmental Remediation and Demolition Services for Flood Damaged Structures (Contract No. 0813-038), has now been substantially completed in accordance with the approved specifications.

Discovery Item: During the demolition process, additional ACM pipe insulation was discovered in the basement located at 107 10<sup>th</sup> Street NW. The initial environmental assessment report did not have this item listed as it was behind a finished wall. A follow up assessment was completed by Tetra Tech Inc. acknowledging the presence of this ACM material. Zinser shall remove the ACM pipe wrapping prior to demolition in accordance with the contract specifications for ACM disposal. This additional remediation work shall be \$1,500. to complete.

**Summary of contract:**

Original Contract	\$ 212,400	Resolution No. 1771-11-13
Amendment No. 1	\$ 0	To extend term through January 17, 2014
Amendment No. 2	\$ 0	To extend term through February 28, 2014
Amendment No. 3	\$ 0	To extend term through April 4, 2014
Amendment No. 4	\$ 1,500	To reflect cost of discovery item
Total	\$ 213,900	Final Project Cost

**Action / Recommendation:**

That the City Manager and the City Clerk be authorized to execute Amendment No. 4 that a sum of \$10,695 be issued to D.W. Zinser Company as final payment of amounts retained on work completed.

**Alternative Recommendation:** None

**Time Sensitivity:**

**Resolution Date:** 04-22-14

**Estimated Presentation Time:** consent

**Budget Information (if applicable):** Federally Funded - CDBG

Structures in the Construction Study Area: 3306200002

Structures in the Neighborhood Revitalization Area: 3306200003

**Local Preference Policy** Applies  Exempt

**Explanation:** Federal Funds - CDBG

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids, Iowa and D.W. Zinser Company are parties to a Contract for Environmental Remediation and Demolition Services for Flood-Damaged Structures, authorized by Resolution No. 1771-11-13; and

WHEREAS, construction contract work has been substantially completed on the Environmental Remediation and Demolition Services for Flood-Damaged Structures (Contract No. 0813-038) in accordance with the approved specifications; and

WHEREAS, the final cost of this project is \$212,400 and funding for these services is covered under the flood related budgets, the GL coding is Structures in the Construction Study Area: 3306200002 and Structures in the Neighborhood Revitalization Area: 3306200003; and

WHEREAS, a Performance Bond, dated November 13, 2013 in the amount of \$212,400 covering said work filed by D.W. Zinser Company and executed by North American Specialty Insurance Company provides a two-year correction period for defects in materials and workmanship.

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

BE IT FURTHER RESOLVED that the City Manager and the City Clerk are authorized to execute Amendment No. 4 with D.W. Zinser Company for Environmental Remediation and Demolition Services for Flood-Damaged Structures (Contract No. 0813-038) to reflect a discovery item. A cost summary of the contract changes for this project is as follows:

Original Contract	\$ 212,400	Resolution No. 1771-11-13
Amendment No. 1	\$ 0	To extend term through January 17, 2014
Amendment No. 2	\$ 0	To extend term through February 28, 2014
Amendment No. 3	\$ 0	To extend term through April 4, 2014
Amendment No. 4	\$ 1,500	To reflect cost of discovery item
Total	\$ 213,900	Final Project Cost

AND BE IT FURTHER RESOLVED that based on the Flood Recovery Program Manager's recommendation, the Environmental Remediation and Demolition Services for Flood-Damaged Structures, (0813-038) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids is authorized and directed to issue final payment for the sum of \$10,695.00 to D.W. Zinser Company; and

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

Passed this 22<sup>nd</sup> day of April 2014.



## 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**     **MAP**  
 Authorizing Change Order No. 4 (Revised) in the amount of \$15,216 plus an additional 34 Calendar Days, with Knutson Construction Services Midwest, Inc. for the 2<sup>nd</sup> Street SE Parking Ramp at 7<sup>th</sup> Avenue – General Construction project (original contract amount was \$7,801,500; total contract amount with this amendment is \$7,888,428). CIP/DID #635120-20

### Background:

WCD = Work Change Directive

WCD #4	Time Extension per letter dated November 13, 2013 (includes days for Carpenter Union strike, existing foundations discovery, weather delays) New Completion Date of 12/24/13.	22 days
	Roof Tie Offs	\$3,783
	ITC 22, 25, 27, 28, 31, No scope changes	\$0
	Old foundation discovered during storm drain installation	\$4,257
	Electrical Equipment Room Modifications – due to thickness of the floor topping and the door swing requirements a stair and railing was added to meet code and safety needs.	\$4,518
	Steel Bracket Clarifications – the structural support for the exterior panel system for the east elevation of the ramp was clarified.	\$2,658
	Structural support for the exterior panel system for the east elevation of the ramp - Add 12 Calendar Days to Completion Date – New Completion Date January 5, 2014	12 days

### Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 4 submitted by Knutson Construction Services Midwest, 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:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):**

**Local Preference Policy:** Applies  Exempt

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

**Recommended by Council Committee:** Yes  No  N/A

ENG  
AUD FILE  
FIN  
CLK  
KNUTSON  
OPN  
635120-20

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. 4 (Revised) in the amount of \$15,216 plus an additional 34 Calendar Days, with Knutson Construction Services Midwest, Inc. for the 2<sup>nd</sup> Street SE Parking Ramp at 7<sup>th</sup> Avenue – General Construction project, Contract No. 635120-20. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$7,801,500
Change Order No. 1	31,593
Change Order No. 2	23,960
Change Order No. 3	16,159
Change Order No. 4	<u>15,216</u>
Amended Contract Amount	\$7,888,428

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

\$15,216 635-635000-635120

Passed this 22<sup>nd</sup> day of April, 2014.



**NEW MULTILEVEL PARKING RAMP LOCATION**



**7TH AVENUE SE AND 2ND STREET SE  
NEW MULTILEVEL PARKING RAMP**



0 FEET 150



## Council Agenda Item Cover Sheet

**\*\*FLOOD\*\***

**Submitting Department:** Public Works Department

**Presenter at meeting:** Doug Carper, P.E.  
**E-mail Address:** [d.carper@cedar-rapids.org](mailto:d.carper@cedar-rapids.org)

**Phone Number/Extension:** 5258

**Alternate Contact Person:** Rob Davis, P.E.  
**E-mail Address:** [r.davis@cedar-rapids.org](mailto:r.davis@cedar-rapids.org)

**Phone Number/Extension:** 5808

**Description of Agenda Item:**       **Consent Agenda**                       **Regular Agenda**  
Authorizing Change Order No. 15 in the amount of \$120,969 with Knutson Construction Services Midwest, Inc. for the Cedar Rapids Public Library Project - General Contractor project (original contract amount was \$14,235,000; total contract amount with this amendment is \$15,566,793.10) **(FLOOD)**. CIP/DID #PLE001-20

**Background:**

WCD= Work Change Directive

WCD #19	Provide metal stud framing at the location referenced in RFI #074 due to field conditions and the lack of adequate structural steel framing to assist in the support of the exterior wall construction.	\$1,585
	Additional lockers, miscellaneous paint additions, revise staff Breakroom/Kitchenette, and revise the auditorium wood clouds finish.	\$9,840
	Provide a mounting bracket for the Irrigation Solar Panel on top of the tanks.	\$1,665
	Millwork changes during the shop drawing process.	\$3,313
	Skywalk Coping revision	\$3,442
	Remobilize due to traffic signage work	\$1,204
	Skywalk exterior expansion joint specification, exterior bollard paint color and MSG 8 & 9 sign colors	\$12,156
	South parking lot, unforeseen soil conditions.	\$85,760
	Café Shelving	\$2,004

**Action / Recommendation:**

The Public Works Department recommends approval of Change Order No. 15 submitted by Knutson Construction Services Midwest, 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:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):**

**Local Preference Policy:** Applies  Exempt

**Explanation:** FEMA policy does not allow.

**Recommended by Council Committee:** Yes  No  N/A

ENG  
AUD FILE  
FIN  
CLK  
KNUTSON  
OPN  
PLE001-20  
OB377545

RESOLUTION NO.

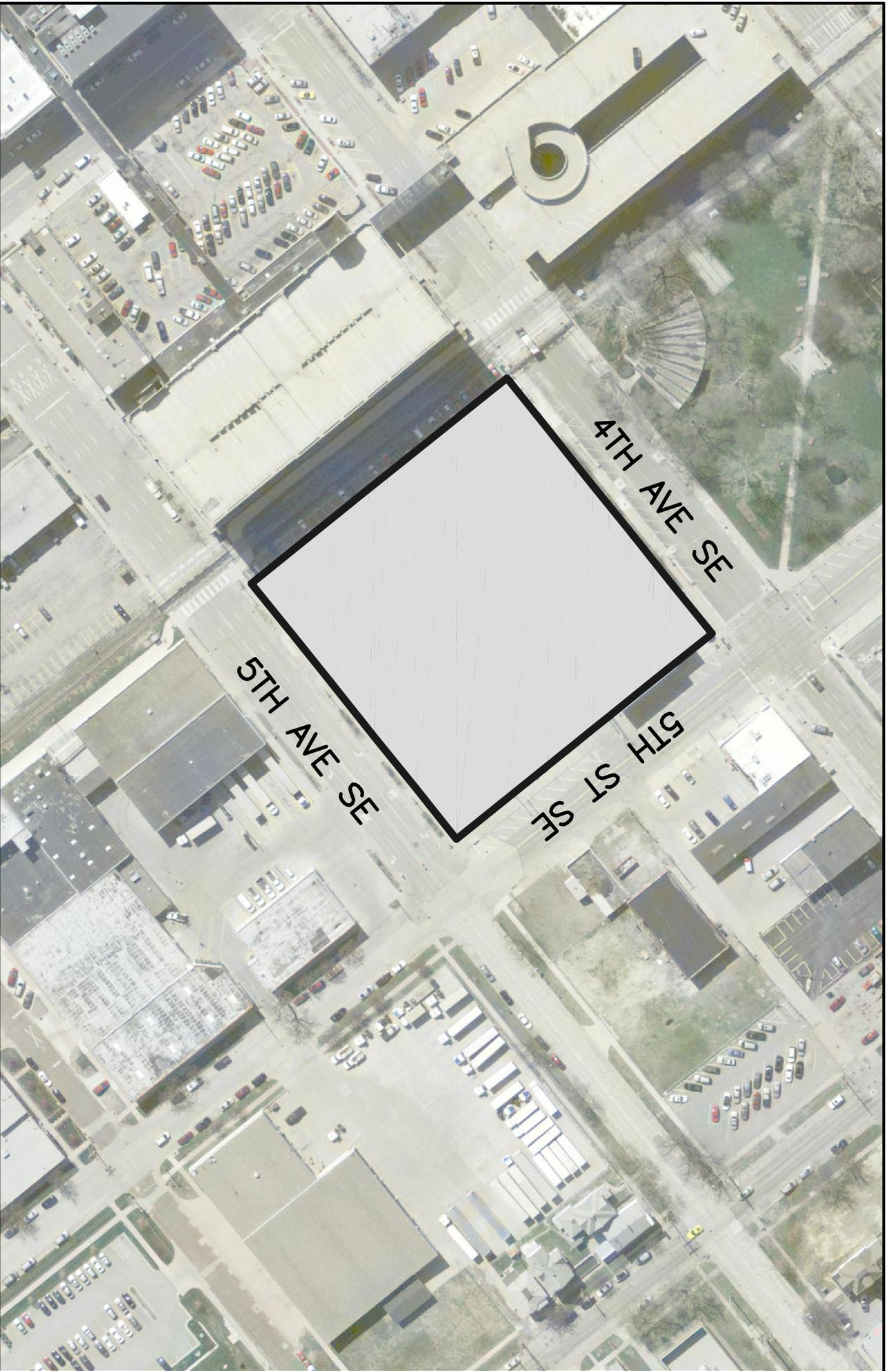
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 15 in the amount of \$120,969 with Knutson Construction Services Midwest, Inc. for the Cedar Rapids Public Library - General Contractor, Contract No. PLE001-20. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$14,235,000.00
Change Order No. 1	79,031.00
Change Order No. 2	21,986.00
Change Order No. 3	431,162.00
Change Order No. 4	61,940.00
Change Order No. 5	88,649.00
Change Order No. 6	73,982.00
Change Order No. 7	127,951.00
Change Order No. 8	61,320.00
Change Order No. 9	39,610.00
Change Order No. 10	20,430.00
Change Order No. 11	26,522.00
Change Order No. 12	15,992.00
Change Order No. 13	56,416.60
Change Order No. 14	105,832.50
Change Order No. 15	<u>120,969.00</u>
Amended Contract Amount	\$15,566,793.10

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

\$120,969      330-330010-18512-PLE001

Passed this 22<sup>nd</sup> day of April, 2014.



4TH AVE SE

5TH ST SE

5TH AVE SE



SCALE: NONE

# CEDAR RAPIDS PUBLIC LIBRARY



CEDAR RAPIDS  
City of Five Seasons

PLE001



## Council Agenda Item Cover Sheet

**\*\*FLOOD\*\***

**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:** Russell F. Betts, P.E.  
**E-mail Address:** r.betts@cedar-rapids.org

**Phone Number/Extension:** 5212

**Description of Agenda Item:**       **Consent Agenda**                       **Regular Agenda**  
Authorizing Change Order No. 7 in the amount of \$56,647 with Miron Construction Co., Inc. for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – General Contractor project (original contract amount was \$19,185,000; total contract amount with this amendment is \$19,428,890) (**FLOOD**). CIP/DID #PWE006-21

### Background:

WCD = Work Change Directive

WCD #6	Install door lock cylinders	\$1,620
	Add elevator pads	\$1,714
	Salt Dome Electrical clarifications	\$(4,790)
	ITC# 076, 087, 091, 092, 097,098,099, 106 – No Scope Change	\$0
	Add 13 calendar days for late start. Site access was limited for 13 days past the contractual Late Start Date due to soil contamination from old fuel station.	
	Add 11 calendar days due to the weather in the months of November through April.	
	Add 10 calendar days due to Trade Union Strike	
WCD #7	Provide new 8" water line per drawing C114 at the north side of the property	\$58,103

### Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 7 submitted by Miron Construction Co., Inc.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** FEMA/I-Jobs/City – PWE006

**Local Preference Policy:** Applies  Exempt

**Explanation:** Capital Improvement Project

**Recommended by Council Committee:** Yes  No  N/A

**Explanation (if necessary):** Project update provided at June 19, 2012 Infrastructure Committee Meeting

ENG  
AUD FILE  
FIN  
CLK  
MIRON  
NEUMANN  
PWE006-21  
OB377545

RESOLUTION NO.

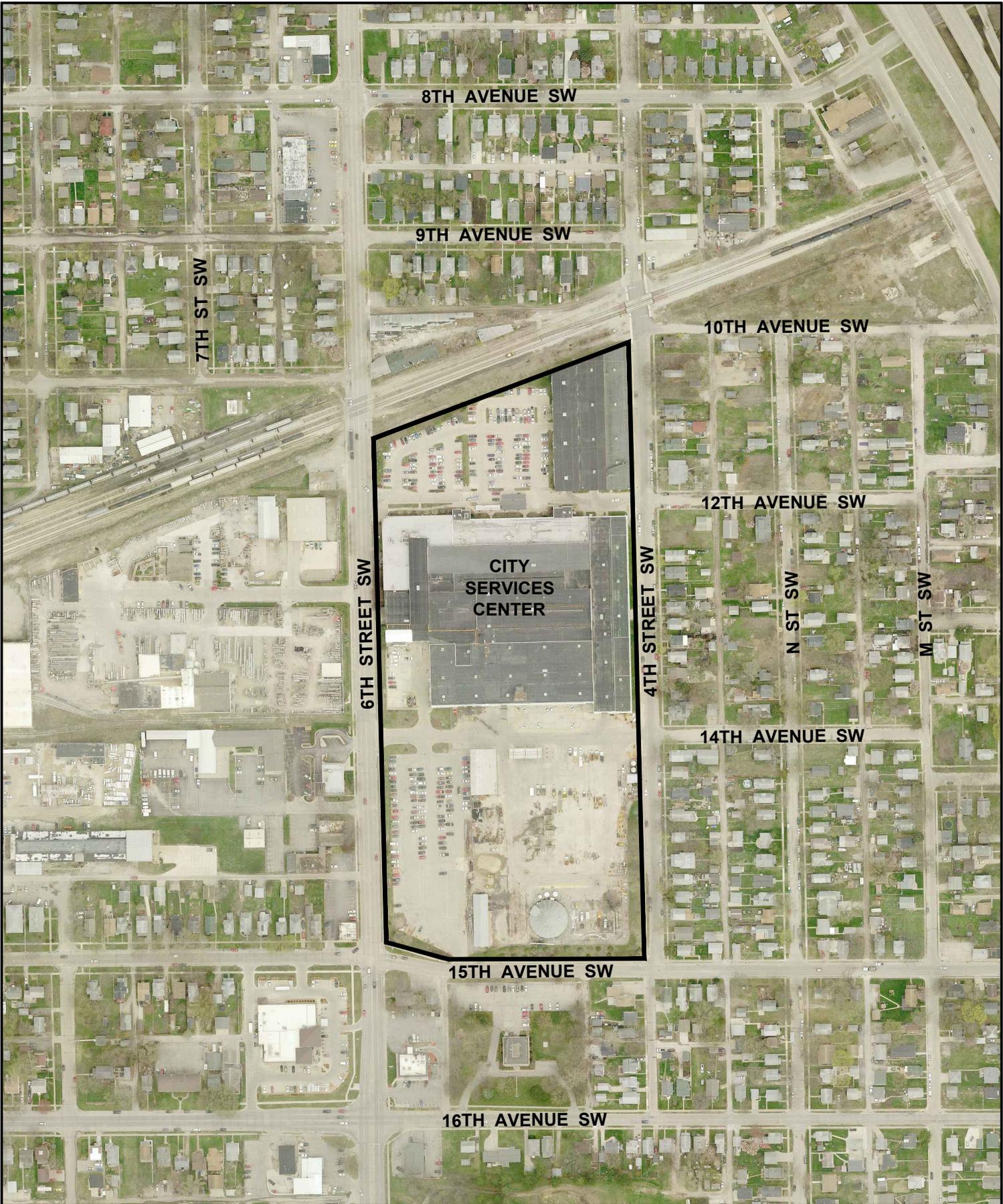
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 7 in the amount of \$56,647 with Miron Construction Co., Inc. for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – General Contractor project, Contract No. PWE006-21. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$19,185,000
Change Order No. 1 (Revised)	41,562
Change Order No. 2 (Revised)	(58,929)
Change Order No. 3	76,924
Change Order No. 4	7,479
Change Order No. 5	2,883
Change Order No. 6	117,324
Change Order No. 7	<u>56,647</u>
Amended Contract Amount	\$19,428,890

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

\$56,647      330-330210-18515-PWE006-NG

Passed this 22<sup>nd</sup> day of April, 2014.



8TH AVENUE SW

9TH AVENUE SW

7TH ST SW

10TH AVENUE SW

12TH AVENUE SW

6TH STREET SW

CITY SERVICES CENTER

4TH STREET SW

N ST SW

M ST SW

14TH AVENUE SW

15TH AVENUE SW

16TH AVENUE SW



CITY SERVICES CENTER



0 FEET 300



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5153

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

**Phone Number/Extension:** 5141

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

Resolution authorizing execution of a Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. in an amount not to exceed \$43,290 for design services in connection with the CEMAR Trail Lindale Connector project. CIP/DID #325050-01

### Background:

The FY13 – FY15 Transportation Improvement Program, approved by the Corridor Metropolitan Planning Organization (CMPO), includes Surface Transportation Program (STP) funding for the CEMAR Trail: Marion City Limits to Hwy 100 project. This project includes the CEMAR Trail Lindale Connector within the approved STP project.

The professional services provided in this agreement include the preliminary engineering services for the proposed trail starting on the south side of Indian Creek (south city limits) and extending northerly to the 1<sup>st</sup> Avenue East and Lindale Mall intersection. Services include concept alignments, alternative evaluation, design surveys, preparation of preliminary plans, and acquisitions plats. Preliminary plan submittals to the Iowa Department of Transportation will be in accordance with the requirements for federal aid project development. The end product of the services will be Federal Highway Administration (FHWA) authorization to acquire right-of-way with the federal aid funding approved for the CEMAR Trail: Marion City Limits to Highway 100 project.

### Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Anderson-Bogert Engineers & Surveyors, Inc.

### Alternative Recommendation:

The Council could choose to not approve this Professional Services Agreement and include the services in the Professional Services Agreement by the City of Marion for the three CEMAR Trail segments located in the City of Marion. The consultant selection process and contract approval utilizing federal aid funding can take one year from the time of consultant selection.

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** CIP No. 325050

**Local Preference Policy:** Applies  Exempt

**Explanation:** Anderson-Bogert Engineers & Surveyors, Inc. is a local firm that is in compliance with this policy.

**Recommended by Council Committee:** Yes  No  N/A

**Explanation (if necessary):**

325050-01/COUNCIL AGENDA ITEMS/COVER SHEET AGR PROF SERV ANDERSON BOGERT 325050-01

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined it is in the best interest of the City to outsource some professional services relating to the project(s) below, and

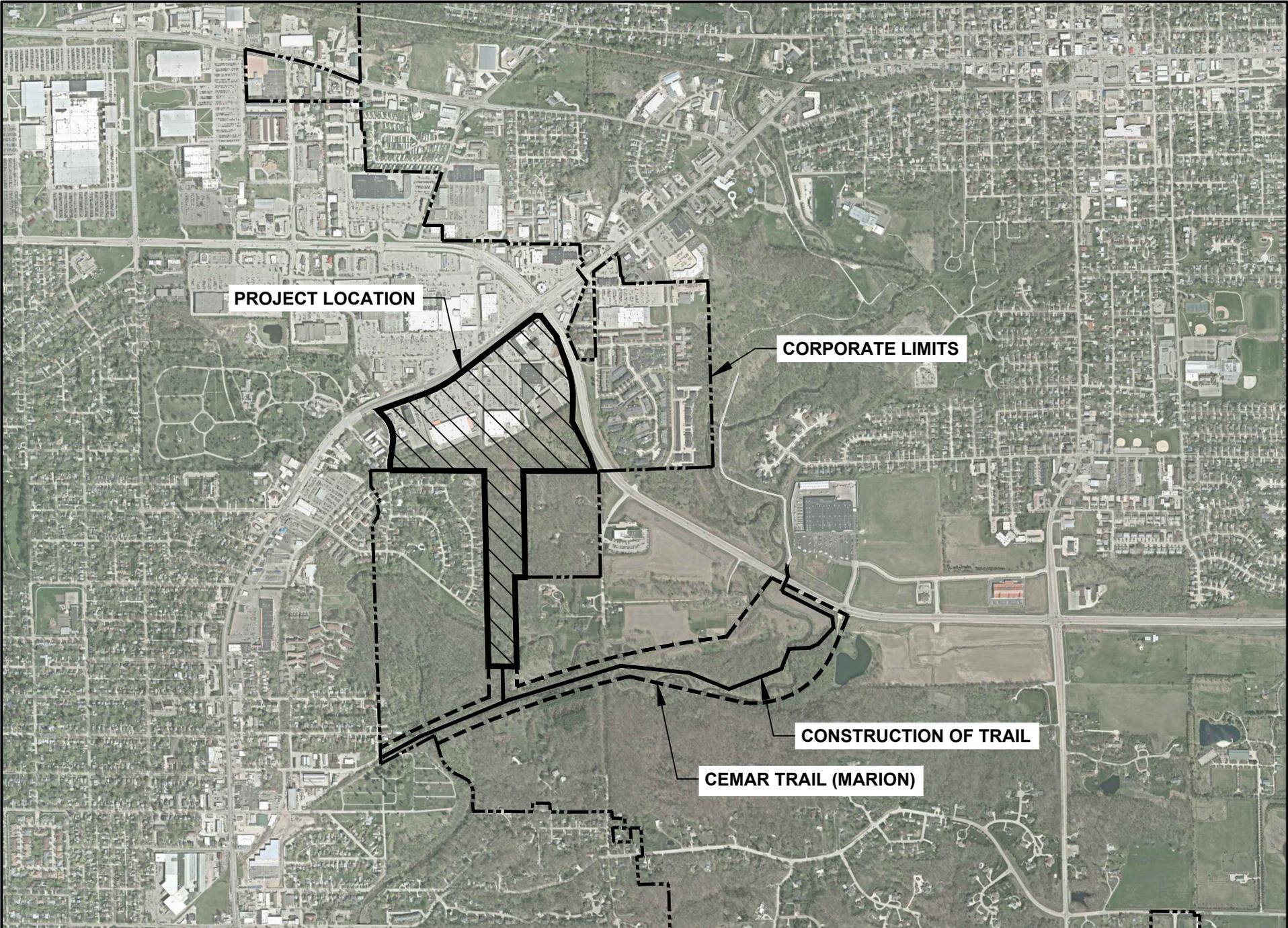
WHEREAS, the Public Works Director / City Engineer has determined Anderson-Bogert Engineers & Surveyors, Inc. is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$43,290, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 325050-01 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for CEMAR Trail projects, the including CEMAR Trail Lindale Connector project (Fund 325, Dept. ID 325000, Project 325050), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and Deputy City Clerk are hereby authorized to execute the contract for the services noted herein.

Passed this 22<sup>nd</sup> day of April, 2014.



**PROJECT LOCATION**

**CORPORATE LIMITS**

**CONSTRUCTION OF TRAIL**

**CEMAR TRAIL (MARION)**



**CEMAR TRAIL  
LINDALE CONNECTOR PROJECT  
PROFESSIONAL SERVICES AGREEMENT**



Cadd File Name: W:\PROJECTS\CIP\325050\325050 Council Map.dwg



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Amy Schirm  
**E-mail Address:** a.schirm@cedar-rapids.org

**Phone Number/Extension:** 5883

**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 authorizing execution of a Purchase Agreement in the amount of \$190 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Michael J. Belay and Susan P. Belay from land located at 2742 Prairie Drive NE in connection with the 29<sup>th</sup> Street NE from Oakland Road NE to Prairie Drive NE Traffic Signal Improvements project. CIP/DID #306204-00

**Background:**

This right-of-way and easement are required to accommodate the proposed 29<sup>th</sup> Street NE from Oakland Road NE to Prairie Drive NE Traffic Signal Improvements project, including sidewalk/pedestrian ramps. Compensation amounts proposed are based on the current assessed value of the land.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$190, accepting a Warranty Deed for right-of-way, and a Temporary Grading Easement for Construction from Michael J. Belay and Susan P. Belay.

**Alternative to the Recommendation:**

Do not proceed with acquiring the proposed right-of-way and temporary construction easement and direct City staff to redesign the traffic signal and sidewalk/pedestrian ramp improvements.

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** 301/301000/3012071

**Local Preference Policy:** Applies  Exempt

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

**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 right-of-way and a temporary construction easement exists in order to accommodate the proposed facilities, and

WHEREAS, Michael J. Belay and Susan P. Belay, 2742 Prairie Drive NE, OWNERS of the real property known and described as:

See Attached Acquisition Plat  
See Attached Temporary Construction Easement Exhibit

have agreed to convey the necessary right-of-way and temporary construction easement at 2742 Prairie Drive NE to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$165
Temporary Easement	\$25
TOTAL	<u>\$190</u>

, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into an agreement to purchase the right-of-way and temporary construction easement in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for the 29<sup>th</sup> Street NE from Oakland Road NE to Prairie Drive NE Traffic Signal Improvements Project (Fund 301, Dept ID 301000, Project 3012071), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are hereby authorized to execute the Purchase Agreement as described herein, and

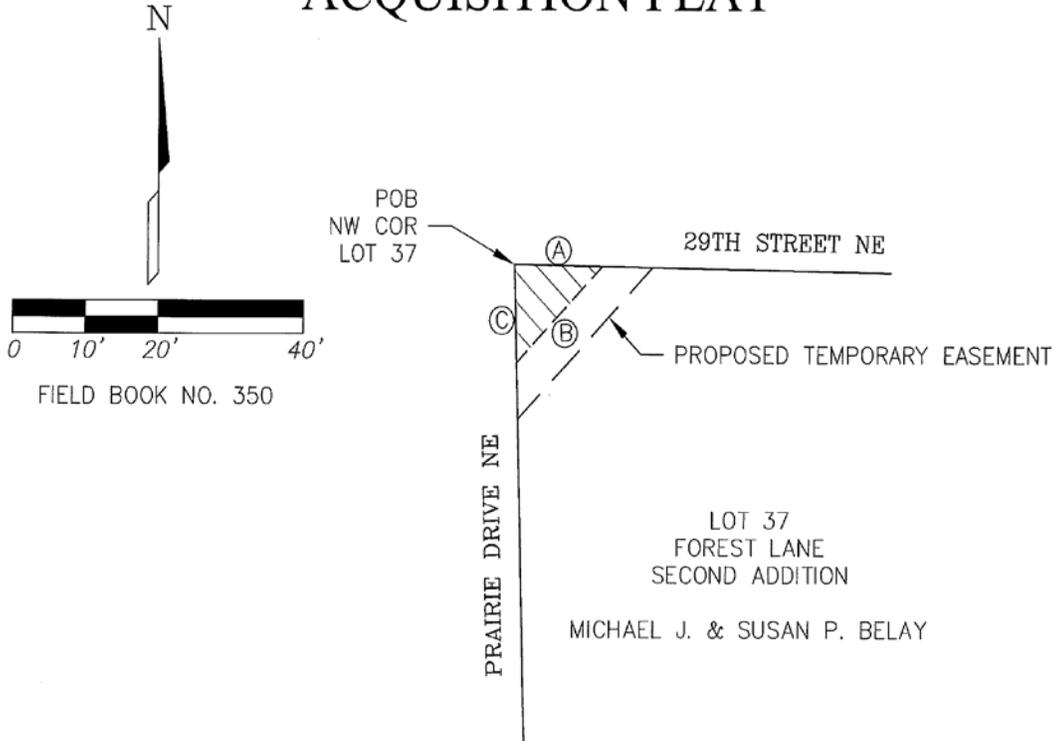
BE IT FURTHER RESOLVED that the Purchase Agreement and the Temporary Grading Easement for Construction are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

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

BE IT FURTHER RESOLVED that the Warranty Deed and Groundwater Hazard Statement from Michael J. Belay and Susan P. Belay 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 22nd day of April, 2014.

# ACQUISITION PLAT



**DESCRIPTION OF AREA:**

A PART OF LOT 37 OF FOREST LANE 2ND ADDITION TO CEDAR RAPIDS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 37;  
 THENCE SOUTH 88°55'05" EAST, 12.00 FEET ON THE NORTH LINE OF SAID LOT 37;  
 THENCE SOUTH 44°45'19" WEST, 16.57 FEET, TO THE WEST LINE OF SAID LOT 37;  
 THENCE NORTH 1°34'17" WEST, 12.00 FEET ON SAID WEST LINE, TO THE POINT OF BEGINNING.

DESCRIBED PARCEL CONTAINS 72 SQUARE FEET.

LINE TABLE

(A)	S 88°55'05" E	12.00'
(B)	S 44°45'19" W	16.57'
(C)	N 1°34'17" W	12.00'

**OWNER:**  
 MICHAEL J. &  
 SUSAN P. BELAY

**SURVEYOR:**  
 AMENT, INC.  
 625 32ND AVENUE S.W.  
 CEDAR RAPIDS, IA 52404  
 T (319) 378-1401  
 F (319) 378-1975



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

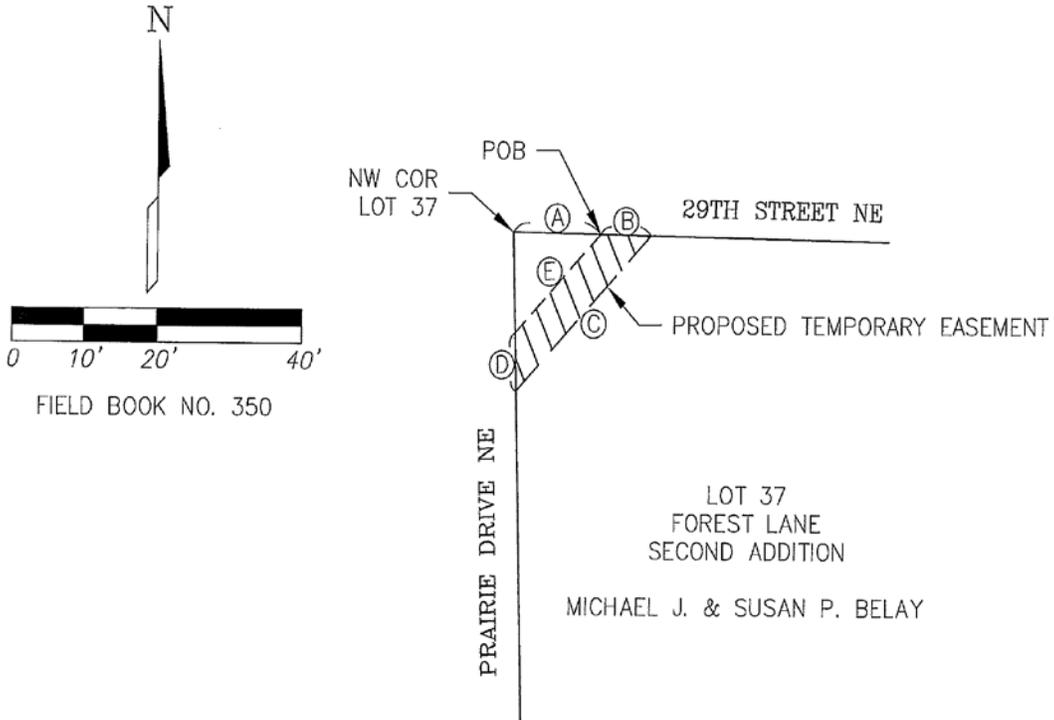
*Gregg E. Sampson* 2.26.2014  
 GREGG E. SAMPSON, P.L.S. DATE

LICENSE NUMBER: 14809  
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2014  
 ENTIRE SUBMISSION IS COVERED BY THIS SEAL UNLESS SPECIFIED BELOW.

ACQUISITION PLAT  
 MICHAEL J. & SUSAN P. BELAY  
 CEDAR RAPIDS, IA

Ament  
 DESIGN

# TEMPORARY CONSTRUCTION EASEMENT EXHIBIT



**DESCRIPTION OF AREA:**

A PART OF LOT 37 OF FOREST LANE 2ND ADDITION TO CEDAR RAPIDS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 37;  
 THENCE SOUTH 88°55'05" EAST, 12.00 FEET ON THE NORTH LINE OF SAID LOT 37, TO THE POINT OF BEGINNING;  
 THENCE SOUTH 88°55'05" EAST, 6.91 FEET, ON SAID NORTH LINE;  
 THENCE SOUTH 44°45'19" WEST, 26.12 FEET, TO THE WEST LINE OF SAID LOT 37;  
 THENCE NORTH 1°34'17" WEST, 6.91 FEET ON SAID WEST LINE;  
 THENCE NORTH 44°45'19" EAST, 16.57 FEET, TO THE POINT OF BEGINNING.

DESCRIBED PARCEL CONTAINS 107 SQUARE FEET.

**OWNER:**

MICHAEL J. &  
 SUSAN P. BELAY

**SURVEYOR:**

AMENT, INC.  
 625 32ND AVENUE S.W.  
 CEDAR RAPIDS, IA 52404  
 T (319) 378-1401  
 F (319) 378-1975

LINE TABLE

(A)	S 88°55'05" E	12.00'
(B)	S 88°55'05" E	6.91'
(C)	S 44°45'19" W	26.12'
(D)	N 1°34'17" W	6.91'
(E)	N 44°45'19" E	16.57'

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT  
 MICHAEL J. & SUSAN P. BELAY  
 CEDAR RAPIDS, IA

Ament  
 DESIGN



STAUB CT NE

PRAIRIE DR NE

RIGHT-OF-WAY ACQUISITION

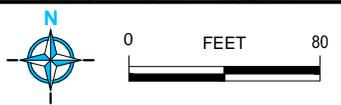
29TH STREET NE

2742 Prairie Dr NE

TEMPORARY CONSTRUCTION EASEMENT

ROBINWOOD LN NE

**29TH STREET NE AT OAKLAND ROAD NE  
AND PRAIRIE DRIVE NE  
TRAFFIC SIGNAL IMPROVEMENTS**



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## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Amy Schirm  
**E-mail Address:** a.schirm@cedar-rapids.org

**Phone Number/Extension:** 5883

**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 authorizing execution of a Purchase Agreement in the amount of \$300 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Justin P. Rozinek from land located at 1200 29<sup>th</sup> Street NE in connection with the 29<sup>th</sup> Street NE from Oakland Road NE to Prairie Drive NE Traffic Signal Improvements project. CIP/DID #306204-00

**Background:**

This right-of-way and easement are required to accommodate the proposed 29<sup>th</sup> Street NE from Oakland Road NE to Prairie Drive NE Traffic Signal Improvements project, including sidewalk/pedestrian ramps. Compensation amounts proposed are based on the current assessed value of the land.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$300, accepting a Warranty Deed for right-of-way, and a Temporary Grading Easement for Construction from Justin P. Rozinek.

**Alternative to the Recommendation:**

Do not proceed with acquiring the proposed right-of-way and temporary construction easement and direct City staff to redesign the traffic signal and sidewalk/pedestrian ramp improvements.

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** 301/301000/3012071

**Local Preference Policy:** Applies  Exempt

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

**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 right-of-way and a temporary construction easement exists in order to accommodate the proposed facilities, and

WHEREAS, Justin P. Rozinek, 1200 29<sup>th</sup> Street NE, OWNER of the real property known and described as:

See Attached Acquisition Plat  
See Attached Temporary Construction Easement Exhibit

has agreed to convey the necessary right-of-way and temporary construction easement at 1200 29<sup>th</sup> Street NE to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$265
Temporary Easement	\$35
TOTAL	<u>\$300</u>

, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into an agreement to purchase the right-of-way and temporary construction easement in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for the 29<sup>th</sup> Street NE from Oakland Road NE to Prairie Drive NE Traffic Signal Improvements Project (Fund 301, Dept ID 301000, Project 3012071), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are hereby authorized to execute the Purchase Agreement as described herein, and

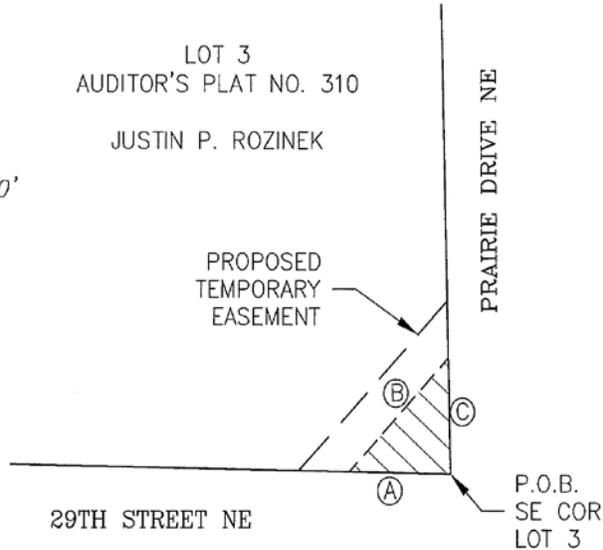
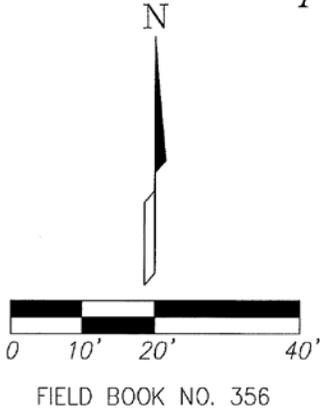
BE IT FURTHER RESOLVED that the Purchase Agreement and the Temporary Grading Easement for Construction are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

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

BE IT FURTHER RESOLVED that the Warranty Deed and Groundwater Hazard Statement from Justin P. Rozinek 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 22<sup>nd</sup> day of April, 2014.

# ACQUISITION PLAT



**DESCRIPTION OF AREA:**

A PART OF LOT 3 OF AUDITOR'S PLAT NO. 310, CEDAR RAPIDS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 3;  
 THENCE NORTH 88°55'05" WEST, 14.00 FEET ON THE SOUTH LINE OF SAID LOT 3;  
 THENCE NORTH 44°45'19" EAST, 19.34 FEET, TO THE EAST LINE OF SAID LOT 3;  
 THENCE SOUTH 1°34'17" EAST, 14.00 FEET ON SAID EAST LINE, TO THE POINT OF BEGINNING.

DESCRIBED PARCEL CONTAINS 98 SQUARE FEET.

LINE TABLE

Ⓐ	N 88°55'05" W	14.00'
Ⓑ	N 44°45'19" E	19.34'
Ⓒ	S 1°34'17" E	14.00'

**OWNER:**  
JUSTIN P. ROZINEK

**SURVEYOR:**  
AMENT, INC.  
625 32ND AVENUE S.W.  
CEDAR RAPIDS, IA 52404  
T (319) 378-1401  
F (319) 378-1975

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

\_\_\_\_\_  
GREGG E. SAMPSON, P.L.S.      DATE 2.26.2014

LICENSE NUMBER: 14809

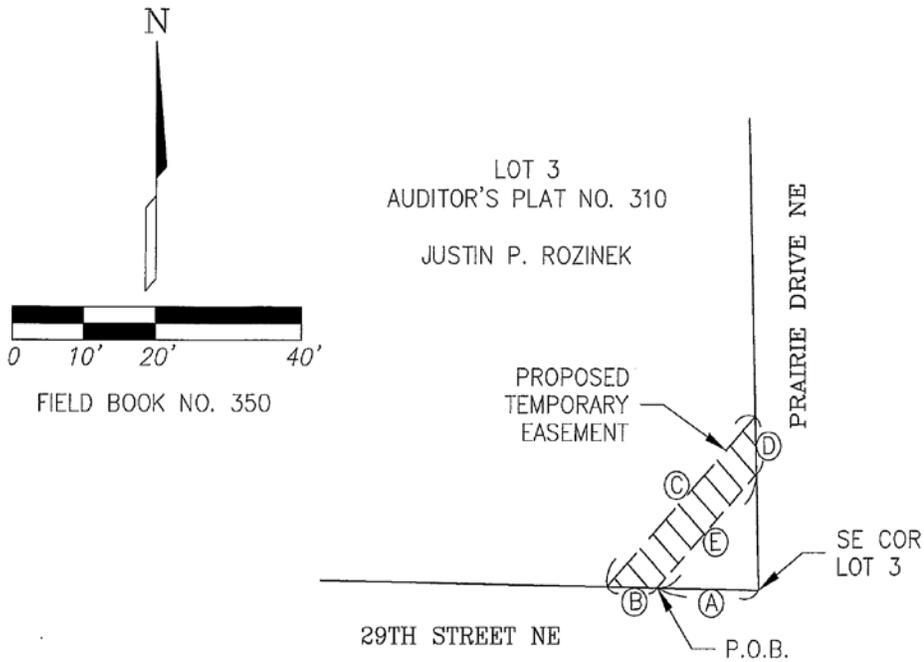
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2014

ENTIRE SUBMISSION IS COVERED BY THIS SEAL UNLESS SPECIFIED BELOW.

ACQUISITION PLAT  
JUSTIN P. ROZINEK  
CEDAR RAPIDS, IA

**Ament**  
DESIGN

# TEMPORARY CONSTRUCTION EASEMENT EXHIBIT



**DESCRIPTION OF AREA:**

A PART OF LOT 3 OF AUDITOR'S PLAT NO. 310, CEDAR RAPIDS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 3;  
 THENCE NORTH 88°55'05" WEST, 14.00 FEET ON THE SOUTH LINE OF SAID LOT 3, TO THE POINT OF BEGINNING;  
 THENCE NORTH 88°55'05" WEST, 6.91 FEET ON SAID SOUTH LINE;  
 THENCE NORTH 44°45'19" EAST, 28.88 FEET, TO THE EAST LINE OF SAID LOT 3;  
 THENCE SOUTH 1°34'17" EAST, 6.91 FEET ON SAID EAST LINE;  
 THENCE SOUTH 44°45'19" EAST, 19.34 FEET, TO THE POINT OF BEGINNING.

DESCRIBED PARCEL CONTAINS 121 SQUARE FEET.

LINE TABLE

(A)	N 88°55'05" W	14.00'
(B)	N 88°55'05" W	6.91'
(C)	N 44°45'19" E	28.88'
(D)	S 1°34'17" E	6.91'
(E)	S 44°45'19" E	19.34'

**OWNER:**  
 JUSTIN P. ROZINEK

**SURVEYOR:**  
 AMENT, INC.  
 625 32ND AVENUE S.W.  
 CEDAR RAPIDS, IA 52404  
 T (319) 378-1401  
 F (319) 378-1975

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT  
 JUSTIN P. ROZINEK  
 CEDAR RAPIDS, IA

**Ament**  
 DESIGN



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**29TH STREET NE AT OAKLAND ROAD NE  
AND PRAIRIE DRIVE NE  
TRAFFIC SIGNAL IMPROVEMENTS**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Craig Hanson, PE  
**E-mail Address:** c.hanson@cedar-rapids.org

**Phone Number/Extension:** 5867

**Alternate Contact Person:** Mike Duffy  
**E-mail Address:** m.duffy@cedar-rapids.org

**Phone Number/Extension:** 5873

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

Resolution authorizing the Public Works Department purchase of traffic marking paint from Vogel Paint & Wax Co., Inc. to be used for roadway markings in an amount not to exceed \$72,324. CIP/DID #80-14-007

### Background:

Beginning in 2004, the City has participated in the Iowa Department of Transportation (IDOT) program of paint purchases. The paint is purchased in 250-gallon totes to be compatible with the City's line striping truck, and at a lower cost per gallon.

Size of container	White paint, per gallon	Yellow paint, per gallon
250-gallon tote	\$7.75	\$7.08
55-gallon drum	\$8.51	\$7.84

This is the same price as 2012. The participation in the IDOT bid process was placed in early December 2012.

### Action / Recommendation:

The Public Works Department recommends approval of the Resolution authorizing the purchase of traffic marking paint from Vogel Paint & Wax Co., Inc. in an amount not to exceed \$72,324.

**Alternative Recommendation:** Re-bid. This may cause a cost increase and it will have termination issues with the purchase via the IDOT bid.

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** Item was budgeted for FY14 and FY15 for Paint Supplies. Department 124201 account 53117 approved for \$68,550 in FY14 and the same amount in FY15. The purchase will be split into the two years and bought as usage is performed. There is over \$45,000 remaining in FY14 budget for this item. State contract #5699.

**Local Preference Policy:** Applies  Exempt

Explanation: Verbal quotes received from local vendors were more than 5% higher than the State bid.

**Local Option Sales Tax** Yes  No  **GRI** Yes  No

**Recommended by Council Committee:** Yes  No  N/A

**Explanation** (if necessary): Not a policy issue. Over 10 years of following State Bid.

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Public Works Department has participated in the Iowa Department of Transportation (IDOT) program of traffic marking paint purchases, and

WHEREAS, Vogel Paint & Wax Co., Inc. guarantees they will provide the traffic paint that is compliant with Iowa Department of Transportation bid specifications for waterborne yellow and white colors, and

WHEREAS, Vogel Paint & Wax Co., Inc. will provide 5,000 gallons of yellow waterborne paint in 250-gallon totes, and 4,750 gallons of white waterborne paint in 250-gallon totes for a price not to exceed \$72,324, and

WHEREAS, funds are available in the FY 2014 and FY 2015 Street Operating Fund (Fund 101, Dept ID 124000) to proceed with the purchase of paint, and

WHEREAS, the Public Works Director / City Engineer recommends the purchase of the required goods and services from Vogel Paint & Wax Co., Inc.,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA the Public Works Department is authorized to purchase yellow and white traffic marking paint from Vogel Paint & Wax Co., Inc. in an amount not to exceed \$72,323.

Passed this 22<sup>nd</sup> day of April, 2014.



## Council Agenda Item Cover Sheet

### \*\*FLOOD\*\*

**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:** 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 payment to the Iowa Department of Transportation in the amount of \$46,115.57 for reimbursement of funds found to be ineligible for the FHWA Bridge and Roadway Repair project (original contract amount was \$457,318.10; final contract amount is \$764,507.60). CIP/DID #330004-1

**Background:**

This item is due to an overpayment to the City based on submitted reimbursement requests during construction of the subject project. During the final Iowa Department of Transportation (IDOT) audit, items were determined to be Federal Aid ineligible. These items had already been paid for by IDOT and monies must be reimbursed to them.

**Action / Recommendation:**

The Public Works Department recommends approval of the Resolution to issue payment in the amount of \$46,115.57 to the Iowa Department of Transportation.

**Alternative Recommendation:**

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 75% FHWA ER Funds; 25% City GOB Funds

**Local Preference Policy:** Applies  Exempt

**Explanation:** Project was awarded prior to policy implementation.

**Recommended by Council Committee:** Yes  No  N/A

ENG  
CLK  
TRS  
SHIVE HATTERY  
IDOT  
330004-1  
OB377545

RESOLUTION NO.

WHEREAS, during the final audit process of the FHWA Bridge and Roadway Repair project, work that was previously reimbursed to the City of Cedar Rapids was determined to be ineligible for emergency repair reimbursement by the Iowa Department of Transportation.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$46,115.57 to the Iowa Department of Transportation.

Passed this 22<sup>nd</sup> day of April, 2014



## 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:** Rob Davis  
**E-mail Address:** r.davis@cedar-rapids.org

**Phone Number/Extension:** 5808

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

Resolution awarding and approving contract in the amount of \$56,012 plus incentive up to \$2,000, bond and insurance of Illowa Investment, Inc. for the 1<sup>st</sup> Avenue East from 17<sup>th</sup> Street SE to 27<sup>th</sup> Street SE and 40<sup>th</sup> Street NE to Collins Road NE Crack and Joint Cleaning and Sealing project (estimated cost is \$81,000). CIP/DID #3012034-02

### Background:

Illowa Investment, Inc., Blue Grass, IA	\$56,012
Possible Incentive	<u>\$ 2,000</u>
Total Award	\$58,012
Anne Duffield Construction, Inc., Cedar Rapids, IA	\$76,700.00
Gee Asphalt Systems, Inc., Cedar Rapids, IA	\$92,295.20
Scodeller Construction, Inc., Lees Summit, MO	\$99,940.00
Eggleston Concrete Contractors, Inc., Cedar Rapids, IA	\$148,670.00

Illowa Investment, Inc. submitted the lowest of the bids received on April 2, 2014 for the 1<sup>st</sup> Avenue East from 17<sup>th</sup> Street to 27<sup>th</sup> Street SE and 40<sup>th</sup> Street NE to Collins Road NE Crack and Joint Cleaning and Sealing project. The bid is within the approved budget. Construction work is anticipated to begin this summer and be completed within 30 working days. As required, the Iowa Department of Transportation concurrence of award of contract was received April 3, 2014.

### Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$56,012 plus incentive up to \$2,000, bond and insurance of Illowa Investment, Inc. for the 1<sup>st</sup> Avenue East from 17<sup>th</sup> Street SE to 27<sup>th</sup> Street SE and 40<sup>th</sup> Street NE to Collins Road NE Crack and Joint Cleaning and Sealing 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 April 22, 2014 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):**

CIP 3012034, FY 2014 GOB:	\$100,000
Estimated IDOT reimbursement:	<u>\$ 74,000</u>
Total of above:	\$174,000

Note: Estimated City portion of project costs, including design, construction management and administration is approximately \$29,000.

**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 re-bid project.

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on March 11, 2014 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 1<sup>st</sup> Avenue East from 17<sup>th</sup> Street to 27<sup>th</sup> Street SE and 40<sup>th</sup> Street NE to Collins Road NE Crack and Joint Cleaning and Sealing public improvement project (Contract No. 3012034-02) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on March 15, 2014 pursuant to which a public hearing was held on March 25, 2014, and

WHEREAS, the following bids were received, opened and announced on April 2, 2014 by the Public Works Director, or designee, and said officer has now reported the results of the bidding on April 8, 2014 and made recommendations thereon to the City Council at its next meeting on April 22, 2014:

Illowa Investment, Inc., Blue Grass, IA	\$56,012
Possible Incentive	<u>\$ 2,000</u>
Total Award	\$58,012
Anne Duffield Construction, Inc., Cedar Rapids, IA	\$76,700.00
Gee Asphalt Systems, Inc., Cedar Rapids, IA	\$92,295.20
Scodeller Construction, Inc., Lees Summit, MO	\$99,940.00
Eggleston Concrete Contractors, Inc., Cedar Rapids, IA	\$148,670.00

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$58,012 301-301000-3012034; 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. Illowa Investment, 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 approval of the Equal Employment Opportunity Officer and registration with the Department of Labor, the Bid of Illowa Investment, Inc. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Illowa Investment, 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 22nd day of April, 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:** Doug Wilson, PE  
**E-mail Address:** d.wilson@cedar-rapids.org

**Phone Number/Extension:** 5141

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

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

Resolution awarding and approving contract in the amount of \$165,784.94 plus incentive up to \$5,000, bond and insurance of Rathje Construction Company for the Sun Valley Neighborhood SE Storm Sewer Installation project (estimated cost is \$370,000). CIP/DID #304224-04

### Background:

Rathje Construction Company, Marion, IA	\$165,784.95
Possible Incentive	<u>\$ 5,000.00</u>
Total Award	\$170,784.95
Vieth Construction Corp., Cedar Falls, IA	\$169,631.95
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	*\$181,320.33
Dave Schmitt Construction, Cedar Rapids, IA	\$190,973.45
Borst Brothers Construction, Inc., Marion, IA	\$224,536.10
Ricklefs Excavating, Ltd., Anamosa, IA	\$257,374.75
Hagerty Earthworks, LLC, Muscatine, IA	\$257,965.01
Pirc-Tobin Construction, Inc., Alburnett, IA	\$264,942.15
Tschiggfrie Excavating, Dubuque, IA	\$272,396.40

\*Multiplication/addition error in bid

Rathje Construction Company submitted the lowest of the bids received on April 2, 2014 for the Sun Valley Neighborhood SE Storm Sewer Installation project. The bid is within the approved budget. Construction work is anticipated to begin this summer and be completed within 36 working days.

### Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$165,784.95 plus incentive up to \$5,000, bond and insurance of Rathje Construction Company for the Sun Valley Neighborhood SE Storm Sewer Installation 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 April 22, 2014 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** Local Option Sales Tax (FLOOD)

**Local Preference Policy:** Applies  Exempt

**Explanation:**

**Recommended by Council Committee:** Yes  No  N/A

**Explanation (if necessary):**

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on March 11, 2014 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 Sun Valley Neighborhood SE Storm Sewer Installation public improvement project (Contract No. 304224-04) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on March 15, 2014 pursuant to which a public hearing was held on March 25, 2014, and

WHEREAS, the following bids were received, opened and announced on April 2, 2014 by the City Engineer, or designee, and said officer has now reported the results of the bidding on April 8, 2014 and made recommendations thereon to the City Council at its next meeting on April 22, 2014:

Rathje Construction Company, Marion, IA	\$165,784.95
Possible Incentive	<u>\$ 5,000.00</u>
Total Award	\$170,784.95
Vieth Construction Corp., Cedar Falls, IA	\$169,631.95
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	*\$181,320.33
Dave Schmitt Construction, Cedar Rapids, IA	\$190,973.45
Borst Brothers Construction, Inc., Marion, IA	\$224,536.10
Ricklefs Excavating, Ltd., Anamosa, IA	\$257,374.75
Hagerty Earthworks, LLC, Muscatine, IA	\$257,965.01
Pirc-Tobin Construction, Inc., Alburnett, IA	\$264,942.15
Tschiggfrie Excavating, Dubuque, IA	\$272,396.40

\*Multiplication/Addition error found in bid

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$170,784.95 304-304000-304224; 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. Rathje Construction Company is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;

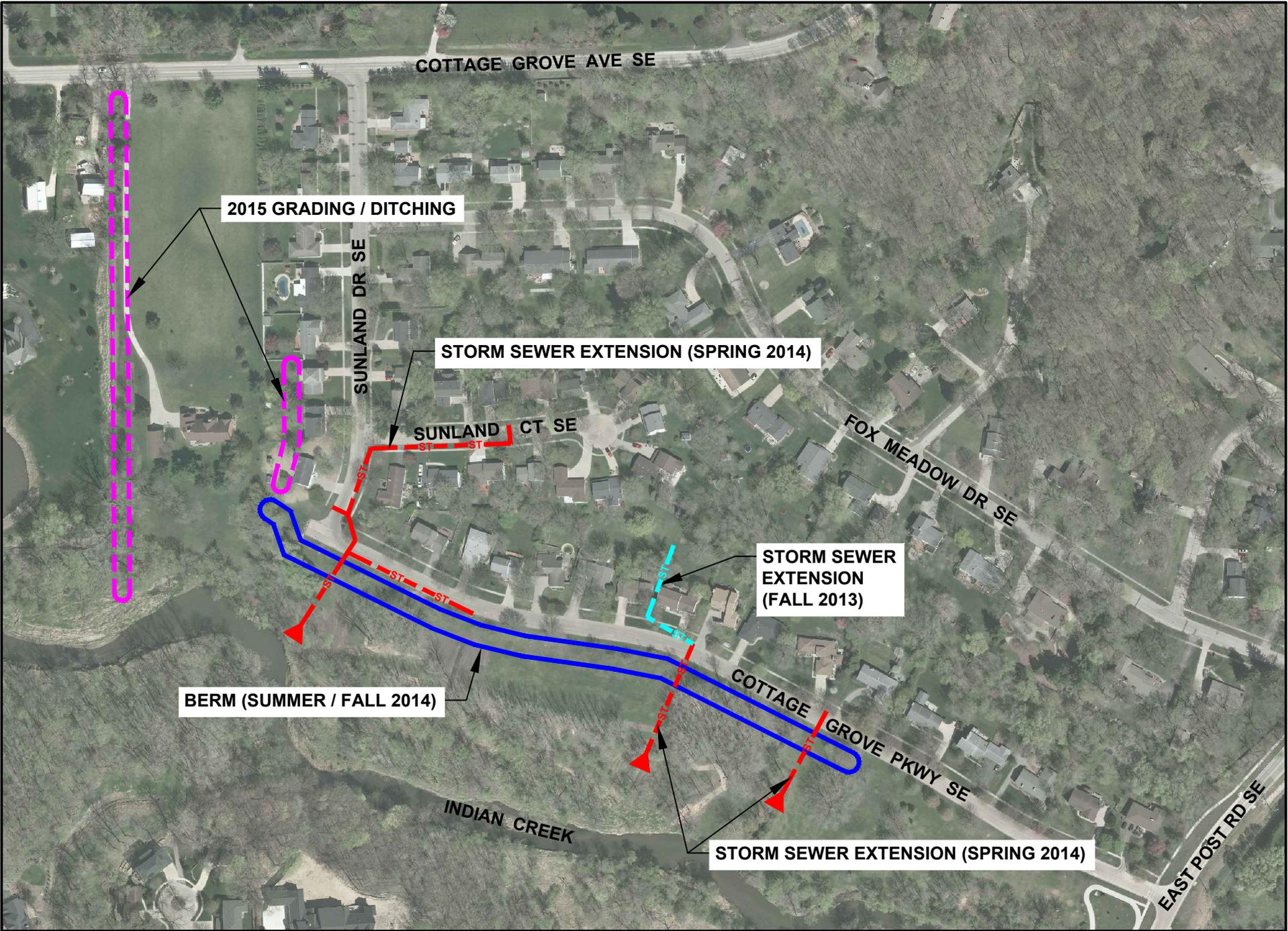
3. Subject to registration with the Department of Labor, the Bid of Rathje Construction Company is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Rathje Construction Company;

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

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

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

Passed this 22nd day of April, 2014.



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**COTTAGE GROVE PARKWAY  
 FLOOD RISK REDUCTION PROJECT**





**Council Agenda Item Cover Sheet**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Dennis Hogan  
**Email:** d.hogan@cedar-rapids.org

**Phone Number/Ext:** 5860

**Alternate Contact Person:** Heather Mell  
**Email:** h.mell@cedar-rapids.org

**Phone Number/Ext:** 5117

**Description of Agenda Item:**

Fleet purchase of seven Ford Fusion Sedans from Junge Center Point in the amount of \$134,106. CIP/DID #00314-151

**Background:**

Purchasing Services solicited bids on behalf of Fleet for the purchase and delivery of seven mid-size sedans and received 9 bids from four different vendors. Junge Center Point was the lowest bidder to meet all of the specifications. Junge Center Point was within 5% of the lowest bid to meet all specifications and was awarded the bid due to the local preference policy.

Bids were received from:

Billion Automotive Bid 1 – Did not meet specifications Bid 2 – Did not meet specifications Bid 3	Iowa City, IA	\$122,374.00 \$130,046.00 \$134,498.00
Bob Brown Chevrolet Bid 1 – Did not meet specifications Bid 2 – Did not meet specifications Bid 3 Bid 4	Urbandale, IA	\$118,949.11 \$122,616.06 \$131,459.65 \$137,709.60
Junge Ford Bid 1	Center Point, IA	\$134,106.00
McGrath Automotive Group Bid 1	Cedar Rapids, IA	\$134,799.00

**Action / Recommendation:**

Recommend Council Approve resolution

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 073-073000-073001

**Local Preference Policy** Applies  Exempt

**Explanation:** Local Preference Determined award

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for seven Ford Fusion Sedans on behalf of the City of Cedar Rapids Fleet Services Division; and

WHEREAS, nine (9) responses were received from four (4) vendors; and

WHEREAS, the Fleet Services Division is making the following recommendation for award to Junge Center Point, which was the lowest responsive and responsible bidder; and

WHEREAS, Junge Center Point is a certified local business and their bid was within 5% of the lowest bid to meet all specifications; and

WHEREAS, the total cost is \$134,106.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted with Junge Center Point as described herein.

Passed this 22<sup>nd</sup> day of April, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Finance – Fleet Services

**Presenter at meeting:** Dennis Hogan

**Phone Number/Ext:** 5860

**Email:** [d.hogan@cedar-rapids.org](mailto:d.hogan@cedar-rapids.org)

**Alternate Contact Person:** Dennis Hogan

**Phone Number/Ext:** 5860

**Email:** [d.hogan@cedar-rapids.org](mailto:d.hogan@cedar-rapids.org)

**Description of Agenda Item:**

Fleet Services Division purchase of five (5) 2014 Ford Police Interceptor sedans and three (3) Ford Police Interceptor SUV's for use by the Police Department patrol unit, from Charles Gabus Ford for a total amount of \$229,285.21. CIP/DID #4568-14

**Background:**

These vehicles are for use by the police patrol unit. They are budgeted FY 2015 fleet replacements for equipment which have exceeded their lifecycle and cost efficient life. This purchase is being made from Charles Gabus Ford of Des Moines, Iowa, an awarded vendor for state bid Contract #4568-14, "Model Year 2014 Ford Police Vehicles", as let by the Iowa Department of Administrative Services (DAS).

**Action / Recommendation:**

The Fleet Services Division recommends approval of this resolution authorizing this purchase.

**Alternative Recommendation:**

If not approved, the operating expenses for the City and end-user will continue to escalate.

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

Fund 073, Dept ID 073000

**Local Preference Policy** Applies  Exempt

**Explanation:** This is a purchase from existing State of Iowa Bid Contract.

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):**

FLT  
PUR  
PD  
FIN  
CHARLES GABUS  
4568-14

RESOLUTION NO.

WHEREAS, the Fleet Services Division has solicited a quotation for the purchase of five 2014 Ford Police Interceptor sedans and three 2014 Ford Police Interceptor SUV's for FY 2015 budgeted and scheduled fleet replacements for use by the Police Department's patrol unit, and

WHEREAS, Charles Gabus Ford, Des Moines, Iowa, is a current holder of the State Bid Contract No. 4568-14 for "Model Year 2014 Ford Police Vehicles" as let by the Iowa Department of Administrative Services (DAS), and

WHEREAS, the total purchase amount will be \$229,285.21 budgeted in FY 2015 GL account Fund 073, Dept ID 073000, and

WHEREAS, the Fleet Services Division recommends the purchase of said 2014 Ford Police Interceptor vehicles from Charles Gabus Ford for the amount of \$229,285.21,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted subject to the terms and conditions of the bid documents, and

BE IT FURTHER RESOLVED, that the Fleet Services Division is hereby authorized to purchase the named vehicles from Charles Gabus Ford as described herein.

Passed this 22nd day of April, 2014.



**Council Agenda Item Cover Sheet**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Finance – Fleet Services

**Presenter at meeting:** Dennis Hogan  
**Email:** [d.hogan@cedar-rapids.org](mailto:d.hogan@cedar-rapids.org)

**Phone Number/Ext:** 5860

**Alternate Contact Person:** Dennis Hogan  
**Email:** [d.hogan@cedar-rapids.org](mailto:d.hogan@cedar-rapids.org)

**Phone Number/Ext:** 5860

**Description of Agenda Item:**

Fleet Services Division purchase of three 2014 Ford Focus sedans for use by the Fire Marshal's office from Stivers Ford, for a total amount of \$50,487. CIP/DID #4652-14

**Background:**

These vehicles are for use by the Fire Marshal's office. They are FY 2015 budgeted fleet replacements for equipment which have exceeded their lifecycle and cost efficient life. This purchase is being made from Stivers Ford, of Waukee, Iowa, an awarded vendor for state bid Contract #4652-14, "Model Year 2014 Sedans", as let by the Iowa Department of Administrative Services (DAS).

**Action / Recommendation:**

The Fleet Services Division recommends approval of this resolution authorizing this purchase.

**Alternative Recommendation:**

If not approved, the operating expenses for the City and end-user will continue to escalate.

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

Fund 073, Dept ID 073000

**Local Preference Policy** Applies  Exempt

**Explanation:** This is a purchase from existing State of Iowa Bid Contract.

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):**

Fleet/Council Agenda /4-22-14 Purchase Fire Sedans (3) Stivers Ford C



RESOLUTION NO.

WHEREAS, the Fleet Services Division has solicited a quotation for the purchase of three 2014 Ford Focus sedans for budgeted and scheduled fleet replacements for use by the Fire Marshal's office, and

WHEREAS, Stivers Ford, Waukee, Iowa, is a current holder of the State Bid Contract No. 4652-14 for "Model Year 2014 Ford Sedans" as let by the Iowa Department of Administrative Services (DAS), and

WHEREAS, the total purchase amount will be \$50,487 budgeted in FY 2015 GL account Fund 073, Dept ID 073000, and

WHEREAS, the Fleet Services Division recommends the purchase of said 2014 Ford Focus sedans from Stivers Ford for the amount of \$50,487,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted subject to the terms and conditions of the bid documents, and

BE IT FURTHER RESOLVED, that the Fleet Services Division is hereby authorized to purchase the named vehicles from Stivers Ford as described herein.

Passed this 22nd day of April, 2014.



**Council Agenda Item Cover Sheet**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda Item

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Craig Hanson

**Phone Number/Ext:** X5867

**Email:** [c.hanson@cedar-rapids.org](mailto:c.hanson@cedar-rapids.org)

**Description of Agenda Item:**

Agreement for Mowing Services for Public Works Maintenance with Larry’s Landscape for a total annual expenditure not to exceed \$30,000. CIP/DID #0114-114

**Background:**

Bids were solicited for mowing services on behalf of the Public Works Department – Street Division with four (4) vendors responding. The Scope of Work includes the mowing of private properties that are in violation of the City Weed Ordinance and other lawn care and mowing services as requested.

Award is recommended to Larry’s Landscape as the lowest bidder. The initial Agreement for the 2014 mowing season will be for the period of May 1, 2014 through October 15, 2014 with four (4) one-season renewal options available.

The total annual expenditure will not exceed \$30,000 budgeted in GL account #101-124240.

The following bids were received (hourly rates):

	Larry’s Landscape Cedar Rapids	Berns Bros. Swisher	Quality Care Coralville	Starks Complete Lawn Care Cedar Rapids
Hand Mower	\$29.50	\$35	\$35	\$40
Small Mower	\$29.50	\$35	\$35	\$45
Medium Mower	\$29.50	\$45	\$35	\$50
Large Mower	\$29.50	\$45	\$75	\$95
NPP Removal	\$29.50	\$40	\$35	\$45
Brush/Debris Removal	\$29.50	\$40	\$35	\$40

**Action / Recommendation:**

Resolution authorizing execution of Agreement for Mowing Services for Public Works Maintenance for a total annual amount not to exceed \$30,000.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** GL Acct. 101-124240

**Local Preference Policy** Applies  Exempt

**Explanation:**

Local preference applies but did not have any effect on the outcome because none of the bidders are certified local businesses. The two bidders located in Cedar Rapids do not qualify because they have residential addresses.

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for mowing services on behalf of the City of Cedar Rapids Public Works Department – Street Division; and

WHEREAS, responses were received from four suppliers; and

WHEREAS, the Street Division is making the following recommendation for award to Larry's Landscape, the lowest bidder, with pricing as follows:

Hand Mower	\$29.50 per hour
Small Mower	\$29.50 per hour
Medium Mower	\$29.50 per hour
Large Mower	\$29.50 per hour
NPP Removal	\$29.50 per hour
Brush/Debris Removal	\$29.50 per hour

AND WHEREAS, the term of the agreement shall be May 1, 2014 to October 15, 2014 with four one-season renewal options available; and

WHEREAS, the total annual expenditure will not exceed \$30,000, budgeted in the Street Division operating budget; and

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 Larry's Landscape as described herein.

Passed this 22<sup>nd</sup> day of April, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Paula Mitchell

**Phone Number/Ext:** 319 286-5852

**Email:** [p.mitchell@cedar-rapids.org](mailto:p.mitchell@cedar-rapids.org)

**Alternate Contact Person:** Kevin Ciabatti

**Phone Number/Ext:** 319 286-5841

**Email:** [k.ciabatti@cedar-rapids.org](mailto:k.ciabatti@cedar-rapids.org)

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

Resolution authorizing continued payments to participants in the Jumpstart Housing Program, the Jumpstart Rental Rehabilitation Program, and the Local Option Sales Tax (LOST) Rental Rehabilitation Program for payment requests that are submitted prior to June 30, 2014. CIP/DID #OB406356

### **Background:**

On December 3, 2013, City Council established January 31, 2014 deadlines for completion of rehabilitation work through the Jumpstart Housing, Jumpstart Rental Rehabilitation, and LOST Rental Rehabilitation Programs, with additional time allowances to complete inspections and receive final payments. At that time, the breakdown of applicants in active rehabilitation was 10 for Jumpstart Housing, 1 for Jumpstart Rental Rehabilitation, and 5 for LOST Rental Rehabilitation. In addition, there were 27 applicants in stages other than active rehabilitation, including final inspections, lead clearance testing, and final payment. As of April 4, 2014, the status is as follows:

- Jumpstart Housing – 9
- Jumpstart Rental Rehabilitation – 0
- LOST Rental Rehabilitation – 4

In addition, there are 6 applicants who are in final inspection or final payment status. Issues impacting rehabilitation project completion include weather-dependent work such as concrete and foundation work, and failed lead clearance inspections which require corrective action and re-testing before payment can be issued. In addition, one property owner is involved in mediation efforts to resolve a dispute with a contractor. The property owners have continued to make progress and staff recommends continuing to make payments for requests submitted through June 30, 2014 to allow for this work to be completed and final payments issued prior to closing out the program.

### **Action / Recommendation:**

City staff recommends approval of the resolution.

### **Alternative Recommendation:**

City Council may table the resolution and request additional information.

**Time Sensitivity:**

Timely communication with applicants regarding timelines will facilitate timely project completion.

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** N/A

**Local Preference Policy** Applies  Exempt  N/A

**Explanation:** Federal program funds.

**Recommended by Council Committee** Yes  No  N/A

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION AUTHORIZING CONTINUED PAYMENTS TO PARTICIPANTS IN THE JUMPSTART HOUSING PROGRAM, THE JUMPSTART RENTAL REHABILITATION PROGRAM, AND THE LOCAL OPTION SALES TAX (LOST) RENTAL REHABILITATION PROGRAM FOR PAYMENT REQUESTS THAT ARE SUBMITTED PRIOR TO JUNE 30, 2014

WHEREAS, the Jumpstart Housing Program, the Jumpstart Rental Rehabilitation Program, and the LOST Rental Rehabilitation have provided resources for the repair and replacement of housing since the 2008 flood; and

WHEREAS, the grant resources are time-limited under the terms and conditions of the contracts with the funding agencies, and there is therefore a need to complete projects in a timely manner in order to ensure reimbursement of eligible costs; and

WHEREAS, the City Council adopted resolution No. 1561-12-11 on December 6, 2011, establishing a program completion deadline of December 31, 2012 for homeowners participating in the Jumpstart Housing Program; and

WHEREAS, the City Council further granted extensions for repairs through September 30, 2013 and January 31, 2014; and

WHEREAS, it is now determined to be appropriate to conclude the rehabilitation projects;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cedar Rapids, Iowa, that:

1. The Jumpstart Housing, Jumpstart Rental Rehabilitation, and LOST Rental Rehabilitation Programs shall conclude effective June 30, 2014.
2. Staff is authorized to process payments and disburse funds for all eligible requests submitted prior to June 30, 2014.
3. Homeowners who do not perform in accordance with the timelines, rules, and guidelines shall be notified of their default and the default's processed in accordance with the State-approved recoupment policy.

Passed this 22<sup>nd</sup> day of April, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Tony Lerud

**Phone Number/Ext:** 319 286-5817

**Email:** [a.lerud@cedar-rapids.org](mailto:a.lerud@cedar-rapids.org)

**Alternate Contact Person:** Paula Mitchell

**Phone Number/Ext:** 319 286-5852

**Email:** [p.mitchell@cedar-rapids.org](mailto:p.mitchell@cedar-rapids.org)

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

Resolution authorizing execution of Assignment and Assumption of Agreement for Redevelopment from Matthew 25 Ministry Hub to Stonebrook Homes, LLC for property at 615 H Avenue NW participating in the third round of the Single Family New Construction Program (**FLOOD**). CIP/DID #OB540257

### **Background:**

The resolution for City Council consideration provides for the execution of assignment and assumption of Agreement for Redevelopment with the above listed developer and associated property through the third round of the Single Family New Construction Program, known locally as the ROOTs program. The Development Agreement and Special Warranty Deed previously executed on February 14, 2012 effectively conveyed City-owned property from the City of Cedar Rapids to Matthew 25 Ministry Hub. The process of assignment and conveyance to Stonebrook Homes, LLC has been initiated as a result of Matthew 25 opting to not pursue construction of a new home on this property through the ROOTs program. The Resolution provides that the City consents to this assignment as Stonebrook Homes, LLC agrees to all terms and conditions of the original Agreement for Redevelopment.

A highlight of the terms and conditions contained in the Agreement for Redevelopment 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 and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** April 22, 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 ASSIGNMENT AND  
ASSUMPTION OF AGREEMENT FOR REDEVELOPMENT FROM MATTHEW 25  
MINISTRY HUB TO STONEBROOK HOMES LLC FOR PROPERTY AT 615 H  
AVENUE NW PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY  
NEW CONSTRUCTION PROGRAM

WHEREAS, on February 14, 2012, the City Council passed Resolution 0190-02-12, authorizing execution of a Development Agreement and Special Warranty Deed with Matthew 25 for City-owned property at 615 H Avenue NW participating in the third round of the Single Family New Construction Program; and

WHEREAS, Matthew 25 has opted to not proceed with construction of a new single family home on said property and seeks to convey the property to an alternate participating developer in Stonebrook Homes, LLC; and

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Assignment and Assumption of Development Agreement with Stonebrook Homes, LLC.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute the Assignment and Assumption of Development Agreement effectuating the conveyance of property in accordance with the original Development Agreement and that the resolution and agreement be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 22<sup>nd</sup> day of April, 2014

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Cedar Rapids Police Department

**Presenter at meeting:** Sgt. Denni Randall      **Phone Number/Ext:** 5471  
**E-mail Address:** d.randall@cedar-rapids.org

**Alternate Contact Person:** Chief Wayne Jerman      **Phone Number/Ext:** 5374  
**E-mail Address:** [w.jerman@cedar-rapids.org](mailto:w.jerman@cedar-rapids.org)

**Description of Agenda Item:**

Resolution authorizing the Cedar Rapids Police Department to pay quarterly invoices for using the Iowa On-Line Warrants and Articles System, according to the user agreement. (CIP/DID # OB759137)

**Background:**

The City authorized the Police Department to execute a State of Iowa Department of Public Safety On-Line Warrants and Articles User Agreement (Resolution #0870-06-12). The agreement allows the Police Department to access the database as provided by the contract terms. The 2014 quarterly invoices are in the amount of \$13,457.52, totaling \$53,830.08.

**Action / Recommendation:**

The Cedar Rapids Police Department recommends the City Council authorize the Police Department to pay quarterly invoices as stated above.

**Alternative Recommendation:** NA

**Time Sensitivity:** Quarterly invoice payment is due

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0

**Budget Information** (if applicable): Fund # 523107-101-132201

**Local Preference Policy:** Applies  Exempt

**Explanation:** N/A

**Recommended by Council Committee**      Yes      No       N/A x

**Explanation:**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Police Department, City Attorney's Office and Eastern Iowa Airport (USERS) are charged with the responsibility of utilizing the Iowa On-Line Warrants and Articles (IOWA) System, and

WHEREAS, the USERS entered into an agreement with the Iowa Department of Public Safety to access the database as provided by the contract terms (Resolution #0870-06-12),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Police Department is hereby authorized to pay quarterly invoice amounts of \$13,457.52, totaling \$53,830.08 annually. (Fund # 53107-101-132201)

Passed this 22<sup>nd</sup> day of April, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** City Manager's Office

**Presenter at meeting:** Sandi Fowler  
**Email:** s.fowler@cedar-rapids.org

**Phone Number/Ext:** 286-5077

**Alternate Contact Person:** Angie Charipar  
**Email:** [a.charipar@cedar-rapids.org](mailto:a.charipar@cedar-rapids.org)

**Phone Number/Ext:** 286-5090

**Description of Agenda Item:** (insert same wording as used on agenda summary)

Resolution authorizing the City Manager to sign the Historical Resource Development Program grant application contract to assist in the restoration of the east wall mural within the Cedar Rapids City Council Chambers.

**Background:**

The City Hall City Council Chambers contains the mural, Opening of the Midwest and Law and Culture, covering the four walls of the room that the City is committed to restoring. The north mural wall was restored in March 2011, and the south mural wall was restored in May 2013.

Funding to restore the east mural wall is underway, with private grants totaling \$62,500 and a recent award of \$20,000 from the National Endowment for the Arts.

This Resolution authorizes the submittal of an application to the Historical Resource Development Program through the State Historical Society of Iowa requesting \$27,770 to complete the fundraising required for the east wall mural restoration.

**Action / Recommendation:**

Staff recommends approval of the resolution.

**Time Sensitivity:** Immediate due to the grant application deadline.

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** Consent

RESOLUTION NO.

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN THE HISTORICAL  
RESOURCE DEVELOPMENT PROGRAM GRANT APPLICATION CONTRACT TO ASSIST IN  
THE RESTORATION OF THE EAST WALL MURAL WITHIN THE CEDAR RAPIDS CITY  
COUNCIL CHAMBERS

WHEREAS, the City Hall City Council Chambers contains the mural, Opening of the Midwest and Law and Culture, covering the four walls of the room. The north mural wall was restored in March 2011, and the south mural wall was restored in May 2013, and

WHEREAS, the City has continued to pursue funding sources to continue the restoration process of the remaining walls, and

WHEREAS, the City desires to submit an application to the Historical Resource Development Program, and

WHEREAS, the City Council is supportive and enthusiastic about continuing the restoration process to reclaim this historic artifact and this grant proposal,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager, or his designee, is hereby authorized to sign an application contract to the State Historical Society of Iowa Historical Resource Development Program to restore the east wall mural of the Cedar Rapids City Council Chambers.

Passed this 22nd day of April, 2014.

Voting:

\_\_\_\_\_, Mayor

Attest:

\_\_\_\_\_, City Clerk



**HISTORICAL RESOURCE DEVELOPMENT PROGRAM  
STATE HISTORICAL SOCIETY OF IOWA  
GRANT PROJECT**  
FUNDED THROUGH THE RESOURCE ENHANCEMENT AND PROTECTION PROGRAM ACT

**Contract Number:** \_\_\_\_\_ [Number to be assigned by State].  
**Agency:** STATE HISTORICAL SOCIETY OF IOWA  
**Grant Recipient:** \_\_\_\_\_  
**Grant Amount:** \$ \_\_\_\_\_  
**Effective Dates:** JULY 1, 2014 - NOVEMBER 30, 2016

**IDENTIFICATION OF PARTIES (Article 1.0)**

- This contract is entered into by and between the State Historical Society of Iowa (hereafter referred to as "State" or "SHSI") and \_\_\_\_\_ (hereafter referred to as "Grantee").
- The SHSI administrator or designee is the State official designated to execute any changes in the terms or conditions specified in this contract.
- The \_\_\_\_\_ is designated to execute any changes in the terms or conditions specified in this contract, on behalf of the Grantee.
- "HRDP" means Historical Resource Development Program as defined in Iowa Code Chapter 303.16, and Iowa Administrative Code [223] Chapter 49.

**STATEMENT OF PURPOSE (Article 2.0)**

- The purpose of the Historical Resource Development Program is to provide grants to preserve, conserve, interpret, educate the public about and enhance the historical resources of the state.
- SHSI has been designated by the Iowa General Assembly to administer REAP/HRDP, and the grantee has been approved for funding.

**CONTRACTUAL REQUIREMENTS (Article 3.0)**

- REAP/HRDP monies are to be expended according to Iowa Administrative Code [223] Chapter 49 and FY2015 grant guidelines (version published January 2014).
- *The Grantee must:*
  - Give preference to Iowans and Iowa products and services in carrying out this grant.
  - Refrain from using REAP/HRDP funds to influence legislation or for any lobbying function.
  - Follow all local, state, and federal laws which bar discrimination against any employee, applicant for employment, or any person participating in a sponsored program, on the basis of race, creed, color, national origin, religion, sex, age, or physical or mental disability, and require compensation for employment at no less than minimum wage requirements, and provide safe and sanitary working conditions. These laws include, but are not limited to, Title VI and VII of the Civil Rights Act of 1964, as amended, and the Rehabilitation Act of 1973, as amended.
  - Comply with applicable Americans with Disabilities Act (ADA) provisions. ADA is a civil rights law that prohibits discrimination on the basis of physical or mental impairment (the definition of disability). The project must comply with ADA, unless (1) the property is a religious entity, a private club or private residence and not used as a place of public accommodation; (2) the property is an owner-occupied bed-and-breakfast with five or fewer rooms; or (3) the repair work is something like reroofing, masonry repointing, painting or wallpapering,

or changes to mechanical and electrical systems that do not affect the usability of the property. If you can make minor adjustments in your project that would eliminate barriers in a way that meets the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, you should do so. If your proposed work is an alteration that affects the "primary function area" of your property, ADA accessibility standards also apply to the path from accessible parking to and through an entrance. Building owners are not required to spend more than 20% of the total cost of altering the primary function area to make the path of travel to that area accessible. (There are also alternative requirements for those historic properties that cannot be made accessible without threatening or destroying their significance. Contact the State Historical Society if you believe this is your situation.)

- **Consult with the State Historical Society if your project involves any disturbance of the ground including, but not limited to, moving in any large equipment or uprooting plants.** After you have consulted with the State Historical Society and the Society has given written permission for you to proceed, make sure that any excavation work at your project is carefully observed by you or your contractors. If, during construction, the project work uncovers an item or items which might be of archaeological, historical, or architectural interest--or if important new archaeological, historical, or architectural data come to light in the project area, you must stop work immediately and notify the State Historical Society. Make reasonable efforts to avoid or minimize harm to the materials until the significance of the discovery can be determined by a professionally-qualified archaeologist. *Contact the State Historical Society with any questions and for instructions.*
- Include the following statement in any printed lists of contributors, and in any promotions, publicity, or advertising:

**"This project is supported in part by the State Historical Society of Iowa, Historical Resource Development Program."**
- Post signs provided by the State in a conspicuous place at the project area where grant funds are used. The sign must remain in place for no less than 36 months after the contract has been completed.
- Write your state legislators within thirty (30) days of receiving your signed contract to tell them about the project. Copies of the letters must be sent to Grants Manager, State Historical Society of Iowa, 600 East Locust Street, Des Moines, Iowa 50319-0290.

#### *FINANCIAL RECORDS*

- Retain all financial records, reporting documents, and all other records pertinent to the HRDP program for a period of three calendar years beyond the end of the grant contract.
- Provide, at no charge, and make accessible to the State and to the State Auditor's office, all books, documents, account information, facilities, or other property belonging to or in use by the Grantee concerning the receipt of funds under this program.

#### *COPYRIGHT*

- Choose to copyright any books, publications, films, or other material developed because of grant activities, unless otherwise specified in the award notice or scope of work. The State reserves the right to borrow or use, without payment of a royalty fee, any materials developed through grant projects.

#### PROFESSIONAL STANDARDS

- Comply with all applicable federal and state laws, regulations, guidelines, and technical standards, including nationally accepted documentary collection and museum standards and the most current edition of the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation.
- If your project includes work on real property that is listed on or eligible for the National Register of Historic Places, you must include the following clause in all construction contracts and project specifications:

*"All work on this project will be done in accordance with the recommended practices as stated in the most current edition of The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings."*

#### SCOPE OF WORK AND BUDGET

- Follow the Scope of Work and Budget as presented in the Grant Application and as approved by the State Historical Society of Iowa.

#### DAMAGES

- Hold the State harmless from damages in any action arising from the performance of work described in this contract.

#### PHOTOGRAPHS

- Provide photographs of the project work. Photographs must be taken at the beginning of the project, at various stages during work, and at the project's conclusion to document the nature of the work. Good quality, original, photographs should be mounted or printed on 8½" x 11" paper. If digital photographs are submitted, please include a CD or DVD containing the images, as well as the printed copies. Along with the final report and request for reimbursement, the Grantee must provide at least five (5) color photographs of the project from its beginning to its end.

#### **FINDING OF NON-COMPLIANCE (Article 4.0)**

- The State may, for cause, find that the Grantee is not in compliance with the requirements of the HRDP program or the terms of this contract pursuant to Iowa Code 303.16, Iowa Administrative Code [223] Chapter 49, and published grant guidelines. At the State's discretion, remedies for non-compliance include suspension or return of HRDP grant funds.

#### **CANCELLATION DUE TO NON-APPROPRIATION (Article 5.0)**

- If funds anticipated for the continued fulfillment of this contract are at any time cancelled or insufficient either through the failure of the State of Iowa to appropriate funds, or through discontinuance or material alteration of the program for which funds were provided, the State shall have the right to cancel this contract without penalty by giving written notice of not less than thirty (30) days documenting the lack of funding, discontinuance or program alteration. In the event of termination of this contract due to non-appropriation, discontinuance, or program alteration, the exclusive, sole, and complete remedy of the Grantee shall be payment for services rendered prior to the termination.

#### **PAYMENT (Article 6.0)**

- The State will issue a payment for fifty percent (50%) of the grant at the time of award.
- At the conclusion of the project, the grantee must submit documentation of all project work and all expenditures to the State. Upon approval of all project work and all documentation, the State will provide final payment of grant funds. The grantee's request for reimbursement must be submitted with documentation proving project completion, documentation of expenditure of grant funds, and documentation of cash and in-kind match, as outlined in the contract budget.

- The final report provided by the Grantee must include photographs of work completed and an explanation of how the work meets the standards established in the museum, historic preservation, or documentary collections category. The final report must be submitted on-line at [www.iowagrants.gov](http://www.iowagrants.gov), and must include all information and documentation as outlined on the form.

**CHANGES IN OWNERSHIP (Article 7.0)**

- If a change of ownership of real property occurs within 24 months after the completion of the grant, the entire amount of the grant shall be returned to the State.
- If a change of ownership occurs within 25 to 60 months after the completion of the grant, fifty (50) percent of the grant shall be returned to the State.
- If the Grantee is a government unit or a non-profit organization, the sale of property is exempt from payback provisions when the sale places the property on tax rolls.
- In the event of death of an individual owner, this provision shall not apply.

**TIME OF PERFORMANCE (Article 7.0)**

- All claims for HRDP funds shall be received by November 30, 2016.

**SIGNATURES**

- Grant Applicants must sign and date two copies of this document as part of the REAP/HRDP FY2015 grant application process. This document becomes a legally-binding contract upon signature by the State Historical Society of Iowa's authorized representative.

**For the Grantee:**

\_\_\_\_\_  
*Signature of Grant Applicant's Legally Authorized Representative*

\_\_\_\_\_  
*Typed Name and Title of Above Representative*

\_\_\_\_\_  
*Date Signed by Grantee*

**For the State:**

\_\_\_\_\_  
*Susan Kloewer, Administrator,  
State Historical Society of Iowa*

\_\_\_\_\_  
*Date Signed by State*



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5808

**Description of Agenda Item:**  Consent Agenda  Regular Agenda **YES Map REPORT ON BIDS:**

Bids were received on April 16, 2014 for the Park Avenue SE From 17<sup>th</sup> Street to 18<sup>th</sup> Street and 18<sup>th</sup> Street SE from Park Avenue to Half Block South Sanitary Sewer, Storm Sewer, Water Main, Street and Sidewalk Improvements project (estimated cost is \$740,000). A report of bids received from the City officer conducting the bid opening is attached. CIP/DID #655996-07

**Action / Recommendation:**

Noted on attached bid report.

**Alternative Recommendation:** None

**Time Sensitivity:** Code of Iowa requires reports on bids on public improvement projects at the first meeting of the governing body held after bids are received.

**Resolution Date:** If acceptable bids are received, Public Works Department expects to place resolution awarding contract to the lowest responsible, responsive bidder on the May 13, 2014 City Council agenda.

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):**

655996	\$335,365.00
3012055	\$450,268.00
304377	\$101,926.00
2011024	<u>\$152,037.00</u>
Total	\$1,039,596.00

**Local Preference Policy:** Applies  Exempt

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

**Recommended by Council Committee:** Yes  No  N/A

**Explanation (if necessary):**



April 16, 2014

City Council  
City of Cedar Rapids

RE: Report on bids as read for the Park Avenue SE from 17<sup>th</sup> Street to 18<sup>th</sup> Street and 18<sup>th</sup> Street SE from Park Avenue to Half Block South, Sanitary Sewer, Storm Sewer, Water Main, Street, and Sidewalk Improvements, Contract Number 655996-07

Dear City Council:

Bids were received on April 16, 2014 for the Park Avenue SE from 17<sup>th</sup> Street to 18<sup>th</sup> Street and 18<sup>th</sup> Street SE from Park Avenue to Half Block South, Sanitary Sewer, Storm Sewer, Water Main, Street, and Sidewalk Improvements project as follows:

Pirc-Tobin Construction, Inc., Alburnett, IA	\$615,366.25
Rathje Construction Co., Marion, IA	\$626,664.05
L.L. Pelling Company, North Liberty, IA	\$643,757.40

The engineers cost opinion for this work is \$740,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

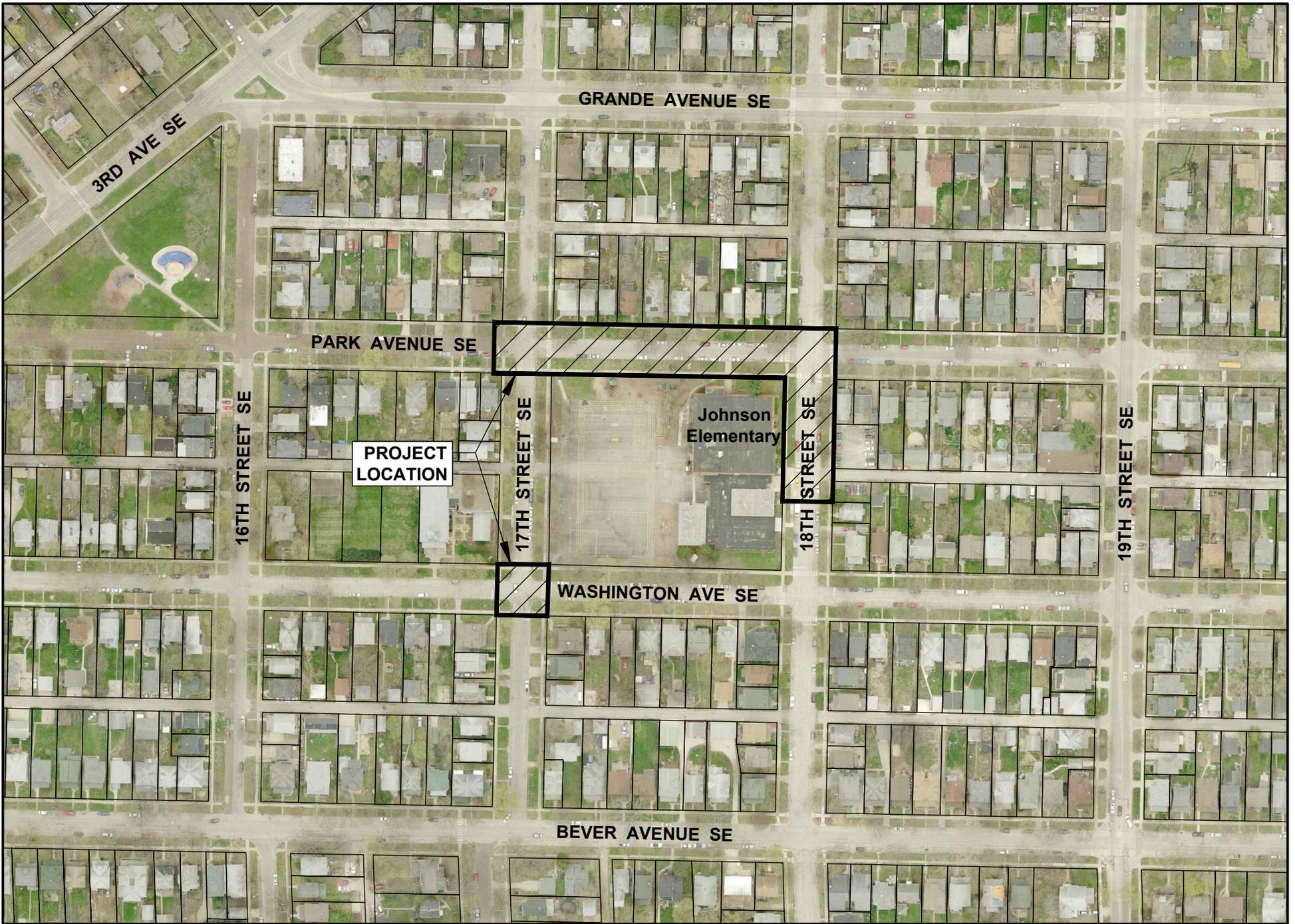
A handwritten signature in blue ink, appearing to read "Lee J. Tippe".

Lee J. Tippe, P.E.  
Project Engineer II

LJT/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, IA 52404-5836 • (319) 286-5802 • FAX (319) 286-5801



**PARK AVENUE SE FROM 17TH STREET TO 18TH STREET AND  
 18TH STREET FROM PARK AVENUE TO 1/2 BLOCK SOUTH,  
 SANITARY SEWER, STORM SEWER, STREET AND SIDEWALK IMPROVEMENTS**





## 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 **No Map**

Report on bids and resolution awarding and approving contract in the amount of \$1,250,800 plus incentive up to \$25,000, bond and insurance of Peterson Contractors, Inc. for the Cedar River Bridges Miscellaneous Repairs project (estimated cost is \$1,490,000). CIP/DID #305127-03

### Background:

Peterson Contractors, Inc., Reinbeck, IA	\$1,250,800
Incentive up to	<u>\$ 25,000</u>
Total	\$1,275,800
PCI Roads, LLC, St. Michael, MN	\$1,353,449.97
Cramer and Associates, Inc., Grimes, IA	\$1,597,370.00

Peterson Contractors, Inc. submitted the lowest of the bids received on April 9, 2014 for the Cedar River Bridges Miscellaneous Repairs project. The bid is within the approved budget. Construction work is anticipated to begin this summer and be completed within 80 calendar days.

### Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$1,250,800 plus incentive up to \$25,000, bond and insurance of Peterson Contractors, Inc. for the Cedar River Bridges Miscellaneous Repairs 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 April 22, 2014 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** 305127

**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):



April 9, 2014

City Council  
City of Cedar Rapids

RE: Report on bids as read for the Cedar River Bridges Miscellaneous Repairs, Contract Number 305127-03

Dear City Council:

Bids were received on April 9, 2014 for the Cedar River Bridges Miscellaneous Repairs project as follows:

Peterson Contractors, Inc., Reinbeck, IA	\$1,250,800.00
PCI Roads, LLC, St. Michael, MN	\$1,353,449.97
Cramer and Associates, Inc., Grimes, IA	\$1,597,370.00

The engineers cost opinion for this work is \$1,490,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in blue ink, appearing to read "Doug Wilson".

Doug Wilson, P.E.  
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, IA 52404-5836 • (319) 286-5802 • FAX (319) 286-5801



RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on March 25, 2014 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 Cedar River Bridges Miscellaneous Repairs public improvement project (Contract No. 305127-03) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on March 29, 2014 pursuant to which a public hearing was held on April 8, 2014, and

WHEREAS, the following bids were received, opened and announced on April 9, 2014 by the City Engineer, 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 April 22, 2014:

Peterson Contractors, Inc., Reinbeck, IA	\$1,250,800
Incentive up to	<u>\$ 25,000</u>
Total	\$1,275,800
PCI Roads, LLC, St. Michael, MN	\$1,353,449.97
Cramer and Associates, Inc., Grimes, IA	\$1,597,370.00

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$ 1,275,800 305-305000-305127; 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. Peterson Contractors, 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 Peterson Contractors, Inc. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Peterson Contractors, 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 22nd day of April, 2014.



## 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:** Rob Davis  
**E-mail Address:** r.davis@cedar-rapids.org

**Phone Number/Extension:** 5808

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

Report on bids and resolution awarding and approving contract in the amount of \$67,800 plus incentive up to \$1,000, bond and insurance of Iowa State Contractors, Inc. for the Veterans Memorial Stadium 2014 Storm Sewer Improvements – Phase 1 project (estimated cost is \$90,000). CIP/DID #314338-03

### Background:

Iowa State Contractors, Inc., Ottumwa, IA	\$67,800.00
Possible Incentive	<u>\$ 1,000.00</u>
Total Award	\$68,800.00
Rathje Construction Co., Marion, IA	\$73,650.00
Ricklefs Excavating, Ltd., Anamosa, IA	\$79,800.00
Dave Schmitt Construction, Cedar Rapids, IA	\$83,879.34
Borst Brothers Construction, Inc., Marion, IA	\$115,137.00
Connolly Construction, Inc., Peosta, IA	\$155,800.00

Iowa State Contractors, Inc. submitted the lowest of the bids received on April 16, 2014 for the Veterans Memorial Stadium 2014 Storm Sewer Improvements – Phase 1 project. The bid is within the approved budget. Construction work is anticipated to begin this fall and be completed within 20 working days.

### Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$67,800 plus incentive up to \$1,000, bond and insurance of Iowa State Contractors, Inc. for the Veterans Memorial Stadium 2014 Storm Sewer Improvements – Phase 1 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 April 22, 2014 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** 314338-03 (\$109,000)

**Local Preference Policy:** Applies  Exempt

**Explanation:** Does not fit criteria

**Recommended by Council Committee:** Yes  No  N/A

**Explanation** (if necessary):



April 16, 2014

City Council  
City of Cedar Rapids

RE: Report on bids as read for the Veterans Memorial Stadium 2014 Storm Sewer Improvements – Phase 1, Contract Number 314338-03

Dear City Council:

Bids were received on April 16, 2014 for the Veterans Memorial Stadium 2014 Storm Sewer Improvements – Phase 1 project as follows:

Iowa State Contractors, Inc., Ottumwa, IA	\$67,800.00
Rathje Construction Co., Marion, IA	\$73,650.00
Ricklefs Excavating, Ltd., Anamosa, IA	\$79,800.00
Dave Schmitt Construction, Cedar Rapids, IA	\$83,879.34
Borst Brothers Construction, Inc., Marion, IA	\$115,137.00
Connolly Construction, Inc., Peosta, IA	\$155,800.00

The engineers cost opinion for this work is \$90,000. 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 "Doug Carper".

Doug Carper, P.E.  
Flood Recovery Construction Coordinator

DLC/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, IA 52404-5836 • (319) 286-5802 • FAX (319) 286-5801

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on March 25, 2014 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 Veterans Memorial Stadium 2014 Storm Sewer Improvements – Phase 1 public improvement project (Contract No. 314338-03) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on March 29, 2014 pursuant to which a public hearing was held on April 8, 2014, and

WHEREAS, the following bids were received, opened and announced on April 16, 2014 by the City Engineer, 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 April 22, 2014:

Iowa State Contractors, Inc., Ottumwa, IA	\$67,800.00
Possible Incentive	<u>\$ 1,000.00</u>
Total Award	\$68,800.00
Rathje Construction Co., Marion, IA	\$73,650.00
Ricklefs Excavating, Ltd., Anamosa, IA	\$79,800.00
Dave Schmitt Construction, Cedar Rapids, IA	\$83,879.34
Borst Brothers Construction, Inc., Marion, IA	\$115,137.00
Connolly Construction, Inc., Peosta, IA	\$155,800.00

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$68,800 314-314000-314338; 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. Iowa State Contractors, 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 Iowa State Contractors, Inc. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Iowa State Contractors, 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.

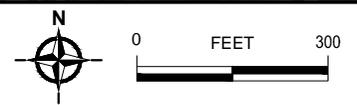
Passed this 22nd day of April, 2014.



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**VETERANS MEMORIAL STADIUM  
2013 STORM SEWER IMPROVEMENTS**



**Council Agenda Item Cover Sheet**

**Consent Agenda**       **Regular Agenda**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Utilities – Water Division

**Presenter at meeting:** Steve Hershner    **Phone:** 5281    **E-mail:** [SteveHe@cedar-rapids.org](mailto:SteveHe@cedar-rapids.org)

**Alternate Contact:** Matt Jensen                      **Phone:** 5937    **E-mail:** [m.jensen@cedar-rapids.org](mailto:m.jensen@cedar-rapids.org)

**Description of Agenda Item:** (insert same wording as used on agenda summary)

Report on bids for the NW Water Treatment Plant Chlorine System Improvements project (estimated cost is \$150,000) (Steve Hershner). CIP/DID #625900-01

**Background:**

The City of Cedar Rapids recently completed a project to upgrade the chlorine system at the J Avenue Water Treatment plant. The project at the J Avenue Water Treatment Plant converted the existing pressurized chlorine gas system to a vacuum system, thereby reducing the chance of chlorine leaks and improving the overall safety of the water treatment process. The goal of the NW Water Treatment Plant Chlorine System Improvements is to modify the existing chlorine system at the NW Water Treatment Plant to be a mirror of the system at the J Avenue Water Treatment Plant.

In addition to the conversion of the chlorine system from a pressurized to vacuum system, the NW Water Treatment Plant Chlorine System Improvements will also include modifications to the HVAC ductwork for the emergency chlorine scrubber. Although the emergency chlorine scrubber at the NW Plant is identical to the scrubber at the J Avenue Plant, field testing shows that the NW Plant scrubber is considerably less effective at clearing the chlorine container room in the event of a leak. Changes to the ductwork, modifications to the HVAC controls, and moving of the supply air intake are all included in the project to upgrade the capabilities of the emergency chlorine scrubber at the NW Plant. These modifications will improve the performance of the scrubber so that it matches that of the J Avenue Plant scrubber. A pre-bid meeting was held on March 24<sup>th</sup>, 2014.

One bid was received on April 9, 2014 for the NW Water Treatment Plant Chlorine System Improvements project.

<u>Bidders</u>	<u>Office Location</u>	<u>Lump Sum Bid</u>
Tricon General Construction	Cedar Rapids, IA	\$ 229,000

The engineer’s opinion of probable cost for the construction of this project was \$150,000. A motion to publish a Notice of Hearing and Letting was approved by the City Council on March 11, 2014. The public hearing was held March 25, 2014. The work is anticipated to begin in May 2014 and be completed November 2014.

**Action / Recommendation:**

The Utilities Department – Water Division staff is evaluating the bid and will recommend a course of action at the next City Council meeting.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 4-22-14

**Resolution Date:** 4-22-14

**Estimated Presentation Time:** 2 minutes

**Budget Information (if applicable):**

1. **Included in Current Budget Year.** Yes. The project will be funded from the FY 2014 Water Division Capital Improvement Projects budget. The project will be coded to the following CIP fund: 553000-625-625000-x-x-625900.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$125,000 budgeted in the FY2014 CIP budget and \$125,000 in the FY 2015 CIP budget for the construction of the NW Water Treatment Plant Chlorine System Improvements.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project was publicly bid as a Capital Improvement Project.

**Local Preference Policy**

Applies

Exempt

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

**Recommend by Council Committee** Yes

No

N/A

**Explanation (if necessary):**

**Council Agenda Item Cover Sheet**

Consent Agenda       Regular Agenda

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Utilities – Water

**Presenter at meeting:** Steve Hershner **Phone No.:** 5281 **E-mail:** [stevehe@cedar-rapids.org](mailto:stevehe@cedar-rapids.org)

**Alternate Contact:** Andrew Lundy **Phone No.:** 5968 **E-mail:** [a.lundy@cedar-rapids.org](mailto:a.lundy@cedar-rapids.org)

**Description of Agenda Item:**

Report on bids for the J Avenue Water Treatment Plant 1929 Tower Renovation project (estimated cost is \$172,000) (Steve Hershner).

- a. Resolution awarding and approving contract in the amount of \$170,000, bond and insurance of Bi-State Masonry, Inc. for the J Avenue Water Treatment Plant 1929 Tower Renovation project CIP/DID #625028-07

**Background:**

In order to properly maintain all of the buildings at the water treatment plants, a comprehensive long-term roof maintenance plan has been developed as well as a masonry waterproofing plan. The waterproofing plan requires re-sealing the masonry buildings with a water repellent coating approximately every 10 years. When preparing for our most recent waterproofing project in 2012 we determined that the J Avenue Water Treatment Plant 1929 Tower masonry had many cracks and voids that made the surface unsuitable for a water repellent coating. The waterproofing proceeded on the remaining masonry, but the 1929 Tower was excluded from the project. HR Green, Inc. conducted a study in 2013 to fully investigate the condition of the masonry exterior and make recommendations for repairs to the 1929 Tower. HR Green, Inc. completed a report with detailed recommendations for repair and rehabilitation of the 1929 Tower. Following the completion of the report, HR Green then designed the recommended improvements.

This project generally consists of restoration and waterproofing of the 1929 Tower exterior masonry. Work includes installing control joints, replacing cracked concrete brick, removing loose brick face material, replacing deteriorated caulk joints, replacing and repairing deteriorated cast stone, and applying water repellent to the entire exterior Tower masonry surfaces. Alternates are also included for replacement of the roof membrane over the main north entrance (Alternate A) and replacing deteriorated caulk joints on the adjacent filter building parapet caps (Alternate B). A pre-bid meeting was held on March 24, 2014.

Four bids were received on April 9, 2014 for the J Avenue Water Treatment Plant 1929 Tower Renovation project.

<b>Bidder</b>	<b>Location</b>	<b><u>Lump Sum Bid</u></b>	<b><u>Lump Sum Bid Plus Allowance Plus Alternates A and B</u></b>
Bi-State Masonry, Inc.	Rock Island, IL	\$140,000	<b>\$170,000</b>
TNT Tuckpointing & Building Restoration LLC	Stockton, IA	\$169,600	<b>\$206,600</b>
E&H Restoration, LLC	Davenport, IA	\$188,869	<b>\$210,743</b>
Technical Specialty Systems	Cedar Rapids, IA	\$374,070	<b>\$409,830</b>

The engineer's opinion of probable cost for the construction of this project was \$172,000. The Utilities Department recommends proceeding with Alternates A and B.

A motion to publish a Notice of Hearing and Letting was approved by the City Council on March 11, 2014. The public hearing was held March 25, 2014. A pre-bid meeting was held on March 24, 2014. The work is anticipated to begin May 2014 and be completed by November 2014.

**Action / Recommendation:**

The Utilities Department recommends awarding the contract to Bi-State Masonry, Inc. in the amount of \$170,000.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 4-22-14

**Resolution Date:** 4-22-14

**Estimated Presentation Time:** 2 minutes

**Budget Purchase Process Information:**

1. **Included in Current Budget Year.** Yes, funding for these improvements has been included in the CIP budget for FY14. Project costs will be coded to 553000-625-625000-625028.
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 Budget for FY14 is \$250,000. The anticipated completion date for these improvements is November 2014.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project was 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 March 11, 2014 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 Treatment Plant 1929 Tower Renovation public improvement project (Contract No. 625028-07) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on March 15, 2014 pursuant to which a public hearing was held on March 25, 2014, and

WHEREAS, the following bids were received, opened and announced on April 9, 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 April 22, 2014:

	<u>Lump Sum Bid</u> <u>Plus Allowance</u> <u>Plus Alternates A</u> <u>and B</u>
Bi-State Masonry, Inc., Rock Island, IL	\$170,000
TNT Tuckpointing & Building Restoration LLC, Stockton, IA	\$206,600
E&H Restoration, LLC, Davenport, IA	\$210,743
Technical Specialty Systems, Cedar Rapids, IA	\$409,830

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$170,000, 553000-625-625000-625028; 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. Bi-State Masonry, Inc. 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 plus Alternates A and B and award the contract to it;

3. Subject to registration with the Department of Labor, the Bid of Bi-State Masonry, Inc. is hereby accepted, and the contract for this public improvement is hereby awarded to Bi-State Masonry, 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 22nd day of April, 2014.

**TABULATION OF BIDS  
UTILITIES DEPARTMENT  
J AVENUE WATER TREATMENT PLANT  
1929 TOWER RENOVATION  
CITY OF CEDAR RAPIDS, IOWA  
CONTRACT #625028-07**

Engineer's Estimate: \$172,000.00  
Engineer: HR Green, Inc.

Bid Date: Wednesday, April 9, 2014  
Time: 11:00 AM

The following proposals were received on the J Avenue Water Treatment Plant 1929 Tower Renovation project. The work generally consists of restoration and waterproofing of the 1929 Tower Building exterior masonry at the J Avenue Water Treatment Plant. Once all masonry is restored on the Tower Building a water repellent coating will be applied to the entire exterior masonry. Two alternates are included on the project, one alternate includes replacing deteriorated caulk joints on the adjacent filter building parapet caps and a second alternate includes replacement of the roof over the main north entrance of the 1929 Tower Building.

<b>Bidders</b>	<b>Bi-State Masonry, Inc.</b> 3511 8th Street Rock Island, IL 61201	<b>TNT Tuckpointing &amp; Building Restoration, LLC</b> 202 Iowa Street Stockton, IA 52769	<b>E&amp;H Restoration, LLC *</b> 1926 Comenitz Drive Davenport, IA 52802	<b>Technical Specialty Systems</b> 1115 Wenig Road NE Cedar Rapids, IA 52402
<b>5% BID BOND</b>	Yes	Yes	Yes	Yes
<b>ADDENDUM 1 ACKNOWLEDGED?</b>	Yes	Yes	Yes	Yes
<b>TOTAL LUMP SUM BID</b>	\$140,000	\$169,600	\$188,869	\$374,070
<b>ALTERNATE A</b>	\$7,000	\$17,500	\$6,924	\$14,405
<b>ALTERNATE B</b>	\$13,000	\$9,500	\$4,950	\$11,355
<b>ALLOWANCE</b>	\$10,000	\$10,000	\$10,000	\$10,000
<b>TOTAL LUMP SUM BID PLUS ALLOWANCE PLUS ALTERNATES A &amp; B</b>	<b>\$170,000</b>	<b>\$206,600</b>	<b>\$210,743</b>	<b>\$409,830</b>

\* E&H Restoration's bid was received by City Staff @ 7:15am but not delivered to the Clerk until after the formal bid opening. The bid was promptly opened at 11:36am.

Utilities Department recommends award to: **Bi-State Masonry, Inc.**

**Council Agenda Item Cover Sheet**

**Consent Agenda**       **Regular Agenda**

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Utilities – Water Pollution Control Facility

**Presenter at meeting:** Steve Hershner    **Phone:** 5281    **E-mail:** [s.hershner@cedar-rapids.org](mailto:s.hershner@cedar-rapids.org)

**Alternate Contact:** Matt Jensen                      **Phone:** 5937    **E-mail:** [m.jensen@cedar-rapids.org](mailto:m.jensen@cedar-rapids.org)

**Description of Agenda Item:**

Report on bids for the WPC Electric Metering Upgrade project (estimated cost is \$826,000). (Steve Hershner)

- a. Resolution awarding and approving contract in the amount of \$848,000, bond and insurance of ESCO Electric Company for the WPC Electric Metering Upgrade project CIP/DID #615225-02

**Background:**

The City of Cedar Rapids owns and maintains a 12.47 kV electrical distribution system within the grounds of the Water Pollution Control Facility to supply power to the various buildings and processes therein. The facility has previously installed electric meters to track the usage of electricity within the facility. However, these meters have been installed across a variety of times and projects, and as such, the meters are a mix of technologies and brands that are difficult to maintain. There are also portions of the plant process that currently have no electrical metering, making it impossible for the plant staff to attempt to maximize the energy efficiency of the processes.

The intent of the project is to construct an electrical metering system that will monitor all electrical usage throughout the facility, giving the plant staff the information needed to optimize energy usage at the plant and improve individual process efficiency. The construction of the system was preceded by a study to identify the optimum location for the installation of the meters. The study researched available types of electrical meters and achieved the goal of recommending several different metering technologies to ensure competitive bidding during the project construction. A pre-bid meeting was held on March 24<sup>th</sup>, 2014.

Two bids were received on April 9, 2014 for the WPC Electric Metering Upgrade project.

<b><u>Bidders</u></b>	<b><u>Office Location</u></b>	<b><u>Lump Sum Bid</u></b>
ESCO Electric Company	Marion, IA	\$ 848,000
Price Industrial Electric	Hiawatha, IA	\$ 884,620

The engineer's opinion of probable cost for the construction of this project was \$826,000. A motion to publish a Notice of Hearing and Letting was approved by the City Council on March 11, 2014. The public hearing was held March 25, 2014. The work is anticipated to begin in June 2014 and be completed December 2014.

**Action / Recommendation:**

The Utilities Department – Water Pollution Control staff recommends awarding the contract to ESCO Electric Company in the amount of \$848,000.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 4-22-14

**Motion Date:** 4-22-14

**Estimated Presentation Time:** 2 minutes

**Budget Information (if applicable):**

1. **Included in Current Budget Year.** Yes. The project will be funded from the FY 2014 and FY2015 WPC Capital Improvement Projects budget. The project will be coded to the following CIP fund: 553000-615-615000-x-x-615225.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$500,000 budgeted in the FY2014 CIP budget and \$500,000 in the projected FY2015 Capital Improvement Projects budget for WPC for the construction of the WPC Electric Metering Upgrade project.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project was publicly bid as a Capital Improvement Project.

**Local Preference Policy**

Applies

Exempt

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

**Recommend by Council Committee**

Yes

No

N/A

**Explanation (if necessary):**

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on March 11, 2014 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 WPC Electric Metering Upgrade public improvement project (Contract No. 615225-02) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on March 15, 2014 pursuant to which a public hearing was held on March 25, 2014, and

WHEREAS, the following bids were received, opened and announced on April 9, 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 April 22, 2014:

ESCO Electric Company, Marion, IA	\$848,000
Price Industrial Electric, Hiawatha, IA	\$884,620

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$848,000, 553000-615-615000-x-x-615225, 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. ESCO Electric Company 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 ESCO Electric Company is hereby accepted, and the contract for this public improvement is hereby awarded to ESCO Electric Company;

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

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

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

Passed this 22nd day of April, 2014.

**TABULATION OF BIDS  
 UTILITIES DEPARTMENT  
 WPC ELECTRIC METERING UPGRADE  
 CITY OF CEDAR RAPIDS, IOWA  
 CONTRACT #615225-02**

Engineer's Estimate: \$826,000  
 Engineer: Strand Associates

Bid Date: Wednesday, April 9, 2014  
 Time: 11:00 AM

The following proposals were received by the City of Cedar Rapids for the WPC Electric Metering Upgrade. The work includes demolition of existing electric meters, installation of new electric meters, network switches, PLCs, and associated wiring, and modification of the existing SCADA system to display and record the electric metering data.

<b>BIDDERS</b>	<b>ESCO Electric Company 3450 Third Street Marion, IA 52302</b>	<b>Price Industrial Electric 1482 Hawkeye Drive Hiawatha, IA 52233</b>
<b>CERTIFIED CHECK OR 10% BID BOND</b>	Yes	Yes
<b>LUMP SUM BID PLUS ALLOWANCE</b>	\$ 848,000	\$ 884,620

Utilities Department recommends award to:



## 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**

Resolution authorizing execution of a License for Multi-Use Pathway/ Sidewalk agreement in the amount of \$63,361 with the Chicago, Central & Pacific Railroad Company in connection with the 42<sup>nd</sup> Street and Interstate 380 Intersection Improvements project. CIP/DID# 301614-00

### Background:

This project includes improvements to the northbound exit ramp from Interstate 380 at 42<sup>nd</sup> Street NE, realignment and reconstruction of the trail crossing at 42<sup>nd</sup> Street, and extension of the railroad crossing to accommodate the trail improvements, which improves pedestrian and bicycle safety. The project also includes replacement of the traffic signals and the railroad crossing signals. The project will require coordination between the City's contractor and the railroad to replace the railroad crossing signals. This project is partially funded through the Metropolitan Planning Agency federal Surface Transportation Program.

The City cannot condemn railroad right-of-way and the only recourse for the City to continue with the project is to execute the License agreement with the Chicago, Central & Pacific Railroad Company. The cost of the License is \$750 and the City must also pay \$62,611 in advance for installation of the railroad crossing extension.

### Action / Recommendation:

The Public Works Department recommends approving the resolution authorizing execution of License Agreement between the Chicago, Central & Pacific Railroad Company and the City of Cedar Rapids for the 42<sup>nd</sup> Street and Interstate 380 Intersection Improvements project. Upon City approval, signed agreements will be returned to the Chicago, Central & Pacific Railroad Company for necessary signatures.

### Alternative to Recommendation:

Do not approve the License Agreement and abandon the project.

**Time Sensitivity:** Normal

**Resolution Date:** April 22, 2014

**Estimated Presentation Time:** 0 minutes

**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 City of Cedar Rapids plans to construct a Multi-Use Pathway/ Sidewalk within Chicago, Central & Pacific Railroad Company right-of-way in conjunction with the 42<sup>nd</sup> Street and Interstate 380 Intersection Improvements project, and

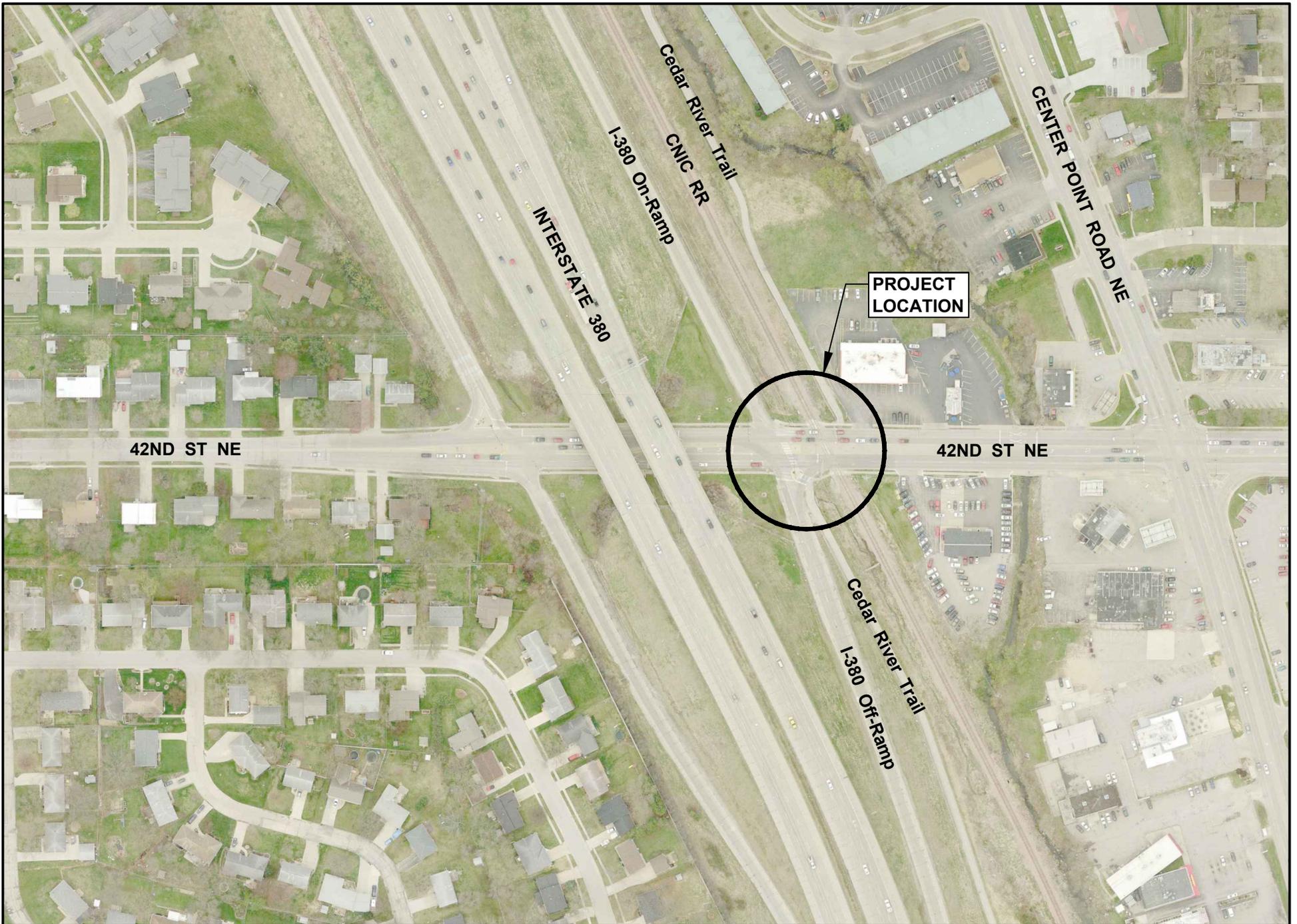
WHEREAS, execution of a License for Multi-Use Pathway/ Sidewalk between the Chicago, Central & Pacific Railroad Company and the City of Cedar Rapids is required to make the improvements associated with this project, and

WHEREAS, the Public Works Director / City Engineer recommends authorizing execution of the License for Multi-Use Pathway/ Sidewalk with the Chicago, Central & Pacific Railroad Company,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager is authorized to execute the License for the Multi-Use Pathway/ Sidewalk with the Chicago, Central & Pacific Railroad Company for the 42<sup>nd</sup> Street and Interstate 380 Intersection Improvements project, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment in the amount of \$750 for the License, and \$62,661 for the extension of the existing railroad crossing.

Passed this 22<sup>nd</sup> day of April, 2014.



**42ND STREET NE / I-380 / TRAIL  
INTERSECTION IMPROVEMENTS**



RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF FIRST AMENDMENT TO  
PARKING FACILITY USE AGREEMENT

WHEREAS, the City of Cedar Rapids, Iowa and Cedar Rapids Development Group LLC are parties to that certain Parking Facility Use Agreement dated December 17, 2013 pertaining to the use and operation for a proposed parking facility in Cedar Rapids and the proposed Cedar Crossing casino development; and

WHEREAS, the City of Cedar Rapids, Iowa and Cedar Rapids Development Group LLC intend to enter into a First Amendment to Parking Facility Use Agreement; and

WHEREAS, the Cedar Rapids City Council has reviewed said First Amendment and finds it to be necessary and appropriate,

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Cedar Rapids that the City Manager and City Clerk are hereby authorized to execute the First Amendment to Parking Facility Use Agreement regarding the proposed Cedar Crossing Casino development, and to do all things reasonable and necessary to effectuate the terms and conditions thereof accordingly.

Passed this 22nd day of April, 2014.

CD ATT  
ENG CLK  
FIN RCR  
AUD FILE  
DEVELOPER  
OB838346

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF SECOND AMENDMENT TO  
DEVELOPMENT AGREEMENT

WHEREAS, the City of Cedar Rapids, Iowa and Cedar Rapids Development Group LLC are parties to that certain Development Agreement dated August 23, 2013 and amended by a First Amendment to Development Agreement dated December 17, 2013, both of which pertain to the proposed Cedar Crossing Casino development; and

WHEREAS, the City of Cedar Rapids, Iowa and Cedar Rapids Development Group LLC intend to enter into a Second Amendment to Development Agreement; and

WHEREAS, the Cedar Rapids City Council has reviewed the proposed amendment and finds it necessary and appropriate;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Cedar Rapids that the City Manager and City Clerk are hereby authorized to execute the Second Amendment to Development Agreement regarding the proposed Cedar Crossing Casino development, and to do all things reasonable and necessary to effectuate the terms and conditions of this resolution accordingly including recording the Second Amendment to the Development Agreement in the Office of the Linn County Recorder.

Passed this 22<sup>nd</sup> day of April, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** April 22, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** Joe Mailander

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

**Email:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

**Alternate Contact Person:** Vern Zakostelecky

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

**Email:** [v.zaksotelecky@cedar-rapids.org](mailto:v.zaksotelecky@cedar-rapids.org)

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

Third Reading granting a change of zone for property at 837 44<sup>th</sup> Street SE from RMF-1, Multiple Family Residence Zone District to I-1, Light Industrial Zone District as requested by Randall J. and Christine C. Maher. CIP/DID. #RZNE-007144-2013

### **Background:**

The property is currently undeveloped and the applicant is requesting an amendment to the Future Land Use Map in the City's Comprehensive Plan and rezoning to allow development of the property for a truck/equipment storage facility for Roto Rooter. The applicant held a neighborhood meeting on January 27, 2014, with 5 neighboring property owners attending. The only concern expressed was one neighbor wanted to know more about the type of landscaping and buffering that would be provided along the property line adjacent to residential properties. The Preliminary Site Development Plan, which accompanies the rezoning request, includes the following improvements:

- Total site area-77,411 s. f. (1.78 acres).
- Total area of proposed commercial 81' x 180' building-14,580 s. f.
- Total proposed hard surface area-including parking, sidewalks & drives-23,169 s. f.
- Total proposed parking-36 spaces including 2-handicap spaces-required-10 spaces.
- Total open/green spaces- 39,662 s. f. (51.2% of total site area).
- Access from will be from 44th Street SE.
- A combination of screen fencing and landscaping buffering are proposed along all property lines adjoining residential uses.
- Storm water management is proposed at several locations on the site.

### **City Planning Commission FLUMA Findings:**

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

- If developed as indicated by the applicant the proposed use will provide adequate buffering and screening and light control so as to not be a negative impact on the general area.
- Provides a transition use from the non-residential development to the south and east of the single-family residential in the areas to the north and west.
- Provides a better use from how the property is currently used.

**Application Process/Next Steps:**

Actions	Comments
City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed both applications on February 13, 2014 and recommended approval of the FLUMA on a 6 to 1 vote and for the rezoning a 7 to 0 vote. A portion of the minutes are included as Attachment A.</li> <li>There were no objectors and this is not a flood related item.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A public hearing, a vote on the FLUMA Resolution and First Reading of the Ordinance were held for March 25, 2014 to allow for public input.</li> <li>The Future Land Use Map Amendment was approved by City Council vote on a resolution on March 25, 2014.</li> <li>City Council voted to approve the change of zone on the First Reading of the Ordinance on March 25, 2014.</li> <li>Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li> <li>Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.</li> </ul>

**Action / Recommendation:**

City staff recommends approval of the Third Reading.

**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

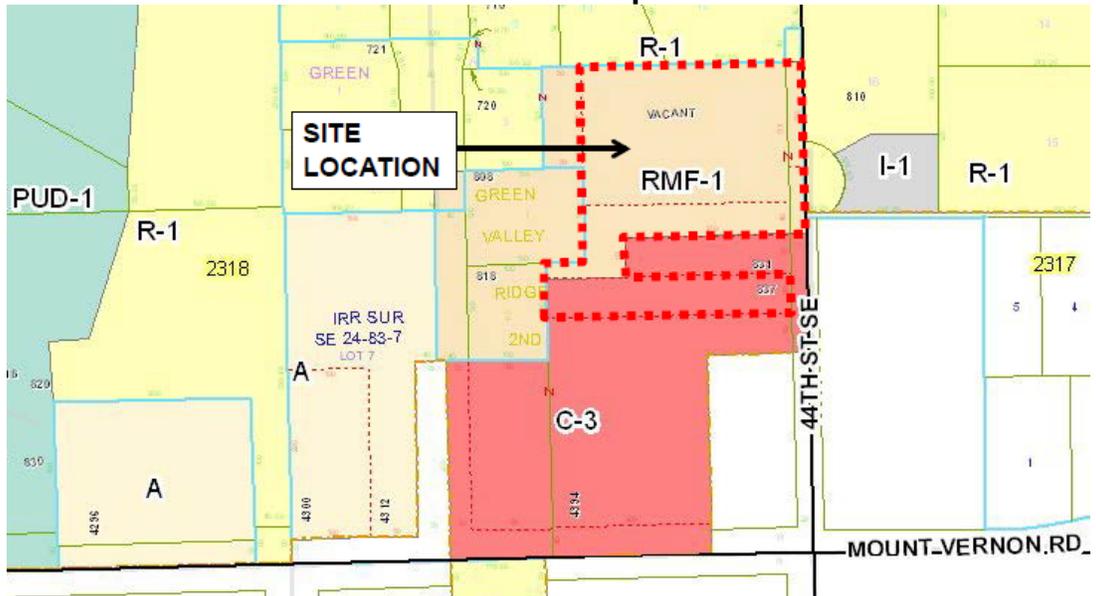
**Local Preference Policy** Applies  Exempt

**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 REGULAR MEETING,**  
**Thursday, February 13, 2014 @ 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  
Allan Thoms – Via Phone  
Virginia Wilts  
Kim King

Members Absent: Richard Pankey  
Mike Tertinger

DSD Staff: Joe Mailander, Manager  
CD Staff: Seth Gunnerson, Planner  
Jeff Hintz, Planner

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 seven (7) Commissioners present.

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the January 2, 2014 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:** 837 44<sup>th</sup> Street SE (FLUMA and Rezoning)

- a) Request for an amendment to the Future Land Use Map in the City’s Comprehensive Plan from Low Density Residential to Industrial as requested by Randall J. and Christine C. Maher (Applicants/Titleholders).

**Case No: FLUMA-007145-2013 Case Manager: Vern Zakostelecky**

- b) Recommendation for approval of a rezoning from RMF-1, Multiple Family Residence Zone District to I-1, Light Industrial Zone District as requested by Randall J. and Christine C. Maher (Applicants/Titleholders).

**Case No: RZNE-007144-2013 Case Manager: Vern Zakostelecky**

Joe Mailander presented background memo on the property. It is currently a Roto-Rooter establishment and it was believed to have existed prior to annexation. Mr. Mailander used photos and maps to orient the commission with the property and the surrounding area. The site plan with some details of the development was shown and some general access and stormwater details were discussed. The site will have approximately 50% free space. Landscaping, screening and berming are all proposed at this time. There will be full screening from the residential area; a neighborhood meeting was held but no objections were received at this time. Mr. Mailander offered to answer any questions

Commissioner Halverson asked about a berm on the western end of the site and if a berm planting combination would be used for screening. Mr. Mailander conformed this was the case.

Commissioner Thoms asked about the current use of the property and some parking on the site for approximately 36 vehicles, there seemed to be some excess. The building appears to be 14,000 square feet and there is a lot of other free space. Commissioner Thoms asked about a provision protecting single-family residential neighborhoods from industrial type uses and had some general questions about hours of operation and stated the impacts on environment for surrounding neighborhoods.

Mr. Mailander answered the building would improve the current situation and deferred parking questions and site layout questions to the applicant. Commissioner Thoms asked about the light industry against the R-1 zoning. There were no objections from the neighbors.

Loren Hoffman, Hall & Hall Engineers, 1860 Boyson Road, Hiawatha represent the applicant and stated there were no objections from neighbors at the neighborhood meeting. One neighbor had some concern about leaving some of the property as green space. The neighbor was satisfied that the storm water area would be better than a parking lot. There are no loading docks and the shop and garage has doors facing away from the neighborhood. There are occasional night calls, but with screening and setbacks being met, the neighbors appeared satisfied. There are more parking spots planned now for proposed business growth at this location and hopefully the trucks would be parked inside. The immediately adjacent neighbor to this property was satisfied.

Nathan Maher, 852 44<sup>th</sup> Street SE, the owner of the property came forward to discuss the parking arrangements and equipment on the site. The extra spaces are mainly for maneuvering and other temporary uses as opposed to a parking lot.

Commissioner King asked about other noises. The owner clarified that the noises were just from vehicles coming and going.

Commissioner Knox-Seymour asked about the hours. The owner stated it is a 24 hour business for occasional emergency calls.

Commissioner Overland stated the building would block the light pollution from the neighborhood

Commissioner Thoms asked about security lights. The owner clarified the security lights would be used to light the lot. Commissioner Thoms also asked if the neighbors were aware of this. Mr. Maher stated that the neighbors were aware.

Commissioner Halverson asked about the lights being focused on the property. They will be, confirmed the owner.

Commissioner Overland called for members of the public who wished to speak. None wished to speak.

Commissioner Overland called for a motion to approve the future land use. Commissioner Halverson made a motion to approve the Future Land Use Map in the City's Comprehensive Plan from Low Density Residential to Industrial. Commissioner Wilts seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Thoms asked about future uses down the road and what could possibly go into the property in the future.

Commissioner Overland echoed Commissioner Thom's concern and stated he had visited the site. This appears to be a stretch but appears to work in this case.

Commissioner Wilts agreed with Commissioner Overland that this project would enhance the area.

Commissioner Halverson asked about properties near the project and if they were in the city limits. Mr. Mailander stated that they are in the city limits. Commissioner Halverson stated the applicant has done a good job screening the property.

Commissioner Overland called for a vote on the motion. The motion passed unanimously with one opposed.

Commissioner Overland called for a motion to approve the rezoning. Commissioner Halverson made a motion to approve the rezoning from RMF-2, Multiple Family Residence Zone District to I-1, Light Industrial Zone District. Commissioner Wilts seconded the motion.

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

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

The meeting adjourned at 3:21 PM.

Respectfully Submitted,  
Jeff Hintz, Planner  
Community Development and Planning

DSD            BSD  
ENG            STR  
FIR            RCR  
TITLEHOLDER WTR  
CONTACT      TED  
CLK            PKS  
RZNE-007144-2013

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;

RMF-1 to I-1

All that part of the North 257 feet of the East ½ SE ¼ SE ¼ SE ¼ of Section 24-83-7, Linn County, Iowa, excepting the East 20 feet thereof;

And the West 100 feet of the South 50 feet of the North 307 feet of the East ½ SE ¼ SE ¼ SE ¼ of Section 24-83-7, Linn County, Iowa; and

That part of the SE ¼ SE ¼ of Section 24-83-7, Linn County, Iowa described as follows: Commencing at the SE corner of Section 24-83-7; thence North 619.46 feet to the point of beginning; thence West 20 feet; thence South 133 feet; thence East 20 feet; thence North 133 feet to the point of beginning

Excepting all of Green Valley Ridge Second Addition to Cedar Rapids, Iowa and Green Valley Sixth Addition to Cedar Rapids, Iowa lying therein and further except

All that part of the SE ¼ SE ¼ Section 24-83-7, Linn County, Iowa described as follows: Beginning at the NE corner of Lot 1, Green Valley Ridge Second Addition to Cedar Rapids, Iowa; thence South 88°28'00" West along the North line of said Lot 1, 50.00 feet to the SE corner of Lot 3, Green Valley Ridge First Addition to Cedar Rapids, Iowa; thence North 1°16'45" West along the East line of said Lot 3, 127.00 feet to the NE corner of said Lot 3; thence North 88°28'00" East along the South line of Green Valley Sixth Addition to Cedar Rapids, Iowa, 50.00 feet; thence South 1°16'45" East 127.00 feet to the point of beginning.

And

C-3 to I-1

The South 50 feet of the North 357 feet of the E 1/3 of the SE ¼ of the SE ¼ of Section 24-83-7, excepting therefrom the East 20 feet, all in Linn County, Iowa

and located north of Mt Vernon Road SE and west of 44th Street SE, now zoned RMF-1, Multiple Family Residence Zone District, and as shown on the "District Map," be rezoned and changed to I-1, Light Industrial Zone District, and that the property be used for such purposes as outlined in the I-1, Light Industrial Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. Prior to the issuance of a certificate of occupancy, the property owner shall be responsible to construct 5' wide concrete sidewalk along 44th Street SE adjoining this site. 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.
2. As part of final plat submittal to City Council, the property owner shall be responsible to dedicate to the public additional street right-of-way along 44th Street SE providing a minimum 30' half width and 60' cul-de-sac radius right-of-way for said street adjoining this site.
3. The existing structures shall be removed under appropriate permit and inspections conducted and approved.
4. Effective screening shall be provided and maintained so as to screen the building and open parking spaces where adjacent to a residential use per provisions of the Zoning Ordinance or a variance be obtained.
5. No buildings or building overhangs shall encroach upon any portion of an easement without obtaining appropriate City Council approval.
6. Said lots are to be combined so as to constitute a single zoning lot and tax parcel.
7. All lighting shall be of a type, design and placement, and also be shielded in a manner to minimize impact on residential properties or uses adjacent to or immediately across the street.
8. Design guidelines and standards as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.
9. If an outdoor dumpster is proposed the enclosure for the dumpsters 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.
10. Landscaping and buffering/screening shall be provided per the Zoning Ordinance, Subsection 32.05.030.A.
11. Sites will need to comply with off-street loading requirement per Chapter 32, Subsection 32.05.020.C.
12. The existing structures must be removed under appropriate permit and inspections conducted and approved.
13. That all parking, drives, and storage areas be surfaced per provisions of the Zoning Ordinance. Surfacing to include asphalt, concrete, brick or asphaltic macadam.
14. 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.

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 25th day of March, 2014.

**ACCEPTANCE OF CONDITIONS OF REZONING**

ORDINANCE NO.

I/we hereby agree to the terms and conditions set out in the attached Ordinance dated this

\_\_\_\_\_ day of \_\_\_\_\_, 2014

Randall J. Maher

BY *Randall J. Maher*

RANDALL J MAHER  
(Please Print Name and Title)

Christine C. Maher

BY *Christine C. Maher*

Christine C. Maher  
(Please Print Name and Title)

## **Council Agenda Item Cover Sheet 2<sup>nd</sup> and possible 3<sup>rd</sup> Reading of Ordinance**

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen

**Phone Number/Extension:** 5807

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

**Alternate Contact Person:** John Reasoner

**Phone Number/Extension:** 5806

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

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

Ordinance changing the name of H Street SW to Valor Way SW, from Diagonal Drive SW northwesterly to the northwesterly end of H Street SW as requested by the City of Cedar Rapids Police Department. CIP/DID #STREET-007954-2014

### **Background:**

On February 4, 2014, the City Police Department submitted an application for a street name change to the Public Works Department for the above-described portion of H Street SW for a distance of approximately 730 feet. Per the requirements of City Ordinance No. 073-02, Section 33D.07 3. (c) of the Municipal Code (Procedures for Renaming Existing Streets), a public hearing was held at the City Council meeting on March 25, 2014 in which no objections were heard. Per Section 33D.07 3. (d), the application, including public comment from the public hearing, was forwarded to the City Staff Review Committee (now known as the City Development Services Department) for review and comment with no objections stated.

The proposed name of Valor Way SW was chosen due to the location of the Bret Sunner Memorial Park, located in the northeasterly corner of H Street SW and Diagonal Drive SW. This park is scheduled to be dedicated on Thursday, May 15, 2014. The Police Department, Fire Department, and Parks and Recreation Department staff support the name change to Valor Way SW as a fitting descriptor and means of paying homage to fallen police officers and firefighters in Cedar Rapids.

The first reading of the Ordinance was held and passed on April 8, 2014.

### **Action / Recommendation:**

The Public Works Department recommends holding the second and possible third readings of the Ordinance.

### **Alternative Recommendation:**

Defer readings of the ordinance to rename said portion of H Street SW until additional information is provided to address City Council questions or requests.

**Time Sensitivity:** Normal

**Ordinance Date:** Proposed timeline as follows:

2<sup>nd</sup> reading of Ordinance, possible 3<sup>rd</sup> reading: April 22, 2014

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** NA

**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): Police Chief Wayne Jerman, Fire Chief Mark English, and Sven Leff, Parks and Recreation Director presented the proposal to the Development Services City Council subcommittee at their meeting on Wednesday, February 26, 2014. The Development Services Committee unanimously supported the street name change as proposed.

BSD ENG  
CD CLK  
FIR ASR  
TED STR  
PD LC AUD  
SWM POST OFFICE  
RCR VOTER REG  
FIN IT-GIS  
DSD WTR  
LC SHERIFF  
AMBULANCE  
STREET-007954-2014

**ORDINANCE NO.**

**AN ORDINANCE CHANGING THE NAME OF “H STREET SW”  
TO “VALOR WAY SW”  
(For that portion of H Street SW, from  
Diagonal Drive SW northwesterly to the northwesterly end  
of H Street SW, a distance of approximately 730 feet)**

SECTION 1. Findings of the City Council of the City of Cedar Rapids, Iowa:

- a. The City of Cedar Rapids Police Department has submitted a street name change application to the City Public Works Department in accordance with the requirements of Section 3. (b) of Ordinance No. 073-02 pertaining to renaming existing streets.
- b. The City Public Works Director/City Engineer recommends that H Street SW, from Diagonal Drive SW northwesterly to the northwesterly end of H Street SW, a distance of approximately 730 feet be renamed “Valor Way SW”.
- c. Per Section 33D.07 3. (b) of Ordinance 073-02, ten (10) properties have been identified abutting the above-described portion of H Street SW.
- d. The adjoining property owners submitted no objections to the City concerning the proposed street renaming.
- e. As required by Section 33D.07 3. (c) of said Ordinance 073-02, a public hearing was held on March 25, 2014 to consider the street name change noted. No objections were received by the City.
- f. As required by Section 33D.07 3. (d) of said Ordinance 073-02, the application and public input were considered by the City Staff Review Committee (now known as the City Development Services Department) on March 27, 2014, including a recommendation to City Council supporting the street name change proposed. Any objections filed against the street name change are superseded by support of the City Council.

SECTION 2. That the street now named H Street SW for the area from Diagonal Drive SW northwesterly to the northwesterly end of said street, a distance of approximately 730 feet in Cedar Rapids, Iowa be renamed and designated as “Valor Way SW”.

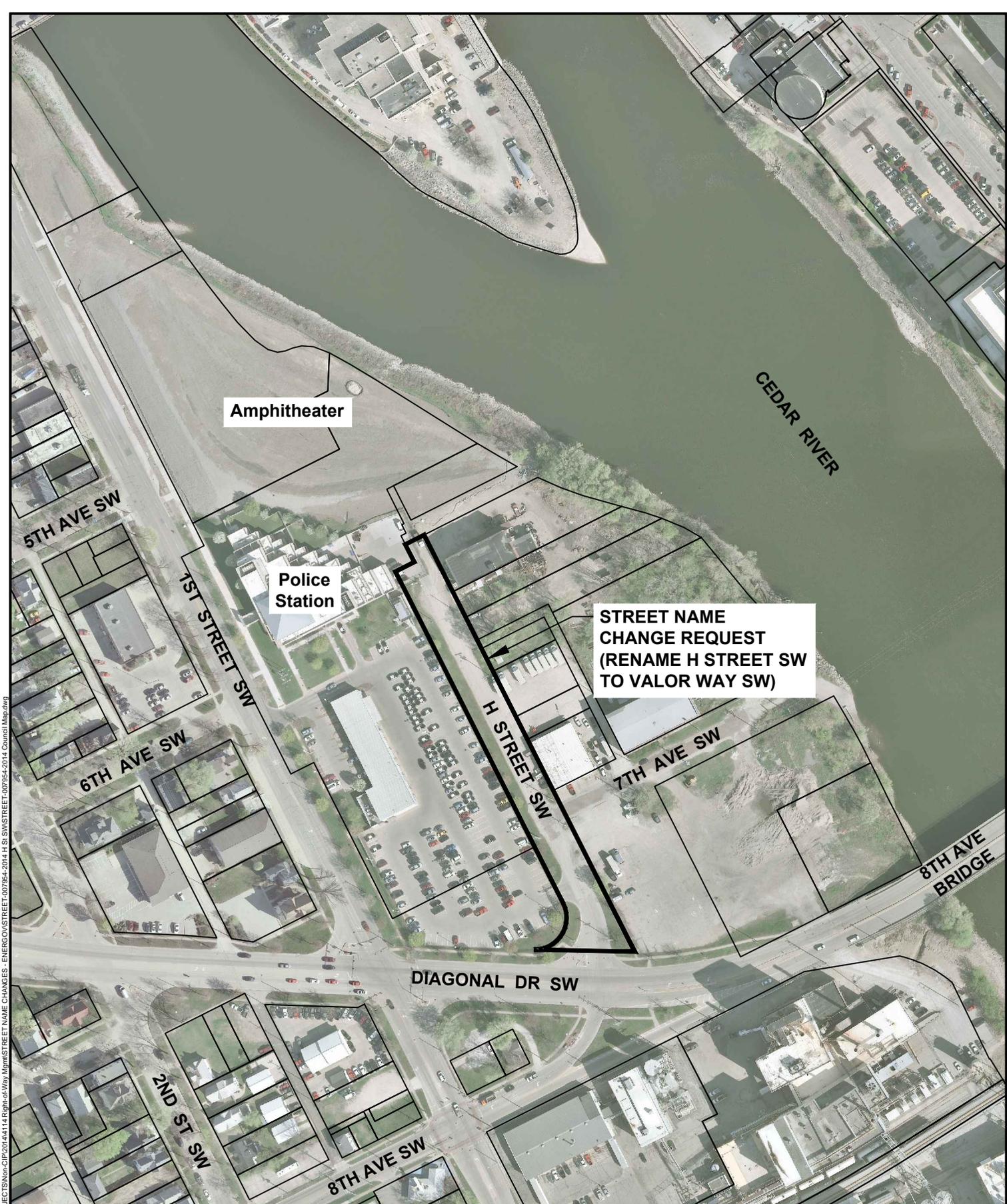
SECTION 3. That the City Clerk shall certify and file this ordinance with the Linn County Recorder and Linn County Auditor and place on file with the City of Cedar Rapids Finance Director, the City Public Works Department, the Development Services Department, the Department of Community Development, the City Solid Waste and Recycling Department, the City Police Department, the City Fire Department, the City Building Services Division, and City Information Technology Department.

SECTION 4. That all Ordinances or parts of Ordinances in conflict herewith are repealed.

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

Introduced this 8<sup>th</sup> day of April, 2014

Passed this 22<sup>nd</sup> day of April, 2014.



Amphitheater

Police Station

STREET NAME CHANGE REQUEST  
(RENAME H STREET SW TO VALOR WAY SW)

CEDAR RIVER

5TH AVE SW

7ST STREET SW

H STREET SW

7TH AVE SW

8TH AVE BRIDGE

6TH AVE SW

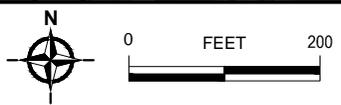
DIAGONAL DR SW

2ND ST SW

8TH AVE SW



**STREET NAME CHANGE REQUEST**  
**H STREET SW FROM DIAGONAL DRIVE SW TO DEAD END**  
**REQUESTED STREET NAME: VALOR WAY SW**



Cadd File Name: W:\PROJECTS\Non-CIP\2014\114 Right-of-Way Mgmt\STREET NAME CHANGES - ENERGO\STREET-007954-2014 H ST SW\STREET-007954-2014 Council Map.dwg