

“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, May 27, 2014 at 4:00 p.m. in the Council Chambers, 3rd Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to discuss and possibly act upon the matters as set forth below in this tentative agenda. (*Please silence cell phones and pagers.*)

A G E N D A

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations:

PUBLIC HEARINGS

1. A public hearing will be held to consider a request by Kingston Village LLC for an Urban Revitalization Area designation for the construction of a 64 unit apartment building for property at 6th Avenue SW between 2nd and 3rd Streets SW (Jennifer Pratt).
 - a. Resolution authorizing an Urban Revitalization Area designation for the construction of a 64 unit apartment building at 6th Avenue SW between 2nd and 3rd Streets SW; CIP/DID #OB959319
 - b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Kingston Village Urban Revitalization Area designation at 6th Avenue SW between 2nd and 3rd Streets SW. CIP/DID #OB959319
2. A public hearing will be held to consider enacting a new Chapter 42A of the Municipal Code, Aggressive Solicitation, pertaining to begging or solicitation of money, by placing certain limitations on the means by which such activity occurs in order to protect public safety (Capt. Steve O’Konek).
 - a. First Reading: Ordinance enacting a new Chapter 42A of the Municipal Code, Aggressive Solicitation, pertaining to begging or solicitation of money, by placing certain limitations on the means by which such activity occurs in order to protect public safety. CIP/DID #OB506022

3. A public hearing will be held to consider a change of zone for property north of Highway 30 and east of Union Drive SW from A, Agriculture Zone District to R-2, Single Family Residence Zone District as requested by College Farms, LLC (Joe Mailander).
 - a. First Reading: Ordinance granting a change of zone for property north of Highway 30 and east of Union Drive SW from A, Agriculture Zone District to R-2, Single Family Residence Zone District as requested by College Farms, LLC. CIP/DID #RZNE-008536-2014

4. A public hearing will be held to consider a change of zone for property at 1408 4th 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. (Joe Mailander).
 - a. First Reading: Ordinance granting a change of zone for property at 1408 4th 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-008539-2014

5. A public hearing will be held to consider a change of zone for properties at 1008, 1012, 1018 and 1024 2nd Street SE, 208 11th Avenue SE, 1009, 1013, 1019 and 1021 3rd Street SE from RMF-2, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Acme Electric Company, Inc., 3rd Ward Development, LLC and the City of Cedar Rapids (Joe Mailander).
 - a. First Reading: Ordinance granting a change of zone for properties at 1008, 1012, 1018 and 1024 2nd Street SE, 208 11th Avenue SE, 1009, 1013, 1019 and 1021 3rd Street SE from MF-2, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Acme Electric Company, Inc., 3rd Ward Development, LLC and the City of Cedar Rapids. CIP/DID #RZNE-008553-2014

6. A public hearing will be held to consider a change of zone for 54 City-owned properties for the Single Family New Construction Program from R-3, Single Family Residence Zone District, RMF-1 and RMF-2, Multiple Family Residence Zone District and C-3, Regional Commercial Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by the City of Cedar Rapids (Joe Mailander).
 - a. First and possible Second and Third Readings: Ordinance granting a change of zone for the Single Family New Construction Program from R-3, Single Family Residence Zone District, RMF-1 and RMF-2, Multiple Family Residence Zone District and C-3, Regional Commercial Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by the City of Cedar Rapids (**FLOOD**). CIP/DID #RZNE-008880-2014

7. A public hearing will be held to consider the Fiscal Year 2014 Budget Amendment (Casey Drew).
 - a. Resolution approving Fiscal Year 2014 Budget Amendment. CIP/DID #OB1187650

8. A public hearing will be held to consider the vacation and disposition of public ways and grounds in and to the property described as Buffalo Road NE between Blairs Ferry Road and Edgewood Road as requested by Transamerica Life Insurance Company (Rita Rasmussen).
 - a. First and possible Second and Third Readings: Ordinance vacating public ways and grounds in and to the property described as Buffalo Road NE between Blairs Ferry Road and Edgewood Road as requested by Transamerica Life Insurance Company; CIP/DID #41-13-034
 - b. Resolution authorizing the disposition of the property described as Buffalo Road NE between Blairs Ferry Road and Edgewood Road as requested by Transamerica Life Insurance Company. CIP/DID #41-13-034
9. A public hearing will be held to consider the proposal to discontinue the Parks and Recreation Commission created by Municipal Code Section 6.05, discontinue the River Recreation Commission created by Municipal Code Section 6.14, create a new Municipal Code Section 6.05, Parks, Waterways and Recreation Commission, and amend Chapter 55 of the Municipal Code concerning boat and other river regulations, and directing that notice be published (Sven Leff).
 - a. First Reading: Ordinance amending the Municipal Code of the City of Cedar Rapids, Iowa, by: repealing sections 6.05 and 6.14 of the Cedar Rapids Municipal Code concerning City Administration; adopting a new section 6.05 of the Cedar Rapids Municipal Code concerning City Administration; repealing sections 55.01(d), 55.06, 55.07, 55.08, 55.11, 55.12, 55.13, 55.14, 55.15 and 55.17 of the Cedar Rapids Municipal Code concerning boat and other river regulations; and adopting new sections 55.01(d), 55.06, 55.07, 55.08, 55.11, 55.12, 55.13, 55.14, 55.15 and 55.17 of the Cedar Rapids Municipal Code concerning boat and other river regulations. CIP/DID #OB1187380
10. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 42nd Street NE and I-380 Intersection Improvements project (estimated cost is \$423,000) (Doug Wilson).
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 42nd Street NE and I-380 Intersection Improvements project. CIP/DID #301614-02
11. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Boyson Road NE Pavement Rehabilitation Improvements from C Avenue NE to East Corporate Limits project (estimated cost is \$470,000) (Doug Wilson).
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Boyson Road NE Pavement Rehabilitation Improvements from C Avenue NE to East Corporate Limits project (**Paving for Progress**). CIP/DID #3012085-02
12. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Veterans Memorial Stadium 2014 Storm Sewer Improvements – Phase II project (estimated cost is \$220,000) (Doug Carper).
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Veterans Memorial Stadium 2014 Storm Sewer Improvements – Phase II project. CIP/DID #314338-04

13. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 1st Street SW Alley from 3rd to 5th Avenue SW Sanitary Sewer Repair project (estimated cost is \$132,000) (Dave Wallace).
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 1st Street SW Alley from 3rd to 5th Avenue SW Sanitary Sewer Repair project (**FLOOD**). CIP/DID #SSD103-13
14. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Road project (estimated cost is \$374,000) (Steve Hershner).
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Road project. CIP/DID #625542-2014058-02
15. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 16th Ave SW & Williams Blvd SW Water Main Loop Closure project (estimated cost is \$60,000) (Steve Hershner).
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 16th Ave SW & Williams Blvd SW Water Main Loop Closure project. CIP/DID #2014046-01
16. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 16th Avenue SW (400-Ft East of 23rd Street SW to Williams Blvd SW) Water Main Rehabilitation project (estimated cost is \$460,000) (Steve Hershner).
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 16th Avenue SW (400-Ft East of 23rd Street SW to Williams Blvd SW) Water Main Rehabilitation project. CIP/DID #2011061-02

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.**

17. Motion to approve minutes.

18. Motions setting public hearing dates for:

- a. June 10, 2014 – to consider a change of zone for property at 1023 and 1027 6th Street SE from R-TN, Traditional Neighborhood Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Sky's Edge Development, L.C.; CIP/DID #RZNE-008869-2014
- b. June 10, 2014 – to consider a change of zone for property at 1140 C Street SW and 1223 1st Street SW from O-S, Office/Service Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Sky's Edge Development, L.C.; CIP/DID #RZNE-008870-2014
- c. June 10, 2014 – to consider amending Chapter 12 of the Municipal Code, Water Service, to clarify the intent and implementation of the water connection fee; CIP/DID #OB1214393
- d. June 10, 2014 – to consider amending Chapter 13 of the Municipal Code, Wastewater Facilities, to clarify the intent and implementation of the sanitary sewer connection fee. CIP/DID #OB1214394

19. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for June 10, 2014 and advertising for bids by publishing notice to bidders for the FY 2015 Curb Repair Project – Contract 1 project and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on June 18, 2014 (estimated cost is \$330,000) **(Paving for Progress)**. CIP/DID #301998-06

20. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for June 10, 2014 and advertising for bids by publishing notice to bidders for the Edgewood Road Pedestrian Overpass Bridge and Shared Use Path from Prairie Valley Court SW to 37th Avenue SW project, with bid opening scheduled for June 17, 2014 at the Iowa Department of Transportation (estimated cost is \$1,766,000). CIP/DID #305121-02

21. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for June 10, 2014 and advertising for bids by publishing notice to bidders for the 29th Street NE from Oakland Road NE to Prairie Drive NE Traffic Signal Improvements project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on June 11, 2014 (estimated cost is \$334,000). CIP/DID #306204-02

22. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for June 10, 2014 and advertising for bids by publishing notice to bidders for the Cedar Rapids Police Department Firearms Range Improvements – Phase I project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on June 18, 2014 (estimated cost is \$690,000). CIP/DID #310333-10

23. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for June 10, 2014 and advertising for bids by publishing notice to bidders for the 19th Street SE, Bever Avenue SE, And Garden Drive SE Pavement Rehabilitation Improvements project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on June 18, 2014 (estimated cost is \$1,428,000) **(Paving for Progress)**. CIP/DID #3012081-02
24. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for June 10, 2014 and advertising for bids by publishing notice to bidders for the FY 2015 Sidewalk and Ramp Repair Program – Contract No. 1 project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on June 11, 2014 (estimated cost is \$133,000). CIP/DID #3017015-01
25. Motion to approve the Tax Exemption Certificate for Series 2014C and the Continuing Disclosure Certificate for Series 2014C.
- a. Resolution authorizing and providing for the issuance of and securing the payment for \$11,570,000 Sewer Revenue Bonds, Series 2014C, under the provisions of the City Code of Iowa, and providing for a method of payment of the bonds. CIP/DID #OB838449
26. Motion to approve the Tax Exemption Certificate for Series 2014D and the Continuing Disclosure Certificate for Series 2014D.
- a. Resolution authorizing and providing for the issuance of and securing the payment for \$4,570,000 Water Revenue Bonds, Series 2014D, under the provisions of the City Code of Iowa, and providing for a method of payment of the bonds. CIP/DID #OB838449
27. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
- a. Blind Pig, 3325 Center Point Road NE (new – new ownership);
 - b. Brewed Cafe, 1101 3rd Street SE (5-day permit for an event at the Cedar Rapids Public Library, 450 5th Avenue SE, on June 7, 2014);
 - c. Casa Las Glorias, 2245 Blairs Ferry Road NE;
 - d. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at 475 1st Street SW (McGrath Amphitheatre Cedar Rapids), for an event on June 13, 2014);
 - e. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at 475 1st Street SW (McGrath Amphitheatre Cedar Rapids), for an event on June 6, 2014);
 - f. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at 475 1st Street SW (McGrath Amphitheatre Cedar Rapids), for an event on June 20, 2014);
 - g. Cedar River Landing, 310 F Avenue NW (outdoor service for an event on June 20-22, 2014);
 - h. Cedar River Landing, 310 F Avenue NW (outdoor service for an event on June 6-8, 2014);
 - i. Cedar River Landing, 310 F Avenue NW (outdoor service for an event on June 14-15, 2014);
 - j. Cedar River Landing, 310 F Avenue NW (outdoor service for an event on July 4-6, 2014);
 - k. Chrome Horse Slop House & Saloon, 1202 3rd Street SE (outdoor service for an event on June 27-28, 2014);
 - l. Chrome Horse Slop House & Saloon, 1202 3rd Street SE (outdoor service for an event on June 20-22, 2014);
 - m. Clarion Hotel & Convention Center, 525 33rd Avenue SW (outdoor service for an event on June 8, 2014);
 - n. Club Basix, 3916 1st Avenue NE (outdoor service for an event on May 31-June 2, 2014);
 - o. Cobble Hill Eatery & Dispensary, 219 2nd Street SE (adding native wine);
 - p. CVS/Pharmacy #8526, 4116 Center Point Road NE;
 - q. CVS/Pharmacy #8532, 2711 Mount Vernon Road SE;

- r. Dublin City Pub, 415 1st Street SE;
- s. Fraternal Order of Eagles Post #2272, 1735 11th Street NW;
- t. Hy-Vee #7 Club Room, 5050 Edgewood Road NE (transfer to 50 2nd Avenue Bridge for an event on June 10, 2014);
- u. JM O'Malley's, 1502 H Avenue NE (outdoor service for an event on June 6-24, 2014);
- v. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on June 14-18, 2014);
- w. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on June 25-29, 2014);
- x. NewBo City Market, 1100 3rd St SE (outdoor service for an event on June 7, 2014);
- y. Olive Garden, 367 Collins Road NE;
- z. Pancheros Mexican Grill, 2315 Edgewood Road SW;
- aa. Pizza Hut #4311, 223 Collins Road NE;
- bb. Pizza Hut #4351, 1640 Edgewood Road SW;
- cc. Popoli Ristorante & Sullivan's Bar, 101 3rd Avenue SW (outdoor service for a sidewalk cafe);
- dd. Red Lobster #870, 163 Collins Road NE;
- ee. Red Robin America's Gourmet Burgers & Spirits, 4625 1st Avenue SE;
- ff. Rock Bar American Grill, 219 2nd Avenue SE (new – formerly Ginsberg Jewelers);
- gg. Rumors, 400 F Avenue NW (outdoor service for an event on May 30 – June 1, 2014);
- hh. Rumors, 400 F Avenue NW (outdoor service for an event on June 13-15, 2014);
- ii. Sierra Foods, 3326 Center Point Road NE (switching to Class E Liquor);
- jj. Time Out Lounge, 3230 16th Avenue SW;
- kk. Tobacco Outlet Plus #560, 2846 Mount Vernon Road SE.

- 28. Resolutions (2) approving payment of bills and payroll. CIP/DID #OB1143566
- 29. Resolution approving Iowa Association of Business and Industry (ABI) Taking Care of Business Conference reception event on the 2nd Avenue Bridge (includes road closure) on June 10, 2014. CIP/DID #SPEC-017361-2014
- 30. Resolution establishing two non-regular, temporary/hourly FTEs for the Civil Rights Commission from grant funding beginning July 1, 2014, to assist in outreach and investigations related to HUD. CIP/DID #OB629963
- 31. Resolution determining the necessity and setting dates of a public hearing for June 24, 2014 and consultation with affected taxing entities to be held on the proposed Amendment No. 1 to the Urban Renewal Plan for the River Ridge North Urban Renewal Area. CIP/DID #OB1214405
- 32. Resolution determining the necessity and setting dates of a public hearing for June 24, 2014 and consultation with affected taxing entities to be held on the proposed Amendment No. 1 to the Urban Renewal Plan for the Rockwell Collins Urban Renewal Area. CIP/DID #OB1214406
- 33. Resolution determining the necessity and setting dates of a public hearing for June 24, 2014 and consultation with affected taxing entities to be held on the proposed Amendment No. 1 to the Urban Renewal Plan for the Village Urban Renewal Area. CIP/DID #OB1214407

34. Resolutions approving assessment actions:
- a. Intent to assess – Solid Waste & Recycling – clean-up costs – two properties; CIP/DID #OB1214305
 - b. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 47 properties; CIP/DID #OB1214352
 - c. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 32 properties. CIP/DID #OB1145793
35. Resolutions accepting projects, approving Performance Bonds and/or authorizing issuance of final payments:
- a. Cedar Rapids Convention Complex – Video Technology Systems project, final payment in the amount of \$37,413.11 and 2-year Performance Bond submitted by TS Sports (original contract amount was \$2,305,818.78; final contract amount is \$2,323,600.49); CIP/DID #535100-06
 - b. 6th Street SW Corridor Improvements from Waconia Avenue to Prairie Creek project, Change Order Nos. 15 and 16 deducting a total amount of \$146,932.10, final payment in the amount of \$30,000 and 4-year Performance Bond submitted by Horsfield Construction, Inc. (original contract amount was \$5,364,048.14; final contract amount with this amendment is \$5,275,212.03); CIP/DID #305079-02
 - c. Veterans Memorial Phase III – Bid Package #12 – Mechanical, HVAC and Plumbing project, final payment in the amount of \$48,734.16 and 2-Year Performance Bond submitted by Day Mechanical Systems, Inc. (original contract amount was \$918,800; final contract amount is \$974,683.21) (**FLOOD**); CIP/DID #VME001-06
 - d. Citywide Energy Management System project, final payment in the amount of \$28,490.53 and 2-Year Performance Bond submitted by Halvorson Trane (original contract amount was \$475,745; final contract amount is \$569,810.87) (**FLOOD**). CIP/DID #0110-161
36. Resolutions authorizing execution of Development Agreements and Special Warranty Deeds for City-owned property participating in the third round of the Single Family New Construction (SFNC) Program (**FLOOD**). CIP/DID #OB540257
- a. Cedar Ridge Homes, Inc. for property at 235 11th Street NW;
 - b. S&J Homes, LLC for property at 359 14th Avenue SW;
 - c. Skogman Construction Company of Iowa for property at 623 3rd Avenue SW;
 - d. Skogman Construction Company of Iowa for property at 818 10th Street SW;
 - e. Thomas Dostal Developers, Inc. for property at 1791 Mallory Street SW.
37. Preliminary Resolution for the construction of pavement improvements for the Alley between F Avenue and G Avenue NW from 9th Street to 8th Street Portland Cement Concrete Pavement project. CIP/DID #3012104-00
38. Resolution approving the establishment and installation of school crosswalks on the north and west approaches of the E Avenue and 13th Street NW intersection for Roosevelt Middle School. CIP/DID #60-14-036
39. Resolution authorizing and providing for the issuance of \$4,280,000 General Obligation Bonds, Series 2014A, levying a tax to pay said bonds, approval of tax exemption certificate and continuing disclosure certificate. CIP/DID #OB838449
40. Resolution authorizing and providing for the issuance of \$10,475,000 Taxable General Obligation Urban Renewal Bonds, Series 2014B, levying a tax to pay said bonds and approval of continuing disclosure certificate. CIP/DID #OB838449

41. Resolution authorizing the IT CIO and EAS Manager, for an amount not to exceed \$6,900, to attend the Gartner Infrastructure & Operations Management Summit in Orlando, Florida. CIP/DID #OB1214277
42. Resolutions approving actions regarding Purchases/Contracts/Agreements:
- a. Amendment No. 5 to Agreement for Legislative Services with Heartland Strategies, LLC, (formerly known as Grant Consulting LLC/L&L Murphy Consulting Associates) for the one year period of July 1, 2014 – June 30, 2015 for an amount not to exceed of \$60,000 (original contract amount is \$60,000; total contract with this amendment is \$360,000); CIP/DID #OB259069
 - b. Amendment No. 2 to renew Contract for Fuel Services with Fauser Energy Resources for all City departments, The Eastern Iowa Airport and the Cedar Rapids/Linn County Solid Waste Agency for an estimated annual amount of \$3,800,000 (original contract amount was \$3,200,000; renewal contract amount is \$3,800,000); CIP/DID #0410-250
 - c. Amendment No. 4 to add services to Agreement for Health Services for the Human Resources Department with St. Luke's Work Well Solutions, for an amount not to exceed \$30,000 (original contract amount was \$52,162.46; renewal contract amount with this amendment is \$115,000); CIP/DID #0909-068A
 - d. Amendment No. 1 to renew Agreement for EMC Avamar Enterprise Backup Solution for the Information Technology Department with Ahead LLC for an amount not to exceed \$270,000 (original contract amount was \$225,063.02; renewal contract amount is \$270,000); CIP/DID #0313-217
 - e. Amendment No. 1 to renew Agreement for NetApp Primary & Secondary SAN Solutions for the Information Technology Department with IP Pathways, LLC for an amount not to exceed \$150,000 (original contract amount was \$284,286.83; renewal contract amount is \$150,000); CIP/DID #0313-216
 - f. Amendment No. 10 to the Contract for City Services Center Furniture, Fixtures and Equipment (FF&E) Packages with Triplett Interior Solutions to move three workstations for Traffic Engineering that were not on the original specifications for an amount not to exceed \$400 (original contract amount was \$299,520.80; total contract amount with this amendment is \$375,556.13) **(FLOOD)**; CIP/DID #0113-154
 - g. Amendment No. 2 to the Professional Services Agreement with Arcadis U.S., Inc. (dba Red Oak Consultants) for the Utilities Financial Planning and Cost of Service Rate Model Update for an amount not to exceed \$9,000 (original contract was \$22,600; total contract with this amendment is \$31,600); CIP/DID #621521108-13
 - h. Amendment No. 17 to the Disaster Recovery Housing Contract 08-DRH-008 with the Iowa Economic Development Authority (IEDA) (original contract amount was \$7,085,247; total contract amount with this amendment is \$47,604,523); CIP/DID #08-DRH-008
 - i. Amendment No. 18 to the Disaster Recovery Housing Contract 08-DRH-008 with the Iowa Economic Development Authority (IEDA) (original contract amount was \$7,085,247; total contract amount with this amendment is \$49,297,343); CIP/DID #08-DRH-008
 - j. Amendment No. 14 to the Disaster Recovery Housing Contract 08-DRH-208 with the Iowa Economic Development Authority (IEDA) (original contract amount was \$12,146,137; total contract amount with this amendment is \$60,418,505); CIP/DID #08-DRH-008
 - k. Amendment No. 2 to the Private Redevelopment Agreement with Matthew 25 Ministry Hub, Inc., for the disposition and redevelopment of City-owned properties at 432, 500, and 502 F Avenue NW; CIP/DID #OB540257

- l. Amendment to the Development Agreement approved as part of the Final Plat of Ellis Park Church of God First Addition, and approving a Concrete Sidewalk Petition and Assessment Agreement, for property located at 2260 Edgewood Road NW; CIP/DID #47-12-003
- m. Amending Resolution No. 1799-10-86 Condition No. 1 to except Lot 12 from the requirement that vehicular access is restricted to internal drives only; CIP/DID #OB1214396
- n. Change Order No. 15 in the amount of \$291,466.15 with Peterson Contractors, Inc. for the 1st Avenue (IA 922/US BUS 151) Marion Boulevard & Collins Road, PCC (Portland Cement Concrete) Pavement Widening with HMA (Hot Mix Asphalt) Resurfacing project (original contract amount was \$7,661,700.36; total contract amount with this amendment is \$9,095,338.54); CIP/DID #301447-02
- o. Change Order No. 9 (Final) deducting the amount of \$106,397.77 with Zinser Grading & Excavating, LLC for the E Avenue NW – Phase II 13th Street to Ellis Boulevard Storm Sewer, Water Main, Sidewalk and Street Improvements project (original contract amount was \$3,037,467.35; total contract amount with this amendment is \$2,935,916.38); CIP/DID #304037-06
- p. Change Order No. 19 in the amount of \$111,660.04 with Price Industrial Electric, Inc. for the Joint Communications Network Splicing and Testing – Groups 1 and 3, Traffic Signal Interconnect Groups 1 and 2 project (original contract amount was \$1,148,668; total contract amount with this amendment is \$2,098,569.70); CIP/DID #354004-05
- q. Change Order No. 10 in the amount of \$60,232.82 with S.M. Hentges & Sons, Inc. for the Cedar River Sanitary Sewer Crossing Improvements project (original contract amount was \$5,394,964; total contract amount with this amendment is \$5,599,498.20); CIP/DID #655080-03
- r. Change Order No. 1 in the amount of \$26,416 with S.M. Hentges & Sons, Inc. for the Indian Creek Trunk Sanitary Sewer Segment 2 – Phase 2 Reconstruction project (original contract amount was \$1,835,940.67; total contract amount with this amendment is \$1,862,356.67); CIP/DID #655625-05
- s. Change Order No. 7 (Final) deducting the amount of \$21,516.42 with Ricklefs Excavating, Ltd. for the Bever-Linden-Blake SE Area 2011 Water Main Improvements – Phase 1 project (original contract amount was \$437,716.80; total contract amount with this amendment is \$453,887.72); CIP/DID #2011025-02
- t. Change Order No. 4 (Final) deducting the amount of \$27,853.90 with L.L. Pelling Company, Inc. for the 8th Street SE Rehabilitation from 1st Avenue E to 3rd Avenue SE project (original contract amount was \$377,390.75; total contract amount with this amendment is \$416,784.49); CIP/DID #3012057-02
- u. Change Order No. 16 in the amount of \$12,164 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 \$15,578,957.10) **(FLOOD)**; CIP/DID #PLE001-20
- v. Change Order No. 11 in the amount of \$27,519.27 with Bowker Mechanical Contractors, LLC for the Cedar Rapids Public Library Project – Fire Suppression, Plumbing & HVAC project (original contract amount was \$3,676,000; total contract amount with this amendment is \$3,978,828.89) **(FLOOD)**; CIP/DID #PLE001-21
- w. Change Order No. 11 in the amount of \$11,042.21 with Maxwell Construction, Inc. for the 2nd Street SE From 9th Avenue to the Sinclair Site Sanitary Sewer Reconstruction project (original contract amount was \$2,791,496.24; total contract amount with this amendment is \$3,025,173.51) **(FLOOD)**; CIP/DID #SSD005-02

- x. Change Order No. 2 for the Hoover Trail Park project in the amount of \$3,495 (original contract amount was \$62,998; total contract amount with this amendment is \$71,608.25); CIP/DID #307222-01
- y. Awarding and approving contract in the amount of \$1,373,570.60 plus incentive up to \$49,000, bond and insurance of Rathje Construction Company for the 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 3 project (estimated cost is \$1,720,000) (**FLOOD**); CIP/DID #SSD103-12
- z. Memorandum of Agreement with the Federal Bureau of Investigation for continued use of the Cedar Rapids Police Department's firearms range located at 2727 Old River Road SW, in exchange for the FBI providing additional funding for facility improvements; CIP/DID #OB310333
- aa. Memorandum of Agreement with the City of Mount Vernon for continued use of the Cedar Rapids Police Department's firearms range at 2727 Old River Road SW, in exchange for the City of Mount Vernon providing funding for facility improvements; CIP/DID #OB310333
- bb. Fire Department purchase of radio equipment from RACOM Corporation for an amount not to exceed \$100,000 through June 30, 2015; CIP/DID #OB1214275
- cc. Transit Department purchase of one 176" wheelbase, diesel, light-duty, ADA bus in the amount of \$85,000; CIP/DID #OB1214269
- dd. Accepting Cedar Rapids Convention Complex Hotel Guest Room Fabrications project and authorizing issuance of final payment to DI, LLC in the amount of \$9,044 (original contract amount was \$189,219.10; final contract amount is \$240,901.04); CIP/DID #0712-020
- ee. Fleet Services Division purchase of a computer equipment package from Keltek Incorporated, to be used to equip eight new Police Department vehicles, in the amount of \$106,569.39; CIP/DID #B27172
- ff. Doubletree Management, LLC to execute a Maintenance Agreement with O'Keefe Elevator Company for a term of five years, commencing on June 1, 2014 in connection with the Cedar Rapids Convention Complex Hotel project; CIP/DID #OB1214451
- gg. Doubletree Management, LLC to execute a Maintenance Agreement with Schindler Elevator Company for a term of 10 years, commencing on June 1, 2014 in connection with the Cedar Rapids Convention Complex Hotel project; CIP/DID #OB1214452
- hh. Fleet Services Division purchase of an emergency equipment package from Keltek Incorporated, to up fit eight new Police Department vehicles, in the amount of \$65,268.77; CIP/DID #4603-14
- ii. Contract for Energy Management System (EMS) Monitoring and Maintenance Services with Halvorson Trane for Facilities Maintenance Services for an annual amount not to exceed \$84,720; CIP/DID #0314-169
- jj. Contract for Banking and Investment Services with US Bank for the Finance Department – Treasury Operations for an annual amount not to exceed \$800,000; CIP/DID #0214-140
- kk. Fire Department purchase of 28 self-contained breathing apparatus (SCBA) units from Sandry Fire Supply, L.L.C. in the amount of \$112,700; CIP/DID #0514-194
- ll. Fleet Services purchase and delivery of three mid-size sedans from Billion Automotive in the amount of \$47,400; CIP/DID #0414-178
- mm. Letter of Agreement Renewal with B. G. Brecke, Inc. for the Repair of Water Service Lines FY15 for an estimated cost of \$245,284.20; CIP/DID #521108-15
- nn. Purchase Order in the amount of \$58,164.34 to ORACLE for renewal of the annual software license and technical support for the Water Division's Customer Care and Billing Solution System for Fiscal Year 2015; CIP/DID #OB569172

- oo. Renewal of ESRI GIS Software Maintenance with Environmental Systems Research Institute, Inc., (original contract amount was \$56,961.23; renewal contract amount is \$60,150); CIP/DID #OB669557
- pp. Professional Services Agreement with Stanley Consultants, Inc. for an amount not to exceed \$53,400 for the construction and Title V Permit updates and review, the CY2014 Title V Emissions Inventory, Semi-Annual Monitoring Reports, and Annual Compliance Certification for the Water Pollution Control Facility; CIP/DID #611004-01
- qq. Housing Enterprise Zone Program Agreement with the Iowa Economic Development Authority for TAT Investments for the construction of a four-story multi-use building at 200, 210 and 212 3rd Avenue SW; CIP/DID #OB1058251
- rr. Agreement for Use of Local Agency Roads as Detours with the Iowa Department of Transportation (IDOT) for use of local city streets as a detour during the US Highway 30 Pavement Replacement project. CIP/DID #49-14-002

REGULAR AGENDA

- 43. Report on bids for the 1st Avenue East from 34th Street to 40th Street Utilities Rehabilitation project (estimated cost is \$2,275,000) (Gary Petersen). CIP/DID #301240-04
- 44. Report on bids for the C3 Clarifier Rehabilitation project (estimated cost is \$826,000) (Steve Hershner).
 - a. Resolution awarding and approving contract in the amount of \$1,030,000, bond and insurance of WRH, Inc. for the C3 Clarifier Rehabilitation project. CIP/DID #615172-02
- 45. Discussion and Resolution directing staff to require a Preliminary Site Development Plan for all development projects which require an Administrative Site Development Plan per the Zoning Ordinance and are located within an established Design Review Overlay District (Seth Gunnerson). CIP/DID #OB1214423

ORDINANCES

(Third Reading)

- 46. 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

(Second and possible Third Readings)

- 47. Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the 1612 Development Urban Revitalization Area designation at 1612 C Street SW. CIP/DID #OB1115298
- 48. Ordinance establishing the Willowbrook-Georgia-Woodview Water and Sewer Extension Area. CIP/DID #OB1115312

(Second Reading)

49. 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

PUBLIC INPUT

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

CITY MANAGER COMMUNICATIONS AND DISCUSSION

COUNCIL COMMUNICATIONS AND DISCUSSION

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

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

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

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



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Alternate Contact Person: Kirsty Sanchez

Phone Number/Ext: 319 286-5428

Email: k.sanchez@cedar-rapids.org

Description of Agenda Item: Consent Public Hearing Regular Agenda

A public hearing will be held 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 6th Avenue SW between 2nd and 3rd Streets.

- a. Resolution authorizing an Urban Revitalization Area designation for the construction of a sixty-four unit apartment building at 6th Avenue SW between 2nd and 3rd Streets SW. CID/DID #OB959319
- b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Kingston Village Urban Revitalization Area designation at 6th Avenue SW between 2nd and 3rd Streets SW. 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 6th Avenue SW between 2nd and 3rd 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
- Provides a mix of affordable and market-rate rental units
- Consistent with the goals and objectives of the Kingston Village 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 holding the public hearing, approval of the resolution and possible First Reading.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

N/A

Resolution Date: N/A

Estimated Presentation Time: 5 minutes

Budget Information (if applicable):

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):

RESOLUTION NO.

A RESOLUTION TO APPROVE THE
KINGSTON VILLAGE URBAN REVITALIZATION PLAN

WHEREAS, the proposed Urban Revitalization Plan for the construction of a sixty-four unit apartment building for property at 6th Avenue SW between 2nd and 3rd Streets, provides infill redevelopment for residential uses as provided under State Law; and

WHEREAS, on May 27, 2014 the City Council held the required Public Hearing in connection with the said proposed Project; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa that said Plan for the Kingston Village Urban Revitalization Area, as attached hereto as Exhibit A, and by reference herewith is made a part of this Resolution, is hereby approved and adopted.

Passed this 27th day of May, 2014.

KINGSTON VILLAGE Urban Revitalization Plan

Public Hearing: May 27, 2014

Kingston Village Urban Revitalization Plan

1.0 INTRODUCTION

The purpose of the formation of the Urban Revitalization Tax Exemption Area and Plan is to encourage the redevelopment of property located on 6th Avenue SW between 2nd and 3rd Streets. As allowed by the authority of the State of Code of Iowa, Chapter 404, the incentive for economic development through business expansion is provided by exempting a portion or all of property tax valuation added through qualified improvements for specified periods of time.

2.0 DESCRIPTION OF THE URBAN REVITALIZATION AREA

The area to be designated within the Urban Revitalization Tax Exemption Area (see Attachment 1 – Location Map) is approximately 1.55 acres in size and includes:

BEGINNING at a point located on the northeast corner of Lot 10, Block 18 of Mansfields 2nd Addition; THENCE in a southerly direction a distance of approximately 320 feet, across the public right-of-way known as 6th Avenue SW, to the southeast corner of Lot 2, Block 17 of Mansfields 2nd Addition; THENCE following the southern lot line of Lot 2, Block 17 of Mansfields 2nd Addition, a distance of approximately 45 feet to the public right-of-way known as Diagonal Drive SW; THENCE in a northwesterly direction, following the established right-of-way line for Diagonal Drive SW, a distance of approximately 310 feet to the southwest corner of Lot 6, Block 18 of Mansfields 2nd Addition; THENCE, in an easterly direction a distance of approximately 60 feet along the southern line of said Lot 6, to the southwest Corner of Lot 7, Block 18 of Mansfields 2nd Addition; THENCE in a northerly direction a distance of approximately 100 feet along western line of said Lot 7, to the southeast corner of the north 40 feet of Lot 6, Block 18 of Mansfields 2nd Addition; THENCE in a westerly direction a distance of 60 feet, parallel to the southern lot line of Lot 6, Block 18 of Mansfields 2nd Addition, to the western lot line of said lot; THENCE in a northerly direction a distance of 40 feet to the northwest corner of Lot 6, Block 18 of Mansfields 2nd Addition; THENCE in an easterly direction a distance of approximately 300 feet along the northern lot line of Lot 6, Lot 7, Lot 8, Lot 9 and Lot 10, Block 18 of Mansfields 2nd Addition to the POINT OF BEGINNING, containing approximately 1.55 acres and as shown in Exhibit B.

Said parcel is subject to easements and restrictions of record.

3.0 OWNERSHIP AND ASSESSED VALUATION

The Urban Revitalization Area, as specified in the legal description above, is comprised of ten parcels which are listed below along with property ownership and aggregate assessed value.

Address	Owner	Aggregate Assessed Value
518 2 nd Street SW	JZ Properties LLC	\$37,118
0 Vacant Land SW	City of Cedar Rapids	\$0
202 6 th Avenue SW	City of Cedar Rapids	\$0
206 6 th Avenue SW	John & Randa Khairallah	\$29,740
208 6 th Avenue SW	City of Cedar Rapids	\$0
216 6 th Avenue SW	City of Cedar Rapids	\$0
220 6 th Avenue SW	Cecil J and Tracy L Powell	\$44,722
222 6 th Avenue SW	Sam Tarbox	\$47,080
517 3 rd Street SW	City of Cedar Rapids	\$0
600 6 th Avenue SW	City of Cedar Rapids	\$0
Total		\$158,660

4.0 PROGRAM ACTIVITY

4.1 Land Use and Zoning

The proposed construction of a sixty-four unit apartment complex is consistent with the current RMF-2 Residential Multi-Family zoning and the Future Land Use Map in the City's Comprehensive Plan that designates the project area as CENTRAL BUSINESS DISTRICT.

4.2 City Services

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

4.3 Applicable Property

This Plan, and the tax exemption allowed herein, is applicable to the construction of a sixty-four unit apartment complex. Additional development within the property described in Section 2.0 of this Plan may be eligible for the tax exemption allowed herein, based upon the review and approval of the City of Cedar Rapids City Council. A written request by the developer must be reviewed to ensure consistency with the City Council goals of creating/retaining high quality jobs, significant increase in property valuation, and community benefits such as infill, connectivity, and mixed use development.

5.0 DURATION OF THE URBAN REVITALIZATION PLAN

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

6.0 PROCEDURES FOR CHANGES IN THE APPROVED PLAN

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

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

7.0 REVENUE BONDS

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

8.0 TAX EXEMPTION PROGRAM

8.1 Procedures

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

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

8.2 Tax Exemption Schedules

8.2.1 Schedule 1 - Residential Exemption:

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

8.2.2 Schedule 2 - Ten Year Declining Exemption:

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

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

8.2.3 Schedule 3 - Three Year Exemptions:

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

8.2.4 Schedule 4 - 10-Year Qualified Residential Exemption:

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

8.2.5 Election of Schedule:

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

8.3 Definitions

- (a) "Qualified Business or Other Non-Residential Tenant" shall mean the legal occupant of a building or part thereof and conducting a business or non-residential operation which is located within the designated Revitalization Area and who has occupied the same premises continuously since one year prior to the adoption of this Plan.
- (b) "Qualified Real Estate" shall mean real property, other than land, which is located in this Revitalization Area and to which improvements have been added during the time of the area was so designated, which have increased the actual value by at least fifteen percent (15%) or at least ten percent (10%), in the case of

land upon which is located more than one building (and not assessed as residential property) increased the actual value of the buildings to which the improvements have been made.

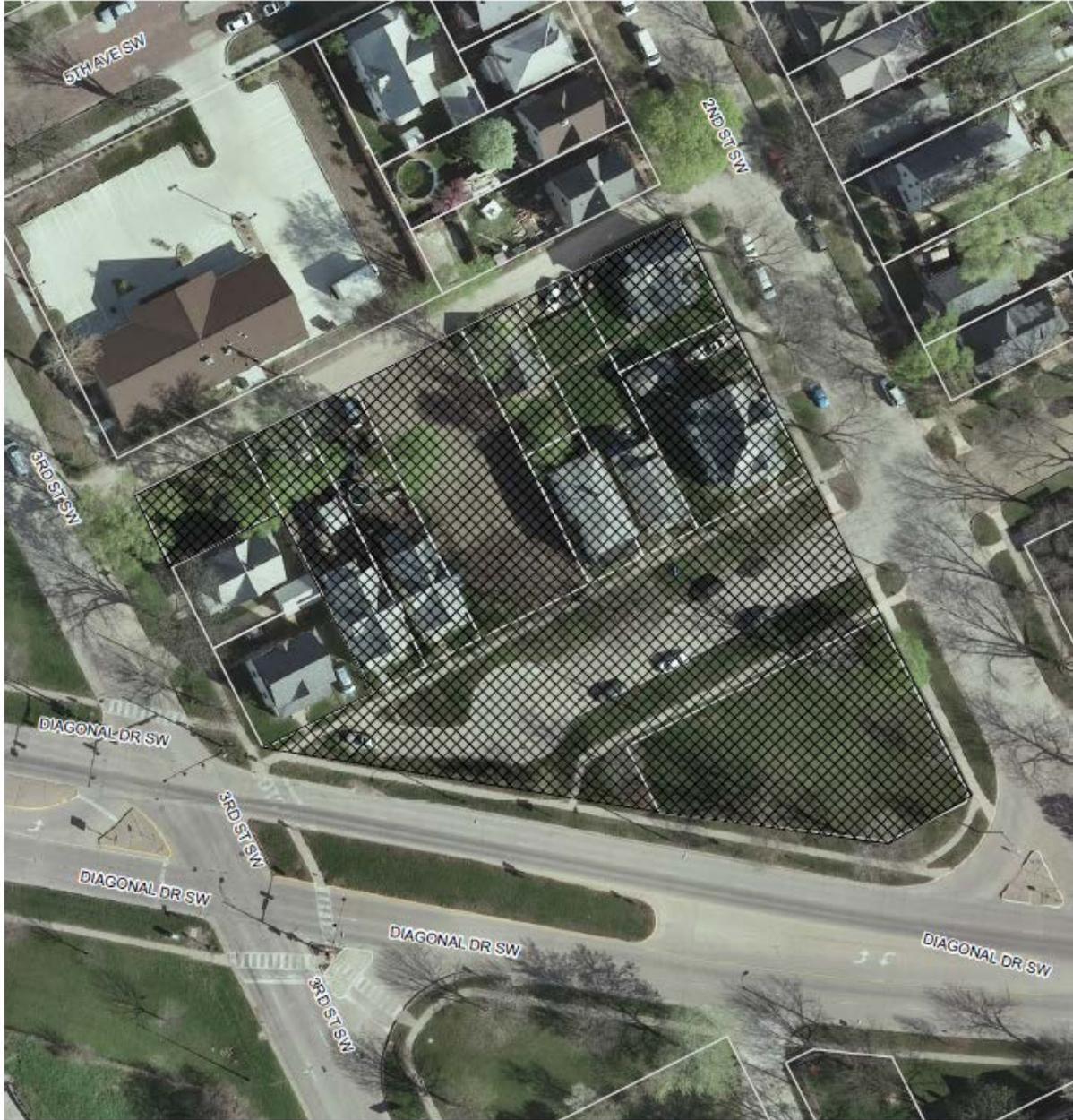
“Qualified Real Estate” also means land upon which no structure existed at the start of new construction, which is located in this Revitalization Area and upon which new construction has been added during the time the area was designated as a Revitalization Area.

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

9.0 RELOCATION

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

Exhibit B



ORDINANCE NO.

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

Section 1. That Subsection 17A.06 of the Municipal Code, City of Cedar Rapids, Iowa is hereby amended by the deletion of Division 83 and the addition of a new Division 83 as follows:

“Division 84. Kingston Village.” May 27, 2014 Resolution No. ____-05-14

Section 2. That Subsection 17A.06 of the Municipal Code, City of Cedar Rapids, Iowa is hereby amended by the addition of a new Division 85 as follows:

“Division 85. (Reserved)”

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

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

Section 5. That the afore described Amended Subsection of Chapter 17A shall be included as part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

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

Introduced this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Police Department

Presenter at meeting: Captain O'Konek **Phone Number/Ext:** 5525
E-mail Address: s.okonek@cedar-rapids.org

Alternate Contact Person: Deputy Chief Jonker **Phone Number/Ext:** 5338
E-mail Address: t.jonker@cedar-rapids.org

Description of Agenda Item:

A Public Hearing and possible First Reading to consider an Ordinance enacting a new Chapter 42A of the Municipal Code, Aggressive Solicitation, pertaining to begging or solicitation of money, by placing certain limitations on the means by which such activity occurs in order to protect public safety. CIP/DID #OB506022

Background:

In February 2013, the Police Department proposed to the Public Safety Committee an ordinance to address a concern of aggressive solicitation. The Public Safety Committee recommended the ordinance be presented to the full City Council. The ordinance has been reviewed by the City Attorney's office. The intent of this ordinance is to restrict the type of aggressive behavior often times present in certain situations or locations. The presence of individuals, who solicit money from persons at or near banks, automated teller machines, or in public transportation vehicles, is contrary to the public interest because of the heightened danger presented by threatening or aggressive conduct in such environments. Similarly, the solicitation of money by approaching motorists in traffic is contrary to the public interest, because it carries with it an implicit threat to the safe use of roadways.

This law is not intended to limit any persons in the exercise of their constitutional right to solicit funds, picket, protest, or engage in other constitutionally protected activity. Rather, its goal is to protect public safety by placing certain limitations on the location of such activity, and the manner in which it occurs, without regard to the content of any speech associated with that activity.

Action / Recommendation:

The Police Department recommends the City Council approve the First Reading enacting a new Chapter 42A of the Municipal Code, Aggressive Solicitation.

Alternative Recommendation: N/A

Time Sensitivity

Resolution Date: May 27, 2014

Estimated Presentation Time:

Recommended by Council Committee

Yes No

N/A

Explanation:

ORDINANCE NO.

AN ORDINANCE ADOPTING CHAPTER 42A OF THE MUNICIPAL CODE, CEDAR RAPIDS, IOWA, AS ENACTED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, PERTAINING TO AGGRESSIVE SOLICITATION

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

Section 1. New Chapter. That the following Chapter 42A entitled Aggressive Solicitation is hereby adopted as part of the Cedar Rapids Municipal Code:

“CHAPTER 42A AGGRESSIVE SOLICITATION”

42A.01	Legislative Findings and Statement of Public Purpose
42A.02	Definitions
42A.03	Prohibited Locations
42A.04	Penalties
42A.05	Construction and Severability

Section 42A.01. Legislative Findings and Statement of Public Purpose.

- (a) The Council finds that aggressive solicitation is disturbing and disruptive to the residents of and businesses in the City of Cedar Rapids, and contributes not only to diminished access to and enjoyment of public places, but also to a sense of fear, intimidation and disorder.
- (b) The Council further finds that the presence of individuals who solicit money from persons at or near banks, automated teller machines, or in public transportation vehicles is contrary to the public interest because of the heightened danger presented by threatening or aggressive conduct in such environments. Similarly, the solicitation of money by approaching motorists in traffic is contrary to the public interest because it carries with it an implicit threat to the safe use of roadways.
- (c) The Council is enacting this Ordinance pursuant to its police power, as stated in the City Charter, and the law of the State of Iowa.
- (d) This law is not intended to limit any persons in the exercise of their constitutional right to solicit funds, picket, protest or engage in other constitutionally protected activity. Rather, its goal is to protect public safety by placing certain limitations on the location of such activity and the manner in which it occurs without regard to the content of any speech associated with that activity.

Section 42A.02. Definitions.

Terms used in this Chapter have the following meaning:

- (a) **Solicit.** To demand or request an immediate donation or transfer of money or other thing of value from another person, regardless of whether it is requested in exchange for goods and services; and regardless of the solicitor's purpose or intended use of the money or other thing of value. Solicitation may be by any means of communication including, but not limited to spoken, written, or printed word, gesture or other means.
- (b) **Aggressive Manner.** To solicit in an aggressive manner means and includes conduct consisting of any of the following:
- (1) Intentionally or recklessly making any physical contact with or touching another person in the course of the solicitation without the person's consent;
 - (2) Following the person being solicited, if that conduct is intended or likely to:
 - (i) cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession;
or
 - (ii) intimidate the person being solicited into responding affirmatively to the solicitation;
 - (3) Continuing to solicit within five (5) feet of the person being solicited after the person being solicited has overtly refused or declined the solicitation, provided that continuing the solicitation is intended or likely to:
 - (i) cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession;
or
 - (ii) intimidate the person being solicited into responding affirmatively to the solicitation;
 - (4) Intentionally or recklessly blocking the safe or free passage of the person being solicited; or acting in a manner which requires the person being solicited, or the driver of a vehicle, to take evasive action to avoid physical contact with the person making the solicitation.
 - (5) Using obscene or abusive language or gestures if the language is or gestures are intended or likely to:
 - (i) cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession;
or
 - (ii) intimidate the person being solicited into responding affirmatively to the solicitation;
 - (6) Approaching the person being solicited in a manner that is intended or likely to:
 - (i) cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession;
or

- (ii) intimidate the person being solicited into responding affirmatively to the solicitation;
- (c) **Automated Teller Machine (ATM).** A device, linked to a financial institution's account records, which is able to carry out transactions including, but not limited to, account transfers, deposits, cash withdrawals, balance inquiries, and mortgage and loan payments.
- (d) **Automated Teller Machine Facility (ATM Facility).** The areas comprised of one or more ATMs, and any adjacent space which is made available to banking customers after regular banking hours.
- (e) **Bank.** Any banking institution as defined by the Iowa Code.
- (f) **Check Cashing Business.** Any person or business duly licensed to engage in the business of cashing checks, drafts or money orders for consideration pursuant to the provisions of the banking laws.
- (g) **Public Area.** Any area to which the public has access including, but not limited to alleys, bridges, buildings, driveways, parking lots, parks, playgrounds, plazas, sidewalks, and streets open to the general public, and the doorways and entrances to buildings and dwellings, and the grounds enclosing them.
- (h) **Public Transportation Vehicle.** Any vehicle accessible to the general public as part of the City of Cedar Rapids public transit system.
- (i) **Median Strip.** The paved or planted area of public right-of-way dividing a street or highway into lanes according to the direction of travel.
- (j) **Shoulder.** The portion of a public road contiguous to the traveled way for the accommodation of disabled vehicles and emergency use.
- (k) **Controlled Intersection.** Intersections within the City of Cedar Rapids controlled by traffic control signals. For purposes of this Chapter, stop signs shall not constitute traffic control signals.
- (l) **Controlled Access Highway.** All primary highways, including on and off ramps are controlled access facilities.
- (m) **Intersection.** That area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the two roadways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different roadways joining at any other angle may come in conflict.

Section 42A.03. Prohibited Locations.

It shall be unlawful for any person to solicit money or other things of value:

- (a) In an aggressive manner in any public area,
- (b) In any public transportation vehicle, bus terminal or bus stop,
- (c) Within fifty (50) feet of any entrance or exit of any bank or check cashing business or within fifty (50) feet of any automated teller machine during the hours of operation of such bank, ATM, ATM facility or check cashing business without the consent of the

owner or other person legally in possession of such facilities; provided, however, that when an ATM is located within an ATM facility, such distance shall be measured from the entrance or exit of said facility,

- (d) On private property if the owner, tenant, or lawful occupant has asked the person not to solicit on the property, or has posted a sign clearly indicating that solicitations are not welcome on the property,
- (e) At or within a controlled Intersection. No person shall solicit within an intersection controlled by a traffic control signal; provided, however, that this paragraph shall not apply to services rendered in connection with emergency repairs requested by the operator or passengers of such vehicle,
- (f) Any area within one-hundred (100) feet of the outermost line of a controlled intersection
- (g) On a median strip,
- (h) From the shoulder area of the roadway,
- (i) At a controlled access highway.

Section 42A.04. Penalties.

Any person, firm or corporation violating the aforesaid provisions shall be guilty of a misdemeanor, punishable as otherwise provided by the ordinances of the City of Cedar Rapids. Additionally, violation of the aforesaid provisions shall constitute a municipal infraction subject to all the penalties and other relief provisions set forth in Iowa Code Section 364.22 and the ordinances of the City of Cedar Rapids.

Section 42A.05. Construction and Severability.

- (a) This Ordinance is not intended to regulate any demand for payment for services rendered or goods delivered, except insofar as the time, place, and manner of such demand is contrary to the provisions hereof.
- (b) This Ordinance is not intended to create a result through enforcement that is absurd, impossible or unreasonable. The Ordinance should be held inapplicable in any such cases where its application would be unconstitutional under the Constitution of the State of Iowa or the Constitution of the United States of America.

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

Section 3. That the aforesaid Chapter 42A 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.

Introduced this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Development Services

Presenter at meeting: Vern Zakostelecky
Email: v.zakostelecky@cedar-rapids.org

Phone Number/Ext: 319 286-5043

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

Phone Number/Ext: 319 286-5822

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

A public hearing will be held to consider a change of zone for property north of Highway 30 and east of Union Drive SW from A, Agriculture Zone District to R-2, Single Family Residence Zone District as requested by College Farms, LLC. CIP/DID #RZNE-008536-2014

Background:

The request for rezoning of this property was reviewed by the City Planning Commission on April 17, 2014 and the Commission recommended approval on a 6 to 1 vote.

The property is in the process of being annexed to the City of Cedar Rapids and is currently undeveloped and approximately 17 acres. The requested rezoning, if approved would allow for development of single-family detached homes, which would be an extension of the housing development being constructed by the applicant to the west. Since this is a request for rezoning for single-family homes, no site plan is required at this time. Detailed site plans will be submitted on a lot by lot basis at the time of application for building permits. The applicant will also be submitting for preliminary plat approval in the near future.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> • City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> • The City Planning Commission reviewed the application on April 17, 2014 and recommended approval a 6 to 1 vote. A portion of the minutes are included as Attachment A. • There were objectors and this is not a flood related item.
City Council consideration	<ul style="list-style-type: none"> • A Public Hearing and First Reading of the Ordinance were held on May 27, 2014 to allow for public input. • City Council voted unanimously to approve the request on the First Reading. • Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final. • Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.

Action / Recommendation:

City staff recommends 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

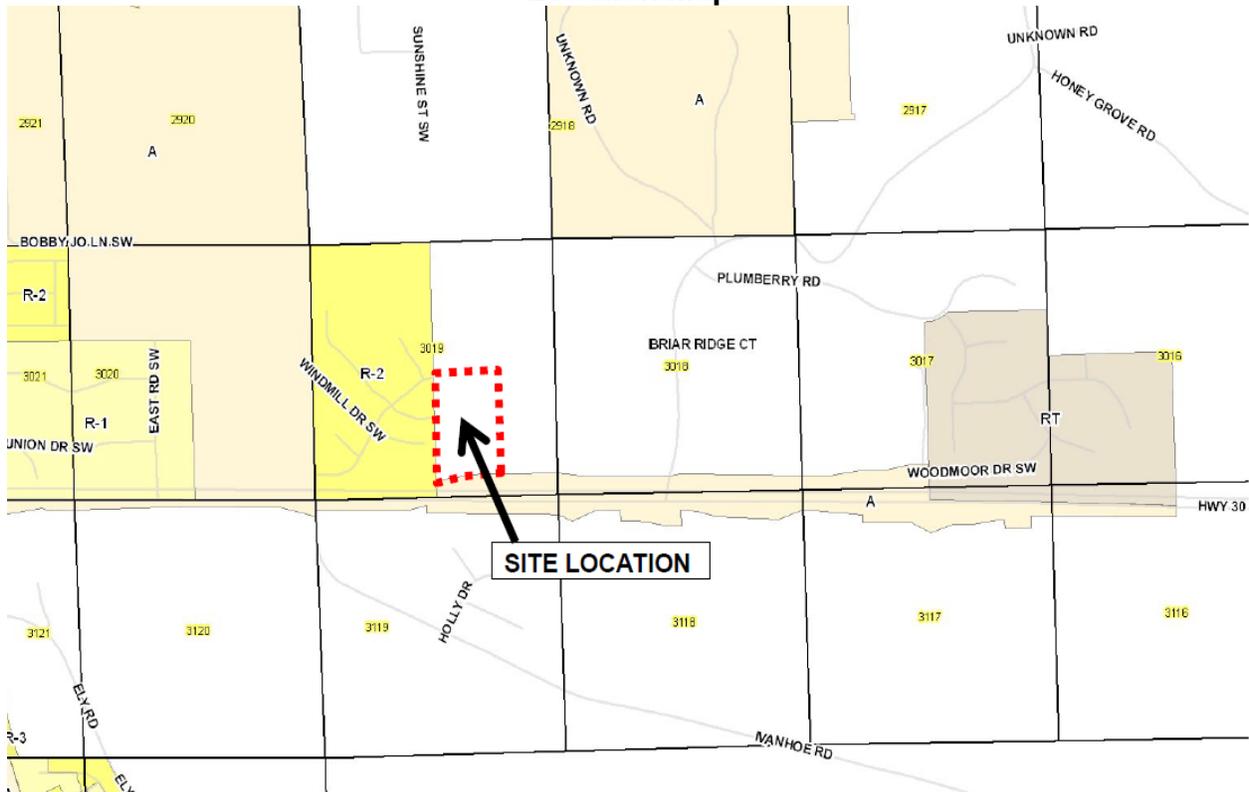
Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

Location Map





**MINUTES
CITY PLANNING COMMISSION REGULAR MEETING,
Thursday, April 17, 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

Member Absent: Allan Thoms

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

CD Staff: 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 27, 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: North of Highway 30 and east of Union Drive SW (Rezoning)

Consideration of a Rezoning from A. Agriculture Zone District to R-2, Single Family Residence Zone District as requested by College Farms, LLC (Applicant/Titleholder)
Case No: RZNE-008536-2014; Case Manager: Vern Zakostecky

Mr. Zakostecky stated this is a request to rezone property after its annexation is recorded. This rezoning is on the east side of town. Applicant is proposing to rezone half of the property

(approximately 17 acres). Mr. Zakostecky showed an aerial photo. Mr. Zakostecky also stated that he had received a call from the residents to the west. This area does not have gravity flow sanitary sewer and the developer built a lift station.

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

Commissioner Halverson asked what the points of access were to the property. Is there more than one point of access? Mr. Zakostecky stated that at this point there is only one access which is onto a high-speed divided highway.

Commissioner Overland called for a representative of the applicant.

Allen Witt, 2207 Ridgeway Drive SE stated that he had created a preliminary plat and the area is pretty rugged. Only half the property is being rezoned and the applicant has no desire to rezone the other area. There is only one access road for 36 units on 17 acres, which is an extension of the existing project. There are deceleration lanes, however DOT will not allow for acceleration lanes. There is a pump station that could accommodate 108 units without doing anything special. Maintenance is more operational issues.

Commissioner Overland called for questions of the applicant.

Commissioner Pankey asked how many units were currently using the pump station. Mr. Witt stated 72 approved units with 36 added to this. The City does have a long range plan to add sewer. There's the possibility of adding a holding tank in the future, which would allow more homes to be built and utilize the existing pump station.

Commissioner Dahlby asked if 108 is the limit. Mr. Witt stated that there is a maximum peak and they looked at the flow rates that were happening a peak times and that's the current limit.

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

Jeremy Brigham, 5102 Cotton Court SW is a President of the Homeowner Association, John Erceg, 5212 Windmill Court SW; Vice President of the homeowners association, Don Strong, 5221 Windmill Court SW and 4914 Harvest Court SW, Jared Hempstead, 5115 Hatfield Drive SW voiced their concerns:

1. There are 83 homes that are built and occupied currently. Adding 36 will put the number of 108 much larger.
2. They have had to repair the lift station two times since they lived there for 5 years. The peak flow possibility that has never been reached. Hopes the City will hire a Lift Station Engineer to look at all lift stations.
3. Concern of the access to the project and safety regarding the access and a need for a second access before the homes are built.
4. Repair of the lift station has cost the homeowners a lot of money
5. Wait time to access road 2.5 to 5 minutes average between 6:30 and 9am
6. Low water pressure issues

Commissioner Overland asked for the applicant to answer the citizens' concerns.

Mr. Witt stated that the pump stations will handle 108 homes and that is a correct number and that there is an agreement with the City that the pump station will handle 108 homes.

Mr. Witt stated the water pressure is an issue and will work with City staff to improve that. 20 PSI is the minimum water pressure per the fire department and he will have a test done.

Mr. Witt stated that Honey Grove is the second access to Hwy 30. It is $\frac{3}{4}$ mile from the access today. Highway 30 was built with left and right turn lanes at the onset of the project. Unfortunately the Iowa DOT will not allow an acceleration lane.

Compatibility and suitability of the lots was another issue and the developer is willing to stay with the 108.

Commissioner Dahlby asked to see the plat of the access road.

Commissioner Halverson asked that if there was a plat they would see that.

Mr. Zakostelecky stated that was correct. He also pointed out that there is a project to bring gravity sewer to this area, but it is unfunded at this point. Engineering states it is in excess of million dollars to do this.

Commissioner Dahlby asked if it was customary to wait until there is a problem or to be proactive.

Mr. Zakostelecky stated that developer would have to provide the extension to the sewer to serve the area. City Council decided to annex out Highway 30, which created a dead end water main. As a developer builds houses he may need to build pumps into the house and add that to the cost of the house. Another access will not solve the safety problem.

Mr. Witt stated that the second access will mainly be for fire and emergency vehicle access.

Commissioner Dahlby asked if the development was developed before it was annexed. Mr. Zakostelecky stated it was developed after annexation.

Commissioner Pankey asked if the tank would solve the problem above 108 homes. Mr. Witt said that if you add 10 homes the 108 will not be a problem unless you put in 25-30 homes. The tank is a solution but the cost is significant.

Commissioner Dahlby stated 20-30 homes added would be too many to handle the pump station. Mr. Witt stated that the 108 is the maximum.

Commissioner Pankey asked if they could project the development of the second access. Will that be part of the 108 development or beyond?

Mr. Witt stated the second access would be beyond the 108.

Commissioner Halverson, with the pump station does the City have a standard or expectation as to what they will satisfy.

Mr. Mailander stated that this is regulated by the DNR that sets the minimum requirements. If the City comes back to take over the pump stations there would likely be some higher standards but at this point the DNR sets those standards.

Commissioner Overland called for a motion to approve the rezoning. Commissioner Halverson made a motion to approve the rezoning from A, Agriculture Zone District to R-2, Single Family Residence Zone District. Commissioner King seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Dahlby stated she would vote against it, not because the developer hasn't put any thought to this as they have, but because it looks like a case of urban sprawl at this point in time. The lift station issue and access are also a concern.

Commissioner Halverson stated that he voted in support of this because of the use of that area and feels much of the testimony that we have heard today is regarding the plat and we will be reviewing the plat once it is finally submitted.

Commissioner Pankey stated that he supported this also and understood the developer is doing what he can and has addressed the lift station issue and also that the Commission would be reviewing the plat. This is a nice area and has nice homes.

Commissioner Overland called for a vote on the motion. The motion passed with a vote of six (6) to one (1).

The meeting was adjourned at 4:30 pm

Respectfully Submitted,
Betty Sheets, Administrative Assistant
Community Development

DSD BSD
ENG STR
FIR RCR
TITLEHOLDER WTR
CONTACT TED
CLK PKS
RZNE-008536-2014

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 HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12-82-7, CEDAR RAPIDS, LINN COUNTY, IOWA, EXCEPTING THEREFROM THE PUBLIC HIGHWAY.

and located at North of Highway 30 and east of Union Drive SW, now zoned A, Agriculture Zone District, and as shown on the "District Map," be rezoned and changed to R-2, Single Family Residence Zone District, and that the property be used for such purposes as outlined in the R-2, Single Family Residence Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. Subject property shall be platted per State and City platting regulations

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

Introduced this 27th day of May, 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

COLLEGE FARMS, LLC

BY Alvin W. Frey, member

Alvin W. Frey, member
(Please Print Name and Title)



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Development Services

Presenter at meeting: Vern Zakostelecky
Email: v.zakostelecky@cedar-rapids.org

Phone Number/Ext: 319 286-5043

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

Phone Number/Ext: 319 286-5822

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

A public hearing will be held to consider a change of zone for property at 1408 4th 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-008539-2014

Background:

The request for rezoning of these properties was reviewed by the City Planning Commission on April 17, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

The property is currently undeveloped and in the Wellington Heights Neighborhood. The applicant wishes to develop the lot with a single-family home, 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:

Actions	Comments
City staff review	<ul style="list-style-type: none"> City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission reviewed the application on April 17, 2014 and recommended approval on a 7 to 0 vote. A portion of the minutes are included as Attachment A. There were was one objector and this is not a flood related item.
City Council consideration	<ul style="list-style-type: none"> A Public Hearing and First Reading of the Ordinance are scheduled for May 27, 2014 to allow for public input. City Council voted unanimously to approve the request on the First Reading. Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final. Approval of the rezoning will be subject to the conditions stated in the

attached Ordinance.

Action / Recommendation:

City staff recommends 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 Maps





**MINUTES
CITY PLANNING COMMISSION REGULAR MEETING,
Thursday, April 17, 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

Member Absent: Allan Thoms

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

CD Staff: 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 27, 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.

Case Name: 1408 4th Avenue SE (Rezoning)

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

Case No: RZNE-008539-2014; Case Manager: Vern Zakostecky

Mr. Zakostecky stated this was a request to rezone property in the Wellington Heights Neighborhood area similar to the ones presented to City Planning Commission earlier. Mr. Zakostecky showed a location map and aerial photo.

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

Commissioner Overland called for a representative of the applicant.

Corey Houchins-Witt, Affordable Housing Network, Inc., 5400 Kirkwood Boulevard SW stated this is one more of several that will be built in the Wellington Heights Neighborhood. AHNI will be building 5 new houses in this area. Skogman Homes will build the home and the homes will fit with the architectural design of the area. Mr. Houchins-Witt looks forward to the Commissioners support of the development.

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 Wilts made a motion to approve the Rezoning from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence 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 4:30 pm

Respectfully Submitted,
Betty Sheets, Administrative Assistant
Community Development

DSD BSD
ENG STR
FIR RCR
TITLEHOLDER WTR
CONTACT TED
CLK PKS
RZNE-008539-2014

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 SOUTH 70 FEET OF LOT 11, BLOCK 1, WELLINGTON PLACE FIRST ADDITION TO CEDAR RAPIDS, LINN COUNTY, IOWA.

and located at 1408 4th 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. Subject property shall be platted per State and City platting regulations.
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 6th 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 27th day of May, 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

AFFORDABLE HOUSING NETWORK, INC.

BY _____



J. Lock EXECUTIVE D.R.

(Please Print Name and Title)



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Development Services

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

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

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

A public hearing will be held to consider a change of zone for properties at 1008, 1012, 1018 and 1024 2nd Street SE, 208 11th Avenue SE; 1009, 1013, 1019 and 1021 3rd Street SE from RMF-2, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Acme Electric Company, Inc., 3rd Ward Development, LLC and City of Cedar Rapids. CIP/DID #RZNE-008553-2014

Background:

The request for rezoning of this property was reviewed by the City Planning Commission on April 17, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

This infill redevelopment plan includes five 2-story single-family row houses along 2nd Street SE. The Kurik House is to be relocated to the corner of 2nd Street and 11th Avenue SE. 3rd Street SE will feature four 2-story multi-use commercial and residential infill buildings.

The Preliminary Site Development Plan consists of the following:

2nd Street SE (Town Homes):

- Total site area is 18,832 s.f.
- Total building area footprints are 2 @ 993 s.f. and 3 @ 986 s.f.
- Total of 5 dwelling units
- Total parking required and provided is 10 spaces.

2nd Street SE (Kurik House):

- Total site area is 6,640 s.f.
- Total building area footprints is 1,023 s.f.
- Total parking required and provided is 3 spaces

3rd Street SE (Mixed Use):

- Total site area is 16,800 s.f.
- Total building area footprint is 13,520 s.f.
- Total parking required for each building is 11 spaces (44 total).
- Total parking provided is 12 with 32 additional in Lot 44

Modifications Requested by Applicant:

- Reduction in required parking.
- Zero interior side yard setbacks
- Increased density.
- Front yard setbacks

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> • City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> • The City Planning Commission reviewed the application on April 17, 2014 and recommended approval on a 7 to 0 vote. A portion of the minutes are included as Attachment A. • There were several objectors and this is not a flood related item.
City Council consideration	<ul style="list-style-type: none"> • A Public Hearing and First Reading of the Ordinance were held on May 27, 2014 to allow for public input. • City Council voted unanimously to approve the request on the First Reading. • Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final. • Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.

Action / Recommendation:

City staff recommends 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, April 17, 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

Member Absent: Allan Thoms

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

CD Staff: 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 27, 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.

Case Name: 1008, 1012, 1018 and 1024 2nd Street SE, 208 11th Avenue SE; 1009, 1013, 1019 and 1021 3rd Street SE (Rezoning)

Consideration of a Rezoning from RMF-2, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by 3rd Ward Development, LLC (Applicant/Titleholder)

Case No: RZNE-008553-2014; Case Manager: Dave Houg

Mr. Zakostecky stated this is a mix-used development under the PUD about a half block between 2nd and 3rd Avenue SE. A historic home will be moved to the corner of 2nd Street and 11th Avenue SE. There will be commercial on the ground floor with residential on the second floor for the buildings on the 3rd Street side and a 5-unit condo on the 2nd Street side. Mr. Zakostecky showed a Location Zoning Map, Aerial Photo, Preliminary site plan, and building renderings

Commissioner Overland called for questions of Mr. Zakostecky.

Commissioner Knox-Seymour stated that it is nice to see this happening in that area.

Commissioner Overland called for a representative of the applicant.

Don Barringer, 509 Vernon Drive SE stated that Mr. Zakostecky hit the highlights of the development. The row houses and the mixed use are all part of the development.

Commissioner Overland called for questions of the applicant.

Commissioner Knox-Seymour asked where the area was that the owner was not selling. Mr. Zakostecky showed on the site plan where the gazebo was located.

Commissioner Overland stated that it was a wonderful project and a great use of the new PUD zoning.

Commissioner Wilts asked if the applicant was going to do something different to the roofs such as the Library and the Water Tower place such as green roof. Mr. Barringer stated it had a parapet and screening for the HVAC units and did not have plans for a green roof.

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 from RMF-2, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two 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 4:30 pm

Respectfully Submitted,
Betty Sheets, Administrative Assistant
Community Development

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;

2nd STREET SE:

1008 2nd Street SE: CARPENTER'S 3RD NW 30' STR/LB 3 21
1012 2nd Street SE: CARPENTER'S 3RD SE 30' STR/LB 3 21
1018 2nd Street SE: CARPENTER'S 3RD STR/LB 4 21
1024 2nd Street SE: CARPENTER'S 3RD SW 62' STR/LB 5 21

11th AVENUE SE

208 11th Avenue SE: CARPENTER'S 3RD NE 78' STR/LB 5 21

3rd STREET SE

1009 3rd Street SE: CARPENTER'S 3RD SE 30' STR/LB 9 21
1013 3rd Street SE: CARPENTER'S 3RD NW 30' STR/LB 8 21
1019 3rd Street SE: CARPENTER'S 3RD NW 30' STR/LB 7 21
1021 3rd Street SE: CARPENTER'S 3RD NW 30' STR/LB 7 21

and located at 1008, 1012, 1018 and 1024 2nd Street SE, 208 11th Avenue SE; 1009, 1013, 1019 and 1021 3rd Street SE, now zoned RMF-2, Multiple Family Residence Zone District, and as shown on the "District Map," be rezoned and changed to PUD-2, Planed Unit Development Two Zone District, and that the property be used for such purposes as outlined in the PUD-2, Planed Unit Development Two Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. This site shall be developed in compliance with the provisions of the Flood Plain Management Ordinance.
2. Review of this proposal is required by the Czech Bohemia Overlay District Design Review Technical Advisory Committee.
3. Subject property shall be platted per State and City platting regulations.
4. Enclosures and/or screening shall be provided for all HVAC, trash, recycling, cardboard, mechanical equipment, and grease and similar service or support containers as per

Subsection 32.05.030.A.7. of the Zoning Ordinance.

5. Lighting fixtures shall be shielded in a manner that shall not direct illumination on adjacent residential properties, or on any public right-of-way as per Subsection 32.05.030.B. of the Zoning Ordinance.
6. Relocation of the existing structure must be done under appropriate permit and inspections conducted and approved.
7. 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.

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 27th day of May, 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

3RD WARD DEVELOPMENT, LLC

BY _____

(Please Print Name and Title)

CITY OF CEDAR RAPIDS

BY Jeffrey A. Pomeranz ACTING CM
Jeffrey A. Pomeranz, City Manager

Signature 09/29/14

ACME ELECTRIC COMPANY, INC.

BY _____

(Please Print Name and Title)



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Development Services

Presenter at meeting: Vern Zakostelecky
Email: v.zakostelecky@cedar-rapids.org

Phone Number/Ext: 319 286-5043

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

Phone Number/Ext: 319 286-5822

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

A public hearing will be held to consider a change of zone for properties at 602 A Avenue NW, 726 L Avenue NW, 729 10th Avenue SW, 806 10th Street SW, 316 6th Street SW, 320 6th Street SW, 324 6th Street SW, 424 5th Street NW, 504 C Avenue NW, 505 E Avenue NW, 508 C Avenue NW, 509 E Avenue NW, 512 C Avenue NW, 928 N Street SW, 500 2nd Avenue SW, 508 2nd Avenue SW, 1108 K Street SW, 420 6th Avenue SW, 424 6th Avenue SW, 719 H Avenue NW, 1410 N Street SW, 417 5th Avenue SW, 518 B Avenue NW, 615 9th Avenue SE, 617 9th Avenue SE, 621 9th Avenue SE, 407 6th Street SW, 411 6th Street SW, 415 6th Street SW, 425 6th Street SW, 438 5th Avenue SW, 442 5th Avenue SW, 523 B Avenue NW, 1424 L Street SW, 922 8th Street SE, 1505 J Street SW, 211 10th Avenue SW, 800 G Avenue NW, 1502 N Street SW, 1136 I Avenue NW, 1223 1st Street SW, 1140 C Street SW, 1206 10th Street NW, 920 6th Street SW, 341 12th Avenue SW, 1202 L Street SW, 417 10th Street NW, 425 10th Street NW, 0 Vacant Land SW, 274 12th Avenue SW, 700 6th Street SW, 1420 N Street SW and 926 N Street SW from R-3, Single Family Residence Zone District, RMF-1 and RMF-2, Multiple Family Residence Zone District and C-3, Regional Commercial Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by The City of Cedar Rapids. CIP/DID #RZNE-008880-2014

Background:

The request for rezoning of these properties was reviewed by the City Planning Commission on April 17, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

This is the seventh round of City owned properties brought before the City Planning Commission for rezoning. These properties are being requested for rezoning to R-TN, Residential Traditional Neighborhood Zone District, in order to remove technical barriers to redevelopment.

It is anticipated that these properties will be developed as part of the City's ROOTs Program. The Administrative Plan directed by City Council limited the program to infill within the Neighborhood Revitalization Area., the area outside the Construction/Study Area and Greenway as well as the 100-year floodplain. In addition, the City would utilize lots that are being acquired through the Voluntary Acquisition Program and provide those to developers at no cost and in exchange for consideration of the reinvestment of new housing.

Rezoning:

The 54 properties being brought forward by a City-initiated rezoning are in areas of residential redevelopment identified through the Neighborhood Planning Process. These properties are zoned R-3, RMF-1 and RMF-2 and C-3. As is the case with nearly all of the lots, the current zoning classification is not an appropriate match for the size and square footage of the lots making them legal non-conforming lots. The rezoning to the R-TN Zoning District will allow new housing to blend into the neighborhood context in terms of meeting setbacks of the neighborhood. In addition, it is important that there are no issues, such as the need for variances in current zoning or being legal non-conforming lots, which might create financing issues with lenders, future buyers or with homeowners insurance. The rezoning of the lots were established prior to the City's adoption of the R-TN Zoning District, which was used in the Oakhill/Jackson Neighborhood as part of the City's Housing and Neighborhood Development (HAND) Program. In mimicking the results that were achieved through the HAND Project, staff is initiating rezoning on all City-owned lots to the R-TN Zoning District prior to deeding of the properties to the identified developers for in-fill construction of new flood replacement housing. The attached map provided an overview of where the properties are located that are proposed for rezoning.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission reviewed the application on April 17, 2014 and recommended approval on a 7 to 0 vote. A portion of the minutes are included as Attachment A. There were was one objector and this is not a flood related item.
City Council consideration	<ul style="list-style-type: none"> A Public Hearing and First Reading of the Ordinance are scheduled for May 27, 2014 to allow for public input. Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final. Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.

Action / Recommendation:

City staff recommends holding the public hearing and approval of First and possible Second and 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: 5 minutes

Budget Information (if applicable): N/A

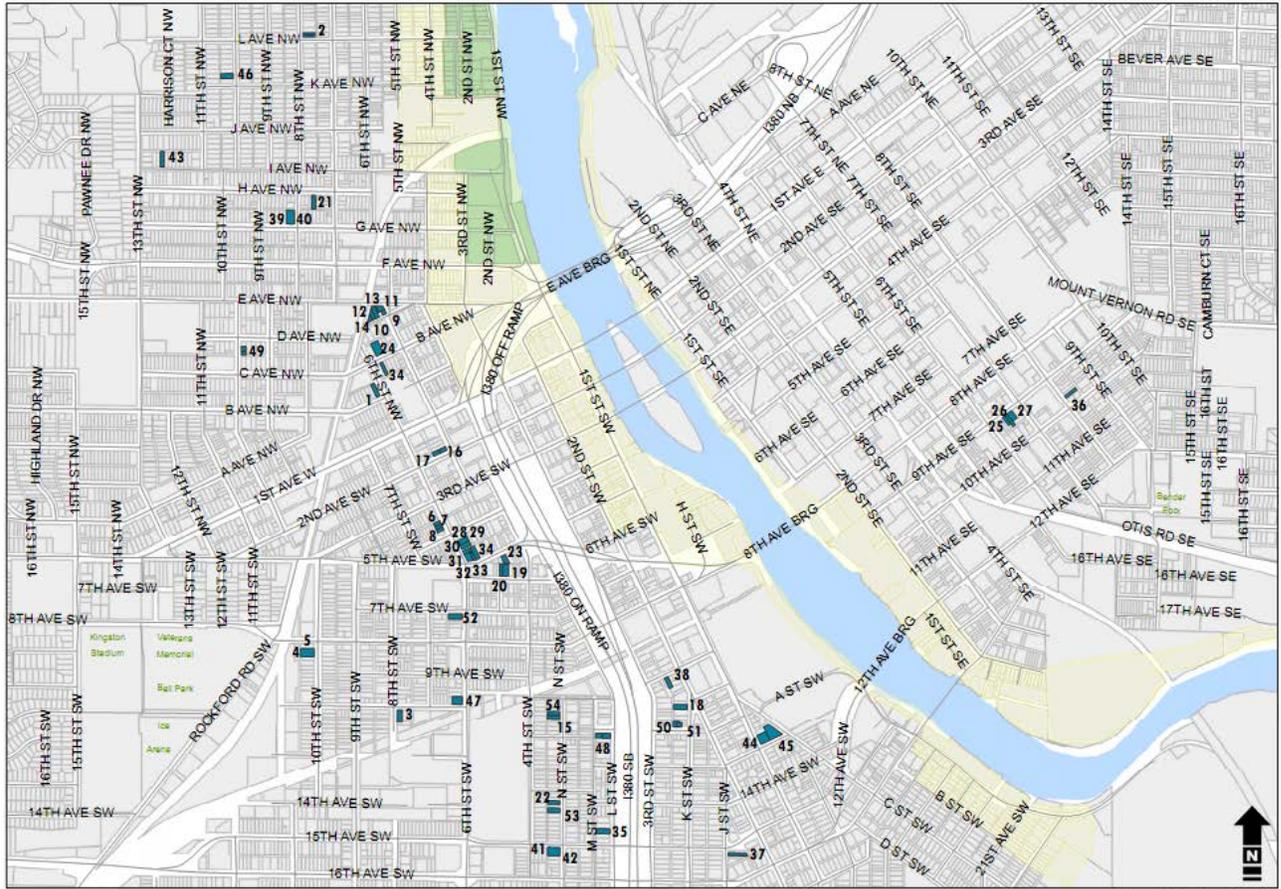
Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

Location Maps



SFNC Round 4 - Rezoning

- Parcels to be Rezoned
- Construction/Study Area
- Greenway

City of Cedar Rapids
 Community Development
 101 First Street SE
 Cedar Rapids, Iowa 52401



MINUTES
CITY PLANNING COMMISSION REGULAR MEETING,
Thursday, April 17, 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

Member Absent: Allan Thoms

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

CD Staff: 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 27, 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.

Case Name: ROOTs (54) Lots (Rezoning)

Consideration of a Rezoning from R-3, Single Family Residence Zone District, RMF-1 and RMF-2, Multiple Family Residence Zone District and C-3, Regional Commercial Zone District to R-TN, Traditional Neighborhood Residence Zone District requested by City of Cedar Rapids. (Applicant/Titleholder)

Case No: RZNE-008880-2014 Case Manager: Vern Zakostecky

Mr. Zakostecky stated these are all City owned lots that were obtained under the Voluntary Acquisition Program. They are now being disposed of to have homes built on in the flood

impacted area. There are multiple parcels that are being rezoned to R-TN. Commissioner Overland called for questions of Mr. Zakostecky. No questions of Mr. Zakostecky.

Commissioner Overland called for a representative of the applicant. No representative of the applicant was present.

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 R-3, Single Family Residence Zone District, RMF-1 and RMF-2, Multiple Family Residence Zone District and C-3, Regional Commercial 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 4:30 pm

Respectfully Submitted,
Betty Sheets, Administrative Assistant
Community Development

DSD BSD
 ENG STR
 FIR RCR
 TITLEHOLDER WTR
 CONTACT TED
 CLK PKS
 RZNE-008880-2014

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;

Property Address	Legal Description
602 A Avenue NW	Lot 15, J.W. Weyands Replat of Block Five (5) in Cooper's First Addition to Cedar Rapids, Linn County, Iowa
726 L Avenue NW	Lots 1 and 2, Block 2, Larimer's Second Addition to Cedar Rapids, Iowa
729 10th Avenue SW	West 50 feet of Lots 20, 21 and 22, Block 20, Reed's Third Addition to the City of Cedar Rapids, Iowa
806 10th Street SW	Lots 2 and 3, Block 53, "James C. Young's Eighth Addition to Cedar Rapids, Linn County", Iowa
316 6th Street SW	The Northwesternly 35 Feet of the Northeastly 10 Feet of Lot 9 and the Northwesternly 35 Feet of Lot 10, Block 48, "Browns Addition to West Cedar Rapids, Linn County, Iowa
320 6th Street SW	SE-ly 35 feet of NW-ly 70 feet of Lot 10 and SE-ly 35 feet of NW-ly 70 feet of NE-ly 10 feet of Lot 9, Block 48, "Brown's Addition to West Cedar Rapids, Linn County, Iowa
324 6th Street SW	NW-ly 35 feet SE-ly 70 feet of Lot 10 and the NW-ly 35 feet SE-ly 70 feet NE-ly 10 feet of Lot 9, Block 48, "Brown's Addition to West Cedar Rapids, Linn County, Iowa
424 5th Street NW	SE-LY 57.4 FEET OF LOT 4, BLOCK 6, "COOPERS" FIRST ADDITION TO CEDAR RAPIDS, LINN COUNTY, IOWA
504 C Avenue NW	LOT 6, BLOCK 6, "COOPERS" FIRST ADDITION TO CEDAR RAPIDS, LINN COUNTY, IOWA
505 E Avenue NW	Lots 4 and 5, excepting therefrom the Southeasterly 57.4 Feet and further excepting the Southwesterly 15 Feet 8 Inches of said Lot 5, all in Block 6, "Coopers" First Addition to Cedar Rapids, Linn County, Iowa
508 C Avenue NW	THE NE-LY 40 FEET OF LOT 7, MEASURED ALONG THE SOUTH SIDE THEREOF, BLOCK 6, "COOPERS" FIRST ADDITION TO CEDAR RAPIDS, LINN COUNTY, IOWA

509 E Avenue NW	SW-ly 15 feet and 8 inches of Lot 5, Block 6, except the SE-ly 57.4 feet thereof, "Coopers" First Addition to Cedar Rapids, Linn County, Iowa
512 C Avenue NW	WEST 83 FEET OF LOT 7, BLOCK 6, "COOPERS" FIRST ADDITION TO CEDAR RAPIDS, LINN COUNTY, IOWA
928 N Street SW	Lot 5, Block 2, James C. Young's First Addition to Cedar Rapids, Linn County, Iowa
500 2nd Avenue SW	E-LY 72 FEET OF LOT 12, W.J. BARNEYS REPLAT OF BLOCK FORTY ONE IN BROWNS ADDITION TO WEST CEDAR RAPIDS, LINN COUNTY, IOWA
508 2nd Avenue SW	Rear or Westerly 78 feet of Lot 12 in W.J. Barneys Replat of Block Forty One in Browns Addition to West Cedar Rapids, Linn County, Iowa
1108 K Street SW	The South 50 Feet of Lot 2, Block 1, McClenahan and Buchanan's Addition to West Cedar Rapids, Linn County, Iowa
420 6th Avenue SW	Lot 4, Block 3, A.K. Murray's Addition to West Cedar Rapids, Linn County, Iowa, excepting the Public Highway
424 6th Avenue SW	East 1/2 of Lot 5, Block 3, A.K. Murray's Addition to West Cedar Rapids, Linn County, Iowa
719 H Avenue NW	Lot 1, Block 17, Brown's Fifth Addition to Cedar Rapids, Iowa
1410 N Street SW	S 25 FEET OF Lot 5 and the N 12 1/2 feet of Lot 4, Block 85, O.N. Hulls Eighth Addition to Cedar Rapids, Linn County, Iowa
417 5th Avenue SW	Lot 4, Block 4, Buchanan's Addition to West Cedar Rapids, Linn County, Iowa
518 B Avenue NW	Lot 7 and the SW-ly 20 feet of Lot 8, Block 38, "Browns Addition to West Cedar Rapids, Linn County, Iowa
615 9th Avenue SE	NW-ly 100 feet of the SW-ly 30 feet of Lot 3, Block 9, Carpenter's Second Addition to the Town of Cedar Rapids, Linn County, Iowa
617 9th Avenue SE	NE-ly 1/2 of Lot 3, Block 9, Carpenters Second Addition to the Town of Cedar Rapids, Linn County, Iowa
621 9th Avenue SE	All that part of Lot 4, Block 9, Carpenters Second Addition to the Town of Cedar Rapids, Linn County, Iowa, described as follows: Beginning at the North corner of Lot 5, Block 9, said Carpenters Second Addition; thence SW-ly along the SE-ly line of 9th Avenue S.E., 80.35 Feet to the point of beginning; thence continuing SW-ly along the said SE-ly line, 39.40 Feet to the West corner of said Lot 4; thence SE-ly along the SW-ly line of said Lot 4, 94 Feet; thence NE-ly 38.85 Feet to a point 94 Feet SE-ly of the SE-ly line of 9th Avenue S.E.; thence NW-ly 94 Feet to the point of beginning
407 6th Street SW	LOT 21, AUDITOR'S PLAT NO. 9, CEDAR RAPIDS, IOWA
411 6th Street SW	Lot 20, Auditor's Plat No. 9, Cedar Rapids, Linn County, Iowa
415 6th Street SW	Nw-ly 38 feet of Lot 10, Auditor's Plat No. 9, Cedar Rapids, Iowa

425 6th Street SW	Lot 10, Auditor's Plat No. 9, Cedar Rapids, Iowa excepting therefrom: Beginning at the SE-ly corner of said Lot 10; thence in a NW-ly direction along the NE-ly line of said Lot 10, 90 feet; thence in a SW-ly direction parallel with the NW-ly line of said Lot 10, a distance of 27 feet; thence SE-ly parallel to the NE-ly line of said Lot 10 to the front line of said Lot 10; thence along the front line of said Lot 10 to place of beginning, also excepting therefrom: Beginning at the NW-ly corner of said Lot 10; thence NE-ly along the NW-ly line of said Lot 10 to the NE-ly corner thereof; thence SE-ly along the NE-ly line of said Lot 10, 38 feet; thence SW-ly along a line 38 feet SE-ly from the NW-ly line of said Lot 10 to the SW-ly line of said Lot 10; thence NW-ly along the SW-ly line of said Lot 10, 38 feet to the point of beginning
438 5th Avenue SW	Lot 11, Block 5, Buchanan's Addition to West Cedar Rapids, Linn County, Iowa
442 5th Avenue SW	That part of Lot 10, Auditors Plat No. 9, Cedar Rapids, Iowa, described as follows: Beginning at the SE-ly corner of said Lot 10; thence in a NW-ly direction along the NE-ly line of said Lot, 90 feet; thence in a SW-ly direction parallel to the NW-ly line of said Lot a distance of 27 feet; thence SE-ly parallel to the NE-ly line of said Lot to the front line of said Lot; thence along the front line of said Lot to the point of beginning
523 B Avenue NW	SW-ly 1/2 of Lot 4, Block 39, "Browns Addition to West Cedar Rapids, Linn County, Iowa
1424 L Street SW	Lot 2, Block 67, O.N. Hulls Seventh Addition to Cedar Rapids, Linn County, Iowa
922 8th Street SE	SE-ly 1/2 of Lot 4, Block 34, Carpenters 5th Addition to Cedar Rapids, Linn County, Iowa
1505 J Street SW	LOT 9, EXCEPTING THEREFROM THE NORTH 30 FEET, BLOCK 11, BOWLINGS FIRST ADDITION TO WEST CEDAR RAPIDS, LINN COUNTY, IOWA
211 10th Avenue SW	SW-ly 40 feet of Lot 6, Fractional Block 7, "May and Covells Addition to Kingston" (name of which Addition was by the Act of the Legislature of Iowa of 1855 altered to West Cedar Rapids), Linn County, Iowa; and SW-ly 40 feet of Lot 5, Fractional Block 7, "May and Covells Addition to Kingston" (name of which Addition was by the Act of the Legislature of Iowa of 1855 altered to West Cedar Rapids); also known as the SW-ly 40 feet of Lot 1, Fractional Block 7, May Fero and Gainers Addition to West Cedar Rapids.
800 G Avenue NW	Lots 5 and 6, Block 16, Brown's Fifth Addition to Cedar Rapids, Iowa
1502 N Street SW	Lots 1 and 2, Block 33, James C. Young's Fourth Addition to Cedar Rapids, Linn County, Iowa
1136 I Avenue NW	Lot 12, Tait and Wagner's Highland Park Second Addition to the City of Cedar Rapids, Iowa
1223 1st Street SW	Lots 8 and 9, Block 3, John M. Mays Second Addition to West Cedar Rapids to-wit: West Cedar Rapids by the Act of the Fifth General Assembly of the State of Iowa, Approved January 25, 1855

1140 C Street SW	Lots 1, 2 and 3, John M. Mays Second Addition to West Cedar Rapids to-wit: West Cedar Rapids by the Act of the Fifth General Assembly of the State of Iowa, Approved January 25, 1855, except the Public Highway
1206 10th Street NW	Lot 10, Block 13, O N Hulls Third Addition to the City of Cedar Rapids, Linn County, Iowa
920 6th Street SW	South 45 feet of Lot 4, Block 15, Buchanan and Reed's Addition to Cedar Rapids, Linn County, Iowa
341 12th Avenue SW	West 15 feet of the North 49 feet of Lot 2 and North 49 feet of Lot 3, Block 16, McClenahan and Buchanans Second Addition to Cedar Rapids, Linn County, Iowa
1202 L Street SW	North 49 feet of Lot 1 and North 49 feet of the East 35 feet of Lot 2, Block 16, McClenahan and Buchanans Second Addition to Cedar Rapids, Linn County, Iowa
417 10th Street NW	The South 40 feet of Lot 5, Block 4, King's First Addition to Cedar Rapids, Linn County, Iowa
425 10th Street NW	The South 50 feet of the North 100 feet of Lot 5, Block 4, King's First Addition to Cedar Rapids, Linn County, Iowa
0 Vacant Land SW	West 35 feet of Lot 5, Block 1, McClenahan and Buchanan's Addition to West Cedar Rapids, Linn County, Iowa
274 12th Avenue SW	A part of Lot 5, Block 1, McClenahan and Buchanan's Addition to West Cedar Rapids, Linn County, Iowa described as follows: Commencing at a point on the S line of Lot 5, 55 7/10 feet W of the SE corner thereof; thence N parallel to the E line of said Lot 5, 45 feet; thence W parallel to the S line of said Lot 5 to a point 55 feet E of the W line of said Lot 5; thence N parallel to the W line of said Lot 5 to the N line thereof; thence W along the N line of said Lot 5, 20 feet; thence S parallel to the W line of said Lot 5 to the S line thereof; thence E to place of beginning
700 6th Street SW	Lot 10, Block 10, Reed's Second Addition to Cedar Rapids, Linn County, Iowa
1420 N Street SW	Lot 3, Block 85, O.N. Hulls Eighth Addition to Cedar Rapids, Iowa
926 N Street SW	Lot 6, Block 2, James C. Young's First Addition to Cedar Rapids, Linn County, Iowa

and located at 54 City-Owned Lots, now zoned , 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:

No recommended City staff conditions.

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

Introduced this 27th day of May, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Finance Department

Presenter at meeting: Casey Drew

Phone Number/Ext: 286-5097

Email: c.drew@cedar-rapids.org

Alternate Contact person:

Phone Number/Ext:

Email:

Description of Agenda Item:

Public hearing will be held to consider the Fiscal Year 2014 Budget Amendment (Casey Drew).

- a. Resolution approving FY 2014 Budget Amendment.

Background:

FY 2014 Adopted Budget was reviewed for amendments in revenue and expenditures. Based on projections as of April 2014 the budget amendment is completed by City departments to account for projected revenue and expenditure changes since budget was adopted in March 2013.

The budget amendment has to be adopted by the City Council and filed with the Linn County Auditor by May 31, 2014. FY 2014 Budget Amendment is being completed to account for changes in programs that have occurred since the original budget was adopted (i.e. timing of CIP projects, change in operations, etc.).

Budget amendment does not impact the property tax levy.

Action / Recommendation: Approve FY 2014 Amended Budget on May 27, 2014.

Alternative Recommendation: N/A

Time Sensitivity: Budget amendment must be submitted to County by May 31, 2014.

Resolution Date: 5-27-2014

Estimated Presentation Time: 10 Minutes

Budget Information (if applicable): N/A

Local Preference Policy: Applies Exempt

Explanation: N/A

RESOLUTION NO.

A RESOLUTION AMENDING THE CURRENT BUDGET
FOR THE FISCAL YEAR ENDING JUNE 30, 2014
(AS ADOPTED ON MARCH 12, 2013)

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CEDAR RAPIDS,
IOWA, following notice published on May 14, 2013, and the public hearing
held on May 27, 2014, the current budget is amended as set out herein and in the detail
by fund type and activity that supports this resolution which was considered at that
hearing.

Passed this 27th day of May, 2014.

Council Agenda Cover Sheet
PUBLIC HEARING and Possible 1st, 2nd and 3rd Reading of Ordinance and Resolution 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

Public hearing to consider the vacation and disposition of public ways and grounds in and to the property described as Buffalo Road NE between Blairs Ferry Road and Edgewood Road as requested by Transamerica Life Insurance Company.

First, second and possible third reading: Ordinance vacating public ways and grounds in and to the property described as Buffalo Road NE between Blairs Ferry Road and Edgewood Road as requested by Transamerica Life Insurance Company. CIP/DID #41-13-034

Resolution authorizing the disposition of the property described as Buffalo Road NE between Blairs Ferry Road and Edgewood Road as requested by Transamerica Life Insurance Company. CIP/DID #41-13-034

Background:

Transamerica Life Insurance Company owns all parcels adjacent to and adjoining Buffalo Road NE. Due to illegal dumping occurring on these parcels, Transamerica would like to acquire this road and permanently close it. Additionally, a permanent easement for existing sanitary sewer facilities will be granted to the City.

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:

If the Council does not vote to vacate this excess City-owned right-of-way, the alternative is to close the road to through traffic and maintain City ownership of this nonpurposeful road right-of-way.

Time Sensitivity: Normal

Resolution Date: Proposed timeline as follows:

Public Hearing Date and possible 1st, 2nd and 3rd readings of Ordinance, and possible resolution passing: May 27, 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):

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TRANSAMERICA
41-13-034

RESOLUTION NO.

WHEREAS, a notice has been given and a public hearing held as required by law, and

WHEREAS, the public use has been vacated by ordinance for the following described City property:

Buffalo Road NE between Blairs Ferry Road and Edgewood Road (also known as Revised Plat of Survey No. 1821 Parcel A)

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

1. The City Manager and City Clerk shall execute a Quit Claim Deed conveying the property hereafter described to Transamerica Life Insurance Company, 4333 Edgewood Road NE, Cedar Rapids, Iowa 52499-5555:

Revised Plat of Survey No. 1821 Parcel A as shown in Book 8958, Pages 142-143 and recorded on May 9, 2014 at the Office of the Linn County Recorder, and

2. The Council determines the fair consideration required for the aforescribed conveyance to be \$149,500 plus a standard 5% closing fee of \$7,475, and publication and recording fees.
3. This conveyance is subject to the following conditions which shall be agreed to and accepted in writing by the grantee and be binding upon the grantee, successors, and assigns as follows:
 - a. Grantee shall save the City of Cedar Rapids harmless from damage or injury or loss of access or diminishing of the value of improved property, under Section 364.15 of the Iowa Code as the result of the vacation and the disposition of said property hereinbefore described to said grantee.
4. The City shall accept a Sanitary Sewer Easement over a portion of the vacated right-of-way.

5. The grantee, Transamerica Life Insurance Company, shall be required to submit a combined tax statement to the City Assessor's Office, since the square footage does not constitute a buildable lot area in and of itself.
6. The grantee, Transamerica Life Insurance Company, shall pay the City Clerk all costs connected with this matter.

BE IT FURTHER RESOLVED, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute a Quit Claim Deed effectuating this conveyance and accept the Sanitary Sewer Easement, and that the same are hereby approved and accepted, and that they shall be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 27th day of May, 2014

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TRANSAMERICA
41-13-034

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:

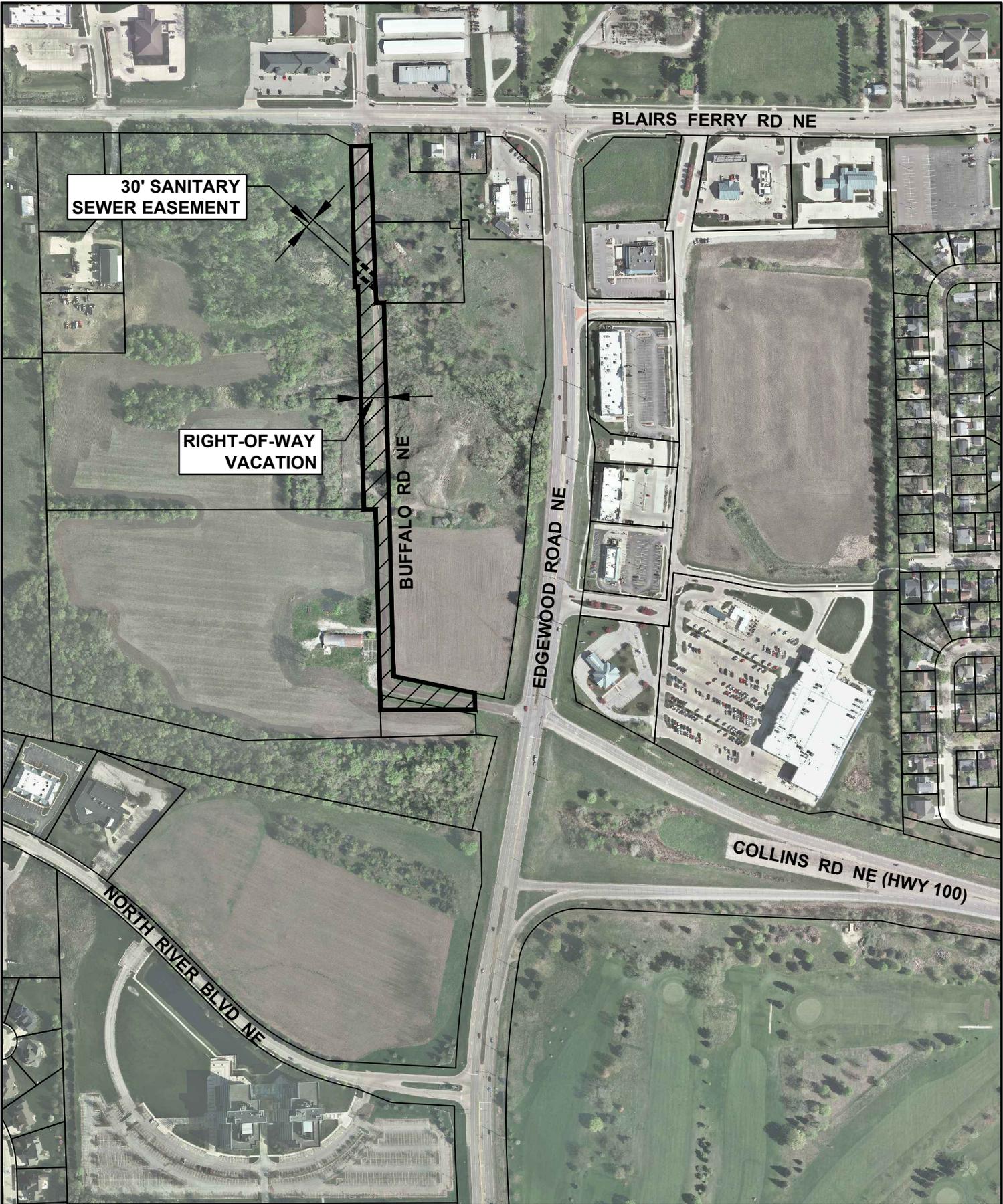
Section 1. That the public ways and grounds in and to the property hereafter described is permanently vacated:

Buffalo Road NE between Blairs Ferry Road and Edgewood Road (also known as Revised Plat of Survey No. 1821 Parcel A)

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

Introduced this 27th day of May, 2014.

Passed this 27th day of May, 2014.



**30' SANITARY
SEWER EASEMENT**

**RIGHT-OF-WAY
VACATION**

BUFFALO RD NE

EDGEWOOD ROAD NE

BLAIRS FERRY RD NE

COLLINS RD NE (HWY 100)

NORTH RIVER BLVD NE

Cadd File Name: W:\PROJECTS\Non-CIP\2013\4113\034 Buffalo Rd NE - Transamerica Life Ins. Cok41-12-034 Council Map.dwg



**BUFFALO ROAD NE RIGHT-OF-WAY VACATION AND
SANITARY SEWER EASEMENT DEDICATION**



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Parks and Recreation

Presenter at meeting: Sven Leff

Phone Number/Ext: 5739

Email: s.leff@cedar-rapids.org

Alternate Contact Person: June Schumacher

Phone Number/Ext: 5767

Email: j.schumacher@cedar-rapids.org

Description of Agenda Item:

Public hearing will be held to consider the proposal to discontinue the Parks and Recreation Commission created by Municipal Code Section 6.05, discontinue the River Recreation Commission created by Municipal Code Section 6.14, create a new Municipal Code Section 6.05, Parks, Waterways and Recreation Commission, and amend Chapter 55 of the Municipal Code concerning boat and other river regulations, and directing that notice be published.

Background:

The City of Cedar Rapids created the Parks & Recreation Commission (Municipal Code section 6.05) and the River Recreation Commission (Municipal Code section 6.14) to serve as advisory agencies to support the operations of the Parks and Recreation Department and river-related recreation. Combining the two commissions into a single body that represents the diverse leisure interests of the community is beneficial for guiding Department resources in a single coordinated direction. The River Recreation Commission recommended combining the two commissions into a single body at its April 3, 2014 regular meeting, and the Parks & Recreation Commission recommended combining the two commissions into a single body at its April 15, 2014 regular meeting.

Action / Recommendation:

Approve First Reading or the Ordinance.

Alternative Recommendation:

N/A

Time Sensitivity: Normal

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

Explanation: N/A

Recommended by Council Committee
Explanation (if necessary):

Yes

No

N/A

ORDINANCE NO.

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, BY: REPEALING SECTIONS 6.05 AND 6.14 OF THE CEDAR RAPIDS MUNICIPAL CODE CONCERNING CITY ADMINISTRATION; ADOPTING A NEW SECTION 6.05 OF THE CEDAR RAPIDS MUNICIPAL CODE CONCERNING MUNICIPAL ADMINISTRATION; REPEALING SECTIONS 55.01(d), 55.06, 55.07, 55.08, 55.11, 55.12, 55.13, 55.14, 55.15 AND 55.17 OF THE CEDAR RAPIDS MUNICIPAL CODE CONCERNING BOAT AND OTHER RIVER REGULATIONS; AND ADOPTING NEW SECTIONS 55.01(d), 55.06, 55.07, 55.08, 55.11, 55.12, 55.13, 55.14, 55.15 AND 55.17 OF THE CEDAR RAPIDS MUNICIPAL CODE CONCERNING BOAT AND OTHER RIVER REGULATIONS.

WHEREAS, by enacting Municipal Code section 6.05, the City of Cedar Rapids created the Parks & Recreation Commission to serve as an advisory agency to support the operations of the Parks and Recreation Department, and

WHEREAS, by enacting Municipal Code section 6.14, the City of Cedar Rapids created the River Recreation Commission to serve as an advisory agency to support the operations of the Parks and Recreation Department more specifically with respect to river-related recreation, and

WHEREAS, combining the two commissions into a single body that represents the diverse leisure interests of the community is beneficial for guiding Department resources in a single coordinated direction, and

WHEREAS, the River Recreation Commission recommended combining the two commissions into a single body at its April 3, 2014 regular meeting, and

WHEREAS, the Parks & Recreation Commission recommended combining the two commissions into a single body at its April 15, 2014 regular meeting,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Cedar Rapids Municipal Code is hereby amended as follows:

Section 1. REPEAL OF SECTIONS 6.05 and 6.14; NEW SECTION 6.05

Sections 6.05 and 6.14 are hereby repealed and in lieu thereof the following is hereby ordained as section 6.05 of the Cedar Rapids Municipal Code:

6.05 – PARKS, WATERWAYS AND RECREATION COMMISSION.

- (a) **Creation.** A Parks, Waterways & Recreation Commission is hereby created to serve as an advisory agency to support the operations of the Parks and Recreation Department of the City of Cedar Rapids.
- (b) **Membership.** The Parks, Waterways & Recreation Commission shall consist of eleven members appointed by the Mayor subject to the approval of the City Council. Representation shall consist of three members to be appointed at-large, two members to be appointed to each of the three following constituencies: Parks & Trails, Recreation & Aquatics, and Waterways & Conservation, and one member to be appointed from each of the two following constituencies: golf and partnerships, provided, however, that if no application is made from any one or more of said constituencies, then the membership(s) that would otherwise have been from a constituency shall be deemed at-large. All eleven members shall be eligible electors of the City of Cedar Rapids. Each of the eleven members shall be entitled to one vote. Six members shall constitute a quorum for the transaction of business. In addition to the foregoing, the Parks & Recreation Director ("Director"), Council liaison, and the Sports Tourism Director from the Cedar Rapids Area Convention & Visitors Bureau shall be ex-officio non-voting members.
- (c) **Removal of Members.** The members of the Commission may be removed by the City Council before the expiration of a respective term for such cause as the City Council may determine necessary.
- (d) **Term of Office.** The terms of office for each of the members shall be three years and shall be so arranged and staggered that the terms of no more than four members shall expire on June 30th of any one year. A vacancy within any term shall be filled by appointment by the Mayor with the approval of the City Council for the unexpired portion of that term. All members shall serve until their successors are appointed and qualified.
- (e) **Compensation and Expense.** All members of the Commission shall serve without compensation.
- (f) **Powers.** The Commission shall be empowered to make studies and recommendations as it deems necessary and appropriate for the enhancement of parks, waterways, and facilities and for the promotion of recreational activities, facilities, and programs within the City of Cedar Rapids, including but not limited to sustaining existing and encouraging new programs, facilities and activities. In addition, the Commission shall have such other powers as may from time to time be conferred by the City Council.

(g) **Duties.** Commission members shall have the following duties:

To promote department activities, events, facilities and special projects;

To advocate for the low income assistance program, including the review of and recommendations for program changes, the review of applications for and distribution of low income funds;

To promote volunteerism in the community;

To review and make recommendations concerning user fees and charges;

To review and make recommendations concerning capital improvement planning;

To review and make recommendations concerning the proposed annual budget of the Parks and Recreation Department;

To make recommendations for the acquisition, development and improvement of parklands, waterways and recreational areas and the disposition thereof;

To make recommendations concerning rules and regulations for the management, supervision and control of city parks, waterways, historical and recreational facilities and programs;

To raise funds and receive donations, gifts, legacies, endowments or bequests made to the city;

To form sub-committees from the general public as needed to assist the Commission in carrying out its assigned responsibilities, with a member of the Commission serving as the chairperson of any such sub-committee; and

To perform such special assignments as the Council may give the Commission from time to time.

(h) **Officers and Meetings.** The Commission shall choose annually beginning at its first regular meeting, or as soon thereafter as practicable, one of its members to act as Chairperson, one of its members to act as Vice-Chairperson to perform all duties of the Chairperson during his/her absence or disability, and one of its members to act as Secretary. The Commission shall hold at least one meeting each month at a time and place to be determined by the Chairperson. Additional meetings may be scheduled if a majority of the Commission members vote to do

so. The Secretary or his/her designee shall take minutes of all regular and special meetings.

- (i) **Term of Commission.** The advisory agency known as the Parks, Waterways and Recreation Commission may be discontinued by adoption of a resolution proposing such action, and publishing notice as prescribed in Section 362.3, Iowa code, of such resolution, and of a date, time, and place of a hearing on the proposal, which such discontinuance shall not be sooner than 30 days following said hearing.

Section 2. REPEAL OF SECTION 55.01(d); NEW SECTION 55.01(d)

Subsection (d) of section 55.01 is hereby repealed and in lieu thereof the following is hereby ordained as subsection (d) of section 55.01 of the Cedar Rapids Municipal Code:

(d) For purposes of this Chapter, the terms "Commission" or "Parks, Waterways and Recreation Commission" shall mean the Cedar Rapids Parks, Waterways and Recreation Commission established by Section 6.05 of this code.

Section 3. REPEAL OF SECTION 55.06; NEW SECTION 55.06

Section 55.06 is hereby repealed and in lieu thereof the following is hereby ordained as section 55.06 of the Cedar Rapids Municipal Code:

55.06 SPEED IN RESTRICTED AREAS.

The Parks, Waterways and Recreation Commission is hereby granted and delegated authority and power to designate and establish speed restrictions on the river and any surrounding water areas in the City of Cedar Rapids; after suitable signs of such speed restrictions are posted, no person shall operate any boat in excess of the posted speed restriction in any areas so designated by the Parks, Waterways and Recreation Commission.

Section 4. REPEAL OF SECTION 55.07; NEW SECTION 55.07

Section 55.07 is hereby repealed and in lieu thereof the following is hereby ordained as section 55.07 of the Cedar Rapids Municipal Code:

55.07 RESTRICTED AREAS.

The Parks, Waterways and Recreation Commission is granted the power and authority to designate certain restricted areas on the Cedar River and surrounding waterways, prohibiting towing of skis, surf boards or any other surf riding device. After suitable signs are posted by the Parks, Waterways and Recreation Commission, no person shall tow skis or surf boards in said areas.

Section 5. REPEAL OF SECTION 55.08; NEW SECTION 55.08

Section 55.08 is hereby repealed and in lieu thereof the following is hereby ordained as section 55.08 of the Cedar Rapids Municipal Code:

55.08 PROHIBITED ACTIVITIES; WATER SKIING.

- (a) No person shall be towed on skis, surf boards or any other surf riding device on the Cedar River within the city limits of Cedar Rapids without wearing a life jacket, life vest or ski belt at all times.
- (b) The operator of the boats so towing shall be responsible for furnishing life jackets, life vests, or ski belts at all times.
- (c) Boats towing skis, surf boards or any other surf riding device shall have at least one other occupant in addition to the operator, to observe and advise the movements of the river.
- (d) Skiing while intoxicated is prohibited.
- (e) No skiing will be permitted between sunset and sunrise. The Parks, Waterways & Recreation Commission has the right to designate where skiing is permitted and prohibited. Skiing shall be done in a safe manner so as not to interfere with the fishermen or other boats.
- (f) Skiing will not be permitted in the harbor at any time.

Section 6. REPEAL OF SECTION 55.11; NEW SECTION 55.11

Section 55.11 is hereby repealed and in lieu thereof the following is hereby ordained as section 55.11 of the Cedar Rapids Municipal Code:

55.11 EXCESSIVE NOISE.

No one shall use a boat propelled in whole or in part by gas, gasoline, or naphtha unless the same has a stock factory muffler, underwater exhaust, or device such that the motor exhaust is at all times muffled or suppressed to not create excessive noise. No boat propelled by airplane type propellers shall be operated without adequate and proper safeguards to prevent damage or injury by rotating propeller. All boats shall comply with all other noise ordinances of the City of Cedar Rapids. Boats participating in races approved by the Parks, Waterways & Recreation Commission are excepted from the requirements of this section and of other noise ordinances.

Section 7. REPEAL OF SECTION 55.12; NEW SECTION 55.12

Section 55.12 is hereby repealed and in lieu thereof the following is hereby ordained as section 55.12 of the Cedar Rapids Municipal Code:

55.12 RACES OR EXHIBITS.

No person shall conduct ski shows, boat races, or other exhibitions in which boats are used without a special event permit issued by the City Manager or his/her designee.

Section 8. REPEAL OF SECTION 55.13; NEW SECTION 55.13

Section 55.13 is hereby repealed and in lieu thereof the following is hereby ordained as section 55.13 of the Cedar Rapids Municipal Code:

55.13 SPEED REGULATIONS.

(a) Every operator of a motor boat shall at all times navigate the same in a careful and prudent manner and at such rates of speed as not to endanger the life, limb or property of any person.

(b) No person shall operate a motor boat at a rate of speed greater than will permit him in the exercise of reasonable care to bring the boat to a stop within the assured clear distance ahead.

(c) **Exception.** Operators of motor boats competing in a race or regatta authorized by the City Manager or his/her designee may exceed posted restrictions on marked racing courses.

Section 9. REPEAL OF SECTION 55.14; NEW SECTION 55.14

Section 55.14 is hereby repealed and in lieu thereof the following is hereby ordained as section 55.14 of the Cedar Rapids Municipal Code:

55.14 DOCK CONSTRUCTION.

No person shall construct or use a fixed or floating dock unless the same is first approved by the Parks, Waterways & Recreation Commission.

Section 10. REPEAL OF SECTION 55.15; NEW SECTION 55.15

Section 55.15 is hereby repealed and in lieu thereof the following is hereby ordained as section 55.15 of the Cedar Rapids Municipal Code:

55.15 MOORING.

(a) No person shall moor a boat, house boat, boat house, dock or other floating device in the Cedar River or in any other water course, pond, or pool in the city limits of Cedar Rapids, Iowa without a written permit from the Parks, Waterways & Recreation Commission.

(b) No person shall conduct, operate, manage, maintain, or otherwise carry on any service or retail business or enterprise within the boundaries of the meander lines of the Cedar River within the corporate limits of the City of Cedar Rapids, or place, maintain, construct or float any barge, vessel or other structure whether afloat or fixed to the land adjacent to the shore lines of said river for the afore described purpose without a written permit from the Parks, Waterways & Recreation Commission.

Section 11. REPEAL OF SECTION 55.17; NEW SECTION 55.17

Section 55.17 is hereby repealed and in lieu thereof the following is hereby ordained as section 55.17 of the Cedar Rapids Municipal Code:

SECTION 55.17 - HARBOR AND SHORE RULES AND REGULATIONS.

A. Definitions.

1. "Harbor" refers to Ellis Boat Harbor, a protected area of the Cedar River located on Ellis Boulevard N.W., Houseboat Court, Pontoon Court and Harbor Drive.
2. "Quarry" shall mean the area west of Ellis Boulevard Boat Harbor, located at 2550 Ellis Boulevard N.W.
3. "Space" means a rental area in the harbor, either a boathouse stall (measuring *at least* 24 feet x 42 feet), a houseboat stall (42 feet x 33 feet), a slip (12 feet x 30 feet), or a quarry space (10 feet x 30 feet or 20 feet x 40 feet).
4. "Structure" is defined as any boathouse, dock or boat well in Ellis Harbor.
5. "Boathouse" refers to a structure that is intended to stay in place in the harbor, secured to the shoreline and not used for transportation on the river.
6. "Houseboat" refers to a vessel fitted for use as a dwelling that can move along the river.
7. "Catwalk" refers to the walkway from a boathouse, boat well, or dock to the sidewalk.

8. "City" refers to the City of Cedar Rapids Parks and Recreation Department.
- B. The following regulations shall govern the use of the Harbor or the Quarry. All persons using the Harbor or the Quarry shall comply with these regulations.
1. Rental Agreements
 - a. No Harbor or Quarry space may be occupied without a current rental agreement with the City. Rental agreements are for the term of the lease, ending on the 30th day of April. Rental agreements for the Ellis Blvd. and Houseboat Ct. sides will be limited to 2 per household. The Parks and Recreation Director or his/her designee is authorized to execute the rental agreement on behalf of the City.
 - b. Renewals - All rental agreements must be renewed on or before the 30th day of April in order to retain the same stall or slip location. The retaining of specific stalls or slips may not be possible due to the circumstances detailed in 55.17.B.31. If a rental agreement is not renewed by the 30th day of April the rental agreement will expire with the loss of any rights or privileges to the rental space indicated on said agreement. A \$5.00 per day late fee will be assessed starting May 1st for each day a space is occupied without a current rental agreement, added to the annual rental fee to be paid in full at the time of renewal. Failure to pay in full in 60 days shall result in loss of leased space, and removal of a structure to a designated storage area in the Quarry. See 55.17.B.29 for effects of prolonged unpaid storage of a structure.
 - c. All fees must be paid in full at the time the rental agreement is made or renewed.
 - d. New rentals are subject to the availability of spaces.
 2. To obtain a rental agreement, structures must meet all requirements of the City and State of Iowa HF 2484 (enacted April 10, 2010).
 3. Rental agreements are non-transferable, non-assignable, and spaces may not be sublet without City permission.
 4. All boats and houseboats that use a Harbor/Quarry space must have a current boating registration with the State of Iowa as required by law.

5. Upon receipt of a rental agreement to occupy a Harbor space, the renter has one year in which to build a Parks, Waterways & Recreation Commission approved structure. If this structure is not built, the rental agreement may not be renewed.
6. Structures shall not change location without the execution of a new rental agreement.
7. Construction plans for new structures and additions to existing structures must be approved by the Parks, Waterways & Recreation Commission or its designee and comply with Regulation 55.17.B.8 prior to construction.
8. No new structure shall exceed the space specified by the rental agreement, and in no case be in excess of 18 feet in width, 30 feet in length, and 16 feet in height from the bottom of the frame.

All exposed wood surfaces must be of treated lumber, with the exception of siding.

All structures must be centered in the assigned stall(s). All variances must be approved by the Parks, Waterways & Recreation Commission.

All new construction and remodeling plans must comply with the Boat Harbor District building codes and a permit must be issued by the City of Cedar Rapids Building Services Department.

9. Push rods must be used to extend and maintain a minimum of 12 feet from the sidewalk to the front of the structure.
10. All structures must use commercial floatation or foam filled barrels in accordance with State of Iowa HF 2484 (enacted April 10, 2010). All floatation must be secured to the undercarriage of a structure.
11. Structures must be secured at right angles to the sidewalk to prevent sway. By July 1, 2014, all structures must have a secondary securing cable (a.k.a. deadman cable) with a minimum 3/8 inch diameter secured to the harbor wall with a separate connection point. Cable length must be long enough to allow 30 feet of adjustment or slack during high water scenarios.
12. To eliminate obstructions to pedestrians, a catwalk must not be resting on the sidewalk nor shall items such as benches, fire pits, firewood, hoses, and construction materials, or similar be stored on the sidewalk.

13. All structures that have a toilet must have chemical toilets which have been approved by the Parks, Waterways & Recreation Commission. No dumping of gray or black water in the river. "Honey bucket" storage containers containing human waste are not to be stored on docks, walkways, in the Quarry or anywhere outside of structures. Outside storage of "pump out" holding tanks is permitted.
14. Harbor stall numbers no less than 4 inches in size must be placed on the front and rear sides of the structure so as to be easily visible from the street and river channel.
15. Structures must be kept clean, free of vermin, structurally sound, painted, and with floatation in place at all times.
16. No one shall occupy a boathouse year-round as permanent living quarters
17. No building materials, barrels, surplus lumber or junk shall be left on the sidewalk, in the water, or in any area of the Harbor/Quarry. Rubbish other than garbage must be disposed of within 48 hours of a written notification from the Parks and Recreation Director or his/her designee, or a civil penalty of \$100.00 will be charged against the owner of the structure to be paid within 30 days.
18. Garbage shall be drained and wrapped in paper or placed in sanitary bags for disposal in receptacles designated by the City.
 - a. No containers will be provided for recyclables.
 - b. Dumping of hazardous waste, household appliances, tires, paint, or furniture is prohibited.
19. Debris and materials left over from construction or repair of a structure within a designated storage area shall be disposed of by the owner, or civil penalty of \$100.00 will be charged against the owner of the structure, with assessment to be paid within 30 days.
20. Dumping of any refuse, waste water and debris in the river is prohibited.
21. The City must be notified by presentation of a "Structure(s) Selling Form," obtained from the Parks and Recreation Department, of all structure sales, at which time a new rental agreement transferring harbor privileges must be obtained by the new owner.

22. The deadline for boat and dock removal from the EE and EEE side of the harbor is October 31st. After written notification, the City will remove the boat and structure at the owner's expense.
23. Horseshoe playing in the harbor is prohibited.
24. Swimming in the harbor is prohibited.
25. Musical instruments, televisions or other such devices of electronic nature, shall not be used in a manner to disturb the peace and quiet of other persons.
26. Automobiles and trucks are prohibited from driving on the ice in the harbor.
27. No motorized vehicles, tents, awnings, or canopies will be allowed on the harbor grass or banks without written permission from the City.
28. Boat trailers shall be parked only in designated areas in the parking lots designated by the City. Parking restrictions shall be enforced by the Cedar Rapids Police Department.
29. Boats and structures which remain in any designated storage area for a period of longer than one year will be disposed of or destroyed by the City unless written permission is obtained from the Parks, Waterways & Recreation Commission. After said one year period, if said written permission has not been obtained, written notice will first be given to the owner by mail at the address shown on the rental agreement. Ten days after depositing said notice in the United States mail, the City will proceed to dispose of or destroy said property.
30. In addition to other penalties provided in this chapter or by other applicable law, failure to comply with these rules will result in the termination of any rental agreement and removal of any structure or other property from the harbor or quarry by the City. Cost of such removal will be assessed to the property owner.
31. The layout of stalls, slips, and structures is to be evaluated each year by the City and changed as necessary to maximize the occupancy of the harbor, or to meet other Commission objectives.

Section 12. SEPARABILITY OF PROVISIONS

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

Section 13.

The changes as provided in this Ordinance shall be made 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 14.

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

Section 15. WHEN EFFECTIVE

This Ordinance shall be in full force and effect on July 1, 2014 after its passage and publication as provided by law.

Introduced this 27th day of May, 2014.

Passed this _____ day of _____, 2014.



Council Agenda Cover Sheet

Public Hearing and Resolution

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

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

Phone Number/Extension: 5153

Description of Agenda Item: Consent Agenda Regular Agenda Map

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 42nd Street NE and I-380 Intersection Improvements project (estimated cost is \$423,000).

Resolution adopting plans, specifications, form of contract and estimated cost for the 42nd Street NE and I-380 Intersection Improvements project. CIP/DID #301614-02

Background:

This project includes improvements to the northbound exit ramp from Interstate 380 at 42nd Street NE, realignment and reconstruction of the trail crossing at 42nd 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 Council approved a resolution at the April 22 meeting to execute a License for Multi-Use Pathway/ Sidewalk agreement with the Chicago, Central & Pacific Railroad Company in connection with the project. Project will start in August and be substantially complete in the early summer of 2015.

Action / Recommendation:

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

Alternative to the Recommendation:

The Council could abandon the project and cancel the agreement with the IDOT.

Time Sensitivity: Must be acted upon May 27, 2014 to maintain the project schedule, and which must occur ahead of the project's June 17, 2014 bid opening.

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP No. 301614

Local Preference Policy: Applies Exempt

Explanation:

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

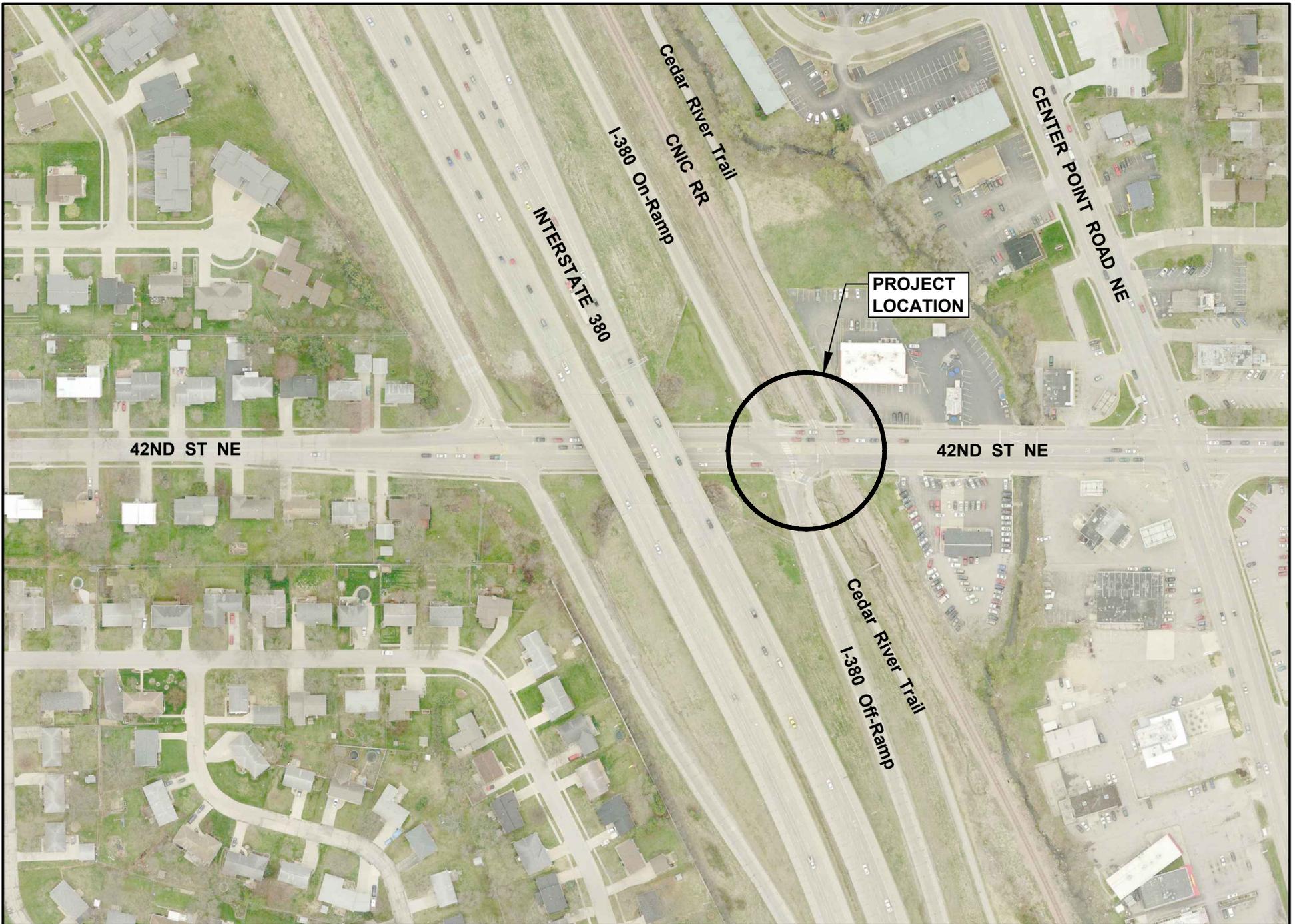
WHEREAS, on May 13, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the 42nd Street NE and I-380 Intersection Improvements project (Contract No. 301614-02) for the City of Cedar Rapids, Iowa, and

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 27th day of May, 2014.



**42ND STREET NE / I-380 / TRAIL
INTERSECTION IMPROVEMENTS**





Council Agenda Cover Sheet

Public Hearing and Resolution

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

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

Phone Number/Extension: 5153

Description of Agenda Item: Consent Agenda Regular Agenda Map

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Boyson Road NE Pavement Rehabilitation Improvements from C Avenue NE to East Corporate Limits project (estimated cost is \$470,000).

Resolution adopting plans, specifications, form of contract and estimated cost for Boyson Road NE Pavement Rehabilitation Improvements from C Avenue NE to East Corporate Limits project (**Paving for Progress**). CIP/DID #3012085-02

Background:

Boyson Road NE from C Avenue NE to the East Corporate Limits is an approximately 50-year old street and in need of rehabilitation in order to extend the service life of the pavement. This project will include concrete patching, curb and gutter replacement, asphalt surface rehabilitation, storm sewer intake replacement, as well as improvements to handicap ramps in the project limits to meet current accessibility requirements.

Action / Recommendation:

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

Alternative to the Recommendation:

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 May 27, 2014 to maintain the project schedule, and which must occur ahead of the project's June 4, 2014 bid opening.

Resolution Date Adopting Plans and Specs: May 27, 2014

Estimated Presentation Time: 5 Minute(s)

Budget Information (if applicable): CIP's 3012085 (Streets), 304996 (Storm Sewer)

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): Part of the "Paving for Progress" list of streets identified for repair.

RESOLUTION NO.

WHEREAS, on May 13, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Boyson Road NE Pavement Rehabilitation Improvements from C Avenue NE to East Corporate Limits project (Contract No. 3012085-02) 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 27th day of May, 2014.



**BOYSON ROAD NE FROM C AVENUE TO CORPORATE LIMITS
IMPROVEMENTS PROJECT**





Council Agenda Cover Sheet Public Hearing and Resolution

Submitting Department: Public Works Department

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

Phone Number/Extension: 5258

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** **Map**

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Veterans Memorial Stadium 2014 Storm Sewer Improvements – Phase II project (estimated cost is \$220,000).

Resolution adopting plans, specifications, form of contract and estimated cost for the Veterans Memorial Stadium 2014 Storm Sewer Improvements – Phase II project. CIP/DID #314338-04

Background:

The City of Cedar Rapids, the Veterans Commission and the Cedar Rapids Ball Club, Inc. have committed resources to provide for maintenance and repair projects at the Veterans Memorial Stadium. This project will correct drainage issues within the stadium's seating area and along the perimeter of the field.

Subject to receipt of acceptable bids, construction is scheduled to begin in September 2014 and be complete by November 2014

Action / Recommendation:

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

Alternative to the Recommendation: Defer the project and request more information.

Time Sensitivity: Normal

Resolution Date Adopting Plans and Specs: May 27, 2014

Estimated Presentation Time: 1 Minute(s)

Budget Information (if applicable): 314338-04 (\$266,000)

Local Preference Policy: Applies Exempt

Explanation: Does not fit criteria

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

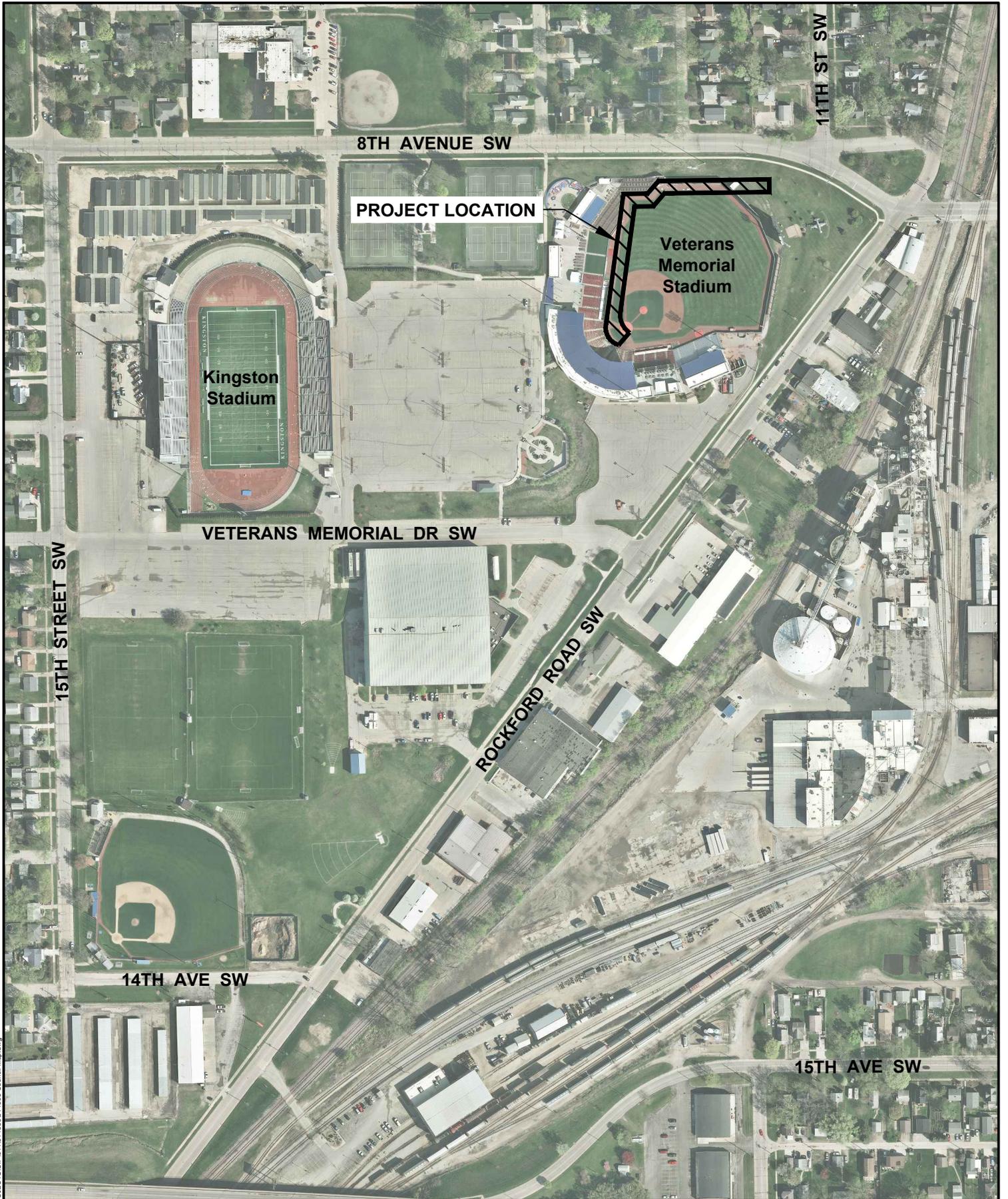
WHEREAS, on May 13, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Veterans Memorial Stadium 2014 Storm Sewer Improvements – Phase II project (Contract No. 314338-04) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

Passed this 27th day of May, 2014.



8TH AVENUE SW

11TH ST SW

PROJECT LOCATION

Veterans Memorial Stadium

Kingston Stadium

VETERANS MEMORIAL DR SW

15TH STREET SW

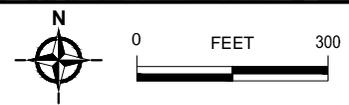
ROCKFORD ROAD SW

14TH AVE SW

15TH AVE SW



VETERANS MEMORIAL STADIUM
2014 STORM SEWER IMPROVEMENTS - PHASE 2



Cadd File Name: W:\PROJECTS\CI\141314338\14338 Council Map.dwg



Council Agenda Cover Sheet Public Hearing and Resolution

Submitting Department: Public Works Department

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

Phone Number/Extension: 5814

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

Phone Number/Extension: 5547

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

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 1st Street SW Alley from 3rd to 5th Avenue SW Sanitary Sewer Repair project (estimated cost is \$132,000).

Resolution adopting plans, specifications, form of contract and estimated cost for the 1st Street SW Alley from 3rd to 5th Avenue SW Sanitary Sewer Repair project (**FLOOD**). CIP/DID #SSD103-13

Background:

This project will reconstruct approximately 550 lineal feet of sanitary sewer and replace 3 sanitary sewer manholes within the 2008 flood impacted areas of the southwest quadrant. The purpose of the project is to restore the existing sanitary sewer to pre-2008 flood function and capacity. The available funding for this activity is \$175,029 (Flood) and subject to receipt of acceptable bids, construction is scheduled to begin in July 2014 and be completed by September 2014.

Action / Recommendation:

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

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

Time Sensitivity: Must be acted upon May 27, 2014 to maintain the project schedule, and which must occur ahead of the project's June 11, 2014 bid opening.

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): FEMA PW #SSD103

Local Preference Policy: Applies Exempt

Recommended by Council Committee: Yes No N/A

RESOLUTION NO.

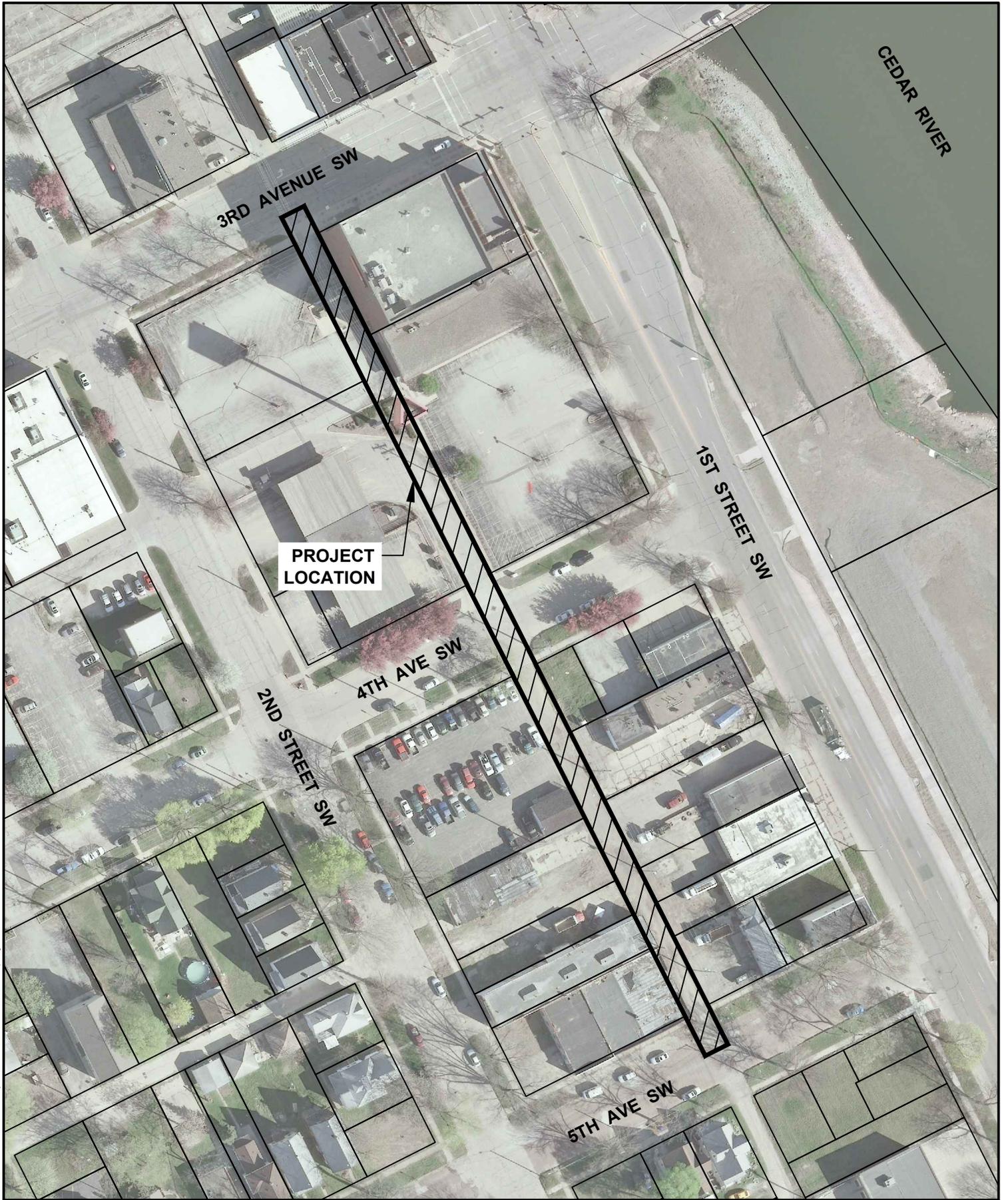
WHEREAS, on May 13, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the 1st Street SW Alley from 3rd to 5th Avenue SW Sanitary Sewer Repairs project (Contract No. SSD103-13) for the City of Cedar Rapids, Iowa, and

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 27th day of May, 2014.



3RD AVENUE SW

CEDAR RIVER

1ST STREET SW

PROJECT LOCATION

4TH AVE SW

2ND STREET SW

5TH AVE SW

Cedar File Name: W:\PROJECTS\FLOOD\SSD103 - Sanitary Sewer SW Quad\SSD103 Council Meeting



**1ST STREET SW ALLEY FROM 3RD TO 5TH AVENUE SW
SANITARY SEWER REPAIRS PROJECT**



Public Hearing Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Utilities – Water Division

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

Alternate Contact: Ken Russell **Phone No.:** 5926 **E-mail:** k.russell@cedar-rapids.org

Description of Agenda Item:

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Road project (estimated cost is \$374,000) (Steve Hershner).

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Road project. CIP/DID #625542-2014058-02

Background:

The Utilities Department – Water Division intends to install approximately 1,150 LF of 24-inch transmission main extending the 720 LF of dead-end 24-inch transmission main that is being installed as part of the Ushers Ferry crossing improvements associated with the DOT Hwy 100 project. The closure of the loop at Blairs Ferry Road also allows a portion of the Edgewood Road water main to be taken out of service for the construction of the highway interchange at Edgewood and Hwy. 100. The Ushers Ferry transmission main is part of the Utilities Department long range plan for distribution system improvements.

Bids are scheduled to be opened June 4, 2014 at 11:00 AM.

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 Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Road project.

Time Sensitivity:

Request action during the May 27, 2014 City Council meeting in an effort to maintain the proposed project construction schedule.

Resolution Date: 05/27/14

Estimated Presentation Time: 1 Minute(s)

Budget Information (if applicable):

- 1. **Included in Current Budget Year:** This project will be funded from the Fiscal Year 2014 Utilities Department Water Division CIP budget and coded to 553000-625-625000-625542-6252014058.
- 2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The FY14 Water CIP budget includes \$1,500,000 for engineering and construction of water main extension projects under CIP number 625542. The budget for construction will be established pursuant to the completion of the initial evaluation by the Engineer.
- 3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, purchasing guidelines are being followed for Public Improvement Projects.

Local Preference Policy Applies Exempt

Explanation: Local Preference does not apply to Public Bid Capital Improvement Projects.

Recommended by Council Committee Yes No N/A

Explanation (if necessary): N/A

RESOLUTION NO.

WHEREAS, on May 13, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Road project (Contract No. 625542-2014058-02) 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 27th day of May, 2014.



Public Hearing Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Utilities – Water Division

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

Alternate Contact: Ken Russell **Phone No.:** 5926 **E-mail:** k.russell@cedar-rapids.org

Description of Agenda Item:

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 16th Ave SW & Williams Blvd SW Water Main Loop Closure project (estimated cost is \$60,000) (Steve Hershner).

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the 16th Ave SW & Williams Blvd SW Water Main Loop Closure project. CIP/DID #2014046-01

Background:

The Utilities Department – Water Division intends to install approximately 391 lineal feet of 12-inch water main to replace water main that was removed in 2012 as part of Public Works Project #PWC012-02 to accommodate the grading of the adjacent detention area and installation of storm sewers near the intersection of 16th Ave SW and Williams Blvd. SW. This project will restore a ‘loop’ within the water distribution system by removing dead ends and improve distribution system reliability, water circulation, and water quality. The estimated cost is \$60,000.

A Pre-Bid Conference on the contract is scheduled for June 4, 2014 at 1:30 PM and bids are scheduled to be opened June 11, 2014 at 11:00 AM.

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 16th Ave SW & Williams Blvd SW Water Main Loop Closure project.

Time Sensitivity:

Request action during the May 27, 2014 City Council meeting in an effort to maintain the proposed project construction schedule.

Resolution Date: 05/27/14

Estimated Presentation Time: 1 Minute(s)

Budget Information (if applicable):

1. **Included in Current Budget Year:** This project will be funded from the Fiscal Year 2014 Utilities Department – Water Division CIP budget and coded to 625-625000-625883-6252014046.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The Fiscal Year 2014 Water CIP budget includes \$150,000 for engineering and construction of water main looping projects under CIP number 625883. The budget for construction will be established pursuant to the completion of the initial evaluation by the Engineer.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, purchasing guidelines are being followed for Public Improvement Projects.

Local Preference Policy Applies Exempt

Explanation: Local Preference does not apply to Public Bid Capital Improvement Projects.

Recommended by Council Committee Yes No N/A

Explanation (if necessary): N/A

RESOLUTION NO.

WHEREAS, on May 13, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the 16th Ave SW & Williams Blvd SW Water Main Loop Closure project (Contract No. 2014046-01) 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 27th day of May, 2014.



Public Hearing Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Utilities – Water Division

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

Alternate Contact: Justin Koller **Phone No.:** 5994 **E-mail:** j.koller@cedar-rapids.org

Description of Agenda Item:

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 16th Avenue SW (400-Ft East of 23rd Street SW to Williams Blvd SW) Water Main Rehabilitation project (estimated cost is \$460,000) (Steve Hershner).

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the 16th Avenue SW (400-Ft East of 23rd Street SW to Williams Blvd SW) Water Main Rehabilitation project. CIP/DID #2011061-02

Background:

The Utilities Department – Water Division intends to replace approximately 2300 feet of water main on 16th Avenue SW between Williams Blvd. SW and 400-ft East of 23rd Street SW. The existing 10-inch water main was installed in the 1940's and has a history of multiple breaks, service disruptions and street closures for maintenance and repair.

A pre-Bid conference will be held at 11:00 a.m. on May 20, 2014 and bids are scheduled to be opened June 4, 2014 at 11:00 a.m.

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 16th Avenue SW (400-Ft East of 23rd Street SW to Williams Blvd SW) Water Main Rehabilitation project.

Time Sensitivity:

Request action during the May 27, 2014 City Council meeting in an effort to maintain the proposed project construction schedule.

Resolution Date: 05/27/14

Estimated Presentation Time: 1 Minute(s)

Budget Information (if applicable):

1. **Included in Current Budget Year:** This project will be funded from the Fiscal Year 2015 Utilities Department – Water Division CIP budget and coded to 625-625000-625884-6252011061.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The FY15 CIP budget includes \$1,500,000 for engineering and construction of replacement type projects under CIP number 625884. The budget for construction will be established pursuant to the completion of the initial evaluation by the Engineer.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, purchasing guidelines are being followed for Public Improvement Projects.

Local Preference Policy Applies Exempt

Explanation: Local Preference does not apply to Public Bid Capital Improvement Projects.

Recommended by Council Committee Yes No N/A

Explanation (if necessary): N/A

RESOLUTION NO.

WHEREAS, on May 13, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the 16th Avenue SW (400-Ft East of 23rd Street SW to Williams Blvd SW) Water Main Rehabilitation project (Contract No. 2011061-02) 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 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Development Services

Presenter at meeting: Joe Mailander

Phone Number/Ext: 319 286-5822

Email: j.mailander@cedar-rapids.org

Alternate Contact Person: Vern Zakostecky

Phone Number/Ext: 319 286-5043

Email: v.zakostecky@cedar-rapids.org

Description of Agenda Item: Consent Ordinance Regular Agenda

Motion setting a public hearing for June 10, 2014 to consider a change of zone for property at 1023 and 1027 6th Street SE from R-TN, Traditional Neighborhood Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Sky's Edge Development, L.C. CIP/DID #RZNE-008869-2014

Background:

The request for rezoning of this property was reviewed by the City Planning Commission on May 8, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

The proposed Oakhill Villages is an infill redevelopment of property located at 1023 and 1027 6th Street SE. This area was impacted by the 2008 floods and is being redeveloped through the ROOTS program.

Total land area:	11,200 SF
Total Dwelling Units:	4 Single Family Condos
Total Building Coverage:	4,102 SF
Parking Area:	8 Stalls, 3,283 SF
Open Space:	3,815 SF (36%)

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission reviewed the application on May 8, 2014 and recommended approval a 7 to 0 vote. A portion of the minutes are included as Attachment A. There were objectors and this is a flood related item.
City Council consideration	<ul style="list-style-type: none"> A Public Hearing and First Reading of the Ordinance will be held on June 10, 2014 to allow for public input. Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.

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

Action / Recommendation:

City staff recommends setting the public hearing.

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

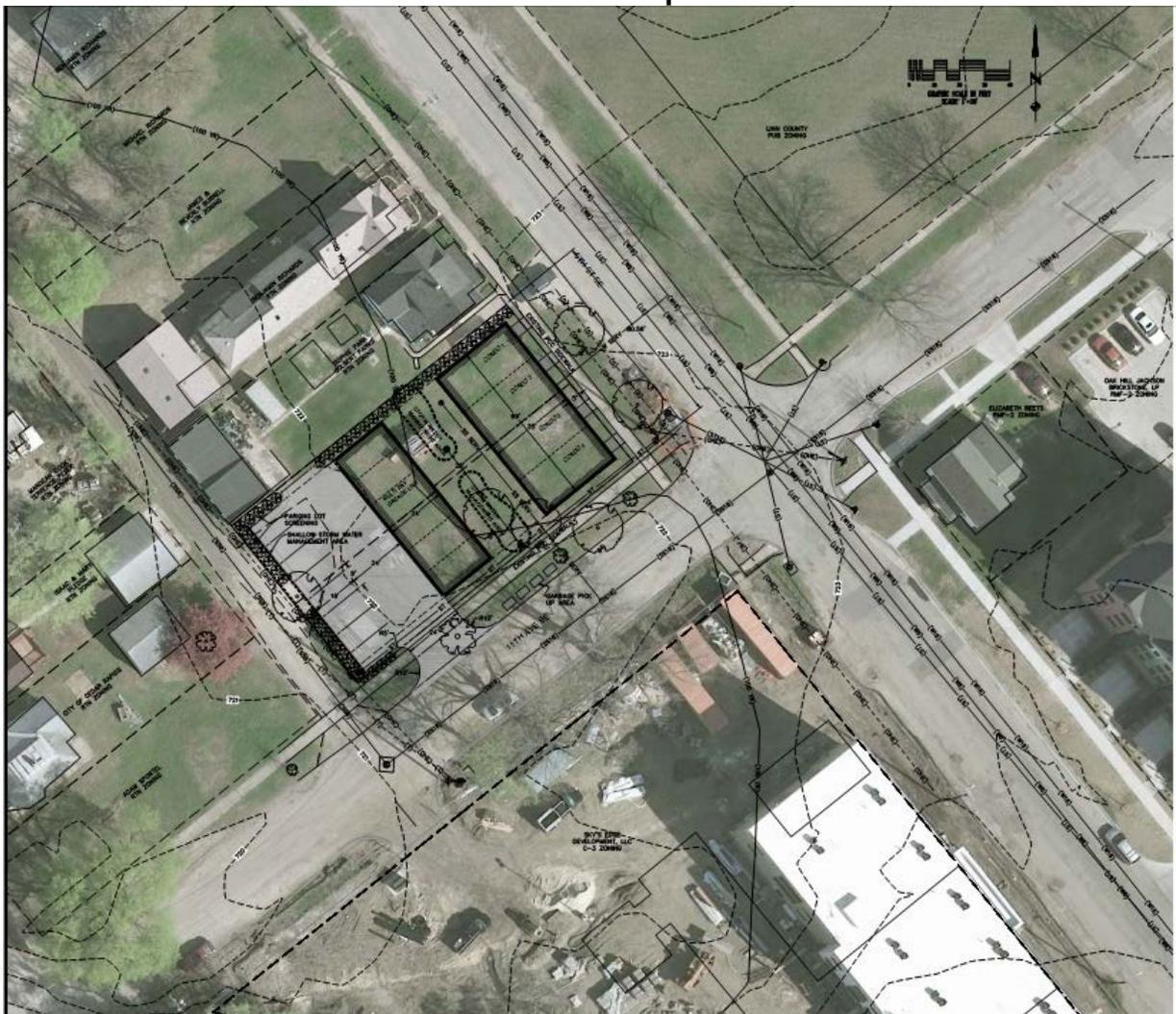
Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

Location Map





MINUTES
CITY PLANNING COMMISSION REGULAR MEETING,
Thursday, May 8, 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
Allan Thoms
Virginia Wilts

Member Absent: Kim King

DSD Staff: Joe Mailander, Manager
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 April 17, 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.

Case Name: 1023 and 1027 6th Street SE (Rezoning)

Consideration of a Rezoning from R-TN, Traditional Neighborhood Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Sky's Edge Development, L.C. (Applicant/Titleholder)

Case No: RZNE-008869-2014; Case Manager: Vern Zakostelecky

Mr. Mailander stated this project was called Oak Hill Villages, a development of 4 townhomes along 6th Street SE. The developer is Sky's Edge Development and is currently zoned R-TN to be rezoned to a PUD-2. Mr. Mailander showed the site development plan, location/zoning map

and renderings of the project. A Home Owners Association (HOA) will be established to manage the townhome property. This rezoning will go to City Council for a motion to set the public hearing on May 27, 2014 with the public hearing to be held on June 10, 2014.

Commissioner Overland called for questions of Mr. Mailander.

Commissioner Thoms asked if this was in the 100 year flood plain and will the project maintain a low finish elevation? Mr. Mailander stated that yes; the lowest opening in the building will be 2 feet above the base flood plain elevation.

Commissioner Thoms asked if there are parking spaces in the rear of the property. Do you include that area in your open space (green space of 3800 square feet)? Mr. Mailander stated no, the open space is yard located around and between the buildings.

Commissioner Overland called for a representative of the applicant.

Brent Jackman, Hall & Hall Engineers, 1860 Boyson Road, Hiawatha, IA stated he would be happy to answer any questions regarding the site or engineering the Commission had of him or the developer.

Commissioner Overland called for questions of the applicant.

Commissioner Wilts stated that in the narrative said that residential development will be in the character of the surrounding community, however, the renderings shown look pretty stark compared to the surrounding community. Mr. Mailander stated that to the south this looked similar to others in the Oak Hill Jackson community.

Commissioner Overland asked if this was what the garages will look like. Mr. Jackman stated yes.

Commissioner Overland stated that looking at the narrative, exceeding the City standard was attractive and he thought this looked like an attractive development and thanked the developer.

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

Commissioner Overland called for a motion to approve the rezoning. Commissioner Halverson made a motion to approve the Rezoning from R-TN, Traditional Neighborhood Residence Zone District to PUD-2, Planned Unit Development Two Zone District. Commissioner Wilts seconded the motion.

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

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

The meeting was adjourned at 4:00 pm

Respectfully Submitted, Betty Sheets, Administrative Assistant, Community Development



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Development Services

Presenter at meeting: Joe Mailander

Phone Number/Ext: 319 286-5822

Email: j.mailander@cedar-rapids.org

Alternate Contact Person: Vern Zakostelecky

Phone Number/Ext: 319 286-5043

Email: v.zakostelecky@cedar-rapids.org

Description of Agenda Item: Consent Ordinance Regular Agenda

Motion setting a public hearing for June 10, 2014 to consider a change of zone for property at 1140 C Street SW and 1223 1st Street SW from O-S, Office/Service Zone District to PUD-2, Planed Unit Development Two Zone District as requested by Sky's Edge Development, L.C and City of Cedar Rapids. CIP/DID #RZNE-008870-2014

Background:

The request for rezoning of this property was reviewed by the City Planning Commission on May 8, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

The proposed development will consist of 7 detached single-family homes occupying one lot and sold as condominiums. The proposed homes will range in size from 1,186 SF to 1,212 SF and will be made available as part of the City's ROOTS project for reinvesting in areas impacted by the 2008 Flood.

Total land area:	25,142 SF
Total Dwelling Units:	7 Single-Family Detached Homes
Total Building Coverage:	10,230 SF
Parking Area:	16 Stalls, 3,283 SF
Open Space:	11,200 SF (44%)

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission reviewed the application on May 8, 2014 and recommended approval a 7 to 0 vote. A portion of the minutes are included as Attachment A. There were objectors and this is a flood related item.
City Council consideration	<ul style="list-style-type: none"> A Public Hearing and First Reading of the Ordinance will be held on June 10, 2014 to allow for public input. Two additional readings of the Ordinance by City Council are required by

	<p>State law before approval of the rezoning is final.</p> <ul style="list-style-type: none"> • Approval of the rezoning will be subject to the conditions stated in the Ordinance.
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Action / Recommendation:
 City staff recommends setting the public hearing.

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





MINUTES
CITY PLANNING COMMISSION REGULAR MEETING,
Thursday, May 8, 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
Allan Thoms
Virginia Wilts

Member Absent: Kim King

DSD Staff: Joe Mailander, Manager
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 April 17, 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.

Case Name: 1140 C Street SW and 1223 1st Street SW (Rezoning)

Consideration of a Rezoning from O-S, Office/Service Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Sky’s Edge Development, L.C.

Case No: RZNE-008870-2014; Case Manager: Vern Zakostelecky

Mr. Mailander stated this project is called Sedona Villages and the developer is Sky’s Edge Development. It is located off of C Street SW and includes 7 single-family detached homes. Mr. Mailander showed an aerial photo, location/zoning map and preliminary site plan with

renderings of the project. PUD rezoning is also requested for this project in the Kingston Village area. This project is owner-occupied with an HOA for common area maintenance.

Commissioner Overland called for questions of Mr. Mailander.

Commissioner Knox-Seymour asked if this was an affordable housing project. Mr. Mailander stated that this is part of the City's ROOTs program and considered work-force housing with income limits.

Commissioner Overland called for a representative of the applicant.

Brent Jackman, Hall & Hall Engineers stated he would be happy to answer any questions.

Commissioner Wilts stated she preferred these renderings.

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

Wes Pudil, 1207 1st Street SW asked what they would do for parking.

Mr. Jackman stated that required parking based on occupant load was 13 spaces. Six (6) available spaces on street parking and ten (10) garages onsite would give them 16 available parking when only 13 were required.

Commissioner Overland called for a motion to approve the Rezoning. Commissioner Thoms made a motion to approve the Rezoning from O-S, Office/Service Zone District to PUD-2, Planned Unit Development Two Zone District. Commissioner Knox-Seymour 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 4:00 pm

Respectfully Submitted,
Betty Sheets, Administrative Assistant,
Community Development and Development



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Development Services Department

Presenter at meeting: Joseph Mailander
Email: j.mailander@cedar-rapids.org

Phone Number/Ext: 319 286-5822

Alternate Contact Person: Dave Wallace
Email: d.wallace@cedar-rapids.org

Phone Number/Ext: 319 286-5814

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

Motion setting a public hearing date for June 10, 2014 to consider amending Chapter 12 of the Municipal Code, Water Service, Section 12.05 (b) Water Connection Charge, to clarify the intent and implementation of the water connection fee. CIP/DID #OB

Background:

City staff has been working with local developers and property owners to revise the current utility connection fee process in order to standardize implementation and make the fee equitable for all users. This proposal has been reviewed through the Greater Cedar Rapids Area Home Builders Association and the City Infrastructure Committee.

Action / Recommendation:

City staff recommends setting a public hearing.

Alternative Recommendation:

City Council may deny the motion and return the ordinance revision to the Infrastructure Committee for further review.

Time Sensitivity: N/A

Resolution Date: June 10, 2014

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): Recommended by the City's Infrastructure Committee



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Development Services Department

Presenter at meeting: Joseph Mailander
Email: j.mailander@cedar-rapids.org

Phone Number/Ext: 319 286-5822

Alternate Contact Person: Dave Wallace
Email: d.wallace@cedar-rapids.org

Phone Number/Ext: 319 286-5814

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

Motion setting a public hearing date for June 10, 2014 to consider amending Chapter 13 of the Municipal Code, Wastewater Facilities, [13.04 Sewer Use Requirement, Section (c) Sewer Connection Charge] to clarify the intent and implementation of the sanitary sewer connection fee. CIP/DID #OB

Background:

City staff has been working with local developers and property owners to revise the current utility connection fee process in order to standardize implementation and make the fee equitable for all users. This proposal has been reviewed through the Greater Cedar Rapids Area Home Builders Association and the City Infrastructure Committee.

Action / Recommendation:

City staff recommends setting a public hearing.

Alternative Recommendation:

City Council may deny the motion and return the ordinance revision to the Infrastructure Committee for further review.

Time Sensitivity: N/A

Resolution Date: June 10, 2014

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): Recommended by the City's Infrastructure Committee



Council Agenda Cover Sheet

Motion Setting Public Hearing, filing plans and advertising for bids

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

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

Phone Number/Extension: 5821

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

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for June 10, 2014 and advertising for bids by publishing notice to bidders for the FY 2015 Curb Repair Project – Contract 1 project and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on June 18, 2014 (estimated cost is \$330,000) **(Paving for Progress)**. CIP/DID #301998-06

Background:

This public hearing is for the third of three curb repair projects planned for the 2014 construction season. In the recent past the program was limited to one curb repair bid package, but with the Paving for Progress revenue now available, the program is being expanded to three projects and nearly four times the number of curb repairs will be completed this year than in past years. The curb repairs to be completed this year will address numerous locations that have been deferred in the past. In subsequent years, a proactive program for curb repairs will continue, reducing deterioration of municipal streets. Subject to receipt of acceptable bids, construction is scheduled to begin in the summer of 2014 and be completed within 45 working days.

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 June 10, 2014 and advertising for bids by publishing notice to bidders for the project.

Alternative to the Recommendation:

If the resolution is not adopted, the project would be delayed, resulting in further deterioration to the affected streets, or the funds from this project could be applied to another project.

Time Sensitivity: Normal

Resolution Date Adopting Plans and Specs: May 27, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 301998 Street LOST 7970

Local Preference Policy: Applies Exempt

Recommended by Council Committee: Yes No N/A

Program objectives reviewed with the committee

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** **Map**

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for June 10, 2014 and advertising a public hearing notice for the Edgewood Road Pedestrian Overpass Bridge and Shared Use Path from Prairie Valley Court SW to 37th Avenue SW project, with bid opening scheduled for June 17, 2014 at the Iowa Department of Transportation (estimated cost is \$1,766,000). CIP/DID #305121-02

Background:

The Corridor Metropolitan Planning Organization (CMPO) has approved \$834,000 of federal-aid funding for this project, and the City Council approved Agreement No. 6-13-STPU-27, Federal-Aid Agreement for a Surface Transportation Program Project, for this project on December 17, 2013.

This project proposes to construct a Shared Use Path on the east side of Edgewood Road SW from Prairie Valley Court SW to 37th Avenue SW (IDOT No. STP-U-1187(775)—70-57). This improvement is the last phase of the multi-phase Edgewood Road SW improvements from Highway 30 to 60th Avenue SW, and provides an extension of the existing Shared Use Path that currently stops at Prairie Valley Court SW. The improvements include a bridge over Highway 30, an underpass structure for the westbound Highway 30 off-ramp, and using the existing undercrossing of the eastbound Highway 30 on-ramp.

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 June 10, 2014 and advertising for bids by publishing notice to bidders for the project.

Alternative to the Recommendation:

The Council could defer approval. However, this action will postpone the bid date, which would affect construction schedule, and require removal of the project from the Iowa DOT bid schedule.

Time Sensitivity: Must be acted upon May 27, 2014 in order for bids to be opened at the Iowa Department of Transportation on June 17, 2014

Resolution Date Adopting Plans and Specs: June 10, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

CIP No. 3012001 (streets/sidewalks) -	\$968,000
CIP No. 305121 (bridges) -	\$964,600
Total Construction Budget	\$1,942,600

Local Preference Policy: Applies Exempt

Explanation: Project funding is through the federal-aid Surface Transportation Program (STP)

Recommended by Council Committee: Yes No N/A

Explanation (if necessary): Project Updates provided to Infrastructure Committee



Cadd File Name: W:\PROJECTS\CIP\306\306121\306121 Council Map.dwg



**EDGEWOOD ROAD PEDESTRIAN OVERPASS
BRIDGE AND SHARED USE PATH FROM
PRAIRIE VALLEY COURT SW TO 37TH AVENUE SW**





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** **Map**

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for June 10, 2014 and advertising for bids by publishing notice to bidders for the 29th Street NE from Oakland Road NE to Prairie Drive NE Traffic Signal Improvements project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on June 11, 2014 (estimated cost is \$334,000). CIP/DID #306204-02

Background:

Resolution No. 1336-11-10, dated November 10, 2010, approved Agreement No. 2010-TS-012 in the amount of \$85,000 for Traffic Safety Improvement Program (TSIP) funding for upgrading of the traffic signals at the 29th Street and Oakland Road NE intersection. Resolution No. 0956-07-11, dated July 26, 2011, approved Agreement No. 2012-TS-021 in the amount of \$112,000 for Traffic Safety Improvement Program (TSIP) funding for installation of traffic signals at the 29th Street & Prairie Drive NE intersection.

Project improvements at the 29th Street and Oakland Road NE intersection include upgrading of the traffic signal indications from post mounted to overhead mounted signals, upgrading of vehicle actuation, installation of pedestrian countdown signal indications for all directions, pedestrian push buttons, and extending the sidewalk from the southwest corner to the northwest corner of the intersection.

Project improvements at the 29th Street and Prairie Drive NE intersection include installation of a new fully actuated traffic signal, pedestrian countdown indications, pedestrian push buttons, and underground fiber-optic interconnect to the 29th Street and Oakland Road NE intersection. Pedestrian sidewalk ramps are under contract with the Prairie Drive NE from 29th Street to Franklin Avenue Portland Cement Concrete (PCC) Sidewalk project (Contract No. 301385-01).

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 June 10, 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: June 10, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

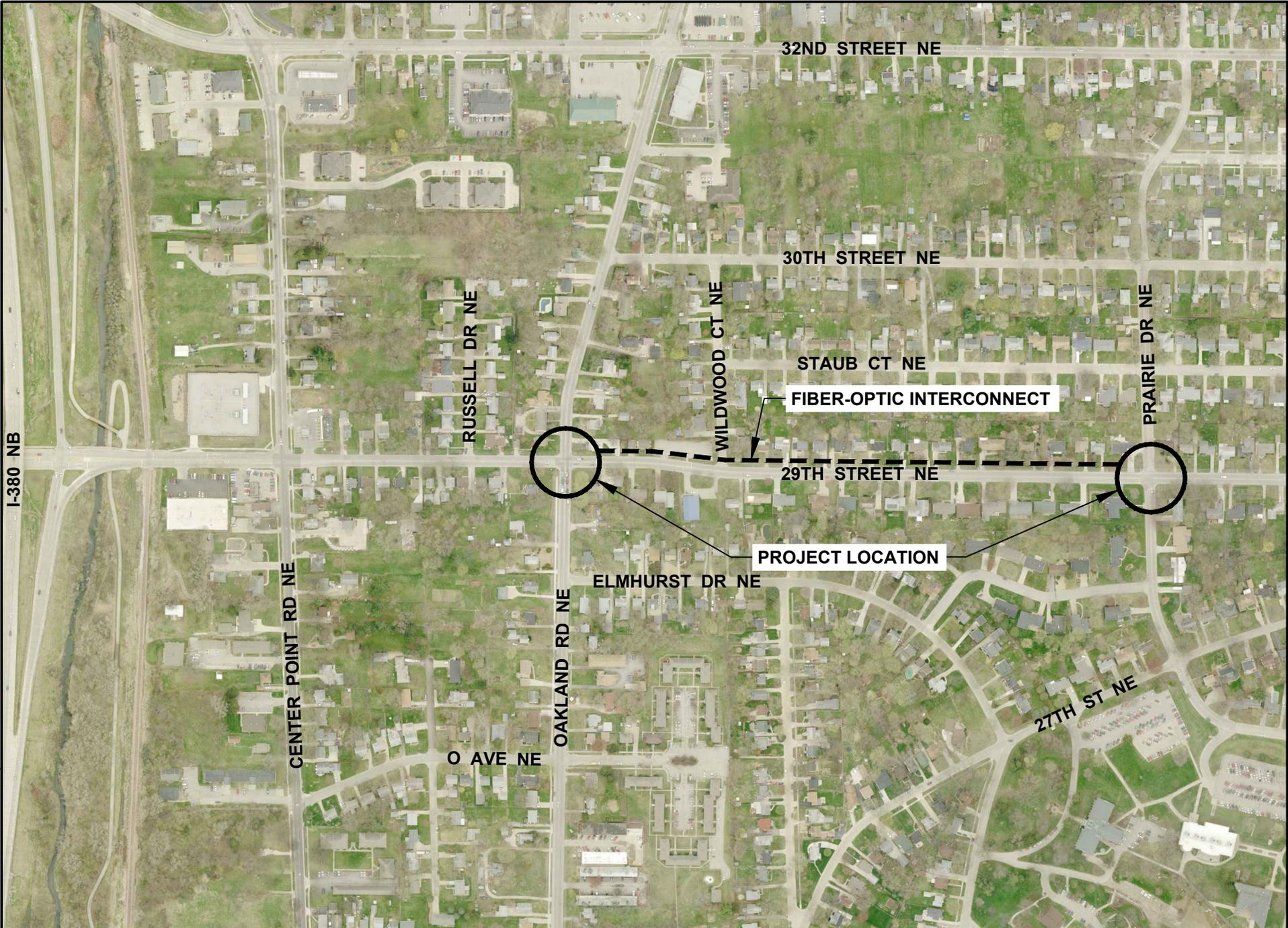
CIP No. 3012071(sidewalk)-	\$ 13,640
CIP No. 306204 (signals) -	\$146,300
CIP No. 306255 (signals) -	\$193,160
CIP No. 625884-2014014(water) -	\$ 14,410
Total Construction Budget	\$367,510

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):



**29TH STREET NE FROM OAKLAND ROAD NE TO PRAIRIE DRIVE NE
TRAFFIC SIGNAL IMPROVEMENT PROJECT**





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

Submitting Department: Public Works Department

Presenter at meeting: Sandy Pumphrey, PE
E-mail Address: s.pumphrey@cedar-rapids.org

Phone Number/Extension: 5363

Alternate Contact Person: Captain Bernard Walther
E-mail Address: b.walther@cedar-rapids.org

Phone Number/Extension: 5470

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

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for June 10, 2014 and advertising for bids by publishing notice to bidders for the Cedar Rapids Police Department Firearms Range Improvements – Phase I project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on June 18, 2014 (estimated cost for the base bid is \$690,000). CIP/DID #310333-10

Background: Improvements include regraded range berms, new bullet traps and concrete sidewalls. Alternates include acoustic panels, a new observation tower, site lighting and fencing improvements. Numerous other agencies have provided funds to allow for these improvements, as stakeholders in the improved facility. The general purpose of the improvements is to enhance the safety and capacity of the range. Construction will begin late summer 2014 and end in the spring of 2015. However milestones have been incorporated into the project schedule to allow limited use of the range throughout the winter months.

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 June 10, 2014 and advertising for bids by publishing notice to bidders for the project.

Alternative to the Recommendation: Repackage the phases of the project when additional funds become available.

Time Sensitivity: Normal

Resolution Date Adopting Plans and Specs: June 10, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP# 310333, with supplementary funding from FBI, University of Iowa, Johnson County SO, Coralville PD, Iowa City PD, North Liberty PD and the CRPD Asset Forfeiture fund.

Local Preference Policy: Applies Exempt

Explanation: Capital Improvement Project

Recommended by Council Committee: Yes No N/A



Council Agenda Cover Sheet

Motion Setting Public Hearing, filing plans and advertising for bids

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

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

Phone Number/Extension: 5153

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

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for June 10, 2014 and advertising for bids by publishing notice to bidders for the 19th Street SE, Bever Avenue SE, And Garden Drive SE Pavement Rehabilitation Improvements, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on June 18, 2014 (estimated cost is \$1,428,000) (**Paving for Progress**). CIP/DID #3012081-02

Background:

Bever Avenue SE between 14th Street SE and 19th Street SE, Bever Avenue SE between 22nd Street SE and Memorial Drive SE, 19th Street SE between 5th Avenue SE and Bever Avenue SE, and Garden Drive SE between Washington Avenue and Grande Avenue SE are in need of rehabilitation in order to extend the service life of the pavement. This project will include concrete patching, curb and gutter replacement, asphalt surface rehabilitation, storm sewer intake replacement, as well as improvements to handicap ramps in the project limits to meet current accessibility requirements.

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 June 10, 2014 and advertising for bids by publishing notice to bidders for the project.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date Adopting Plans and Specs: June 10, 2014

Estimated Presentation Time: 0 Minute(s)

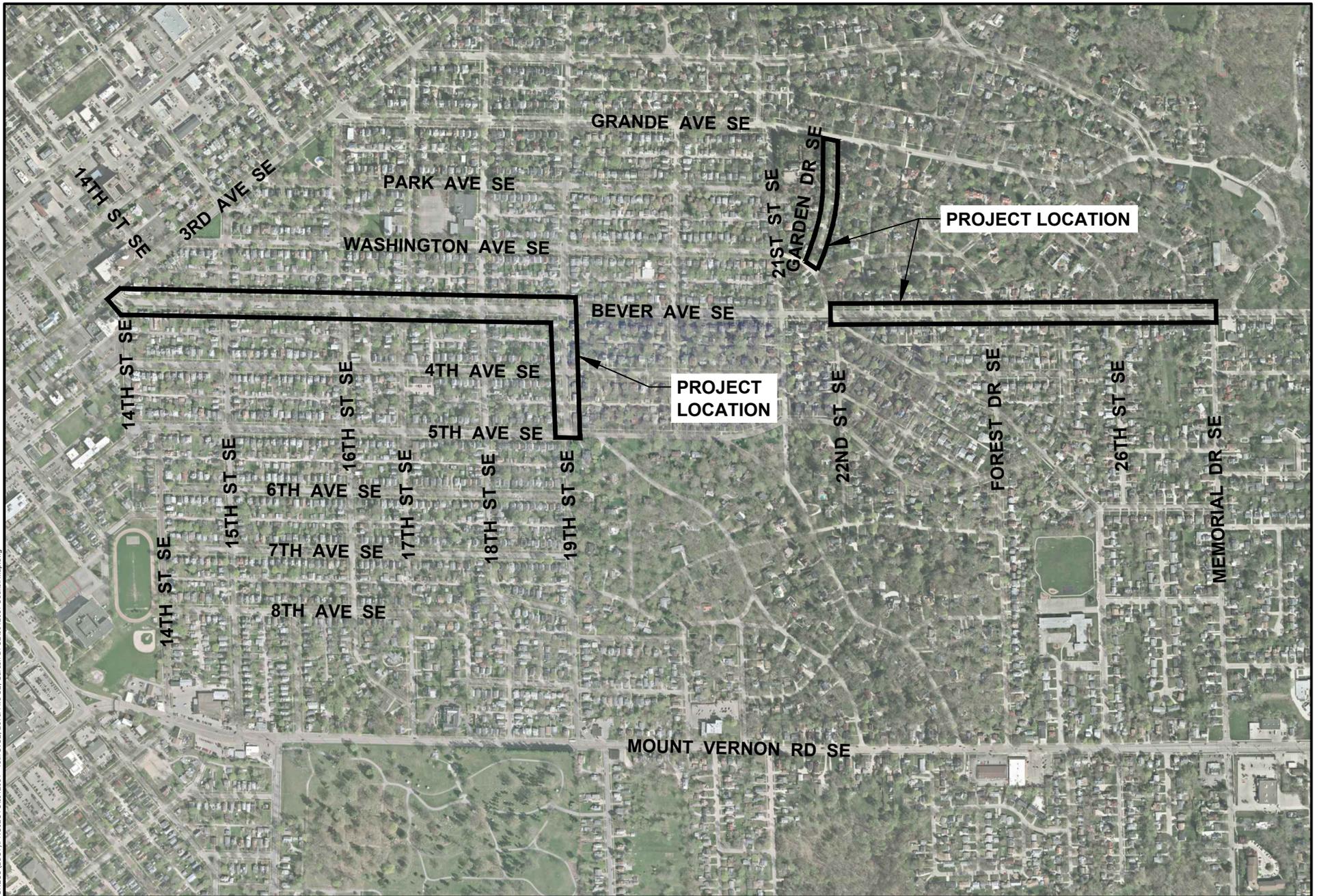
Budget Information (if applicable): CIP's 3012081 (Streets), 304996 (Storm Sewer)

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):



**BEVER AVENUE SE FROM MEMORIAL DRIVE TO 22ND STREET
AND FROM 19TH STREET TO 14TH STREET,
19TH STREET FROM 5TH AVENUE TO BEVER AVENUE AND
GARDEN DRIVE SE FROM WASHINGTON AVENUE TO GRANDE AVENUE
IMPROVEMENTS PROJECT**





Council Agenda Cover Sheet

Motion Setting Public Hearing, filing plans and advertising for bids

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: Kevin Vrchoticky, EI
E-mail Address: k.vrchoticky@cedar-rapids.org

Phone Number/Extension: 5896

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

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for June 10, 2014 and advertising for bids by publishing notice to bidders for the FY 2015 Sidewalk and Ramp Repair Program - Contract No.1 project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on June 11, 2014 (estimated cost is \$133,000). CIP/DID #3017015-01

Background: The approved FY 2015 Capital Improvements Program includes funding for sidewalk repair and installation of pedestrian ramps for the City, including detectable warning systems. The purpose of the program is to repair existing sidewalk and install pedestrian ramps at various locations throughout the City. The available funding for this activity is \$204,290. This project is titled "FY 2015 Sidewalk and Ramp Repair Program – Contract No. 1". Subject to receipt of acceptable bids, construction is scheduled to begin in the summer of 2014 and be completed within 48 working days.

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 June 10, 2014 and advertising for bids by publishing notice to bidders for the project.

Alternative to the Recommendation: If the resolution is not approved on June 10, 2014, work would be deferred and considered as part of a future sidewalk repair program.

Time Sensitivity: Normal

Resolution Date Adopting Plans and Specs: June 10, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 3017015

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: 5/27/14

Submitting Department: Finance – Treasury Operations

Presenter at meeting: Casey Drew

Phone Number/Ext: 5097

Email: c.drew@cedar-rapids.org

Alternate Contact Person: Michele Tamerius

Phone Number/Ext: 5113

Email: m.tamerius@cedar-rapids.org

Description of Agenda Item:

Resolution authorizing and providing for the issuance of \$4,280,000 General Obligation Bonds, Series 2014A, levying a tax to pay said bonds, approval of tax exemption certificate and continuing disclosure certificate. CIP/DID #OB838449

Resolution authorizing and providing for the issuance of \$10,475,000 Taxable General Obligation Urban Renewal Bonds, Series 2014B, levying a tax to pay said bonds and approval of continuing disclosure certificate. CIP/DID #OB838449

Motion to approve the Tax Exemption Certificate for Series 2014C and the Continuing Disclosure Certificate for Series 2014C.

- a. Resolution authorizing and providing for the issuance of and securing the payment for \$11,570,000 Sewer Revenue Bonds, Series 2014C, of the City of Cedar Rapids, State of Iowa, under the provisions of the City Code of Iowa, and providing for a method of payment of the bonds. CIP/DID #OB838449

Motion to approve the Tax Exemption Certificate for Series 2014D and the Continuing Disclosure Certificate for Series 2014D.

- a. Resolution authorizing and providing for the issuance of and securing the payment for \$4,570,000 Water Revenue Bonds, Series 2014D, of the City of Cedar Rapids, State of Iowa, under the provisions of the City Code of Iowa, and providing for a method of payment of the bonds. CIP/DID #OB838449

Background:

The City Treasurer's Office is responsible for ensuring that the City follows the Iowa Code for the issuance of bonded debt. Bids for the Series 2014A, Series 2014B, Series 2014C, Series 2014D Bonds were received on 5-13-14 and now Council action is required to authorize the issuance of all Series 2014 bonds, and levy a tax for the Series 2014A and Series 2014B Bonds. Approval of the tax exemption for Series 2014A, C and D; and continuing disclosure certificates for Series 2014A, B, C and D is also required. The continuing disclosure certificate outlines the City's duty to provide updated financial information, as prescribed in the continuing disclosure certificate, to the financial markets through the Municipal Securities Rulemaking Board's Electronic Municipal Market Access system ("EMMA"). The tax exemption

certificate is a contract with the bond holders which requires the observance of specific covenants by the City in order to maintain the tax exempt status of the bonds. The continuing disclosure and tax exemption adherence is monitored and reported upon by the Treasurer's Office to the financial markets, per Securities Exchange Commission requirements, on a continual basis.

Action / Recommendation:

Recommend that the Series 2014A, B, C and D Resolutions, Tax Certificates and Continuing Disclosure Certificates be approved.

Alternative Recommendation:

None

Time Sensitivity:

High

Resolution Date:

5/27/14

Estimated Presentation Time:

None – recommend be placed on the consent agenda.

Budget Information (if applicable):

No effect on the FY 2014 budget.

Local Preference Policy Applies Exempt

Explanation: N/A

May 27, 2014

The City Council of the City of Cedar Rapids, State of Iowa, met in regular session, in the Council Chambers, 3rd Floor, 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 _____ moved that the form of Tax Exemption Certificate related to the issuance of \$11,570,000 Sewer Revenue Bonds, Series 2014C be placed on file and approved. Council Member _____ seconded the motion. The roll was called and the vote was,

AYES: _____

NAYS: _____

Council Member _____ moved that the form of Continuing Disclosure Certificate related to the issuance of \$11,570,000 Sewer Revenue Bonds, Series 2014C be placed on file and approved. Council Member _____ seconded the motion. The roll was called and the vote was,

AYES: _____

NAYS: _____

Council Member _____ introduced the following Resolution entitled "A RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SECURING THE PAYMENT OF \$11,570,000 SEWER REVENUE BONDS, SERIES 2014C, OF THE CITY OF CEDAR RAPIDS, STATE OF IOWA, UNDER THE PROVISIONS OF THE CITY CODE OF IOWA, AND PROVIDING FOR A METHOD OF PAYMENT OF THE BONDS", and moved its adoption. Council Member _____ seconded the motion to adopt. The roll was called and the vote was:

AYES: _____

NAYS: _____

Whereupon the Mayor declared the following Resolution duly adopted:

A RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SECURING THE PAYMENT OF \$11,570,000 SEWER REVENUE BONDS, SERIES 2014C, OF THE CITY OF CEDAR RAPIDS, STATE OF IOWA, UNDER THE PROVISIONS OF THE CITY CODE OF IOWA, AND PROVIDING FOR A METHOD OF PAYMENT OF THE BONDS

WHEREAS, the City Council of the City of Cedar Rapids, State of Iowa, sometimes hereinafter referred to as the "Issuer", has heretofore established charges, rates and rentals for services which are and will continue to be collected as system revenues of the Municipal Sewer Utility, sometimes hereinafter referred to as the "System", and the revenues have not been pledged and are available for the payment of Revenue Bonds, subject to the following premises; and

WHEREAS, Issuer proposes to issue its Revenue Bonds to the extent of \$11,570,000 for the purpose of defraying the costs of the project as set forth in Section 3 of this Resolution; and

WHEREAS, there have been heretofore issued certain Sewer Revenue Bonds and Capital Loan Notes, part of which remain outstanding and are a lien on the Net Revenues of the System (defined herein as the "Outstanding Obligations"); and

WHEREAS, in the Prior Bond Resolutions authorizing the issuance of the Outstanding Obligations it is provided that Additional Obligations may be issued on a parity with the Outstanding Obligations, for the costs of future improvements and extensions to the System or refunding outstanding obligations, provided that there has been procured and placed on file with the City Clerk, a statement complying with the conditions and limitations therein imposed upon the issuance of Parity Obligations; and

WHEREAS, a statement of Public Financial Management, Inc., an Independent Financial Consultant not in the regular employ of Issuer, has been placed on file in the office of the City Clerk, showing the conditions and limitations of the Prior Bond Resolutions with regard to the sufficiency of the revenues of the System to permit the issuance of additional Revenue Bonds ranking on a parity with the Outstanding Obligations to have been met and satisfied as required; and

WHEREAS, the notice of intention of Issuer to take action for the issuance of not to exceed \$12,100,000 Sewer Revenue Bonds, has heretofore been duly published and no objections to such proposed action have been filed; and the Issuer desires to proceed with the issuance of \$11,570,000 Sewer Revenue Bonds, Series 2014C:

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

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by necessary implication requires otherwise:

- "Additional Obligations" shall mean any sewer revenue bonds or notes or other obligations issued on a parity with the Bonds in accordance with the provisions of Section 22 hereof. Provided, however, Additional Obligations which are SRF Obligations shall not be secured by the Reserve Fund and shall not be subject to the Reserve Fund Requirement.
- "Authorized Denominations" shall mean \$5,000 or any integral multiple thereof.
- "Beneficial Owner" shall mean the person in whose name such Bond is recorded as the beneficial owner of a Bond by a Participant on the records of such Participant or such person's subrogee.
- "Bonds" shall mean \$11,570,000 Sewer Revenue Bonds, Series 2014C, authorized to be issued by this Resolution.
- "Cede & Co." shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.
- "Clerk" shall mean the City Clerk, or such other officer of the successor
- Governing Body as shall be charged with substantially the same duties and responsibilities.
- "Code" shall mean the Internal Revenue Code of 1986 and the Regulations thereunder and including the American Recovery and Reinvestment Act of 2009 and such guidance with respect thereto as may be issued by the Internal Revenue Service or Department of the Treasury from time to time.
- "Continuing Disclosure Certificate" shall mean that certain Continuing Disclosure Certificate executed by the Issuer and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.
- "Depository Bonds" shall mean the Bonds as issued in the form of one global certificate for each maturity, registered in the Registration Books maintained by the Registrar in the name of DTC or its nominee.
- "DTC" shall mean The Depository Trust Company, New York, New York, a limited purpose trust company, or any successor book-entry securities depository appointed for the Bonds.

- "Fiscal Year" shall mean the twelve-month period beginning on July 1 of each year and ending on the last day of June of the following year, or any other consecutive twelve-month period adopted by the Governing Body or by law as the official accounting period of the System. Requirements of a Fiscal Year as expressed in this Resolution shall exclude any payment of principal or interest falling due on the first day of the Fiscal Year and include any payment of principal or interest falling due on the first day of the succeeding Fiscal Year, except to the extent of any conflict with the terms of the Outstanding Obligations while the same remain outstanding.
- "Governing Body" shall mean the City Council of the City, or its successor in function with respect to the operation and control of the System.
- "Independent Auditor" shall mean an independent firm of Certified Public Accountants or the Auditor of State.
- "Issuer" and "City" shall mean the City of Cedar Rapids, State of Iowa.
- "Net Revenues" shall mean gross earnings of the System, including Subsidy Payments, after deduction of current expenses; "Current Expenses" shall mean and include the reasonable and necessary cost of operating, maintaining, repairing and insuring the System, including purchases at wholesale, if any, salaries, wages, and costs of materials and supplies but excluding depreciation and principal of and interest on the Bonds and any Parity Obligations or payments to the various funds established herein; capital costs, depreciation and interest or principal payments are not System expenses.
- "Original Purchaser" shall mean the purchaser of the Bonds from Issuer at the time of their original issuance.
- "Outstanding Obligations" shall mean the Sewer Revenue Capital Loan Notes, Series SRF (2008) dated September 10, 2008 issued in accordance with Resolution No. 0638-08-08, dated August 13, 2008, \$8,408,000 of which bonds are still outstanding and unpaid and remain a lien on the Net Revenues of the System; Sewer Revenue Bonds, Series 2009E (Taxable Build America Bonds), dated August 10, 2009, issued in accordance with Resolution No. 0727-07-09 adopted July 22, 2009, \$6,500,000 of which bonds are still outstanding and unpaid and remain a lien on the Net Revenues of the System; Sewer Revenue Bonds, Series 2010C, dated June 29, 2010, issued in accordance with Resolution No. 0627-06-10 adopted June 8, 2010, \$11,630,000 of which obligations are still outstanding and unpaid and remain a lien on the Net Revenues

of the System; Sewer Revenue Capital Loan Notes, Series 2011, dated June 8, 2011, issued in accordance with Resolution No. 0524-05-11 adopted May 10, 2011, \$5,558,000 of which obligations are still outstanding and unpaid and remain a lien on the Net Revenues of the System; and Sewer Revenue Bonds, Series 2013D, dated June 11, 2013, issued in accordance with Resolution No. 0822-05-13 adopted on May 28, 2013, \$5,015,000 of which obligations are still outstanding and unpaid and remain a lien on the Net Revenues of the system.

- "Parity Obligations" shall mean sewer revenue bonds or notes payable solely from the Net Revenues of the System on an equal basis with the Bonds herein authorized to be issued, and shall include Additional Obligations as authorized to be issued under the terms of this Resolution and the Outstanding Obligations.
- "Participants" shall mean those broker-dealers, banks and other financial institutions for which DTC holds Bonds as securities depository.
- "Paying Agent" shall mean the Finance Director, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein as Issuer's agent to provide for the payment of principal of and interest on the Bonds as the same shall become due.
- "Permitted Investments" shall mean:
 - direct obligations of (including obligations issued or held in book entry form on the books of) the Department of the Treasury of the United States of America;
 - obligations of any of the following federal agencies which obligations represent full faith and credit of the United States of America, including:
 - Export - Import Bank
 - Farm Credit System Financial Assistance Corporation
 - USDA - Rural Development
 - General Services Administration
 - U.S. Maritime Administration
 - Small Business Administration
 - Government National Mortgage Association (GNMA)
 - U.S. Department of Housing & Urban Development (PHA's)
 - Federal Housing Administration
 - repurchase agreements whose underlying collateral consists of the investments set out above if the Issuer takes delivery of the collateral

either directly or through an authorized custodian. Repurchase agreements do not include reverse repurchase agreements;

- senior debt obligations rated "AAA" by Standard & Poor's Corporation (S&P) or "Aaa" by Moody's Investors Service Inc. (Moody's) issued by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation;

- U.S. dollar denominated deposit accounts, federal funds and banker's acceptances with domestic commercial banks which have a rating on their short-term certificates of deposit on the date of purchase of "A-1" or "A-1+" by S&P or "P-1" by Moody's and maturing no more than 360 days after the date of purchase (ratings on holding companies are not considered as the rating of the bank);

- commercial paper which is rated at the time of purchase in the single highest classification, "A-1+" by S&P or "P-1" by Moody's and which matures not more than 270 days after the date of purchase;

- investments in a money market fund rated "AAAm" or "AAAm-G" or better by S&P;

- pre-refunded municipal obligations, defined as any bonds or other obligations of any state of the United States of America or of any agency, instrumentality or local governmental unit of any such state which are not callable at the option of the obligor prior to maturity or as to which irrevocable instructions have been given by the obligor to call on the date specified in the notice; and (a) which are rated, based on an irrevocable escrow account or fund (the "escrow"), in the highest rating category of S&P or Moody's or any successors thereto; or (b)(i) which are fully secured as to principal and interest and redemption premium, if any, by an escrow consisting only of cash or direct obligations of the Department of the Treasury of the United States of America, which escrow may be applied only to the payment of such principal of and interest and redemption premium, if any, on such bonds or other obligations on the maturity date or dates thereof or the specified redemption date or dates pursuant to such irrevocable instructions, as appropriate; and (ii) which escrow is sufficient, as verified by a nationally recognized independent certified public accountant, to pay principal of and interest and redemption premium, if any, on the bonds or other obligations described in this paragraph on the maturity date or dates specified in the irrevocable instructions referred to above, as appropriate;

- tax exempt bonds as defined and permitted by section 148 of the Internal Revenue Code and applicable regulations and only if rated within the two highest classifications as established by at least one of the standard

rating services approved by the superintendent of banking by rule adopted pursuant to chapter 17A Code of Iowa;

- an investment contract rated within the two highest classifications as established by at least one of the standard rating services approved by the superintendent of banking by rule adopted pursuant to chapter 17A Code of Iowa; and

- Iowa Public Agency Investment Trust.

- "Prior Bond Resolutions" shall mean the resolutions authorizing issuance of the Outstanding Obligations, said resolutions dated August 13, 2008, July 22, 2009, June 8, 2010, May 10, 2011, and May 28, 2013.
- "Project Fund" shall mean the fund required to be established by this Resolution for the deposit of the proceeds of the Bonds.
- "Registrar" shall mean the Finance Director of Cedar Rapids, Iowa, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein with respect to maintaining a register of the owners of the Bonds. Unless otherwise specified, the Registrar shall also act as Transfer Agent for the Bonds.
- "Representation Letter" shall mean the Blanket Issuer Letter of Representations executed and delivered by the Issuer to DTC on file with DTC.
- "Reserve Fund Requirement" shall mean an amount equal to the lesser of (a) the maximum amount of the principal and interest coming due on the Bonds and Parity Obligations (but not including SRF Obligations) in any succeeding Fiscal Year, (b) 10 percent of the stated principal amount of the Bonds and Parity Obligations (but not including SRF Obligations). For issues with original issue discount the issue price as defined in the Tax Certificate shall be substituted for the stated principal amount, or (c) 125% of the average amount of principal and interest coming due on the Bonds and Parity Obligations (but not including SRF Obligations) in any succeeding Fiscal Year. The Reserve Fund Requirement shall be determined without reference to any Subsidy Payments.
- "Resolution" shall mean this resolution authorizing the issuance of the Bonds.
- "Senior SRF Obligations" shall mean the Sewer Revenue Capital Loan Notes, Series SRF (2008) and any SRF Obligations issued on a parity therewith.

Provided, however, Senior SRF Obligations shall neither be secured by the Reserve Fund nor subject to the Reserve Fund Requirement.

- "SRF Obligations" shall mean such bonds, notes or other obligations as may be issued in connection with the Issuer's participation in the Iowa Water Pollution Control Works Financing Program administered by the Iowa Finance Authority which SRF Obligations may be Senior SRF Obligations or subordinate SRF Obligations.
- "Subordinate Obligations" shall mean notes, bonds or other obligations issued with a right to payment from the Net Revenues and secured by a lien on the Net Revenues, but expressly junior and subordinate to the Bonds, Parity Obligations, Additional Obligations and Senior SRF Obligations.
- "Subsidy Payments" shall mean all payments received by the Issuer as a result of the Issuer's election to designate the Series 2009E Sewer Revenue Bonds dated August 10, 2009 or any Additional Obligations, as Build America Bonds as authorized by Sections 54AA and 6431 of the Code and all payments which may be received by the Issuer as a result of designating any Additional Obligations as Build America Bonds as authorized by Section 54AA and 6431 of the Code.
- "System" shall mean the Municipal Sewer Utility of the Issuer and all properties of every nature hereinafter owned by the Issuer comprising part of or used as a part of the System, including all improvements and extensions made by Issuer while any of the Bonds or Parity Obligations remain outstanding; all real and personal property; and all appurtenances, contracts, leases, franchises and other intangibles.
- "Tax Exemption Certificate" shall mean the Tax Exemption Certificate executed by the Treasurer and delivered at the time of issuance and delivery of the Bonds.
- "Treasurer" shall mean the Finance Director or such other officer as shall succeed to the same duties and responsibilities with respect to the recording and payment of the Bonds issued hereunder.
- "Yield Restricted" shall mean required to be invested at a yield that is not materially higher than the yield on the Bonds under section 148(a) of the Internal Revenue Code or regulations issued thereunder.

Section 2. Authority. The Bonds authorized by this Resolution shall be issued pursuant to Division V, Chapter 384 of the City Code of Iowa, and in compliance with all applicable provisions of the Constitution and laws of the State of Iowa.

Section 3. Authorization and Purpose. There are hereby authorized to be issued, negotiable, serial, fully registered Sewer Revenue Bonds of the City, in the County of Linn, State of Iowa, Series 2014C, in the aggregate amount of \$11,570,000 for the purpose of paying costs of improvements and extensions to the Municipal Sewer Utility.

Section 4. Source of Payment. The Bonds herein authorized and Parity Obligations and the interest thereon shall be payable solely and only out of the net earnings of the System and shall be a first lien on the future Net Revenues of the System. The Bonds shall not be general obligations of the Issuer nor shall they be payable in any manner by taxation and the Issuer shall be in no manner liable by reason of the failure of the Net Revenues to be sufficient for the payment of the Bonds.

Section 5. Bond Details. Sewer Revenue Bonds of the City in the amount of \$11,570,000 shall be issued pursuant to the provisions of Section 384.82 of the City Code of Iowa for the aforesaid purpose. The Bonds shall be designated "SEWER REVENUE BONDS, SERIES 2014C", be dated June 17, 2014, and bear interest from the date thereof, until payment thereof, at the office of the Paying Agent, the interest payable on December 1, 2014, and semiannually thereafter on the 1st day of June and December in each year until maturity at the rates hereinafter provided.

The Bonds shall be executed by the manual or facsimile signature of the Mayor and attested by the manual or facsimile signature of the City Clerk, and impressed or printed with the seal of the City and shall be fully registered as to both principal and interest as provided in this Resolution; principal, interest and premium, if any shall be payable at the office of the Paying Agent by mailing of a check to the registered owner of the Bond. The Bonds shall be in the denomination of \$5,000 or multiples thereof. The Bonds shall mature and bear interest as follows:

Principal Amount	Interest Rate	Maturity June 1 st
\$415,000	2.000%	2015
\$425,000	2.000%	2016
\$435,000	2.000%	2017
\$445,000	3.000%	2018
\$455,000	3.000%	2019
\$470,000	2.000%	2020
\$480,000	3.000%	2021
\$500,000	2.000%	2022
\$515,000	2.375%	2023
\$535,000	2.500%	2024
\$560,000	3.000%	2025
\$585,000	3.000%	2026
\$605,000	3.000%	2027
\$640,000	3.000%	2028
\$665,000	3.125%	2029
\$695,000	3.125%	2030
\$730,000	3.250%	2031
\$765,000	3.375%	2032
\$805,000	3.375%	2033
\$845,000	3.500%	2034

Section 6. Redemption. Bonds maturing after June 1, 2022, may be called for redemption by the Issuer and paid before maturity on such date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Bond. Failure to give written notice to any registered owner of the Bonds or any defect therein shall not affect the validity of any proceedings for the redemption of the Bonds. All Bonds or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

Section 7. Issuance of Bonds in Book-Entry Form; Replacement Bonds.

(a) Notwithstanding the other provisions of this Resolution regarding registration, ownership, transfer, payment and exchange of the Bonds, unless the Issuer determines to permit the exchange of Depository Bonds for Bonds in Authorized Denominations, the Bonds shall be issued as Depository Bonds in denominations of the entire principal amount of each maturity of Bonds (or, if a portion of said principal amount is prepaid, said principal amount less the prepaid amount). The Bonds must be registered in the name of Cede & Co., as nominee for DTC. Payment of semiannual interest for any Bonds registered in the name of Cede & Co. will be made by wire transfer or New York Clearing House or equivalent next day funds to the account of Cede & Co. on the interest payment date for the Bonds at the address indicated or in the Representation Letter.

(b) The Bonds will be initially issued in the form of separate single authenticated fully registered bonds in the amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of the Bonds will be registered in the registry books of the Finance Director kept by the Paying Agent and Registrar in the name of Cede & Co., as nominee of DTC. The Paying Agent and Registrar and the Issuer may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal or redemption price of or interest on the Bonds, selecting the Bonds or portions to be redeemed, giving any notice permitted or required to be given to registered owners of Bonds under the Resolution of the Issuer, registering the transfer of Bonds, obtaining any consent or other action to be taken by registered owners of the Bonds and for other purposes. The Paying Agent, Registrar and the Issuer have no responsibility or obligation to any Participant or Beneficial Owner of the Bonds under or through DTC with respect to the accuracy of records maintained by DTC or any Participant; with respect to the payment by DTC or Participant of an amount of principal or redemption price of or interest on the Bonds; with respect to any notice given to owners of Bonds under the Resolution; with respect to the Participant(s) selected to receive payment in the event of a partial redemption of the Bonds, or a consent given or other action taken by DTC as registered owner of the Bonds. The Paying Agent and Registrar shall pay all principal of and premium, if any, and interest on the Bonds only to Cede & Co. in accordance with the Representation Letter, and all payments are valid and effective to fully satisfy and discharge the Issuer's obligations with respect to the principal of and premium, if any, and interest on the Bonds to the extent of the sum paid. DTC must receive an authenticated Bond for each separate stated maturity evidencing the obligation of the Issuer to make payments of principal of and premium, if any, and interest. Upon delivery by DTC to the Paying Agent and Registrar of written notice that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to the new nominee in accordance with this Section.

(c) In the event the Issuer determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bonds certificates, the Issuer may notify DTC and the Paying Agent and Registrar, whereupon DTC will notify the Participants, of the availability through DTC of Bonds certificates. The Bonds will be transferable in accordance with this Section. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the Issuer and the Paying Agent and Registrar and discharging its

responsibilities under applicable law. In this event, the Bonds will be transferable in accordance with this Section.

(d) Notwithstanding any other provision of the Resolution to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of and premium, if any, and interest on the Bond and all notices must be made and given, respectively to DTC as provided in the Representation letter.

(e) In connection with any notice or other communication to be provided to Bondholders by the Issuer or the Paying Agent and Registrar with respect to a consent or other action to be taken by Bondholders, the Issuer or the Paying Agent and Registrar, as the case may be, shall establish a record date for the consent or other action and give DTC notice of the record date not less than 15 calendar days in advance of the record date to the extent possible. Notice to DTC must be given only when DTC is the sole Bondholder.

(f) The Representation Letter is on file with DTC and sets forth certain matters with respect to, among other things, notices, consents and approvals by Bondholders and payments on the Bonds. The execution and delivery of the Representation Letter to DTC by the Issuer is ratified and confirmed.

(g) In the event that a transfer or exchange of the Bonds is permitted under this Section, the transfer or exchange may be accomplished upon receipt by the Registrar from the registered owners of the Bonds to be transferred or exchanged and appropriate instruments of transfer. In the event Bond certificates are issued to holders other than Cede & Co., its successor as nominee for DTC as holder of all the Bonds, or other securities depository as holder of all the Bonds, the provisions of the Resolution apply to, among other things, the printing of certificates and the method or payment of principal of and interest on the certificates. Any substitute depository shall be designated in writing by the Issuer to the Paying Agent. Any such substitute depository shall be a qualified and registered "clearing agency" as provided in Section 17A of the Securities Exchange Act of 1934, as amended. The substitute depository shall provide for (i) immobilization of the Depository Bonds, (ii) registration and transfer of interests in Depository Bonds by book entries made on records of the depository or its nominee and (iii) payment of principal of, premium, if any, and interest on the Bonds in accordance with and as such interests may appear with respect to such book entries.

(h) The officers of the Issuer are authorized and directed to prepare and furnish to the purchaser, and to the attorneys approving the legality of Bonds, certified copies of proceedings, ordinances, resolutions and records and all certificates and affidavits and other instruments as may be required to evidence the legality and marketability of the Bonds, and all certified copies, certificates, affidavits and other instruments constitute representations of the Issuer as to the correctness of all stated or recited facts.

Section 8. Registration of Bonds; Appointment of Registrar; Transfer; Ownership; Delivery; and Cancellation.

(a) Registration. The ownership of Bonds may be transferred only by the making of an entry upon the books kept for the registration and transfer of ownership of the Bonds, and in no other way. The Finance Director is hereby appointed as Bond Registrar under the terms of this Resolution. Registrar shall maintain the books of the Issuer for the registration of ownership of the Bonds for the payment of principal of and interest on the Bonds as provided in this Resolution. All Bonds shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 384.83(5) of the Code of Iowa, subject to the provisions for registration and transfer contained in the Bonds and in this Resolution.

(b) Transfer. The ownership of any Bond may be transferred only upon the Registration Books kept for the registration and transfer of Bonds and only upon surrender thereof at the office of the Registrar together with an assignment duly executed by the holder or his duly authorized attorney in fact in such form as shall be satisfactory to the Registrar, along with the address and social security number or federal employer identification number of such transferee (or, if registration is to be made in the name of multiple individuals, of all such transferees). In the event that the address of the registered owner of a Bond (other than a registered owner which is the nominee of the broker or dealer in question) is that of a broker or dealer, there must be disclosed on the Registration Books the information pertaining to the registered owner required above. Upon the transfer of any such Bond, a new fully registered Bond, of any denomination or denominations permitted by this Resolution in aggregate principal amount equal to the unmatured and unredeemed principal amount of such transferred fully registered Bond, and bearing interest at the same rate and maturing on the same date or dates shall be delivered by the Registrar.

(c) Registration of Transferred Bonds. In all cases of the transfer of the Bonds, the Registrar shall register, at the earliest practicable time, on the Registration Books, the Bonds, in accordance with the provisions of this Resolution.

(d) Ownership. As to any Bond, the person in whose name the ownership of the same shall be registered on the Registration Books of the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Bonds and the premium, if any, and interest thereon shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including the interest thereon, to the extent of the sum or sums so paid.

(e) Cancellation. All Bonds which have been redeemed shall not be reissued but shall be cancelled by the Registrar. All Bonds which are cancelled by the Registrar shall be destroyed and a certificate of the destruction thereof shall be furnished promptly to the Issuer; provided that if the Issuer shall so direct, the Registrar shall forward the cancelled Bonds to the Issuer.

(f) Non-Presentation of Bonds. In the event any payment check representing payment of principal of or interest on the Bonds is returned to the Paying Agent or is not presented for

payment of principal at the maturity or redemption date, if funds sufficient to pay such principal of or interest on Bonds shall have been made available to the Paying Agent for the benefit of the owner thereof, all liability of the Issuer to the owner thereof for such interest or payment of such Bonds shall forthwith cease, terminate and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the owner of such Bonds who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Resolution or on, or with respect to, such interest or Bonds. The Paying Agent's obligation to hold such funds shall continue for a period equal to two years and six months following the date on which such interest or principal became due, whether at maturity, or at the date fixed for redemption thereof, or otherwise, at which time the Paying Agent, shall surrender any remaining funds so held to the Issuer, whereupon any claim under this Resolution by the Owners of such interest or Bonds of whatever nature shall be made upon the Issuer.

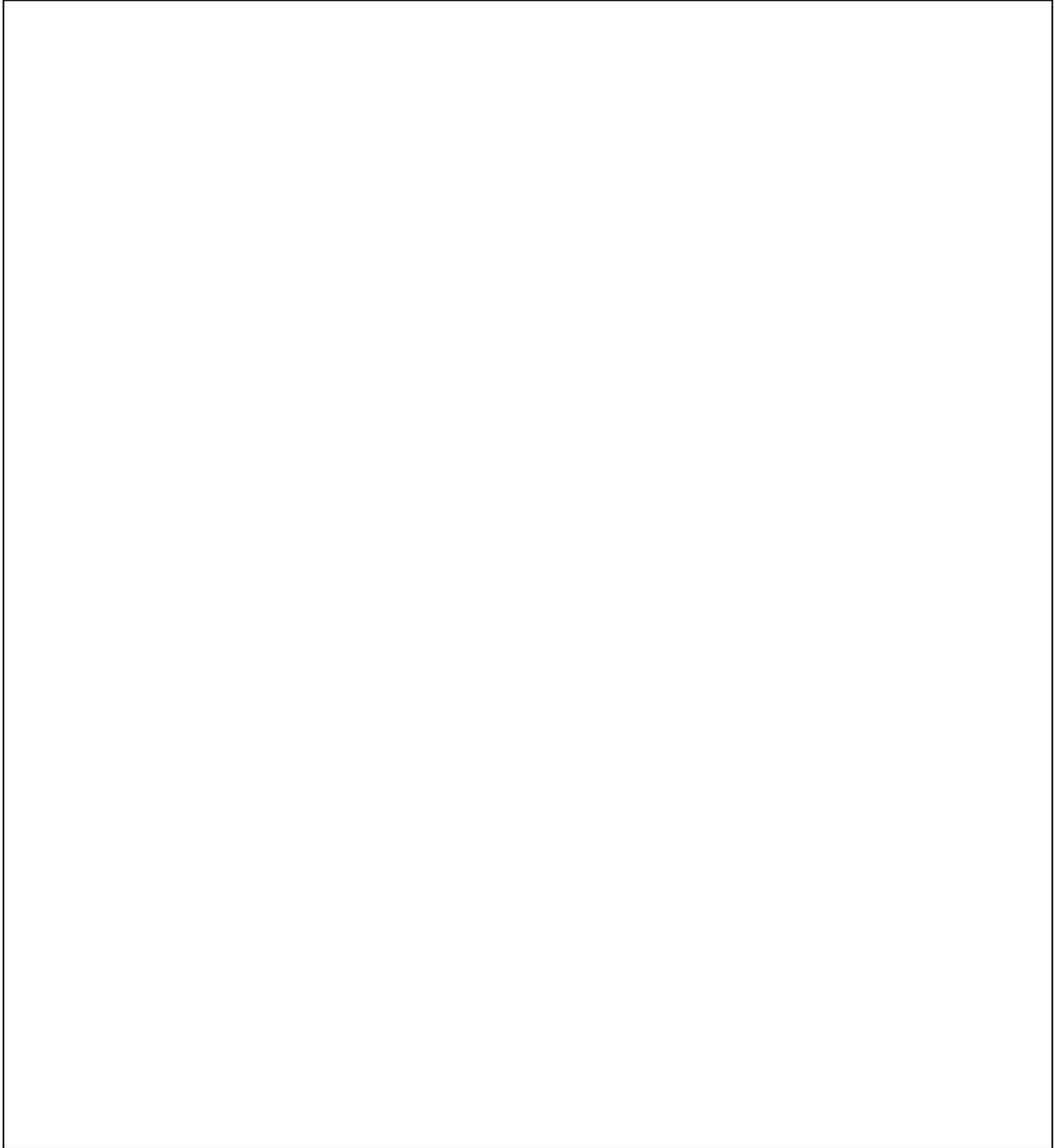
Section 9. Reissuance of Mutilated, Destroyed, Stolen or Lost Bonds. In case any outstanding Bond shall become mutilated or be destroyed, stolen or lost, the Issuer shall at the request of Registrar authenticate and deliver a new Bond of like tenor and amount as the Bond so mutilated, destroyed, stolen or lost, in exchange and substitution for such mutilated Bond to Registrar, upon surrender of such mutilated Bond, or in lieu of and substitution for the Bond destroyed, stolen or lost, upon filing with the Registrar evidence satisfactory to the Registrar and Issuer that such Bond has been destroyed, stolen or lost and proof of ownership thereof, and upon furnishing the Registrar and Issuer with satisfactory indemnity and complying with such other reasonable regulations as the Issuer or its agent may prescribe and paying such expenses as the Issuer may incur in connection therewith.

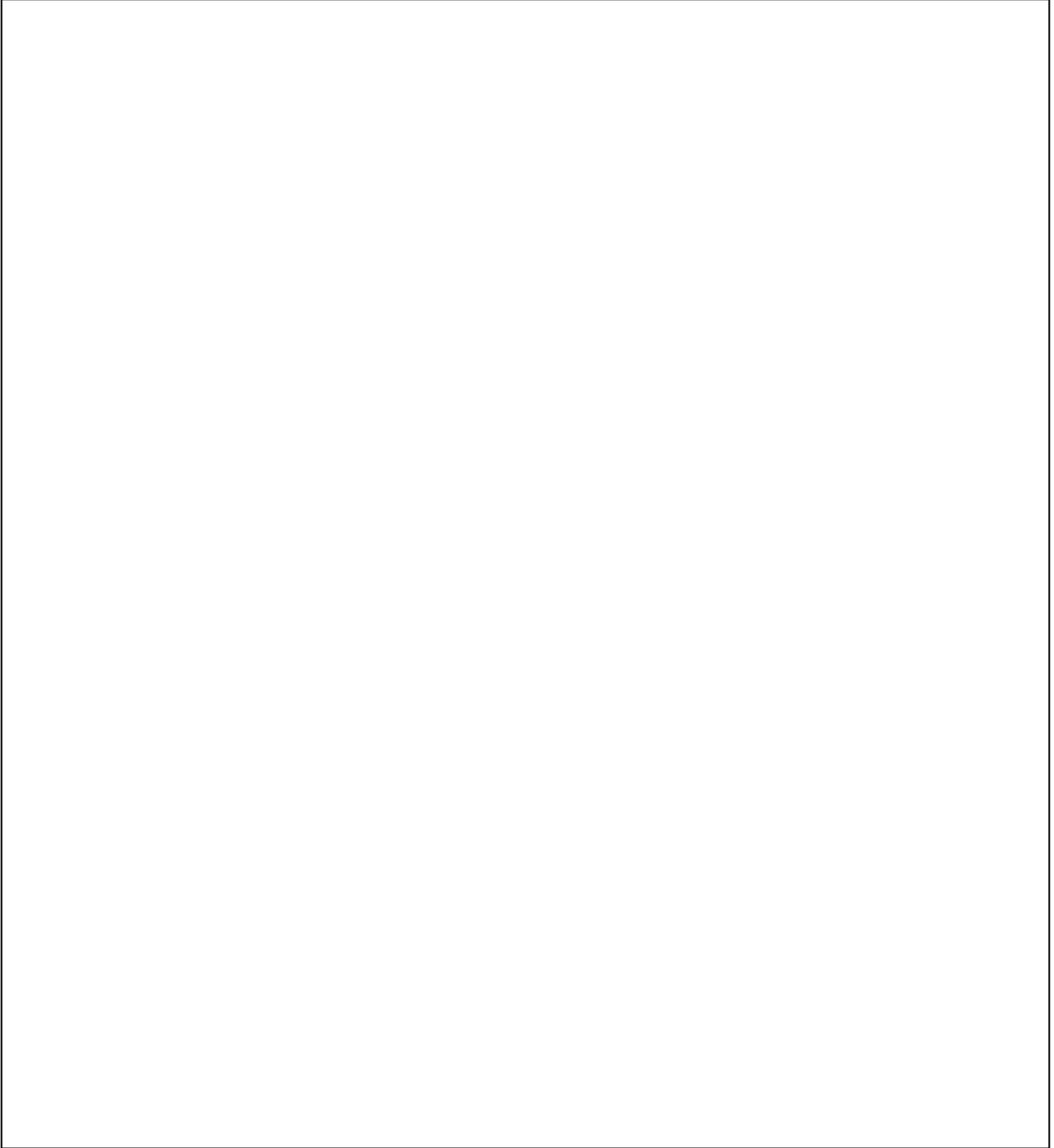
Section 10. Record Date. Payments of principal and interest, otherwise than upon full redemption, made in respect of any Bond, shall be made to the registered holder thereof or to their designated agent as the same appear on the books of the Registrar on the 15th day of the month preceding the payment date. All such payments shall fully discharge the obligations of the Issuer in respect of such Bonds to the extent of the payments so made. Payment of principal shall only be made upon surrender of the Bond to the Paying Agent.

Section 11. Execution, Authentication and Delivery of the Bonds. Upon the adoption of this Resolution, the Mayor and Clerk shall execute and deliver the Bonds to the Registrar, who shall authenticate the Bonds and deliver the same to or upon order of the Original Purchaser. No Bond shall be valid or obligatory for any purpose or shall be entitled to any right or benefit hereunder unless the Registrar shall duly endorse and execute on such Bond a Certificate of Authentication substantially in the form of the Certificate herein set forth. Such Certificate upon any Bond executed on behalf of the Issuer shall be conclusive evidence that the Bond so authenticated has been duly issued under this Resolution and that the holder thereof is entitled to the benefits of this Resolution.

Section 12. Right to Name Substitute Paying Agent or Registrar. Issuer reserves the right to name a substitute, successor Registrar or Paying Agent upon giving prompt written notice to each registered bondholder.

Section 13. Form of Bond. Bonds shall be printed in substantial compliance with standards proposed by the American Standards Institute substantially in the form as follows:





The text of the Bonds to be located thereon at the item numbers shown shall be as follows:

- Item 1, figure 1= "STATE OF IOWA"
"COUNTY OF LINN"
"CITY OF CEDAR RAPIDS"
"SEWER REVENUE BOND"
"SERIES 2014C"
- Item 2, figure 1= Rate: _____
- Item 3, figure 1= Maturity: _____
- Item 4, figure 1= Bond Date: June 17, 2014
- Item 5, figure 1= CUSIP No.: _____
- Item 6, figure 1= "Registered"
- Item 7, figure 1= Certificate No. _____
- Item 8, figure 1= Principal Amount: \$_____

Item 9, figure 1 = The City of Cedar Rapids, State of Iowa, a municipal corporation organized and existing under and by virtue of the Constitution and laws of the State of Iowa (the "Issuer"), for value received, promises to pay from the source and as hereinafter provided, on the maturity date indicated above, to

Item 9A, figure 1 = (Registration panel to be completed by Registrar or Printer with name of Registered Owner).

Item 10, figure 1 = or registered assigns, the principal sum of (_____) THOUSAND DOLLARS in lawful money of the United States of America, on the maturity date shown above, only upon presentation and surrender hereof at the office of the Finance Director, Paying Agent of this issue, or its successor, with interest on the sum from the date hereof until paid at the rate per annum specified above, payable on December 1, 2014, and semiannually thereafter on the 1st day of June and December in each year.

Interest and principal shall be paid to the registered holder of the Bond as shown on the records of ownership maintained by the Registrar as of the 15th day of the month preceding such interest payment date. Interest shall be computed on the basis of a 360-day year of twelve 30-day months.

This Bond is issued pursuant to the provisions of Section 384.82 of the City Code of Iowa, as amended, for the purpose of paying costs of improvements and extensions to the Municipal Sewer Utility, in conformity to a Resolution of the Council of the City duly passed and approved.

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a limited purpose trust company ("DTC"), to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of DTC (and any

payment is made to Cede & Co. or to such other Issuer as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Bonds maturing after June 1, 2022, may be called for redemption by the Issuer and paid before maturity on such date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Bond. Failure to give written notice to any registered owner of the Bonds or any defect therein shall not affect the validity of any proceedings for the redemption of the Bonds. All bonds or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

Ownership of this Bond may be transferred only by transfer upon the books kept for such purpose by the Finance Director, the Registrar. Such transfer on the books shall occur only upon presentation and surrender of this Bond at the office of the Registrar as designated below, together with an assignment duly executed by the owner hereof or his duly authorized attorney in the form as shall be satisfactory to the Registrar. Issuer reserves the right to substitute the Registrar and Paying Agent but shall, however, promptly give notice to registered bondholders of such change. All Bonds shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 384.83(5) of the Code of Iowa, subject to the provisions for registration and transfer contained in the Bond Resolution.

This Bond and the series of which it forms a part, other bonds ranking on a parity therewith, and any additional bonds or notes which may be hereafter issued and outstanding from time to time on a parity with the Bonds, as provided in the Bond Resolution of which notice is hereby given and is hereby made a part hereof, are payable from and secured by a pledge of the Net Revenues of the Municipal Sewer Utility (the "System"), as defined and provided in the Resolution. There has heretofore been established and the City covenants and agrees that it will maintain just and equitable rates or charges for the use of and service rendered by the System in each year for the payment of the proper and reasonable expenses of operation and maintenance of the System and for the establishment of a sufficient sinking fund to meet the principal of and interest on this series of Bonds, and other bonds ranking on a parity therewith, as the same become due. This Bond is not payable in any manner by taxation and under no circumstances shall the City be in any manner liable by reason of the failure of the net earnings to be sufficient for the payment hereof.

And it is hereby represented and certified that all acts, conditions and things requisite, according to the laws and Constitution of the State of Iowa, to exist, to be had, to be done, or to be performed precedent to the lawful issue of this Bond, have been existent, had, done and performed as required by law.

IN TESTIMONY WHEREOF, the City by its City Council has caused this Bond to be signed by the facsimile signature of its Mayor and attested by the facsimile signature of its Clerk, with the seal of the City printed hereon, and authenticated by the manual signature of an authorized representative of the Registrar, the Finance Director, Cedar Rapids, Iowa.

- Item 11, figure 1 = Date of authentication:
- Item 12, figure 1 = This is one of the Bonds described in the within mentioned Resolution, as registered by the Finance Director

FINANCE DIRECTOR, Registrar

By: _____
Authorized Signature

- Item 13, figure 1 = Registrar and Transfer Agent: Finance Director
- Paying Agent: Finance Director

SEE REVERSE FOR CERTAIN DEFINITIONS

- Item 14, figure 1 = (Seal)
- Item 15, figure 1 = (Signature Block)

CITY OF CEDAR RAPIDS, STATE OF IOWA

By: _____ (manual or facsimile signature)
Mayor

ATTEST:

By: _____ (manual or facsimile signature)
City Clerk

- Item 16, figure 1 = (Assignment Block)
(Information Required for Registration)

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ (Social Security or Tax Identification No. _____) the within Bond and does hereby irrevocably constitute and appoint _____ attorney in fact to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

(Person(s) executing this Assignment sign(s) here)

SIGNATURE)
GUARANTEED) _____

IMPORTANT - READ CAREFULLY

The signature(s) to this Power must correspond with the name(s) as written upon the face of the certificate(s) or bond(s) in every particular without alteration or enlargement or any change whatever. Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signature to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.

INFORMATION REQUIRED FOR REGISTRATION OF TRANSFER

Name of Transferee(s) _____

Address of Transferee(s) _____

Social Security or Tax Identification _____

Number of Transferee(s) _____

Transferee is a(n):

Individual* _____

Corporation _____

Partnership _____

Trust _____

*If the Bond is to be registered in the names of multiple individual owners, the names of all such owners and one address and social security number must be provided.

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though written out in full according to applicable laws or regulations:

rates or charges shall be paid by the owner of each and every lot, parcel of real estate, or building that is connected with and uses the System, by or through any part of the System or that in any way uses or is served by the System. So long as the Bonds are outstanding and unpaid the rates or charges to consumers of services of the System shall be sufficient in each year for the payment of the proper and reasonable expenses of operation and maintenance of the System and for the payment of principal and interest on the Bonds and Parity Obligations and obligations as the same fall due, and to provide for the creation of reserves as hereinafter provided.

Any revenues paid and collected for the use of the System and its services by the Issuer or any department, agency or instrumentality of the Issuer shall be used and accounted for in the same manner as any other revenues derived from the operations of the System.

Section 17. Application of Revenues. From and after the delivery of any Bonds, and as long as any of the Bonds or Parity Obligations shall be outstanding and unpaid either as to principal or as to interest, or until all of the Bonds and Parity Obligations then outstanding shall have been discharged and satisfied in the manner provided in this Resolution, the entire income and revenues of the System shall be deposited as collected in a fund to be known as the Sewer Revenue Fund (the "Revenue Fund"), and shall be disbursed only as follows:

(a) Operation and Maintenance Fund. Money in the Revenue Fund shall first be disbursed to make deposits into a separate and special fund to pay current expenses. The fund shall be known as the Sewer Revenue Operation and Maintenance Fund (the "Operation and Maintenance Fund"). There shall be deposited in the Operation and Maintenance Fund each month an amount sufficient to meet the current expenses of the month plus an amount equal to 1/12th of expenses payable on an annual basis such as insurance. After the first day of the month, further deposits may be made to this account from the Revenue Fund to the extent necessary to pay current expenses accrued and payable to the extent that funds are not available in the Surplus Fund.

(b) Sinking Fund. Money in the Revenue Fund shall next be disbursed to make deposits into a separate and special fund to pay the principal and interest requirements of the Fiscal Year on the Bonds and Parity Obligations. The fund shall be known as the Sewer Revenue Bond and Interest Sinking Fund (the "Sinking Fund"). The required amount to be deposited in the Sinking Fund in any month shall be the equal monthly amount necessary to pay in full the installment of interest coming due on the next interest payment date on the then Outstanding Obligations and Parity Obligations plus the equal monthly amount necessary to pay in full the installment of principal coming due on such Bonds on the next succeeding principal payment date until the full amount of such installment is on hand. If for any reason the amount on hand in the Sinking Fund exceeds the required amount, the excess shall forthwith be withdrawn and paid into the Revenue Fund. Money in the Sinking Fund shall be used solely for the purpose of paying principal of and interest on the Bonds and Parity Obligations as the same shall become due and payable.

(c) Reserve Fund. Money in the Revenue Fund shall next be disbursed to maintain a debt service reserve in an amount equal to the Reserve Fund Requirement. Such fund

shall be known as the Sewer Revenue Debt Service Reserve Fund (the "Reserve Fund"). In each month there shall be deposited in the Reserve Fund an amount equal to 25 percent of the amount required by this Resolution to be deposited in such month in the Sinking Fund; provided, however, that when the amount on deposit in the Reserve Fund shall be not less than the Reserve Fund Requirement, no further deposits shall be made into the Reserve Fund except to maintain such level, and when the amount on deposit in the Reserve Fund is greater than the balance required above, such additional amounts shall be withdrawn and paid into the Revenue Fund. Money in the Reserve Fund shall be used solely for the purpose of paying principal at maturity of or interest on the Bonds and Parity Obligations for the payment of which insufficient money shall be available in the Sinking Fund. Whenever it shall become necessary to so use money in the Reserve Fund, the payments required above shall be continued or resumed until it shall have been restored to the required minimum amount. The Reserve Fund shall not secure any SRF Obligations and SRF Obligations shall not be subject to the Reserve Fund Requirement.

At closing, Bond Proceeds in the amount of \$774,581 shall be deposited to the Reserve Fund to meet the Reserve Fund Requirement. Money on deposit in the Reserve Fund to meet the Reserve Fund Requirement that is deemed to be in excess of amounts which may be invested without regard to yield shall be Yield Restricted if required by the Code.

(d) Subordinate Obligations. Money in the Revenue Fund may next be used to pay principal of and interest on (including reasonable reserves therefor) any other obligations which by their terms shall be payable from the revenues of the System, but subordinate to the Bonds and Parity Obligations, and which have been issued for the purposes of extensions and improvements to the System or to retire the Bonds or Parity Obligations in advance of maturity, or to pay for extraordinary repairs or replacements to the System.

(e) Surplus Revenue. All money thereafter remaining in the Revenue Fund at the close of each month may be deposited in any of the funds created by this Resolution, may be used to pay for extraordinary repairs or replacements to the System, or may be used to pay or redeem the Bonds or Parity Obligations or any of them, or for any lawful purpose.

Money in the Revenue Fund shall be allotted and paid into the various funds and accounts hereinbefore referred to in the order in which the funds are listed, on a cumulative basis on the 10th day of each month, or on the next succeeding business day when the 10th shall not be a business day; and if in any month the money in the Revenue Fund shall be insufficient to deposit or transfer the required amount in any of the funds or accounts, the deficiency shall be made up in the following month or months after payments into all funds and accounts enjoying a prior claim to the revenues shall have been met in full. The provisions of this Section shall not be construed to require the Issuer to maintain separate bank accounts for the funds created by this Section; except the Sinking Fund and the Reserve Fund shall be maintained in a separate account but may be invested in conjunction with other funds of the City but designated as a trust fund on the books and records of the City.

Section 18. Outstanding Obligations. Nothing in this Resolution shall be construed to impair the rights vested in the Outstanding Obligations. The amounts herein required to be paid into the various funds named in this Resolution shall be inclusive of payments required in respect to the Outstanding Obligations. The provisions of the Prior Bond Resolutions and the provisions of this Resolution are to be construed wherever possible so that the same will not be in conflict. In the event such construction is not possible, the provisions of the resolution first adopted shall prevail until such time as the Bonds authorized by the resolution have been paid in full or otherwise satisfied as therein provided at which time the provisions of this Resolution shall again prevail.

Section 19. Investments. All of the funds provided by this Resolution may be invested only in Permitted Investments or deposited in financial institutions which are members of the Federal Deposit Insurance Corporation or its equivalent successor, and the deposits in which are insured thereby and all such deposits exceeding the maximum amount insured from time to time by FDIC or its equivalent successor in any one financial institution shall be continuously secured in compliance with Chapter 12C of the Code of Iowa, 2013, as amended or otherwise by a valid pledge of direct obligations of the United States Government having an equivalent market value. All such interim investments shall mature before the date on which the moneys are required for the purposes for which the fund was created or otherwise as herein provided but in no event maturing in more than three years in the case of the Reserve Fund.

All income derived from such investments shall be deposited in the Revenue Fund and shall be regarded as revenues of the System. Investments shall at any time necessary be liquidated and the proceeds thereof applied to the purpose for which the respective fund was created.

Section 20. Covenants Regarding the Operation of the System. The Issuer hereby covenants and agrees with each and every holder of the Bonds and Parity Obligations:

(a) Maintenance and Efficiency. The Issuer will maintain the System in good condition and operate it in an efficient manner and at reasonable cost.

(b) Sufficiency of Rates. On or before the beginning of each Fiscal Year the Governing Body will adopt or continue in effect rates for all services rendered by the System determined to be sufficient to produce Net Revenues for the next succeeding Fiscal Year adequate to pay principal and interest requirements and create reserves as provided in this Resolution but not less than 110 percent of the principal and interest requirements of the Fiscal Year. No free use of the System by the Issuer or any department, agency or instrumentality of the Issuer shall be permitted except upon the determination of the Governing Body that the rates and charges otherwise in effect are sufficient to provide Net Revenues at least equal to the requirements of this subsection.

(c) Insurance. The Issuer shall maintain insurance for the benefit of the bondholders on the insurable portions of the System of a kind and in an amount which normally would be carried by private companies engaged in a similar kind of business. The proceeds of any insurance,

except public liability insurance, shall be used to repair or replace the part or parts of the System damaged or destroyed, or if not so used shall be placed in the Revenue Fund.

(d) Accounting and Audits. The Issuer will cause to be kept proper books and accounts adapted to the System and in accordance with generally accepted accounting practices, and will diligently act to cause the books and accounts to be audited annually and reported upon not later than 180 days after the end of each Fiscal Year by an Independent Auditor and will provide copies of the audit report to the holders of any of the Bonds and Parity Obligations upon request. The holders of any of the Bonds and Parity Obligations shall have at all reasonable times the right to inspect the System and the records, accounts and data of the Issuer relating thereto.

(e) State Laws. The Issuer will faithfully and punctually perform all duties with reference to the System required by the Constitution and laws of the State of Iowa, including the making and collecting of reasonable and sufficient rates for services rendered by the System as above provided, and will segregate the revenues of the System and apply the revenues to the funds specified in this Resolution.

(f) Property. The Issuer will not sell, lease, mortgage or in any manner dispose of the System, or any capital part thereof, including any and all extensions and additions that may be made thereto, until satisfaction and discharge of all of the Bonds and Parity Obligations shall have been provided for in the manner provided in this Resolution; provided, however, that this covenant shall not be construed to prevent the disposal by the Issuer of property which in the judgment of its Governing Body has become inexpedient or unprofitable to use in connection with the System, or if it is to the advantage of the System that other property of equal or higher value be substituted therefor, and provided further that the proceeds of the disposition of such property shall be placed in a revolving fund and used in preference to other sources for capital improvements to the System. Any such proceeds of the disposition of property acquired with the proceeds of the Bonds or Parity Obligations shall not be used to pay principal or interest on the Bonds and Parity Obligations or for payments into the Sinking Fund or Reserve Fund.

(g) Fidelity Bond. The Issuer shall maintain fidelity bond coverage in amounts which normally would be carried by private companies engaged in a similar kind of business on each officer or employee having custody of funds of the System.

(h) Additional Charges. The Issuer will require proper connecting charges and/or other security for the payment of service charges.

(i) Budget. The Governing Body of the Issuer shall approve and conduct operations pursuant to a system budget of revenues and current expenses for each Fiscal Year. Such budget shall take into account revenues and current expenses during the current and last preceding Fiscal Years. Copies of such budget and any amendments thereto shall be provided to the holders of any of the Bonds upon request.

Section 21. Remedies of Bondholders. Except as herein expressly limited the holder or holders of the Bonds and Parity Obligations shall have and possess all the rights of action and remedies afforded by the common law, the Constitution and statutes of the State of Iowa, and of

the United States of America, for the enforcement of payment of their Bonds and interest thereon, and of the pledge of the revenues made hereunder, and of all covenants of the Issuer hereunder.

Section 22. Prior Lien and Parity Obligations. The Issuer will issue no other Bonds or obligations of any kind or nature payable from or enjoying a lien or claim on the property or Net Revenues of the System having priority over the Bonds or Parity Obligations.

Additional Obligations may be issued on a parity and equality of rank with the Bonds with respect to the lien and claim of such Additional Obligations to the Net Revenues of the System and the money on deposit in the funds adopted by this Resolution, for the following purposes and under the following conditions, but not otherwise:

(a) For the purpose of refunding any of the Bonds or Parity Obligations which shall have matured or which shall mature not later than three months after the date of delivery of such refunding bonds and for the payment of which there shall be insufficient money in the Sinking Fund and the Reserve Fund;

(b) For the purpose of refunding any Bonds, Parity Obligations or general obligation bonds outstanding, or making extensions, additions, improvements or replacements to the System, if all of the following conditions shall have been met:

(i) before any such Additional Obligations ranking on a parity are issued, there will have been procured and filed with the Clerk, a statement of an Independent Auditor or Independent Financial Consultant, not a regular employee of the Issuer, reciting the opinion based upon necessary investigations that the Net Revenues of the System for the preceding Fiscal Year (with adjustments as hereinafter provided) were equal to at least 1.25 times the maximum amount that will be required in any Fiscal Year prior to the longest maturity of any of the Bonds or Parity Obligations for both principal of and interest on all Bonds or Parity Obligations then outstanding which are payable from the net earnings of the System and the Additional Obligations then proposed to be issued.

For the purpose of determining the Net Revenues of the System for the preceding Fiscal Year as aforesaid, the amount of the gross revenues for such year may be adjusted by an Independent Auditor or Independent Financial Consultant, not a regular employee of the Issuer, so as to reflect any changes in the amount of such revenues which would have resulted had any revision of the schedule of rates or charges imposed at or prior to the time of the issuance of any such Additional Obligations been in effect during all of such preceding Fiscal Year.

(ii) the Additional Obligations must be payable as to principal and as to interest on the same month and day as the Bonds herein authorized.

(iii) for the purposes of this Section, principal and interest falling due on the first day of a Fiscal Year shall be deemed a requirement of the immediately preceding Fiscal Year.

(iv) for the purposes of this Section, general obligation bonds shall be refunded only upon a finding of necessity by the Governing Body and only to the extent the general obligation bonds were issued or the proceeds of them were expended for the System.

(v) for purposes of this Section, "preceding Fiscal Year" shall be the most recently completed Fiscal Year for which audited financial statements prepared by a certified public accountant are issued and available, but in no event a Fiscal Year which ended more than eighteen months prior to the date of issuance of the Additional Obligations.

Section 23. Subordinate Obligations.

- (a) Notes, bonds or other obligations may also be issued which by their terms shall be payable from the revenues of the System, but subordinate to the Bonds and Parity Obligations and shall constitute Subordinate Obligations.

Such Subordinate Obligations may be issued for the purposes of improvements and extensions to the System or to retire or refund Bonds or Parity Obligations or Subordinate Obligations in advance of maturity, or to pay for extraordinary repairs or replacements to the System.

- (b) In the event of any insolvency or bankruptcy proceedings, and any receivership, liquidation, reorganization, or other similar proceedings in connection therewith, relative to the Issuer or to its creditors, as such, or to its property, and in the event of any proceedings for voluntary liquidation, dissolution, or other winding up of the Issuer, whether or not involving insolvency or bankruptcy, the owners of all Bonds or Parity Obligations then outstanding shall be entitled to receive payment in full of all principal and interest due on all such Bonds or Parity Obligations before the owners of the Subordinate Obligations are entitled to receive any payment from the Net Revenues or the amounts held in the funds and accounts created under the Resolution.
- (c) If any Event of Default shall have occurred and be continuing (under circumstances when the provisions of paragraph (b) are not applicable), the owners of all Bonds or Parity Obligation then outstanding shall be entitled to receive payment in full of all principal and interest then due on all such Bonds or Parity Obligations before the owners of the Subordinate Obligations are entitled to receive any payment from the Net Revenues or the amounts held in the funds and accounts created under the Resolution.

- (d) Any series of Subordinate Obligations may have such rank or priority with respect to any other series of Subordinate Obligations as may be provided in the Resolution authorizing such series of Subordinate Obligations and may contain such other provisions as are not in conflict with the provisions of this Resolution.
- (e) By proceedings authorizing all or any Subordinate Obligations, the Issuer may provide for the accession of such Subordinate Obligations to the status of Parity Obligations if, as of the date of accession, the following conditions are satisfied, on a basis which includes all outstanding Parity Obligations and the Subordinate Obligations seeking accession, and if on the date of accession:
 - (1) the Reserve Fund contains an amount equal to the Reserve Fund Requirement computed on a basis which includes all outstanding Parity Obligations and the Subordinate Obligations seeking accession (but which excludes any SRF Obligations); and
 - (2) the Sinking Fund contains the amount which would have been required to be accumulated therein on the date of accession if the Subordinate Obligations seeking accession had originally been issued as Parity Obligations.

Section 24. Disposition of Bond Proceeds; Arbitrage Not Permitted. The Issuer reasonably expects and covenants that no use will be made of the proceeds from the issuance and sale of the Bonds issued hereunder which will cause any of the Bonds to be classified as arbitrage bonds within the meaning of Section 148(a) and (b) of the Internal Revenue Code of the United States, and that throughout the term of the Bonds it will comply with the requirements of the statute and regulations issued thereunder.

To the best knowledge and belief of the Issuer, there are no facts or circumstances that would materially change the foregoing statements or the conclusion that it is not expected that the proceeds of the Bonds will be used in a manner that would cause the Bonds to be arbitrage bonds. Without limiting the generality of the foregoing, the Issuer hereby agrees to comply with the provisions of the Tax Exemption Certificate and the provisions of the Tax Exemption Certificate are hereby incorporated by reference as part of this Resolution. The Treasurer is hereby directed to make and insert all calculations and determinations necessary to complete the Tax Exemption Certificate in all respects and to execute and deliver the Tax Exemption Certificate at issuance of the Bonds to certify as to the reasonable expectations and covenants of the Issuer at that date.

The Issuer covenants that it will treat as Yield Restricted any proceeds of the Bonds remaining unexpended after three years from the issuance and any other funds required by the Tax Exemption Certificate to be so treated. If any investments are held with respect to the Bonds and Parity Obligations, the Issuer shall treat the same for the purpose of restricted yield as held in proportion to the original principal amounts of each issue.

The Issuer covenants that it will exceed any investment yield restriction provided in this Resolution only in the event that it shall first obtain an opinion of recognized bond counsel that the proposed investment action will not cause the Bonds to be classified as arbitrage bonds under Section 148(a) and (b) of the Internal Revenue Code or regulations issued thereunder.

The Issuer covenants that it will proceed with due diligence to spend the proceeds of the Bonds for the purpose set forth in this Resolution. The Issuer further covenants that it will make no change in the use of the proceeds available for the construction of facilities or change in the use of any portion of the facilities constructed therefrom by persons other than the Issuer or the general public unless it has obtained an opinion of bond counsel or a revenue ruling that the proposed project or use will not be of such character as to cause interest on any of the Bonds not to be exempt from federal income taxes in the hands of holders other than substantial users of the project, under the provisions of Section 142(a) of the Internal Revenue Code of the United States, related statutes and regulations.

Section 25. Additional Covenants, Representations and Warranties of the Issuer. The Issuer certifies and covenants with the purchasers and holders of the Bonds from time to time outstanding that the Issuer through its officers, (a) will make such further specific covenants, representations and assurances as may be necessary or advisable; (b) comply with all representations, covenants and assurances contained in the Tax Exemption Certificate, which Tax Exemption Certificate shall constitute a part of the contract between the Issuer and the owners of the Bonds; (c) consult with bond counsel (as defined in the Tax Exemption Certificate); (d) pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Bonds; (e) file such forms, statements and supporting documents as may be required and in a timely manner; and (f) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the Issuer in such compliance.

Section 26. Discharge and Satisfaction of Bonds. The covenants, liens and pledges entered into, created or imposed pursuant to this Resolution may be fully discharged and satisfied with respect to the Bonds and Parity Obligations, or any of them, in any one or more of the following ways:

(a) By paying the Bonds or Parity Obligations when the same shall become due and payable; and

(b) By depositing in trust with the Treasurer, or with a corporate trustee designated by the Governing Body for the payment of the obligations and irrevocably appropriated exclusively to that purpose an amount in cash or direct obligations of the United States the maturities and income of which shall be sufficient to retire at maturity, or by redemption prior to maturity on a designated date upon which the obligations may be redeemed, all of such obligations outstanding at the time, together with the interest thereon to maturity or to the designated redemption date, premiums thereon, if any that may be payable on the redemption of the same; provided that proper notice of redemption of all such obligations to be redeemed shall have been previously published or provisions shall have been made for such publication.

Upon such payment or deposit of money or securities, or both, in the amount and manner provided by this Section, all liability of the Issuer with respect to the Bonds or Parity Obligations shall cease, determine and be completely discharged, and the holders thereof shall be entitled only to payment out of the money or securities so deposited.

Section 27. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the Issuer and the holder or holders of the Bonds and Parity Obligations, and after the issuance of any of the Bonds no change, variation or alteration of any kind in the provisions of this Resolution shall be made in any manner, except as provided in the next succeeding Section, until such time as all of the Bonds and Parity Obligations, and interest due thereon, shall have been satisfied and discharged as provided in this Resolution.

Section 28. Amendment of Resolution Without Consent. The Issuer may, without the consent of or notice to any of the holders of the Bonds and Parity Obligations, amend or supplement this Resolution for any one or more of the following purposes:

(a) to cure any ambiguity, defect, omission or inconsistent provision in this Resolution or in the Bonds or Parity Obligations; or to comply with any application provision of law or regulation of federal or state agencies; provided, however, that such action shall not materially adversely affect the interests of the holders of the Bonds or Parity Obligations;

(b) to change the terms or provisions of this Resolution to the extent necessary to prevent the interest on the Bonds or Parity Obligations from being includable within the gross income of the holders thereof for federal income tax purposes;

(c) to grant to or confer upon the holders of the Bonds or Parity Obligations any additional rights, remedies, powers or authority that may lawfully be granted to or conferred upon the holders of the Bonds;

(d) to add to the covenants and agreements of the Issuer contained in this Resolution other covenants and agreements of, or conditions or restrictions upon, the Issuer or to surrender or eliminate any right or power reserved to or conferred upon the Issuer in this Resolution; or

(e) to subject to the lien and pledge of this Resolution additional pledged revenues as may be permitted by law.

(f) to change the terms or provisions of this Resolution to the extent necessary to assure continued receipt of Subsidy Payments with respect to any Outstanding Obligations or Additional Obligations or to conform the Resolution to future guidance, as may be issued by the Internal Revenue Service or Department of the Treasury with respect to Subsidy Payments. Provided however, no such change or amendment shall be made without written bond rating confirmation from the applicable rating agency that

such change or amendment will not cause the then applicable rating on any Bonds to be reduced or withdrawn.

Section 29. Amendment of Resolution to Maintain Tax Status. This Resolution may be amended without the consent of any owner of the Bonds if, in the opinion of bond counsel, such amendment is necessary to maintain the Bonds as Build America Bonds under the Code and applicable Federal law or regulations.

Section 30. Amendment of Resolution Requiring Consent. This Resolution may be amended from time to time if such amendment shall have been consented to by holders of not less than two-thirds in principal amount of the Bonds and Parity Obligations at any time outstanding (not including in any case any Bonds which may then be held or owned by or for the account of the Issuer, but including such Refunding Bonds as may have been issued for the purpose of refunding any of such Bonds if such Refunding Bonds shall not then be owned by the Issuer); but this Resolution may not be so amended in such manner as to:

(a) Make any change in the maturity or interest rate of the Bonds, or modify the terms of payment of principal of or interest on the Bonds or any of them or impose any conditions with respect to such payment;

(b) Materially affect the rights of the holders of less than all of the Bonds and Parity Obligations then outstanding; and

(c) Reduce the percentage of the principal amount of Bonds, the consent of the holders of which is required to effect a further amendment.

Whenever the Issuer shall propose to amend this Resolution under the provisions of this Section, it shall cause notice of the proposed amendment to be filed with the Original Purchaser and to be mailed by certified mail to each registered owner of any Bond as shown by the records of the Registrar. Such notice shall set forth the nature of the proposed amendment and shall state that a copy of the proposed amendatory Resolution is on file in the office of the City Clerk.

Whenever at any time within one year from the date of the mailing of the notice there shall be filed with the City Clerk an instrument or instruments executed by the holders of at least two-thirds in aggregate principal amount of the Bonds then outstanding as in this Section defined, which instrument or instruments shall refer to the proposed amendatory Resolution described in the notice and shall specifically consent to and approve the adoption thereof, thereupon, but not otherwise, the Governing Body of the Issuer may adopt such amendatory Resolution and such Resolution shall become effective and binding upon the holders of all of the Bonds and Parity Obligations.

Any consent given by the holder of a Bond pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of the instrument evidencing such consent and shall be conclusive and binding upon all future holders of the same Bond during such period. Such consent may be revoked at any time after six months from the date of such instrument by

the holder who gave such consent or by a successor in title by filing notice of such revocation with the City Clerk.

The fact and date of the execution of any instrument under the provisions of this Section may be proved by the certificate of any officer in any jurisdiction who by the laws thereof is authorized to take acknowledgments of deeds within such jurisdiction that the person signing such instrument acknowledged before him the execution thereof, or may be proved by an affidavit of a witness to such execution sworn to before such officer.

The amount and numbers of the Bonds held by any person executing such instrument and the date of his holding the same may be proved by an affidavit by such person or by a certificate executed by an officer of a bank or trust company showing that on the date therein mentioned such person had on deposit with such bank or trust company the Bonds described in such certificate.

Section 31. Severability. If any section, paragraph, or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions.

Section 32. Continuing Disclosure. The Issuer hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, and the provisions of the Continuing Disclosure Certificate are hereby approved and incorporated by reference as part of this Resolution and made a part hereof and the Mayor and the City Clerk are hereby authorized to execute and deliver the same at issuance of the Bonds. Notwithstanding any other provision of this Resolution, failure of the Issuer to comply with the Continuing Disclosure Certificate shall not be considered an event of default under this Resolution; however, any holder of the Bonds or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Issuer to comply with its obligations under the Continuing Disclosure Certificate. For purposes of this Section, "Beneficial Owner" means any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

Section 33. Repeal of Conflicting Ordinances or Resolutions and Effective Date. All other ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed; and this Resolution shall be in effect from and after its adoption.

PASSED AND APPROVED this 27th day of May, 2014.

Ron Corbett, Mayor

ATTEST:

Amy Stevenson, City Clerk

May 27, 2014

The City Council of the City of Cedar Rapids, State of Iowa, met in regular session, in the Council Chambers, 3rd Floor, 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 _____ moved that the form of Tax Exemption Certificate related to the issuance of \$4,570,000 Water Revenue Bonds, Series 2014D be placed on file and approved. Council Member _____ seconded the motion. The roll was called and the vote was,

AYES: _____

NAYS: _____

Council Member _____ moved that the form of Continuing Disclosure Certificate delivered in connection with the issuance of \$4,570,000 Water Revenue Bonds, Series 2014D be placed on file and approved. Council Member _____ seconded the motion. The roll was called and the vote was,

AYES: _____

NAYS: _____

Council Member _____ introduced the following Resolution entitled "A RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SECURING THE PAYMENT OF \$4,570,000 WATER REVENUE BONDS, SERIES 2014D, OF THE CITY OF CEDAR RAPIDS, STATE OF IOWA, UNDER THE PROVISIONS OF THE CITY CODE OF IOWA, AND PROVIDING FOR A METHOD OF PAYMENT OF THE BONDS", and moved its adoption. Council Member _____ seconded the motion to adopt. The roll was called and the vote was:

AYES: _____

NAYS: _____

Whereupon the Mayor declared the following Resolution duly adopted:

**A RESOLUTION AUTHORIZING AND PROVIDING FOR THE
ISSUANCE AND SECURING THE PAYMENT OF \$4,570,000 WATER
REVENUE BONDS, SERIES 2014D, OF THE CITY OF CEDAR RAPIDS,
STATE OF IOWA, UNDER THE PROVISIONS OF THE CITY CODE OF
IOWA, AND PROVIDING FOR A METHOD OF PAYMENT OF THE
BONDS**

WHEREAS, the City Council of the City of Cedar Rapids, State of Iowa, sometimes hereinafter referred to as the "Issuer", has heretofore established charges, rates and rentals for services which are and will continue to be collected as system revenues of the Municipal Water Utility, sometimes hereinafter referred to as the "System", and the revenues have not been pledged and are available for the payment of Revenue Bonds, subject to the following premises; and

WHEREAS, Issuer proposes to issue its Revenue Bonds to the extent of not to exceed \$4,570,000 for the purpose of defraying the costs of the project as set forth in Section 3 of this Resolution; and

WHEREAS, there have been heretofore issued certain Water Revenue Bonds, part of which remain outstanding and are a lien on the Net Revenues of the System (defined herein as the "Outstanding Obligations"); and

WHEREAS, in the Prior Bond Resolutions authorizing the issuance of the Outstanding Obligations it is provided that additional Revenue Bonds may be issued on a parity with the Outstanding Obligations, for the costs of future improvements and extensions to the System or refunding outstanding obligations, provided that there has been procured and placed on file with the City Clerk, a statement complying with the conditions and limitations therein imposed upon the issuance of Parity Obligations; and

WHEREAS, a statement of Public Financial Management, Inc., an Independent Financial Consultant not in the regular employ of Issuer, has been placed on file in the office of the City Clerk, showing the conditions and limitations of the Prior Bond Resolutions, with regard to the sufficiency of the revenues of the System to permit the issuance of Additional Obligations ranking on a parity with the Outstanding Obligations to have been met and satisfied as required; and

WHEREAS, the notice of intention of Issuer to take action for the issuance of not to exceed \$4,800,000 Water Revenue Bonds has heretofore been duly published and no objections to such proposed action have been filed; and the Issuer desires to proceed with the issuance of said Bonds:

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

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by necessary implication requires otherwise:

- "Additional Obligations" shall mean any water revenue bonds or notes or obligations issued on a parity with the Bonds in accordance with the provisions of Section 21 hereof. Provided, however Additional Obligations which are DWSRF Obligations shall not be secured by the Reserve Fund and shall not be subject to the Reserve Fund Requirement.
- "Authorized Denominations" shall mean \$5,000 or any integral multiple thereof.
- "Beneficial Owner" shall mean the person in whose name such Bond is recorded as the beneficial owner of a Bond by a Participant on the records of such Participant or such person's subrogee.
- "Bonds" shall mean \$4,570,000 Water Revenue Bonds, Series 2014D, authorized to be issued by this Resolution.
- "Cede & Co." shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.
- "Clerk" shall mean the City Clerk, or such other officer of the successor Governing Body as shall be charged with substantially the same duties and responsibilities.
- "Continuing Disclosure Certificate" shall mean that certain Continuing Disclosure Certificate executed by the Issuer and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

- "Depository Bonds" shall mean the Bonds as issued in the form of one global certificate for each maturity, registered in the Registration Books maintained by the Registrar in the name of DTC or its nominee.
- "DTC" shall mean The Depository Trust Company, New York, New York, a limited purpose trust company, or any successor book-entry securities depository appointed for the Bonds.
- "DWSRF Obligations" shall mean bonds, notes or other obligations as may be issued in connection with the Issuer's participation in the Iowa Drinking Water State Revolving Fund Program administered by the Iowa Finance Authority and Iowa Department of Natural Resources which DWSRF Obligations may be Senior DWSRF Obligations or subordinate DWSRF Obligations.
- "Fiscal Year" shall mean the twelve-month period beginning on July 1 of each year and ending on the last day of June of the following year, or any other consecutive twelve-month period adopted by the Governing Body or by law as the official accounting period of the System. Requirements of a Fiscal Year as expressed in this Resolution shall exclude any payment of principal or interest falling due on the first day of the Fiscal Year and include any payment of principal or interest falling due on the first day of the succeeding Fiscal Year, except to the extent of any conflict with the terms of the Outstanding Obligations while the same remain outstanding.
- "Governing Body" shall mean the City Council of the City, or its successor in function with respect to the operation and control of the System.
- "Independent Auditor" shall mean an independent firm of Certified Public Accountants or the Auditor of State.
- "Issuer" and "City" shall mean the City of Cedar Rapids, State of Iowa.
- "Net Revenues" shall mean gross earnings of the System after deduction of current expenses; "Current Expenses" shall mean and include the reasonable and necessary cost of operating, maintaining, repairing and insuring the System, including purchases at wholesale, if any, salaries, wages, and costs of materials and supplies but excluding depreciation and principal of and interest on the Bonds and any Parity Obligations or payments to the various funds established herein; capital costs, depreciation and interest or principal payments are not System expenses.
- "Original Purchaser" shall mean the purchaser of the Bonds from Issuer at the time of their original issuance.
- "Outstanding Obligations" shall mean the Water Revenue Capital Loan Notes, Series DWSRF (2008) dated January 10, 2008, issued in accordance with Resolution No. 0988-11-07 adopted November 28, 2007, \$31,607,000 of which notes are still outstanding and unpaid and remain a lien on the Net Revenues of the System; Water

Revenue Bonds, Series 2009F, dated August 10, 2009, issued in accordance with Resolution No. 0728-07-09 adopted July 22, 2009, \$7,045,000 of which bonds are still outstanding and unpaid and remain a lien on the Net Revenues of the System; Water Revenue Bonds, Series 2010D, dated June 29, 2010, issued in accordance with Resolution No. 0628-06-10 adopted June 8, 2010, \$7,145,000 of which bonds are still outstanding and unpaid and remain a lien on the Net Revenues of the System; Water Revenue Bonds, Series 2011D, dated June 8, 2011, issued in accordance with Resolution No. 0588-05-11 adopted May 24, 2011, \$5,730,000 of which bonds are still outstanding and unpaid and remain a lien on the Net Revenues of the System; Water Revenue Bonds, Series 2012E, dated June 6, 2012, issued in accordance with Resolution No. 0731-05-12 adopted May 22, 2012, \$5,390,000 of which bonds are still outstanding and unpaid and remain a lien on the Net Revenues of the System; Water Revenue Bonds, Series 2013E, dated June 11, 2013, issued in accordance with Resolution No. 0823-05-13, adopted May 28, 2013, \$7,010,000 of which bonds are still outstanding and unpaid and remain a lien on the Net Revenues of the system.

□ "Parity Obligations" shall mean water revenue bonds or notes payable solely from the Net Revenues of the System on an equal basis with the Bonds herein authorized to be issued, and shall include Additional Obligations as authorized to be issued under the terms of this Resolution and the Outstanding Obligations.

□ "Participants" shall mean those broker-dealers, banks and other financial institutions for which DTC holds Bonds as securities depository.

□ "Paying Agent" shall mean the Finance Director of the City of Cedar Rapids, Iowa, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein as Issuer's agent to provide for the payment of principal of and interest on the Bonds as the same shall become due.

□ "Permitted Investments" shall mean:

■ direct obligations of (including obligations issued or held in book entry form on the books of) the Department of the Treasury of the United States of America;

■ obligations of any of the following federal agencies which obligations represent full faith and credit of the United States of America, including:

- Export - Import Bank
- Farm Credit System Financial Assistance Corporation
- USDA - Rural Development
- General Services Administration
- U.S. Maritime Administration
- Small Business Administration
- Government National Mortgage Association (GNMA)

- U.S. Department of Housing & Urban Development (PHA's)
- Federal Housing Administration

- repurchase agreements whose underlying collateral consists of the investments set out above if the Issuer takes delivery of the collateral either directly or through an authorized custodian. Repurchase agreements do not include reverse repurchase agreements;
- senior debt obligations rated "AAA" by Standard & Poor's Corporation (S&P) or "Aaa" by Moody's Investors Service Inc. (Moody's) issued by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation;
- U.S. dollar denominated deposit accounts, federal funds and banker's acceptances with domestic commercial banks which have a rating on their short-term certificates of deposit on the date of purchase of "A-1" or "A-1+" by S&P or "P-1" by Moody's and maturing no more than 360 days after the date of purchase (ratings on holding companies are not considered as the rating of the bank);
- commercial paper which is rated at the time of purchase in the single highest classification, "A-1+" by S&P or "P-1" by Moody's and which matures not more than 270 days after the date of purchase;
- investments in a money market fund rated "AAAm" or "AAAm-G" or better by S&P;
- pre-refunded municipal obligations, defined as any bonds or other obligations of any state of the United States of America or of any agency, instrumentality or local governmental unit of any such state which are not callable at the option of the obligor prior to maturity or as to which irrevocable instructions have been given by the obligor to call on the date specified in the notice; and (a) which are rated, based on an irrevocable escrow account or fund (the "escrow"), in the highest rating category of S&P or Moody's or any successors thereto; or (b)(i) which are fully secured as to principal and interest and redemption premium, if any, by an escrow consisting only of cash or direct obligations of the Department of the Treasury of the United States of America, which escrow may be applied only to the payment of such principal of and interest and redemption premium, if any, on such bonds or other obligations on the maturity date or dates thereof or the specified redemption date or dates pursuant to such irrevocable instructions, as appropriate; and (ii) which escrow is sufficient, as verified by a nationally recognized independent certified public accountant, to pay principal of and interest and redemption premium, if any, on the bonds or other obligations described in this paragraph on the maturity date or dates specified in the irrevocable instructions referred to above, as appropriate;

- tax exempt bonds as defined and permitted by section 148 of the Internal Revenue Code and applicable regulations and only if rated within the two highest classifications as established by at least one of the standard rating services approved by the superintendent of banking by rule adopted pursuant to chapter 17A Code of Iowa;
 - an investment contract rated within the two highest classifications as established by at least one of the standard rating services approved by the superintendent of banking by rule adopted pursuant to chapter 17A Code of Iowa; and
 - Iowa Public Agency Investment Trust.
- "Prior Bond Resolution" shall mean the resolutions authorizing the Outstanding Obligations adopted on November 28, 2007, July 22, 2009, June 8, 2010, May 24, 2011, May 22, 2012, and May 28, 2013 .
- "Project Fund" shall mean the fund required to be established by this Resolution for the deposit of the proceeds of the Bonds.
- "Registrar" shall mean the Finance Director of the City of Cedar Rapids, Iowa, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein with respect to maintaining a register of the owners of the Bonds. Unless otherwise specified, the Registrar shall also act as Transfer Agent for the Bonds.
- "Representation Letter" shall mean the Blanket Issuer Letter of Representations executed and delivered by the Issuer to DTC on file with DTC.
- "Reserve Fund Requirement" shall mean an amount equal to the lesser of (a) the maximum amount of the principal and interest coming due on the Bonds and Parity Obligations (but not including DWSRF Obligations) in any succeeding Fiscal Year, (b) 10 percent of the stated principal amount of the Bonds and Parity Obligations (but not including DWSRF Obligations). For issues with original issue discount the issue price as defined in the Tax Certificate shall be substituted for the stated principal amount, or (c) 125% of the average amount of principal and interest coming due on the Bonds and Parity Obligations (but not including DWSRF Obligations) in any succeeding Fiscal Year. The Reserve Fund Requirement shall be determined without reference to any Subsidy Payments.
- "Resolution" shall mean this resolution authorizing the issuance of the Bonds.
- "Senior DWSRF Obligations" shall mean the Water Revenue Capital Loan Notes, Series DWSRF (2008) dated January 10, 2008, and any DWSRF obligations issued on a parity therewith. Provided however, Senior DWSRF Obligations shall neither be secured by the Reserve Fund nor subject to the Reserve Fund Requirement.

- "Subordinate Obligations" shall mean notes, bonds or other obligations issued with a right to payment from the Net Revenues and secured by a lien on the Net Revenues, but expressly junior and subordinate to the Bonds, Parity Obligations, Additional Obligations and Senior DWSRF Obligations.

- "Subsidy Payments" shall mean all payments received by the Issuer as a result of the Issuer's election to designate the Series DWSRF (2008) Water Revenue Capital Loan Notes or any future obligations as Build America Bonds.

- "System" shall mean the Municipal Water Utility of the Issuer and all properties of every nature hereinafter owned by the Issuer comprising part of or used as a part of the System, including all improvements and extensions made by Issuer while any of the Bonds or Parity Obligations remain outstanding; all real and personal property; and all appurtenances, contracts, leases, franchises and other intangibles.

- "Tax Exemption Certificate" shall mean the Tax Exemption Certificate executed by the Treasurer and delivered at the time of issuance and delivery of the Bonds.

- "Treasurer" shall mean the Finance Director or such other officer as shall succeed to the same duties and responsibilities with respect to the recording and payment of the Bonds issued hereunder.

- "Yield Restricted" shall mean required to be invested at a yield that is not materially higher than the yield on the Bonds under section 148(a) of the Internal Revenue Code or regulations issued thereunder.

Section 2. Authority. The Bonds authorized by this Resolution shall be issued pursuant to Division V, Chapter 384 of the City Code of Iowa, and in compliance with all applicable provisions of the Constitution and laws of the State of Iowa.

Section 3. Authorization and Purpose. There are hereby authorized to be issued, negotiable, serial, fully registered Water Revenue Bonds of the City, in the County of Linn, State of Iowa, Series 2014D, in the aggregate amount of \$4,570,000 for the purpose of paying costs of improvements and extensions to the Municipal Water Utility.

Section 4. Source of Payment. The Bonds herein authorized and Parity Obligations and the interest thereon shall be payable solely and only out of the net earnings of the System and shall be a first lien on the future Net Revenues of the System. The Bonds shall not be general obligations of the Issuer nor shall they be payable in any manner by taxation and the Issuer shall be in no manner liable by reason of the failure of the Net Revenues to be sufficient for the payment of the Bonds.

Section 5. Bond Details. Water Revenue Bonds of the City in the amount of \$4,570,000 shall be issued pursuant to the provisions of Section 384.82 of the City Code of Iowa for the aforesaid purpose. The Bonds shall be designated "WATER REVENUE BOND, SERIES 2014D", be dated June 17, 2014, and bear interest from the date thereof, until payment thereof, at the office of the Paying Agent, the interest payable on December 1, 2014 and semiannually thereafter on the 1st day of June and December in each year until maturity at the rates hereinafter provided.

The Bonds shall be executed by the manual or facsimile signature of the Mayor and attested by the manual or facsimile signature of the City Clerk, and impressed or printed with the seal of the City and shall be fully registered as to both principal and interest as provided in this Resolution; principal, interest and premium, if any shall be payable at the office of the Paying Agent by mailing of a check to the registered owner of the Bond. The Bonds shall be in the denomination of \$5,000 or multiples thereof. The Bonds shall mature and bear interest as follows:

Principal Amount	Interest Rate	Maturity June 1 st
\$165,000	2.000%	2015
\$170,000	2.000%	2016
\$175,000	2.000%	2017
\$175,000	3.000%	2018
\$180,000	3.000%	2019
\$185,000	3.000%	2020
\$190,000	3.000%	2021
\$195,000	2.000%	2022
\$205,000	3.000%	2023
\$210,000	2.500%	2024
\$220,000	3.000%	2025
\$230,000	3.000%	2026
\$240,000	3.000%	2027
\$250,000	3.000%	2028
\$260,000	3.125%	2029
\$275,000	3.250%	2030
\$290,000	3.250%	2031
\$300,000	3.375%	2032
\$320,000	3.375%	2033
\$335,000	3.500%	2034

Section 6. Redemption. Bonds maturing after June 1, 2022, may be called for redemption by the Issuer and paid before maturity on such date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Bond. Failure to give written notice to any registered owner of the Bonds or any defect therein shall not affect the validity of any proceedings for the redemption of the Bonds. All Bonds or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

Section 7. Issuance of Bonds in Book-Entry Form; Replacement Bonds.

(a) Notwithstanding the other provisions of this Resolution regarding registration, ownership, transfer, payment and exchange of the Bonds, unless the Issuer determines to permit the exchange of Depository Bonds for Bonds in Authorized Denominations, the Bonds shall be issued as Depository Bonds in denominations of the entire principal amount of each maturity of Bonds (or, if a portion of said principal amount is prepaid, said principal amount less the prepaid amount). The Bonds must be registered in the name of Cede & Co., as nominee for DTC. Payment of semiannual interest for any Bonds registered in the name of Cede & Co. will be made by wire transfer or New York Clearing House or equivalent next day funds to the account of Cede & Co. on the interest payment date for the Bonds at the address indicated or in the Representation Letter.

(b) The Bonds will be initially issued in the form of separate single authenticated fully registered bonds in the amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of the Bonds will be registered in the registry books of the Finance Director kept by the Paying Agent and Registrar in the name of Cede & Co., as nominee of DTC. The Paying Agent and Registrar and the Issuer may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal or redemption price of or interest on the Bonds, selecting the Bonds or portions to be redeemed, giving any notice permitted or required to be given to registered owners of Bonds under the Resolution of the Issuer, registering the transfer of Bonds, obtaining any consent or other action to be taken by registered owners of the Bonds and for other purposes. The Paying Agent, Registrar and the Issuer have no responsibility or obligation to any Participant or Beneficial Owner of the Bonds under or through DTC with respect to the accuracy of records maintained by DTC or any Participant; with respect to the payment by DTC or Participant of an amount of principal or redemption price of or interest on the Bonds; with respect to any notice given to owners of Bonds under the Resolution; with respect to the Participant(s) selected to receive payment in the event of a partial redemption of the Bonds, or a consent given or other action taken by DTC as registered owner of the Bonds. The Paying Agent and Registrar shall pay all principal of and premium, if any, and interest on the Bonds only to Cede & Co. in accordance with the Representation Letter, and all payments are valid and effective to fully satisfy and

discharge the Issuer's obligations with respect to the principal of and premium, if any, and interest on the Bonds to the extent of the sum paid. DTC must receive an authenticated Bond for each separate stated maturity evidencing the obligation of the Issuer to make payments of principal of and premium, if any, and interest. Upon delivery by DTC to the Paying Agent and Registrar of written notice that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to the new nominee in accordance with this Section.

(c) In the event the Issuer determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bonds certificates, the Issuer may notify DTC and the Paying Agent and Registrar, whereupon DTC will notify the Participants, of the availability through DTC of Bonds certificates. The Bonds will be transferable in accordance with this Section. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the Issuer and the Paying Agent and Registrar and discharging its responsibilities under applicable law. In this event, the Bonds will be transferable in accordance with this Section.

(d) Notwithstanding any other provision of the Resolution to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of and premium, if any, and interest on the Bond and all notices must be made and given, respectively to DTC as provided in the Representation letter.

(e) In connection with any notice or other communication to be provided to Bondholders by the Issuer or the Paying Agent and Registrar with respect to a consent or other action to be taken by Bondholders, the Issuer or the Paying Agent and Registrar, as the case may be, shall establish a record date for the consent or other action and give DTC notice of the record date not less than 15 calendar days in advance of the record date to the extent possible. Notice to DTC must be given only when DTC is the sole Bondholder.

Section 8. Registration of Bonds; Appointment of Registrar; Transfer; Ownership; Delivery; and Cancellation.

(a) Registration. The ownership of Bonds may be transferred only by the making of an entry upon the books kept for the registration and transfer of ownership of the Bonds, and in no other way. The Finance Director is hereby appointed as Bond Registrar under the terms of this Resolution. Registrar shall maintain the books of the Issuer for the registration of ownership of the Bonds for the payment of principal of and interest on the Bonds as provided in this Resolution. All Bonds shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 384.83(5) of the Code of Iowa, subject to the provisions for registration and transfer contained in the Bonds and in this Resolution.

(b) Transfer. The ownership of any Bond may be transferred only upon the Registration Books kept for the registration and transfer of Bonds and only upon surrender thereof at the office of the Registrar together with an assignment duly executed by the holder or his duly authorized attorney in fact in such form as shall be satisfactory to the Registrar, along with the address and social security number or federal employer identification number of such transferee (or, if registration is to be made in the name of multiple individuals, of all such transferees). In the event that the address of the registered owner of a Bond (other than a registered owner which is the nominee of the broker or dealer in question) is that of a broker or dealer, there must be disclosed on the Registration Books the information pertaining to the registered owner required above. Upon the transfer of any such Bond, a new fully registered Bond, of any denomination or denominations permitted by this Resolution in aggregate principal amount equal to the unmatured and unredeemed principal amount of such transferred fully registered Bond, and bearing interest at the same rate and maturing on the same date or dates shall be delivered by the Registrar.

(c) Registration of Transferred Bonds. In all cases of the transfer of the Bonds, the Registrar shall register, at the earliest practicable time, on the Registration Books, the Bonds, in accordance with the provisions of this Resolution.

(d) Ownership. As to any Bond, the person in whose name the ownership of the same shall be registered on the Registration Books of the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Bonds and the premium, if any, and interest thereon shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including the interest thereon, to the extent of the sum or sums so paid.

(e) Cancellation. All Bonds which have been redeemed shall not be reissued but shall be cancelled by the Registrar. All Bonds which are cancelled by the Registrar shall be destroyed and a certificate of the destruction thereof shall be furnished promptly to the Issuer; provided that if the Issuer shall so direct, the Registrar shall forward the cancelled Bonds to the Issuer.

(f) Non-Presentation of Bonds. In the event any payment check representing payment of principal of or interest on the Bonds is returned to the Paying Agent or is not presented for payment of principal at the maturity or redemption date, if funds sufficient to pay such principal of or interest on Bonds shall have been made available to the Paying Agent for the benefit of the owner thereof, all liability of the Issuer to the owner thereof for such interest or payment of such Bonds shall forthwith cease, terminate and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the owner of such Bonds who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Resolution or on, or with respect to, such interest or Bonds. The Paying Agent's obligation to hold such funds shall continue for a period equal to two years and six months following the date on which such interest or principal became due, whether at maturity, or at the date fixed for redemption thereof, or otherwise, at which time the Paying Agent, shall surrender any remaining funds so held to the Issuer, whereupon any claim under this Resolution by the Owners of such interest or Bonds of whatever nature shall be made upon the Issuer.

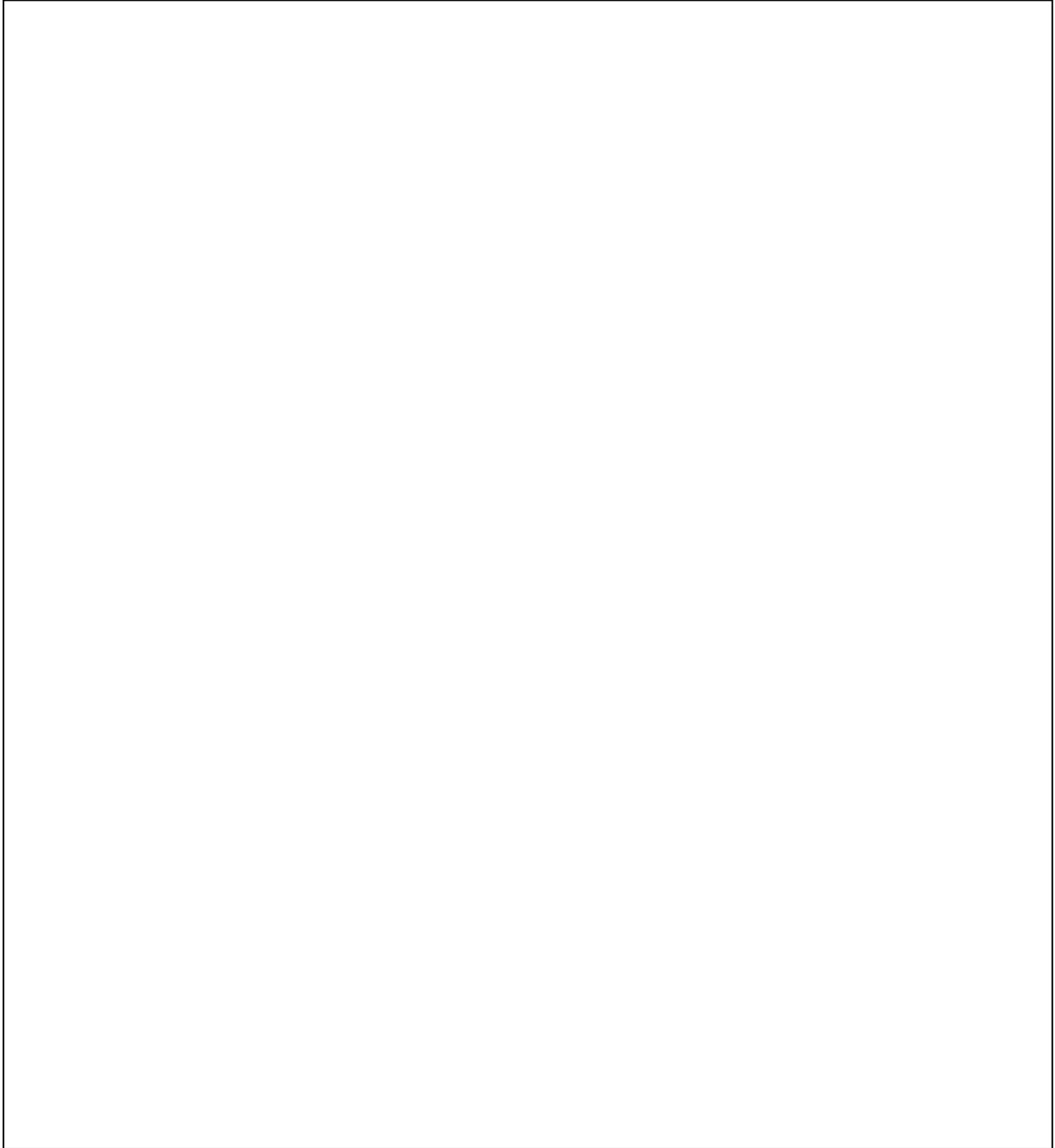
Section 9. Reissuance of Mutilated, Destroyed, Stolen or Lost Bonds. In case any outstanding Bond shall become mutilated or be destroyed, stolen or lost, the Issuer shall at the request of Registrar authenticate and deliver a new Bond of like tenor and amount as the Bond so mutilated, destroyed, stolen or lost, in exchange and substitution for such mutilated Bond to Registrar, upon surrender of such mutilated Bond, or in lieu of and substitution for the Bond destroyed, stolen or lost, upon filing with the Registrar evidence satisfactory to the Registrar and Issuer that such Bond has been destroyed, stolen or lost and proof of ownership thereof, and upon furnishing the Registrar and Issuer with satisfactory indemnity and complying with such other reasonable regulations as the Issuer or its agent may prescribe and paying such expenses as the Issuer may incur in connection therewith.

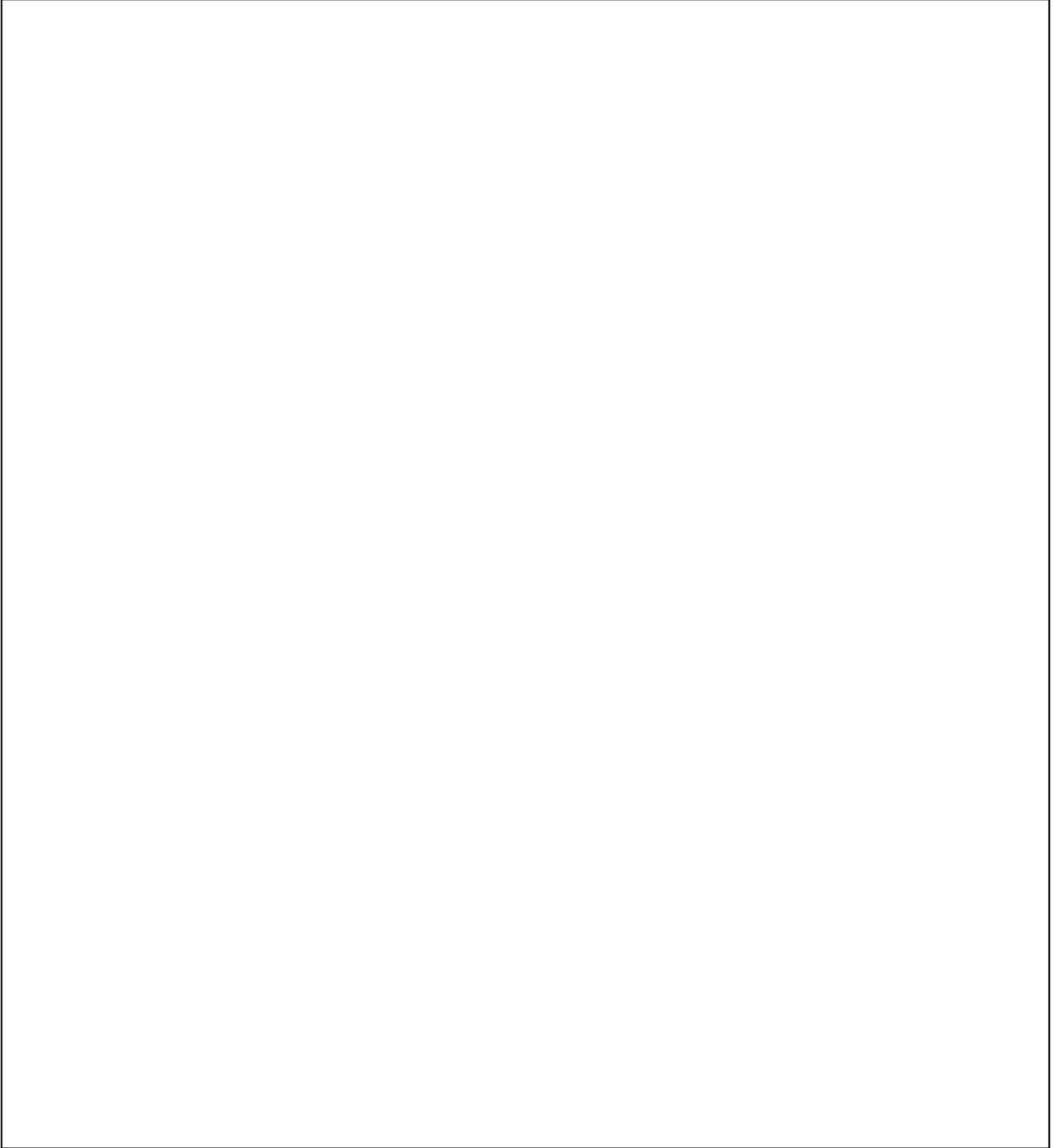
Section 10. Record Date. Payments of principal and interest, otherwise than upon full redemption, made in respect of any Bond, shall be made to the registered holder thereof or to their designated agent as the same appear on the books of the Registrar on the 15th day of the month preceding the payment date. All such payments shall fully discharge the obligations of the Issuer in respect of such Bonds to the extent of the payments so made. Payment of principal shall only be made upon surrender of the Bond to the Paying Agent.

Section 11. Execution, Authentication and Delivery of the Bonds. Upon the adoption of this Resolution, the Mayor and Clerk shall execute and deliver the Bonds to the Registrar, who shall authenticate the Bonds and deliver the same to or upon order of the Original Purchaser. No Bond shall be valid or obligatory for any purpose or shall be entitled to any right or benefit hereunder unless the Registrar shall duly endorse and execute on such Bond a Certificate of Authentication substantially in the form of the Certificate herein set forth. Such Certificate upon any Bond executed on behalf of the Issuer shall be conclusive evidence that the Bond so authenticated has been duly issued under this Resolution and that the holder thereof is entitled to the benefits of this Resolution.

Section 12. Right to Name Substitute Paying Agent or Registrar. Issuer reserves the right to name a substitute, successor Registrar or Paying Agent upon giving prompt written notice to each registered bondholder.

Section 13. Form of Bond. Bonds shall be printed in substantial compliance with standards proposed by the American Standards Institute substantially in the form as follows:





The text of the Bonds to be located thereon at the item numbers shown shall be as follows:

- Item 1, figure 1= "STATE OF IOWA"
"COUNTY OF LINN"
"CITY OF CEDAR RAPIDS"
"WATER REVENUE BOND"
"SERIES 2014D"
- Item 2, figure 1= Rate: _____
- Item 3, figure 1= Maturity: _____
- Item 4, figure 1= Bond Date: June 17, 2014
- Item 5, figure 1= CUSIP No.: _____
- Item 6, figure 1= "Registered"
- Item 7, figure 1= Certificate No. _____
- Item 8, figure 1= Principal Amount: \$_____

Item 9, figure 1 = The City of Cedar Rapids, State of Iowa, a municipal corporation organized and existing under and by virtue of the Constitution and laws of the State of Iowa (the "Issuer"), for value received, promises to pay from the source and as hereinafter provided, on the maturity date indicated above, to

Item 9A, figure 1 = (Registration panel to be completed by Registrar or Printer with name of Registered Owner).

Item 10, figure 1 = or registered assigns, the principal sum of (_____) THOUSAND DOLLARS in lawful money of the United States of America, on the maturity date shown above, only upon presentation and surrender hereof at the office of the Finance Director, Paying Agent of this issue, or its successor, with interest on the sum from the date hereof until paid at the rate per annum specified above, payable on December 1, 2014, and semiannually thereafter on the 1st day of June and December in each year.

Interest and principal shall be paid to the registered holder of the Bond as shown on the records of ownership maintained by the Registrar as of the 15th day of the month preceding such interest payment date. Interest shall be computed on the basis of a 360-day year of twelve 30-day months.

This Bond is issued pursuant to the provisions of Section 384.82 of the City Code of Iowa, as amended, for the purpose of paying costs of improvements and extensions to the Municipal Water Utility, in conformity to a Resolution of the Council of the City duly passed and approved.

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a limited purpose trust company ("DTC"), to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of DTC (and any

payment is made to Cede & Co. or to such other Issuer as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Bonds maturing after June 1, 2022, may be called for optional redemption by the Issuer and paid before maturity on said date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Bond. Failure to give written notice to any registered owner of the Bonds or any defect therein shall not affect the validity of any proceedings for the redemption of the Bonds. All bonds or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

Ownership of this Bond may be transferred only by transfer upon the books kept for such purpose by the Finance Director, the Registrar. Such transfer on the books shall occur only upon presentation and surrender of this Bond at the office of the Registrar as designated below, together with an assignment duly executed by the owner hereof or his duly authorized attorney in the form as shall be satisfactory to the Registrar. Issuer reserves the right to substitute the Registrar and Paying Agent but shall, however, promptly give notice to registered bondholders of such change. All Bonds shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 384.83(5) of the Code of Iowa, subject to the provisions for registration and transfer contained in the Bond Resolution.

This Bond and the series of which it forms a part, other bonds ranking on a parity therewith, and any additional bonds or notes which may be hereafter issued and outstanding from time to time on a parity with the Bonds, as provided in the Bond Resolution of which notice is hereby given and is hereby made a part hereof, are payable from and secured by a pledge of the Net Revenues of the Municipal Water Utility (the "System"), as defined and provided in the Resolution. There has heretofore been established and the City covenants and agrees that it will maintain just and equitable rates or charges for the use of and service rendered by the System in each year for the payment of the proper and reasonable expenses of operation and maintenance of the System and for the establishment of a sufficient sinking fund to meet the principal of and interest on this series of Bonds, and other bonds ranking on a parity therewith, as the same become due. This Bond is not payable in any manner by taxation and under no circumstances shall the City be in any manner liable by reason of the failure of the net earnings to be sufficient for the payment hereof.

And it is hereby represented and certified that all acts, conditions and things requisite, according to the laws and Constitution of the State of Iowa, to exist, to be had, to be done, or to be performed precedent to the lawful issue of this Bond, have been existent, had, done and performed as required by law.

IN TESTIMONY WHEREOF, the City by its City Council has caused this Bond to be signed by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its Clerk, with the seal of the City printed or impressed hereon, and authenticated by the manual signature of an authorized representative of the Registrar, the Finance Director, Cedar Rapids, Iowa.

- Item 11, figure 1 = Date of authentication:
- Item 12, figure 1 = This is one of the Bonds described in the within mentioned Resolution, as registered by the Finance Director

FINANCE DIRECTOR, Registrar

By: _____
Authorized Signature

- Item 13, figure 1 = Registrar and Transfer Agent: Finance Director
- Paying Agent: Finance Director

SEE REVERSE FOR CERTAIN DEFINITIONS

- Item 14, figure 1 = (Seal)
- Item 15, figure 1 = (Signature Block)

CITY OF CEDAR RAPIDS, STATE OF IOWA

By: _____ (manual or facsimile signature)
Mayor

ATTEST:

By: _____ (manual or facsimile signature)
City Clerk

- Item 16, figure 1 = (Assignment Block)
(Information Required for Registration)

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ (Social Security or Tax Identification No. _____) the within Bond and does hereby irrevocably constitute and appoint _____ attorney in fact to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

(Person(s) executing this Assignment sign(s) here)

SIGNATURE)
GUARANTEED) _____

IMPORTANT - READ CAREFULLY

The signature(s) to this Power must correspond with the name(s) as written upon the face of the certificate(s) or bond(s) in every particular without alteration or enlargement or any change whatever. Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signature to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.

INFORMATION REQUIRED FOR REGISTRATION OF TRANSFER

Name of Transferee(s) _____

Address of Transferee(s) _____

Social Security or Tax Identification _____

Number of Transferee(s) _____

Transferee is a(n):

Individual* _____

Corporation _____

Partnership _____

Trust _____

*If the Bond is to be registered in the names of multiple individual owners, the names of all such owners and one address and social security number must be provided.

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though written out in full according to applicable laws or regulations:

that is connected with and uses the System, by or through any part of the System or that in any way uses or is served by the System. So long as the Bonds are outstanding and unpaid the rates or charges to consumers of services of the System shall be sufficient in each year for the payment of the proper and reasonable expenses of operation and maintenance of the System and for the payment of principal and interest on the Bonds and Parity Obligations and obligations as the same fall due, and to provide for the creation of reserves as hereinafter provided.

Any revenues paid and collected for the use of the System and its services by the Issuer or any department, agency or instrumentality of the Issuer shall be used and accounted for in the same manner as any other revenues derived from the operations of the System.

Section 17. Application of Revenues. From and after the delivery of any Bonds, and as long as any of the Bonds or Parity Obligations shall be outstanding and unpaid either as to principal or as to interest, or until all of the Bonds and Parity Obligations then outstanding shall have been discharged and satisfied in the manner provided in this Resolution, the entire income and revenues of the System shall be deposited as collected in a fund to be known as the Water Revenue Fund (the "Revenue Fund"), and shall be disbursed only as follows:

(a) Operation and Maintenance Fund. Money in the Revenue Fund shall first be disbursed to make deposits into a separate and special fund to pay current expenses. The fund shall be known as the Water Revenue Operation and Maintenance Fund (the "Operation and Maintenance Fund"). There shall be deposited in the Operation and Maintenance Fund each month an amount sufficient to meet the current expenses of the month plus an amount equal to 1/12th of expenses payable on an annual basis such as insurance. After the first day of the month, further deposits may be made to this account from the Revenue Fund to the extent necessary to pay current expenses accrued and payable to the extent that funds are not available in the Surplus Fund.

(b) Sinking Fund. Money in the Revenue Fund shall next be disbursed to make deposits into a separate and special fund to pay the principal and interest requirements of the Fiscal Year on the Bonds and Parity Obligations. The fund shall be known as the Water Revenue Bond and Interest Sinking Fund (the "Sinking Fund"). The required amount to be deposited in the Sinking Fund in any month shall be the equal monthly amount necessary to pay in full the installment of interest coming due on the next interest payment date on the then outstanding Bonds and Parity Obligations plus the equal monthly amount necessary to pay in full the installment of principal coming due on such Bonds on the next succeeding principal payment date until the full amount of such installment is on hand. If for any reason the amount on hand in the Sinking Fund exceeds the required amount, the excess shall forthwith be withdrawn and paid into the Revenue Fund. Money in the Sinking Fund shall be used solely for the purpose of paying principal of and interest on the Bonds and Parity Obligations as the same shall become due and payable.

(c) Reserve Fund. Money in the Revenue Fund shall next be disbursed to maintain a debt service reserve in an amount equal to the Reserve Fund Requirement. Such fund shall be known as the Water Revenue Debt Service Reserve Fund (the "Reserve Fund").

In each month there shall be deposited in the Reserve Fund an amount equal to 25 percent of the amount required by this Resolution to be deposited in such month in the Sinking Fund; provided, however, that when the amount on deposit in the Reserve Fund shall be not less than the Reserve Fund Requirement, no further deposits shall be made into the Reserve Fund except to maintain such level, and when the amount on deposit in the Reserve Fund is greater than the balance required above, such additional amounts shall be withdrawn and paid into the Revenue Fund. Money in the Reserve Fund shall be used solely for the purpose of paying principal at maturity of or interest on the Bonds and Parity Obligations for the payment of which insufficient money shall be available in the Sinking Fund. Whenever it shall become necessary to so use money in the Reserve Fund, the payments required above shall be continued or resumed until it shall have been restored to the required minimum amount. The Reserve Fund shall not secure any DWSRF Obligations and DWSRF Obligations shall not be subject to the Reserve Fund Requirement.

At closing, Bond Proceeds in the amount of \$271,724, shall be deposited to the Reserve Fund to meet the Reserve Fund Requirement. Money on deposit in the Reserve Fund to meet the Reserve Fund Requirement that is deemed to be in excess of amounts which may be invested without regard to yield shall be Yield Restricted if required by the Code.

(d) Subordinate Obligations. Money in the Revenue Fund may next be used to pay principal of and interest on (including reasonable reserves therefor) any other obligations which by their terms shall be payable from the revenues of the System, but subordinate to the Bonds and Parity Obligations, and which have been issued for the purposes of extensions and improvements to the System or to retire the Bonds or Parity Obligations in advance of maturity, or to pay for extraordinary repairs or replacements to the System.

(e) Surplus Revenue. All money thereafter remaining in the Revenue Fund at the close of each month may be deposited in any of the funds created by this Resolution, may be used to pay for extraordinary repairs or replacements to the System, or may be used to pay or redeem the Bonds or Parity Obligations or any of them, or for any lawful purpose.

Money in the Revenue Fund shall be allotted and paid into the various funds and accounts hereinbefore referred to in the order in which the funds are listed, on a cumulative basis on the 10th day of each month, or on the next succeeding business day when the 10th shall not be a business day; and if in any month the money in the Revenue Fund shall be insufficient to deposit or transfer the required amount in any of the funds or accounts, the deficiency shall be made up in the following month or months after payments into all funds and accounts enjoying a prior claim to the revenues shall have been met in full. The provisions of this Section shall not be construed to require the Issuer to maintain separate bank accounts for the funds created by this Section; except the Sinking Fund and the Reserve Fund shall be maintained in a separate account but may be invested in conjunction with other funds of the City but designated as a trust fund on the books and records of the City.

Section 18. Outstanding Obligations. Nothing in this Resolution shall be construed to impair the rights vested in the Outstanding Obligations. The amounts herein required to be paid into the various funds named in this Resolution shall be inclusive of payments required in respect to the Outstanding Obligations. The provisions of the Prior Bond Resolutions and the provisions of this Resolution are to be construed wherever possible so that the same will not be in conflict. In the event such construction is not possible, the provisions of the resolution first adopted shall prevail until such time as the Bonds authorized by the resolution have been paid in full or otherwise satisfied as therein provided at which time the provisions of this Resolution shall again prevail.

Section 19. Investments. All of the funds provided by this Resolution may be invested only in Permitted Investments or deposited in financial institutions which are members of the Federal Deposit Insurance Corporation or its equivalent successor, and the deposits in which are insured thereby and all such deposits exceeding the maximum amount insured from time to time by FDIC or its equivalent successor in any one financial institution shall be continuously secured in compliance with Chapter 12C of the Code of Iowa, 2013, as amended, or otherwise by a valid pledge of direct obligations of the United States Government having an equivalent market value. All such interim investments shall mature before the date on which the moneys are required for the purposes for which the fund was created or otherwise as herein provided but in no event maturing in more than three years in the case of the Reserve Fund.

All income derived from such investments shall be deposited in the Revenue Fund and shall be regarded as revenues of the System. Investments shall at any time necessary be liquidated and the proceeds thereof applied to the purpose for which the respective fund was created.

Section 20. Covenants Regarding the Operation of the System. The Issuer hereby covenants and agrees with each and every holder of the Bonds and Parity Obligations:

(a) Maintenance and Efficiency. The Issuer will maintain the System in good condition and operate it in an efficient manner and at reasonable cost.

(b) Sufficiency of Rates. On or before the beginning of each Fiscal Year the Governing Body will adopt or continue in effect rates for all services rendered by the System determined to be sufficient to produce Net Revenues for the next succeeding Fiscal Year adequate to pay principal and interest requirements and create reserves as provided in this Resolution but not less than 110 percent of the principal and interest requirements of the Fiscal Year. No free use of the System by the Issuer or any department, agency or instrumentality of the Issuer shall be permitted except upon the determination of the Governing Body that the rates and charges otherwise in effect are sufficient to provide Net Revenues at least equal to the requirements of this subsection.

(c) Insurance. The Issuer shall maintain insurance for the benefit of the bondholders on the insurable portions of the System of a kind and in an amount which normally would be carried by private companies engaged in a similar kind of business. The proceeds of any insurance, except public liability insurance, shall be used to repair or replace the part or parts of the System damaged or destroyed, or if not so used shall be placed in the Revenue Fund.

(d) Accounting and Audits. The Issuer will cause to be kept proper books and accounts adapted to the System and in accordance with generally accepted accounting practices, and will diligently act to cause the books and accounts to be audited annually and reported upon not later than 180 days after the end of each Fiscal Year by an Independent Auditor and will provide copies of the audit report to the holders of any of the Bonds and Parity Obligations upon request. The holders of any of the Bonds and Parity Obligations shall have at all reasonable times the right to inspect the System and the records, accounts and data of the Issuer relating thereto.

(e) State Laws. The Issuer will faithfully and punctually perform all duties with reference to the System required by the Constitution and laws of the State of Iowa, including the making and collecting of reasonable and sufficient rates for services rendered by the System as above provided, and will segregate the revenues of the System and apply the revenues to the funds specified in this Resolution.

(f) Property. The Issuer will not sell, lease, mortgage or in any manner dispose of the System, or any capital part thereof, including any and all extensions and additions that may be made thereto, until satisfaction and discharge of all of the Bonds and Parity Obligations shall have been provided for in the manner provided in this Resolution; provided, however, that this covenant shall not be construed to prevent the disposal by the Issuer of property which in the judgment of its Governing Body has become inexpedient or unprofitable to use in connection with the System, or if it is to the advantage of the System that other property of equal or higher value be substituted therefor, and provided further that the proceeds of the disposition of such property shall be placed in a revolving fund and used in preference to other sources for capital improvements to the System. Any such proceeds of the disposition of property acquired with the proceeds of the Bonds or Parity Obligations shall not be used to pay principal or interest on the Bonds and Parity Obligations or for payments into the Sinking Fund or Reserve Fund.

(g) Fidelity Bond. The Issuer shall maintain fidelity bond coverage in amounts which normally would be carried by private companies engaged in a similar kind of business on each officer or employee having custody of funds of the System.

(h) Additional Charges. The Issuer will require proper connecting charges and/or other security for the payment of service charges.

(i) Budget. The Governing Body of the Issuer shall approve and conduct operations pursuant to a system budget of revenues and current expenses for each Fiscal Year. Such budget shall take into account revenues and current expenses during the current and last preceding Fiscal Years. Copies of such budget and any amendments thereto shall be provided to the holders of any of the Bonds upon request.

Section 21. Remedies of Bondholders. Except as herein expressly limited the holder or holders of the Bonds and Parity Obligations shall have and possess all the rights of action and remedies afforded by the common law, the Constitution and statutes of the State of Iowa, and of the United States of America, for the enforcement of payment of their Bonds and interest thereon, and of the pledge of the revenues made hereunder, and of all covenants of the Issuer hereunder.

Section 22. Prior Lien and Parity Obligations. The Issuer will issue no other Bonds or obligations of any kind or nature payable from or enjoying a lien or claim on the property or revenues of the System having priority over the Bonds or Parity Obligations.

Additional Obligations may be issued on a parity and equality of rank with the Bonds with respect to the lien and claim of such Additional Obligations to the revenues of the System and the money on deposit in the funds adopted by this Resolution, for the following purposes and under the following conditions, but not otherwise:

(a) For the purpose of refunding any of the Bonds or Parity Obligations which shall have matured or which shall mature not later than three months after the date of delivery of such refunding bonds and for the payment of which there shall be insufficient money in the Sinking Fund and the Reserve Fund;

(b) For the purpose of refunding any Bonds, Parity Obligations or general obligation bonds outstanding, or making extensions, additions, improvements or replacements to the System, if all of the following conditions shall have been met:

(i) before any such Additional Obligations ranking on a parity are issued, there will have been procured and filed with the Clerk, a statement of an Independent Auditor or independent financial consultant, not a regular employee of the Issuer, reciting the opinion based upon necessary investigations that the Net Revenues of the System for the preceding Fiscal Year (with adjustments as hereinafter provided) were equal to at least 1.25 times the maximum amount that will be required in any Fiscal Year prior to the longest maturity of any of the Bonds or Parity Obligations for both principal of and interest on all Bonds or Parity Obligations then outstanding which are payable from the net earnings of the System and the Additional Obligations then proposed to be issued.

For the purpose of determining the Net Revenues of the System for the preceding Fiscal Year as aforesaid, the amount of the gross revenues for such year may be adjusted by an Independent Auditor or independent financial consultant, not a regular employee of the Issuer, so as to reflect any changes in the amount of

such revenues which would have resulted had any revision of the schedule of rates or charges imposed at or prior to the time of the issuance of any such Additional Obligations been in effect during all of such preceding Fiscal Year.

(ii) the Additional Obligations must be payable as to principal and as to interest on the same month and day as the Bonds herein authorized.

(iii) for the purposes of this Section, principal and interest falling due on the first day of a Fiscal Year shall be deemed a requirement of the immediately preceding Fiscal Year.

(iv) for the purposes of this Section, general obligation bonds shall be refunded only upon a finding of necessity by the Governing Body and only to the extent the general obligation bonds were issued or the proceeds of them were expended for the System.

(v) for purposes of this Section, "preceding Fiscal Year" shall be the most recently completed Fiscal Year for which audited financial statements prepared by a certified public accountant are issued and available, but in no event a Fiscal Year which ended more than eighteen months prior to the date of issuance of the Additional Obligations.

Section 23. Subordinate Obligations.

- (a) Notes, bonds or other obligations may also be issued which by their terms shall be payable from the revenues of the System, but subordinate to the Bonds and Parity Obligations and shall constitute Subordinate Obligations.

Such Subordinate Obligations may be issued for the purposes of improvements and extensions to the System or to retire or refund Bonds or Parity Obligations or Subordinate Obligations in advance of maturity, or to pay for extraordinary repairs or replacements to the System.

- (b) In the event of any insolvency or bankruptcy proceedings, and any receivership, liquidation, reorganization, or other similar proceedings in connection therewith, relative to the Issuer or to its creditors, as such, or to its property, and in the event of any proceedings for voluntary liquidation, dissolution, or other winding up of the Issuer, whether or not involving insolvency or bankruptcy, the owners of all Bonds or Parity Obligations then outstanding shall be entitled to receive payment in full of all principal and interest due on all such Bonds or Parity Obligations before the owners of the Subordinate Obligations are entitled to receive any payment from the Net Revenues or the amounts held in the funds and accounts created under the Resolution.

- (c) If any Event of Default shall have occurred and be continuing (under circumstances when the provisions of paragraph (b) are not applicable), the owners of all Bonds or Parity Obligation then outstanding shall be entitled to receive payment in full of all principal and interest then due on all such Bonds or Parity Obligations before the owners of the Subordinate Obligations are entitled to receive any payment from the Net Revenues or the amounts held in the funds and accounts created under the Resolution.
- (d) Any series of Subordinate Obligations may have such rank or priority with respect to any other series of Subordinate Obligations as may be provided in the Resolution authorizing such series of Subordinate Obligations and may contain such other provisions as are not in conflict with the provisions of this Resolution.
- (e) By proceedings authorizing all or any Subordinate Obligations, the Issuer may provide for the accession of such Subordinate Obligations to the status of Parity Obligations if, as of the date of accession, the following conditions are satisfied, on a basis which includes all outstanding Parity Obligations and the Subordinate Obligations seeking accession, and if on the date of accession:
 - (1) the Reserve Fund contains an amount equal to the Reserve Fund Requirement computed on a basis which includes all outstanding Parity Obligations and the Subordinate Obligations seeking accession (but which excludes any DWSRF Obligations); and
 - (2) the Sinking Fund contains the amount which would have been required to be accumulated therein on the date of accession if the Subordinate Obligations seeking accession had originally been issued as Parity Obligations.

Section 24. Disposition of Bond Proceeds; Arbitrage Not Permitted. The Issuer reasonably expects and covenants that no use will be made of the proceeds from the issuance and sale of the Bonds issued hereunder which will cause any of the Bonds to be classified as arbitrage bonds within the meaning of Section 148(a) and (b) of the Internal Revenue Code of the United States, and that throughout the term of the Bonds it will comply with the requirements of the statute and regulations issued thereunder.

To the best knowledge and belief of the Issuer, there are no facts or circumstances that would materially change the foregoing statements or the conclusion that it is not expected that the proceeds of the Bonds will be used in a manner that would cause the Bonds to be arbitrage bonds. Without limiting the generality of the foregoing, the Issuer hereby agrees to comply with the provisions of the Tax Exemption Certificate and the provisions of the Tax Exemption Certificate are hereby incorporated by reference as part of this Resolution. The Treasurer is hereby directed to make and insert all calculations and determinations necessary to complete the Tax Exemption Certificate in all respects and to execute and deliver the Tax Exemption

Certificate at issuance of the Bonds to certify as to the reasonable expectations and covenants of the Issuer at that date.

The Issuer covenants that it will treat as Yield Restricted any proceeds of the Bonds remaining unexpended after three years from the issuance and any other funds required by the Tax Exemption Certificate to be so treated. If any investments are held with respect to the Bonds and Parity Obligations, the Issuer shall treat the same for the purpose of restricted yield as held in proportion to the original principal amounts of each issue.

The Issuer covenants that it will exceed any investment yield restriction provided in this Resolution only in the event that it shall first obtain an opinion of recognized bond counsel that the proposed investment action will not cause the Bonds to be classified as arbitrage bonds under Section 148(a) and (b) of the Internal Revenue Code or regulations issued thereunder.

The Issuer covenants that it will proceed with due diligence to spend the proceeds of the Bonds for the purpose set forth in this Resolution. The Issuer further covenants that it will make no change in the use of the proceeds available for the construction of facilities or change in the use of any portion of the facilities constructed therefrom by persons other than the Issuer or the general public unless it has obtained an opinion of bond counsel or a revenue ruling that the proposed project or use will not be of such character as to cause interest on any of the Bonds not to be exempt from federal income taxes in the hands of holders other than substantial users of the project, under the provisions of Section 142(a) of the Internal Revenue Code of the United States, related statutes and regulations.

Section 25. Additional Covenants, Representations and Warranties of the Issuer. The Issuer certifies and covenants with the purchasers and holders of the Bonds from time to time outstanding that the Issuer through its officers, (a) will make such further specific covenants, representations and assurances as may be necessary or advisable; (b) comply with all representations, covenants and assurances contained in the Tax Exemption Certificate, which Tax Exemption Certificate shall constitute a part of the contract between the Issuer and the owners of the Bonds; (c) consult with bond counsel (as defined in the Tax Exemption Certificate); (d) pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Bonds; (e) file such forms, statements and supporting documents as may be required and in a timely manner; and (f) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the Issuer in such compliance.

Section 26. Discharge and Satisfaction of Bonds. The covenants, liens and pledges entered into, created or imposed pursuant to this Resolution may be fully discharged and satisfied with respect to the Bonds and Parity Obligations, or any of them, in any one or more of the following ways:

- (a) By paying the Bonds or Parity Obligations when the same shall become due and payable; and

(b) By depositing in trust with the Treasurer, or with a corporate trustee designated by the Governing Body for the payment of the obligations and irrevocably appropriated exclusively to that purpose an amount in cash or direct obligations of the United States the maturities and income of which shall be sufficient to retire at maturity, or by redemption prior to maturity on a designated date upon which the obligations may be redeemed, all of such obligations outstanding at the time, together with the interest thereon to maturity or to the designated redemption date, premiums thereon, if any that may be payable on the redemption of the same; provided that proper notice of redemption of all such obligations to be redeemed shall have been previously published or provisions shall have been made for such publication.

Upon such payment or deposit of money or securities, or both, in the amount and manner provided by this Section, all liability of the Issuer with respect to the Bonds or Parity Obligations shall cease, determine and be completely discharged, and the holders thereof shall be entitled only to payment out of the money or securities so deposited.

Section 27. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the Issuer and the holder or holders of the Bonds and Parity Obligations, and after the issuance of any of the Bonds no change, variation or alteration of any kind in the provisions of this Resolution shall be made in any manner, except as provided in the next succeeding Section, until such time as all of the Bonds and Parity Obligations, and interest due thereon, shall have been satisfied and discharged as provided in this Resolution.

Section 28. Amendment of Resolution Without Consent. The Issuer may, without the consent of or notice to any of the holders of the Bonds and Parity Obligations, amend or supplement this Resolution for any one or more of the following purposes:

(a) to cure any ambiguity, defect, omission or inconsistent provision in this Resolution or in the Bonds or Parity Obligations; or to comply with any application provision of law or regulation of federal or state agencies; provided, however, that such action shall not materially adversely affect the interests of the holders of the Bonds or Parity Obligations;

(b) to change the terms or provisions of this Resolution to the extent necessary to prevent the interest on the Bonds or Parity Obligations from being includable within the gross income of the holders thereof for federal income tax purposes;

(c) to grant to or confer upon the holders of the Bonds or Parity Obligations any additional rights, remedies, powers or authority that may lawfully be granted to or conferred upon the holders of the Bonds;

(d) to add to the covenants and agreements of the Issuer contained in this Resolution other covenants and agreements of, or conditions or restrictions upon, the Issuer or to surrender or eliminate any right or power reserved to or conferred upon the Issuer in this Resolution;

(e) to subject to the lien and pledge of this Resolution additional pledged revenues as may be permitted by law; or

(f) to change the terms or provisions of this Resolution to the extent necessary to assure continued receipt of Subsidy Payments with respect to any Outstanding Obligations or Additional Obligations or to conform the Resolution to future guidance, as may be issued by the Internal Revenue Service or Department of the Treasury with respect to Subsidy Payments. Provided however, no such change or amendment shall be made without written confirmation from the applicable rating agency that such change or amendment will not cause the then applicable rating on any Bonds to be reduced or withdrawn.

Section 29. Amendment of Resolution Requiring Consent. This Resolution may be amended from time to time if such amendment shall have been consented to by holders of not less than two-thirds in principal amount of the Bonds and Parity Obligations at any time outstanding (not including in any case any Bonds which may then be held or owned by or for the account of the Issuer, but including such Refunding Bonds as may have been issued for the purpose of refunding any of such Bonds if such Refunding Bonds shall not then be owned by the Issuer); but this Resolution may not be so amended in such manner as to:

(a) Make any change in the maturity or interest rate of the Bonds, or modify the terms of payment of principal of or interest on the Bonds or any of them or impose any conditions with respect to such payment;

(b) Materially affect the rights of the holders of less than all of the Bonds and Parity Obligations then outstanding; and

(c) Reduce the percentage of the principal amount of Bonds, the consent of the holders of which is required to effect a further amendment.

Whenever the Issuer shall propose to amend this Resolution under the provisions of this Section, it shall cause notice of the proposed amendment to be filed with the Original Purchaser and to be mailed by certified mail to each registered owner of any Bond as shown by the records of the Registrar. Such notice shall set forth the nature of the proposed amendment and shall state that a copy of the proposed amendatory Resolution is on file in the office of the City Clerk.

Whenever at any time within one year from the date of the mailing of the notice there shall be filed with the City Clerk an instrument or instruments executed by the holders of at least two-thirds in aggregate principal amount of the Bonds then outstanding as in this Section defined, which instrument or instruments shall refer to the proposed amendatory Resolution described in the notice and shall specifically consent to and approve the adoption thereof, thereupon, but not otherwise, the Governing Body of the Issuer may adopt such amendatory Resolution and such Resolution shall become effective and binding upon the holders of all of the Bonds and Parity Obligations.

Any consent given by the holder of a Bond pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of the instrument evidencing such consent and shall be conclusive and binding upon all future holders of the same Bond during such period. Such consent may be revoked at any time after six months from the date of such instrument by the holder who gave such consent or by a successor in title by filing notice of such revocation with the City Clerk.

The fact and date of the execution of any instrument under the provisions of this Section may be proved by the certificate of any officer in any jurisdiction who by the laws thereof is authorized to take acknowledgments of deeds within such jurisdiction that the person signing such instrument acknowledged before him the execution thereof, or may be proved by an affidavit of a witness to such execution sworn to before such officer.

The amount and numbers of the Bonds held by any person executing such instrument and the date of his holding the same may be proved by an affidavit by such person or by a certificate executed by an officer of a bank or trust company showing that on the date therein mentioned such person had on deposit with such bank or trust company the Bonds described in such certificate.

Section 30. Severability. If any section, paragraph, or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions.

Section 31. Continuing Disclosure. The Issuer hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, and the provisions of the Continuing Disclosure Certificate are hereby approved and incorporated by reference as part of this Resolution and made a part hereof and the Mayor and the City Clerk are hereby authorized to execute and deliver the same at issuance of the Bonds. Notwithstanding any other provision of this Resolution, failure of the Issuer to comply with the Continuing Disclosure Certificate shall not be considered an event of default under this Resolution; however, any holder of the Bonds or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Issuer to comply with its obligations under the Continuing Disclosure Certificate. For purposes of this Section, "Beneficial Owner" means any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

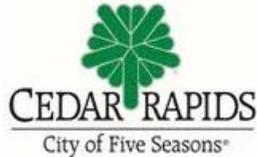
Section 32. Repeal of Conflicting Ordinances or Resolutions and Effective Date. All other ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed; and this Resolution shall be in effect from and after its adoption.

PASSED AND APPROVED this 27th day of May, 2014.

Ron Corbett, Mayor

ATTEST:

Amy Stevenson, City Clerk



COUNCIL AGENDA ITEM COVER SHEET

Meeting Date: 5/27/2014

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. Blind Pig, 3325 CENTER POINT RD NE (new-new ownership);
2. Brewed Cafe, 1101 3RD ST SE (5-day permit for an event at the Cedar Rapids Public Library, 450 5th Avenue SE, on June 7, 2014);
3. Casa Las Glorias, 2245 BLAIRS FERRY RD NE;
4. Cedar Rapids Jaycees, 225 5TH AVE SW (5-day permit for an event at 475 1st Street SW (McGrath Amphitheater Cedar Rapids), for an event on June 13, 2014);
5. Cedar Rapids Jaycees, 225 5TH AVE SW (5-day permit for an event at 475 1st Street SW (McGrath Amphitheater Cedar Rapids), for an event on June 6, 2014);
6. Cedar Rapids Jaycees, 225 5TH AVE SW (5-day permit for an event at 475 1st Street SW (McGrath Amphitheater Cedar Rapids), for an event on June 20, 2014);
7. Cedar River Landing, 310 F AVE NW (outdoor service for an event on June 20-22, 2014);
8. Cedar River Landing, 310 F AVE NW (outdoor service for an event on June 6-8, 2014);
9. Cedar River Landing, 310 F AVE NW (outdoor service for an event on June 14-15, 2014);
10. Cedar River Landing, 310 F AVE NW (outdoor service for an event on July 4 - 6, 2014);
11. Chrome Horse Slop House & Saloon, 1202 3RD ST SE (outdoor service for an event on June 27-28, 2014);
12. Chrome Horse Slop House & Saloon, 1202 3RD ST SE (outdoor service for an event on June 20-22, 2014);
13. Clarion Hotel & Convention Center, 525 33RD AVE SW (outdoor service for an event on June 8, 2014);
14. Club Basix, 3916 1ST AVE NE (outdoor service for an event on May 31-June 2, 2014);

15. Cobble Hill Eatery & Dispensary, 219 2ND ST SE (adding native wine);
16. CVS/Pharmacy #8526, 4116 CENTER POINT RD NE;
17. CVS/Pharmacy #8532, 2711 MT VERNON RD SE;
18. Dublin City Pub, 415 1ST ST SE;
19. Fraternal Order of Eagles Post #2272, 1735 11TH ST NW;
20. Hy-Vee #7 Club Room, 5050 EDGEWOOD RD NE (transfer to 50 2nd Avenue Bridge for an event on June 10, 2014);
21. JM O'Malley's, 1502 H AVE NE (outdoor service for an event on June 6-24, 2014);
22. McGrath Amphitheatre Cedar Rapids, 475 1st ST SW (5-day permit for an event on June 14-18, 2014);
23. McGrath Amphitheatre Cedar Rapids, 475 1st ST SW (5-day permit for an event on June 25-29, 2014);
25. NewBo City Market, 1100 3RD ST SE (outdoor service for an event on June 7, 2014);
26. Olive Garden, 367 COLLINS RD NE;
27. Pancheros Mexican Grill, 2315 EDGEWOOD RD SW;
28. Pizza Hut #4311, 223 COLLINS RD NE;
29. Pizza Hut#4351, 1640 EDGEWOOD RD SW;
30. Popoli Ristorante & Sullivan's Bar, 101 3RD AVE SW (outdoor service for sidewalk cafe);
31. Red Lobster #870, 163 COLLINS RD NE;
32. Red Robin America's Gourmet Burgers & Spirits, 4625 1ST AVE SE;
33. Rock Bar American Grill, 219 2ND AVE SE (New- Formerly Ginsberg Jewelers);
34. Rumors, 400 F AVE NW (outdoor service for an event on May 30 - June 1, 2014);
35. Rumors, 400 F AVE NW (outdoor service for an event on June 13-15, 2014);
36. Sierra Foods, 3326 CENTER POINT RD NE (switching to Class E Liquor);
37. Time Out Lounge, 3230 16TH AVE SW;
38. Tobacco Outlet Plus #560, 2846 MT VERNON RD SE;

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: 5/27/2014

Business Name/Address	Total Calls	Public Intox Intox	Driver Disturbances	Disturbances
Blind Pig 3325 CENTER POINT RD NE	0	0	0	0
Brewed Cafe 1101 3RD ST SE	2	0	0	0
Casa Las Glorias 2245 BLAIRS FERRY RD NE	12	1	1	0
Cedar Rapids Jaycees 225 5TH AVE SW	0	0	0	0
Cedar Rapids Jaycees 225 5TH AVE SW	0	0	0	0
Cedar Rapids Jaycees 225 5TH AVE SW	0	0	0	0
Cedar River Landing 310 F AVE NW	77	2	2	8
Cedar River Landing 310 F AVE NW	77	2	2	8
Cedar River Landing 310 F AVE NW	77	2	2	8
Cedar River Landing 310 F AVE NW	77	2	2	8
Chrome Horse Slop House & Saloon 1202 3RD ST SE	37	1	2	3
Chrome Horse Slop House & Saloon 1202 3RD ST SE	37	1	2	3
Clarion Hotel & Convention Center 525 33RD AVE SW	62	1	0	8
Club Basix	11	0	0	3

3916 1ST AVE NE				
Cobble Hill Eatery & Dispensary	2	0	0	0
219 2ND ST SE				
CVS/Pharmacy #8526	39	0	0	1
4116 CENTER POINT RD NE				
CVS/Pharmacy #8532	27	0	0	0
2711 MT VERNON RD SE				
Dublin City Pub	133	0	0	38
415 1ST ST SE				
Fraternal Order of Eagles Post #2272	5	0	0	0
1735 11TH ST NW				
Hy-Vee #7 Club Room	89	0	0	1
5050 EDGEWOOD RD NE				
JM O'Malley's	23	3	0	1
1502 H AVE NE				
McGrath Amphitheatre Cedar Rapids	0	0	0	0
475 1st ST SW				
McGrath Amphitheatre Cedar Rapids	0	0	0	0
475 1st ST SW				
NewBo Ale House & Sushi	18	1	0	1
1201 3RD ST SE				
NewBo City Market	259	2	0	2
1100 3RD ST SE				
Olive Garden	33	0	0	0
367 COLLINS RD NE				
Panuchos Mexican Grill	1	0	0	0
2315 EDGEWOOD RD SW				
Pizza Hut #4311	27	0	0	0
223 COLLINS RD NE				
Pizza Hut#4351	12	0	0	0
1640 EDGEWOOD RD SW				
Popoli Ristorante & Sullivan's Bar	3	0	0	0
101 3RD AVE SW				
Red Lobster #870	21	2	0	2
163 COLLINS RD NE				
Red Robin America's Gourmet Burgers & Spirits	15	0	0	1
4625 1ST AVE SE				
Rock Bar American Grill	0	0	0	0
219 2ND AVE SE				

Rumors 400 F AVE NW	129	1	0	15
Rumors 400 F AVE NW	129	1	0	15
Sierra Foods 3326 CENTER POINT RD NE	10	0	0	0
Time Out Lounge 3230 16TH AVE SW	51	1	1	11
Tobacco Outlet Plus #560 2846 MT VERNON RD SE	4	0	0	0

RESOLUTION NO.

WHEREAS, the attached listing of bills dated May 27, 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 27th day of May, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 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

Phone Number/Ext: 319-286-5083

Description of Agenda Item:

Resolution approving Iowa Association of Business and Industry (ABI) Taking Care of Business Conference reception event on the 2nd Avenue Bridge (includes road closure) on June 10, 2014. CIP/DID #SPEC-017361-2014

Background:

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

Action / Recommendation:

Approve motion for this event.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: May 27, 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, Holly Mueggenberg on behalf of Iowa Association of Business and Industry (ABI) (Applicant) has requested approval to hold a reception event "ABI Taking Care of Business Conference" on the 2nd Avenue bridge on Tuesday, June 10, 2014, and

WHEREAS, Applicant requests permission to partially close the 2nd Avenue Bridge between 1st Street SE and 1st Street SW from 9:00 a.m. until 4:00 p.m. on Tuesday, June 10, 2014. The south parking lane and the adjacent through lane shall remain open until 4:00 p.m. The north parking lane and all other through lanes shall be closed from 9:00 a.m. until 11:00 p.m. and

WHEREAS, Applicant has requested to fully close the 2nd Avenue Bridge from 4:00 p.m. until 11:00 p.m. on Tuesday, June 10, 2014.

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. Minors Prohibited in Alcohol Area.
2. Food, including beverages and ice, may not be prepared or dispensed outside without prior approval of the Linn County Public Health Department.
3. 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.
4. Applicant shall have a discernible area as required by the Police Department. No alcoholic beverages shall be carried beyond the discernible area.
5. Staking for tents/staging or other structures is prohibited. Tents or canopies must be stabilized by weighted means such as sandbags.
6. 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 officers.
 - a. Applicant will be required to hire one (1) off duty Cedar Rapids Police Officer.
One (1) officer 6 hours @ \$55/hr, Total Estimate \$330
7. Applicant shall comply with all existing parking regulations on all adjacent areas of public property.
8. Applicant agrees upon completion of the events to clean up all areas associated with the events and to reimburse the City for damage to any portion of public property.
9. 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.

10. Applicant shall contact ParkCR (319-365-7275) and meet all requirements for any parking meter hooding or special on-street or off-street parking arrangements.

Applicant shall coordinate with ParkCR to notify monthly parkers the underground parking garage will be inaccessible after 4 p.m. due to the 2nd Avenue Bridge closure.

11. Applicant shall meet all applicable requirements and regulations of State of Iowa, Linn County Health Department, and the Cedar Rapids City Code (including all requirements of Chapter 42).
12. Applicant shall hire an insured traffic control contractor at least 30 days in advance who 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.
13. 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.
14. Applicant agrees that any pavement markings 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.
 - a. Sidewalk chalk is acceptable for chalk art on public sidewalks OTHER THAN sidewalks in and adjacent to City parks.
 - b. Chalk paint shall not be applied to any city street or sidewalk.

Passed this 27th day of May, 2014.

RESOLUTION NO.

WHEREAS, the Civil Rights Commission has received grant funding to assist in outreach and investigations to begin on July 1, 2014, and

WHEREAS, the Civil Rights Commission has established the following classifications: Outreach Coordinator and Civil Rights Investigator to provide assistance with HUD outreach and provide investigative services in the area of HUD, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is hereby authorized to establish two FTEs to be classified as non-regular, temporary/hourly positions to assist in the outreach and investigative services for the Civil Rights Commission.

Passed this 27th day of May, 2014

Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Alternate Contact Person: Kirsty Sanchez

Phone Number/Ext: 319 286-5428

Email: k.sanchez@cedar-rapids.org

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

Resolution determining the necessity and setting dates of a public hearing for June 24, 2014 and consultation with affected taxing entities to be held on the proposed Amendment No. 1 to the Urban Renewal Plan for the River Ridge North Urban Renewal Area. NEW

Background:

Amendment No. 1 to the Urban Renewal Plan for the River Ridge North Urban Renewal Area is necessary in order to provide public improvements in the vicinity of the Blairs Ferry Road and Ushers Ferry Road NE intersection. The proposed amendment under consideration by City Council is described as follows:

- The River Ridge North TIF District Extension is all of the Right of Way of Ushers Ferry Road NE from the Westerly extension of the North line of River Ridge North Office Park 5th Addition, said line also being the former Southerly Right of Way line of the Chicago, Milwaukee, St Paul and Pacific Railroad, North to the South Right of Way line of Blairs Ferry Road NE.

And

All of the existing Right of Way of Blairs Ferry Road NE from the Southerly extension of the West Right of Way line of Gibson Road NE to the Northerly extension of the East Right of Way line of Buffalo Road NE lying within the Corporate Limits of the City of Cedar Rapids.

The River Ridge North Urban Renewal area was established in 1996 to stimulate, through public involvement and commitment, private investments in economic development activities and to create a sound economic base for community development. The area is generally located west of the intersection of Interstate 380 and Highway 100 in the City of Cedar Rapids.

The process to amend the River Ridge North Urban Renewal Area plan have included the following steps:

- 05/27/2014 Set public hearing
- 06/17/2014 Consultation with affected taxing agencies
- 06/19/2014 City Planning Commission
- 06/24/2014 Public Hearing

Action / Recommendation:

City staff recommends setting the public hearing and approval of resolution.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity: N/A

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

Recommended by Council Committee Yes No N/A

RESOLUTION NO.

RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A PUBLIC HEARING AND CONSULTATION WITH AFFECTED TAXING ENTITIES ON THE PROPOSED AMENDMENT NO. 1 TO THE RIVER RIDGE NORTH URBAN RENEWAL PLAN

WHEREAS, it is hereby found and determined that one or more economic development areas, as defined in Chapter 403, Code of Iowa, exist within the City of Cedar Rapids and that rehabilitation, conservation, redevelopment, development, or combination thereof, of these areas are necessary in the interest of public health, safety, and welfare of the residents of the City; and

WHEREAS, by Resolution No. 1989-09-96, adopted September 25, 1996, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Urban Renewal Plan (the "Plan") for the River Ridge North Urban Renewal Area (the "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Linn County; and

WHEREAS, this Urban Renewal Area includes and consists of an area legally described as set forth in the Plan, as amended; and

WHEREAS, this Council has reasonable cause to believe that the area described herein satisfies the eligibility criteria for designation as an Urban Renewal Area under Iowa law and has caused there to be prepared a proposed Amendment No. 1 to the Plan for the River Ridge North Urban Renewal Area described therein, which proposed Amendment No. 1 is attached hereto as Exhibit A ("Amendment"); and

WHEREAS, it is desirable that these areas be redeveloped as part of the overall redevelopment area covered by the Amendment;

WHEREAS, the purpose of the Amendment is to provide current information on financial information and to expand the size of the urban renewal area described in the Plan for the River Ridge North Urban Renewal Area; and

WHEREAS, this proposed Amendment to the River Ridge North Urban Renewal Area adds land, as follows:

The River Ridge North TIF District Extension is all of the Right of Way of Ushers Ferry Road NE from the Westerly extension of the North line of River Ridge North Office Park 5th Addition, said line also being the former Southerly Right of Way line of the Chicago, Milwaukee, St Paul and Pacific Railroad, North to the South Right of Way line of Blairs Ferry Road NE.

And

All of the existing Right of Way of Blairs Ferry Road NE from the Southerly extension of the West Right of Way line of Gibson Road NE to the Northerly extension of the East Right of Way line of Buffalo Road NE lying within the Corporate Limits of the City of Cedar Rapids.

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Amendment and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Amendment to the Planning Commission for review and recommendation as to its conformity with the general plan for the development of the City as a whole prior to City Council approval of such Amendment, and further provides that the recommendations thereon shall be submitted to this Council within thirty (30) days of its receipt of such proposed Amendment; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Amendment subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the Urban Renewal Area covered by the Plan and Amendment, and shall outline the general scope of the urban renewal project activities under consideration, with a copy of said notice also being mailed to each affected taxing entity.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa as follows:

1. That a public hearing shall be held on the proposed Amendment No. 1 to the River Ridge North Urban Renewal Plan before City Council at its meeting which commences at 4:00 P.M. on the 24th day of June, 2014 in the Council Chambers, City Hall, Cedar Rapids, Iowa.
2. That the City Clerk is authorized and directed to publish notice of this public hearing in the *Cedar Rapids Gazette*, once on a date not less than four (4) nor more than twenty (20) days before the date of said public hearing, and to mail a copy of said notice by ordinary mail to each affected taxing entity.
3. That the consultation on the proposed Amendment No. 1 to the River Ridge North Urban Renewal Plan required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on the 17th day of June, 2014, in the Community Development Conference Room at City Hall, Cedar Rapids, Iowa at 10:00 A.M., and the Development Director, or other person as designated by the Director, is hereby appointed to serve as the designated representative of the City for purposes of conducting said consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).
4. That the City Clerk is authorized and directed to cause a notice of said consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1A), along with a copy of the proposed Amendment No. 1 to the River Ridge North Urban Renewal Plan.
5. That the proposed Amendment No. 1 to the River Ridge North Urban Renewal Plan, attached hereto as Exhibit A, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed Amendment No. 1 to the River Ridge North Urban Renewal Plan referred to in said notices for the purposes of such consultation and hearing and that a copy of said Plan shall be placed on file in the office of the City Clerk.
6. That the proposed Amendment No. 1 to the River Ridge North Urban Renewal Plan be

submitted to the City Planning Commission for review and recommendation as to its conformity with the general plan for the development of the City as a whole, with such recommendation to be submitted in writing to this Council within thirty (30) days of the date hereof.

Passed this 27th day of May, 2014.



**AMENDMENT NO. 1 TO THE
RIVER RIDGE NORTH URBAN RENEWAL PLAN**

As Approved by City Council

Resolution No. _____

Community Development Department
City Hall
101 First Street SE
Cedar Rapids, Iowa 52401

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- 2.0 ESTIMATED DIVERSION OF PROPERTY TAX INCREMENT REVENUES
- 3.0 AREA BEING ADDED
- 4.0 EFFECTIVE DATE

1.0 INTRODUCTION

1.1 Purpose and Background

The purpose and intent of this Amendment No. 1 to the River Ridge North Urban Renewal Plan (the "Amendment") is to expand the size of the urban renewal area described in the River Ridge North Urban Renewal Plan as adopted by the City Council on September 25, 1996 (Resolution No. 1989-09-96) (the "Urban Renewal Plan").

All provisions of the existing Urban Renewal Plan not directly impacted by this Amendment as adopted by the City Council shall remain in full force and effect.

The separate identities of the Sub-Areas previously established as part of the Urban Renewal Plan will be maintained and observed for those purposes which are aided by or in need of the division, but the combined areas of the several Sub-Areas shall be treated together for planning and redevelopment purposes. This Amendment undertakes to continue each Project Sub-Area within the overall Urban Renewal Area as a combined Urban Renewal Area, reserving the separate elements of each such Sub-Area, but permitting the advantages of combined planning and redevelopment activities.

1.2 Amendments

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

Amendment No. 1 to the Urban Renewal Plan is consistent with this provision.

1.3 Relationship to the Comprehensive Plan

Cedar Rapids has adopted the Comprehensive Plan for Cedar Rapids which qualifies as the "general plan for the development of the municipality as a whole" as provided under Chapter 403.5, Code of Iowa. The Cedar Rapids Planning Commission reviewed the draft Amendment No. 1 to the Urban Renewal Plan, and adopted a finding that it is in conformity with the Comprehensive Plan and recommended its approval by the City Council.

2.0 ESTIMATED DIVERSION OF PROPERTY TAX INCREMENT REVENUES

The use of tax increment funds is authorized in Section 2.2 of the Urban Renewal Plan. This Amendment does not change provisions regarding the diversion of tax increment revenue within the Urban Renewal Area.

Article XI, Section 3 of the Constitution of the State of Iowa limits the amount of debt outstanding at any time of any county, municipality or other political subdivision to no

more than 5% of the value, as shown by the last certified state and county tax lists, of all taxable property within such county, municipality or other political subdivision. Based upon the actual value for fiscal year 2012/2013 (total actual value, less agriculture value that is not taxed for debt service) on all taxable property within the City of Cedar Rapids, the City is limited to \$463,611,401 of general obligation indebtedness. Total City bonded indebtedness as of June 30, 2013 was \$337,485,000.

3.0 AREA BEING ADDED TO URBAN RENEWAL AREA

The area being added to the Urban Renewal Area will be a sub-area designation. Redevelopment and revitalization activities contemplated under the Urban Renewal Plan will be conducted with appropriate allocation of resources.

In accordance with this intent, the Urban Renewal Plan is amended to add the following area to the River Ridge North Urban Renewal Area described therein:

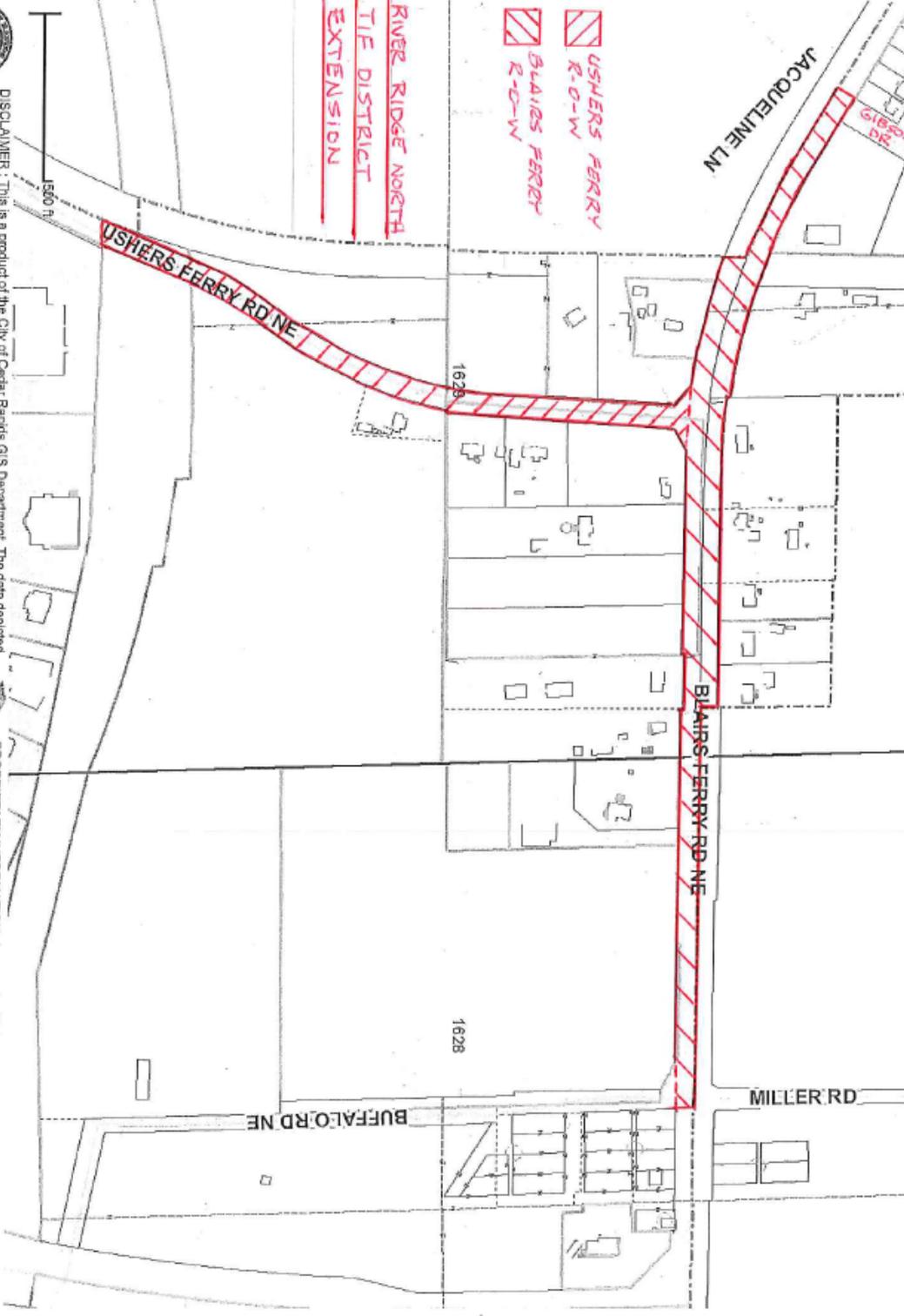
The River Ridge North TIF District Extension is all of the Right of Way of Ushers Ferry Road NE from the Westerly extension of the North line of River Ridge North Office Park 5th Addition, said line also being the former Southerly Right of Way line of the Chicago, Milwaukee, St Paul and Pacific Railroad, North to the South Right of Way line of Blairs Ferry Road NE.

And

All of the existing Right of Way of Blairs Ferry Road NE from the Southerly extension of the West Right of Way line of Gibson Road NE to the Northerly extension of the East Right of Way line of Buffalo Road NE lying within the Corporate Limits of the City of Cedar Rapids.

4.0 EFFECTIVE DATE

This Amendment No. 1 to the Urban Renewal Plan shall be deemed to be effective upon the adoption of a City Council Resolution approving the said Amendment No. 1 to the Urban Renewal Plan. The Urban Renewal Plan, as so amended, shall remain in full force until amended or rescinded by the City Council.



DISCLAIMER : This is a product of the City of Cedar Rapids GIS Department. The data depicted here has been developed by the City of Cedar Rapids for city purposes. Any use is at the sole risk and responsibility of the User. There are no warranties, expressed or implied, associated with the use of this map.



PROPRIETARY INFORMATION: Any reuse of this information is prohibited, except in accordance with a use agreement with the City of Cedar Rapids.

Thu May 8 7:27:45 CDT 2014

Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Alternate Contact Person: Kirsty Sanchez

Phone Number/Ext: 319 286-5428

Email: k.sanchez@cedar-rapids.org

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

Resolution determining the necessity and setting dates of a public hearing for June 24, 2014 and consultation with affected taxing entities to be held on the proposed Amendment No. 1 to the Urban Renewal Plan for the Rockwell Collins Urban Renewal Area. NEW

Background:

Amendment No. 1 to the Urban Renewal Plan for the Rockwell Collins Urban Renewal Area is necessary in order to fund the C Avenue NE public improvements. The proposed amendment under consideration by City Council is described as follows:

Commencing at the northeast corner of Section 2, Township 83 North, Range 7 West of the Fifth Principal Meridian. Thence southerly approximately 806 feet along said the east line of said section. Thence westerly 43 feet to a point on the westerly right-of-way line of "C" Avenue NE, thence southerly along the said westerly right-of-way line approximately 2,271 feet to the northern right-of-way line of Collins Avenue NE, thence westerly approximately 330 feet along said northern right-of-way line, thence northerly along a line that parallels the westerly right-of-way line of "C" Avenue NE approximately 2,290 feet to the southerly right-of-way line of Blairs Ferry Road NE, thence easterly along said southerly right-of-way line approximately 333 feet to the point of beginning.

The Rockwell Collins Urban Renewal area was established in 2006 to stimulate, through public actions, financings and commitments, private investment in the urban renewal project area. The area is generally located east of the intersection of Interstate 380 and Highway 100 in the City of Cedar Rapids.

The process to amend the Rockwell Collins Urban Renewal Area plan have included the following steps:

- 05/27/2014 Set public hearing
- 06/17/2014 Consultation with affected taxing agencies
- 06/19/2014 City Planning Commission
- 06/24/2014 Public Hearing

Action / Recommendation:

City staff recommends setting the public hearing and approval of resolution.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity: N/A

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

Recommended by Council Committee Yes No N/A

RESOLUTION NO.

RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A
PUBLIC HEARING AND CONSULTATION WITH AFFECTED TAXING
ENTITIES ON THE PROPOSED AMENDMENT NO. 1 TO THE ROCKWELL
COLLINS URBAN RENEWAL PLAN

WHEREAS, it is hereby found and determined that one or more economic development areas, as defined in Chapter 403, Code of Iowa, exist within the City of Cedar Rapids and that rehabilitation, conservation, redevelopment, development, or combination thereof, of these areas are necessary in the interest of public health, safety, and welfare of the residents of the City; and

WHEREAS, by Resolution No. 1120-08-06, adopted August 9, 2006, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Urban Renewal Plan (the "Plan") for the Rockwell Collins Urban Renewal Area (the "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Linn County; and

WHEREAS, this Urban Renewal Area includes and consists of an area legally described as set forth in the Plan, as amended; and

WHEREAS, this Council has reasonable cause to believe that the area described herein satisfies the eligibility criteria for designation as an Urban Renewal Area under Iowa law and has caused there to be prepared a proposed Amendment No. 1 to the Plan for the Rockwell Collins Urban Renewal Area described therein, which proposed Amendment No. 1 is attached hereto as Exhibit A ("Amendment"); and

WHEREAS, it is desirable that these areas be redeveloped as part of the overall redevelopment area covered by the Amendment;

WHEREAS, the purpose of the Amendment is to provide current information on financial information and to expand the size of the urban renewal area described in the Plan for the Rockwell Collins Urban Renewal Area; and

WHEREAS, this proposed Amendment to the Rockwell Collins Urban Renewal Area adds land, as follows:

Commencing at the northeast corner of Section 2, Township 83 North, Range 7 West of the Fifth Principal Meridian. Thence southerly approximately 806 feet along said the east line of said section. Thence westerly 43 feet to a point on the westerly right-of-way line of "C" Avenue NE, thence southerly along the said westerly right-of-way line approximately 2,271 feet to the northern right-of-way line of Collins Avenue NE, thence westerly approximately 330 feet along said northern right-of-way line, thence northerly along a line that parallels the westerly right-of-way line of "C" Avenue NE approximately 2,290 feet to the southerly right-of-way line of Blairs Ferry Road NE, thence easterly along said southerly right-of-way line approximately 333 feet to the point of beginning.

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Amendment and to hold a consultation with

such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Amendment to the Planning Commission for review and recommendation as to its conformity with the general plan for the development of the City as a whole prior to City Council approval of such Amendment, and further provides that the recommendations thereon shall be submitted to this Council within thirty (30) days of its receipt of such proposed Amendment; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Amendment subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the Urban Renewal Area covered by the Plan and Amendment, and shall outline the general scope of the urban renewal project activities under consideration, with a copy of said notice also being mailed to each affected taxing entity.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa as follows:

1. That a public hearing shall be held on the proposed Amendment No. 1 to the Rockwell Collins Urban Renewal Plan before City Council at its meeting which commences at 4:00 P.M. on the 24th day of June, 2014 in the Council Chambers, City Hall, Cedar Rapids, Iowa.
2. That the City Clerk is authorized and directed to publish notice of this public hearing in the *Cedar Rapids Gazette*, once on a date not less than four (4) nor more than twenty (20) days before the date of said public hearing, and to mail a copy of said notice by ordinary mail to each affected taxing entity.
3. That the consultation on the proposed Amendment No. 1 to the Rockwell Collins Urban Renewal Plan required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on the 17th day of June, 2014, in the Community Development Conference Room at City Hall, Cedar Rapids, Iowa at 10:00 A.M., and the Development Director, or other person as designated by the Director, is hereby appointed to serve as the designated representative of the City for purposes of conducting said consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).
4. That the City Clerk is authorized and directed to cause a notice of said consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1A), along with a copy of the proposed Amendment No. 1 to the Rockwell Collins Urban Renewal Plan.
5. That the proposed Amendment No. 1 to the Rockwell Collins Urban Renewal Plan, attached hereto as Exhibit A, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed Amendment No. 1 to the Rockwell Collins Urban Renewal Plan referred to in said notices for the purposes of such consultation and hearing and that a copy of said Plan shall be placed on file in the office of the City Clerk.
6. That the proposed Amendment No. 1 to the Rockwell Collins Urban Renewal Plan be submitted to the City Planning Commission for review and recommendation as to its conformity with the general plan for the development of the City as a whole, with such

recommendation to be submitted in writing to this Council within thirty (30) days of the date hereof.

Passed this 27th day of May, 2014.



**AMENDMENT NO. 1 TO THE
ROCKWELL COLLINS URBAN RENEWAL PLAN**

As Approved by City Council

Resolution No. _____

Community Development Department
City Hall
101 First Street SE
Cedar Rapids, Iowa 52401

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- 1.0 INTRODUCTION
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- 3.0 AREA BEING ADDED
- 4.0 EFFECTIVE DATE

1.0 INTRODUCTION

1.1 Purpose and Background

The purpose and intent of this Amendment No. 1 to the Rockwell Collins Urban Renewal Plan (the "Amendment") is to expand the size of the urban renewal area described in the Rockwell Collins Urban Renewal Plan as adopted by the City Council on August 9, 2006 (Resolution No. 1120-08-06), ("Urban Renewal Plan").

All provisions of the existing Urban Renewal Plan not directly impacted by this Amendment as adopted by the City Council shall remain in full force and effect.

The separate identities of the Sub-Areas previously established as part of the Urban Renewal Plan will be maintained and observed for those purposes which are aided by or in need of the division, but the combined areas of the several Sub-Areas shall be treated together for planning and redevelopment purposes. This Amendment undertakes to continue each Project Sub-Area within the overall Urban Renewal Area as a combined Urban Renewal Area, reserving the separate elements of each such Sub-Area, but permitting the advantages of combined planning and redevelopment activities.

1.2 Amendments

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

Amendment No. 1 to the Urban Renewal Plan is consistent with this provision.

1.3 Relationship to the Comprehensive Plan

Cedar Rapids has adopted the Comprehensive Plan for Cedar Rapids which qualifies as the "general plan for the development of the municipality as a whole" as provided under Chapter 403.5, Code of Iowa. The Cedar Rapids Planning Commission reviewed the draft Amendment No. 1 to the Urban Renewal Plan, and adopted a finding that it is in conformity with the Comprehensive Plan and recommended its approval by the City Council.

2.0 ESTIMATED DIVERSION OF PROPERTY TAX INCREMENT REVENUES

The use of tax increment funds is authorized in Section III of the Urban Renewal Plan. This Amendment does not change provisions regarding the diversion of tax increment revenue within the Urban Renewal Area.

Article XI, Section 3 of the Constitution of the State of Iowa limits the amount of debt outstanding at any time of any county, municipality or other political subdivision to no

more than 5% of the value, as shown by the last certified state and county tax lists, of all taxable property within such county, municipality or other political subdivision. Based upon the actual value for fiscal year 2012/2013 (total actual value, less agriculture value that is not taxed for debt service) on all taxable property within the City of Cedar Rapids, the City is limited to \$463,611,401 of general obligation indebtedness. Total City bonded indebtedness as of June 30, 2013 was \$337,485,000.

3.0 AREA BEING ADDED TO URBAN RENEWAL AREA

The area being added to the Urban Renewal Area will be a sub-area designation. Redevelopment and revitalization activities contemplated under the Urban Renewal Plan will be conducted with appropriate allocation of resources.

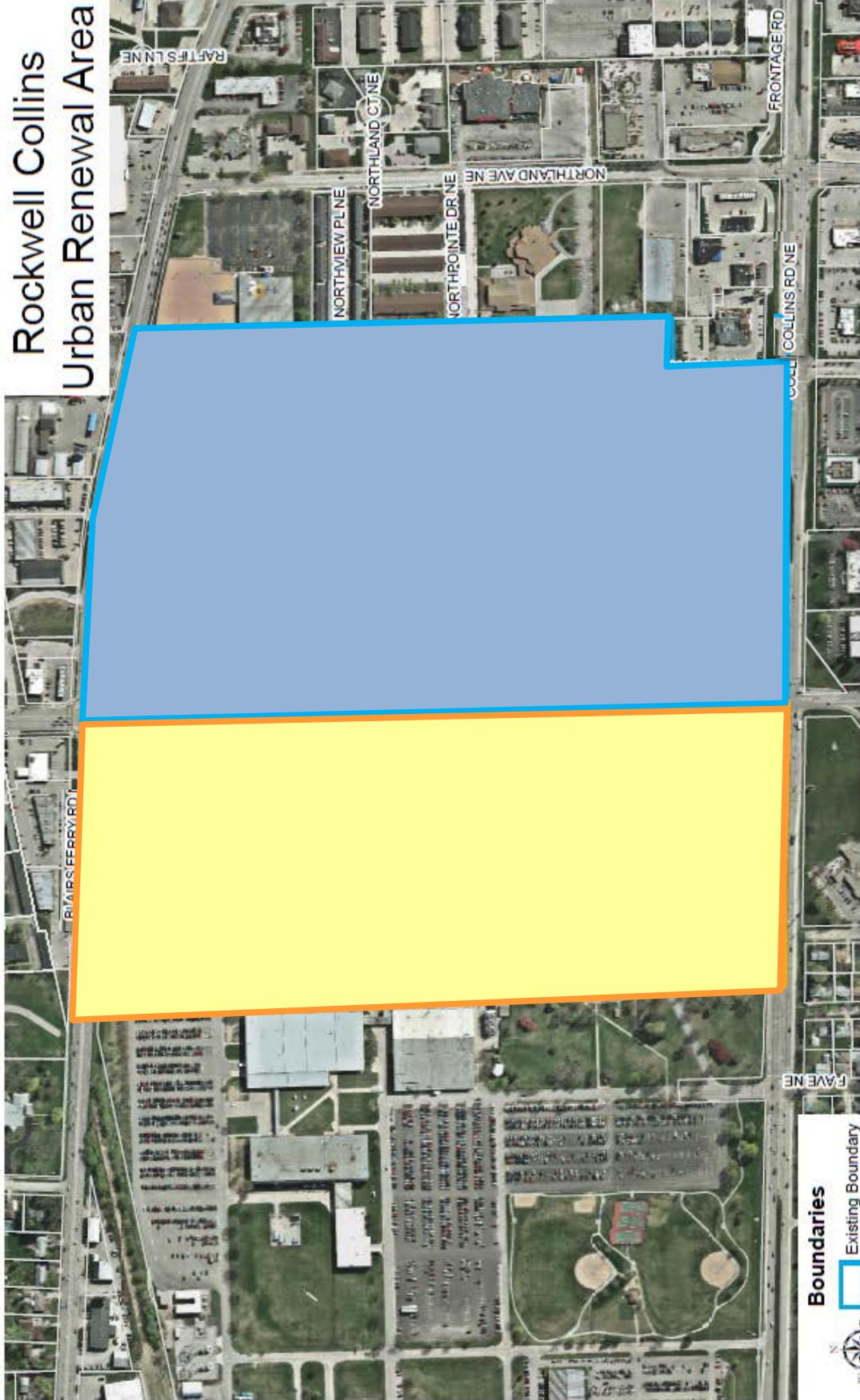
In accordance with this intent, the Urban Renewal Plan is amended to add the following area to the Rockwell Collins Urban Renewal Area described therein:

Commencing at the northeast corner of Section 2, Township 83 North, Range 7 West of the Fifth Principal Meridian. Thence southerly approximately 806 feet along said the east line of said section. Thence westerly 43 feet to a point on the westerly right-of-way line of "C" Avenue NE, thence southerly along the said westerly right-of-way line approximately 2,271 feet to the northern right-of-way line of Collins Avenue NE, thence westerly approximately 330 feet along said northern right-of-way line, thence northerly along a line that parallels the westerly right-of-way line of "C" Avenue NE approximately 2,290 feet to the southerly right-of-way line of Blairs Ferry Road NE, thence easterly along said southerly right-of-way line approximately 333 feet to the point of beginning.

4.0 EFFECTIVE DATE

This Amendment No. 1 to the Urban Renewal Plan shall be deemed to be effective upon the adoption of a City Council Resolution approving the said Amendment No. 1 to the Urban Renewal Plan. The Urban Renewal Plan, as so amended, shall remain in full force until amended or rescinded by the City Council.

Rockwell Collins Urban Renewal Area



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Alternate Contact Person: Kirsty Sanchez

Phone Number/Ext: 319 286-5428

Email: k.sanchez@cedar-rapids.org

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

Resolution determining the necessity and setting dates of a public hearing for June 24, 2014 and consultation with affected taxing entities to be held on the proposed Amendment No. 1 to the Urban Renewal Plan for the Village Urban Renewal Area. NEW

Background:

Amendment No. 1 to the Urban Renewal Plan for the Village Urban Renewal Area is necessary in order to add the area legally described below to the Urban Renewal Area in order to use available resources to fund Tower Terrace Road Improvements:

All of the land and portions of the Right of Ways of C Avenue NE, East Robins Road NE, East Main Street NE, the realignment of East Main Street NE and proposed Tower Terrace Road NE located in the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 26, the Northeast Quarter of the Southeast Quarter, the Northwest Quarter of the Southeast Quarter, the Southwest Quarter of the Northeast Quarter, and the Southeast Quarter of the Northeast Quarter of Section 27, Township 84 North, Range 7 West of the Fifth P.M. in the City of Cedar Rapids, Linn County, Iowa.

The Village Urban Renewal area was established in 1999 to promote economic development in the City of Cedar Rapids by providing public and quasi-public improvements within a newly developing area of the community. The area is generally located east of the intersection of Interstate 380 and Boyson Road in the City of Cedar Rapids.

The process to amend the Village Urban Renewal Area plan have included the following steps:

- 05/27/2014 Set public hearing
- 06/17/2014 Consultation with affected taxing agencies
- 06/19/2014 City Planning Commission
- 06/24/2014 Public Hearing

Action / Recommendation:

City staff recommends setting the public hearing and approval of resolution.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity: N/A

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

Recommended by Council Committee Yes No N/A

RESOLUTION NO.

RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A PUBLIC HEARING AND CONSULTATION WITH AFFECTED TAXING ENTITIES ON THE PROPOSED AMENDMENT NO. 1 TO THE VILLAGE URBAN RENEWAL PLAN

WHEREAS, it is hereby found and determined that one or more economic development areas, as defined in Chapter 403, Code of Iowa, exist within the City of Cedar Rapids and that rehabilitation, conservation, redevelopment, development, or combination thereof, of these areas are necessary in the interest of public health, safety, and welfare of the residents of the City; and

WHEREAS, by Resolution No. 1086-6-99, adopted June 2, 1999, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Urban Renewal Plan (the "Plan") for the Village Urban Renewal Area (the "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Linn County; and

WHEREAS, this Urban Renewal Area includes and consists of an area legally described as set forth in the Plan, as amended; and

WHEREAS, this Council has reasonable cause to believe that the area described herein satisfies the eligibility criteria for designation as an Urban Renewal Area under Iowa law and has caused there to be prepared a proposed Amendment No. 1 to the Plan for the Village C Urban Renewal Area described therein, which proposed Amendment No. 1 is attached hereto as Exhibit A ("Amendment"); and

WHEREAS, it is desirable that these areas be redeveloped as part of the overall redevelopment area covered by the Amendment;

WHEREAS, the purpose of the Amendment is to provide current information on financial information and to expand the size of the urban renewal area described in the Plan for the Village Urban Renewal Area; and

WHEREAS, this proposed Amendment to the Village Urban Renewal Area adds land, as follows:

All of the land and portions of the Right of Ways of C Avenue NE, East Robins Road NE, East Main Street NE, the realignment of East Main Street NE and proposed Tower Terrace Road NE located in the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 26, the Northeast Quarter of the Southeast Quarter, the Northwest Quarter of the Southeast Quarter, the Southwest Quarter of the Northeast Quarter, and the Southeast Quarter of the Northeast Quarter of Section 27, Township 84 North, Range 7 West of the Fifth P.M. in the City of Cedar Rapids, Linn County, Iowa.

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Amendment and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Amendment to the Planning Commission for review and recommendation as to its conformity with the general plan for the development of the City as a whole prior to City Council approval of such Amendment, and further provides that the recommendations thereon shall be submitted to this Council within thirty (30) days of its receipt of such proposed Amendment; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Amendment subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the Urban Renewal Area covered by the Plan and Amendment, and shall outline the general scope of the urban renewal project activities under consideration, with a copy of said notice also being mailed to each affected taxing entity.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa as follows:

1. That a public hearing shall be held on the proposed Amendment No. 1 to the Village Urban Renewal Plan before City Council at its meeting which commences at 4:00 P.M. on the 24th day of June, 2014 in the Council Chambers, City Hall, Cedar Rapids, Iowa.
2. That the City Clerk is authorized and directed to publish notice of this public hearing in the *Cedar Rapids Gazette*, once on a date not less than four (4) nor more than twenty (20) days before the date of said public hearing, and to mail a copy of said notice by ordinary mail to each affected taxing entity.
3. That the consultation on the proposed Amendment No. 1 to the Village Urban Renewal Plan required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on the 17th day of June, 2014, in the Community Development Conference Room at City Hall, Cedar Rapids, Iowa at 10:00 A.M., and the Development Director, or other person as designated by the Director, is hereby appointed to serve as the designated representative of the City for purposes of conducting said consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).
4. That the City Clerk is authorized and directed to cause a notice of said consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1A), along with a copy of the proposed Amendment No. 1 to the Village Urban Renewal Plan.
5. That the proposed Amendment No. 1 to the Village Urban Renewal Plan, attached hereto as Exhibit A, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed Amendment No. 1 to the Village Urban Renewal Plan referred to in said notices for the purposes of such consultation and hearing and that a copy of said Plan shall be placed on file in the office of the City Clerk.
6. That the proposed Amendment No. 1 to the Village Urban Renewal Plan be submitted to the City Planning Commission for review and recommendation as to its conformity with the general plan for the development of the City as a whole, with such recommendation to be submitted in writing to this Council within thirty (30) days of the date hereof.

Passed this 27th day of May, 2014.



**AMENDMENT NO. 1 TO THE
VILLAGE URBAN RENEWAL PLAN**

As Approved by City Council

Resolution No. _____

Community Development Department
City Hall
101 First Street SE
Cedar Rapids, Iowa 52401

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 - 3.0 AREA BEING ADDED
 - 4.0 EFFECTIVE DATE
-
- 1.0 INTRODUCTION**

1.1 Purpose and Background

The purpose and intent of this Amendment No. 1 to the Village Urban Renewal Plan (the "Amendment") is to expand the size of the urban renewal area described in the Village Urban Renewal Plan as adopted by the City Council on June 2, 1999 (Resolution No. 1086-6-99)(the "Urban Renewal Plan").

All provisions of the existing Urban Renewal Plan not directly impacted by this Amendment as adopted by the City Council shall remain in full force and effect.

The separate identities of the Sub-Areas previously established as part of the Urban Renewal Plan will be maintained and observed for those purposes which are aided by or in need of the division, but the combined areas of the several Sub-Areas shall be treated together for planning and redevelopment purposes. This Amendment undertakes to continue each Project Sub-Area within the overall Urban Renewal Area as a combined Urban Renewal Area, reserving the separate elements of each such Sub-Area, but permitting the advantages of combined planning and redevelopment activities.

1.2 Amendments

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

Amendment No. 1 to the Urban Renewal Plan is consistent with this provision.

1.3 Relationship to the Comprehensive Plan

Cedar Rapids has adopted the Comprehensive Plan for Cedar Rapids which qualifies as the "general plan for the development of the municipality as a whole" as provided under Chapter 403.5, Code of Iowa. The Cedar Rapids Planning Commission reviewed the draft Amendment No. 1 to the Urban Renewal Plan, and adopted a finding that it is in conformity with the Comprehensive Plan and recommended its approval by the City Council.

2.0 ESTIMATED DIVERSION OF PROPERTY TAX INCREMENT REVENUES

The use of tax increment funds is authorized in Section 2.2 of the Urban Renewal Plan. This Amendment does not change provisions regarding the diversion of tax increment revenue within the Urban Renewal Area.

Article XI, Section 3 of the Constitution of the State of Iowa limits the amount of debt outstanding at any time of any county, municipality or other political subdivision to no

more than 5% of the value, as shown by the last certified state and county tax lists, of all taxable property within such county, municipality or other political subdivision. Based upon the actual value for fiscal year 2012/2013 (total actual value, less agriculture value that is not taxed for debt service) on all taxable property within the City of Cedar Rapids, the City is limited to \$463,611,401 of general obligation indebtedness. Total City bonded indebtedness as of June 30, 2013 was \$337,485,000.

3.0 AREA BEING ADDED TO URBAN RENEWAL AREA

The area being added to the Urban Renewal Area will be a sub-area designation. Redevelopment and revitalization activities contemplated under the Urban Renewal Plan will be conducted with appropriate allocation of resources.

In accordance with this intent, the Urban Renewal Plan is amended to add the following area to the Village Urban Renewal Area described therein:

All of the land and portions of the Right of Ways of C Avenue NE, East Robins Road NE, East Main Street NE, the realignment of East Main Street NE and proposed Tower Terrace Road NE located in the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 26, the Northeast Quarter of the Southeast Quarter, the Northwest Quarter of the Southeast Quarter, the Southwest Quarter of the Northeast Quarter, and the Southeast Quarter of the Northeast Quarter of Section 27, Township 84 North, Range 7 West of the Fifth P.M. in the City of Cedar Rapids, Linn County, Iowa.

4.0 EFFECTIVE DATE

This Amendment No. 1 to the Urban Renewal Plan shall be deemed to be effective upon the adoption of a City Council Resolution approving the said Amendment No. 1 to the Urban Renewal Plan. The Urban Renewal Plan, as so amended, shall remain in full force until amended or rescinded by the City Council.



DISCLAIMER: This is a product of the City of Cedar Rapids GIS Department. The data depicted here has been developed by the City of Cedar Rapids for city purposes. Any use is at the sole risk and responsibility of the User. There are no warranties, expressed or implied, associated with the use of this map.



PROPRIETARY INFORMATION: Any resale of this information is prohibited, except in accordance with a use agreement with the City of Cedar Rapids.

Tue May 6 9:17:31 CDT 2014

Council Agenda Item Cover Sheet

Council Meeting Date: 5-27-14

Submitting Department: Solid Waste & Recycling

Presenter at meeting: Mark Jones

Phone Number/Ext: 4791

Email: m.jones@cedar-rapids.org

Alternate Contact Person: Sarah

Phone Number/Ext: X4786

Email: s.augustine@cedar-rapids.org

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

1. Resolutions approving assessment actions:

Intent to assess – Solid Waste & Recycling – clean-up costs – two properties.

Background:

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

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

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

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

Action / Recommendation:

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

Alternative Recommendation:

The City Council could decide not to assess.

Time Sensitivity:

Resolution Date: 5-27-14

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.

INTENT TO ASSESS

WHEREAS, NUISANCE ABATEMENTS have been made among various properties within the City of Cedar Rapids, Iowa, and,

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

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

BE IT RESOLVED, by the City Council of the City of Cedar Rapids, Iowa, that the intent to assess against the property and for the amounts shown on the attached listing, will be made by the City Council after 30 days of the date passed, and notice was given by mailing to the owners of the described and enumerated tracts, a notice of this proposed assessment, stating the amount of the assessment and the description of the property, and on what account, and that objections to said proposed assessment may be filed prior to 3:30 p.m., June 25, 2014.

Passed this 27th day of May, 2014.

City of Cedar Rapids
Solid Waste & Recycling Department
Intent To Assess List
5/1/14 - 5/2/14

Date	Customer #	GPN#/ Parcel	First Name	Last Name	House	Street	Quad	Lot	Block	Amount	Flood Zone
5/1/2014	A00574	142235201100000	Janae M.	Edwards	520	Cobban Ct	SE	3	1	\$ 454.75	
5/2/2014	A00355	142048200200000	Andy	Eyrich	605	H Ave	NW	2	4	\$ 369.75	
										<u>\$ 824.50</u>	

Council Agenda Item Cover Sheet

Consent Agenda **Regular Agenda**

Council Meeting Date: May 27, 2014

Submitting Department: Utilities – Water Division

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

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

Description of Agenda Item:

Resolutions approving assessment actions:

- a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 47 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: 5/27/14

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 8th day of July, 2014 and notice was given by mailing to the owners of the properties, a notice of this proposed assessment, stating the amount of the assessment and the description of the property, and on what account, and that objections to said proposed assessment may be filed prior to 11:00 a.m., July 8, 2014.

Passed this 27th day of May, 2014.

LIEN INTENTS (SPECIAL ASSESSMENTS) 5/27/14

LIEN INTENTS 5/27/14			
#	Balance Due	Premise Address	
1	\$ 70.04	76 16TH AVE SW	
2	\$ 95.57	117 34TH ST DR SE	
3	\$ 56.82	117 WESTVIEW DR NW	
4	\$ 82.20	119 12TH ST NW	
5	\$ 130.66	142 34TH ST DR SE	
6	\$ 289.28	152 CHERRY HILL RD NW	
7	\$ 206.80	185 27TH ST NW	
8	\$ 143.90	280 14TH AVE SW	
9	\$ 134.24	311 CHERRY HILL RD NW	
10	\$ 106.91	317 10TH ST NW	
11	\$ 301.84	346 17TH ST SE	
12	\$ 268.81	418 4TH ST SW	
13	\$ 136.91	420 GREENFIELD ST NE	
14	\$ 139.12	604 1ST AVE NW	
15	\$ 254.11	608 16TH ST SE	
16	\$ 77.62	608 ROBYN LN NW	
17	\$ 278.74	648 32ND ST NE	
18	\$ 342.17	721 DANBURY ST NE	
19	\$ 144.20	810 15TH ST SE	
20	\$ 286.14	822 19TH ST SE	
21	\$ 116.29	844 12TH ST NE	
22	\$ 113.06	865 CAMBURN CT SE	
23	\$ 299.03	931 9TH ST SE	
24	\$ 178.03	944 19TH AVE SW	
25	\$ 94.75	1000 10TH ST SW	
26	\$ 175.94	1040 10TH ST SW	
27	\$ 231.99	1080 F AVE NW	
28	\$ 310.43	1120 12TH ST NE	
29	\$ 263.63	1214 36TH ST SE	
30	\$ 349.18	1215 28TH ST SE	
31	\$ 138.20	1216 5TH ST NW	
32	\$ 235.32	1428 7TH AVE SE	
33	\$ 202.94	1500 HINKLEY AVE NW	
34	\$ 56.63	1607 13TH AVE SW	
35	\$ 208.43	1740 7TH AVE SE	
36	\$ 233.68	2327 WILSON AVE SW	
37	\$ 202.95	2601 SUE LN NW	
38	\$ 199.35	2901 SCHULTZ DR NW	
39	\$ 213.91	2912 OAKLAND RD NE	
40	\$ 219.91	3501 BEL AIR DR SE	
41	\$ 247.25	3814 HART CT NE	
42	\$ 97.94	3937 CRESTWOOD DR NW	
43	\$ 951.49	4013 WESTOVER RD SE	

LIEN INTENTS 5/27/14			
#		Balance Due	Premise Address
44		\$ 639.20	5651 CEDAR DR NW
45		\$ 170.40	5811 MUIRFIELD DR SW #1
46		\$ 262.07	6604 KENT DR NE
47		\$ 195.07	7328 SUMMERFIELD RD NE
		\$ 10,153.15	Grand Total
		47	Number of Properties
		\$ 56.63	Balance Due - Low
		\$ 951.49	Balance Due - High

Council Agenda Item Cover Sheet

Consent Agenda Regular Agenda

Council Meeting Date: May 27, 2014

Submitting Department: Utilities – Water Division

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

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

Description of Agenda Item:

Resolutions approving assessment actions:

- a. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 32 properties. CIP/DID #OB1145793

The property address listing is included with the resolution. [**Note:** The Intent to Assess Resolution was approved at the April 22nd 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. 0483-04-14 on April 22, 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: 5/27/14

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 27th day of May, 2014.

SPECIAL ASSESSMENTS (TO BE LIENED) 5-27-14

SPECIAL ASSESSMENTS 5-27-14			
LIEN INTENTS 4/22/14			
#	Balance Due	Premise Address	
1	\$ 513.85	111 6TH AVE SW	
2	\$ 111.41	221 18TH ST NE	
3	\$ 150.13	620 15TH ST SE	
4	\$ 48.68	620 36TH ST NE	
5	\$ 485.53	822 10TH AVE SW	
6	\$ 250.70	861 14TH ST NE	
7	\$ 125.49	881 OAKLAND RD NE	
8	\$ 213.06	1053 17TH ST NE	
9	\$ 258.45	1109 31ST ST NE	
10	\$ 103.40	1158 28TH ST SE	
11	\$ 200.10	1316 L AVE NE	
12	\$ 221.65	1414 HAMILTON ST SW	
13	\$ 204.13	1440 3RD AVE SE	
14	\$ 177.28	1477 WILSON AVE SW	
15	\$ 89.32	1503 4TH AVE SE	
16	\$ 273.98	1514 11TH AVE SW	
17	\$ 258.72	1602 13TH AVE SE	
18	\$ 135.25	1604 1ST AVE NW	
19	\$ 144.93	1620 14TH AVE SE	
20	\$ 67.45	1731 5TH AVE SE	
21	\$ 43.58	1924 CHANDLER ST SW	
22	\$ 204.27	2208 FRUITLAND BLVD SW	
23	\$ 77.38	2931 33RD AVE SW	
24	\$ 197.28	3043 LEONARD ST NE (REAR)	
25	\$ 214.56	3200 G AVE NW	
26	\$ 268.96	3201 G AVE NW	
27	\$ 194.74	3308 SUSAN DR NW	
28	\$ 671.98	4011 WESTOVER RD SE	
29	\$ 104.58	4317 CULVER ST NE	
30	\$ 41.25	4515 C AVE NE	
31	\$ 191.67	4627 1ST AVE SW #2	
32	\$ 125.52	6505 MOSSWOOD LN NE	
	\$ 6,369.28	Grand Total	
	32	Number of Properties	
	\$ 41.25	Balance Due - Low	
	\$ 671.98	Balance Due - High	



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Michal Kray
E-mail Address: mkray@frewdev.com

Phone Number/Extension: 319-739-4043

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 Map

Resolution accepting project, authorizing final payment in the amount of \$37,413.11 and approving the 2-year Performance Bond submitted by TS Sports for the Cedar Rapids Convention Complex – Video Technology Systems project (original contract amount was \$2,305,818.78; final contract amount is \$2,323,600.49). CIP/DID #535100-06

Background:

Construction has been substantially completed by TS Sports for the Cedar Rapids Convention Complex - Video Technology Systems project. This is an approved Capital Improvements Project (CIP No. 535100-06) with a final construction contract amount of \$2,323,600.49. 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 \$37,413.11.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Recommended by Council Committee: Yes No N/A

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Cedar Rapids Convention Complex – Video Technology Systems project (Contract No. 535100-06), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated October 2, 2012 in the amount of \$2,305,818.78 covering said work filed by TS Sports and executed by Philadelphia Indemnity Insurance Company provides a 2-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	2,305,818.78
Change Order No. 1	(9,225.76)
Change Order No. 2	20,487.47
Change Order No. 3	<u>6,520.00</u>
Amended Contract Amount	\$2,323,600.49

, now therefore

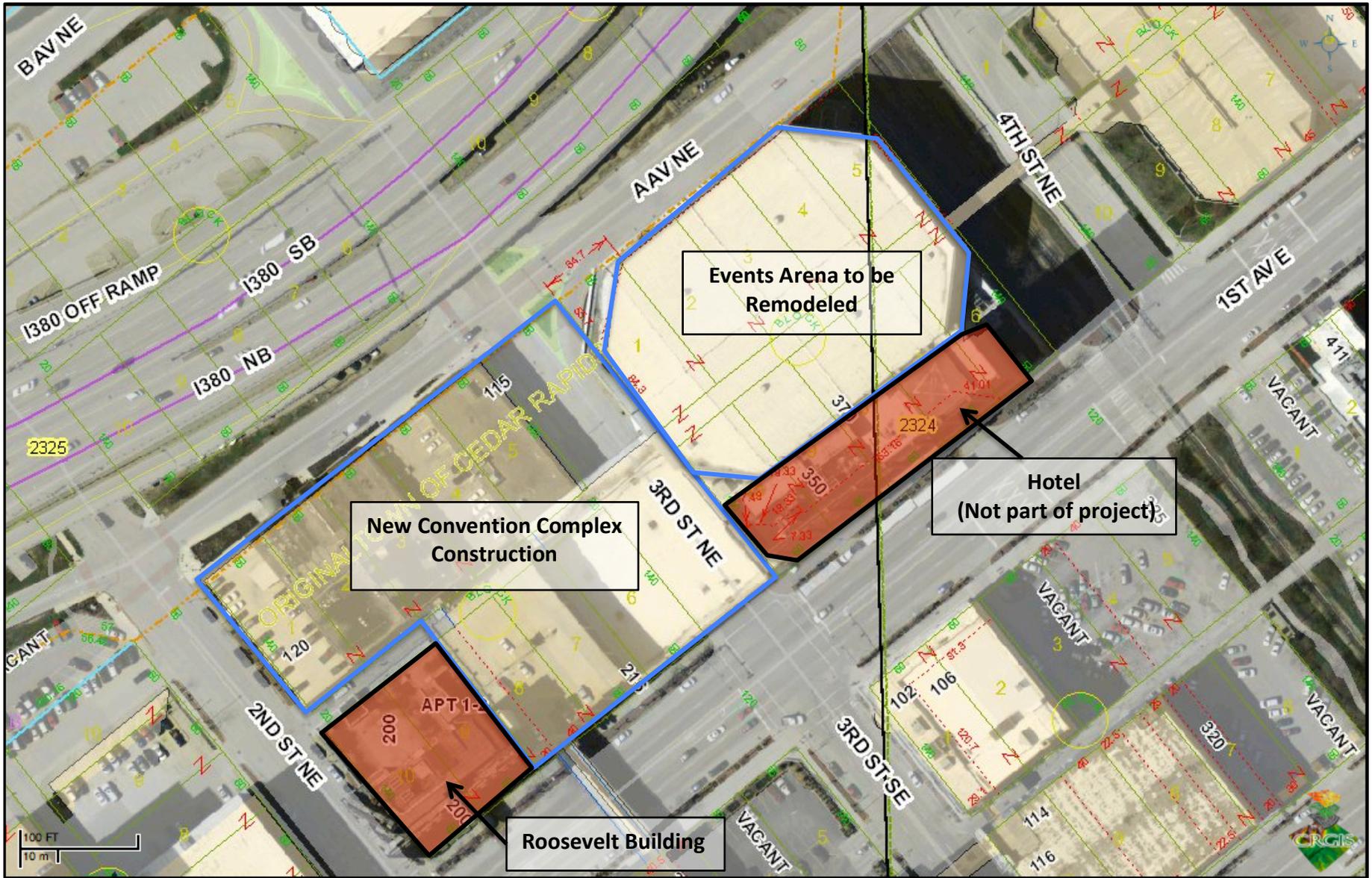
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the two-year correction period as provided by the Performance Bond commences on June, 6, 2013, and

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the Cedar Rapids Convention Complex Video Technology project, (535100-06) 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 \$37,413.11 to TS Sports as final payment.

The final contract price is \$2,323,600.49 distributed as follows: \$2,323,600.49 535-535000-535100, and

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

Passed this 27th day of May, 2014.



**CEDAR RAPIDS CONVENTION COMPLEX
MULTIPLE PRIME BID PACKAGES**





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 Nos. 15 and 16 deducting a total amount of \$146,932.10 and accepting project, authorizing final payment in the amount of \$30,000 and approving the 4-year Performance Bond submitted by Horsfield Construction, Inc. & Subsidiary for the 6th Street SW Corridor Improvements from Waconia Avenue to Prairie Creek project (original contract amount was \$5,364,048.14; total contract amount with this amendment is \$5,275,212.03). CIP/DID #305079-02

Background:

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

Additional work to remove and install new 48" sanitary manhole that was not shown on the plans and was buried due to the ditch filling on the east side of 6th Street SW. This structure was discovered by City Sewer Department personnel after the roadway improvements had been constructed. The manhole was below the flowline of the existing ditch and was not encountered during construction activities. The existing structure could not be raised with barrel and cone sections due to its construction. The entire structure was removed and replaced to the new grade with a new manhole over the existing sewer line.

Repairs to the erosion stone and ditch slopes at the south Hawkeye Downs driveway were required. Existing ditch runoff eroded the new rock flume and required repairs. New stone and the existing erosion stone were used to correct the wash area and armor the slope to stop the erosion potential. During excavation of the drainage-way, poor soils were discovered that could not be used under the new roadway fill. This material was suitable for construction of the embankment adjacent to the Highway 30 bridge. This caused the contractor to truck the material about 1,500 feet each way. The trucks had to haul over the creek on the traffic-way and through the signalized intersection. This slowed production and caused additional cost to the contractor. Plan earthwork balances did not require this additional material handling. This item was measured and paid based on excavated cubic yards of material removed and hauled to the fill location.

Construction has been substantially completed by Horsfield Construction, Inc. & Subsidiary for the 6th Street SW Corridor Improvements from Waconia Avenue to Prairie Creek project. This is an approved Capital Improvements Project (CIP No. 305079-02) with a final construction contract amount of \$5,275,212.03. 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 approval of Change Order Nos. 15 and 16 submitted by Horsfield Construction, Inc. & Subsidiary, accepting the project and performance bond and issuing final payment to the contractor in the amount of \$30,000.

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. 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: May 27, 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.

ENG
 AUD FILE
 FIN
 CLK
 IDOT
 HORSFIELD
 FOTH
 305079-02

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the 6th Street SW Corridor Improvements from Waconia Avenue to Prairie Creek project (Contract No. 305079-02), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated July 13, 2010 in the amount of \$5,216,048.14 covering said work filed by Horsfield Construction, Inc. & Subsidiary and executed by United Fire & Casualty 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 Nos. 15 and 16 deducting a total amount of \$146,932.10 with Horsfield Construction, Inc. & Subsidiary for the 6th Street SW Corridor Improvements from Waconia Avenue to Prairie Creek project, Contract No. 305079-02 (IDOT Project No. BRM-1187(681) - - 8N-57). A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$5,216,048.14
Possible Incentive	148,000.00
Change Order No. 1	239.00
Change Order No. 2	39,741.02
Change Order No. 3	1,692.00
Change Order No. 4	21,386.48
Change Order No. 5	11,731.74
Change Order No. 6	3,074.66
Change Order No. 7	12,511.70
Change Order No. 8	13,740.91
Change Order No. 9	26,077.71
Change Order No. 10	4,271.83
Change Order No. 11	14,016.45
Change Order No. 12	167.50
Change Order No. 13	2,228.16
Change Order No. 14	4,000.00
Change Order No. 15	24,969.67
Change Order No. 16	(171,901.77)
Removal of Original Incentive	<u>(96,783.17)</u>
Amended Contract Amount	\$5,275,212.03

General ledger coding for Change Orders 15 and 16 to be as follows (\$146,932.10):
 (\$67,305.92) 305-305000-305079, (\$79,626.18) 301-301000-301597

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the 6th Street SW Corridor Improvements from Waconia Avenue to Prairie Creek project, (305079-02) be and the same is hereby accepted as being substantially

completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$30,000 to Horsfield Construction Company, Inc. & Subsidiary as final payment.

The final contract price is \$5,275,212.03 distributed as follows: \$2,117,873.55 305-305000-305079, \$2,976,931.48 301-301000-301597 \$180,407.00 306-306000-306161

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 27th day of May, 2014.



SCALE: NONE

6TH STREET SW CORRIDOR IMPROVEMENTS FROM WACONIA AVENUE TO PRAIRIE CREEK



CEDAR RAPIDS
City Of Five Seasons

305079

Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 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 #12 – Mechanical, HVAC and Plumbing project, final payment in the amount of \$48,734.16 and the 2-Year Performance Bond submitted by Day Mechanical Systems, Inc. (original contract amount was \$918,800; final contract amount is \$974,683.21) (**FLOOD**); CIP/DID #VME001-06

Background:

Construction has been substantially completed by Day Mechanical Systems, Inc. for the Veterans Memorial Phase III – Bid Package #12 – Mechanical, HVAC and Plumbing project. This is a FEMA funded project (VME-001-06) with a final construction contract amount of \$974,683.21.

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 \$48,734.16.

Alternative Recommendation:

None

Time Sensitivity: Normal

Resolution Date: May 27, 2014

Estimated Presentation Time:

VME-001-06 (552000-330-330020-18512-VME001 &

Budget Information (if applicable): 552000-330-330020-18515-VME001-NG)

Local Preference Policy Applies Exempt

Explanation:

VET
FIN
CLK
TRS
AUD FILE
DAY MECHANICAL
NEUMANN
VME001-06
OB377545

RESOLUTION NO.

WHEREAS, the Veterans Memorial Director certifies construction contract work on the Veterans Memorial Phase III – Bid Package #12 – Mechanical, HVAC and Plumbing project, Contract No. VME001-06, has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated February 12, 2013 in the amount of \$913,800 covering said work filed by Day Mechanical Systems, Inc. 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 based on the Veterans Memorial Director's recommendation, the Veterans Memorial Phase III – Bid Package #12 – Mechanical, HVAC and Plumbing 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 \$48,734.16 to Day Mechanical Systems, Inc. as final payment.

The final contract price is \$974,683.21 distributed as follows: \$968,077.21 to 552000-330-330020-18512-VME001 and \$6,606 to 552000-330-330020-18515-VME001-NG 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 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Dean Archer

Phone Number/Ext: 5891

Email: d.archer@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Resolution accepting project and Performance Bond and authorizing issuance of final payment in the amount of \$28,490.53 and approving the 2-Year Performance Bond submitted by Halvorson Trane for the Citywide Energy Management System project. (original contract amount was \$475,745; final contract amount is \$569,810.87) (**FLOOD**). CIP/DID #0110-161

Background:

This project is for the Citywide energy management system. City Council awarded the project to Halvorson Trane by Resolution No. 0342-04-10. Facilities Maintenance Services has certified that the Contract work has been substantially completed in accordance with the approved plans and specifications.

A Performance Bond dated April 15, 2010 in the amount of \$475,745 covering said work filed by Halvorson Trane and executed by Employers Mutual Casualty Company provides a two-year correction period for defects in materials and workmanship.

Contract summary:

Description	Cost
Base Agreement, Resolution No. 0342-04-10	\$475,745.00
Amendment No. 1, signed by the City Manager 01/06/11	N/C
Amendment No. 2, signed by the City Manager 05/09/11	(\$8,944.23)
Amendment No. 3, Resolution No. 1317-09-11	\$151,125.00
Amendment No. 4, signed by the City Manager 04/11/12	\$1,107.02
Amendment No. 5, signed by the City Manager 04/11/12	N/C
Amendment No. 6, Resolution No. 1786-12-12	\$11,250.00
Amendment No. 7, Resolution No. 0333-02-13	\$11,817.08
Amendment No. 8, Resolution No. 1536-09-13	(\$44,635.00)
Amendment No. 9, Resolution No. 1985-12-13	(\$27,654.00)
Agreement Total	\$569,810.87

This resolution is to release final payment to Halvorson Trane of \$28,490.53.

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): FME001

Local Preference Policy Applies Exempt
FEMA funded project

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

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids and Halvorson Trane are parties to a Contract for the Citywide Energy Management System project authorized by Resolution No. 0342-04-10; and

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

WHEREAS, a Performance Bond dated April 15, 2010 in the amount of \$475,745 covering said work filed by Halvorson Trane and executed by Employers Mutual Casualty Company provides a two-year correction period for defects in materials and workmanship; now therefore

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

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

Description	Cost
Base Agreement, Resolution No. 0342-04-10	\$475,745.00
Amendment No. 1, signed by the City Manager 01/06/11	N/C
Amendment No. 2, signed by the City Manager 05/09/11	(\$8,944.23)
Amendment No. 3, Resolution No. 1317-09-11	\$151,125.00
Amendment No. 4, signed by the City Manager 04/11/12	\$1,107.02
Amendment No. 5, signed by the City Manager 04/11/12	N/C
Amendment No. 6, Resolution No. 1786-12-12	\$11,250.00
Amendment No. 7, Resolution No. 0333-02-13	\$11,817.08
Amendment No. 8, Resolution No. 1536-09-13	(\$44,635.00)
Amendment No. 9, Resolution No. 1985-12-13	(\$27,654.00)
Agreement Total	\$569,810.87

AND BE IT FURTHER RESOLVED that based on the recommendation by Facilities Maintenance Services that the project be and the same is hereby accepted as being substantially completed and the City of Cedar Rapids is authorized and directed to issue final payment for the sum of \$28,490.53 to Halvorson Trane; and

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

Passed this 27th day of May, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Tony Lerud

Phone Number/Ext: 319 286-5817

Email: a.lerud@cedar-rapids.org

Alternate Contact Person: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

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

Resolutions authorizing execution of Development Agreements and Special Warranty Deeds for City-owned property participating in the third round of the Single Family New Construction Program (**FLOOD**). CIP/DID #OB540257

- a. Cedar Ridge Homes, Inc. for property at 235 11th Street NW
- b. S&J Homes, LLC for property at 359 14th Avenue SW
- c. Skogman Construction Company of Iowa for property at 623 3rd Avenue SW
- d. Skogman Construction Company of Iowa for property at 818 10th Street SW
- e. Thomas Dostal Developers Inc. for property at 1791 Mallory Street SW

Background:

The resolutions for City Council consideration provide for the execution of Development Agreements and deeds with the above listed developers and associated City-owned properties through the third round of the Single Family New Construction Program, known locally as the ROOTs program. The properties have been awarded through a competitive proposal process and the City and developers are ready to execute the Development Agreements and deeds to allow construction on the homes to begin. To date, 159 such agreements and deeds for City property have been executed for the ROOTs program.

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

- a. Property is being conveyed to the qualified developer based on the investment provided by the developer in the construction of a single-family home;
- b. Developer agrees to commence construction within one year of the execution of the agreement and complete all projects prior to the end of the program in December 2014;
- c. Developer is responsible to resolve conflicts with adjacent property owners and purchasers that might result from the construction project;
- d. Developer is responsible for maintaining the property in accordance with all City and state codes;
- e. Developer shall comply with all program requirements pertaining to the sale of the property to a qualified buyer.

On November 9, 2010, by Resolution No. 1306-11-10, the City Council approved the Administrative Plan for the Single Family New Construction (SFNC) Program. The administrative plan limits development of homes to lots within the “Neighborhood Revitalization Area” of the flood inundation area. The administrative plan further directs the use of lots acquired by the City through the Voluntary Property Acquisition Program to be conveyed to the developer in consideration for the construction of the SFNC unit.

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

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

A total of 200 properties were identified by 23 developers through three phases of property allocation for this round of the program.

Action / Recommendation:

City staff recommends approval of the resolutions.

Alternative Recommendation:

City Council may table the items and request additional information.

Time Sensitivity: N/A

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt N/A

Explanation: Federal grant funds

Recommended by Council Committee Yes No N/A

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
AND SPECIAL WARRANTY DEED WITH CEDAR RIDGE HOMES, INC. FOR
CITY-OWNED PROPERTY AT 235 11TH STREET NW PARTICIPATING IN THE
THIRD ROUND OF THE SINGLE FAMILY NEW CONSTRUCTION PROGRAM

WHEREAS, on November 9, 2010, the City Council passed Resolution 1306-11-10 approving the administrative plan and local program guidelines for the third phase of the Single Family New Construction Program (SFNC); and

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

WHEREAS, the City purchased property at 235 11th Street NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on August 17, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on August 27, 2013 on the possible disposition of this property in accordance with Iowa Code; and

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

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

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

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property in accordance with the Development Agreement and that the resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder.

Passed this 27th Day of May, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
AND SPECIAL WARRANTY DEED WITH S&J HOMES, LLC FOR CITY-OWNED
PROPERTY AT 359 14TH AVENUE SW PARTICIPATING IN THE THIRD ROUND
OF THE SINGLE FAMILY NEW CONSTRUCTION PROGRAM

WHEREAS, on November 9, 2010, the City Council passed Resolution 1306-11-10 approving the administrative plan and local program guidelines for the third phase of the Single Family New Construction Program (SFNC); and

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

WHEREAS, the City purchased property at 359 14th Avenue SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on August 17, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on August 27, 2013 on the possible disposition of this property in accordance with Iowa Code; and

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

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with S&J Homes, LLC

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property in accordance with the Development Agreement and that the resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder.

Passed this 27th Day of May, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
AND SPECIAL WARRANTY DEED WITH SKOGMAN CONSTRUCTION
COMPANY OF IOWA FOR CITY-OWNED PROPERTY AT 623 3RD AVENUE SW
PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY NEW
CONSTRUCTION PROGRAM

WHEREAS, on November 9, 2010, the City Council passed Resolution 1306-11-10 approving the administrative plan and local program guidelines for the third phase of the Single Family New Construction Program (SFNC); and

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

WHEREAS, the City purchased property at 623 3rd Avenue SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on August 17, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on August 27, 2013 on the possible disposition of this property in accordance with Iowa Code; and

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

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with Skogman Construction Company of Iowa

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property in accordance with the Development Agreement and that the resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder.

Passed this 27th Day of May, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
AND SPECIAL WARRANTY DEED WITH SKOGMAN CONSTRUCTION
COMPANY OF IOWA FOR CITY-OWNED PROPERTY AT 818 10TH STREET SW
PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY NEW
CONSTRUCTION PROGRAM

WHEREAS, on November 9, 2010, the City Council passed Resolution 1306-11-10 approving the administrative plan and local program guidelines for the third phase of the Single Family New Construction Program (SFNC); and

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

WHEREAS, the City purchased property at 818 10th Street SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on August 17, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on August 27, 2013 on the possible disposition of this property in accordance with Iowa Code; and

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

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with Skogman Construction Company of Iowa

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property in accordance with the Development Agreement and that the resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder.

Passed this 27th Day of May, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
AND SPECIAL WARRANTY DEED WITH THOMAS DOSTAL DEVELOPERS, INC.
FOR CITY-OWNED PROPERTY AT 1791 MALLORY STREET SW
PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY NEW
CONSTRUCTION PROGRAM

WHEREAS, on November 9, 2010, the City Council passed Resolution 1306-11-10 approving the administrative plan and local program guidelines for the third phase of the Single Family New Construction Program (SFNC); and

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

WHEREAS, the City purchased property at 1791 Mallory Street SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on November 9, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on November 19, 2013 on the possible disposition of this property in accordance with Iowa Code; and

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

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

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

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property in accordance with the Development Agreement and that the resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder.

Passed this 27th Day of May, 2014



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

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

Phone Number/Extension: 5821

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

Preliminary resolution for the construction of pavement improvements for the Alley between F Avenue and G Avenue NW from 9th Street to 8th Street Portland Cement Concrete Pavement project. CIP/DID #3012104-00

Background:

This project is to construct Portland Cement Concrete pavement in the alley between F Avenue and G Avenue NW from 9th Street to 8th Street.

The proposed resolution before City Council is the initial resolution in a series of resolutions (as shown on attached flow chart), which will lead to an assessment public hearing on this project. This resolution indicates there is benefit and the City's intention to do some special assessment. Future resolutions, should the Council proceed with the process, will include property values and specific proposed assessments.

The total estimated project cost, funded primarily by assessments, is approximately \$39,000.

Action / Recommendation:

Public Works Department recommends adoption of the preliminary resolution for the construction of pavement improvements in the City of Cedar Rapids, Iowa for the Alley between F Avenue and G Avenue NW from 9th Street to 8th Street Portland Cement Concrete Pavement.

Alternative Recommendation (if applicable):

If resolution is not adopted, the assessment will not proceed. The project will have to be funded by General Obligation Bonds, LOST revenue or be abandoned.

Time Sensitivity: Normal

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP No. 3012104

Local Preference Policy: Applies Exempt

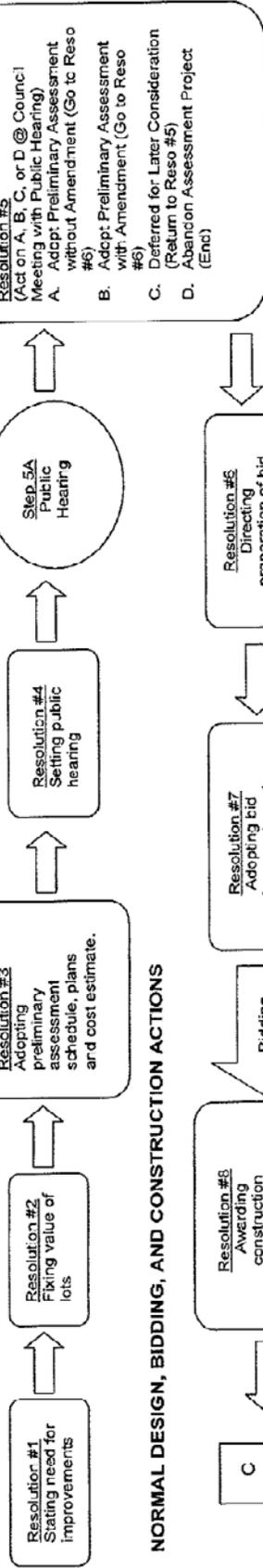
Explanation: Chapter 26 of the Code of Iowa requires construction of public improvements to be awarded to the lowest responsive, responsible bidder or reject all bids.

Recommended by Council Committee: Yes No N/A

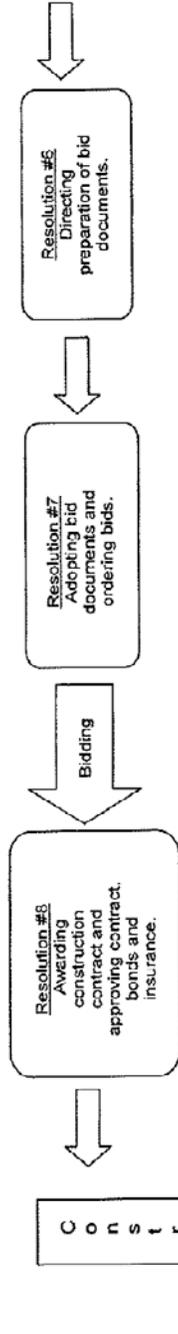
Explanation (if necessary):

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

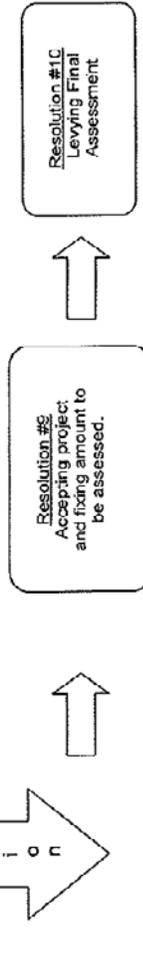
PRELIMINARY ASSESSMENT ACTIONS



NORMAL DESIGN, BIDDING, AND CONSTRUCTION ACTIONS



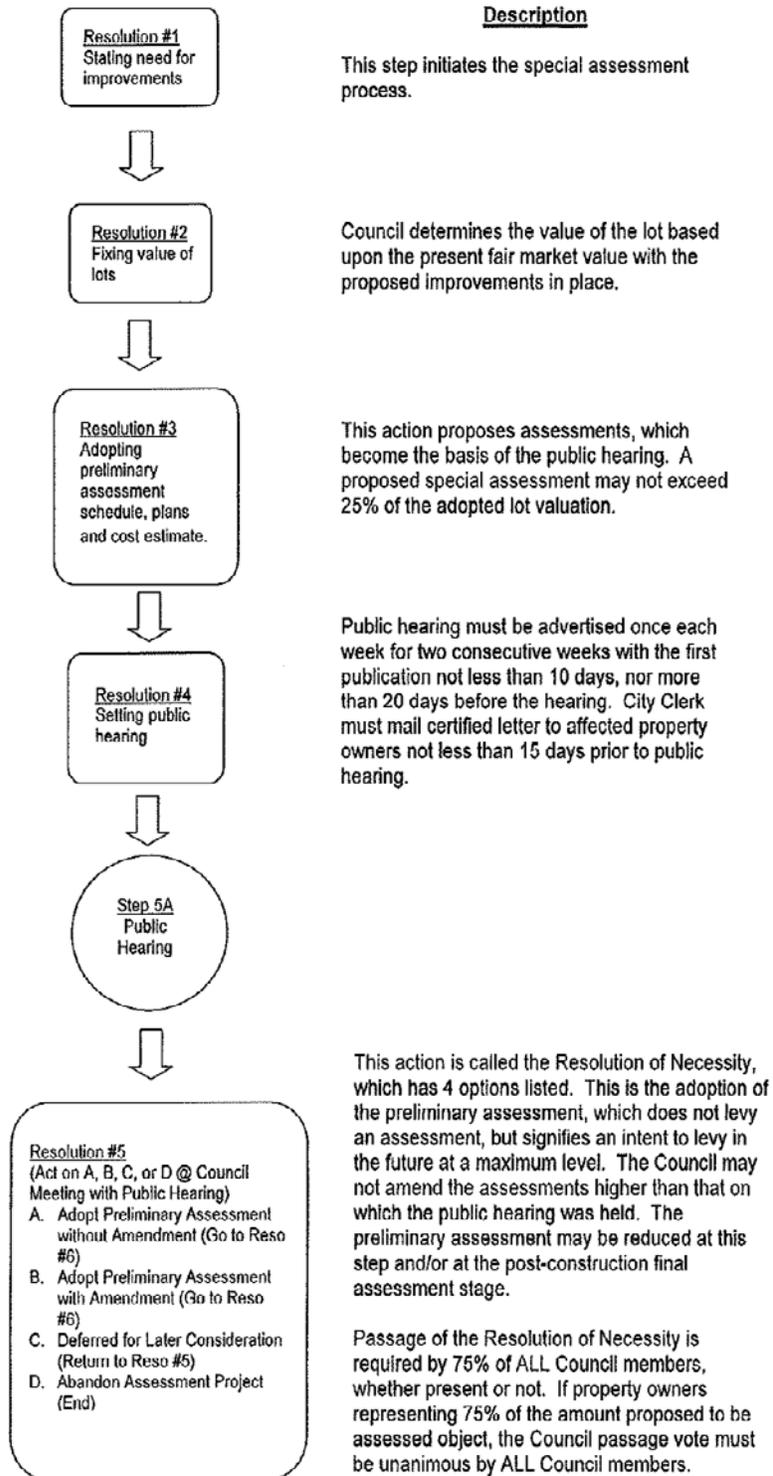
FINAL ASSESSMENT ACTIONS



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

**CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS
PRELIMINARY ASSESSMENT**



RESOLUTION NO.

PRELIMINARY RESOLUTION FOR THE CONSTRUCTION
OF ALLEY IMPROVEMENTS IN THE CITY OF CEDAR RAPIDS, IOWA

WHEREAS, this Council, after a study of the requirements, is of the opinion that it is necessary and desirable that Portland Cement Concrete pavement be constructed within Cedar Rapids, Iowa, as hereinafter described, and

WHEREAS, it is proposed that said project be constructed as a single improvement under the authority granted by Division IV of Chapter 384 of the State Code of Iowa,

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Cedar Rapids, Iowa, construct Portland Cement Concrete pavement as hereinafter described, and

BE IT FURTHER RESOLVED that the beginning and terminal points of said improvements shall be as follows:

Alley between F Avenue and G Avenue NW from 9th Street to 8th Street

, and

BE IT FURTHER RESOLVED that Glenn Vosatka, P.E., of the Public Works Department, Cedar Rapids, Iowa, having been employed as Engineer to prepare plats, schedules, estimates, plans and specifications and otherwise to act in said capacity with respect to said project is hereby ordered to prepare and file with the Clerk preliminary plans and specifications and estimates of the total cost of the work and the plat and schedule of special assessments against benefited properties, and

BE IT FURTHER RESOLVED that this Council hereby determines that all property within the area hereinafter described will be specially benefited by said improvements, to-wit:

14204-60007-00000	BROWN'S 3 RD ADDITION, LOT 8, BLOCK 22
14204-60006-00000	BROWN'S 3 RD ADDITION, LOT 7, BLOCK 22
14204-60005-00000	BROWN'S 3 RD ADDITION, LOT 6, BLOCK 22
14204-60004-00000	BROWN'S 3 RD ADDITION, LOT 5, BLOCK 22
14204-60003-00000	BROWN'S 3 RD ADDITION, LOT 4, BLOCK 22
14204-60018-00000	BROWN'S 3 RD ADDITION, SOUTH 46 2/3' EACH LOTS 1,2 & 3, BLOCK 22
14204-60017-00000	BROWN'S 3 RD ADDITION, NORTH 60' LOT 16, BLOCK 22
14204-60015-00000	BROWN'S 3 RD ADDITION, LOT 15, BLOCK 22
14204-60014-00000	BROWN'S 3 RD ADDITION, LOT 14, BLOCK 22

14204-60013-00000	BROWN'S 3 RD ADDITION, LOT 13, BLOCK 22
14204-60012-00000	BROWN'S 3 RD ADDITION, EAST 20' LOT 11 AND ALL LOT 12, BLOCK 22
14204-60011-00000	BROWN'S 3 RD ADDITION, EAST 10' LOT 10 AND WEST 20' LOT 11, BLOCK 22
14204-60010-00000	BROWN'S 3 RD ADDITION, SOUTH 105' WEST 20' & WEST 10' EAST 20' LOT 10, BLOCK 22
14204-60008-00000	BROWN'S 3 RD ADDITION, NORTH 35' LOT 9 & NORTH 35' WEST 20' LOT 10, BLOCK 22

, and

BE IT FURTHER RESOLVED that said improvement shall be designated as "Alley between F Avenue and G Avenue NW from 9th Street to 8th Street Portland Cement Concrete Pavement", and such name shall be sufficient designation to refer to said improvement in all subsequent proceedings.

Passed this 27th day of May, 2014.



Cadd File Name: W:\PROJECTS\CIP\3012104\3012104 Council Map.dwg



**ALLEY BETWEEN F AVENUE AND G AVENUE NW FROM
9TH STREET TO 8TH STREET PORTLAND CEMENT CONCRETE PAVEMENT**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Tom Peterson, PE
E-mail Address: t.peterson@cedar-rapids.org

Phone Number/Extension: 5847

Alternate Contact Person: Cari Pauli
E-mail Address: c.pauli@cedar-rapids.org

Phone Number/Extension: 5157

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

Resolution approving the establishment and installation of school crosswalks on the north and west approaches of the E Avenue and 13th Street NW intersection for Roosevelt Middle School. CIP/DID #60-14-036

Background:

The schools route plan for Roosevelt Middle School requires students to cross 13th Street NW on the north approach of the all-way stop intersection with E Avenue NW and then immediately cross E Avenue NW on the west side of the intersection. This indicates the need for school crosswalks on the north and west approaches of the intersection of E Avenue and 13th Street NW, which is one block away from Roosevelt Middle School, to improve the safety of children walking and/or biking to/from Roosevelt Middle School.

Action / Recommendation:

The Public Works Department recommends approving the resolution to approve the installation of school crosswalks on the north and west approaches of the intersection of E Avenue and 13th Street NW.

Alternative Recommendation:

Should the Council determine not to adopt the resolution for the school crosswalks, the existing pavement markings will remain as is.

Time Sensitivity: Normal

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): N/A

Local Preference Policy: Applies Exempt

Explanation: Local Preference Policy does not apply to school crosswalks.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the designated school route for Roosevelt Middle School is on the east side of 13th Street NW north of E Avenue NW and crosses 13th Street on the north side of E Avenue NW at the all-way stop and crosses E Avenue NW on the west side of 13th Street NW, and

WHEREAS, the criteria for installation of a school crosswalk according to the 2009 edition of the Manual on Uniform Traffic Control Devices are met for the north approach and west approach of the intersection of E Avenue and 13th Street NW, and

WHEREAS, the Traffic Engineering Division recommends school crosswalks be established on the north and west approaches of the E Avenue and 13th Street NW intersection,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that school crosswalks be established on the north and west approaches of the E Avenue and 13th Street NW intersection.

Passed this 27th day of May 2014



**ESTABLISH SCHOOL CROSSWALKS
E AVENUE AND 13TH STREET NW INTERSECTION**



Council Agenda Item Cover Sheet

Council Meeting Date: 5/27/14

Submitting Department: Finance – Treasury Operations

Presenter at meeting: Casey Drew

Phone Number/Ext: 5097

Email: c.drew@cedar-rapids.org

Alternate Contact Person: Michele Tamerius

Phone Number/Ext: 5113

Email: m.tamerius@cedar-rapids.org

Description of Agenda Item:

Resolution authorizing and providing for the issuance of \$4,280,000 General Obligation Bonds, Series 2014A, levying a tax to pay said bonds, approval of tax exemption certificate and continuing disclosure certificate. CIP/DID #OB838449

Resolution authorizing and providing for the issuance of \$10,475,000 Taxable General Obligation Urban Renewal Bonds, Series 2014B, levying a tax to pay said bonds and approval of continuing disclosure certificate. CIP/DID #OB838449

Motion to approve the Tax Exemption Certificate for Series 2014C and the Continuing Disclosure Certificate for Series 2014C.

- a. Resolution authorizing and providing for the issuance of and securing the payment for \$11,570,000 Sewer Revenue Bonds, Series 2014C, of the City of Cedar Rapids, State of Iowa, under the provisions of the City Code of Iowa, and providing for a method of payment of the bonds. CIP/DID #OB838449

Motion to approve the Tax Exemption Certificate for Series 2014D and the Continuing Disclosure Certificate for Series 2014D.

- a. Resolution authorizing and providing for the issuance of and securing the payment for \$4,570,000 Water Revenue Bonds, Series 2014D, of the City of Cedar Rapids, State of Iowa, under the provisions of the City Code of Iowa, and providing for a method of payment of the bonds. CIP/DID #OB838449

Background:

The City Treasurer's Office is responsible for ensuring that the City follows the Iowa Code for the issuance of bonded debt. Bids for the Series 2014A, Series 2014B, Series 2014C, Series 2014D Bonds were received on 5-13-14 and now Council action is required to authorize the issuance of all Series 2014 bonds, and levy a tax for the Series 2014A and Series 2014B Bonds. Approval of the tax exemption for Series 2014A, C and D; and continuing disclosure certificates for Series 2014A, B, C and D is also required. The continuing disclosure certificate outlines the City's duty to provide updated financial information, as prescribed in the continuing disclosure certificate, to the financial markets through the Municipal Securities Rulemaking Board's Electronic Municipal Market Access system ("EMMA"). The tax exemption

certificate is a contract with the bond holders which requires the observance of specific covenants by the City in order to maintain the tax exempt status of the bonds. The continuing disclosure and tax exemption adherence is monitored and reported upon by the Treasurer's Office to the financial markets, per Securities Exchange Commission requirements, on a continual basis.

Action / Recommendation:

Recommend that the Series 2014A, B, C and D Resolutions, Tax Certificates and Continuing Disclosure Certificates be approved.

Alternative Recommendation:

None

Time Sensitivity:

High

Resolution Date:

5/27/14

Estimated Presentation Time:

None – recommend be placed on the consent agenda.

Budget Information (if applicable):

No effect on the FY 2014 budget.

Local Preference Policy Applies Exempt

Explanation: N/A

May 27, 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 _____ o'clock _____.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 AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$4,280,000 GENERAL OBLIGATION BONDS, SERIES 2014A, AND LEVYING A TAX TO PAY SAID BONDS, APPROVAL OF THE TAX EXEMPTION CERTIFICATE, AND CONTINUING DISCLOSURE CERTIFICATE." 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 said Resolution duly adopted as follows:

RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$4,280,000 GENERAL OBLIGATION BONDS, SERIES 2014A, AND LEVYING A TAX TO PAY SAID BONDS; APPROVAL OF THE TAX EXEMPTION CERTIFICATE, AND CONTINUING DISCLOSURE CERTIFICATE.

WHEREAS, the Issuer is duly incorporated, organized and exists under and by virtue of the laws and Constitution of the State of Iowa; and

WHEREAS, the City 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, general corporate purpose(s), and it is deemed necessary and advisable that General Obligation Bonds, to the amount of not to exceed \$625,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 75,000, and the Bonds for these purposes do not exceed \$1,000,000; and

WHEREAS, pursuant to notice published as required by Section 384.26 (5) of said Code, the Council of the City has held public meeting and hearing upon the proposal to institute proceedings for the issuance of bonds for general corporate purpose(s) in the amounts as above

set forth, and, no petition for referendum having been received, the Council is therefore now authorized to proceed with the issuance of said bonds for such purpose(s); and

WHEREAS, the Issuer 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, essential corporate urban renewal purpose project(s), and it is deemed necessary and advisable that the City issue General Obligation Bonds, for such purpose(s) to the amount of not to exceed \$6,140,000 as authorized by Sections 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 upon the proposal to institute proceedings for the issuance of said 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 said Bonds for such purpose(s), 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 hereby found and determined that the various general obligation bonds authorized as hereinabove described shall be combined for the purpose of issuance in a single issue of \$4,280,000 General Obligation Bonds as hereinafter set forth; and

WHEREAS, pursuant to the provisions of Chapter 75 of the Code of Iowa, the above mentioned bonds were heretofore sold at public sale and action should now be taken to issue said bonds conforming to the terms and conditions of the best bid received at the advertised public sale:

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

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by necessary implication requires otherwise:

- "Authorized Denominations" shall mean \$5,000 or any integral multiple thereof.
- "Beneficial Owner" shall mean, whenever used with respect to a Bond, the person in whose name such Bond is recorded as the beneficial owner of such Bond by a Participant on the records of such Participant or such person's subrogee.
- "Blanket Issuer Letter of Representations" shall mean the Representation Letter from the Issuer to DTC, with respect to the Bonds.

- "Bond Fund" shall mean the fund created in Section 3 of this Resolution.
- "Bonds" shall mean \$4,280,000 General Obligation Bonds, Series 2014A, authorized to be issued by this Resolution.
- "Cede & Co." shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.
- "Continuing Disclosure Certificate" shall mean that certain Continuing Disclosure Certificate approved under the terms of this Resolution and to be executed by the Issuer and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.
- "Depository Bonds " shall mean the Bonds as issued in the form of one global certificate for each maturity, registered in the Registration Books maintained by the Registrar in the name of DTC or its nominee.
- "DTC" shall mean The Depository Trust Company, New York, New York, which will act as security depository for the Bond pursuant to the Representation Letter.
- "Issuer" and "City" shall mean the City of Cedar Rapids, State of Iowa.
- "Participants" shall mean those broker-dealers, banks and other financial institutions for which DTC holds Bonds as securities depository.
- "Paying Agent" shall mean the Finance Director, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein as Issuer's agent to provide for the payment of principal of and interest on the Bonds as the same shall become due.
- "Project Fund" shall mean the fund required to be established by this Resolution for the deposit of the proceeds of the Bonds.
- "Rebate Fund" shall mean the fund so defined in and established pursuant to the Tax Exemption Certificate.
- "Registrar" shall mean the Finance Director of Cedar Rapids, Iowa, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein with respect to maintaining a register of the owners of the Bonds. Unless otherwise specified, the Registrar shall also act as Transfer Agent for the Bonds.
- "Resolution" shall mean this resolution authorizing the Bonds.

- "Tax Exemption Certificate" shall mean the Tax Exemption Certificate approved under the terms of this Resolution and to be executed by the Treasurer and delivered at the time of issuance and delivery of the Bonds.

- "Treasurer" shall mean the City Treasurer or such other officer as shall succeed to the same duties and responsibilities with respect to the recording and payment of the Bonds issued hereunder.

Section 2. Levy and Certification of Annual Tax; Other Funds to be Used.

(a) Levy of Annual Tax. That for the purpose of providing funds to pay the principal and interest of the Bonds hereinafter authorized to be issued, there is hereby levied for each future year the following direct annual tax on all of the taxable property in Cedar Rapids, Iowa, to-wit:

AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30) YEAR OF COLLECTION
\$122,496.26*	2014/2015
\$128,193.76	2015/2016
\$128,193.76	2016/2017
\$128,193.76	2017/2018
\$343,193.76	2018/2019
\$343,893.76	2019/2020
\$347,293.76	2020/2021
\$345,393.76	2021/2022
\$348,343.76	2022/2023
\$350,993.76	2023/2024
\$354,618.76	2024/2025
\$356,668.76	2025/2026
\$363,418.76	2026/2027
\$364,718.76	2027/2028
\$370,718.76	2028/2029
\$376,268.76	2029/2030
\$385,956.26	2030/2031
\$395,018.76	2031/2032
\$397,993.76	2032/2033

* Payable from the available cash on hand.

(NOTE: For example the levy to be made and certified against the taxable valuations of January 1, 2013 will be collected during the fiscal year commencing July 1, 2014.)

(b) Resolution to be Filed With County Auditor. A certified copy of this Resolution should be filed with the County Auditor of Linn County, State of Iowa, and said Auditor is hereby instructed in and for each of the years as provided, to levy and

assess the tax hereby authorized in Section 2 of this Resolution, in like manner as other taxes are levied and assessed, and such taxes so levied in and for each of the years aforesaid be collected in like manner as other taxes of the City are collected, and when collected be used for the purpose of paying principal and interest on said Bonds issued in anticipation of said tax, and for no other purpose whatsoever.

(c) Additional City Funds Available. Principal and interest coming due at any time when the proceeds of said tax on hand shall be insufficient to pay the same shall be promptly paid when due from current funds of the City available for that purpose and reimbursement shall be made from such special fund in the amounts thus advanced.

Section 3. Bond Fund. Said tax shall be collected each year at the same time and in the same manner as, and in addition to, all other taxes in and for the City, and when collected they shall be converted into a special fund within the Debt Service Fund to be known as the "GENERAL OBLIGATION BOND FUND 2014 NO. 1" (the "Bond Fund"), which is hereby pledged for and shall be used only for the payment of the principal of and interest on the Bonds hereinafter authorized to be issued; and also there shall be apportioned to said fund its proportion of taxes received by the City from property that is centrally assessed by the State of Iowa.

Section 4. Application of Bond Proceeds. Proceeds of the Bonds, other than accrued interest except as may be provided below, shall be credited to the Project Fund and expended therefrom for the purposes of issuance. Any amounts on hand in the Project Fund shall be available for the payment of the principal of or interest on the Bonds at any time that other funds shall be insufficient to the purpose, in which event such funds shall be repaid to the Project Fund at the earliest opportunity. Any balance on hand in the Project Fund and not immediately required for its purposes may be invested not inconsistent with limitations provided by law or this Resolution.

Proceeds invested shall mature before the date on which the moneys are required for payment of principal and interest on the Refunded Bonds. Accrued interest, if any, shall be deposited in the Bond Fund.

Section 5. Investments of Bond Fund Proceeds. All moneys held in the Bond Fund, provided for by Section 3 of this Resolution shall be invested in investments permitted by Chapter 12B, Code of Iowa, 2013, as amended, or deposited in financial institutions which are members of the Federal Deposit Insurance Corporation and the deposits in which are insured thereby and all such deposits exceeding the maximum amount insured from time to time by FDIC or its equivalent successor in any one financial institution shall be continuously secured in compliance with Chapter 12C of the Code of Iowa, 2013, as amended, or otherwise by a valid pledge of direct obligations of the United States Government having an equivalent market value. All such interim investments shall mature before the date on which the moneys are required for payment of principal of or interest on the Bonds as herein provided.

Section 6. Bond Details, Execution and Redemption.

(a) Bond Details. General Obligation Bonds of the City in the amount of \$4,280,000, shall be issued pursuant to the provisions of Sections 384.25, 384.26, and 384.28 of the Code of Iowa for the aforesaid purposes. The Bonds shall be designated "GENERAL OBLIGATION BOND, SERIES 2014A", be dated June 17, 2014, and bear interest from the date thereof, until payment thereof, at the office of the Paying Agent, said interest payable on December 1, 2014, and semiannually thereafter on the 1st day of June and December in each year until maturity at the rates hereinafter provided.

The Bonds shall be executed by the manual or facsimile signature of the Mayor and attested by the manual or facsimile signature of the Clerk, and impressed or printed with the seal of the City and shall be fully registered as to both principal and interest as provided in this Resolution; principal, interest and premium, if any, shall be payable at the office of the Paying Agent by mailing of a check to the registered owner of the Bond. The Bonds shall be in the denomination of \$5,000 or multiples thereof. The Bonds shall mature and bear interest as follows:

<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Maturity June 1st</u>
\$215,000	2.000%	2019
\$220,000	3.000%	2020
\$230,000	3.000%	2021
\$235,000	3.000%	2022
\$245,000	3.000%	2023
\$255,000	2.500%	2024
\$265,000	3.000%	2025
\$275,000	3.000%	2026
\$290,000	3.000%	2027
\$300,000	3.000%	2028
\$315,000	3.000%	2029
\$330,000	3.125%	2030
\$350,000	3.125%	2031
\$370,000	3.250%	2032
\$385,000	3.375%	2033

(b) Redemption.

(i) Optional Redemption. Bonds maturing after June 1, 2022, may be called for optional redemption by the Issuer on that date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Bond. Failure to give written notice to any registered owner of the Bonds or any defect therein shall not affect the validity of any proceedings for the redemption of the Bonds. All Bonds or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

Section 7. Issuance of Bonds in Book-Entry Form; Replacement Bonds.

(a) Notwithstanding the other provisions of this Resolution regarding registration, ownership, transfer, payment and exchange of the Bonds, unless the Issuer determines to permit the exchange of Depository Bonds for Bonds in Authorized Denominations, the Bonds shall be issued as Depository Bonds in denominations of the entire principal amount of each maturity of Bonds (or, if a portion of said principal amount is prepaid, said principal amount less the prepaid amount). The Bonds must be registered in the name of Cede & Co., as nominee for DTC. Payment of semiannual interest for any Bonds registered in the name of Cede & Co. will be made by wire transfer or New York Clearing House or equivalent next day funds to the account of Cede & Co. on the interest payment date for the Bonds at the address indicated or in the Representation Letter.

(b) The Bonds will be initially issued in the form of separate single authenticated fully registered bonds in the amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of the Bonds will be registered in the registry books of the Finance Director kept by the Paying Agent and Registrar in the name of Cede & Co., as nominee of DTC. The Paying Agent and Registrar and the Issuer may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal or redemption price of or interest on the Bonds, selecting the Bonds or portions to be redeemed, giving any notice permitted or required to be given to registered owners of Bonds under the Resolution of the Issuer, registering the transfer of Bonds, obtaining any consent or other action to be taken by registered owners of the Bonds and for other purposes. The Paying Agent, Registrar and the Issuer have no responsibility or obligation to any Participant or Beneficial Owner of the Bonds under or through DTC with respect to the accuracy of records maintained by DTC or any Participant; with respect to the payment by DTC or Participant of an amount of principal or redemption price of or interest on the Bonds; with respect to any notice given to owners of Bonds under the Resolution; with respect to the Participant(s) selected to receive payment in the event of a partial redemption of the Bonds, or a consent given or other action taken by DTC as registered owner of the Bonds. The Paying Agent and Registrar shall pay all principal of and premium, if any, and interest on the Bonds only to Cede & Co. in accordance

with the Representation Letter, and all payments are valid and effective to fully satisfy and discharge the Issuer's obligations with respect to the principal of and premium, if any, and interest on the Bonds to the extent of the sum paid. DTC must receive an authenticated Bond for each separate stated maturity evidencing the obligation of the Issuer to make payments of principal of and premium, if any, and interest. Upon delivery by DTC to the Paying Agent and Registrar of written notice that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to the new nominee in accordance with this Section.

(c) In the event the Issuer determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bonds certificates, the Issuer may notify DTC and the Paying Agent and Registrar, whereupon DTC will notify the Participants, of the availability through DTC of Bonds certificates. The Bonds will be transferable in accordance with this Section. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the Issuer and the Paying Agent and Registrar and discharging its responsibilities under applicable law. In this event, the Bonds will be transferable in accordance with this Section.

(d) Notwithstanding any other provision of the Resolution to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of and premium, if any, and interest on the Bond and all notices must be made and given, respectively to DTC as provided in the Representation letter.

(e) In connection with any notice or other communication to be provided to Bondholders by the Issuer or the Paying Agent and Registrar with respect to a consent or other action to be taken by Bondholders, the Issuer or the Paying Agent and Registrar, as the case may be, shall establish a record date for the consent or other action and give DTC notice of the record date not less than 15 calendar days in advance of the record date to the extent possible. Notice to DTC must be given only when DTC is the sole Bondholder.

(f) The Representation Letter is on file with DTC and sets forth certain matters with respect to, among other things, notices, consents and approvals by Bondholders and payments on the Bonds. The execution and delivery of the Representation Letter to DTC by the Issuer is ratified and confirmed.

(g) In the event that a transfer or exchange of the Bonds is permitted under this Section, the transfer or exchange may be accomplished upon receipt by the Registrar from the registered owners of the Bonds to be transferred or exchanged and appropriate instruments of transfer. In the event Bond certificates are issued to holders other than Cede & Co., its successor as nominee for DTC as holder of all the Bonds, or other securities depository as holder of all the Bonds, the provisions of the Resolution apply to, among other things, the printing of certificates and the method or payment of principal of and interest on the certificates. Any substitute depository shall be designated in writing by the Issuer to the Paying Agent. Any such substitute depository shall be a qualified and registered "clearing agency" as provided in Section 17A of the Securities Exchange Act of 1934, as amended. The substitute depository shall provide for (i) immobilization of the Depository Bonds, (ii) registration and transfer of interests in Depository Bonds by book entries made on records of the depository or its nominee and (iii) payment of

principal of, premium, if any, and interest on the Bonds in accordance with and as such interests may appear with respect to such book entries.

(h) The officers of the Issuer are authorized and directed to prepare and furnish to the purchaser, and to the attorneys approving the legality of Bonds, certified copies of proceedings, ordinances, resolutions and records and all certificates and affidavits and other instruments as may be required to evidence the legality and marketability of the Bonds, and all certified copies, certificates, affidavits and other instruments constitute representations of the Issuer as to the correctness of all stated or recited facts.

Section 8. Registration of Bonds; Appointment of Registrar; Transfer; Ownership; Delivery; and Cancellation.

(a) Registration. The ownership of Bonds may be transferred only by the making of an entry upon the books kept for the registration and transfer of ownership of the Bonds, and in no other way. The Finance Director is hereby appointed as Bond Registrar under the terms of this Resolution. Registrar shall maintain the books of the Issuer for the registration of ownership of the Bonds for the payment of principal of and interest on the Bonds as provided in this Resolution. All Bonds shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 384.31 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Bonds and in this Resolution.

(b) Transfer. The ownership of any Bond may be transferred only upon the Registration Books kept for the registration and transfer of Bonds and only upon surrender thereof at the office of the Registrar together with an assignment duly executed by the holder or his duly authorized attorney in fact in such form as shall be satisfactory to the Registrar, along with the address and social security number or federal employer identification number of such transferee (or, if registration is to be made in the name of multiple individuals, of all such transferees). In the event that the address of the registered owner of a Bond (other than a registered owner which is the nominee of the broker or dealer in question) is that of a broker or dealer, there must be disclosed on the Registration Books the information pertaining to the registered owner required above. Upon the transfer of any such Bond, a new fully registered Bond, of any denomination or denominations permitted by this Resolution in aggregate principal amount equal to the unmatured and unredeemed principal amount of such transferred fully registered Bond, and bearing interest at the same rate and maturing on the same date or dates shall be delivered by the Registrar.

(c) Registration of Transferred Bonds. In all cases of the transfer of the Bonds, the Registrar shall register, at the earliest practicable time, on the Registration Books, the Bonds, in accordance with the provisions of this Resolution.

(d) Ownership. As to any Bond, the person in whose name the ownership of the same shall be registered on the Registration Books of the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Bonds and the premium, if any, and interest thereon shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be

valid and effectual to satisfy and discharge the liability upon such Bond, including the interest thereon, to the extent of the sum or sums so paid.

(e) Cancellation. All Bonds which have been redeemed shall not be reissued but shall be cancelled by the Registrar. All Bonds which are cancelled by the Registrar shall be destroyed and a certificate of the destruction thereof shall be furnished promptly to the Issuer; provided that if the Issuer shall so direct, the Registrar shall forward the cancelled Bonds to the Issuer.

(f) Non-Presentation of Bonds. In the event any payment check representing payment of principal of or interest on the Bonds is returned to the Paying Agent or if any bond is not presented for payment of principal at the maturity or redemption date, if funds sufficient to pay such principal of or interest on Bonds shall have been made available to the Paying Agent for the benefit of the owner thereof, all liability of the Issuer to the owner thereof for such interest or payment of such Bonds shall forthwith cease, terminate and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the owner of such Bonds who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Resolution or on, or with respect to, such interest or Bonds. The Paying Agent's obligation to hold such funds shall continue for a period equal to two years and six months following the date on which such interest or principal became due, whether at maturity, or at the date fixed for redemption thereof, or otherwise, at which time the Paying Agent, shall surrender any remaining funds so held to the Issuer, whereupon any claim under this Resolution by the Owners of such interest or Bonds of whatever nature shall be made upon the Issuer.

(g) Registration and Transfer Fees. The Registrar may furnish to each owner, at the Issuer's expense, one bond for each annual maturity. The Registrar shall furnish additional bonds in lesser denominations (but not less than the minimum denomination) to an owner who so requests.

Section 9. Reissuance of Mutilated, Destroyed, Stolen or Lost Bonds. In case any outstanding Bond shall become mutilated or be destroyed, stolen or lost, the Issuer shall at the request of Registrar authenticate and deliver a new Bond of like tenor and amount as the Bond so mutilated, destroyed, stolen or lost, in exchange and substitution for such mutilated Bond to Registrar, upon surrender of such mutilated Bond, or in lieu of and substitution for the Bond destroyed, stolen or lost, upon filing with the Registrar evidence satisfactory to the Registrar and Issuer that such Bond has been destroyed, stolen or lost and proof of ownership thereof, and upon furnishing the Registrar and Issuer with satisfactory indemnity and complying with such other reasonable regulations as the Issuer or its agent may prescribe and paying such expenses as the Issuer may incur in connection therewith.

Section 10. Record Date. Payments of principal and interest, otherwise than upon full redemption, made in respect of any Bond, shall be made to the registered holder thereof or to their designated agent as the same appear on the books of the Registrar on the 15th day of the month preceding the payment date. All such payments shall fully discharge the obligations of

the Issuer in respect of such Bonds to the extent of the payments so made. Payment of principal shall only be made upon surrender of the Bond to the Paying Agent.

Section 11. Execution, Authentication and Delivery of the Bonds. Upon the adoption of this Resolution, the Mayor and Clerk shall execute and deliver the Bonds to the Registrar, who shall authenticate the Bonds and deliver the same to or upon order of the Purchaser. No Bond shall be valid or obligatory for any purpose or shall be entitled to any right or benefit hereunder unless the Registrar shall duly endorse and execute on such Bond a Certificate of Authentication substantially in the form of the Certificate herein set forth. Such Certificate upon any Bond executed on behalf of the Issuer shall be conclusive evidence that the Bond so authenticated has been duly issued under this Resolution and that the holder thereof is entitled to the benefits of this Resolution.

Section 12. Right to Name Substitute Paying Agent or Registrar. Issuer reserves the right to name a substitute, successor Registrar or Paying Agent upon giving prompt written notice to each registered bondholder.

Section 13. Form of Bond. Bonds shall be printed substantially in the form as follows:

Item 1, figure 1= "STATE OF IOWA"
"COUNTY OF LINN"
"CITY OF CEDAR RAPIDS"
"GENERAL OBLIGATION BOND"
"SERIES 2014A"
"CORPORATE PURPOSE"

Item 2, figure 1= Rate: _____
Item 3, figure 1= Maturity: _____
Item 4, figure 1= Bond Date: June 17, 2014
Item 5, figure 1= CUSIP No.: _____
Item 6, figure 1= "Registered"
Item 7, figure 1= Certificate No. _____
Item 8, figure 1= Principal Amount: \$ _____

Item 9, figure 1= The City of Cedar Rapids, State of Iowa, a municipal corporation organized and existing under and by virtue of the Constitution and laws of the State of Iowa (the "Issuer"), for value received, promises to pay from the source and as hereinafter provided, on the maturity date indicated above, to

Item 9A, figure 1 = (Registration panel to be completed by Registrar or Printer with name of Registered Owner).

Item 10, figure 1 = or registered assigns, the principal sum of (enter principal amount in long form) THOUSAND DOLLARS in lawful money of the United States of America, on the maturity date shown above, only upon presentation and surrender hereof at the office of the Finance Director, Paying Agent of this issue, or its successor, with interest on the sum from the date hereof until paid at the rate per annum specified above, payable on December 1, 2014, and semiannually thereafter on the 1st day of June and December in each year.

Interest and principal shall be paid to the registered holder of the Bond as shown on the records of ownership maintained by the Registrar as of the 15th day of the month preceding such interest payment date. Interest shall be computed on the basis of a 360-day year of twelve 30-day months.

This Bond is issued pursuant to the provisions of Sections 384.25, 384.26, and 384.28 of the Code of Iowa, for the purpose of paying 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; 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; and 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, in conformity to a Resolution of the Council of said City duly passed and approved.

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a limited purpose trust company ("DTC"), to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other Issuer as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Bonds maturing after June 1, 2022, may be called for optional redemption by the Issuer and paid before maturity on said date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Bond. Failure to give written notice to any registered owner of the Bonds or any defect therein shall not affect the validity of any proceedings for the redemption of the Bonds. All bonds or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

Ownership of this Bond may be transferred only by transfer upon the books kept for such purpose by the Finance Director, the Registrar. Such transfer on the books shall occur only upon

presentation and surrender of this Bond at the office of the Registrar as designated below, together with an assignment duly executed by the owner hereof or his duly authorized attorney in the form as shall be satisfactory to the Registrar. Issuer reserves the right to substitute the Registrar and Paying Agent but shall, however, promptly give notice to registered bondholders of such change. All bonds shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 384.31 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Bond Resolution.

And it is hereby represented and certified that all acts, conditions and things requisite, according to the laws and Constitution of the State of Iowa, to exist, to be had, to be done, or to be performed precedent to the lawful issue of this Bond, have been existent, had, done and performed as required by law; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the territory of the Issuer for the payment of the principal and interest of this Bond as the same will respectively become due; that the faith, credit, revenues and resources and all the real and personal property of the Issuer are irrevocably pledged for the prompt payment hereof, both principal and interest; and the total indebtedness of the Issuer including this Bond, does not exceed the constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the Issuer by its Council, has caused this Bond to be signed by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its City Clerk, with the seal of the City printed or impressed hereon, and to be authenticated by the manual signature of an authorized representative of the Registrar, the Finance Director, Cedar Rapids, Iowa.

- Item 11, figure 1 = Date of authentication:
- Item 12, figure 1 = This is one of the Bonds described in the within mentioned Resolution, as registered by the Finance Director.

FINANCE DIRECTOR, Registrar

By: _____
Authorized Signature

- Item 13, figure 1 = Registrar and Transfer Agent: Finance Director
- Paying Agent: Finance Director

SEE REVERSE FOR CERTAIN DEFINITIONS

- Item 14, figure 1 = (Seal)
- Item 15, figure 1 = (Signature Block)

CITY OF CEDAR RAPIDS, STATE OF IOWA

By: _____ (manual or facsimile signature)

Mayor

ATTEST:

By: _____ (manual or facsimile signature)
City Clerk

Item 16, figure 1 = (Assignment Block)
(Information Required for Registration)

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ (Social Security or Tax Identification No. _____) the within Bond and does hereby irrevocably constitute and appoint _____ attorney in fact to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

(Person(s) executing this Assignment sign(s) here)

SIGNATURE)
GUARANTEED) _____

IMPORTANT - READ CAREFULLY

The signature(s) to this Power must correspond with the name(s) as written upon the face of the certificate(s) or bond(s) in every particular without alteration or enlargement or any change whatever. Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signature to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.

INFORMATION REQUIRED FOR REGISTRATION OF TRANSFER

Name of Transferee(s) _____
 Address of Transferee(s) _____
 Social Security or Tax Identification _____
 Number of Transferee(s) _____
 Transferee is a(n):
 Individual* _____ Corporation _____
 Partnership _____ Trust _____

*If the Bond is to be registered in the names of multiple individual owners, the names of all such owners and one address and social security number must be provided.

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though written out in full according to applicable laws or regulations:

- TEN COM - as tenants in common
- TEN ENT - as tenants by the entireties
- JT TEN - as joint tenants with rights of survivorship and not as tenants in common
- IA UNIF TRANS MIN ACT - Custodian
 (Cust) (Minor)
 Under Iowa Uniform Transfers to Minors Act.....
 (State)

ADDITIONAL ABBREVIATIONS MAY ALSO BE USED THOUGH NOT IN THE ABOVE LIST

Section 14. Contract Between Issuer and Purchaser. This Resolution constitutes a contract between said City and the purchaser of the Bonds.

Section 15. Non-Arbitrage Covenants. The Issuer reasonably expects and covenants that no use will be made of the proceeds from the issuance and sale of the Bonds issued hereunder which will cause any of the Bonds to be classified as arbitrage bonds within the meaning of Sections 148(a) and (b) of the Internal Revenue Code of the United States, as amended, and that throughout the term of the Bonds it will comply with the requirements of statutes and regulations issued thereunder.

To the best knowledge and belief of the Issuer, there are no facts or circumstances that would materially change the foregoing statements or the conclusion that it is not expected that the proceeds of the Bonds will be used in a manner that would cause the Bonds to be arbitrage bonds.

Section 16. Approval of Tax Exemption Certificate. Attached hereto is a form of Tax Exemption Certificate stating the Issuer's reasonable expectations as to the use of the proceeds of the Bonds. The form of Tax Exemption Certificate is approved. The Issuer hereby agrees to

comply with the provisions of the Tax Exemption Certificate and the provisions of the Tax Exemption Certificate are hereby incorporated by reference as part of this Resolution. The City Treasurer is hereby directed to make and insert all calculations and determinations necessary to complete the Tax Exemption Certificate at issuance of the Bonds to certify as to the reasonable expectations and covenants of the Issuer at that date.

Section 17. Continuing Disclosure. The Issuer hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, and the provisions of the Continuing Disclosure Certificate are hereby incorporated by reference as part of this Resolution and made a part hereof. Notwithstanding any other provision of this Resolution, failure of the Issuer to comply with the Continuing Disclosure Certificate shall not be considered an event of default under this Resolution; however, any holder of the Bonds or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Issuer to comply with its obligations under the Continuing Disclosure Certificate. For purposes of this section, "Beneficial Owner" means any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bond (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

Section 18. Discharge and Satisfaction of Bonds. The covenants, liens and pledges entered into, created or imposed pursuant to this Resolution may be fully discharged and satisfied with respect to the Bonds, or any of them, in any one or more of the following ways:

- (a) By paying the Bonds when the same shall become due and payable; and
- (b) By depositing in trust with the Registrar, or with a corporate trustee designated by the Council, for the payment of said obligations and irrevocably appropriated exclusively to that purpose an amount in cash or direct obligations of the United States, the maturities and income of which shall be sufficient to retire at maturity, or by redemption prior to maturity on a designated date upon which said obligations may be redeemed, such obligations together with the interest thereon to maturity or to the designated redemption date, premiums thereon, if any, that may be payable on the redemption of the same; provided that proper notice of redemption of all such obligations to be redeemed shall have been previously published or given, or provisions shall have been made therefor.

Upon such payment or deposit of money or securities, or both, in the amount and manner provided by this Section, all liability of the Issuer with respect to such Bonds shall cease, determine and be completely discharged, and the holders thereof shall be entitled only to payment out of the money or securities so deposited.

Section 19. Additional Covenants, Representations and Warranties of the Issuer. The Issuer certifies and covenants with the purchasers and holders of the Bonds from time to time outstanding that the Issuer through its officers, (a) will make such further specific covenants, representations and assurances as may be necessary or advisable; (b) comply with all

representations, covenants and assurances contained in the Tax Exemption Certificate, which Tax Exemption Certificate shall constitute a part of the contract between the Issuer and the owners of the Bonds;(c) consult with Bond Counsel (as defined in the Tax Exemption Certificate); (d) pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Bonds;(e) file such forms, statements and supporting documents as may be required and in a timely manner; and (f) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the Issuer in such compliance.

Section 20. Amendment of Resolution to Maintain Tax Exemption. This Resolution may be amended without the consent of any owner of the Bonds if, in the opinion of Bond Counsel, such amendment is necessary to maintain tax exemption with respect to the Bonds under applicable Federal law or regulations.

Section 21. Repeal of Conflicting Resolutions or Ordinances. That all ordinances and resolutions and parts of ordinances and resolutions in conflict herewith are hereby repealed.

Section 22. Severability Clause. If any section, paragraph, clause or provision of this Resolution be held invalid, such invalidity shall not affect any of the remaining provisions hereof, and this Resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this 27th day of May, 2014.

Ron Corbett, Mayor

ATTEST:

Amy Stevenson, City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF LINN)

I, the undersigned City Clerk of the City of Cedar Rapids, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of the City showing proceedings of the City Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of public hearing and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council (a copy of the face sheet of the agenda being attached hereto) pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the City hereto affixed this _____ day of _____, 2014.

Amy Stevenson, City Clerk, City of
Cedar Rapids, State of Iowa

(SEAL)

May 27, 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 _____ o'clock _____.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 AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$10,475,000 TAXABLE GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2014B, AND LEVYING A TAX TO PAY SAID BONDS, APPROVAL OF THE CONTINUING DISCLOSURE CERTIFICATE." 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 said Resolution duly adopted as follows:

RESOLUTION AUTHORIZING AND PROVIDING FOR THE
ISSUANCE OF \$10,475,000 TAXABLE GENERAL
OBLIGATION URBAN RENEWAL BONDS, SERIES 2014B,
AND LEVYING A TAX TO PAY SAID BONDS; APPROVAL
OF THE CONTINUING DISCLOSURE CERTIFICATE,

WHEREAS, the Issuer is duly incorporated, organized and exists under and by virtue of the laws and Constitution of the State of Iowa; and

WHEREAS, the Issuer 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, essential corporate purpose project(s), and it is deemed necessary and advisable that the City issue Taxable General Obligation Urban Renewal Bonds, for such purpose(s) to the amount of not to exceed \$6,080,000 as authorized by Section 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 upon the proposal to institute proceedings for the issuance of said 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 said Bonds for such purpose(s), and that such action is considered to be in the best interests of the City and the residents thereof; and

WHEREAS, the Issuer 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, essential corporate purpose project(s), and it is deemed necessary and advisable that the City issue Taxable General Obligation Urban Renewal Bonds, for such purpose(s) to the amount of not to exceed \$6,000,000 as authorized by Section 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 upon the proposal to institute proceedings for the issuance of said 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 said Bonds for such purpose(s), and that such action is considered to be in the best interests of the City and the residents thereof; and

WHEREAS, pursuant to the provisions of Chapter 75 of the Code of Iowa, the above mentioned bonds were heretofore sold at public sale and action should now be taken to issue said bonds conforming to the terms and conditions of the best bid received at the advertised public sale:

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

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by necessary implication requires otherwise:

- "Authorized Denominations" shall mean \$5,000 or any integral multiple thereof.
- "Beneficial Owner" shall mean, whenever used with respect to a Bond, the person in whose name such Bond is recorded as the beneficial owner of such Bond by a Participant on the records of such Participant or such person's subrogee.
- "Blanket Issuer Letter of Representations" shall mean the Representation Letter from the Issuer to DTC, with respect to the Bonds.
- "Bond Fund" shall mean the fund created in Section 3 of this Resolution.
- "Bonds" shall mean \$10,475,000 Taxable General Obligation Urban Renewal Bonds, Series 2014B, authorized to be issued by this Resolution.
- "Cede & Co." shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.

- "Continuing Disclosure Certificate" shall mean that certain Continuing Disclosure Certificate approved under the terms of this Resolution and to be executed by the Issuer and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.
- "Depository Bonds " shall mean the Bonds as issued in the form of one global certificate for each maturity, registered in the Registration Books maintained by the Registrar in the name of DTC or its nominee.
- "DTC" shall mean The Depository Trust Company, New York, New York, which will act as security depository for the Bond pursuant to the Representation Letter.
- "Issuer" and "City" shall mean the City of Cedar Rapids, State of Iowa.
- "Participants" shall mean those broker-dealers, banks and other financial institutions for which DTC holds Bonds as securities depository.
- "Paying Agent" shall mean the Finance Director, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein as Issuer's agent to provide for the payment of principal of and interest on the Bonds as the same shall become due.
- "Project Fund" shall mean the fund required to be established by this Resolution for the deposit of the proceeds of the Bonds.
- "Registrar" shall mean the Finance Director of Cedar Rapids, Iowa, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein with respect to maintaining a register of the owners of the Bonds. Unless otherwise specified, the Registrar shall also act as Transfer Agent for the Bonds.
- "Resolution" shall mean this resolution authorizing the Bonds.
- "Treasurer" shall mean the City Treasurer or such other officer as shall succeed to the same duties and responsibilities with respect to the recording and payment of the Bonds issued hereunder.

Section 2. Levy and Certification of Annual Tax; Other Funds to be Used.

(a) Levy of Annual Tax. That for the purpose of providing funds to pay the principal and interest of the Bonds hereinafter authorized to be issued, there is hereby levied for each future year the following direct annual tax on all of the taxable property in Cedar Rapids, Iowa, Iowa, to-wit:

AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30) YEAR OF COLLECTION
\$302,355.70*	2014/2015
\$506,418.76	2015/2016
\$884,518.76	2016/2017
\$888,118.76	2017/2018
\$891,418.76	2018/2019
\$914,418.76	2019/2020
\$921,718.76	2020/2021
\$926,162.50	2021/2022
\$944,287.50	2022/2023
\$949,762.50	2023/2024
\$962,712.50	2024/2025
\$963,650.00	2025/2026
\$970,825.00	2026/2027
\$820,737.50	2027/2028
\$387,337.50	2028/2029
\$390,137.50	2029/2030
\$387,337.50	2030/2031
\$388,725.00	2031/2032
\$384,493.76	2032/2033
\$374,850.00	2033/2034

* Payable from the Capitalized Interest Fund, or available cash on hand.

(NOTE: For example the levy to be made and certified against the taxable valuations of January 1, 2013 will be collected during the fiscal year commencing July 1, 2014.)

(b) Resolution to be Filed With County Auditor. A certified copy of this Resolution should be filed with the County Auditor of Linn County, State of Iowa, and said Auditor is hereby instructed in and for each of the years as provided, to levy and assess the tax hereby authorized in Section 2 of this Resolution, in like manner as other taxes are levied and assessed, and such taxes so levied in and for each of the years aforesaid be collected in like manner as other taxes of the City are collected, and when collected be used for the purpose of paying principal and interest on said Bonds issued in anticipation of said tax, and for no other purpose whatsoever.

(c) Additional City Funds Available. Principal and interest coming due at any time when the proceeds of said tax on hand shall be insufficient to pay the same shall be promptly paid when due from current funds of the City available for that purpose and reimbursement shall be made from such special fund in the amounts thus advanced.

Section 3. Bond Fund. Said tax shall be collected each year at the same time and in the same manner as, and in addition to, all other taxes in and for the City, and when collected they shall be converted into a special fund within the Debt Service Fund to be known as the

"TAXABLE GENERAL OBLIGATION BOND FUND 2014 NO. 2" (the "Bond Fund"), which is hereby pledged for and shall be used only for the payment of the principal of and interest on the Bonds hereinafter authorized to be issued; and also there shall be apportioned to said fund its proportion of taxes received by the City from property that is centrally assessed by the State of Iowa.

Section 4. Application of Bond Proceeds. Proceeds of the Bonds, other than accrued interest except as may be provided below, shall be credited to the Project Fund and expended therefrom for the purposes of issuance. Any amounts on hand in the Project Fund shall be available for the payment of the principal of or interest on the Bonds at any time that other funds shall be insufficient to the purpose, in which event such funds shall be repaid to the Project Fund at the earliest opportunity. Any balance on hand in the Project Fund and not immediately required for its purposes may be invested not inconsistent with limitations provided by law or this Resolution.

Proceeds invested shall mature before the date on which the moneys are required for payment of principal and interest on the Refunded Bonds. Accrued interest, if any, shall be deposited in the Bond Fund.

Section 5. Investments of Bond Fund Proceeds. All moneys held in the Bond Fund, provided for by Section 3 of this Resolution shall be invested in investments permitted by Chapter 12B, Code of Iowa, 2013, as amended, or deposited in financial institutions which are members of the Federal Deposit Insurance Corporation and the deposits in which are insured thereby and all such deposits exceeding the maximum amount insured from time to time by FDIC or its equivalent successor in any one financial institution shall be continuously secured in compliance with Chapter 12C of the Code of Iowa, 2013, as amended, or otherwise by a valid pledge of direct obligations of the United States Government having an equivalent market value. All such interim investments shall mature before the date on which the moneys are required for payment of principal of or interest on the Bonds as herein provided.

Section 6. Bond Details, Execution and Redemption.

(a) Bond Details. Taxable General Obligation Urban Renewal Bonds of the City in the amount of \$10,475,000, shall be issued pursuant to the provisions of Section 403.12 of the Code of Iowa for the aforesaid purposes. The Bonds shall be designated "TAXABLE GENERAL OBLIGATION URBAN RENEWAL BOND, SERIES 2014B", be dated June 17, 2014, and bear interest from the date thereof, until payment thereof, at the office of the Paying Agent, said interest payable on December 1, 2014, and semiannually thereafter on the 1st day of June and December in each year until maturity at the rates hereinafter provided.

The Bonds shall be executed by the manual or facsimile signature of the Mayor and attested by the manual or facsimile signature of the Clerk, and impressed or printed with the seal of the City and shall be fully registered as to both principal and interest as provided in this Resolution; principal, interest and premium, if any, shall be payable at the office of the Paying Agent by mailing of a check to the registered owner of the Bond. The Bonds shall be in the

denomination of \$5,000 or multiples thereof. The Bonds shall mature and bear interest as follows:

Principal Amount	Interest Rate	Maturity June 1 st
\$ 190,000	1.000%	2016
\$ 570,000	2.000%	2017
\$ 585,000	2.000%	2018
\$ 600,000	2.000%	2019
\$ 635,000	2.000%	2020
\$ 655,000	2.375%	2021
\$ 675,000	2.500%	2022
\$ 710,000	2.750%	2023
\$ 735,000	3.000%	2024
\$ 770,000	3.125%	2025
\$ 795,000	3.500%	2026
\$ 830,000	3.625%	2027
\$1,335,000	4.000%	2030*
\$1,390,000	4.125%	2034*

*Term Bonds

(b) Redemption.

(i) Optional Redemption. Bonds maturing after June 1, 2022, may be called for optional redemption by the Issuer on that date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Bond. Failure to give written notice to any registered owner of the Bonds or any defect therein shall not affect the validity of any proceedings for the redemption of the Bonds. All Bonds or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

(ii) Mandatory Payment and Redemption of Term Bonds. All Term Bonds are subject to mandatory redemption prior to maturity at a price equal to 100% of the portion of the principal amount thereof to be redeemed plus accrued interest at the redemption date on June 1st of each of the years in the principal amount set opposite each year in the following schedule:

Term Bond 2030

Principal Amount	Interest Rate	Maturity June 1 st
\$710,000	4.000%	2028
\$305,000	4.000%	2029
\$320,000	4.000%	2030*

*Final Maturity

Term Bond 2034

Principal Amount	Interest Rate	Maturity June 1 st
\$330,000	4.125%	2031
\$345,000	4.125%	2032
\$355,000	4.125%	2033
\$360,000	4.125%	2034*

*Final Maturity

The principal amount of Term Bonds may be reduced through the earlier optional redemption, with any partial optional redemption of the Term Bonds credited against future mandatory redemption requirements for such Term Bonds in such order as the City shall determine.

Section 7. Issuance of Bonds in Book-Entry Form; Replacement Bonds.

(a) Notwithstanding the other provisions of this Resolution regarding registration, ownership, transfer, payment and exchange of the Bonds, unless the Issuer determines to permit the exchange of Depository Bonds for Bonds in Authorized Denominations, the Bonds shall be issued as Depository Bonds in denominations of the entire principal amount of each maturity of Bonds (or, if a portion of said principal amount is prepaid, said principal amount less the prepaid amount). The Bonds must be registered in the name of Cede & Co., as nominee for DTC. Payment of semiannual interest for any Bonds registered in the name of Cede & Co. will be made by wire transfer or New York Clearing House or equivalent next day funds to the account

of Cede & Co. on the interest payment date for the Bonds at the address indicated or in the Representation Letter.

(b) The Bonds will be initially issued in the form of separate single authenticated fully registered bonds in the amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of the Bonds will be registered in the registry books of the Finance Director kept by the Paying Agent and Registrar in the name of Cede & Co., as nominee of DTC. The Paying Agent and Registrar and the Issuer may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal or redemption price of or interest on the Bonds, selecting the Bonds or portions to be redeemed, giving any notice permitted or required to be given to registered owners of Bonds under the Resolution of the Issuer, registering the transfer of Bonds, obtaining any consent or other action to be taken by registered owners of the Bonds and for other purposes. The Paying Agent, Registrar and the Issuer have no responsibility or obligation to any Participant or Beneficial Owner of the Bonds under or through DTC with respect to the accuracy of records maintained by DTC or any Participant; with respect to the payment by DTC or Participant of an amount of principal or redemption price of or interest on the Bonds; with respect to any notice given to owners of Bonds under the Resolution; with respect to the Participant(s) selected to receive payment in the event of a partial redemption of the Bonds, or a consent given or other action taken by DTC as registered owner of the Bonds. The Paying Agent and Registrar shall pay all principal of and premium, if any, and interest on the Bonds only to Cede & Co. in accordance with the Representation Letter, and all payments are valid and effective to fully satisfy and discharge the Issuer's obligations with respect to the principal of and premium, if any, and interest on the Bonds to the extent of the sum paid. DTC must receive an authenticated Bond for each separate stated maturity evidencing the obligation of the Issuer to make payments of principal of and premium, if any, and interest. Upon delivery by DTC to the Paying Agent and Registrar of written notice that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to the new nominee in accordance with this Section.

(c) In the event the Issuer determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bonds certificates, the Issuer may notify DTC and the Paying Agent and Registrar, whereupon DTC will notify the Participants, of the availability through DTC of Bonds certificates. The Bonds will be transferable in accordance with this Section. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the Issuer and the Paying Agent and Registrar and discharging its responsibilities under applicable law. In this event, the Bonds will be transferable in accordance with this Section.

(d) Notwithstanding any other provision of the Resolution to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of and premium, if any, and interest on the Bond and all notices must be made and given, respectively to DTC as provided in the Representation letter.

(e) In connection with any notice or other communication to be provided to Bondholders by the Issuer or the Paying Agent and Registrar with respect to a consent or other action to be taken by Bondholders, the Issuer or the Paying Agent and Registrar, as the case may

be, shall establish a record date for the consent or other action and give DTC notice of the record date not less than 15 calendar days in advance of the record date to the extent possible. Notice to DTC must be given only when DTC is the sole Bondholder.

(f) The Representation Letter is on file with DTC and sets forth certain matters with respect to, among other things, notices, consents and approvals by Bondholders and payments on the Bonds. The execution and delivery of the Representation Letter to DTC by the Issuer is ratified and confirmed.

(g) In the event that a transfer or exchange of the Bonds is permitted under this Section, the transfer or exchange may be accomplished upon receipt by the Registrar from the registered owners of the Bonds to be transferred or exchanged and appropriate instruments of transfer. In the event Bond certificates are issued to holders other than Cede & Co., its successor as nominee for DTC as holder of all the Bonds, or other securities depository as holder of all the Bonds, the provisions of the Resolution apply to, among other things, the printing of certificates and the method or payment of principal of and interest on the certificates. Any substitute depository shall be designated in writing by the Issuer to the Paying Agent. Any such substitute depository shall be a qualified and registered "clearing agency" as provided in Section 17A of the Securities Exchange Act of 1934, as amended. The substitute depository shall provide for (i) immobilization of the Depository Bonds, (ii) registration and transfer of interests in Depository Bonds by book entries made on records of the depository or its nominee and (iii) payment of principal of, premium, if any, and interest on the Bonds in accordance with and as such interests may appear with respect to such book entries.

(h) The officers of the Issuer are authorized and directed to prepare and furnish to the purchaser, and to the attorneys approving the legality of Bonds, certified copies of proceedings, ordinances, resolutions and records and all certificates and affidavits and other instruments as may be required to evidence the legality and marketability of the Bonds, and all certified copies, certificates, affidavits and other instruments constitute representations of the Issuer as to the correctness of all stated or recited facts.

Section 8. Registration of Bonds; Appointment of Registrar; Transfer; Ownership; Delivery; and Cancellation.

(a) Registration. The ownership of Bonds may be transferred only by the making of an entry upon the books kept for the registration and transfer of ownership of the Bonds, and in no other way. The Finance Director is hereby appointed as Bond Registrar under the terms of this Resolution. Registrar shall maintain the books of the Issuer for the registration of ownership of the Bonds for the payment of principal of and interest on the Bonds as provided in this Resolution. All Bonds shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 384.31 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Bonds and in this Resolution.

(b) Transfer. The ownership of any Bond may be transferred only upon the Registration Books kept for the registration and transfer of Bonds and only upon surrender thereof at the office of the Registrar together with an assignment duly executed by the holder or

his duly authorized attorney in fact in such form as shall be satisfactory to the Registrar, along with the address and social security number or federal employer identification number of such transferee (or, if registration is to be made in the name of multiple individuals, of all such transferees). In the event that the address of the registered owner of a Bond (other than a registered owner which is the nominee of the broker or dealer in question) is that of a broker or dealer, there must be disclosed on the Registration Books the information pertaining to the registered owner required above. Upon the transfer of any such Bond, a new fully registered Bond, of any denomination or denominations permitted by this Resolution in aggregate principal amount equal to the unmatured and unredeemed principal amount of such transferred fully registered Bond, and bearing interest at the same rate and maturing on the same date or dates shall be delivered by the Registrar.

(c) Registration of Transferred Bonds. In all cases of the transfer of the Bonds, the Registrar shall register, at the earliest practicable time, on the Registration Books, the Bonds, in accordance with the provisions of this Resolution.

(d) Ownership. As to any Bond, the person in whose name the ownership of the same shall be registered on the Registration Books of the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Bonds and the premium, if any, and interest thereon shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including the interest thereon, to the extent of the sum or sums so paid.

(e) Cancellation. All Bonds which have been redeemed shall not be reissued but shall be cancelled by the Registrar. All Bonds which are cancelled by the Registrar shall be destroyed and a certificate of the destruction thereof shall be furnished promptly to the Issuer; provided that if the Issuer shall so direct, the Registrar shall forward the cancelled Bonds to the Issuer.

(f) Non-Presentation of Bonds. In the event any payment check representing payment of principal of or interest on the Bonds is returned to the Paying Agent or if any bond is not presented for payment of principal at the maturity or redemption date, if funds sufficient to pay such principal of or interest on Bonds shall have been made available to the Paying Agent for the benefit of the owner thereof, all liability of the Issuer to the owner thereof for such interest or payment of such Bonds shall forthwith cease, terminate and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the owner of such Bonds who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Resolution or on, or with respect to, such interest or Bonds. The Paying Agent's obligation to hold such funds shall continue for a period equal to two years and six months following the date on which such interest or principal became due, whether at maturity, or at the date fixed for redemption thereof, or otherwise, at which time the Paying Agent, shall surrender any remaining funds so held to the Issuer, whereupon any claim under this Resolution by the Owners of such interest or Bonds of whatever nature shall be made upon the Issuer.

(g) Registration and Transfer Fees. The Registrar may furnish to each owner, at the Issuer's expense, one bond for each annual maturity. The Registrar shall furnish additional bonds in lesser denominations (but not less than the minimum denomination) to an owner who so requests.

Section 9. Reissuance of Mutilated, Destroyed, Stolen or Lost Bonds. In case any outstanding Bond shall become mutilated or be destroyed, stolen or lost, the Issuer shall at the request of Registrar authenticate and deliver a new Bond of like tenor and amount as the Bond so mutilated, destroyed, stolen or lost, in exchange and substitution for such mutilated Bond to Registrar, upon surrender of such mutilated Bond, or in lieu of and substitution for the Bond destroyed, stolen or lost, upon filing with the Registrar evidence satisfactory to the Registrar and Issuer that such Bond has been destroyed, stolen or lost and proof of ownership thereof, and upon furnishing the Registrar and Issuer with satisfactory indemnity and complying with such other reasonable regulations as the Issuer or its agent may prescribe and paying such expenses as the Issuer may incur in connection therewith.

Section 10. Record Date. Payments of principal and interest, otherwise than upon full redemption, made in respect of any Bond, shall be made to the registered holder thereof or to their designated agent as the same appear on the books of the Registrar on the 15th day of the month preceding the payment date. All such payments shall fully discharge the obligations of the Issuer in respect of such Bonds to the extent of the payments so made. Payment of principal shall only be made upon surrender of the Bond to the Paying Agent.

Section 11. Execution, Authentication and Delivery of the Bonds. Upon the adoption of this Resolution, the Mayor and Clerk shall execute and deliver the Bonds to the Registrar, who shall authenticate the Bonds and deliver the same to or upon order of the Purchaser. No Bond shall be valid or obligatory for any purpose or shall be entitled to any right or benefit hereunder unless the Registrar shall duly endorse and execute on such Bond a Certificate of Authentication substantially in the form of the Certificate herein set forth. Such Certificate upon any Bond executed on behalf of the Issuer shall be conclusive evidence that the Bond so authenticated has been duly issued under this Resolution and that the holder thereof is entitled to the benefits of this Resolution.

Section 12. Right to Name Substitute Paying Agent or Registrar. Issuer reserves the right to name a substitute, successor Registrar or Paying Agent upon giving prompt written notice to each registered bondholder.

Section 13. Form of Bond. Bonds shall be printed substantially in the form as follows:

Item 1, figure 1= "STATE OF IOWA"
"COUNTY OF LINN"
"CITY OF CEDAR RAPIDS"
"TAXABLE GENERAL OBLIGATION URBAN RENEWAL
BOND"
"SERIES 2014B"
"ESSENTIAL CORPORATE URBAN RENEWAL PURPOSE"

Item 2, figure 1= Rate: _____
Item 3, figure 1= Maturity: _____
Item 4, figure 1= Bond Date: June 17, 2014
Item 5, figure 1= CUSIP No.: _____
Item 6, figure 1= "Registered"
Item 7, figure 1= Certificate No. _____
Item 8, figure 1= Principal Amount: \$_____

Item 9, figure 1= The City of Cedar Rapids, State of Iowa, a municipal corporation organized and existing under and by virtue of the Constitution and laws of the State of Iowa (the "Issuer"), for value received, promises to pay from the source and as hereinafter provided, on the maturity date indicated above, to

Item 9A, figure 1 = (Registration panel to be completed by Registrar or Printer with name of Registered Owner).

Item 10, figure 1 = or registered assigns, the principal sum of (enter principal amount in long form) THOUSAND DOLLARS in lawful money of the United States of America, on the maturity date shown above, only upon presentation and surrender hereof at the office of the Finance Director, Paying Agent of this issue, or its successor, with interest on the sum from the date hereof until paid at the rate per annum specified above, payable on December 1, 2014, and semiannually thereafter on the 1st day of June and December in each year.

Interest and principal shall be paid to the registered holder of the Bond as shown on the records of ownership maintained by the Registrar as of the 15th day of the month preceding such interest payment date. Interest shall be computed on the basis of a 360-day year of twelve 30-day months.

**THE HOLDERS OF THE BONDS SHOULD TREAT THE INTEREST AS
SUBJECT TO FEDERAL INCOME TAXATION.**

This Bond is issued pursuant to the provisions of Sections 384.25 and 403.12 of the Code of Iowa, for the purpose of paying 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; and the 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, in conformity to a Resolution of the Council of said City duly passed and approved.

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a limited purpose trust company ("DTC"), to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other Issuer as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Bonds maturing after June 1, 2022, may be called for optional redemption by the Issuer and paid before maturity on said date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Bond. Failure to give written notice to any registered owner of the Bonds or any defect therein shall not affect the validity of any proceedings for the redemption of the Bonds. All bonds or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

The Bonds maturing on June 1, 2030 and 2034, respectively, are subject to mandatory redemption prior to maturity by application of money on deposit in the Bond Fund and shall bear interest at 4.000% and 4.125%, respectively, per annum at a price of the portion of the principal amount thereof to be redeemed plus accrued interest at the redemption date on June 1st of each of the years in the principal amount set opposite each year in the following schedule:

Term Bond 2030

Principal Amount	Interest Rate	Maturity June 1 st
\$710,000	4.000%	2028
\$305,000	4.000%	2029
\$320,000	4.000%	2030*

*Final Maturity

Term Bond 2034

Principal Amount	Interest Rate	Maturity June 1 st
\$330,000	4.125%	2031
\$345,000	4.125%	2032
\$355,000	4.125%	2033
\$360,000	4.125%	2034*

*Final Maturity

The principal amount of Term Bonds may be reduced through the earlier optional redemption, with any partial optional redemption of the Term Bonds credited against future mandatory redemption requirements for such Term Bonds in such order as the City shall determine.

Ownership of this Bond may be transferred only by transfer upon the books kept for such purpose by the Finance Director, the Registrar. Such transfer on the books shall occur only upon presentation and surrender of this Bond at the office of the Registrar as designated below, together with an assignment duly executed by the owner hereof or his duly authorized attorney in the form as shall be satisfactory to the Registrar. Issuer reserves the right to substitute the Registrar and Paying Agent but shall, however, promptly give notice to registered bondholders of such change. All bonds shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 384.31 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Bond Resolution.

And it is hereby represented and certified that all acts, conditions and things requisite, according to the laws and Constitution of the State of Iowa, to exist, to be had, to be done, or to be performed precedent to the lawful issue of this Bond, have been existent, had, done and performed as required by law; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the territory of the Issuer for the payment of the principal and interest of this Bond as the same will respectively become due; that the faith, credit, revenues and resources and all the real and personal property of the Issuer are irrevocably

pledged for the prompt payment hereof, both principal and interest; and the total indebtedness of the Issuer including this Bond, does not exceed the constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the Issuer by its Council, has caused this Bond to be signed by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its City Clerk, with the seal of the City printed or impressed hereon, and to be authenticated by the manual signature of an authorized representative of the Registrar, the Finance Director, Cedar Rapids, Iowa.

- Item 11, figure 1 = Date of authentication:
- Item 12, figure 1 = This is one of the Bonds described in the within mentioned Resolution, as registered by the Finance Director.

FINANCE DIRECTOR, Registrar

By: _____
Authorized Signature

- Item 13, figure 1 = Registrar and Transfer Agent: Finance Director
- Paying Agent: Finance Director

SEE REVERSE FOR CERTAIN DEFINITIONS

- Item 14, figure 1 = (Seal)
- Item 15, figure 1 = (Signature Block)

CITY OF CEDAR RAPIDS, STATE OF IOWA

By: _____ (manual or facsimile signature)
Mayor

ATTEST:

By: _____ (manual or facsimile signature)
City Clerk

- Item 16, figure 1 = (Assignment Block)
- (Information Required for Registration)

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ (Social Security or Tax Identification No. _____) the within Bond and does hereby irrevocably constitute and appoint _____ attorney in fact to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

(Person(s) executing this Assignment sign(s) here)

SIGNATURE)
GUARANTEED) _____

IMPORTANT - READ CAREFULLY

The signature(s) to this Power must correspond with the name(s) as written upon the face of the certificate(s) or bond(s) in every particular without alteration or enlargement or any change whatever. Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signature to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.

INFORMATION REQUIRED FOR REGISTRATION OF TRANSFER

Name of Transferee(s) _____

Address of Transferee(s) _____

Social Security or Tax Identification _____

Number of Transferee(s) _____

Transferee is a(n):

Individual* _____ Corporation _____

Partnership _____ Trust _____

*If the Bond is to be registered in the names of multiple individual owners, the names of all such owners and one address and social security number must be provided.

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though written out in full according to applicable laws or regulations:

TEN COM - as tenants in common

TEN ENT - as tenants by the entireties

JT TEN - as joint tenants with rights of survivorship and not as tenants in common

IA UNIF TRANS MIN ACT - Custodian
(Cust) (Minor)
Under Iowa Uniform Transfers to Minors Act.....
(State)

ADDITIONAL ABBREVIATIONS MAY
ALSO BE USED THOUGH NOT IN THE ABOVE LIST

Section 14. Contract Between Issuer and Purchaser. This Resolution constitutes a contract between said City and the purchaser of the Bonds.

Section 15. Continuing Disclosure. The Issuer hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, and the provisions of the Continuing Disclosure Certificate are hereby incorporated by reference as part of this Resolution and made a part hereof. Notwithstanding any other provision of this Resolution, failure of the Issuer to comply with the Continuing Disclosure Certificate shall not be considered an event of default under this Resolution; however, any holder of the Bonds or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Issuer to comply with its obligations under the Continuing Disclosure Certificate. For purposes of this section, "Beneficial Owner" means any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bond (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

Section 16. Discharge and Satisfaction of Bonds. The covenants, liens and pledges entered into, created or imposed pursuant to this Resolution may be fully discharged and satisfied with respect to the Bonds, or any of them, in any one or more of the following ways:

- (a) By paying the Bonds when the same shall become due and payable; and
- (b) By depositing in trust with the Registrar, or with a corporate trustee designated by the Council, for the payment of said obligations and irrevocably appropriated exclusively to that purpose an amount in cash or direct obligations of the United States, the maturities and income of which shall be sufficient to retire at maturity, or by redemption prior to maturity on a designated date upon which said obligations may be redeemed, such obligations together with the interest thereon to maturity or to the designated redemption date, premiums thereon, if any, that may be payable on the redemption of the same; provided that proper notice of redemption of all such obligations to be redeemed shall have been previously published or given, or provisions shall have been made therefor.

Upon such payment or deposit of money or securities, or both, in the amount and manner provided by this Section, all liability of the Issuer with respect to such Bonds shall cease,

determine and be completely discharged, and the holders thereof shall be entitled only to payment out of the money or securities so deposited.

Section 17. Repeal of Conflicting Resolutions or Ordinances. That all ordinances and resolutions and parts of ordinances and resolutions in conflict herewith are hereby repealed.

Section 18. Severability Clause. If any section, paragraph, clause or provision of this Resolution be held invalid, such invalidity shall not affect any of the remaining provisions hereof, and this Resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this 27th day of May, 2014.

Ron Corbett, Mayor

ATTEST:

Amy Stevenson, City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF LINN)

I, the undersigned City Clerk of the City of Cedar Rapids, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of the City showing proceedings of the City Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of public hearing and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council (a copy of the face sheet of the agenda being attached hereto) pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the City hereto affixed 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: May 27, 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 Dominic Roberts, CIO, and Travis Vivian, EAS Manager, in the amount not to exceed \$6,900 for attending the Gartner Infrastructure & Operations Management Summit in Orlando, Florida from June 9, through June 12, 2014.

Background:

The City Information Technology Department continues to make efficiency and process changes to position the City as well as possible in terms of technology. This conference helps technology leaders transform their organizations by providing new ways to identify and address skill gaps, align development and operations, link IT financial management with enterprise metrics and deliver higher levels of agility and efficiency.

Action / Recommendation:

The Information Technology Department recommends the City Council approve the Business Travel Report for Dominic Roberts and Travis Vivian for attending the Infrastructure and Operations Management Summit.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

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

Local Preference Policy Applies Exempt

Explanation: Travel

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

IT
FIN
Roberts
Vivian

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Business Travel Reports submitted by Dominic Roberts, CIO, and Travis Vivian, EAS Manager be hereby approved for attending the Gartner Infrastructure and Operations Summit from June 9 through June 12, 2014 in Orlando, Florida in the amount not to exceed \$6,900.00. The trip cost will be funded from the Information Technology Department's FY2014 Cost of Conference/Training budget and coded to 542102-101-109130.

Passed this 27th day of May, 2014



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: City Manager's Office

Presenter at meeting: Angie Charipar

Phone Number/Extension: 286-5090

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

Alternate Contact Person:

Phone Number/Extension:

E-mail Address:

Description of Agenda Item:

Resolution authorizing the City Manager to execute amendment No. 5 to Agreement for Legislative Services with Heartland Strategies, LLC, (formerly known as Grant Consulting LLC/L&L Murphy Consulting Associates) for the one year period of July 1, 2014 – June 30, 2015 for a not to exceed amount of \$60,000. (Original contract amount is \$60,000; total contract with this amendment is \$360,000. CIP/DID #OB259069

Background:

The City directly solicited proposals from sixteen (16) firms to provide state legislative services, and also posted the opportunity on the city's web site. The City received three (3) responses. All three firms interviewed with the full Council. The state legislative services provider assists the city in developing its state legislative strategy, lobby for initiatives identified by the city; communicate with state elected officials and state agencies, and provide other legislative services as requested by the City. The parties agree to a one-year renewal period extending the expiration date of this agreement to June 30, 2015 with no increase in price. The parties agree to the addition of conflict of interest language. This amendment covers year six of the agreement with annual renewal options.

Action / Recommendation: Approval of resolution as proposed

Alternative Recommendation (if applicable): Request additional information regarding contract.

Time Sensitivity: High

Resolution Date:

Estimated Presentation Time: 0

Budget Information (if applicable):

RESOLUTION NO.

WHEREAS, on July 1st, 2009, the City of Cedar Rapids entered into an agreement with Heartland Strategies, LLC, to provide legislative services and to represent the City of Cedar Rapids in Des Moines, IA for the purpose of securing funding and maintaining communications with elected officials regarding regulatory issues; and

WHEREAS, the City and Heartland Strategies, LLC, are desirous of amending the Agreement as stated below:

1. The Parties agree to a one-year renewal period extending the expiration date of this agreement to June 30, 2015 at an estimated annual expenditure of \$60,000, to be paid on a monthly basis.
2. This amendment covers year six (6) of the agreement with annual renewal options.
3. All other terms and provisions of the agreement will remain in force and effect.
4. The Parties agree to the addition of "Potential Conflicts of Interest Language" as follows:

Prior to accepting any client with legislative or other interests which may be adverse to or in conflict with the legislative or other interests of the City of Cedar Rapids, Heartland Strategies, LLC shall inform the City of Cedar Rapids of the identity of any such potential client and the subject matter of the potential client's legislative interests. Information provided to the City of Cedar Rapids pursuant to this paragraph shall be in sufficient detail to enable the City of Cedar Rapids to determine, in its sole judgment, whether a conflict of interest exists such that Heartland Strategies, LLC's representation of a proposed client would be incompatible with Heartland Strategies LLC's continued representation of the City of Cedar Rapids. In the event of such determination, the City may terminate this agreement immediately and Heartland Strategies LLC shall have no remedy for such termination. In lieu of immediate termination, Heartland Strategies LLC may elect to decline to represent the potential client whose interests are adverse to the City's. The City may, but is not obligated to waive any potential conflict with respect to any specific client only, rather than terminate this agreement, and waiver by the City of a conflict in one instance shall not preclude the City from exercising its right to terminate this agreement in a future instance of a potential conflict.

Should Heartland Strategies LLC fail to inform the City as provided herein and in fact engages a client or clients with interests adverse to the City, the City of Cedar Rapids shall, within ten days of obtaining actual knowledge of the existence of the conflict, notify Heartland Strategies LLC of the termination of this contract or, in its sole discretion, the City of Cedar Rapids may waive the conflict with respect to that client only.

5. This Amendment to the Agreement is effective on the date signed by the City Manager.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager is authorized to execute amendment No. 5 to the Agreement for State Legislative Services

PASSED this 27th day of May, 2014



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Dennis Hogan

Phone Number/Ext: 5860

Email: d.hogan@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Amendment No. 2 to renew Contract for Fuel Services with Fauser Energy Resources for all City departments, The Eastern Iowa Airport and the Cedar Rapids/Linn County Solid Waste Agency for an estimated annual amount of \$3,800,000 (original contract amount was \$3,200,000; renewal contract amount is \$3,800,000). CIP/DID #0410-250

Background:

City Council awarded the Contract for fuel services to Fauser Energy Resources through Resolution No. 0601-06-10. This renewal is for the contract period July 1, 2014 through June 30, 2016. There are no renewal options remaining; this service will be re-bid in 2016.

The margins below are added/deducted to the daily IDOT rack average fuel prices to arrive at a cost per gallon charge. The estimated annual expenditure is the total fuel price. Margins are:

1	Gasohol	
	Transport Bid Margin	-.0065
	Tank Wagon Bid Margin	+.0545
2	Unleaded	
	Tank Wagon Bid Margin	+.0645
3	No. 1 Diesel (LS)	
	Transport Bid Margin	+.0065
	Tank Wagon Bid Margin	+.0745
4	No. 2 Diesel (LS)	
	Transport Bid Margin	+.0025
	Tank Wagon Bid Margin	+.0695
5	D-Grade Diesel	
	Transport Bid Margin	+.0395
6	E-85	
	Transport Bid Margin	+.0025
7	Biodiesel B100	
	Bid Margin	+.0300
8	Charge for split transport deliveries	\$25.00

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Local Preference Policy Applies Exempt

Explanation: No local company submitted a bid

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids and Fauser Energy Resources are parties to a Contract for the purchase and delivery of various fuel products for City departments, The Eastern Iowa Airport and the Cedar Rapids/Linn County Solid Waste Agency; and

WHEREAS, the City desires to renew the Contract with Fauser Energy Resources for the contract period July 1, 2014 through June 30, 2016; and

WHEREAS, this renewal is years five and six of the Contract; no renewal options remain so this service will be re-bid in 2016; and

WHEREAS, vendor has agreed to hold the pricing margins firm for the two-year renewal period; and

WHEREAS, the estimated annual cost of this Contract is \$3,800,000.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute Amendment No. 2 with Fauser Energy Resources as described herein.

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Finance – Purchasing Services

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

Alternate Contact Person: Marilyn Fitzgerald **Phone Number/Ext:** X5056
Email: marilynF@cedar-rapids.org

Description of Agenda Item:

Amendment No. 4 to add services to Agreement for Health Services for the Human Resources Department with St. Luke's Work Well Solutions, for an additional amount not to exceed \$30,000 (original contract amount was \$52,162.46, renewal contract amount with this Amendment is \$115,000). CIP/DID #0909-068A

Background:

Bids were solicited on behalf of the Human Resources Department in 2009 for Health Services with five (5) vendors responding. Award was made to St. Luke's Work Well Solutions for employee physicals and injury care for an initial Contract term of January 1, 2010 through December 31, 2011. The current renewal period for this existing Agreement is January 1, 2014 through December 31, 2014.

Bids were recently solicited on RFB #1213-105 for additional health services including different types of employee physicals, after hour injury care, and vaccinations. St. Luke's Work Well was selected as the lowest responsive and responsible bidder to supply these additional services. Because these additional services are similar to the services already included on the existing Agreement with Work Well, the decision was made to add the new services to the existing Agreement rather than create a separate Contract.

Amendment No. 4 to the Agreement with St. Luke's Work Well for Health Services adds the additional services from RFB #1213-105 to existing Agreement #0909-068A. This Amendment continues year five (5) of the Agreement through December 31, 2014 with one (1) one-year renewal option remaining. The total expenditure for the additional services is not anticipated to exceed \$30,000, bringing the total anticipated not-to-exceed amount for the current renewal period to \$115,000, funded by individual department budgets or covered by the workers compensation fund.

Bids received in response to RFB #1213-105 to be added to Agreement on Amendment No. 4:

	St. Luke's Work Well Solutions	Mercy Care Management, Inc.
EMPLOYEE PHYSICALS		
Bomb Squad Physical	\$ 74.00	\$ 120.00
Transit Driver Physical	\$ 74.00	\$ 80.00
Fit for Duty Physical	\$ 87.00	varies

		St. Luke's Work Well Solutions	Mercy Care Management, Inc.
VACCINATIONS			
Hepatitis A Vaccination	individual shot:	\$ 102.00	\$ 104.50
	series:	\$ 204.00	\$ 209.00
Hepatitis B Vaccination	individual shot:	\$ 59.75	\$ 85.50
	series:	\$ 179.25	\$ 256.50
Twinrix Vaccination	individual shot:	\$ 140.00	\$ 146.50
	series:	\$ 420.00	\$ 439.50
INJURY CARE (pricing for new patients)			
No physician (5 minutes)	Urgent Care:	no bid	\$ 75.00
	ER:	no bid	no bid
Selt-limit / minor (10 minutes)	Urgent Care:	\$ 137.00	\$ 130.00
	ER:	\$ 316.00	no bid
Low to moderate severity (15 minutes)	Urgent Care:	\$ 200.00	\$ 190.00
	ER:	\$ 461.00	no bid
Moderate to high severity (25 minutes)	Urgent Care:	\$ 278.00	\$ 284.00
	ER:	\$ 658.00	no bid
Moderate to high severity (40 minutes)	Urgent Care:	\$ 396.00	\$ 357.00
	ER:	\$ 1,143.00	no bid

Action / Recommendation:

Resolution authorizing execution of Amendment No. 4 to Agreement for Health Services with St. Luke's Work Well Solutions for an additional annual amount not to exceed \$30,000.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Funded by individual department budgets.

Local Preference Policy Applies Exempt

Explanation:

The local preference policy did not affect the award. St. Luke's Work Well is a local business.

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids, Iowa and St. Luke's Work Well Solutions are parties to an Agreement, whereby St. Luke's Work Well Solutions provides employee physicals and injury care for the City; and

WHEREAS, additional services were solicited in 2014 on RFB #1213-105, with the lowest responsive and responsible bid received from St. Luke's Work Well Solutions; and

WHEREAS, both parties agree to add the services from RFB #1213-105 to the existing Agreement on Amendment No. 4 for an additional amount not to exceed \$30,000; and

WHEREAS, all pricing shall remain in effect through December 31, 2014;

AND WHEREAS, the adjusted total annual expenditure for the current renewal period is not anticipated to exceed \$115,000, with funding for the services described herein from departmental operating budgets or covered by the workers compensation fund;

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the above recommendation be accepted and that the City Manager and City Clerk are hereby directed to execute Amendment No. 4 with St. Luke's Work Well Solutions as described herein.

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Finance – Purchasing Services

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

Alternate Contact Person: Keith Nuehring **Phone Number/Ext:** X5622
Email: k.nuehring@cedar-rapids.org

Description of Agenda Item:

Amendment No. 1 to renew Agreement for EMC Avamar Enterprise Backup Solution for the Information Technology Department with Ahead LLC for an amount not to exceed \$270,000 (original contract amount was \$225,063.02; renewal contract amount is \$270,000). CIP/DID #0313-217

Background:

Bids were solicited in 2013 on behalf of the Information Technology Department for EMC Avamar Enterprise Backup Solution with six (6) bids submitted. Award was made to Ahead LLC as the lowest responsive bidder for an initial agreement period of May 15, 2013 through May 31, 2014.

Amendment No. 1 renews the Agreement through May 31, 2015 with adjustments to the item list and pricing resulting in a 5% increase in price. There are three (3) one-year renewal options remaining. The total annual expenditure will not exceed \$270,000 budgeted in GL account #354-354000-354009.

Action / Recommendation:

Resolution authorizing execution of Amendment No. 1 to Agreement for EMC Avamar Enterprise Backup Solution for a total annual amount not to exceed \$270,000.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): GL account #354-354000-354009

Local Preference Policy Applies Exempt

Explanation:

When bid in 2013, the lowest local bid was 3% higher than the overall lowest responsive bid. For projects over \$200,000, the local preference policy requires the local bidder to be within 1% of the lowest bid in order to be selected.

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

RESOLUTION NO.

WHEREAS, the Purchasing Services Division solicited bids in 2013 on behalf of the Information Technology Department for EMC Avamar Enterprise Backup Solution; and

WHEREAS, the award was made to Ahead LLC, as the lowest responsive bidder, for an initial Agreement period of May 15, 2013 to May 31, 2014; and

WHEREAS, Amendment No. 1 renews the Agreement through May 31, 2015 with three one-year renewal options remaining; and

WHEREAS, both parties have agreed to adjustments to the line items on the Agreement and a 5% increase in price; and

WHEREAS, the total annual expenditure for the renewal period will not exceed \$270,000, funded from the Information Technology Department operating budget;

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

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda Item

Phone Number/Ext:

Email:

Alternate Contact Person: Keith Nuehring

Phone Number/Ext: X5622

Email: k.nuehring@cedar-rapids.org

Description of Agenda Item:

Amendment No. 1 to renew Agreement for NetApp Primary & Secondary SAN Solutions for the Information Technology Department with IP Pathways, LLC for an amount not to exceed \$150,000 (original contract amount was \$284,286.83; renewal contract amount is \$150,000). CIP/DID #0313-216

Background:

Bids were solicited in 2013 on behalf of the Information Technology Department for NetApp Primary and Secondary Solutions with two (2) bids submitted. Award was made to IP Pathways, LLC as the lowest bidder for an initial agreement period of May 15, 2013 through May 31, 2014.

Amendment No. 1 renews the Agreement through May 31, 2015 with adjustments to the line items for equipment and support included on the Agreement. There are three (3) one-year renewal options remaining. The total annual expenditure will not exceed \$150,000 budgeted in GL account #354-354000-354009.

Action / Recommendation:

Resolution authorizing execution of Amendment No. 1 to Agreement for NetApp Primary & Secondary SAN Solutions for a total annual amount not to exceed \$150,000.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): GL account #354-354000-354009

Local Preference Policy Applies Exempt

Explanation:

When bid in 2013, the bid received from a local vendor was 17% higher than the lowest bid so local preference did not affect award.

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Purchasing Services Division solicited bids in 2013 on behalf of the Information Technology Department for NetApp Primary & Secondary SAN Solutions; and

WHEREAS, the award was made to IP Pathways, LLC, as the lowest bidder, for an initial Agreement period of May 15, 2013 to May 31, 2014; and

WHEREAS, Amendment No. 1 renews the Agreement through May 31, 2015 with three one-year renewal options remaining; and

WHEREAS, both parties agree to adjustments to the line items for equipment and support included on the Agreement; and

WHEREAS, the total annual expenditure for the renewal period will not exceed \$150,000, funded from Information Technology Department operating budget;

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

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Rob Davis

Phone Number/Ext: 5808

Email: robd@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Amendment No. 10 to the Contract for City Services Center Furniture, Fixtures and Equipment (FF&E) Packages with Triplett Interior Solutions to move three workstations for Traffic Engineering that were not on the original specifications for a not-to-exceed \$400 (original contract amount was \$299,520.80; total contract amount with this amendment is \$375,556.13) (**FLOOD**). CIP/DID #0113-154

Background:

City Council awarded the Contract to Triplett Interior Solutions for Packages 1 and 10 of the City Services Center Furniture, Fixtures and Equipment (FF&E) project through Resolution No. 0504-03-13 for \$299,520.80. The City Manager signed Amendment No. 1 to the Contract on July 5, 2013 for the addition of glass stackers on aisle panels for \$22,527.11. City Council approved Amendment No. 2 to the Contract through Resolution No. 1199-07-13 for additional furniture such as pedestal and lateral files, tackboards, upper storage, task lighting, corner brackets and panel power for \$18,433.26. City Council approved Amendment No. 3 to the Contract through Resolution No. 1462-09-13 for glass panels in open office 131 and additional furnishings for the Assessor's Office for \$3,187.95. City Council approved Amendment No. 4 to the Contract through Resolution No. 1535-09-13 for forklift rental for two days for \$1,031.78. Amendment No. 5 was for additional Package 1 furnishings and painting of three file cabinets for \$7,458.15 through Resolution No. 1666-10-13. Amendment No. 6 is for additional panels, overhead storage units and new work stations for Solid Waste and Dispatch and Building Services for a not-to-exceed \$11,845.16, approved through Resolution No. 1802-11-13. Amendment No. 7 is for additional work stations, guest chairs and table, and electrical and data wire management for the Information Technology Department for a not-to-exceed \$7,992.80, approved through Resolution No. 1983-12-13. Amendment No. 8 is for additional glass and fabric panels for the Solid Waste offices for \$1,373.12 approved through Resolution No. 0234-02-14. Amendment No. 9 is for conference room coat racks approved through Resolution No. 0439-04-14 for \$1,786.

Amendment No. 10 is to move three workstations for Traffic Engineering that were not included on the original specifications for a not-to-exceed \$400. The Public Works Department – Engineering Division recommends this change.

Contract summary:

Original Contract Amount	\$299,520.80	Resolution No. 0504-03-13
Amendment No. 1	\$ 22,527.11	Signed by the City Manager 07/05/13
Amendment No. 2	\$ 18,433.26	Resolution No. 1199-07-13
Amendment No. 3	\$ 3,187.95	Resolution No. 1462-09-13
Amendment No. 4	\$ 1,031.78	Resolution No. 1535-09-13
Amendment No. 5	\$ 7,458.15	Resolution No. 1666-10-13
Amendment No. 6	\$ 11,845.16	Resolution No. 1802-11-13
Amendment No. 7	\$ 7,992.80	Resolution No. 1983-12-13
Amendment No. 8	\$ 1,373.12	Resolution No. 0234-02-14
Amendment No. 9	\$ 1,786.00	Resolution No. 0439-04-14
Amendment No. 10	<u>\$ 400.00</u>	Not-to-exceed
Amended Contract Amount	\$375,556.13	

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): PWE006

Local Preference Policy Applies Exempt

Explanation: FEMA funded project

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Public Works Department – Engineering Division and Triplett Interior Solutions are parties to a Contract for the purchase and installation of furniture at the City Services Center, authorized by Resolution No. 0504-03-13 for \$299,520.80; and

WHEREAS, the City Manager signed Amendment No. 1 to the Contract to add glass stackers to the workstation panels on all aisles on July 5, 2013 for \$22,527.11; and

WHEREAS, Council approved Amendment No. 2 to the Contract through Resolution No. 1199-07-13 for additional furniture such as pedestal and lateral files, tackboards, upper storage, task lighting, corner brackets and panel power for an additional \$18,433.26; and

WHEREAS, Council approved Amendment No. 3 to the Contract through Resolution No. 1462-09-13 to add glass panels in open office 131 and additional furnishings in the Assessor's Office for \$3,187.95; and

WHEREAS, Council approved Amendment No. 4 to the Contract through Resolution No. 1535-09-13 to add forklift rental for two days due to the elevators not being operational for \$1,031.78; and

WHEREAS, Council approved Amendment No. 5 to the Contract through Resolution No. 1666-10-13 for additional Package 1 furnishings and painting of three additional file cabinets for \$7,458.15; and

WHEREAS, Council approved Amendment No. 6 through Resolution No. 1802-11-13 for additional panels, overhead storage units and new work stations for Solid Waste and Dispatch and Building Services for \$11,845.16; and

WHEREAS, Council approved Amendment No. 7 through Resolution No. 1983-12-13 for additional work stations, guest chairs and table and electrical and data wire management for the Information Technology Department for a not-to-exceed \$7,992.80; and

WHEREAS, Council approved Amendment No. 8 through Resolution No. 0234-02-14 for additional glass and fabric panels for the Solid Waste office for a not-to-exceed \$1,373.12; and

WHEREAS, Council approved Amendment No. 9 through Resolution No. 0439-04-14 for the purchase and installation of coat racks in various conference rooms for a not-to-exceed \$1,786; and

WHEREAS, Amendment No. 10 is to move three workstations for Traffic Engineering that were not included on the original specifications for a not-to-exceed \$400; and

WHEREAS, the Public Works Department – Engineering Division recommends this change; and

WHEREAS, a cost summary of the Contract changes for this project is as follows:

Original Contract Amount	\$299,520.80	Resolution No. 0504-03-13
Amendment No. 1	\$ 22,527.11	Signed by the City Manager 07/05/13
Amendment No. 2	\$ 18,433.26	Resolution No. 1199-07-13
Amendment No. 3	\$ 3,187.95	Resolution No. 1462-09-13
Amendment No. 4	\$ 1,031.78	Resolution No. 1535-09-13
Amendment No. 5	\$ 7,458.15	Resolution No. 1666-10-13
Amendment No. 6	\$ 11,845.16	Resolution No. 1802-11-13
Amendment No. 7	\$ 7,992.80	Resolution No. 1983-12-13
Amendment No. 8	\$ 1,373.12	Resolution No. 0234-02-14
Amendment No. 9	\$ 1,786.00	Resolution No. 0439-04-14
Amendment No. 10	<u>\$ 400.00</u>	Not-to-exceed
Amended Contract Amount	\$375,556.13	

WHEREAS, this project is federally funded through FEMA.

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. 10 with Triplett Interior Solutions as described herein.

Passed this 27th day of May, 2014.

Council Agenda Item Cover Sheet

Consent Agenda **Regular Agenda**

Council Meeting Date: May 27, 2014

Submitting Department: Utilities – Water Division

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

Alternate Contact: Kevin Kirchner **Phone:** 5902 **E-mail:** k.kirchner@cedar-rapids.org

Description of Agenda Item:

Resolutions approving actions regarding Purchases/Contracts/Agreements:

- a. Amendment No. 2 to the Professional Services Agreement with Arcadis U.S., Inc. (dba Red Oak Consultants) for the Utilities Financial Planning and Cost of Service Rate Model Update for an amount not to exceed \$9,000 (original contract was \$22,600; total contract with this amendment is \$31,600). CIP/DID #621521108-13

Background:

The Cedar Rapids Utilities Department executed a Professional Services Agreement with Arcadis U.S., Inc. (dba Red Oak Consultants) for the Utilities Financial Planning and Cost of Service Rate Model Update for an amount not to exceed \$22,600 on September 19, 2013.

A no cost Amendment (No. 1) was approved in May 2013 to update the Cost of Service Models and provide training.

Amendment No. 2, for an amount not to exceed \$9,000, will amend the scope of services to include update and discussion of key fixed assets not previously included in the WPC model; evaluation of inflow and infiltration (I/I) allocations to contributing cities; and training of new WPC staff on the use of the models.

Action / Recommendation:

The Utilities Department recommends that Amendment No. 2 to the agreement with Arcadis U.S., Inc. (dba Red Oak Consultants) be approved and the City Manager and City Clerk be authorized to execute said Amendment.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: 5/27/14

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): Included in the fiscal year 2014 Utilities Department operating and maintenance budget. GL coding is 521108-611-611005-611054.

Local Preference Policy Applies Exempt

Explanation: N/A

Recommend by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Cedar Rapids Utilities Department executed a Professional Services Agreement with Arcadis U.S., Inc. (dba Red Oak Consultants) for the Utilities Financial Planning and Cost of Service Rate Model Update on September 19, 2013 for an amount not to exceed \$22,600, and

WHEREAS, the Utilities Department needs to update the Cost of Service Rate Models for additional services not included in the original scope of services, and

WHEREAS, Arcadis U.S., Inc. (dba Red Oak Consultants) has proposed to provide these services for an amount not to exceed \$9,000, and

WHEREAS, Amendment No. 2, will amend the scope of services to include update and discussion of key fixed assets not previously included in the WPC model; evaluation of inflow and infiltration (I/I) allocations to contributing cities; and training of new WPC staff on the use of the models, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Amendment No. 2 to the Professional Services Agreement with Arcadis U.S., Inc. (dba Red Oak Consultants) for the Utilities Financial Planning and Cost of Service Rate Model Update for an amount not to exceed \$9,000 be hereby approved and the City Manager and City Clerk be authorized to execute said Amendment. The original contract was \$22,600 and the total contract with this amendment is \$31,600. To be funded from fiscal year 2014 Utilities Department operating and maintenance budget and coded to 521108-611-611005-611054.

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Community Development

Presenter at meeting: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

Alternate Contact Person: Caleb Mason

Phone Number/Ext: 319 286-5188

Email: c.mason@cedar-rapids.org

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

Resolution authorizing execution of Amendment No. 17 to the Disaster Recovery Housing Contract 08-DRH-008 with the Iowa Economic Development Authority (IEDA) (original contract amount is \$7,085,247; total contract amount with this amendment is \$47,604,523). CIP/DID #08-DRH-008

Background:

Amendment No. 17 is a budget amendment that increases the contract amount by \$11,051,252 for Round 4 of the Single Family New Construction program, locally known as the Roots program. This will allow the City to provide approximately 200 additional replacement homes for owner-occupants.

In December 2008, the City entered into a contract with the Iowa Economic Development Authority (IEDA) for CDBG disaster recovery funding for a variety of housing recovery activities, including the Jumpstart Housing programs and Single Family New Construction. The contract has been amended previously from its original amount of \$7,085,247 to add funding for additional activities, extend the contract term, or modify program guidelines. At the last amendment, the total contract amount was \$36,553,271.

The Single Family New Construction activity has been operating since May of 2008, with over 538 replacement homes built and sold to date. The program has leveraged over \$139 million in total investment, \$95 million of which is being provided by the private sector.

Action / Recommendation:

Community Development staff recommends approval of this resolution.

Alternative Recommendation:

City council may table the resolution and request additional information.

Time Sensitivity:

IEDA may restrict payment requests under this contract if the Amendment is not returned.

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt N/A

Explanation: No goods or services are being purchased with this action.

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 17
TO THE DISASTER RECOVERY HOUSING CONTRACT 08-DRH-008
WITH THE IOWA ECONOMIC DEVELOPMENT AUTHORITY (IEDA)

WHEREAS, the City of Cedar Rapids is party to Disaster Recovery Housing Contract 08-DRH-008 with the Iowa Economic Development Authority (IEDA) for local administration of Community Development Block Grant disaster recovery housing programs; and

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

WHEREAS, IEDA has provided to the City Amendment No. 17 to Contract 08-DRH-008 amending the amount of the contract budget from \$36,553,271 to \$47,604,523 based upon estimated program expenditures for Round 4 of the Single Family New Construction Program,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the Mayor is authorized to execute Amendment No. 17 to Contract 08-DRH-008 with the Iowa Economic Development Authority.

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Community Development

Presenter at meeting: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

Alternate Contact Person: Caleb Mason

Phone Number/Ext: 319 286-5188

Email: c.mason@cedar-rapids.org

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

Resolution authorizing execution of Amendment No. 18 to the Disaster Recovery Housing Contract 08-DRH-008 with the Iowa Economic Development Authority (IEDA) (original contract amount is \$7,085,247; total contract amount with this amendment is \$49,297,343). CIP/DID #08-DRH-008

Background:

Amendment No. 18 is a budget amendment that increases the contract amount by \$1,692,820 for the Jumpstart Housing program. This will allow the City to collect reimbursement for payments advanced to applicants as approved by the City Council in January 2009, as well as pay for other allowable program expenses and is part of the close out process for that program.

In December 2008, the City entered into a contract with the Iowa Economic Development Authority (IEDA) for CDBG disaster recovery funding for a variety of housing recovery activities, including the Jumpstart Housing programs and Single Family New Construction. The contract has been amended previously from its original amount of \$7,085,247 to add funding for additional activities, extend the contract term, or modify program guidelines. At the last amendment, the total contract amount was \$47,604,523. The Jumpstart Housing activity has been operating since October of 2008, with over 1250 participating property owners and over \$16 million in federal CDBG expenditures. IEDA is working with the City to identify the City's anticipated additional expenses to close out the program so that funding can be allocated accordingly. This amendment is part of that process.

Action / Recommendation:

Community Development staff recommends approval of this resolution.

Alternative Recommendation:

City Council may table the resolution and request additional information.

Time Sensitivity:

IEDA may restrict payment requests under this contract if the Amendment is not returned.

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt N/A

Explanation: No goods or services are being purchased with this action.

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 18
TO THE DISASTER RECOVERY HOUSING CONTRACT 08-DRH-008
WITH THE IOWA ECONOMIC DEVELOPMENT AUTHORITY (IEDA)

WHEREAS, the City of Cedar Rapids is party to Disaster Recovery Housing Contract 08-DRH-008 with the Iowa Economic Development Authority (IEDA) for local administration of Community Development Block Grant disaster recovery housing programs; and

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

WHEREAS, IEDA has provided to the City Amendment No. 18 to Contract 08-DRH-008 amending the amount of the contract budget from \$47,604,523 to \$49,297,343 for the Jumpstart Housing Program based upon estimated program expenditures for the Jumpstart Housing Program,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the Mayor is authorized to execute Amendment No. 18 to Contract 08-DRH-008 with the Iowa Economic Development Authority.

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Community Development

Presenter at meeting: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

Alternate Contact Person: Caleb Mason

Phone Number/Ext: 319 286-5188

Email: c.mason@cedar-rapids.org

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

Resolution authorizing execution of Amendment No. 14 to the Disaster Recovery Housing Contract 08-DRH-208 with the Iowa Economic Development Authority (IEDA) (original contract amount is \$12,146,137; total contract amount with this amendment is \$60,418,505). CIP/DID #08-DRH-008

Background:

Amendment No. 14 is a budget amendment that decreases the contract amount by \$869,555 for the Jumpstart Rental Rehabilitation Program. The City has made all payments to applicants necessary to close out the program, with budget remaining; due to many applicants opting instead for the Local Option Sales Tax funded Rental Rehabilitation Program.

In April 2009, the City entered into a contract with the Iowa Economic Development Authority (IEDA) for CDBG disaster recovery funding for a variety of housing recovery activities, including the Jumpstart Rental Rehab programs and Multi-Family New Construction. The contract has been amended previously from its original amount of \$12,146,137 to add funding for additional activities, extend the contract term, or modify program guidelines. At the last amendment, the total contract amount was \$61,288,060.

The Rental Rehabilitation activity has been operating since March of 2008, with 216 landlords participating and \$9.8 million in program disbursements.

Action / Recommendation:

Community Development staff recommends approval of this resolution.

Alternative Recommendation:

City Council may table the resolution and request additional information.

Time Sensitivity:

IEDA may restrict payment requests under this contract if the Amendment is not returned, which would potentially impact other programs authorized under this contract.

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt N/A

Explanation: No goods or services are being purchased with this action.

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 14
TO THE DISASTER RECOVERY HOUSING CONTRACT 08-DRH-208
WITH THE IOWA ECONOMIC DEVELOPMENT AUTHORITY (IEDA)

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

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

WHEREAS, IEDA has provided to the City Amendment No. 14 to Contract 08-DRH-208 amending the amount of the contract budget from \$61,288,060 to \$60,418,505 for the Jumpstart Rental Rehabilitation Program based upon estimated program expenditures,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the Mayor is authorized to execute Amendment No. 14 to Contract 08-DRH-208 with the Iowa Economic Development Authority.

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Community Development

Presenter at meeting: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

Alternate Contact Person: Caleb Mason

Phone Number/Ext: 319 286-5188

Email: c.mason@cedar-rapids.org

Description of Agenda Item: Consent Public Hearing Regular Agenda

Resolution authorizing execution of Amendment No. 2 to the Agreement for Private Redevelopment Agreement with Matthew 25 Ministry Hub, Inc., for the disposition and redevelopment of City-owned properties at 432, 500, and 502 F Avenue NW. CID/DID #OB540257

Background:

On April 8, 2014, the City Council adopted a motion setting public hearing and called for proposals for the redevelopment of three vacant city-owned properties located at 432, 500, and 502 F Avenue NW. A public hearing was held April 22, 2014, and proposals were due May 12, 2014. One proposal was received by the deadline, from Matthew 25 Ministry Hub, which seeks to expand the footprint of their existing Ellis Urban Village Project to provide additional space for their urban farm operation. The farm provides educational programming as well as fresh produce sold at below market rate to low and moderate income citizens.

The proposal was reviewed by a committee of stakeholders on May 16, 2014, including a representative from the development community, the neighborhood association, and a neighborhood business owner, who evaluated it based upon the following criteria that was outlined in the request for proposals:

- 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.

The committee determined that the proposal was responsive to the criteria outlined in the City's request and recommended moving forward with a Development Agreement with Matthew 25. Because there is already an agreement in place for this activity on neighboring lots, staff is

recommending an amendment to the existing agreement with Matthew 25 to incorporate these parcels. Terms of the agreement include:

- Three year lease with option to purchase based upon satisfactory performance;
- Completion of minimum improvements as outlined in the proposal;
- Meeting a CDBG National Objective;
- Design of all improvements consistent with the character of the neighborhood.

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: May 27, 2014

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): This proposal is consistent with the plan recommended by Development Committee in August 2011.

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 2 TO THE
AGREEMENT FOR PRIVATE REDEVELOPMENT WITH MATTHEW 25
MINISTRY HUB, INC., FOR THE DISPOSITION AND REDEVELOPMENT OF
CITY-OWNED PROPERTIES AT 432, 500, AND 502 F AVENUE NW

WHEREAS, the City Council on December 6, 2011, authorized the execution of a Agreement for Private Redevelopment with Matthew 25 Ministry Hub, Inc. for excess City-owned properties at 432, 500 and 502 F Avenue NW for the Ellis Urban Village project, and

WHEREAS, the City of Cedar Rapids City Council has determined it is in the public interest to dispose of excess City-owned property described as 432 F Avenue NW, 500 F Avenue NW, and 502 F Avenue NW, and

WHEREAS, on April 8, 2014, the City Council adopted a motion setting public hearing to consider disposition of the subject properties, with a notice published in the Gazette on April 12, 2014, and

WHEREAS, on April 22, 2014 at the Council Chambers, 3rd Floor, City Hall, 101 1st Street SE, Cedar Iowa, the Cedar Rapids City Council, after notice as required by law, held a public hearing to consider the disposition of said property, and

WHEREAS, one proposal was received by Matthew 25 Ministry Hub, Inc. which was determined by a stakeholder committee to be responsive,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager and City Clerk are hereby authorized to execute Amendment No. 2 to the Agreement for Private Redevelopment with Matthew 25 Ministry Hub, Inc. to include redevelopment of City-owned properties at 432, 500, and 502 F Avenue NW as part of the Ellis Urban Village project.

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5806

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

Phone Number/Extension: 5820

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

Resolution approving an amendment to the Development Agreement approved as part of the Final Plat of Ellis Park Church of God First Addition, and approving a Concrete Sidewalk Petition and Assessment Agreement, for property located at 2260 Edgewood Road NW. CIP/DID #47-12-003

Background:

The property owner submitted a request to the City dated January 28, 2014, along with a signed Concrete Sidewalk Petition and Assessment Agreement, requesting to amend condition number 6 in the Development Agreement approved by City Council Resolution No. 0494-04-12, dated April 10, 2012. The property owner requested an amendment to the Development Agreement with regards to construction of 4' wide concrete sidewalk along the north side of River Bluff Drive NW adjoining Lot 1, Ellis Park Church of God First Addition, from at the time of construction of the River Bluff Drive NW street improvements to until such time as further development occurs on Lot 1, or within 5 years of the final plat recordation as set forth in Section 31.06 (h) of the City Subdivision Ordinance.

Action / Recommendation:

The Public Works Department recommends approval of the resolution to approve the Amendment to Development Agreement and approval of the Concrete Sidewalk Petition and Assessment Agreement as submitted.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): NA

Local Preference Policy: Applies Exempt

Explanation: Policy not applicable to final platting subdivisions.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

ENG
DSD
SWM
BSD
PD
FIR
WTR
STR
IT
RCR
AUD FILE
LC SHERIFF
AMBULANCE
POST OFFICE
47-12-003

RESOLUTION NO.

WHEREAS, the Final Plat of Ellis Park Church of God First Addition to Cedar Rapids, Linn County, Iowa was approved by City Council Resolution No. 0494-04-12 dated April 10, 2012, and

WHEREAS, a Development Agreement was approved by City Council as part of the Final Plat of Crescent View First Addition by said Resolution No. 0494-04-12, and

WHEREAS, in a letter to the City of Cedar Rapids dated January 28, 2014 the Ellis Park Church of God requested that condition number 6 of said Development Agreement be amended with regards to construction of 4' wide concrete sidewalk along the north side of River Bluff Drive NW adjoining Lot 1, Ellis Park Church of God First Addition, from at the time of construction of the River Bluff Drive NW street improvements to the time of further development on said Lot 1, or within five years of the final plat recordation, and

WHEREAS, Ellis Park Church of God has submitted to the City a signed Amendment to the Development Agreement and a signed Concrete Sidewalk Petition and Assessment Agreement, and

WHEREAS, the Amendment to the Development Agreement and Concrete Sidewalk Petition and Assessment Agreement are recommended for approval by the City Public Works Director/ City Engineer, and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, the City Council concurs with the recommendation of the City Public Works Director/City Engineer, and

BE IT FURTHER RESOLVED the Amendment to Development Agreement for Ellis Park Church of God First Addition and Concrete Sidewalk Petition and Assessment Agreement be and the same are hereby approved and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 27th day of May, 2014.



**ELLIS PARK CHURCH OF
GOD FIRST ADDITION**



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Development Services Department

Presenter at meeting: Joe Mailander
Email: j.mailander@cedar-rapids.org

Phone Number/Ext: 319 286-5822

Alternate Contact Person: Chris Strecker
Email: c.strecker@cedar-rapids.org

Phone Number/Ext: 319 286-5820

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

Resolution authorizing amending Resolution No. 1799-10-86, Condition No. 1 to exempt Lot 12 from the requirement that vehicular access is restricted to internal drives only. NEW

Background:

The preliminary plat for Life Investors Office Park 4th Addition to Cedar Rapids was approved on October 22, 1986. A condition of approval was that Lots 6 and 15 were the only lots with access to streets outside of the proposed plat. Lot 12 was originally intended for an office/service use but has remained vacant. A proposal for a commercial use has been received by the City which requires access from Edgewood Road as well as 42nd Street NE. Traffic Engineering and Development Services support this request.

Action / Recommendation:

City staff recommends approval of the resolution.

Alternative Recommendation:

City Council may request that this item is tabled and that additional information is needed.

Time Sensitivity: normal

Resolution Date: May 27, 2014

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):

BSD DSD
ENG CD
FIR PKS
TED CLK
WTR OWNER
CONTACT
PLAT ENG

RESOLUTION NO.

WHEREAS, the Preliminary Plat of Life Investors Office Park 4th Addition to Cedar Rapids, Iowa, owned by Life Investors Life Insurance Company of America was approved by Resolution No. 1799-10-86 on October 22, 1986; and

WHEREAS, the Preliminary and Final Plat is subject to the following conditions:

1. That vehicular access to all lots, except Lots 6 and 15, is restricted to internal drives only, and is so noted on any Final Plats submitted.
2. That the developer submit overall sanitary sewer plans for this area to the City Engineering Department, and be responsible for any extension of the sanitary sewer.
3. That the developer submit plans showing proposed development plans and drainage plan and facilities to the City Engineering Department.
4. That on-site water detention shall be provided for all hard surfaced areas within this development; and

WHEREAS, the property owner has requested that Condition No. 1 of Resolution No. 1799-10-86 be modified to include lot 12 so that access will be permitted from Edgewood Road and 42nd Street NE, and

WHEREAS, the City Traffic Engineer recommends Condition No. 1 of Resolution No. 1799-10-86 to be revised to state the following:

1. That vehicular access to all lots, except Lots 6, 12 and 15, is restricted to internal drives only.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that this Council concurs with the recommendations of the City Traffic Engineer, and

BE IT FURTHER RESOLVED that said Resolution No. 1799-10-86, which approved the Preliminary Plat, Life Investors Office Park 4th Addition to Cedar Rapids, Iowa and Final Plat Condition #1 be modified as stated above, and the same is, hereby approved.

Passed this 27th day of May, 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. 15 in the amount of \$291,466.15 with Peterson Contractors, Inc. for the 1st Avenue (IA 922/US BUS 151) Marion Boulevard & Collins Road, PCC (Portland Cement Concrete) Pavement Widening with HMA (Hot Mix Asphalt) Resurfacing project (original contract amount was \$7,661,700.36; total contract amount with this amendment is \$9,095,338.54). CIP/DID #301447-02

Background:

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

- Additional handholes were required to install the new traffic signals. Due to some minor modifications to the routing of lines 3 additional handholes were required.
- Additional traffic signal work at the intersection of 1st Avenue East and Lindale Drive due to conflict with existing rigid steel conduit at centerline of the proposed 30" storm sewer.
- A junction box was added in an existing city owned fiber optic line along 1st Avenue by the cemetery. The existing conduit was plugged and lines could not be installed. The item includes locating the stoppage in the conduit, excavating and installing a junction box/handhole to correct the blockage.
- 12" PCC pavement was placed in lieu of 9" PC widening to accommodate and expedite paving operations due to the replacement of the City's clay sanitary sewer pipe.
- Due to traffic signal and sidewalk modifications at the intersection of 1st Avenue and Lindale Drive, the island at Sta. 83+44 left was partially removed and replaced with red PCC in lieu of brick pavers redesigned for the raised medians.
- Additional cost in connection with heating of structural concrete used to construct the storm sewer intakes, hot water for sidewalks and driveway pavement, and M4 concrete was required. This work was done in late 2011. Heated materials and M4 concrete were required to complete the work as per specifications.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 15 submitted by Peterson Contractors, Inc.

Alternative to the Recommendation:

Delay approval resulting in payments due to the Contractors accruing interest until approval of the Contract Modifications occur and payment is made.

Time Sensitivity: Normal

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): Change order costs are within the planned and approved construction contingency allowance for the project.

Recommended by Council Committee Yes No N/A

Explanation (if necessary): Reviewed by the Infrastructure Committee on June 19, 2012

ENG
AUD FILE
FIN
CLK
PETERSON
ANDERSON-BOGERT
301447-02

RESOLUTION NO.

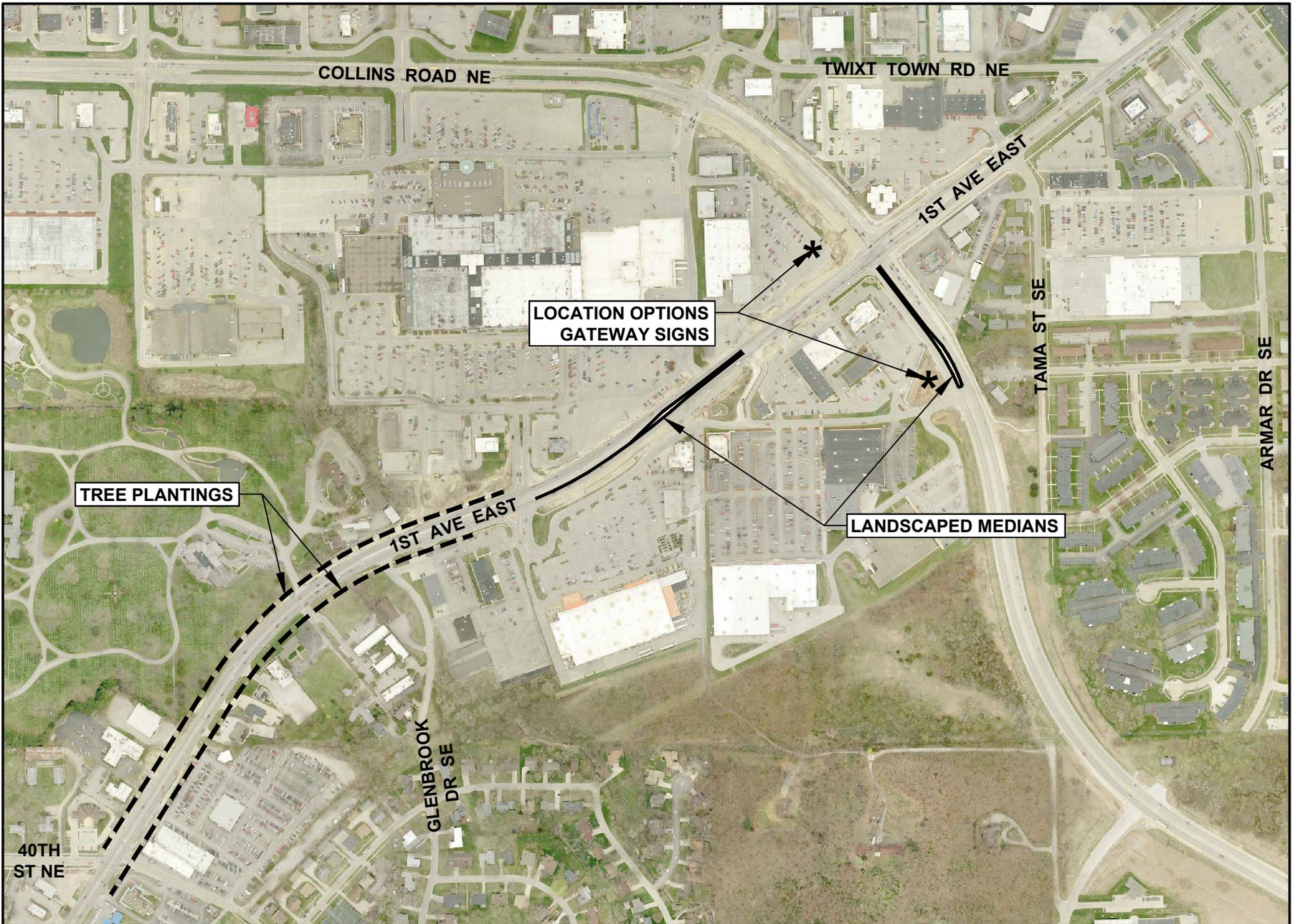
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 15 in the amount of \$291,466.15 with Peterson Contractors, Inc. for the 1st Avenue (IA 922/US BUS 151) Marion Boulevard & Collins Road, PCC (Portland Cement Concrete) Pavement Widening with HMA (Hot Mix Asphalt) Resurfacing project, Contract No. 301447-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$7,457,200.36
Possible Incentive	204,500.00
Change Order No. 1	209,225.15
Change Order No. 2	137,712.72
Change Order No. 3	74,846.20
Change Order No. 4	30,868.36
Change Order No. 5	155,399.82
Change Order No. 6	40,090.40
Change Order No. 7	22,548.13
Change Order No. 8	78,696.15
Change Order No. 9	355,437.77
Change Order No. 10	56,752.15
Change Order No. 11	5,225.00
Change Order No. 12	(36,542.33)
Change Order No. 13	8,466.76
Change Order No. 14	3,445.75
Change Order No. 15	<u>291,466.15</u>
Amended Contract Amount	\$9,095,338.54

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

\$291,466.15 301-301000-301447

Passed this 27th day of April, 2014.

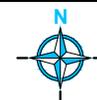


TREE PLANTINGS

LOCATION OPTIONS
GATEWAY SIGNS

LANDSCAPED MEDIANS

1ST AVENUE EAST AND COLLINS ROAD
MEDIAN / AESTHETIC IMPROVEMENTS





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5804

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

Phone Number/Extension: 5848

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

Authorizing Change Order No. 9 (Final) deducting the amount of \$106,397.77 with Zinser Grading & Excavating, LLC for the E Avenue NW–Phase II 13th Street to Ellis Boulevard Storm Sewer, Water Main, Sidewalk and Street Improvements project (original contract amount was \$3,037,467.35; total contract amount with this amendment is \$2,935,916.38). CIP/DID #304037-06

Background:

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

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 9 (Final) submitted by Zinser Grading & Excavating, LLC.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 Minute(s)

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

Local Preference Policy: Applies Exempt

Explanation: Grant-funded project

Recommended by Council Committee: Yes No N/A

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

RESOLUTION NO.

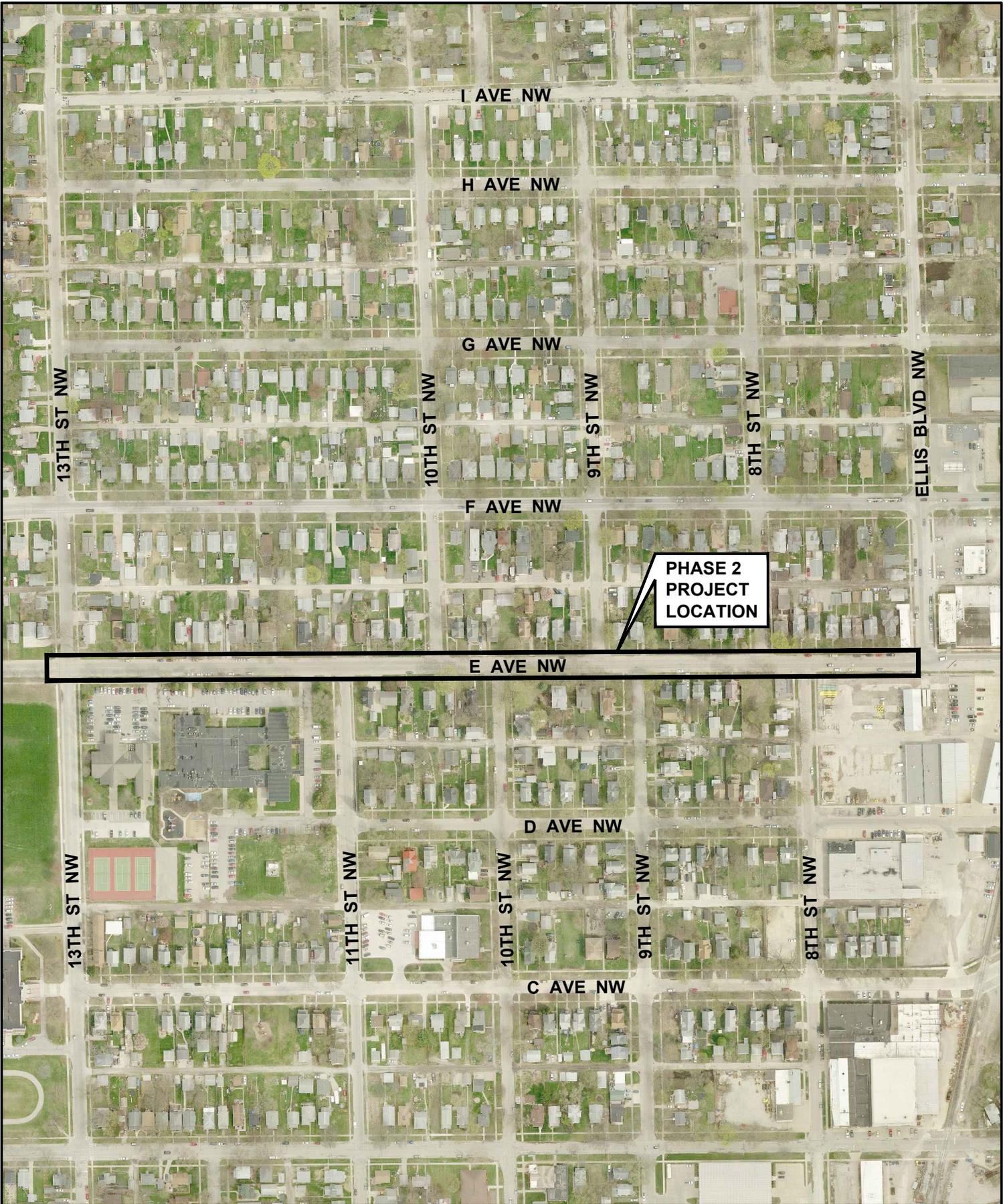
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 9 (Final) deducting the amount of \$106,397.77 with Zinser Grading & Excavating, LLC for the E Avenue NW–Phase II 13th Street to Ellis Boulevard Storm Sewer, Water Main, Sidewalk and Street Improvements, Contract No. 304037-06. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	2,987,467.35
Possible Incentive	50,000.00
Change Order No. 1	7,250.96
Change Order No. 2	850.00
Change Order No. 3	375.00
Change Order No. 4	4,274.52
Change Order No. 5	36,199.00
Change Order No. 6	2,613.16
Change Order No. 7	59.46
Change Order No. 8	12,724.70
Change Order No. 9 Final	(106,397.77)
Removal of Original Incentive	(50,000.00)
Disincentive/Liquidated Damages	<u>(9,500.00)</u>
Amended Contract Amount	\$2,935,916.38

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

(\$106,397.77) 304-304000-304037

Passed this 27th day of May, 2014.



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





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

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

Phone Number/Extension: 5622

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

Authorizing Change Order No. 19 in the amount of \$111,660.04 with Price Industrial Electric, Inc. for the Joint Communications Network Splicing and Testing – Groups 1 and 3, Traffic Signal Interconnect Groups 1 and 2 project (original contract amount was \$1,148,668; total contract amount with this amendment is \$2,098,569.70). CIP/DID #354004-05

Background:

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

- Adjustment of handhole (HH) was required to accommodate reconstruction of parking lot for Amphitheater project.
- HH was installed prior to construction of new central fire station. HH was adjusted to accommodate proposed sidewalk grades.
- Splicing was required to add a link for data service from 5 Seasons to Involta to provide redundancy for fiber ring.
- Splicing was completed at the temporary Cedar Rapids IT location to provide access to fiber ring to manage system.
- Plans as bid did not include conduit required to link reconstructed Ground Transportation Center (GTC) to Joint Communications Network (JCN) fiber system. Conduit was installed to properly install building service.
- City Services Center building required additional conduit to adjust location of terminal to better accommodate fiber management in data room. GTC reconstruction required the relocation of an existing Alliant Energy vault that the JCN was located in. The choice was made to construct a separate route for the JCN to eliminate this issue in the future.
- Planning during the design of the network included utilizing existing Alliant Energy conduits. The JCN was installed per plan and brought on line. A decision was made by Alliant Energy that the conduit system being used needed to be reorganized to eliminate splice enclosures at key locations. Three locations were modified to comply. A cost analysis was completed and running standalone conduit was cost prohibitive compared to the continued use of Alliant conduit.
- A larger panel was added at the County Engineering building to increase connectivity for the County system.
- Additional conduit and handholes were installed to allow access to future intersections. Work included placement of HH at intersections and completed without damaging newly constructed 10th Street.

- The existing HH (not part of the new installation for the JCN) was buried and inaccessible. The JCN raised the HH to allow access for maintenance.
- Emergency 911 fiber testing was completed in preparation for the investigation of using JCN fiber as backbone for the system.
- Plans for the JCN included the utility (Green Tube) remaining unspliced in the HH except at point to point for the proposed connections. This created a static inflexible system that in the event of emergency rerouting was impractical. The decision was made to relocate the green tube into panels and complete terminations for all fiber. This allows the quick re-linking of components in the event of fiber damage through redundant paths.
- The Jackson Elementary JCN link was relocated to accommodate street improvements; this work included relocating the conduit and associated handhole.
- Fiber work at 14th Ave SW and 4th St SW including pulling additional cable to provide redundancy for the data center.
- Splicing of Marion fiber to increase redundancy for JCN members were completed by the contractor. This work was required to provide a secondary route for the County offices.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 19 submitted by Price Industrial Electric, Inc.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt

Explanation:

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 19 in the amount of \$111,660.04 with Price Industrial Electric, Inc. for the Joint Communications Network Splicing and Testing – Groups 1 and 3, Traffic Signal Interconnect Groups 1 and 2 project, Contract No. 354004-05. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,143,668.00
Incentive Up to	5,000.00
Change Order No. 1	43,100.00
Change Order No. 2	21,600.00
Change Order No. 3	18,524.00
Change Order No. 4	68,445.38
Change Order No. 5	78,575.00
Change Order No. 6	42,287.60
Change Order No. 7	48,218.88
Change Order No. 8	124,800.00
Change Order No. 9	7,590.40
Change Order No. 10	52,182.00
Change Order No. 11 revised 2	219,900.40
Change Order No. 12	48,624.00
Change Order No. 13	15,254.40
Change Order No. 14	7,270.00
Change Order No. 15	2,900.00
Change Order No. 16	18,744.00
Change Order No. 17	19,880.00
Change Order No. 18	345.60
Change Order No. 19	<u>111,660.04</u>
Amended Contract Amount	\$2,098,569.70

General ledger coding for this Change Order to be as follows: \$111,660.04 354-354000-35486-354004

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5804

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

Phone Number/Extension: 5848

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

Authorizing Change Order No. 10 in the amount of \$60,232.82 with S.M. Hentges & Sons, Inc. for the Cedar River Sanitary Sewer Crossing Improvements project (original contract amount was \$5,394,964; total contract amount with this amendment is \$5,599,498.20). CIP/DID #655080-03

Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Due to the excessive and continuous Cedar River flooding that occurred in the spring and summer of 2013 in Cedar Rapids, the contractor and subcontractors were unable to begin per the original submitted schedule. Because of said delays to the project, the Headbox construction, Tailbox construction, and subsequent construction activities were pushed into the 2013/2014 winter season resulting in unexpected cold weather costs.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 10 submitted by S.M. Hentges & Sons, Inc.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 Minute(s)

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

Local Preference Policy: Applies Exempt

Explanation: Grant-funded project.

Recommended by Council Committee: Yes No N/A

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

ENG
AUD FILE
FIN
CLK
SM HENTGES
ANDERSON BOGRET
655080-03

RESOLUTION NO.

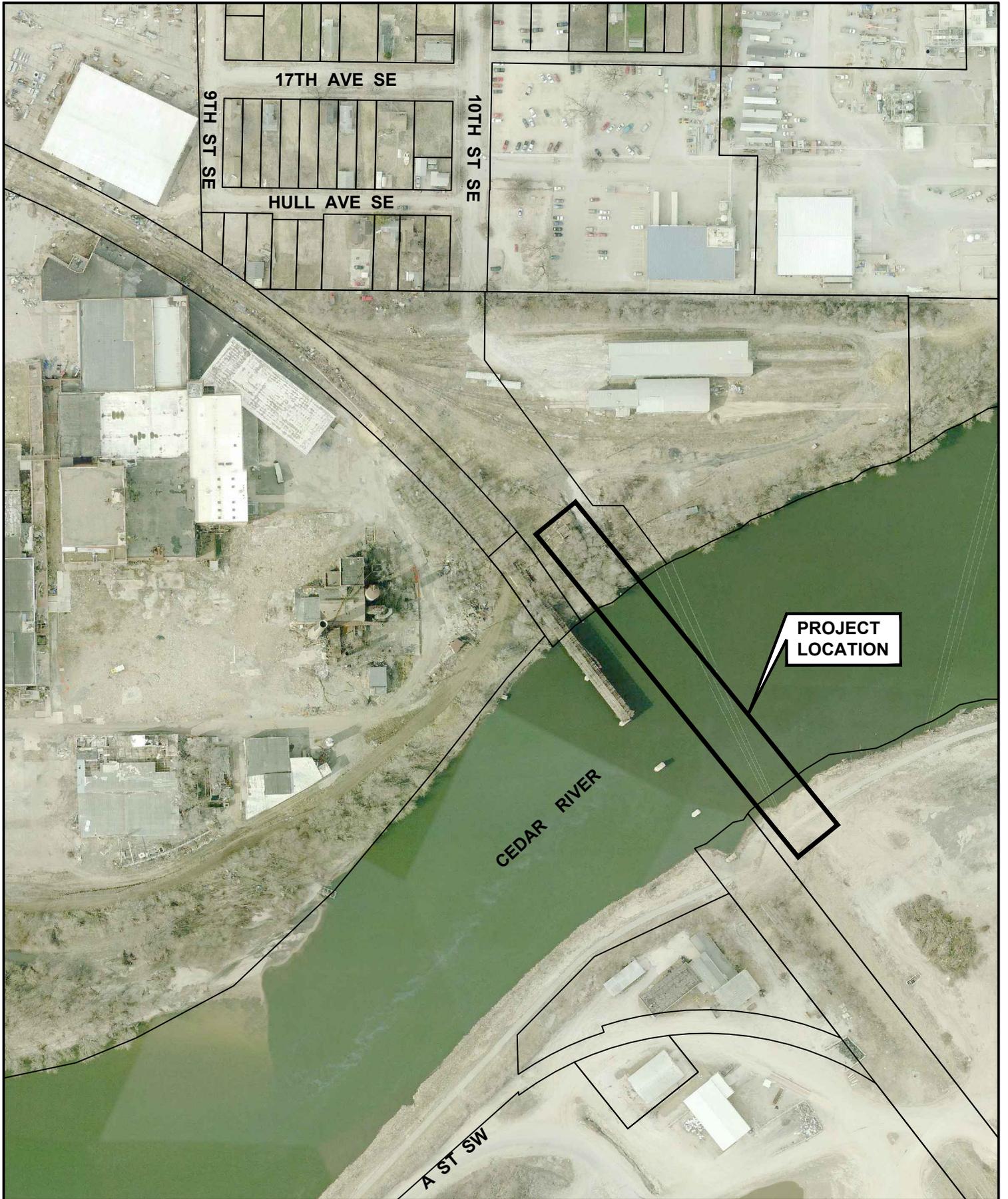
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 10 in the amount of \$60,232.82, plus an additional 2 working days, with S.M. Hentges & Sons, Inc. for the Cedar River Sanitary Sewer Crossing Improvements project, Contract No. 655080-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$5,370,464.00
Possible Incentive	24,500.00
Change Order No. 1	1,186.81
Change Order No. 2	9,105.14
Change Order No. 3	4,804.16
Change Order No. 4	7,628.19
Change Order No. 5	20,094.74
Change Order No. 6	16,804.72
Change Order No. 7	753.49
Change Order No. 8	47,700.00
Change Order No. 9	36,224.13
Change Order No. 10	<u>60,232.82</u>
Amended Contract Amount	\$5,599,498.20

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

\$60,232.82 655-655000-655080

Passed this 27th day of May, 2014.



**CEDAR RIVER SANITARY SEWER
CROSSING IMPROVEMENTS**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5804

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

Phone Number/Extension: 5848

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

Authorizing Change Order No. 1 in the amount of \$26,416 with S.M. Hentges & Sons, Inc. for the Indian Creek Trunk Sanitary Sewer Segment 2 – Phase 2 Reconstruction project (original contract amount was \$1,835,940.67; total contract amount with this amendment is \$1,862,356.67). CIP/DID #655625-05

Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Contractor had the choice to build larger manhole to change direction or use tee manholes with bends. Contractor chose to use the tee manholes.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 1 submitted by S.M. Hentges & Sons, Inc.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: May 27, 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

Explanation (if necessary):

ENG
AUD FILE
FIN
CLK
SM HENTGES
ANDERSON BOGERT
655625-05

RESOLUTION NO.

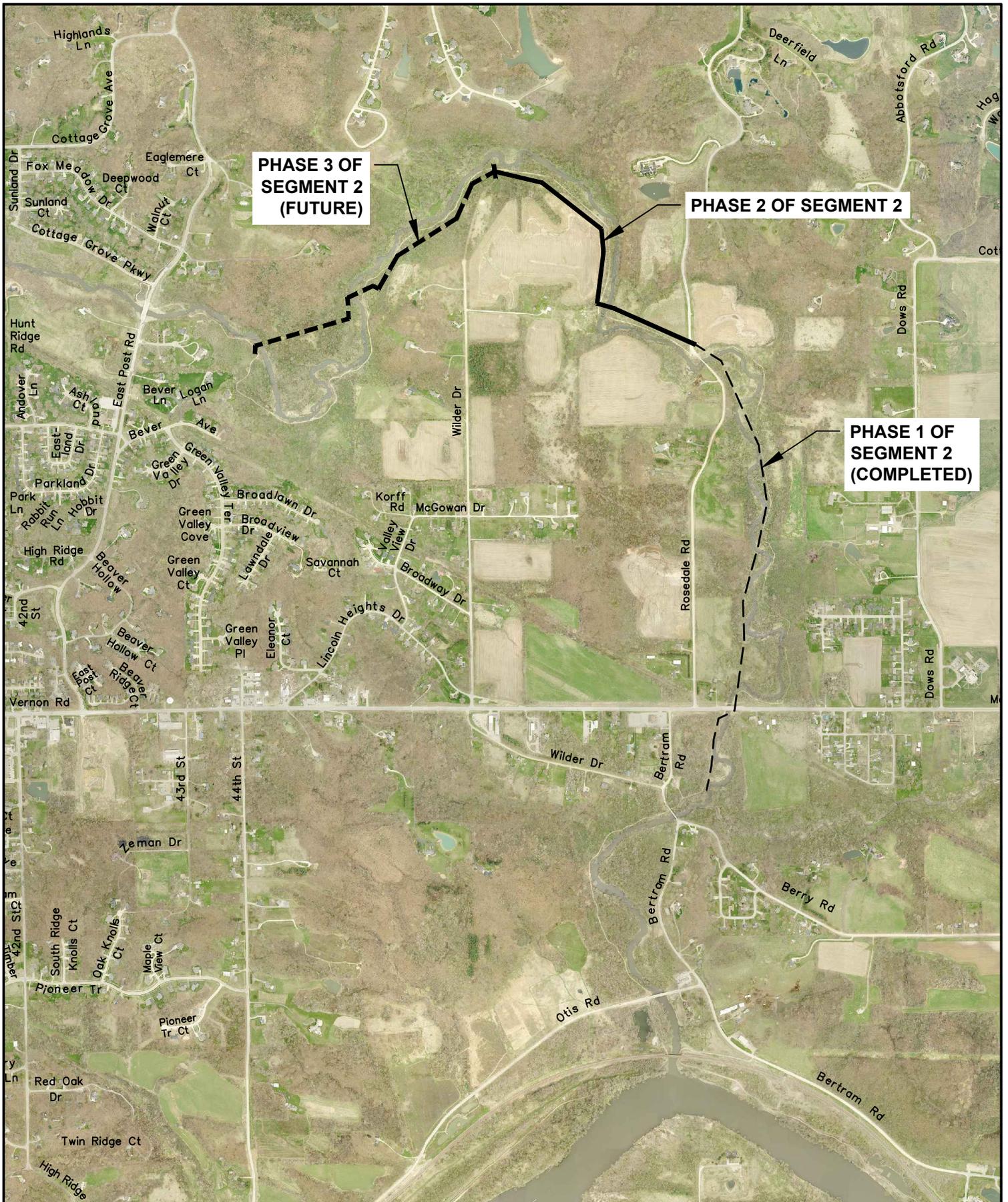
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 1 in the amount of \$26,416 with S.M. Hentges & Sons, Inc. for the Indian Creek Trunk Sanitary Sewer Segment 2 - Phase 2 Reconstruction, Contract No. 655625-05. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,800,940.67
Possible Incentive	35,000.00
Change Order No. 1	<u>26,416.00</u>
Amended Contract Amount	\$1,862,356.67

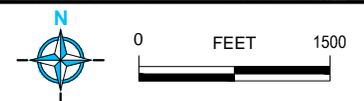
General ledger coding for this Change Order to be as follows:

\$26,416 655-655000-655625

Passed this 27th day of May, 2014.



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





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5804

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

Phone Number/Extension: 5848

Description of Agenda Item: **Consent Agenda** **Regular Agenda**
Authorizing Change Order No. 7 (Final) deducting the amount of \$21,516.42 with Ricklefs Excavating, Ltd. for the Bever-Linden-Blake SE Area 2011 Water Main Improvements–Phase 1 project (original contract amount was \$437,716.80; total contract amount with this amendment is \$453,887.72). CIP/DID #2011025-02

Background:

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

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 7 (Final) submitted by Ricklefs Excavating, Ltd.

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: May 27, 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):

ENG
WTR
AUD FILE
FIN
CLK
RICKLEFS
SHIVE HATTERY
2011025-02

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 7 (Final) deducting the amount of \$21,516.42 with Ricklefs Excavating, Ltd. for the Bever-Linden-Blake SE Area 2011 Water Main Improvements-Phase 1, Contract No. 2011025-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$437,716.80
Change Order No. 1	850.00
Change Order No. 2	9,862.97
Change Order No. 3	3,798.86
Change Order No. 4	1,431.20
Change Order No. 5	1,079.20
Change Order No. 6	20,665.11
Change Order No. 7 Final	<u>(21,516.42)</u>
Amended Contract Amount	\$453,887.72

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

(\$15,623.62) 625-625000-625884-6252011025
(\$ 5,892.80) 655-655000-655996

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5804

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

Phone Number/Extension: 5258

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

Authorizing Change Order No. 4 (Final) deducting the amount of \$27,853.90 with L.L. Pelling Company, Inc. for the 8th Street SE Rehabilitation from 1st Avenue E to 3rd Avenue SE project (original contract amount was \$377,390.75; total contract amount with this amendment is \$416,784.49). CIP/DID #3012057-02

Background:

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

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 4 (Final) submitted by L.L. Pelling Company, 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: May 27, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt

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

Recommended by Council Committee: Yes No N/A

Explanation (if necessary): Infrastructure Committee

ENG
AUD FILE
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CLK
LL PELLING
3012057-02

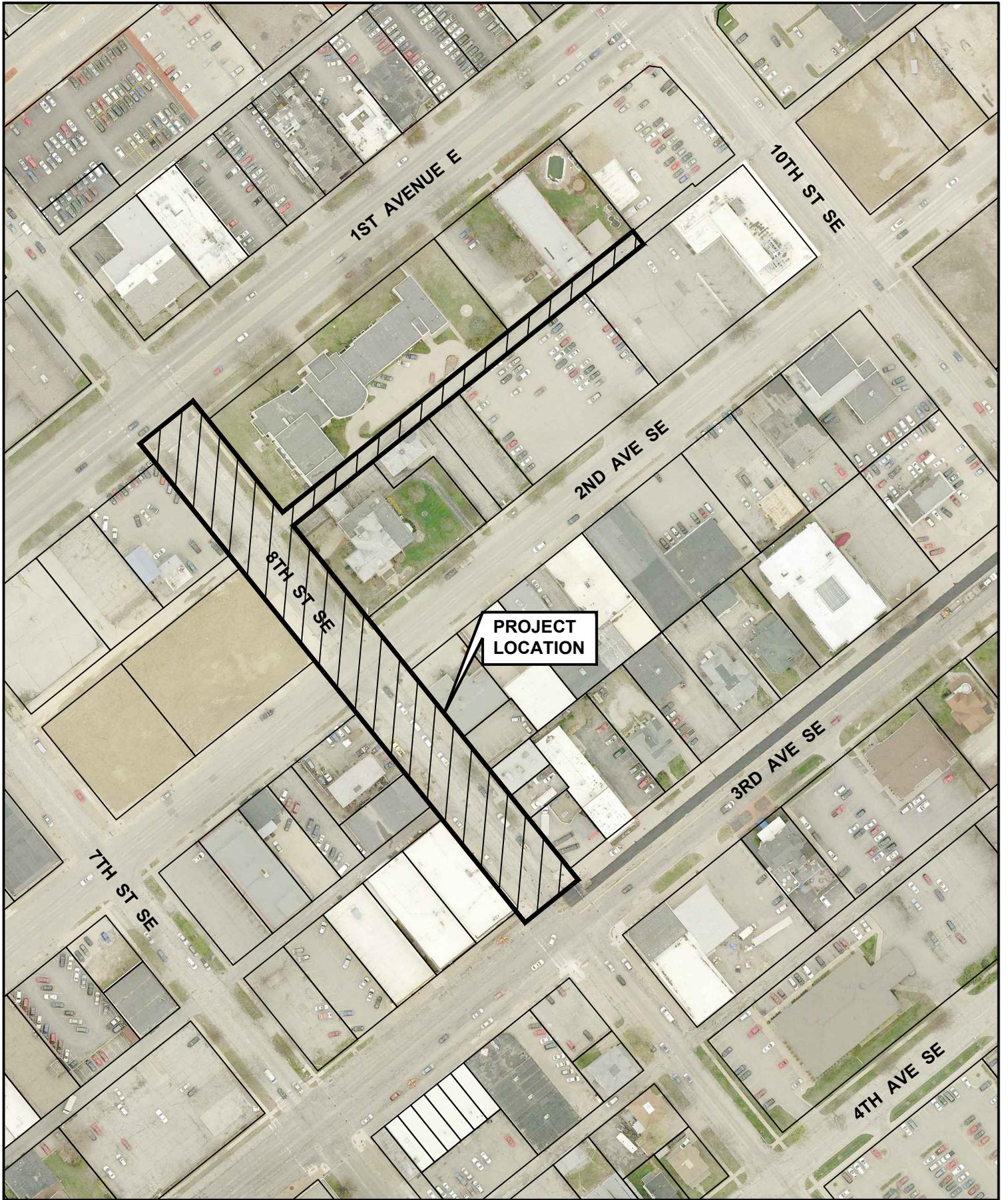
RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 4 (Final) deducting the amount of \$27,853.90 with L.L. Pelling Company, Inc. for the 8th Street SE Rehabilitation from 1st Avenue E to 3rd Avenue SE, Contract No. 3012057-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$353,890.75
Possible Incentive	23,500.00
Change Order No. 1	10,241.35
Change Order No. 2	44,518.89
Change Order No. 3	12,987.40
Change Order No. 4	(27,853.90)
Removal of Original Incentive	<u>(500.00)</u>
Amended Contract Amount	\$416,784.49

General ledger coding for this Change Order to be as follows: (\$27,853.90) 301-301000-30185-3012057

Passed this 27th day of May, 2013.





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

Phone Number/Extension: 5258

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

Phone Number/Extension: 5808

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **Map**
Authorizing Change Order No. 16 in the amount of \$12,164 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 \$15,578,957.10) **(FLOOD)**. CIP/DID #PLE001-20

Background:

WCD= Work Change Directive	
WCD #20	Stained Glass Support and Niche Revisions, Fireplace
	Elevation Revisions at Sinclair Brick
	Quartz material change due to availability
	North Canopy Lumi Panels
	Relocate Drywall Recess (Rooms 268 and 269)
	Reduce contract allowance of \$22,770 by \$6,670 to remove handling, trucking and storage of 34 loads of structural steel to align with actual costs of \$16,100
	\$3,109
	\$7,049
	\$7,401
	\$1,275
	(\$6,670)

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 16 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: May 23, 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
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FIN
CLK
KNUTSON
OPN
PLE001-20
OB377545

RESOLUTION NO.

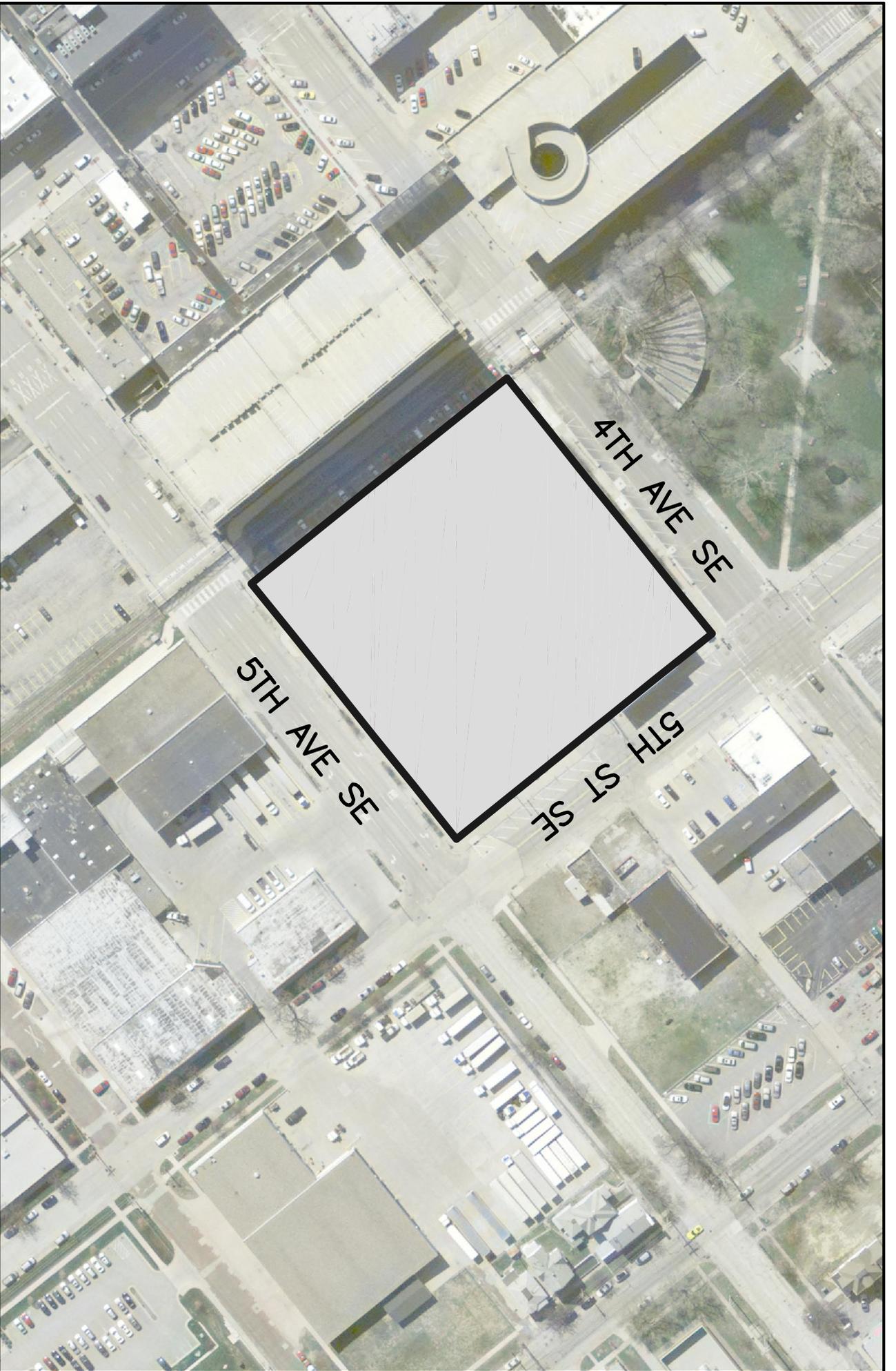
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 16 in the amount of \$12,164 with Knutson Construction Services Midwest, Inc. for the Cedar Rapids Public Library - General Contractor, Contract No. PLE001-20. A cost summary 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	120,969.00
Change Order No. 16	<u>12,164.00</u>
Amended Contract Amount	\$15,578,957.10

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

\$12,164 330-330010-18512-PLE001

Passed this 27th day of May, 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: Doug Carper, P.E.
E-mail Address: d.carper@cedar-rapids.org

Phone Number/Extension: 5258

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

Phone Number/Extension: 5808

Description of Agenda Item: **Consent Agenda** **Regular Agenda**
Authorizing Change Order No. 11 in the amount of \$27,519.27 with Bowker Mechanical Contractors, LLC for the Cedar Rapids Public Library Project – Fire Suppression, Plumbing & HVAC project (original contract amount was \$3,676,000; total contract amount with this amendment is \$3,978,828.89) (**FLOOD**). CIP/DID #PLE001-21

Background:

WCD=Work Change Directive		
WCD #16	Well Sensor Replacement	\$9,112.55
	Additional Cistern Support Leg	\$4,505.47
	Grid Ceiling Access Locations (for information only)	\$0
	Energy Dash Board Upgrade	\$13,901.25

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 11 submitted by Bowker Mechanical Contractors, LLC.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: May 27, 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

Explanation (if necessary):

ENG
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FIN
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BOWKER
OPN
PLE001-21
OB377545

RESOLUTION NO.

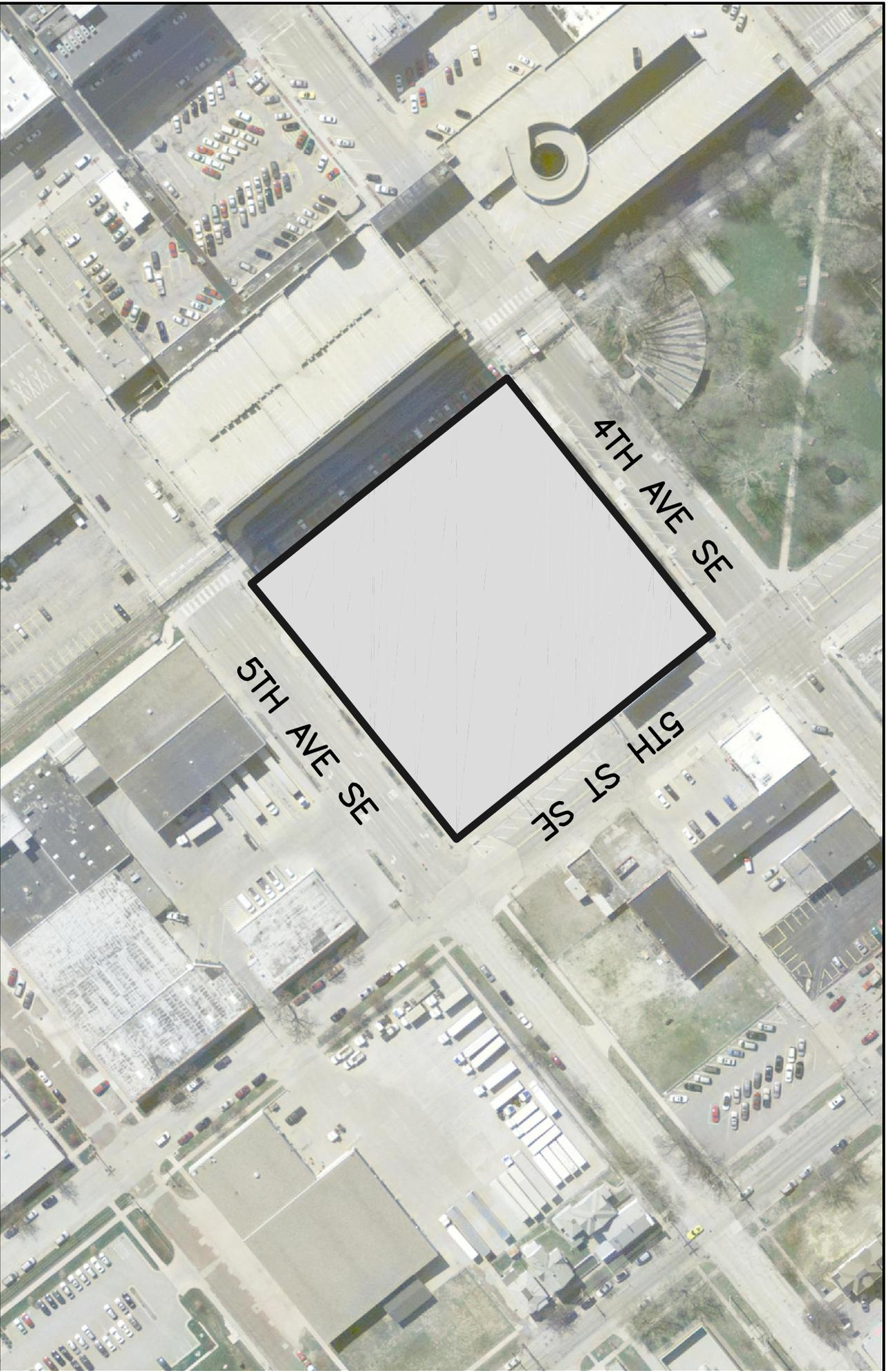
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 11 in the amount of \$27,519.27 with Bowker Mechanical Contractors, LLC for the Cedar Rapids Public Library Project – Fire Suppression, Plumbing & HVAC project, Contract No. PLE001-21. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$3,676,000.00
Change Order No. 1	4,354.38
Change Order No. 2	890.00
Change Order No. 3	24,087.94
Change Order No. 4	93,301.96
Change Order No. 5	66,923.27
Change Order No. 6	4,797.61
Change Order No. 7	6,594.77
Change Order No. 8	591.75
Change Order No. 9	36,490.81
Change Order No. 10	37,277.13
Change Order No. 11	<u>27,519.27</u>
Amended Contract Amount	\$3,978,828.89

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

\$27,519.27 552000-330-330010-18512-PLE001

Passed this 27th day of May, 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: 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. 11 in the amount of \$11,042.21 with Maxwell Construction, Inc. for the 2nd Street SE From 9th Avenue to the Sinclair Site Sanitary Sewer Reconstruction project (original contract amount was \$2,791,496.24; total contract amount with this amendment is \$3,025,173.51) (**FLOOD**). CIP/DID #SSD005-02

Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work, and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Portland Cement Concrete (PCC) curb and gutter and sidewalk have increased because there was an area where the water would not drain from the intersection so some curb and gutter had to be removed and replaced which in turn added more sidewalks behind the curb to be replaced. Additional sidewalk and curb and gutter needed replacing. One lane of traffic had to be blocked off in order to do the work which resulted in the additional traffic control.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 11 submitted by Maxwell Construction, Inc.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): SSD005

Local Preference Policy: Applies Exempt

Explanation: FEMA funded project

Recommended by Council Committee: Yes No N/A

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FIN
CLK
MAXWELL
HR GREEN
SSD005-02
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. 11 in the amount of \$11,042.21 with Maxwell Construction, Inc. for the 2nd Street SE From 9th Avenue to the Sinclair Site Sanitary Sewer Reconstruction project, Contract No. SSD005-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$2,733,296.24
Possible Incentive	58,200.00
Change Order No. 1	36,068.50
Change Order No. 2	65,512.67
Change Order No. 3	9,779.60
Change Order No. 4	7,122.35
Change Order No. 5	(35,774.96)
Change Order No. 6	(2,889.16)
Change Order No. 7	18,134.94
Change Order No. 8	10,875.00
Change Order No. 9	92,688.28
Change Order No. 10	21,117.84
Change Order No. 11	<u>11,042.21</u>
Amended Contract Amount	\$3,025,173.51

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

\$ 705.53	304-304000-304284
\$10,336.68	330-330210-18511-SSD005

Passed this 27th day of May, 2014.



2ND STREET SE FROM 9TH AVE TO THE SINCLAIR SITE SANITARY SEWER RECONSTRUCTION
CONTRACT NO. SSD005-02

NOT TO SCALE

Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Parks and Recreation

Presenter at meeting: Steve Krug

Phone Number/Ext: 5740

Email: s.krug@cedar-rapids.org

Alternate Contact Person: Sven Leff

Phone Number/Ext: 5739

Email: S.Leff@cedar-rapids.org

Description of Agenda Item:

Resolution approving Contract Change Order No. 2 for the Hoover Trail Park project. Original contract amount is \$62,998. Change order No. 2 is \$3,495. Amended contract amount with change order No. 1 and No. 2 is \$71,608.25. (CIP 307222-01)

Background:

Contract Change Order No. 2: The type of property line fencing needed to be changed to match the neighbors fencing from a wood board on board fence to a white vinyl fence.

Action / Recommendation:

Approval of project to move forward with the construction of the Hoover Trail Park project.

Alternative Recommendation:

If the Council does not approve, the project cannot proceed.

Time Sensitivity: Normal

Resolution Date: May 27, 2014

Estimated Presentation Time: 5 Minute(s)

Budget Information (if applicable):

Project is to be paid for with allocated CIP funds, project #307222-01

Local Preference Policy Applies Exempt

Explanation: NOTE: 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.

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Pirc-Tobin Construction, Inc.
307222-01

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 2 in the amount of \$3,495 with Pirc-Tobin Construction, Inc., for the Hoover Trail Park project, Contract No. 307222-01. A cost summary of the contract changes for this project is as follows:

<u>Description</u>	<u>Amount</u>	<u>GL Coding</u>
Original Contract	\$62,998	307-307000-307222
Change Order No. 1	\$5,115.25	307-307000-307222
Change Order No. 2	<u>\$3,495</u>	307-307000-307222
Total Contract to date:	\$71,608.25	

Passed this 27th day of May, 2014



Council Agenda Item Cover Sheet

** FLOOD **

Submitting Department: Public Works Department

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

Phone Number/Extension: 5814

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

Phone Number/Extension: 5547

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

Resolution awarding and approving contract in the amount of \$1,373,570.60 plus incentive up to \$49,000, bond and insurance of Rathje Construction Company for the 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 3 project (estimated cost is \$1,720,000) (**FLOOD**). CIP/DID #SSD103-12

Background:

Rathje Construction Company, Marion, IA	\$1,373,570.60
Possible Incentive	<u>\$ 49,000.00</u>
Total Award	\$1,422,570.60
Ricklefs Excavating, Ltd., Anamosa, IA	\$1,502,490.30
BWC Excavating, Solon, IA	*\$1,675,338.50
Dave Schmitt Construction, Cedar Rapids, IA	\$1,833,462.75

*Addition error found in bid

Rathje Construction Company submitted the lowest of the bids received on April 23, 2014 for the 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 3 project. The bid is within the approved budget. Construction work is anticipated to begin this summer and be completed within 445 calendar days.

Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$1,373,570.60 plus incentive up to \$49,000, bond and insurance of Rathje Construction Company for the 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 3 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 45 days after the bid opening. Deferral of the contract award after May 27, 2014 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): FEMA PW #SSD103

Local Preference Policy: Applies Exempt

Recommended by Council Committee: Yes No N/A

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 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 3 public improvement project (Contract No. SSD103-12) 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 23, 2014 by the Public Works Director, or designee, and said officer has now reported the results of the bidding on May 13, 2014 and made recommendations thereon to the City Council at its next meeting on May 27, 2014:

Rathje Construction Company, Marion, IA	\$1,373,570.60
Possible Incentive	<u>\$ 49,000.00</u>
Total Award	\$1,422,570.60
Ricklefs Excavating, Ltd., Anamosa, IA	\$1,502,490.30
BWC Excavating, Solon, IA	*\$1,675,338.50
Dave Schmitt Construction, Cedar Rapids, IA	\$1,833,462.75

*Addition error found in bid

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$1,422,570.60 330-330240-18511-SSD103; 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 approval of the Equal Employment Opportunity Officer and 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 27th day of May, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Cedar Rapids Police Department

Presenter at meeting: Captain Walther **Phone Number/Ext:** x5470
E-mail Address: b.walther@cedar-rapids.org

Alternate Contact Person: D/C Jonker **Phone Number/Ext:** x5338
E-mail Address: t.jonker@cedar-rapids.org

Description of Agenda Item:

Resolution authorizing the City Manager to execute a Memorandum of Agreement with the Federal Bureau of Investigation (FBI) for continued use of the Cedar Rapids Police Department's firearms range located at 2727 Old River Road SW, Cedar Rapids, in exchange for the FBI to provide additional funding for facility improvements as noted in the agreement. CIP/DID #OB310333.

Background:

The CRPD has prepared a multi-phased plan for making improvements to the range which would be funded in part by the FBI, in exchange for their continued use of the range. In September 2012, the FBI provided \$125,000 to hire a consultant to plan and design improvements. In March 2013, additional law enforcement agencies also entered into agreements for the project. Through this Memorandum of Agreement the FBI will provide an additional \$500,000 toward the construction phase of this project.

The Memorandum of Agreement consists of 11 sections that will enter into effect upon signature of all parties and will remain in effect for 12 years. It may be extended by mutual written consent of the parties' authorized representatives. The agreement is subject to termination as provided in the agreement. It is separate from any current range issues, and provisions are in place to allow for future relocation of improvements if needed.

Action / Recommendation:

The Police Department recommends adopting the resolution authorizing execution of the Memorandum of Agreement with the FBI.

Alternative Recommendation:

If the MOA is not signed, the range improvement plan will be put at risk.

Time Sensitivity: FBI funding to be possibly transferred the first week of June 2014.

Resolution Date: May 27, 2014

Estimated Presentation Time: 0

Budget Information (if applicable):

Recommended by Council Committee Yes No N/A x

Explanation:

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Police Department operates an outdoor firearms range that is also utilized by the Federal Bureau of Investigation (FBI) for firearms training, and

WHEREAS, the Cedar Rapids Police Department has prepared a phased plan for making improvements to the firearms range, utilizing funding from the FBI to make improvements, and

WHEREAS, the City of Cedar Rapids has entered into a Memorandum of Agreement with the FBI in the Amount of \$125,000 on September 20, 2012, (Resolution #1412-09-12), for the purpose of making improvements to the firearms range, and

WHEREAS, the FBI wishes to enter into a new Memorandum of Agreement to allow the FBI continued use of the outdoor firearms range, in consideration of an additional funding amount specified in the Agreement, and

WHEREAS, the Memorandum of Agreement, which consists of 11 sections, will enter into effect upon signature of all parties, and will remain in effect for the terms stated in the Agreement, and may be extended by mutual written consent of the parties' authorized representatives, subject in any event to termination as provided therein,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute the Memorandum of Agreement with the Federal Bureau of Investigation for the services noted herein.

Passed this 27th day of May, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Cedar Rapids Police Department

Presenter at meeting: Captain Walther **Phone Number/Ext:** x5470
E-mail Address: b.walther@cedar-rapids.org

Alternate Contact Person: D/C Jonker **Phone Number/Ext:** x5338
E-mail Address: t.jonker@cedar-rapids.org

Description of Agenda Item:

Resolution authorizing the City Manager to execute a Memorandum of Agreement with the City of Mount Vernon for continued use of the Cedar Rapids Police Department's firearms range at 2727 Old River Road SW, Cedar Rapids, in exchange for the City of Mount Vernon to provide funding for facility improvements as noted in the Agreement. CIP/DID #OB310333

Background:

The CRPD has prepared a multi-phased plan for making improvements to the range which would be funded in part by the City of Mount Vernon in exchange for their continued use of the range. In September 2012, the FBI entered into an agreement to hire a consultant to plan and design improvements. In March 2013, additional law enforcement agencies also entered into agreements for the project. Through this Memorandum of Agreement the City of Mount Vernon will provide an additional \$5,000 toward this improvement project.

The Memorandum of Agreement consists of 12 sections that will enter into effect upon signature of all parties and will remain in effect for 25 years. It may be extended by mutual written consent of the parties' authorized representatives. The Agreement is subject to termination as provided in the Agreement. It is separate from any current range issues, and provisions are in place to allow for future relocation of improvements if needed.

Action / Recommendation:

The Police Department recommends adopting the resolution authorizing execution of the Memorandum of Agreement with the City of Mount Vernon.

Alternative Recommendation:

If the MOA is not signed, the range improvement plan will be put at risk.

Time Sensitivity: NA

Resolution Date: May 27, 2014

Estimated Presentation Time: 0

Recommended by Council Committee Yes No N/A x

Explanation:

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Police Department operates an outdoor firearms range that is also utilized by the City of Mount Vernon Police Department for firearms training, and

WHEREAS, the Cedar Rapids Police Department has prepared a phased plan for making improvements to the firearms range, utilizing funding from the Mount Vernon Police Department, to make improvements, and

WHEREAS, the Memorandum of Agreement between the Cedar Rapids Police Department and the Mount Vernon Police Department allow for the continued use of the outdoor firearms range, in consideration of a funding amount specified in the Agreement, and

WHEREAS, the Memorandum of Agreement, which consists of 12 sections, will enter into effect upon signature of all parties and will remain in effect for the terms stated in the Agreement, and may be extended by mutual written consent of the parties' authorized representatives, subject in any event to termination as provided therein,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute the Memorandum of Agreement with the City of Mount Vernon for the services noted herein.

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Fire

Presenter at Meeting: Curtis Walser

Phone: 319-310-4930

Email: c.walser@cedar-rapids.org

Alternate Contact Person: Mark English

Phone: 319-286-5220

Email: m.english@cedar-rapids.org

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

Resolution to authorize Fire Department to purchase radio equipment from RACOM Corporation in an amount not to exceed \$100,000 through June 30, 2015. Funds for the purchase to come from the Homeland Security Grant Fund, Account # 531109-7862-786200, Project #786212 and Project #786213. (Curtis Walser)

Background:

The Cedar Rapids Fire Department is a sponsoring agency of Iowa Task Force One, which is an Urban Search and Rescue unit. Communications interoperability is a critical aspect of emergency response. The team is purchasing mobile and portable radios and equipment under City of Cedar Rapids Purchasing Contract 0610-312 and State of Iowa Contract #005 3814-10. The purchases will be paid for by Homeland Security grant monies received from the State of Iowa.

Action/Recommendation:

The Fire Department recommends approval of the radio equipment.

Alternative Recommendation:

If the equipment is not approved at this time, the Fire Department will not be able to use Homeland Security grant monies and improve communications equipment for Urban Search and Rescue response.

Time Sensitivity: Grant funds must be spent by June 30, 2014 for Grant Year 2012 and by June 30, 2015 for Grant Year 2013.

Resolution Date: May 27, 2014

Estimated Presentation Time: N/A

Budget Information (if applicable):

Cost of radio equipment will not exceed \$100,000.00. Funding will be from State of Iowa Homeland Security grant funds Account 531109-7862-786200 USAR Project# 786212 and Project# 786213

Local Preference Policy Applies Exempt

Explanation: City of Cedar Rapids Purchasing Contract and State Contract is being utilized, and there is a local vendor: RACOM Corporation, 1331 Stamy Road, Hiawatha.

Recommended by Council Committee Yes No N/A

Explanation (if necessary): N/A

RESOLUTION NO.

WHEREAS, the Cedar Rapids Fire Department is a sponsoring agency of Iowa Task Force One, an Urban Search and Rescue unit; and

WHEREAS, Iowa Task Force One requires additional radio equipment to enhance search and rescue response; and

WHEREAS, funding for the purchase is from Homeland Security Grant Fund, Account #531109-7862-786200, Project #786212 and Project #786213; now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Fire Department is hereby authorized to purchase radio equipment from City of Cedar Rapids Purchasing Contract 0610-312 and State of Iowa Contract 005 3814-10, with RACOM Corporation, 1331 Stamy Road, Hiawatha, Iowa, 52233, in an amount not to exceed \$100,000 through June 30, 2015.

Passed this 27th day of May, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Transit

Presenter at meeting: Brad DeBrower
Email: b.debrower@cedar-rapids.org

Phone Number/Ext: 286-5560

Alternate Contact Person:
Email:

Phone Number/Ext:

Description of Agenda Item: Resolution authorizing the purchase of one 176" wheelbase, diesel, light-duty, ADA bus for a cost of \$85,000. CIP/DID #NEW

Background: The City has secured federal funds administered by the Iowa Department of Transportation to purchase one 176" wheelbase, diesel, light-duty, ADA bus. The funding agreement with the IDOT will cover up to 80% (\$68,000) of the total cost (\$85,000).

We have received approval from the Iowa DOT to purchase this vehicle from the Iowa DOT's 2014 Van/Bus procurement, which meets the FTA's procurement requirements. Davey Coach Sales Incorporated is one of the authorized vendors under contract with the Iowa DOT to provide 176" wheelbase buses.

The new bus will replace bus #267 and will be assigned to the NTS fleet. Davey Coach has a vehicle configuration that is comparable to bus #267 and meets the needs of NTS.

Action / Recommendation: The Transit Division recommends approval of the resolution.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

The purchase of this vehicle is included in the Transit Division's FY14 budget.

Local Preference Policy Applies Exempt X

Explanation:

We cannot use a geographic preference for bus procurements with FTA funds.

Recommended by Council

Committee: N/A

RESOLUTION NO.

WHEREAS, the Transit Division has secured federal funds administered by the Iowa Department of Transportation (Iowa DOT) to purchase one 176" wheelbase, diesel, light-duty, ADA bus, and

WHEREAS, the ceiling for federal participation is 80% (\$68,000) of the cost for a total cost of \$85,000, and

WHEREAS, the Iowa DOT conducted a 2014 Van/Bus procurement which is open to public transit agencies, and

WHEREAS, Davey Coach Sales Incorporated is one of the authorized vendors under contract with the IDOT to provide light-duty, 176" wheelbase buses, and

WHEREAS, the Transit Division has received approval from the Iowa DOT to purchase this vehicle from Davey Coach Sales Incorporated, and

WHEREAS, the funding for this purchase is included in the Transit Division's FY14 budget,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Transit Division is authorized to purchase one 176" wheelbase, diesel, light-duty, ADA bus from Davey Coach Sales Incorporated for a cost of \$85,000.

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Rob Davis

Phone Number/Ext: 5808

Email: robd@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Resolution accepting Cedar Rapids Convention Complex Hotel Guest Room Fabrications project and authorizing issuance of final payment to DI, LLC in the amount of \$9,044. (original contract amount was \$189,219.10; final contract amount is \$240,901.04). CIP/DID #0712-020

Background:

This project is for the Cedar Rapids Convention Complex Hotel Guest Room Fabrications. City Council awarded the project to DI, LLC by Resolution No. 1402-10-12. The Public Works Department – Engineering Division has certified that the Contract work has been substantially completed in accordance with the approved plans and specifications.

Contract summary:

Original Contract, Resolution No. 1402-10-12	\$189,219.10
Amendment No. 1, signed by the City Manager on February 1, 2013	\$17,300.00
Amendment No. 2, Resolution No. 0382-03-13	\$34,381.94
Contract Total	\$240,901.04

This resolution is to release final payment to DI, LLC of \$9,044.

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: May 27, 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 and DI, LLC are parties to a Contract for the Cedar Rapids Convention Complex Hotel Guest Room Fabrications project authorized by Resolution No. 1402-10-12; and

WHEREAS, the Public Works Department – Engineering Division has certified that the Contract work has been substantially completed in accordance with the approved plans and specifications; and

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

Original Contract, Resolution No. 1402-10-12	\$189,219.10
Amendment No. 1, signed by the City Manager on February 1, 2013	\$17,300.00
Amendment No. 2, Resolution No. 0382-03-13	\$34,381.94
Contract Total	\$240,901.04

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that based on the recommendation by the Public Works Department – Engineering Division that the project be and the same is hereby accepted as being substantially completed and the City of Cedar Rapids is authorized and directed to issue final payment for the sum of \$9,044 to DI, LLC; and

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

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Finance – Fleet Services

Presenter at meeting: Dennis Hogan

Phone Number/Ext: 5860

Email: d.hogan@cedar-rapids.org

Alternate Contact Person: Dennis Hogan

Phone Number/Ext: 5860

Email: d.hogan@cedar-rapids.org

Description of Agenda Item:

Fleet Services Division purchase of a computer equipment package from Keltek Incorporated, to be used to equip eight new police department vehicles, for a total amount of \$106,569.39. CIP/DID #B27172

Background: The package of computer equipment will be used to equip the eight new FY 2015 budgeted police vehicles previously approved by Council Resolution 0525-04-14. The package consists of eight computers and cameras with associated wiring and accessories necessary for installation and operation. This purchase is being made from Keltek Incorporated, of Baxter, Iowa, an awarded dealer for State Bid Contract #B27172 WSCA KEL for “Computers, Toughbooks” 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 police vehicles will not be have the equipment that is necessary to maintain the required level of operational communication and safety.

Time Sensitivity: Normal

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Fund 073, Dept ID 073000 Project 073001

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):

RESOLUTION NO.

WHEREAS, the Cedar Rapids City Council previously approved Resolution No. 0525-04-14, approving 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, it is necessary to equip said vehicles with computers, camera systems and associated wiring and accessories to maintain the required level of operational communication and safety, and

WHEREAS, Keltek Incorporated, of Baxter, Iowa, is an awarded dealer for State Bid Contract #B27172 WSCA KEL for "Computers, Toughbooks" as let by the Iowa Department of Administrative Services, and

WHEREAS, the total purchase amount for the package will be \$106,569.39, budgeted in FY 2015 GL account Fund 073, Dept ID 073000, and

WHEREAS, the Fleet Services Division recommends the purchase of said computer equipment package for eight police vehicles from Keltek Incorporated for the amount of \$106,569.39,

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 computer equipment package from Keltek Incorporated as described herein.

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Finance Department

Presenter at meeting: Matt Felling

Phone Number/Extension: 731-4466

E-mail Address: matt.felling@hilton.com

Alternate Contact Person: Casey Drew

Phone Number/Extension: 5097

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

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

Resolution authorizing Doubletree Management, LLC ("Hilton") to execute a Maintenance Agreement with O'Keefe Elevator Company for a term of 5 years, commencing on June 1, 2014 in connection with the Cedar Rapids Convention Complex Hotel project.

Background:

The agreement provides elevator maintenance service for the DoubleTree by Hilton Hotel for 5 years at \$1,680.00 per month (\$100,800.00).

The City's Management Agreement ("Management Agreement") with Hilton specifically allows Hilton to enter into agreements for goods or services that have a maximum term of one year. Agreements with a term greater than one year and not terminable at will on thirty days' notice or less must receive prior written approval from the Owner.

Budget Information (if applicable): Doubletree by Hilton Operating Budget

Action / Recommendation: Approve the resolution.

Alternative Recommendation: Table or deny the resolution.

Time Sensitivity: Resolution Date: May 27, 2014

Estimated Presentation Time: 5 Minute(s)

Local Preference Policy: Applies Exempt

Explanation:

Recommended by Council Committee: Yes No N/A

RESOLUTION NO.

RESOLUTION AUTHORIZING DOUBLETREE MANAGEMENT, LLC, TO EXECUTE A MAINTENANCE AGREEMENT FOR WITH O'KEEFE ELEVATOR COMPANY FOR THE CITY'S DOUBLETREE BY HILTON HOTEL AT THE CEDAR RAPIDS CONVENTION COMPLEX.

WHEREAS, the City has built the Cedar Rapids Convention Complex ("Facility"), which includes renovation of the former Crowne Plaza Hotel at 350 1st Avenue, NE;

WHEREAS, Doubletree Management , LLC ("Management Company") has been selected as the operator of the completed Facility;

WHEREAS, Management Company has the right to enter into agreements for goods or services that have a maximum term of one year;

WHEREAS, agreements with a term longer than one year and not terminable at will with thirty day's notice or less must receive prior written approval from the Owner;

WHEREAS, Management Company wishes to obtain ELEVATOR MAINTENANCE SERVICE for the HOTEL.

WHEREAS, City of Cedar Rapids will be solely responsible for the associated service fees of \$1,680.00 per month for the duration of the Agreement to be paid from the DoubleTree by Hilton annual Operating Budget.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Cedar Rapids, Iowa hereby authorizes Doubletree Management, LLC, to execute an Agreement for Services with O'KEEFE ELEVATOR COMPANY for a term of 5 years commencing on JUNE 1, 2014.

Passed this 27th day of MAY, 2014



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Finance Department

Presenter at meeting: Matt Felling

Phone Number/Extension: 731-4466

E-mail Address: matt.felling@hilton.com

Alternate Contact Person: Casey Drew

Phone Number/Extension: 5097

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

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

Resolution authorizing Doubletree Management, LLC ("Hilton") to execute a Maintenance Agreement with Schindler Elevator Company for a term of 10 years, commencing on June 1, 2014 in connection with the Cedar Rapids Convention Complex Hotel project.

Background:

The agreement provides elevator and escalator service for the Convention Center for 10 years at \$1,500.00 per month (\$180,000.00). The Individual Maintenance Agreement is part of National Agreement between Hilton Worldwide and Schindler Elevator.

The City's Management Agreement ("Management Agreement") with Hilton specifically allows Hilton to enter into agreements for goods or services that have a maximum term of one year. Agreements with a term greater than one year and not terminable at will on thirty days' notice or less must receive prior written approval from the Owner.

Budget Information (if applicable): Doubletree by Hilton Operating Budget

Action / Recommendation: Approve the resolution.

Alternative Recommendation: Table or deny the resolution.

Time Sensitivity: Resolution Date: May 27, 2014

Estimated Presentation Time: Consent

Local Preference Policy: Applies Exempt

Explanation:

Recommended by Council Committee: Yes No N/A

RESOLUTION NO.

RESOLUTION AUTHORIZING DOUBLETREE MANAGEMENT, LLC, TO EXECUTE A MAINTENANCE AGREEMENT FOR WITH SCHINDLER ELEVATOR COMPANY FOR THE CITY'S DOUBLETREE BY HILTON HOTEL AT THE CEDAR RAPIDS CONVENTION COMPLEX.

WHEREAS, the City has built the Cedar Rapids Convention Complex ("Facility"), which includes renovation of the former Crowne Plaza Hotel at 350 1st Avenue, NE;

WHEREAS, Doubletree Management , LLC ("Management Company") has been selected as the operator of the completed Facility;

WHEREAS, Management Company has the right to enter into agreements for goods or services that have a maximum term of one year;

WHEREAS, agreements with a term longer than one year and not terminable at will with thirty day's notice or less must receive prior written approval from the Owner;

WHEREAS, Management Company wishes to obtain HILTON SPECIFIED ELEVATOR AND ESCALATOR SERVICE for CONVENTION CENTER.

WHEREAS, City of Cedar Rapids will be solely responsible for the associated service fees of \$1,500.00 per month for the duration of the Agreement to be paid from the DoubleTree by Hilton annual Operating Budget.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Cedar Rapids, Iowa hereby authorizes Doubletree Management, LLC, to execute an Agreement for Services with SCHINDLER ELEVATOR COMPANY for a term of 10 years commencing on JUNE 1, 2014.

Passed this 27th day of MAY, 2014



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Finance – Fleet Services

Presenter at meeting: Dennis Hogan

Phone Number/Ext: 5860

Email: d.hogan@cedar-rapids.org

Alternate Contact Person: Dennis Hogan

Phone Number/Ext: 5860

Email: d.hogan@cedar-rapids.org

Description of Agenda Item:

Fleet Services Division purchase of an emergency equipment package from Keltek Incorporated, to up fit eight new police department vehicles, for a total amount of \$65,268.77. CIP/DID #4603-14 and #4604-14

Background: The emergency equipment package will be used to up fit the eight new FY 2015 budgeted police vehicles previously approved by Council Resolution 0525-04-14. The package consists of items such as emergency lighting (e.g. light bars, fog lights, grille lights, spotlight), siren and speaker, computer and printer docking stations, specialized K9 equipment, weapons mounts and other accessories. This purchase is being made from Keltek Incorporated, of Baxter, Iowa, an awarded dealer for State Bid Contract #4603-14 for HAVIS products and #4604-14 for Whelen products 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 police vehicles will not be have the equipment that is necessary to maintain the required level of operational communication and safety.

Time Sensitivity: Normal

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Fund 073, Dept ID 073000 Project 073001

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):

RESOLUTION NO.

WHEREAS, the Cedar Rapids City Council previously approved Resolution No. 0525-04-14, approving 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, it is necessary to upfit said vehicles with emergency equipment such as emergency lighting (e.g. light bars, fog lights, grille lights, spotlight), siren and speaker, computer and printer docking stations, specialized K9 equipment, weapons mounts and other accessories to maintain the required level of operational communication and safety, and

WHEREAS, Keltek Incorporated, of Baxter, Iowa, is an awarded dealer for State Bid Contract #4603-14 for HAVIS products and Contract #4604-14 for Whelen products, (manufacturers of the emergency equipment required) as let by the Iowa Department of Administrative Services, and

WHEREAS, the total purchase amount for the package will be \$65,268.77, budgeted in FY 2015 GL account Fund 073, Dept ID 073000, and

WHEREAS, the Fleet Services Division recommends the purchase of said emergency equipment package from Keltek Incorporated for the amount of \$65,268.77,

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 emergency equipment package from Keltek Incorporated as described herein.

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Dean Archer

Phone Number/Ext: 5891

Email: d.archer@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Contract for Energy Management System (EMS) Monitoring and Maintenance Services with Halvorson Trane for Facilities Maintenance Services for an annual amount not to exceed \$84,720. CIP/DID #0314-169

Background:

Purchasing Services solicited pricing on behalf of Facilities Maintenance Services for energy management system (EMS) monitoring and maintenance services. Two responses were received. Facilities Maintenance is recommending award to Halvorson Trane, which was the lowest responsive and responsible bidder. This award is only for the monitoring services. Due to budget constraints, the maintenance services portion will not be awarded.

Pricing summary:

Company Name	Location	Price
Halvorson Trane	Cedar Rapids	\$84,720
Baker Group	Des Moines	\$89,640

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): 081-081000

Local Preference Policy Applies Exempt

Explanation: Halvorson Trane is a certified local vendor

Recommended by Council Committee
Explanation (if necessary):

Yes

No

N/A

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for energy management system (EMS) monitoring and maintenance services on behalf of the City of Cedar Rapids Facilities Maintenance Services; and

WHEREAS, responses were received from two vendors; and

WHEREAS, Facilities Maintenance is making the following recommendation for award to Halvorson Trane, which was the lowest responsive and responsible bidder for the monitoring services; and

WHEREAS, due to budget constraints, the maintenance services will not be awarded; and

WHEREAS, the Contract period will be July 1, 2014 through June 30, 2015, with the option of four additional one-year renewals; and

WHEREAS, the estimated annual expenditure is \$84,720.

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 Halvorson Trane as described herein.

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Michele Tamerius

Phone Number/Ext: 5113

Email: m.tamerius@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Contract for Banking and Investment Services with US Bank for the Finance Department - Treasury Operations for an annual amount not to exceed \$800,000.00. CIP/DID #0214-140

Background:

Purchasing Services solicited proposals on behalf of the Finance Department – Treasury Operations for banking and investment services. Two proposals were received. An evaluation committee carefully reviewed both proposals and is recommending award to US Bank as the highest ranking proposal.

The contract period will be July 1, 2014 through June 30, 2017. There is one additional three-year renewal option.

Proposal Summary

Company Name	Location	Evaluation Score	Estimated Annual Price
US Bank	Cedar Rapids	893.4	\$ 161,970.67
Cedar Rapids Bank & Trust	Cedar Rapids	766.6	\$ 178,192.95

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): Coded to several funds – allocated based on actual expenses and activity

Local Preference Policy Applies Exempt

Explanation: US Bank is a certified local vendor

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited proposals for Banking and Investment Services on behalf of the City of Cedar Rapids Finance Department – Treasury Operations; and

WHEREAS, responses were received from two vendors; and

WHEREAS, following a careful review of both proposals, the evaluation team is making the following recommendation for award to US Bank, which received the highest evaluation score; and

WHEREAS, the Contract period will be July 1, 2014 through June 30, 2017, with the option of one additional three-year renewal; and

WHEREAS, the estimated annual expenditure is \$800,000.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute a Contract with US Bank as described herein.

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Captain Craig Dirks

Phone Number/Ext: 5200

Email: c.dirks@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Fire Department purchase of 28 self-contained breathing apparatus (SCBA) units from Sandry Fire Supply, L.L.C. in the amount of \$112,700. CIP/DID #0514-194

Background:

Sandry Fire Supply, L.L.C. is the sole source provider of Mine Safety Appliance Company (MSA) fire equipment for Linn County. The Fire Department has standardized to MSA self-contained breathing apparatus (SCBA) units.

The Fire Department desires to purchase 28 new MSA M-7 SCBA units, 14 of which will be paid for from FY14 funds and 14 of which will be paid for from FY15 funds. Unit price is \$4,025 for a total not-to-exceed purchase of \$112,700.

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Local Preference Policy Applies Exempt

Explanation: Sandry Fire Supply, L.L.C. is not a certified local vendor

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, Sandry Fire Supply, L.L.C. is the sole source provider of Mine Safety Appliance Company (MSA) fire equipment for Linn County; and

WHEREAS, the Fire Department has standardized to MSA self-contained breathing apparatus (SCBA) units; and

WHEREAS, the Fire Department desires to purchase 28 new MSA M-7 SCBA units, 14 of which will be paid for from FY14 funds and 14 of which will be paid for from FY15 funds; and

WHEREAS, the total cost is \$112,700.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted as described herein.

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Dennis Hogan

Phone Number/Ext: 5860

Email: d.hogan@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Fleet Services purchase and delivery of three mid-size sedans from Billion Automotive in the amount of \$47,400. CIP/DID #0414-178

Background:

Purchasing Services solicited bids on behalf of Fleet Services for the purchase and delivery of three mid-size sedans. Seven responses were received. Billion Automotive was selected to provide and deliver three Chrysler 200 LX Model year 2013 mid-size sedans with fewer than 21,000 miles each.

Bid summary:

Company Name	Location	Price
Billion Automotive	Iowa City	\$47,400.00
Thys Automotive	Belle Plaine	\$54,258.00
Bob Brown Chevrolet	Urbandale	\$56,339.85
Thys Automotive	Belle Plaine	\$56,664.00 (additional bid)
Pat McGrath Chevyland	Cedar Rapids	\$57,813.00
Billion Automotive	Iowa City	\$58,245.00 (additional bid)
Junge Center Point	Center Point	\$61,362.00

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): 073-073000-073001

Local Preference Policy Applies Exempt

Explanation: Local companies were not within 5% of the low bid

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for the purchase and delivery of three mid-size sedans on behalf of the City of Cedar Rapids Fleet Services; and

WHEREAS, seven responses were received; and

WHEREAS, Fleet Services is making the following recommendation for award to Billion Automotive for three Chrysler 200 LX model year 2013 with less than 21,000 miles; and

WHEREAS, the total cost is \$47,400.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted as described herein.

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Consent Agenda Regular Agenda

Council Meeting Date: May 27, 2014

Submitting Department: Utilities – Water

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

Alternate Contact: Ken Russell **Phone:** 5926 **E-mail:** k.russell@cedar-rapids.org

Description of Agenda Item:

Resolutions approving actions regarding Purchases/Contracts/Agreements:

- a. Execution of a Letter of Agreement Renewal between B.G. Brecke, Inc. and the City of Cedar Rapids for the Repair of Water Service Lines FY15 for an estimated cost of \$245,284.20. CIP/DID #521108-15

Background:

Since the mid-70's, the Water Division has requested bids for the repair of City-owned portion of water service lines (main to stop box) serving homes and businesses within Cedar Rapids. The work consists of repairing service lines, corporation stops, and resetting or relocating curb boxes within the public right-of-way. The contract also includes the appurtenant work necessary to make a complete job, consisting of: pavement removal; excavation; sheet, brace, and support the adjoining ground or structures where necessary; handle all drainage or ground water; provide barricades, guards, and warning lights; flush and test the repair; repair sewer and drain lines disturbed by the repair; backfill and compact the excavation; restore the surface; remove and dispose of surplus excavated material; and perform final clean-up of the work site.

On June 25, 2013, the City Council passed Resolution No. 1083-06-13 awarding the Repair of Water Service Lines FY14 Contract to B.G. Brecke, Inc. (Contract No. 521105-14). The contract allows for two one-year extensions if mutually agreeable. This would be the first one-year extension.

Action / Recommendation:

The Utilities Department – Water Division recommends approval of the Letter of Agreement Renewal with B.G. Brecke, Inc. for the Repair of Water Service Lines FY15 project for an estimated cost of \$245,284.20 and that the City Manager be authorized to execute said Renewal.

Alternative Recommendation:

If the Service Line Contract is not renewed at this time, the Water Department would have to go out for bids on a per incident basis without fixed bid prices.

Time Sensitivity: The Letter of Agreement Renewal for Repair of Water Service Lines for FY15 takes effect on July 1, 2015.

Resolution Date: 05/27/14

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

1. **Included in Current Budget Year:** Yes, this Contract is budgeted under the Water Division FY15 Meter Shop Operations and Maintenance budget and will be coded to 521108-621-621005.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The FY15 budget includes \$255,000 for the service line contract.

Local Preference Policy Applies Exempt

Explanation: The Letter of Agreement Renewal for Repair of Water Service Lines FY15 is an extension to an existing contract where B.G. Brecke, Inc. was awarded the bid and qualified under the Local Preference Policy.

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, B. G. Brecke, Inc. was awarded the contract for the Repair of Water Service Lines FY14 (Contract No. 521105-14) for the City of Cedar Rapids, Iowa, by Resolution No. 1083-06-13 passed on the 25th day of June, 2013, and

WHEREAS, the contract provided for two additional one-year renewal options after the initial one-year term if mutually acceptable to both parties, and

WHEREAS, the City and B. G. Brecke, Inc. have mutually agreed to extend the contract for an additional one year period and this Letter of Agreement Renewal covers the first year (July 1, 2014 – June 30, 2015), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Contract for the Repair of Water Service Lines FY14 for the City of Cedar Rapids, IA, be extended for one year (July 1, 2014 through June 30, 2015) and that the City Manager be authorized to execute a Letter of Agreement Renewal with B. G. Brecke, Inc. for the Repair of Water Service Lines FY15. To be funded from Utilities Department – Water Meter Service FY15 operations and maintenance budget and coded to 521108-621-621005. The total estimated cost for this Contract is \$245,284.20.

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Consent Agenda Regular Agenda

Council Meeting Date: May 27, 2014

Submitting Department: Utilities – Water Division

Presenter at meeting: Steve Hershner **Phone No.:** 5282 **E-mail:** s.hershner@cedar-rapids.org

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

Description of Agenda Item:

Resolutions approving actions regarding Purchases/Contracts/Agreements:

- a. Purchase order in the amount of \$58,164.34 to ORACLE for renewal of the annual software license and technical support for the Water Division’s Customer Care and Billing Solution System (Service Contract #2887079) for fiscal year 2015 (July 30, 2014 – July 29, 2015). CIP/DID #OB

Background:

The Utilities Department - Water Division Customer Care and Billing Software Solution System bills and maintains customer records for the municipal utilities; water, water pollution control, sanitary sewer, storm water, solid waste, recycling, and yard waste. The Utilities Department - Water Division must renew the software license update and technical support annually. The annual renewal charge for fiscal year 2015 (July 30, 2014 – July 29, 2015) on Service Contract #2887079 is \$58,164.34.

Action / Recommendation:

The Utilities Department - Water Division recommends approval of the resolution to issue a purchase order in the amount of \$58,164.34 to ORACLE for renewal of the annual software license and technical support for fiscal year 2015.

Alternative Recommendation (if applicable):

The Council could decide not to authorize a purchase order. If that would happen, the Utilities Division would not have maintenance and support on its Customer Information and Billing system.

Time Sensitivity: The renewal period is for the time frame of July 30, 2014 – July 29, 2015

Resolution Date: 5/27/14

Estimated Presentation Time: 0 Minute(s)

Budget and Purchase Process Information (if applicable):

1. **Included in Current Budget Year:** Yes, this is budgeted for FY15 under Utilities Water Division Operations – Administration and coded to 522101-621-621010.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** \$58,200 was budgeted for FY15 of which \$0 has been spent.
3. **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):

RESOLUTION NO.

WHEREAS, the Utilities Department – Water Division purchased an ORACLE database for its Customer Care and Billing Software Solution System, in 2007, and

WHEREAS, the Utilities Department - Water Division Customer Care and Billing Software Solution System bills and maintains customer records for the municipal utilities; water, water pollution control, sanitary sewer, storm water, solid waste, recycling, and yard waste, and

WHEREAS, ORACLE has submitted an invoice in the amount of \$58,164.34 for renewal of the annual software license and technical support for this software application (Service Contract # 2887079) for Fiscal Year 2015 (July 30, 2014 – July 29, 2015), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Utilities Department - Water Division is hereby authorized to issue a purchase order in the amount of \$58,164.34 to ORACLE for renewal of the annual software license and technical support for the Water Division's Customer Care and Billing Solution System (Service Contract #2887079) for Fiscal Year 2015 (July 30, 2014 – July 29, 2015).

Passed this 27th day of May, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Information Technology

Presenter at meeting: n/a

Phone Number/Ext:

Email:

Alternate Contact Person: Nic Roberts

Phone Number/Ext: 286-5088

Email: n.roberts@cedar-rapids.org

Description of Agenda Item: Renewal of ESRI GIS Software Maintenance with Environmental Systems Research Institute, Inc., (original contract amount was \$56,961.23; renewal contract amount is \$60.150).

Background: As part of the GIS infrastructure in the City of Cedar Rapids all departments use ESRI GIS Software. This software allows users to enter, maintain, view and analyze GIS information.

Among other benefits, the ESRI GIS Software Maintenance Program is a plan that includes technical support and software updates at no additional cost, to keep our software current with the latest GIS software technology developments and usability improvements. Additionally, it facilitates the management of GIS software licenses more easily.

The maintenance would be for a twelve month time period beginning June 4, 2014 through June 3, 2015. If the maintenance would lapse and the City would want to purchase the latest release of this software, the City would be required to pay maintenance for each year it was not purchased.

Action / Recommendation: The Information Technology recommends approval of this purchase.

Alternative Recommendation: The City would elect not to have maintenance and receive support on technical issues.

Time Sensitivity: Normal

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable): 522101-101-109300

Local Preference Policy Applies Exempt
Explanation:

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

RESOLUTION NO.

WHEREAS, the Information Technology Department has identified the need to have technical maintenance support and automatic upgrades for the City's ESRI Suite of Software Applications; and

WHEREAS, it provides a cost savings if departments purchase one software maintenance agreement annually; and

WHEREAS, the funding will come from the Information Technology's operating budget (522101-101-109300) and will be allocated to departments per use, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Information Technology Department is hereby authorized to purchase ESRI Software Maintenance from Environmental Systems Research Institute, Inc., 380 New York Street, Redlands, CA, 92373 in the amount of \$60.150.

Passed this 27th day of May 2014



Council Agenda Item Cover Sheet

Consent Agenda **Regular Agenda**

Council Meeting Date: May 27, 2014

Submitting Department: Utilities – Water Pollution Control Facility

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

Alternate Contact: John Ernst **Phone:** 4684 **Email:** JohnE@cedar-rapids.org

Description of Agenda Item:

Professional Services Agreement with Stanley Consultants, Inc. for an amount not to exceed \$53,400 for the construction and Title V Permit updates and review, the CY2014 Title V Emissions Inventory, Semi-Annual Monitoring Reports, and Annual Compliance Certification for the Water Pollution Control Facility. CIP/DID #611004-01

Background:

WPC has a Title V Operating Permit (05-TV-001-M001), which requires WPC to submit two Semi-Annual Monitoring reports, Annual Compliance Certification, and an Annual Emissions Inventory for CY2014. Stanley Consultants, Inc. has previously assisted WPC in development of annual Emission Inventories, Semi-Annual Monitoring reports, and Annual Compliance Certifications as well as the submittal of the Title V Operating Permit Renewal Application in August, 2009. Stanley Consultants, Inc. has demonstrated the ability to assist WPC with these reports on numerous occasions in previous work related to our Title V permit.

Action / Recommendation:

The Utilities Department – WPC staff recommends approval of the Professional Services Agreement with Stanley Consultants, Inc. for construction and Title V Permit updates and review, the CY2014 Title V Emissions Inventory, Semi-Annual Monitoring Reports, and Annual Compliance Certification for the Water Pollution Control Facility for an amount not to exceed \$53,400 and that the City Manager and City Clerk be authorized to execute said Agreement.

Alternative Recommendation: N/A

Time Sensitivity: Action needed 5-27-14

Resolution Date: 5-27-14

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): Funded from FY2015 services and operations budget and coded to 918-521104-611-611004-611054.

Local Preference Policy Applies Exempt

Explanation: N/A

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, WPCF currently needs a new Professional Services Agreement with Stanley Consultants for assistance from Stanley Consultants, Inc. for the construction and Title V Permit updates and review, the CY2014 Title V Emissions Inventory, Semi-Annual Monitoring Reports, and Annual Compliance Certification, and

WHEREAS, the WPCF staff recommends approval of the Professional Services Agreement with Stanley Consultants for an amount not to exceed \$53,400 for the construction and Title V Permit updates and review, the CY2014 Title V Emissions Inventory, Semi-Annual Monitoring Reports, and Annual Compliance Certification, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Water Pollution Control Facility be hereby authorized to enter into a Professional Services Agreement with Stanley Consultants, Inc. for the construction and Title V Permit updates and review, the CY2014 Title V Emissions Inventory, Semi-Annual Monitoring Reports, and Annual Compliance Certification for an amount not to exceed \$53,400, be hereby approved and the City Manager and City Clerk authorized to execute. To be funded from the FY2015 Utilities Department – WPC division and coded to 918-521104-611-611004-611054.

Passed this 27th day of May, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Alternate Contact Person: Kirsty Sanchez

Phone Number/Ext: 319 286-5428

Email: k.sanchez@cedar-rapids.org

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

Resolution of support for Housing Enterprise Zone Program Agreement with the Iowa Economic Development Authority for TAT Investments for the construction of a four-story multi-use building at 200, 210 and 212 3rd Avenue SW. CID/DID #OB1058251

Background:

On May 20, 2014, the City of Cedar Rapids Enterprise Zone Commission reviewed and approved the application submitted by TAT Investments.

Housing Enterprise Zone benefits are requested for the construction of a four-story multi-use building at 200, 210, and 212 3rd Avenue SW. The proposed development includes 6,755 square feet of commercial and office tenant space on the first floor, a 7,963 square foot 1-story garage on the ground level, and twenty-seven 9,581 square foot market rate residential units on the 2nd, 3rd, and 4th floors.

The total capital investment for the project is projected to be \$4,235,433 with an estimated investment tax credit and construction-related sales tax refunding of approximating \$378,000 and \$136,662, respectively.

On May 13, 2014 the City Council adopted Resolution No. 0617-05-14 identifying TAT Investments, LLC as the preferred developer for the redevelopment of City owned properties at 200, 210 & 212 3rd Avenue SW and authorized negotiations of a Development Agreement. The Development Agreement is anticipated to be presented for City Council consideration in July 2014.

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: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

No impact to City budget, as Enterprise Zone Program benefits are state sales tax refunds.

RESOLUTION NO.

RESOLUTION OF SUPPORT FOR HOUSING ENTERPRISE ZONE PROGRAM
AGREEMENT WITH THE IOWA ECONOMIC DEVELOPMENT AUTHORITY TO
PROVIDE ENTERPRISE ZONE BENEFITS FOR TAT INVESTMENTS

WHEREAS, TAT Investments submitted an application to the City of Cedar Rapids Enterprise Zone Commission for construction of twenty-seven (27) units located within the Cedar Rapids EZ-2 Enterprise Zone; and

WHEREAS, the City of Cedar Rapids Enterprise Zone Commission approved the application by Resolution on May 16, 2014; and

WHEREAS, total capital investment for the project is projected to be \$4,235,433 with an estimated investment tax credit and construction-related sales tax refunding of approximating \$378,000 and \$136,662, respectively; and

WHEREAS, the City Council supports the creation of high quality workforce housing in the City's core neighborhoods and leveraging of State funds to keep the homes affordable;

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, or his designee, is hereby authorized to execute the Housing Enterprise Zone Program Agreement with TAT Investments and related documentation as required.

Passed this 27th Day of May, 2014.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Tom Peterson, PE
E-mail Address: t.peterson@cedar-rapids.org

Phone Number/Extension: 5847

Alternate contact person: Ron Griffith, PE
E-mail Address: r.griffith@cedar-rapids.org

Phone Number/Extension: 5154

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

Resolution authorizing execution of an Agreement for Use of Local Agency Roads as Detours with the Iowa Department of Transportation (IDOT) for use of local City streets as a detour during the US Highway 30 Pavement Replacement project. CIP/DID# 49-14-002

Background: The IDOT has funded and scheduled a pavement replacement project along US Highway 30 from Stoney Point Road to east of Edgewood Road for the 2014 construction season. During the course of the project, certain ramps at the US Highway 30/US Highway 151/Williams Boulevard interchange and US Highway 30/Edgewood Road interchange will be closed and highway traffic detoured to the 80th Street interchange and the 6th Street SW interchange. The latter location is within the jurisdiction of the City of Cedar Rapids and includes the use of Waconia Avenue SW from the US Highway 30 ramp terminal to 6th Street SW, and also 6th Street SW from Waconia Avenue SW to the westbound US Highway 30 ramp terminal. The detour route referenced is scheduled to be utilized between May and November 2014.

Action / Recommendation:

The Public Works Department recommends approving the resolution authorizing execution of an Agreement between the IDOT and the City of Cedar Rapids to allow the proposed detour route for the US Highway 30 Pavement Replacement project. Upon City approval, signed agreements will be returned to the IDOT for necessary signatures.

Alternative to Recommendation:

IDOT would need to identify other, less convenient detour route options, some of which could still require the use of City-owned streets. Options to consider other detour routes would delay the construction project.

Time Sensitivity: Normal

Resolution Date: May 27, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): NA

Local Preference Policy: Applies Exempt

Explanation: Not applicable. IDOT funded project.

Recommended by Council Committee: Yes No

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids desires to enter an agreement for the temporary use of certain City-owned streets as a detour during the pavement replacement project (Project) of US Highway 30 (IDOT reference NHSX-030-7(166)-3H-57) with the Iowa Department of Transportation (IDOT), and

WHEREAS, the Project will require the temporary closure of ramps at the US Highway 30/US Highway 151/Williams Boulevard interchange and at the US Highway 30/Edgewood Road interchange, and

WHEREAS, the closures of said ramps will require a suitable detour route on Waconia Avenue SW and 6th Street SW, both City-maintained streets, and

WHEREAS, IDOT and the City acknowledge the detoured traffic may cause additional wear on these City-maintained streets, and

WHEREAS, engineers from IDOT and the City shall jointly inspect and document surface conditions of these street segments associated with the detour route prior to, and after, the completion of the Project, and

WHEREAS, prior to the start of the detour, IDOT agrees, at its own expense, to patch pavement surfaces identified during the inspection and maintain the street segments during the detour, and install and maintain stop signs and pavement markings on Waconia Avenue SW at the US Highway 30 ramp terminals, and

WHEREAS, upon termination of the detour operation, IDOT, at its own expense, shall restore said City street segments comparable to pre-detour conditions and,

WHEREAS, the Public Works Director / City Engineer recommends authorizing execution of the Agreement for Use of Local Agency Roads as Detours associated with IDOT Project (NHSX-030-7(166)-3H-57),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager and City Clerk are authorized to execute IDOT Agreement for Use of Local Agency Roads as Detours associated with Project (NHSX-030-7(166)-3H-57) with the Iowa Department of Transportation.

Passed this 27th day of May, 2014.



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 Map

REPORT ON BIDS:

Bids were received on May 21, 2014 for the 1st Avenue East from 34th Street to 40th Street Utilities Rehabilitation project (estimated cost is \$2,275,000). A report of bids received from the City officer conducting the bid opening is attached. CIP/DID #301240-04

Action / Recommendation:
 Noted on attached bid report.

Alternative Recommendation: None

Time Sensitivity: None

Resolution Date: None

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

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

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



May 21, 2014

City Council
City of Cedar Rapids

RE: Report on bids as read for the 1st Avenue East from 34th Street to 40th Street Utilities Rehabilitation, Contract Number 301240-04

Dear City Council:

Bids were received on May 21, 2014 for the 1st Avenue East from 34th Street to 40th Street Utilities Rehabilitation project as follows:

Rathje Construction Company, Marion, IA	
Base Bid	\$2,123,449.02
First Ave Lane Rental	<u>\$ 150,000.00</u>
Total Bid	\$2,273,449.02
Ricklefs Excavating, Ltd, Anamosa, IA	
Base Bid	\$2,349,700.00
First Ave Lane Rental	<u>\$ 312,500.00</u>
Total Bid	\$2,662,200.00

The engineers cost opinion for this work is \$2,275,000. 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 "Gary Petersen".

Gary Petersen, P.E.
Capital Improvement Project Manager

GCP/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



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



Council Agenda Item Cover Sheet

Consent Agenda **Regular Agenda**

Council Meeting Date: May 27, 2014

Submitting Department: Utilities – Water Pollution Control Facility

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

Alternate Contact: Matt Jensen **Phone:** 5937 **E-mail:** m.jensen@cedar-rapids.org

Description of Agenda Item:

Report on bids for the C3 Clarifier Rehabilitation project (estimated cost is \$826,000) (Steve Hershner)

- a. Resolution awarding and approving contract in the amount of \$1,030,000, bond and insurance of WRH, Inc. 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 21st, 2014.

Two bids were received on May 14, 2014 for the C3 Clarifier Rehabilitation project.

<u>Bidders</u>	<u>Office Location</u>	<u>Lump Sum Bid</u>
WRH, Inc.	South Amana, IA	\$ 1,030,000
Tricon General Construction	Cedar Rapids, IA	\$ 1,169,000

The engineer's opinion of probable cost for the construction of this project was \$826,000. The Engineer's opinion of probable cost differed from the received bids in three areas: costs for dewatering the area around the clarifier, costs for field painting the clarifier mechanism, and cleaning of the clarifier basin prior to the start of concrete work. WRH, Inc. included higher costs for these items than was estimated by the engineer; WRH bid these costs based on their experience with past clarifier projects at the Water Pollution Control Facility. Costs for the actual clarifier mechanism varied by less than 3% from the Engineer's estimate. A motion to publish a Notice of Hearing and Letting was approved by the City Council on April 8, 2014. The public hearing was held April 22, 2014. The work is anticipated to begin in June 2014 and be completed June 2015.

Action / Recommendation:

The Utilities Department – Water Pollution Control staff recommends awarding the contract to WRH, Inc. in the amount of \$1,030,000.

Alternative Recommendation: None

Time Sensitivity: Action needed 5-27-14

Resolution Date: 5-27-14

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 FY2015 Capital Improvement Projects budget for WPC for the construction of the C3 Clarifier Rehabilitation project. Funds beyond what are currently identified in the budget are available by adjusting other items in the Utilities – Water Pollution Control CIP budget or from Utilities – Water Pollution Control reserves.
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 April 8, 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 C3 Clarifier Rehabilitation public improvement project (Contract No. 615172-02) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on April 12, 2014 pursuant to which a public hearing was held on April 22, 2014, and

WHEREAS, the following bids were received, opened and announced on May 14, 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 May 27, 2014:

WRH, Inc., South Amana, IA	\$1,030,000
Tricon General Construction, Cedar Rapids, IA	\$1,169,000

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$1,030,000, 553000-615-615000-x-x-615172, 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. WRH, Inc. is the lowest responsive, responsible bidder on said work and the Utilities Director, or his designee, has recommended that the City accept its bid and award the contract to it;

3. Subject to registration with the Department of Labor, the Bid of WRH, Inc. is hereby accepted, and the contract for this public improvement is hereby awarded to WRH, 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 27th day of May, 2014.

**TABULATION OF BIDS
 UTILITIES DEPARTMENT
 C3 CLARIFIER REHABILITATION
 CITY OF CEDAR RAPIDS, IOWA
 CONTRACT #615172-02**

Engineer's Estimate: \$826,000
 Engineer: Fox Engineering Associates

Bid Date: Wednesday, May 14, 2014
 Time: 11:00 AM

The following proposals were received by the City of Cedar Rapids for the C3 Clarifier Rehabilitation. The work includes demolition of existing clarifier mechanism and walkway bridge, installation of a new clarifier mechanism and walkway bridge, removal and replacement of 2 inches of concrete grout on the clarifier floor, other miscellaneous minor concrete repairs, and other general work necessary to provide a working/functioning wastewater process clarifier.

BIDDERS	WRH, Inc. 1648 T Avenue South Amana, IA 52334	Tricon General Construction, Inc. 746 58th Avenue Ct. SW Cedar Rapids, IA 52404
CERTIFIED CHECK OR 10% BID BOND	Yes	Yes
ADDENDUM #1 ACKNOWLEDGED?	Yes	Yes
LUMP SUM BID PLUS ALLOWANCE	\$ 1,030,000	\$ 1,169,000

Utilities Department recommends award to: WRH, Inc.

Council Agenda Item Cover Sheet

Council Meeting May 27, 2014
Date:

Submitting Department: Community Development

Presenter at meeting: Seth Gunnerson
Email: s.gunnerson@cedar-rapids.org

Phone Number/Ext: 319 286-5129

Alternate Contact Person: Thomas Smith
Email: t.smith@cedar-rapids.org

Phone Number/Ext: 319 286-5161

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

Discussion and Resolution directing staff to require a Preliminary Site Development Plan for all development projects located within an established Design Review Overlay District and which require an Administrative Site Development Plan per the Zoning Ordinance. NEW

Background:

This resolution would direct City Staff to require a Preliminary Site Development Plan as part of any new construction or major redevelopment project within a Design Review Overlay District.

The City has currently adopted Design Review Overlay Districts which cover the Czech Village and New Bohemia districts, Kingston Village, and Ellis Boulevard NW.

The majority of projects, to date, within Design Review Overlay Districts have required a Preliminary Site Development Plan as they are located either adjacent to residential properties or have City Participation as a result of going through a City property disposition process. This resolution would require the same level of review for the few remaining projects.

The change is a process improvement identified by the recently established Czech Bohemia Design Review Technical Advisory Committee (DRTAC). The resolution ensures that DRTAC recommendations on all new construction or redevelopment projects in an Overlay District are considered by the City Planning Commission.

The high profile nature of development within Design Review Overlay Districts and the long term consequences of new development warrant this level of review. Preliminary Site Development Plans are typically reviewed in 60 days. If the Administrative Site Development Plan is reviewed concurrently with the Preliminary Site Development Plan additional delay can be avoided.

The proposed resolution would NOT affect building permit applications that do not modify the site layout. This would affect only new construction projects or substantial redevelopment of existing properties.

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: N/A

Estimated Presentation Time: 5 Minutes

Budget Information (if applicable): N/A

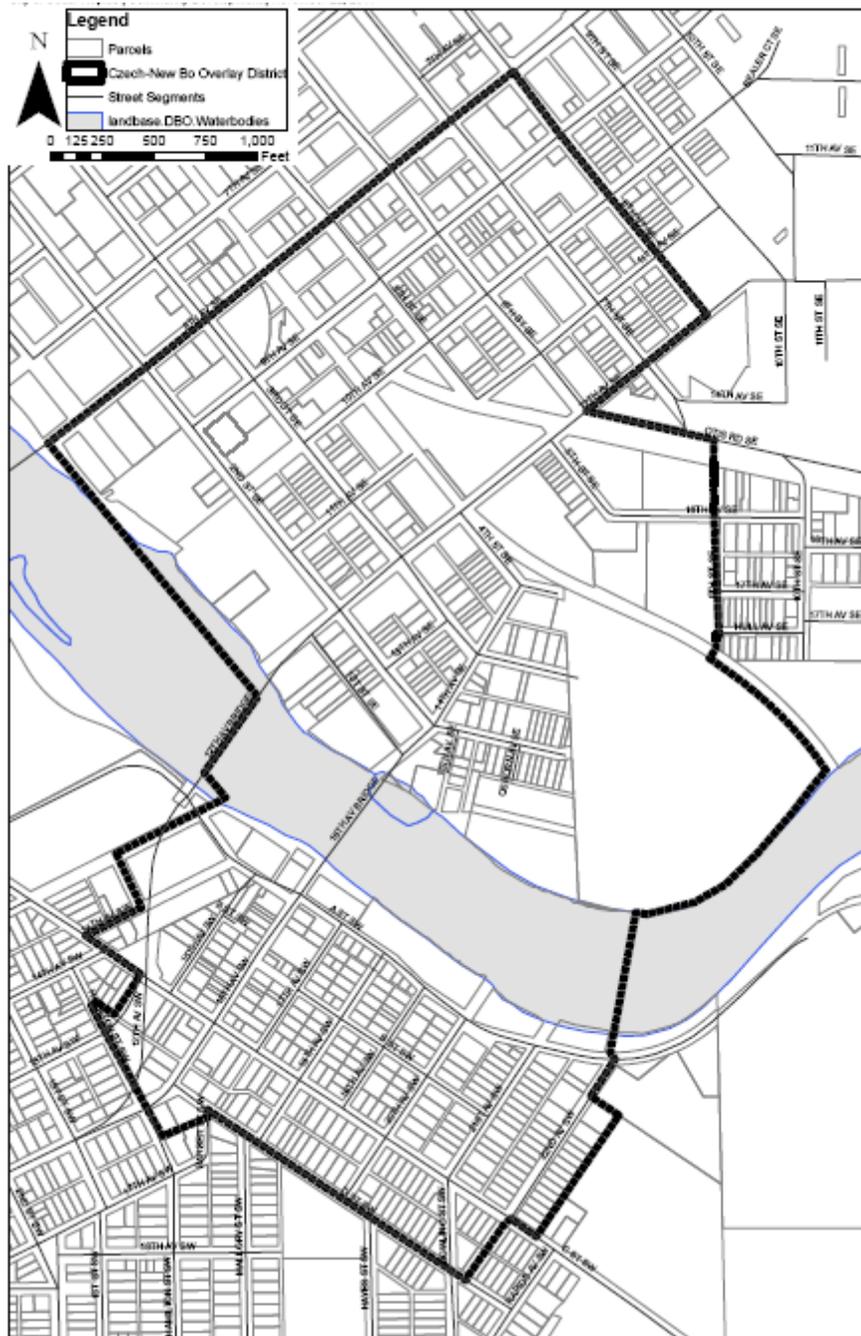
Local Preference Policy Applies Exempt N/A

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

Recommended by the Development Committee on May



Czech Bohemia Overlay District



Ellis Boulevard Overlay District

Kingston Village Overlay District



Kingston Village Overlay District

RESOLUTION NO

DISCUSSION AND RESOLUTION DIRECTING STAFF TO REQUIRE A PRELIMINARY SITE DEVELOPMENT PLAN FOR ALL DEVELOPMENT PROJECTS LOCATED WITHIN AN ESTABLISHED DESIGN REVIEW OVERLAY DISTRICT AND WHICH REQUIRE AN ADMINISTRATIVE SITE DEVELOPMENT PLAN PER THE ZONING ORDINANCE.

WHEREAS, The City of Cedar Rapids, Iowa has adopted, as part of the Zoning Ordinance, Design Review Overlay Districts which establish development criteria unique to certain areas of the community; and

WHEREAS, the objective of the Design Review Overlay Districts is to provide standards for a high quality of building design and to allow stakeholders in each district to provide feedback and suggestions on proposed development projects; and

WHEREAS, through the Preliminary Site Development Plan process the City Planning Commission has the ability to place conditions on site plans which reflect the goals of the Design Review Overlay District and the Design Review Technical Advisory Committee's; and

WHEREAS, Section 32.02.030.G.1 of the Municipal Code states that the Development Services Department shall determine which projects shall require a Preliminary Site Development Plan; and

WHEREAS, on April 16, 2014 the City Council Development Committee made a recommendation that Preliminary Site Development Plans be required for all Site Development Plans in the Overlay Districts;

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

1. That staff is directed to require a Preliminary Site Development Plan be approved by the City Planning Commission prior to the approval of an Administrative Site Development Plan within an established Design Review Overlay District.
2. Staff shall make a report to the City Planning Commission detailing the findings and recommendations of the Design Review Technical Advisory Committee for each case.
3. This requirement shall not apply to projects submitted for review prior to May 27, 2014 unless the Development Services Department makes a determination that it is within the best interest of the project and the surrounding neighborhood to require a Preliminary Site Development Plan

Passed this 27th day of May 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Development Services

Presenter at meeting: Vern Zakostelecky
Email: v.zakostelecky@cedar-rapids.org

Phone Number/Ext: 319 286-5043

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

Phone Number/Ext: 319 286-5822

Description of Agenda Item: Consent Ordinance Regular Agenda

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

- City Council voted unanimously to approve the request on the First Reading.
- Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.
- Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.

Action / Recommendation:

City staff recommends approval of 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

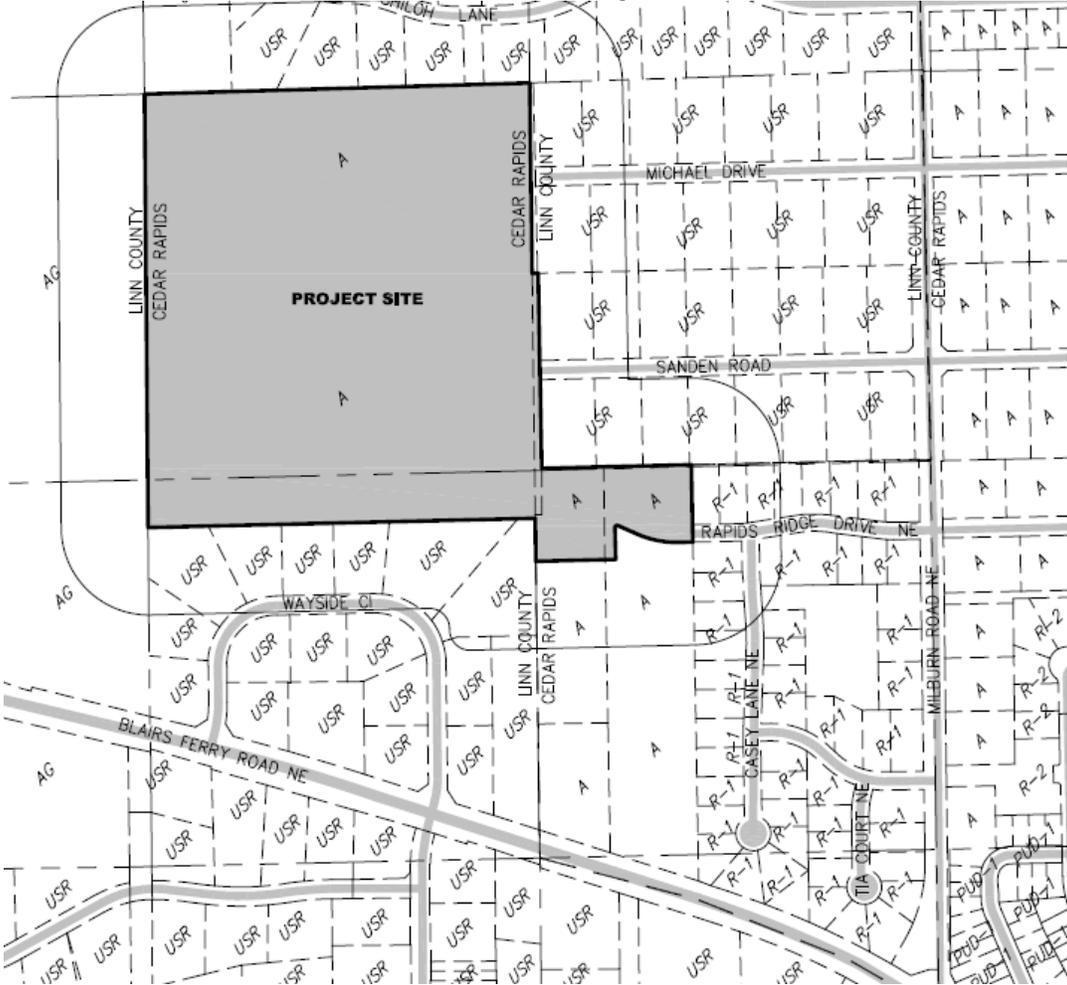
Local Preference Policy Applies Exempt

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, 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 7th Street, Marion, one of the managing developers for the project along with Jon Dusek and Tred Schnoor, Schnoor Bonifazi Engineering, 421 5th 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 22nd day of April, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: May 27, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Alternate Contact Person: Kirsty Sanchez

Phone Number/Ext: 319 286-5428

Email: k.sanchez@cedar-rapids.org

Description of Agenda Item: Consent Ordinance Regular Agenda

Second and possible Third Reading amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the 1612 Development Urban Revitalization Area designation at 1612 C Street SW. CID/DID #OB1115298

Background:

A request has been submitted by Bob Schaffer, on behalf of 1612 Development, for an Urban Revitalization Property Tax Exemption designation for the proposed renovation and expansion of the commercial space only located at 1612 C Street SW. The proposed project would commence by June 30, 2014.

Project Details:

- Building – 3,300 square feet of commercial space
- Project cost – Approximately \$350,000
- Estimated assessed value – \$245,000

Benefits to the Community:

- Infill redevelopment that utilizes existing infrastructure and services
- Reinvestment within an established historic neighborhood
- Project is part of a larger mixed-use building that includes new market-rate housing options in the core of the community with access to local and regional trails

The partial tax exemption would be a ten-year, declining scale exemption, averaging 44% per year, applied only to the increased property valuation generated by the new additions. Based on the scope of the proposed addition, the increased assessed value for the facility is estimated at \$245,000. This would generate an additional \$8,300 in property tax revenue annually. Over a ten-year period, this would be an additional \$46,648 collected in tax revenues and \$36,652 deferred as tax exempt.

Action / Recommendation:

City staff recommends approval of Second and possible Third Reading.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

N/A

Resolution Date: N/A

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Based on a projected increased taxable value of \$245,000 generated by the renovation and expansion, the estimated total over the ten-year period is an additional \$46,648 collected in tax revenues and \$36,652 deferred as tax exempt.

Local Preference Policy Applies Exempt N/A

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

ORDINANCE NO.

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

Section 1. That Subsection 17A.06 of the Municipal Code, City of Cedar Rapids, Iowa is hereby amended by the deletion of Division 82 and the addition of a new Division 83 as follows:

“Division 83. 1612 Development LLC.” May 13, 2014 Resolution No. 0537-05-14

Section 2. That Subsection 17A.06 of the Municipal Code, City of Cedar Rapids, Iowa is hereby amended by the addition of a new Division 84 as follows:

“Division 84. (Reserved)”

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

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

Section 5. That the afore described Amended Subsection of Chapter 17A shall be included as part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

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

Introduced this 13th day of May, 2014.

Council Agenda Ordinance Cover Sheet

Consent Agenda Regular Agenda

Council Meeting Date: May 27, 2014

Submitting Department: Utilities Department

Primary Contact: Steve Hershner **Phone:** 5281 **E-mail Address:** s.hershner@cedar-rapids.org

Alternate Contact: Bruce Jacobs **Phone:** 5913 **E-mail Address:** b.jacobs@cedar-rapids.org

Description of Agenda Item:

Second and possible Third Readings:

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

(Note: First Reading of Ordinance was approved by City Council on April 22, 2014.)

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

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)

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.

Action / Recommendation:

The Utilities Department recommends that City Council adopt the Ordinance at the May 27th Council Meeting with combined second and third readings.

Alternative Recommendation: None

Time Sensitivity: N/A

Council Meeting Date: 5/27/14

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

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.

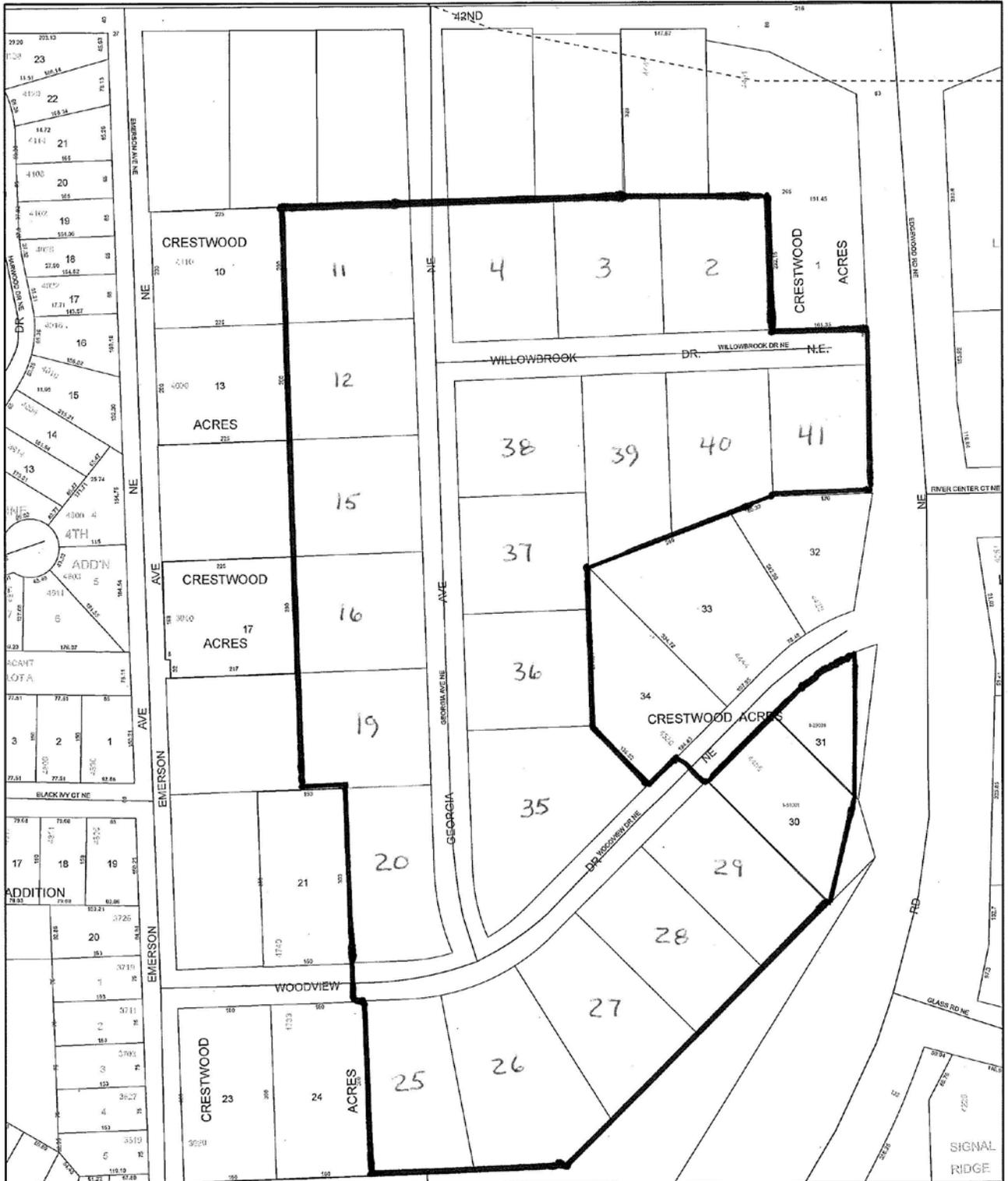
Passed this: _____ day of May, 2014

_____, Mayor
Ron J. Corbett

Attest:

_____, City Clerk
Amy Stevenson

Exhibit 1



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

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.

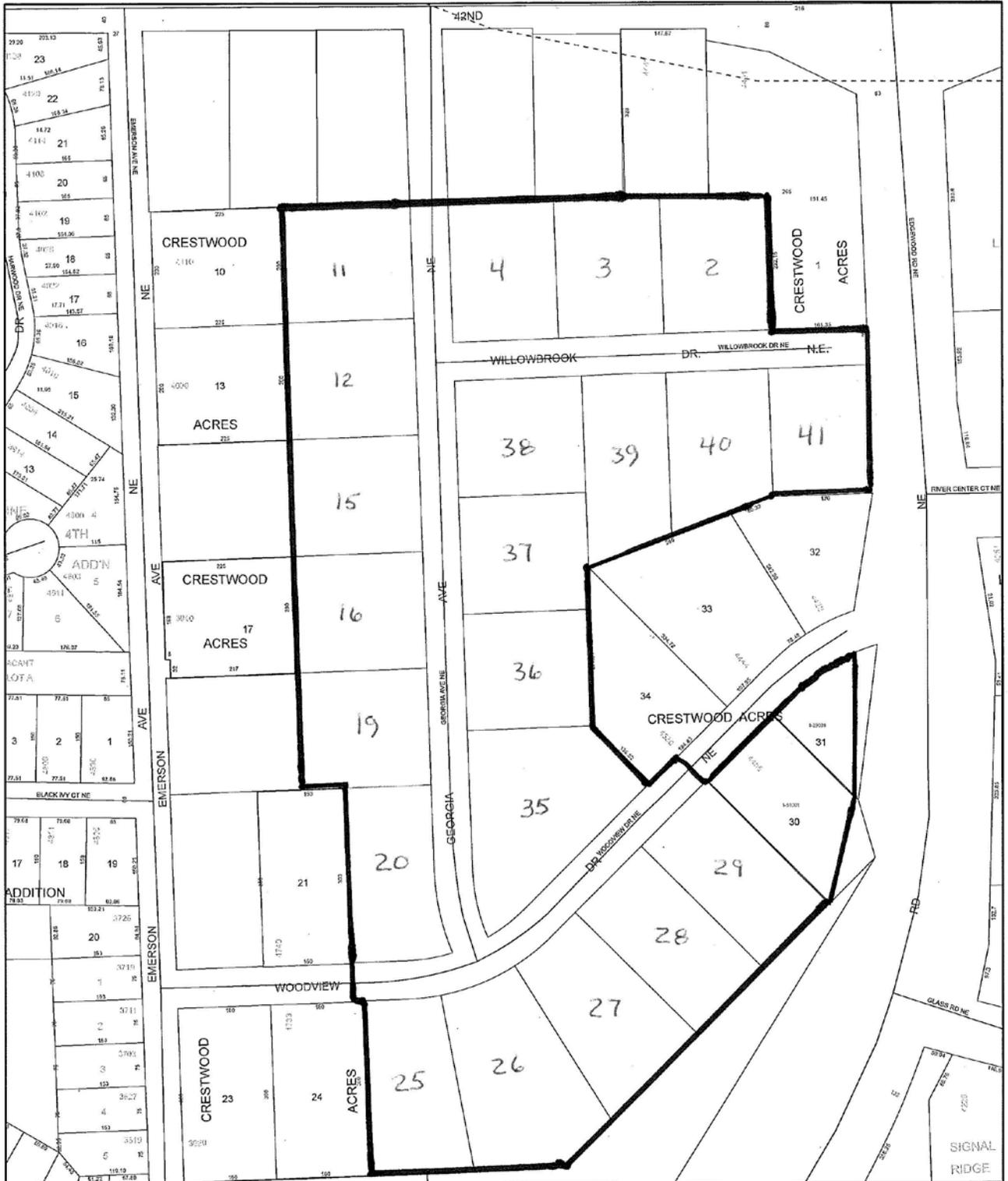
Passed this: _____ day of May, 2014

_____, Mayor
Ron J. Corbett

Attest:

_____, City Clerk
Amy Stevenson

Exhibit 1



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



Council Agenda Item Cover Sheet 2nd Reading of Ordinance

Submitting Department: Public Works Department

Presenter at meeting: Sandy Pumphrey, PE
E-mail Address: s.pumphrey@cedar-rapids.org

Phone Number/Extension: 5363

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 Map

Second 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 overall ordinance amendment 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:

Due to some minor modifications made at the time of the 1st reading, City Staff recommended separating the 2nd and 3rd readings.

Alternative to the Recommendation:

Combine the 2nd and 3rd Readings in the traditional manner.

Time Sensitivity: Normal (scheduled adoption prior to 7/1/2014 to reflect FY 2015 budget approval)

Resolution Date: Proposed timeline as follows:

1st reading of Ordinance: May 13, 2014

2nd reading of Ordinance: May 27, 2014

3rd reading of Ordinance: June 10, 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: 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 owner's name.
5. Non-residential lots of less than 19 acres in size may qualify for a reduction of charge as set forth below if such lots meet either of the following criteria:
 - i. A lot may be entitled to a 33% reduction of the charge if at least 66% of such lot is undeveloped, pristine or used for agricultural purposes.
 - ii. A lot may be entitled to a 20% reduction of the charge if at least 66% of such lot is planted in grass and/or is regularly mowed.
 - iii. The property owner shall submit an application for reduction to the Director certifying as to the measurements of the lot and the uses thereof. Application forms will be available in the office of the Director. Such an application must be submitted to the Director on or before June 1st each year to receive a reduction for the next fiscal year beginning July 1st. The Director or its designee will review such applications and notify the property owner in writing whether the request for reduction was approved or denied and explaining the reasons therefore.
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 ____ day of _____ 2014.