

*“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, August 26, 2014 at 4:00 p.m. in the Council Chambers, 3<sup>rd</sup> Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to discuss and possibly act upon the matters as set forth below in this tentative agenda. *(Please silence cell phones and pagers.)*

## A G E N D A

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations:
  - ❖ Proclamation – Corridor Goes Casual for Kids (Paul Phelan)
  - ❖ **Proclamation – Stand Down for Homeless and Near-Homeless (Ann Hearn, Cheryl Anderson, Joe Stutler)**
  - ❖ Presentation – EnvisionCR High School Initiative (Adam Lindenlaub)

## PUBLIC HEARINGS

1. A public hearing will be held to consider a change of zone for property at 6340 Muirfield Drive SW from C-MU, Commercial Mixed Use Zone District to O-S, Office/Service Zone District as requested by Kids, Inc. and Abode Construction, Inc. (Vern Zakostelecky).
  - a. First Reading: Ordinance granting a change of zone for property at 6340 Muirfield Drive SW from C-MU, Commercial Mixed Use Zone District to O-S, Office/Service Zone District as requested by Kids, Inc. and Abode Construction, Inc. CIP/DID #RZNE-011223-2014
2. A public hearing will be held to consider a change of zone for property at 2015 J Street SW from R-3, Single Family Residence Zone District to R-3D, Two Family Residence Zone District as requested by Robert J. Burrell (Vern Zakostelecky).
  - a. First Reading: Ordinance granting a change of zone for property at 2015 J Street SW from R-3, Single Family Residence Zone District to R-3D, Two Family Residence Zone District as requested by Robert J. Burrell. CIP/DID #RZNE-011471-2014

3. A public hearing will be held to consider a change of zone for property at 435 8<sup>th</sup> Avenue SW, 1238 10<sup>th</sup> Street NW, 1116 K Street SW and 809 E Avenue NW from R-3, Single Family Residence Zone District and RMF-1 and RMF-2, Multiple Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by the City of Cedar Rapids and Michael and Lindsey Meier (Vern Zakostelecky).
  - a. First Reading: Ordinance granting a change of zone for property at 435 8<sup>th</sup> Avenue SW, 1238 10<sup>th</sup> Street NW, 1116 K Street SW and 809 E Avenue NW from R-3, Single Family Residence Zone District and RMF-1 and RMF-2, Multiple Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by the City of Cedar Rapids and Michael and Lindsey Meier. CIP/DID #RZNE-011893-2014
4. A public hearing will be held to consider a change of zone for property at 1415, 1419 and 1427 Center Point Road NE from O-S, Office/Service Zone District to RMF-2, Multiple Family Residence Zone District as requested by T W Sather Company and Monica J. Brooks (Vern Zakostelecky).
  - a. First and possible Second and Third Readings: Ordinance granting a change of zone for property at 1415, 1419 and 1427 Center Point Road NE from O-S, Office/Service Zone District to RMF-2, Multiple Family Residence Zone District as requested by T W Sather Company and Monica J. Brooks. CIP/DID #RZNE-012080-2014
5. A public hearing will be held to consider a change of zone for property at 210 5<sup>th</sup> Street SW, 353 2<sup>nd</sup> Avenue SW and vacant lot on the SW corner of 5<sup>th</sup> Street and 2<sup>nd</sup> Avenue SW from C-3, Regional Commercial Zone District and RMF-2, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Progression LC (Vern Zakostelecky).
  - a. First and possible Second and Third Readings: Ordinance granting a change of zone for property at 210 5<sup>th</sup> Street SW, 353 2<sup>nd</sup> Avenue SW and vacant lot on the SW corner of 5<sup>th</sup> Street and 2<sup>nd</sup> Avenue SW from C-3, Regional Commercial Zone District and RMF-2, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Progression LC. CIP/DID #RZNE-012265-2014
6. A public hearing will be held to consider a change of zone for City-owned property at 1016 2<sup>nd</sup> Street SW, 1100 K Street SW, 1104 K Street SW and 1108 K Street SW from R-3, Single Family Residence Zone District to RMF-2, Multiple Family Residence Zone District as requested by the City of Cedar Rapids (Vern Zakostelecky).
  - a. First Reading: Ordinance granting a change of zone for City-owned property at 1016 2<sup>nd</sup> Street SW, 1100 K Street SW, 1104 K Street SW and 1108 K Street SW from R-3, Single Family Residence Zone District to RMF-2, Multiple Family Residence Zone District as requested by the City of Cedar Rapids. CIP/DID #RZNE-011919-2014

7. A public hearing will be held to consider a request by Kenworth of Cedar Rapids for an Urban Revitalization Area designation for new construction to be located near Kenworth Court SW (Kirsty Sanchez).
  - a. Resolution authorizing an Urban Revitalization Area designation for new construction to be located near Kenworth Court SW; CIP/DID #OB1294795
  - b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Kenworth Urban Revitalization Area designation near Kenworth Court SW. CIP/DID #OB1294795
  
8. A public hearing will be held to consider amending Chapter 62 of the Municipal Code, Offenses Against Public Peace and Morals, by enacting Section 62.35, Synthetic Drugs, relating to possession, distribution, sale and advertisement of synthetic drugs (Amanda Grieder).
  - a. First Reading: Ordinance amending Chapter 62 of the Municipal Code, Offenses Against Public Peace and Morals, by enacting Section 62.35, Synthetic Drugs, relating to possession, distribution, sale and advertisement of synthetic drugs. CIP/DID #OB1298683
  
9. A public hearing will be held to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to allow small portable A-frame signs, commonly called sandwich board signs, in commercial areas (Seth Gunnerson).
  - a. First Reading: Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to allow small portable A-frame signs, commonly called sandwich board signs, in commercial areas. CIP/DID #OB1298817
  
10. A public hearing will be held to consider the disposition of excess City-owned property at 1238 10<sup>th</sup> Street NW acquired through the Voluntary Property Acquisition program in the Neighborhood Revitalization Area for the third round of Single Family New Construction Program (**FLOOD**) (Tony Lerud). CIP/DID #OB540257
  
11. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Blairs Ferry Road and Ushers Ferry Road NE Traffic Signalization project (estimated cost is \$90,000) (Gary Petersen).
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Blairs Ferry Road and Ushers Ferry Road NE Traffic Signalization project. CIP/DID #306266-02
  
12. A public hearing will be held to consider the proposed specifications, form of contract and estimated cost for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels project (estimated cost is \$550,000) (John Riggs).
  - a. Resolution adopting specifications, form of contract and estimated cost for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels project (**FLOOD**). CIP/DID #0714-013

13. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the McGrath Amphitheatre – Demountable Floodwall project (estimated cost is \$250,000) (Sandy Pumphrey).
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the McGrath Amphitheatre – Demountable Floodwall project. CIP/DID #331002-01
14. A public hearing will be held to consider the proposed plans, specifications and estimated cost for the CRST Building – Floodwall and Pumpstation Vault project (estimated cost is \$3,950,000) (Sandy Pumphrey).
  - a. Resolution adopting plans, specifications, and estimated cost for the CRST Building – Floodwall and Pumpstation Vault project. CIP/DID #3302600007-00
15. A public hearing will be held to consider a Lease Purchase Agreement between the City of Cedar Rapids and Cedar Real Estate Group III, LLC for a principal amount not to exceed \$3,950,000 (Jim Flitz).
  - a. Resolution authorizing execution of a Lease Purchase Agreement between the City of Cedar Rapids and Cedar Real Estate Group III, LLC. CIP/DID #OB1298669

### **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. They will be approved by one motion without separate discussion unless Council requests an item be removed to be considered separately.**

16. Motion to approve minutes.
17. Motions setting public hearing dates for:
  - a. September 9, 2014 – to consider the continuation of the disposition of excess City-owned property by sealed bid and described as three commercial parcels located at 1400 and 1412 6<sup>th</sup> Street SW and a vacant lot with structure located westerly of and adjacent to 1400 and 1412 6<sup>th</sup> Street SW; CIP/DID #3302500004-00

- b. September 9, 2014 – to consider the continuation of the disposition of excess City-owned property by sealed bid and described as a vacant lot with structure located at 217 10<sup>th</sup> Avenue SW; CIP/DID #3302500004-00
  - c. September 9, 2014 – to consider a change of zone for property at 2727 16<sup>th</sup> Avenue SW from R-2, Single Family Residence Zone District to C-3, Regional Commercial Zone District as requested by MidAmerican Aerospace and S & C Realty Associates; CIP/DID #RZNE-011721-2014
  - d. September 9, 2014 – to consider a change of zone for property at 1103 and 1201 Blairs Ferry Road NE from I-1, Light Industrial Zone District to PUD-1, Planned Unit Development One Zone District as requested by Hunter Companies, LLC, Nash Finch Company and Northwestern States Portland Cement Co.; CIP/DID #RZNE-011742-2014
  - e. September 9, 2014 – to consider a change of zone for property at 1415 Bever Avenue SE from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Affordable Housing Network, Inc. CIP/DID #RZNE-011780-2014
18. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for September 9, 2014 and advertising for bids by publishing notice to bidders for the Police Station Roof Replacement project and authorizing the Purchasing Manager, or designee, to receive and open bids and publicly announce the results on September 10, 2014 (estimated cost is \$400,000). CIP/DID #0814-030
19. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
- a. 2<sup>nd</sup> Avenue Corner Pocket, 609 2<sup>nd</sup> Avenue SW;
  - b. 3<sup>rd</sup> Street Saloon, 1202 ½ 3<sup>rd</sup> Street SE (5 day permit for an event on August 28, 2014 at McGrath Powersports, 4645 Center Point Road NE);
  - c. 3<sup>rd</sup> Street Saloon, 1202 ½ 3<sup>rd</sup> Street SE (5 day permit for an event on September 11, 2014 at Cassill Motors, 2939 16<sup>th</sup> Avenue SW);
  - d. Applebee's Neighborhood Grill, 2645 Edgewood Road SW;
  - e. Casey's General Store #2765, 5050 Northland Avenue NE;
  - f. Casey's General Store #2771, 501 6<sup>th</sup> Street SW;
  - g. Chappy's Safari Lounge, 229 16<sup>th</sup> Avenue SW;
  - h. Fieldhouse Cedar Rapids, 1140 Blairs Ferry Road NE (outdoor service for an event on September 13 14, 2014);
  - i. Godfather's Pizza, 2201 16<sup>th</sup> Avenue SW;
  - j. Godfather's Pizza, 3647 ½ 1<sup>st</sup> Avenue SE;
  - k. Hy Vee Market Cafe #6, 4035 Mount Vernon Road SE (new – adding market cafe to premise);
  - l. Hy Vee Tasting Room #6, 4035 Mount Vernon Road SE (new – adding tasting room to premise);
  - m. Juke Joint, 1736 16<sup>th</sup> Avenue SW;
  - n. Lost Cuban, The, 209 3<sup>rd</sup> Street SE;
  - o. NewBo City Market, 1100 3<sup>rd</sup> Street SE (outdoor service for an event on August 30, 2014);
  - p. NewBo City Market, 1100 3<sup>rd</sup> Street SE (outdoor service for an event on September 20, 2014);
  - q. NewBo City Market, 1100 3<sup>rd</sup> Street SE (outdoor service for an event on September 27, 2014);
  - r. Orchestra Iowa, 119 3<sup>rd</sup> Avenue SE (5 day permit for an event at Brucemore, 2160 Linden Drive SE, on September 7, 2014);
  - s. Planet X, 4444 1<sup>st</sup> Avenue NE Suite # 3001;

- t. Smuggler's Wharf, 95 16<sup>th</sup> Avenue SW;
- u. Splash Events, 225 5<sup>th</sup> Avenue SW (new – concessionaire for Cedar Rapids Jaycees);
- v. Sykora Bakery, 73 16<sup>th</sup> Avenue SW (5-day permit for an event on August 30, 2014);
- w. Zio Johnno's, 2925 Williams Parkway SW.

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

21. Resolutions appointing and thanking the following individuals:

- a. Appointing Dominique Blank and Bill Hunse (effective through June 30, 2017) to the City Planning Commission; CIP/DID #OB572803
- b. Appointing Keith Wiggins (effective through June 30, 2017) to the Civil Rights Commission; CIP/DID #OB629963
- c. Appointing Diann Barrigar (effective through June 30, 2015) to the (Czech Bohemia) Design Review Technical Advisory Committee; CIP/DID #OB715322
- d. Appointing B.J. Hobart (effective through June 30, 2015) to the Cedar Rapids Historic Preservation Commission; CIP/DID #OB691376
- e. Appointing Hattie Holmes (effective through June 30, 2017) to the Veterans Memorial Commission; CIP/DID #OB572854
- f. Vote of thanks to Jon Jelinek for serving on the (Czech Bohemia) Design Review Technical Advisory Committee. CIP/DID #OB715322

22. Resolution approving Epilepsy Foundation of North Central Illinois/Iowa and Nebraska Trashmore 5K – Dash to Bash Epilepsy 5k run and walk event (includes road closures) on September 13, 2014. CIP/DID #SPEC-024021-2014

23. Resolutions approving assessment actions:

- a. Intent to assess – Solid Waste & Recycling – clean-up costs – two properties; CIP/DID #OB1300285
- b. Levy assessment – delinquent weed mowing charges – 86 properties; CIP/DID #OB1300769
- c. Levy assessment – nuisance property abatement charge – one property; CIP/DID #OB1300771
- d. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 50 properties; CIP/DID #OB1300835
- e. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 10 properties. CIP/DID #OB1294632

24. Resolutions accepting various subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:

- a. Sanitary Sewer in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and 2-year Maintenance Bond submitted by Zinser Grading & Excavating, LLC in the amount of \$32,248; CIP/DID #47-09-020
- b. Storm Sewer in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and 2-year Maintenance Bond submitted by Zinser Grading & Excavating, LLC in the amount of \$42,389; CIP/DID #47-09-020
- c. Portland Cement Concrete pavement in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$56,000; CIP/DID #47-09-020
- d. Sanitary Sewer in Whispering Pines Eighth Addition – Phase 1 and 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$19,240.80; CIP/DID #47-12-014

- e. Storm Sewer in Whispering Pines Eighth Addition – Phase 1 and 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$68,987.65; CIP/DID #47-12-014
  - f. Portland Cement Concrete pavement in Whispering Pines Eighth Addition – Phase 1 and 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$58,671; CIP/DID #47-12-014
  - g. Water System Improvements installed in Airport Commerce Park 10<sup>th</sup> Addition – Capital Drive SW Extension and 4-Year Maintenance Bond in the amount of \$62,467 submitted by Zinser Grading & Excavating LLC. CIP/DID #2013042-01
25. Resolutions accepting projects, approving Performance Bonds and authorizing issuance of final payments:
- a. NE Quadrant, 2008 Flood Area Sanitary Sewer Restoration Phase 1 project, final payment in the amount of \$12,893.33 and 4-year Performance Bond submitted by Dave Schmitt Construction Company (original contract amount was \$286,385; final contract amount is \$257,866.57) **(FLOOD)**; CIP/DID #SSD102-02
  - b. Park Cedar Rapids 3<sup>rd</sup> Avenue SE Parkade Fire Standpipe project, final payment in the amount of \$3,223.60 and 4-year Performance Bond submitted by Ahern Fire Protection, a Division of J.F. Ahern Co. (original contract amount was \$26,641; final contract amount is \$32,236); CIP/DID #635128-20
  - c. J Avenue Water Treatment Plant NE Booster Station Roof Replacement project, final payment in the amount of \$8,484.35 and 2-Year Performance Bond submitted by Academy Roofing & Sheet Metal Co. (original contract amount was \$175,540; final contract amount is \$169,687.07). CIP/DID #625663-04
26. Resolutions approving final plats:
- a. West Side Corporate Park Fifth Addition, located east of 6<sup>th</sup> Street SW and south of West Side Place SW; CIP/DID #FLPT-008098-2014
  - b. Airport Plaza Third Addition, located east of 6<sup>th</sup> Street SW at St. Martin Boulevard SW; CIP/DID #FLPT-011094-2014
  - c. 76<sup>th</sup> Avenue Industrial Park Third Addition, located west of Irish Drive SW and north of 76<sup>th</sup> Avenue. CIP/DID #FLPT-007975-2014
27. Resolution establishing “No Parking Anytime” on both sides of 6<sup>th</sup> Street SW from Capital Drive SW southerly for a distance of 680 feet. CIP/DID #PARK-012456-2014
28. Resolution establishing “No Parking Bus Loading Zone 3:00-4:00 PM, except Saturdays, Sundays and Holidays” on the south side of Burch Avenue NW from the south leg of 21<sup>st</sup> Street NW to 22<sup>nd</sup> Street NW. CIP/DID #PARK-012498-2014
29. Resolution approving the installation of two-way stop control at the intersection of Gas Light Road/Court SW and Rolling Ridge Drive/Court SW, stopping traffic on Gas Light Road/Court for Rolling Ridge Drive/Court SW. CIP/DID #60-15-031
30. Resolution approving the installation of two-way stop control at the intersection of Acacia Drive NE and Crescent View Drive/Deer Run Drive NE, stopping traffic on Crescent View Drive/Deer Run Drive NE for Acacia Drive NE. CIP/DID #60-15-031
31. Resolution approving the installation of two-way stop control at the intersection of Dennis Drive NW and Josephine Lane NW, stopping traffic on Dennis Drive NW for Josephine Lane NW. CIP/DID #60-15-031

32. Preliminary Resolution for the construction of traffic signal improvements for the Edgewood Road SW and Edgewood Parkway SW Traffic Signal Improvements project. CIP/DID #306163-00
33. Resolution adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the 2015 Sidewalk Infill project. CIP/DID #3012074-01
34. Resolution adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the 18<sup>th</sup> Street SW from Wilson Avenue SW to 16<sup>th</sup> Avenue SW Improvements project. CIP/DID #301500-00
35. Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the FY 2010 Sidewalk Ramp Repair Program – Contract No. 2 project. CIP/DID #3017010-00
36. Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 1 project. CIP/DID #3017011-00
37. Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 2 project. CIP/DID #3017011-00
38. Resolution confirming approval for 16 projects to be submitted to the Iowa Economic Development Authority (IEDA) for funding consideration through the Multi-Family New Construction (MFNC) Program. CIP/DID #08-DRH-208
39. Resolution authorizing execution of a Corrective Special Warranty Deed with Little House, LLC for property at 1301 3<sup>rd</sup> Street SE **(FLOOD)**. CIP/DID #OB811372
40. Resolution authorizing the Finance Director to commit the current and future fund balances of a new Special Revenue Fund – Veterans Memorial Building – Gallery Exhibit. CIP/DID #OB1300766
41. Resolution authorizing an Information Technology Web Developer II to attend SPTEchCon in Boston, MA in the amount of \$3,120. CIP/DID #OB1300777
42. Resolution authorizing an Information Technology Systems Analyst II to attend the OnBase Training and Technology Conference in Kissimmee, FL for an estimated cost of \$5,107.34. CIP/DID #OB1300779
43. Resolution authorizing an Information Technology Systems Analyst III to attend Lenel Training in Rochester, NY for an estimated cost of \$5,964. CIP/DID #OB1300781
44. Resolutions approving actions regarding Purchases/Contracts/Agreements:
  - a. Amendment No. 1 to the Agreement for Private Redevelopment with Cedar Rapids City Market, Inc. now known as NewBo City Market; CIP/DID #OB281736
  - b. Amendment No. 16 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 \$60,445,505); CIP/DID #08-DRH-208

- c. Amendment No. 1 to the Agreement for Private Redevelopment by and between the City of Cedar Rapids and 4000, LLC and execution of Assignment and Assumption of Agreement for Private Redevelopment from 4000, LLC to Station on First, LLC for property at 427 1<sup>st</sup> Street SE **(FLOOD)**; CIP/DID #OB687456
- d. Amendment No. 1 to renew contract for ammunition with Ultramax Ammunition for the Police Department for an estimated annual amount of \$90,000 (original contract amount was \$70,000; renewal contract amount is \$90,000); CIP/DID #0713-013
- e. Amendment No. 14 to reflect anticipated additional services for Environmental Assessment Services for Flood Damaged Structures project with Tetra Tech, Inc. for an amount not to exceed \$14,224 (original contract amount was \$1,260,000; total contract amount with this amendment is \$2,230,064) **(FLOOD)**; CIP/DID #0809-043
- f. Change Order No. 3 in the amount of \$5,806.21 with Hawkeye Electrical Contractors of Cedar Rapids, Ltd. for the Veterans Memorial Phase III – Bid Package #13 – Electrical & Telecommunications project (original contract amount was \$1,256,500; total contract amount with this amendment is \$1,274,799.79) **(FLOOD)**; CIP/DID #VME001-06
- g. Change Order No. 6 in the amount of \$88,082, plus 30 additional calendar days, with Knutson Construction Services Midwest, Inc. for the 2<sup>nd</sup> Street SE Parking Ramp at 7<sup>th</sup> Avenue – General Construction project (original contract amount was \$7,801,500; total contract amount with this amendment is \$8,055,633); CIP/DID #635120-20
- h. Change Order No. 5 in the amount of \$16,320 and extending the contract completion date to August 20, 2014 with D.W. Zinser Company for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – Demolition and Abatement project (original contract amount was \$489,000; total contract amount with this amendment is \$926,132) **(FLOOD)**; CIP/DID #PWE006-22
- i. Change Order No. 4 in the amount of \$2,758.80 with Ricklefs Excavating, Ltd. for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (original contract amount was \$1,765,564.20; total contract amount with this amendment is \$1,845,027.04) **(FLOOD)**; CIP/DID #SSD103-11
- j. Change Order No. 1 in the amount of \$30,332.70 with Rice Lake Construction Group for the Permanent Flood Repairs Package 3 – Intermediate Lift, Final Lift, Secondary Treatment, Unit Substations 3 & 7, Cryogenic Oxygen Generation, and Activated Sludge project (original contract amount was \$7,748,600; total contract amount with this amendment is \$7,778,932.70) **(FLOOD)**; CIP/DID #3303100091-01
- k. Total Acquisition Purchase Agreement in the amount of \$15,000 with Better Built Investment Properties, L.L.C. for real property located at 1337 4<sup>th</sup> Street NW in connection with the Northwest Flood Mitigation System project; CIP/DID #331003-00
- l. 28E Memorandum of Agreement with All Saints Elementary School for participation in the adult guard program for Fiscal Year 2015, reimbursing All Saints Elementary School for 50% of the costs for wages up to \$11.40/hour, fringes, and updated equipment, for an amount not to exceed \$1,847.94; CIP/DID #60-15-011
- m. 28E Memorandum of Agreement with St. Matthew School for participation in the adult guard program for Fiscal Year 2015, reimbursing St. Matthew School for 50% of the costs for wages up to \$11.40/hour, fringes, and updated equipment, for an amount not to exceed \$1,847.94; CIP/DID #60-15-011
- n. 28E Memorandum of Agreement with the Linn Mar Community School District for participation in the adult guard program for Fiscal Year 2015, reimbursing the Linn Mar Community School District for 50% of the costs for wages up to \$11.40/hour, fringes, and updated equipment, for an amount not to exceed \$1,847.94; CIP/DID #60-15-011

- o. 28E Memorandum of Agreement with the Cedar Rapids Community School District for participation in the adult guard program for Fiscal Year 2015, reimbursing the Cedar Rapids Community School District for 50% of the costs for wages up to \$11.40/hour, fringes, and updated equipment, for an amount not to exceed \$57,286.18; CIP/DID #60-15-011
- p. Payments to various non-profit special events held in Cedar Rapids during the second half of Fiscal Year 2014 from the Special Event Public Safety Fund; CIP/DID #OB568164
- q. Reimbursement of \$25,000 to Prairie Crossing, LLC for turn lane improvements along C Street SW at the Kirkwood Parkway intersection in connection with the new RuffaloCODY office construction project; CIP/DID #OB814580
- r. City matching contribution of \$50,000 to partner with the Metro Economic Alliance on a Downtown Facade Improvement Program; CIP/DID #OB143651
- s. Utilities Department – Water Division renewal of the annual database software license update and technical support services contract for Fiscal Year 2015 with Oracle in the amount of \$32,893.57 (original contract amount was \$31,935.50; renewal contract amount is \$32,893.57); CIP/DID #88075-01
- t. Utilities Department – Water Plant Operations purchase of five Hach Nitratax Plus SC 2 MM Nitrate Analyzers and five SC200 Controllers in the amount of \$84,417 from Hach Company (**sole source**); CIP/DID #OB1300845
- u. Development Agreement with Avril House, LLC for the relocation and historic rehabilitation of the Avril House at 616 4<sup>th</sup> Avenue SE; CIP/DID #OB1300895
- v. Development Agreement and Special Warranty Deed with Cedar Ridge Homes, Inc. for City-owned property at 1201 11<sup>th</sup> Street NW participating in the fourth round of the Single Family New Construction Program (**FLOOD**); CIP/DID #OB540257
- w. Development Agreement with Scott Hiserote Construction, LLC for property at 1151 McCloud Drive NE participating in the fourth round of the Single Family New Construction Program; CIP/DID #OB540257
- x. **Lease agreement with Noleshawk Investments LLC for the Blue Zones Project – Cedar Rapids office space at 205 2<sup>nd</sup> Street SE; CIP/DID #OB1298664**
- y. **Resolution authorizing the use of police vehicles and uniforms for a film project. CIP/DID #OB1301518**

## REGULAR AGENDA

- 45. Report on bids for the for the 16<sup>th</sup> Avenue SW (400-Ft East of 23<sup>rd</sup> Street SW to Williams Blvd SW) Water Main Rehabilitation project (estimated cost is \$658,000) (Steve Hershner).
  - a. Resolution awarding and approving contract in the amount of \$609,805, bond and insurance of Rathje Construction Marion, IA for the 16<sup>th</sup> Avenue SW (400-Ft East of 23<sup>rd</sup> Street SW to Williams Blvd SW) Water Main Rehabilitation project. CIP/DID #2011061-02
- 46. Report on bids for the Cottage Grove Parkway SE Flood Risk Reduction Berm project (estimated cost is \$880,000) (Rob Davis).
  - a. Resolution awarding and approving contract in the amount of \$722,134, bond and insurance of Borst Brothers Construction, Inc. for the Cottage Grove Parkway SE Flood Risk Reduction Berm project. CIP/DID #304224-06

47. Report on bids for the 3<sup>rd</sup> Avenue SW Pavement Rehabilitation Improvements from 10<sup>th</sup> Street to 6<sup>th</sup> Street project (estimated cost is \$220,000) (Doug Wilson).
- a. Resolution awarding and approving contract in the amount of \$195,002.45 plus incentive up to \$10,600, bond and insurance of L.L. Pelling Company, Inc. for the 3<sup>rd</sup> Avenue SW Pavement Rehabilitation Improvements from 10<sup>th</sup> Street to 6<sup>th</sup> Street project **(Paving for Progress)**. CIP/DID #3012082-02
48. Report on bids for the Coe Road NE Pavement Rehabilitation Improvements from A Avenue to Center Point Road project (estimated cost is \$610,000) (Doug Wilson).
- a. Resolution awarding and approving contract in the amount of \$518,661 plus incentive up to \$20,500, bond and insurance of L.L. Pelling Company, Inc. for the Coe Road NE Pavement Rehabilitation Improvements from A Avenue to Center Point Road project **(Paving for Progress)**. CIP/DID #3012087-02
49. Discussion and Resolution authorizing negotiation of a Memorandum of Agreement with the Iowa Startup Accelerator including City funding of \$50,000 (Jasmine Almoayed). CIP/DID #OB1301120
50. Discussion and Resolution authorizing negotiation of a Development Agreement with NewBo Development Group, LLC for the disposition and redevelopment of City-owned vacant property at the corner of Zika Avenue NW and 16<sup>th</sup> Street NW (commonly called the Chipping Green site) **(FLOOD)** (Caleb Mason). CIP/DID #OB1241850
51. Discussion and Resolution authorizing negotiation of a Development Agreement with HF Investments, LLC for the Coventry Lofts affordable housing project at 211 and 213 1<sup>st</sup> Avenue SE **(FLOOD)** (Kirsty Sanchez). CIP/DID #OB1089967
52. Discussion and Resolution authorizing initiation of a new Urban Renewal Area and negotiation of a Development Agreement with Hunter Companies, LLC for redevelopment of property located at 1201 Blairs Ferry Road NE (former Nash Finch site) (Kirsty Sanchez). CIP/DID #OB1300915
53. Discussion and Resolution authorizing execution of Amendment No. 1 to the Development Agreement with New Bohemia Station, LLC for disposition and redevelopment of City-owned property at 1020 and 1028 3<sup>rd</sup> Street SE (former Brosh site) **(FLOOD)** (Jennifer Pratt). CIP/DID #OB803603

## **ORDINANCES**

### **(Second and possible Third Readings)**

54. Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Commonwealth Senior Apartments Urban Revitalization Area designation at 1400 2<sup>nd</sup> Avenue SE. CIP/DID #OB1292697

**(First Reading)**

55. Ordinance amending Chapter 66 of the Cedar Rapids Municipal Code, Helicopter Landing Areas, by deleting Section 66.06 therefrom and enacting a new Section 66.06 which the Fire Chief or Chief's designee to issue temporary special permits for temporary landing or authorizes takeoff of helicopters within the city limits. CIP/DID #OB1300754

**PUBLIC INPUT**

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

**CITY MANAGER COMMUNICATIONS and DISCUSSION**

**COUNCIL COMMUNICATIONS and DISCUSSION**

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

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

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

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



## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Development Services

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

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

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

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

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

A public hearing will be held to consider a change of zone for property at 6340 Muirfield Drive SW from C-MU, Commercial Mixed Use Zone District to O-S, Office/Service Zone District as requested by Kids Inc. and Abode Construction, Inc. CIP/DID #RZNE-011223-2014

### **Background:**

The request for rezoning of this property was reviewed by the City Planning Commission on July 31, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

The property is currently undeveloped and is zoned C-MU, Commercial Mixed Use Zone District. Although daycares are allowed in the C-MU Zoning District there is also a requirement to develop housing in this District. The applicant has no plan for developing housing, so the O-S Zoning is the most appropriate zoning for this use. Kids Inc. has an existing facility at 5821 C Street SW, which it has out grown. The proposal would rezone the northern portion of the lot for the proposed daycare center and the southern portion will remain C-MU and be marketed for mixed use development. The Preliminary Site Development Plan submitted includes the following proposed improvements:

- Total site area-155,068 s. f. (3.56 ac.)
- Total proposed building area-15,000 s. f.
- Total paved area-26,239 s. f.
- Total parking-45 spaces including 2 handicap spaces.
- Fenced in playground area on north & east sides of proposed building.
- Landscape buffering on north end of lot adjoining residential use to north.
- Two access drives from Muirfield Drive SW.
- Privately owned & maintained storm water management area at south end of lot.

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

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

City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on July 31, 2014 and recommended approval a 7 to 0 vote. A portion of the minutes are included as Attachment A.</li> <li>There were no objectors and this is not a flood related item.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing, First Reading of the Ordinance will be held on August 26, 2014 to allow for public input.</li> <li>Three readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li> <li>Approval of the rezoning will be subject to the conditions stated in the Ordinance.</li> </ul>

**Action / Recommendation:**

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

**Alternative Recommendation:**

City Council may table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 5 minutes

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

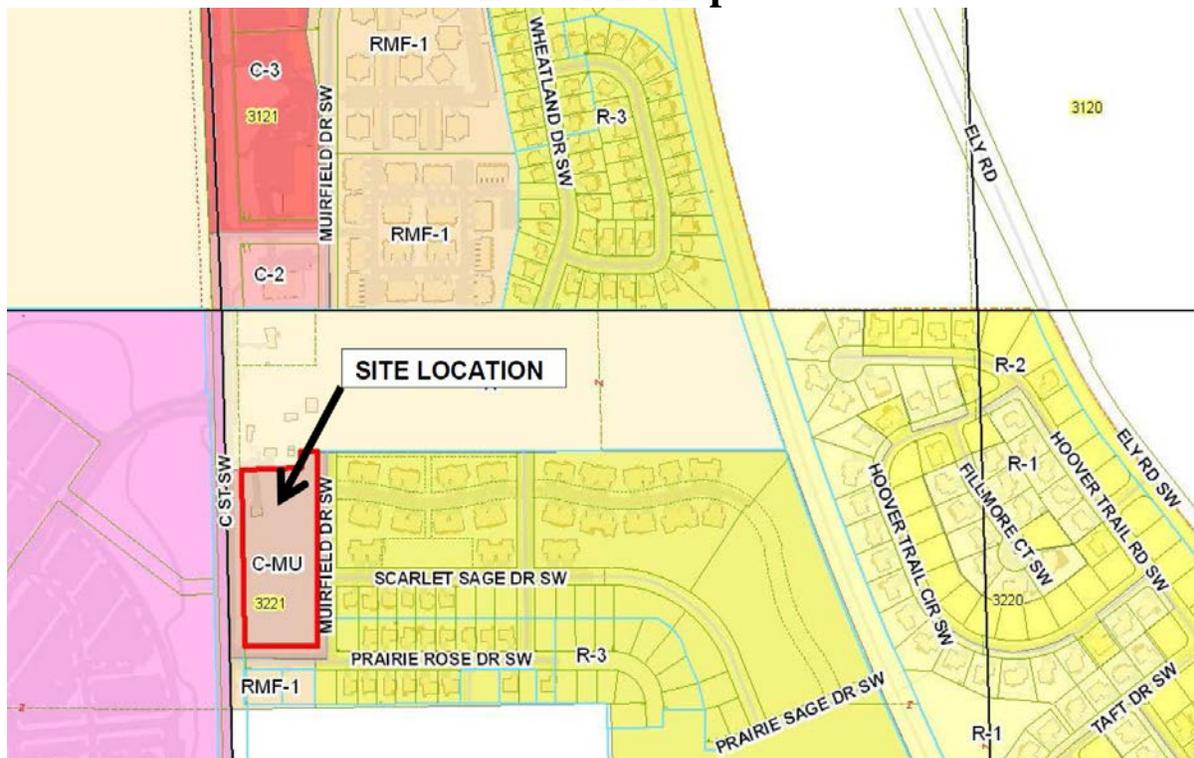
**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

**Location Map**





**MINUTES OF  
CITY PLANNING COMMISSION MEETING  
Thursday, July 31, 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

DSD Staff: Joe Mailander, Manager  
Vern Zakostelecky, Planner

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 July 10, 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: 6340 Muirfield Drive SW (Rezoning)**

Consideration of a Rezoning from C-MU, Commercial Mixed Use Zone District to O-S, Office/Service Zone District as requested by Kids Inc. (Applicant) and Abode Construction Inc. (Titleholder)

*Case No: RZNE-011223-2014; Case Manager: Vern Zakostelecky*

Mr. Zakostelecky stated the property is currently undeveloped and zoned C-MU. Daycares are allowed in the C-MU Zoning District however the applicant has no plan for developing housing so the O-S Zoning is the most appropriate zoning for this use. Kids Inc. has an existing facility at 5821 C Street SW which it has out grown. Mr. Zakostelecky presented a location/zoning map, general information, aerial photo, previously approved site plan, Preliminary Site Development Plan and photos of similar building.

Commissioner Overland called for questions of Mr. Zakostelecky.

Commissioner Overland called for a representative of the applicant.

Chad Pelley, Compass Commercial Services, LLC, 1641 Boyson Square Drive, Hiawatha was there on behalf of the applicant and stated he could answer question regarding the project.

Commission King asked if the outdoor area would be fenced. Mr. Pelley stated that their location in Iowa City had a fence and this site would also have fencing.

Commissioner Overland stated that going to an Office-Service Zone District was down zoning the property.

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

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

Darryl Allison, 1324 Scarlet Sage Drive SW stated that the traffic in the area was bad and wondered if there were going to be any traffic signals installed. Mr. Zakostelecky stated he would ask traffic engineers if one would be installed.

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the rezoning from C-MU, Commercial Mixed Use Zone District to O-S, Office/Service Zone District. Commissioner Wilts seconded the motion.

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

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

The meeting was adjourned at 3:55pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant  
Community Development and Planning

DSD                BSD  
ENG                STR  
FIR                RCR  
TITLEHOLDER    WTR  
CONTACT           TED  
CLK                PKS  
RZNE-011223-2014

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;

Lot 1 Hidden Springs 1<sup>st</sup> Addition, except the south 295 feet, in the City of Cedar Rapids, Linn County, Iowa.

and located at 6340 Muirfield Drive SW, now zoned C-MU, Commercial Mixed Use Zone District, and as shown on the "District Map," be rezoned and changed to O-S, Office/Service Zone District, and that the property be used for such purposes as outlined in the O-S, Office/Service Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. Design guidelines and standards as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.
2. No fence exceeding a height of 3 feet above ground level shall be erected within a required front yard without obtaining a variance.
3. A required side buffer-yard shall be provided where adjacent to Residential zone districts or a variance must be obtained.
4. Parking areas shall be screened from the adjoining public streets or a variance must be obtained.
5. That all structures exceeding 10,000 S.F. of gross floor area shall provide at least 1 off-street loading berth or a variance must be obtained.
6. All lighting shall be of a type, design and placement, and also be shielded in a manner to minimize impact on residential properties or uses adjacent to or immediately across the street.
1. 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. The location and design of each enclosure shall be shown on the Administrative Site Plan and shall be approved prior to issuance of structural building permits. Preliminary building permits for site preparation, installation of utilities, and foundations may be issued prior to approval of the enclosure.
2. The property shall be platted per provisions of the Iowa State Code and Chapter 31, the

City Subdivision Regulations.

3. That the south driveway be a shared driveway with the undeveloped portion of this lot to the south and that when the south portion of this property develops or Muirfield Drive SW is connected to the north the driveway shall be relocated to align with Scarlet Sage Drive SW.

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 26<sup>th</sup> day of August, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Development Services

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

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

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

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

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

A public hearing will be held to consider a change of zone for property at 2015 J Street SW from R-3, Single Family Residence Zone District to R-3D, Two Family residence Zone District as requested by Robert J. Burrell. CIP/DID #RZNE-011471-2014

### **Background:**

The request for rezoning of this property was reviewed by the City Planning Commission on July 31, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

The property is developed with a residential structure that was in the past used as a two-family dwelling unit. The property hasn't been used as a duplex for over a period of one-year and has lost its legal non-conforming status. The applicant purchased the property under the assumption it could be used as a duplex, but in working with the Building Service Department on getting permits to remodel found that the property could not be used as a duplex unless successfully rezoned. Since this is a rezoning to the R-3D Zoning District a detailed site plan is not required.

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

Actions	Comments
City staff review	<ul style="list-style-type: none"> <li>• City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>• The City Planning Commission reviewed the application on July 31, 2014 and recommended approval a 7 to 0 vote. A portion of the minutes is included as Attachment A.</li> <li>• There were no objectors and this is not a flood related item.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>• A Public Hearing to allow for public input and First Reading of the Ordinance will be held on August 26, 2014.</li> <li>• Three readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li> <li>• Approval of the rezoning will be subject to the conditions stated in the Ordinance.</li> </ul>

**Action / Recommendation:**

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

**Alternative Recommendation:**

City Council may table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 5 minutes

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

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

**Location Map**





**MINUTES OF  
CITY PLANNING COMMISSION MEETING  
Thursday, July 31, 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

DSD Staff: Joe Mailander, Manager  
Vern Zakostecky, Planner

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 July 10, 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.

**I. Case Name: 2015 J Street SW (Rezoning)**

Consideration of a Rezoning from R-3, Single Family Residence Zone District to R-3D, Two Family Residence Zone District as requested by Robert J. Burrell (Applicant/Titleholder)  
**Case No: RZNE-011471-2014; Case Manager: Vern Zakostecky**

Mr. Zakostecky stated the property is developed with a residential structure that was in the past used as a two-family dwelling unit. The property lost its legal non-conforming status and the applicant purchased the property under the assumption it could be used as a duplex however, working on permits to remodel, found the property could not be used as a duplex unless rezoned. Mr. Zakostecky presented a site plan, general information, an aerial photo as well as a photo of the house.

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

Commissioner Overland called for a representative of the applicant.

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

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

Lyle Vance, 240 20<sup>th</sup> Avenue SW stated that he had lived there for many years and witnessed renters who did not take care of the properties and landlords who did not live in the area and did not know what their renters were doing. Mr. Zakostecky stated that under a new ordinance, landlords had to be registered and take a class and if there was disturbance in house, the landlord is notified of any issues.

Commissioner Overland called for a motion. Commissioner Pankey made a motion to approve the rezoning from R-3, Single Family Residence Zone District to R-3D, Two Family Residence Zone District. Commissioner Knox-Seymour seconded the motion.

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

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

The meeting was adjourned at 3:55pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant  
Community Development and Planning

DSD            BSD  
ENG            STR  
FIR            RCR  
TITLEHOLDER WTR  
CONTACT      TED  
CLK            PKS  
RZNE-011471-2014

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;

IRR SUR NE 33-83-7 (LESS E 80') STR/LB 26

and located at 2015 J Street SW, now zoned R-3, Single Family Residence Zone District, and as shown on the "District Map," be rezoned and changed to R-3D, Two Family Residence Zone District, and that the property be used for such purposes as outlined in the R-3D, Two Family Residence Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

Section 2. There are no City staff recommended conditions.

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

Introduced this 26<sup>th</sup> day of August, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Development Services

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

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

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

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

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

A public hearing will be held to consider a change of zone for property at 435 8<sup>th</sup> Avenue SW, 1238 10<sup>th</sup> Street NW, 1116 K Street SW and 809 E Avenue NW from R-3, Single Family Residence Zone District and RMF-1 and RMF-2, Multiple Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District by The City of Cedar Rapids and Michael and Lindsey Meier. CIP/DID #RZNE-011893-2014

### **Background:**

The request for rezoning of these properties was reviewed by the City Planning Commission on July 31, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

This is another round of properties for the ROOTs Program brought before the City Council for rezoning. The property at 809 E Avenue NW is privately owned, but needs to be rezoning for the owner to close on the house. The house developed as part of the ROOTs Program. The other 3 lots are City-owned and will be developed with single-family homes. 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 4 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. 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"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on July 31, 2014 and recommended approval a 7 to 0 vote. A portion of the minutes will be provided prior to the public hearing.</li> <li>There were no objectors and this is a flood related item.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing, First Reading and possibly the Second and Third Readings of the Ordinance will be held on August 26, 2014 to allow for public input.</li> <li>Three readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li> <li>Approval of the rezoning will be subject to the conditions stated in the Ordinance.</li> </ul>

**Action / Recommendation:**

City staff recommends holding the public hearing and approval of First, 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):**





**MINUTES OF  
CITY PLANNING COMMISSION MEETING  
Thursday, July 31, 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

DSD Staff: Joe Mailander, Manager  
Vern Zakosteleyky, Planner

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 July 10, 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.

**I. Case Name: 435 8<sup>th</sup> Avenue SW, 1238 10<sup>th</sup> Street NW, 1116 K Street SW and 809 E Avenue NW (Rezoning)**

Consideration of a Rezoning from R-3, Single Family Residence Zone District, RMF-1, Multiple Family Residence Zone District and RMF-2, Multiple Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by City of

Cedar Rapids (Applicant) and City of Cedar Rapids and Michael and Lindsey Meier  
(Titleholders)

*Case No: RZNE-011893-2014; Case Manager: Vern Zakostelecky*

Mr. Zakostelecky stated this is another round of City owned properties to be rezoned to the R-TN. The property at 809 E Avenue NW is privately owned but needs to be rezoned for the owner to close on the house. The house is developed as part of the ROOTs Program. The other 3 City-owned properties will be developed with single-family homes. Mr. Zakostelecky showed a location map of the properties.

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

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

Commissioner Overland called for a motion. Commissioner Wilts made a motion to approve the rezoning from R-3, Single Family Residence Zone District, RMF-1, Multiple Family Residence Zone District and RMF-2, Multiple Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District. Commissioner Knox-Seymour seconded the motion.

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

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

The meeting was adjourned at 3:55pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant  
Community Development and Planning

DSD            BSD  
ENG            STR  
FIR            RCR  
TITLEHOLDER WTR  
CONTACT      TED  
CLK            PKS  
RZNE-011893-2014

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;

435 8<sup>th</sup> Avenue SW  
Lot 9, Block 9, A.K. Murray's Fourth Addition to Cedar Rapids, Iowa  
1238 10<sup>th</sup> Street NW  
Lot 16, Block 13, O.N Hulls Third Addition to the City of Cedar Rapids, Linn County, Iowa  
1116 K Street SW  
Lot 3, Block 1, McClenahan and Buchanan's Addition to West Cedar Rapids, Linn County, Iowa  
809 E Avenue NW  
The North 70 Feet of Lot 3, Block 2, Mansfield's First Addition to Cedar Rapids, Linn County, Iowa

and located at 435 8th Avenue SW, 1238 10<sup>th</sup> Street NW, 1116 K Street SW and 809 E Avenue NW now zoned R-3, Single Family Residence Zone District, RMF-1, Multiple Family Residence Zone District and RMF-2, Multiple 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. 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 26<sup>th</sup> day of August, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Development Services

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

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

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

A public hearing will be held and possible First, Second and Third Reading to consider a change of zone for property at 1415, 1419 and 1427 Center Point Road NE from O-S, Office/Service Zone District to RMF-2, Multiple Family Residence Zone District as requested by T W Sather Company and Monica J. Brooks. CIP/DID #RZNE-012080-2014

### **Background:**

The request for rezoning of this property will be reviewed by the City Planning Commission on August 21, 2014 and the Commission recommended unanimous approval by a 7 to 0 vote.

The applicant, The T W Sather Company is requesting rezoning of the property to develop multi-family housing. The Iowa Economic Development Authority has come out with another round of the Multi-Family New Construction Program and the deadline for making an application to the State is September 2, 2014. A Program requirement is that the property needs to have the appropriate zoning for the proposed use. The property is zoned O-S, Office/Service Zone District and at the time the property was rezoned multi-family housing was allowed in the O-S Zoning District. Under the current Zoning Ordinance, multi-family housing is not allowed in O-S and the applicant needs to rezone to the RMF-2 Zoning District. Due to the short time frame to get the property rezoned for the State deadline, the applicant is requesting City Council hold the public hearing and all Three Readings of the Ordinance on August 26, 2014. The site plan as submitted includes the following proposed improvements:

- Total site area is 2.70 acres.
- Two-three stories apartment buildings with 30-units in each.
- 64-parking stalls.
- One access from Center Point Road NE
- On-site storm water management will be required.

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

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

City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on August 21, 2014 and recommended unanimously by a 7 to 0 vote.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing to allow for public input and possible First Reading, Second and Third Readings of the Ordinance will be held on August 26, 2014..</li> <li>Approval of the rezoning will be subject to the conditions stated in the Ordinance.</li> </ul>

**Action / Recommendation:**

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

**Alternative Recommendation:**

City Council may table this item and request further information.

**Time Sensitivity:**

The applicant is requesting City Council hold all three readings of the ordinance on August 26, 2014 due to the State IEDA deadline for applying for the Multi-Family New Construction Program and the requirement to have appropriated zoning in place at the time of said application.

**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**



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;

College Park 2<sup>nd</sup>, Out Lot 11, less the north 30' and less the east 10',  
and  
College Park 2<sup>nd</sup>, Out Lot 10, less the east 10'

and located at 1415, 1419 and 1427 Center Point Road NE, now zoned O-S, Office/Service Zone District, and as shown on the "District Map," be rezoned and changed to RMF-2, Multiple Family Residence Zone District, and that the property be used for such purposes as outlined in the RMF-2, Multiple Family Residence Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. This site shall be developed in compliance with the provisions of the Flood Plain Management Ordinance.
2. That the property be platted in accordance with the Iowa State and City of Cedar Rapids Subdivision Regulations.
3. Design guidelines and standards as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.
4. Required side bufferyards shall be provided where adjacent to a Residential zone districts or a variance must be obtained.
5. Parking areas shall be screened from the adjoining public street or a variance must be obtained.
6. Sites will need to comply with off-street parking requirement per Chapter 32, Subsection 32.05.020.A. or a variance shall be obtained.
7. Parking is not to be provided within a required front yard setback without successfully obtaining a variance.
8. Required side bufferyards shall be provided where adjacent to residential zone districts or a variance must be obtained.
9. Effective screening shall be provided and maintained so as to screen the open parking spaces and the drive thereto where adjacent to a residential use per provisions of the Zoning Ordinance or a variance be obtained.

10. 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.
11. The enclosure for the dumpster will need be a full screen enclosure including the gates and preferably designed using the same building material as the principal building as per Subsection 32.05.030.A.7. of the Zoning Ordinance. Please note that chain link with privacy slats does not satisfy this requirement.
12. 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. The location and design of each enclosure shall be shown on the Administrative Site Plan and shall be approved prior to issuance of structural building permits. Preliminary building permits for site preparation, installation of utilities, and foundations may be issued prior to approval of the enclosure.
13. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit to the City a signed Agreement for Private Storm Water Detention. The City Public Works Department shall provide a copy of the Agreement form upon request by the property owner.
14. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit to the City a signed Agreement for Ownership and Maintenance of Private Water Main to be located on this site. The City Public Works Department shall furnish said Agreement form upon request by the property owner.

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 26<sup>th</sup> day of August, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Development Services

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

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

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

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

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

A public hearing will be held and possible First, Second and Third Reading to consider a change of zone for property at 210 5<sup>th</sup> Street SW, 353 2<sup>nd</sup> Avenue SW and vacant lot on SW corner of 5<sup>th</sup> Street and 2<sup>nd</sup> Avenue SW from C-3, Regional Commercial Zone District and RMF-2, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Progression LC CIP/DID #RZNE-012265-2014.

### **Background:**

The request for rezoning of these properties was reviewed by the City Planning Commission on August 21, 2014 and the Commission's recommendation was unanimous for approval on a 7 to 0 vote.

The property on the east side of 5<sup>th</sup> Street SW is owned by the applicant and developer Progression, LC. The property on the west side is owned by the Cedar Rapids Community School District, but Progression, LC will be purchasing the property in the near future prior to the rezoning being finalized. The applicant is preparing to submit an application to the State for Round 6 of the Multi-Family New Construction Program, which is due to the State by September 2, 2014 and having appropriate zoning is one of the criteria the State considers when reviewing projects for potential funding. The Preliminary Site Development Plan submitted as part of this application includes the following proposed improvements:

- Total site area-61,310 s. f.
- Total building footprint area-28,392 s. f.
- Total hard surface area-50,882 s. f.
- Both buildings are 4-stories in height.
- Total of 48-units including 18-unit on the smaller site and 30-unit on the larger site.
- Parking includes 28 garage stalls and 40 surface lot spaces.
- Access is proposed from 4<sup>th</sup> & 5<sup>th</sup> Street SW and the public alley.

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

Actions	Comments

City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on August 21, 2014 and recommend approval unanimously on a 7 to 0 vote.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing, First Reading and possibly the Second and Third Readings of the Ordinance will be held on August 26, 2014.</li> <li>Approval of the rezoning will be subject to the conditions stated in the Ordinance.</li> </ul>

**Action / Recommendation:**

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

**Alternative Recommendation:**

City Council may table this item and request further information.

**Time Sensitivity:**

**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**



DSD            BSD  
ENG            STR  
FIR            RCR  
TITLEHOLDER WTR  
CONTACT      TED  
CLK            PKS  
RZNE-012265-2014

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;

LOTS 1,2, AND 3, BLOCK 42, CEDAR RAPIDS MILL CO'S RESURVEY TO BROWNS 1ST ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA (210 5th St SW, VACANT)

LOTS 3,4,5,6 AND 7, BLOCK 2, LEACH'S ADDITION TO THE CITY OF CEDAR RAPIDS, LINN, COUNTY, IOWA, EXCEPT PUBLIC HIGHWAY (353 2nd Ave SW)

and located at 210 5th Street SW, 353 2nd Avenue SW and vacant lot on SW corner of 5th Street SW and 2nd Avenue SW, now zoned C-3, Regional Commercial Zone District and 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 Kingston Village Overlay District Design Review Technical Advisory Committee.
3. 210 5th Street SW shall be combined with the adjacent parcel so as to constitute a single zoning lot and tax parcel.
4. All setbacks shall comply with those shown on the Preliminary Site Development or modified per Subsection 32.03.010.C.4 of the Zoning Ordinance.
5. Effective screening of open parking spaces and the drive thereto where adjacent to a residential district is required.
6. All lighting shall be of a type, design and placement, and also be shielded in a manner to minimize impact on residential properties or uses adjacent to or immediately across the street.
7. Design guidelines and standards as specified in Subsection 32.05.030.C. shall be met or

modified per Subsection 32.03.010.C.4 of the Zoning Ordinance.

8. The enclosure for the dumpster will need be a full screen enclosure including the gates and preferably designed using the same building material as the principal building as per Subsection 32.05.030.A.7. of the Zoning Ordinance. Please note that chain link with privacy slats does not satisfy this requirement.
9. Sites will need to comply with off-street parking requirement per Chapter 32, Subsection 32.05.020.A or modified per Subsection 32.03.010.C.4 of the Zoning Ordinance.
10. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible for removal and replacement of City sidewalk and ADA ramps adjoining this site, damaged as a result of construction activities on this site or not meeting ADA standards. Said removal and replacement areas shall be determined by the City Public Works Department, shall be completed by the property owner, and approved by the City.
11. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to remove any unused driveways and access walks and restore the curb and right of way.

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 26<sup>th</sup> day of August, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Development Services

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

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

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

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

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

A public hearing will be held to consider a change of zone for City-owned property at 1016 2<sup>nd</sup> Street SW, 1100 K Street SW, 1104 K Street SW and 1108 K Street SW from R-3, Single Family Residence Zone District to RMF-2, Multiple Family Residence Zone District as requested by The City of Cedar Rapids. CIP/DID #RZNE-011919-2014

### **Background:**

The request for rezoning of these properties was reviewed by the City Planning Commission on July 31, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

This is another round of City-owned properties for the ROOTs Program brought before the City Council for rezoning. These properties are being requested for rezoning to RMF-2, Multiple Family Residence Zone District, in order to redevelop the parcels with a 5-unit townhouse structure.

It is anticipated that these properties will be combined and 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 4 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. The current zoning classification is not an appropriate match for the size, square footage, and number of units for the lots. The rezoning to the RMF-2 Zoning District will allow new townhome housing in the neighborhood. 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"> <li>• City staff reviewed the application and recommended revisions, which were made.</li> </ul>

City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on July 31, 2014 and recommended approval on a 7 to 0 vote. A portion of the minutes will be provided prior to the public hearing.</li> <li>There were no objectors and this is a flood related item.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing to allow for public input and First Reading and possibly the Second and Third Readings of the Ordinance will be held on August 26, 2014.</li> <li>Three readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li> <li>Approval of the rezoning will be subject to the conditions stated in the Ordinance.</li> </ul>

**Action / Recommendation:**

City staff recommends holding the public hearing and approval of First, 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

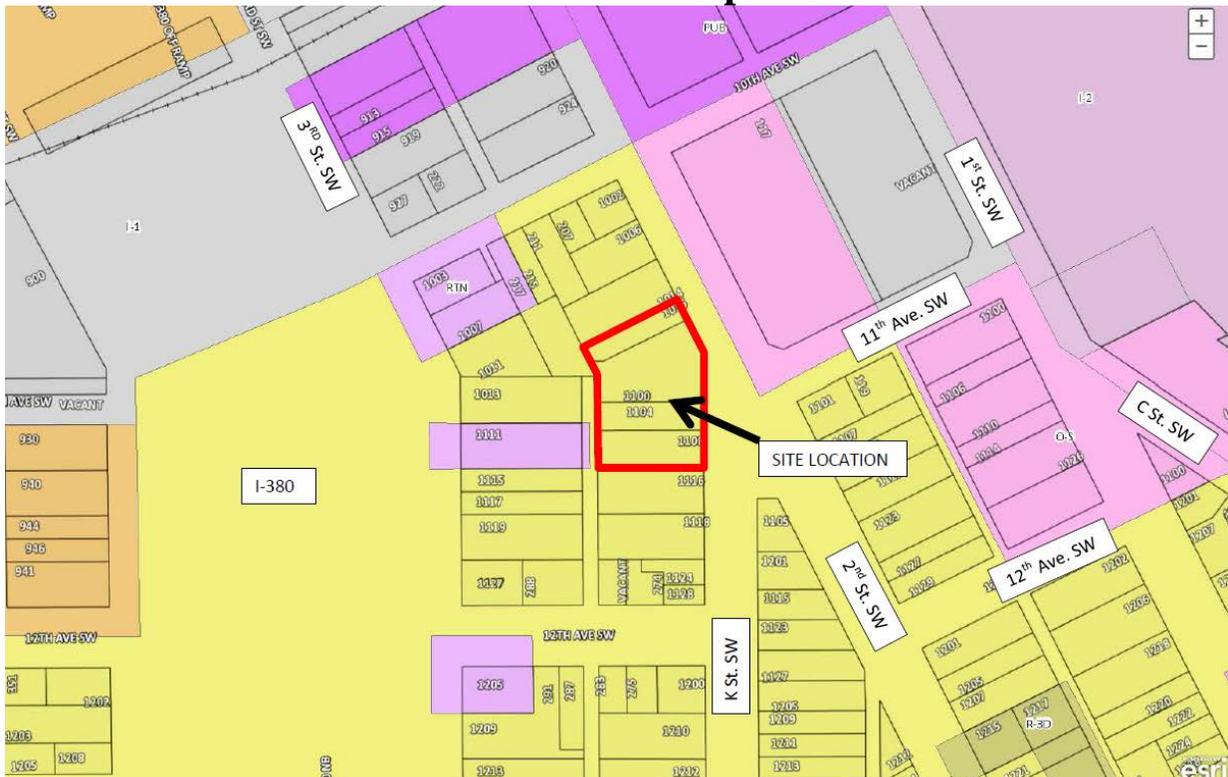
**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

**Location Map**





**MINUTES OF  
CITY PLANNING COMMISSION MEETING  
Thursday, July 31, 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

DSD Staff: Joe Mailander, Manager  
Vern Zakostelecky, Planner

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 July 10, 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: 1016 2<sup>nd</sup> Street SW, 1100 K Street SW, 1104 K Street and 1108 K Street SW (Rezoning)**

Consideration of a Rezoning from R-3, Single Family Residence Zone District to RMF-2, Multiple Family Residence Zone District as requested by City of Cedar Rapids (Applicant/Titleholder)

**Case No: RZNE-011919-2014; Case Manager: Vern Zakostelecky**

Mr. Zakostecky stated this was another round of City-owned properties for rezoning. These properties are being requested for rezoning to RMF-2 in order to develop the parcels with a 5-unit townhouse structure. Mr. Zakostecky showed a location map.

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

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

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the rezoning from R-3, Single Family Residence Zone District to RMF-2, Multiple Family Residence Zone District. Commissioner Pankey seconded the motion.

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

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

The meeting was adjourned at 3:55pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant  
Community Development and Planning

DSD                   BSD  
ENG                   STR  
FIR                   RCR  
TITLEHOLDER       WTR  
CONTACT             TED  
CLK                   PKS  
RZNE-011919-2014

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;

1016 2nd Street SW

Part Lot 7 Frl. Block 7, "May and Covells Addition to Kingston" (name of which addition was by Act of the Legislature of Iowa of 1855 altered to West Cedar Rapids), Linn County, Iowa, lying southeasterly of a line 60 feet Southeasterly of and parallel with the Northwesterly line of said Lot 7 (except part deeded to the City of Cedar Rapids recorded in Vol. 286 page 563 and except that part deeded and recorded in Vol. 269 page 385).

1100 K Street SW

A 30 foot strip of land lying North of Lot 1, Block 1, McClenahan and Buchanan's Addition to West Cedar Rapids, Iowa described as follows: Beginning at the NE corner of Block 1, McClenahan and Buchanan's Addition to West Cedar Rapids, Linn County, Iowa; thence North 00°00' West 34.50 feet; thence South 63°28' West 32.45 feet to the South line of "May and Covell's Addition to Kingston" (name of which Addition was by Act of Legislature of Iowa of 1855 altered to West Cedar Rapids); thence North 90°00' West 110.97 feet along said South line; thence South 00°00' East 20 feet to the NW corner of Lot 1, Block 1 of said McClenahan and Buchanan's Addition; thence North 90°00' East 140.00 feet along the North line of said Lot 1 to the point of beginning excepting therefrom the following described premises lying therein:

Part of the SE 1/4 SW 1/4 Section 28-83-7, and a part of Lot 7, Frl. Block 7, "May and Covells Addition to Kingston" (name of which Addition was by Act of Legislature of Iowa of 1855 altered to West Cedar Rapids) described as follows:

Commencing at the NE corner of Lot 1, Block 1, McClenahan and Buchanan's Addition to West Cedar Rapids; thence N 34.5 feet to an intersection with the West line of Second Street S.W.; thence SW-ly 76.7 feet to an intersection with the North line of said Lot 1; thence East on the North line of said Lot 1, 68.8 feet to the point of beginning

1104 K Street SW

South 30 feet of Lot 1 and North 10 feet of Lot 2, Block 1, McClenahan and Buchanan's 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

and located at 1016 2nd Street SW, 1100 K Street SW, 1104 K Street SW and 1108 K Street SW now zoned R-3, Single Family Residence Zone District, and as shown on the "District Map," be rezoned and changed to RMF-2, Multiple Family Residence Zone District, and that the property be used for such purposes as outlined in the RMF-2, Multiple Family Residence Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. That future development under this rezoning action shall be subject to the PSDP review process as set forth in Section 32.02.030.G. prior to issuance of building permit(s). Such Development shall meet all City development standards in effect at the time of plan submittal.
2. Design guidelines and standards as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.

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 26<sup>th</sup> day of August, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Jennifer Pratt

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

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

**Alternate Contact Person:** Kirsty Sanchez

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

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

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

A public hearing will be held to consider a request by Kenworth of Cedar Rapids for an Urban Revitalization Area designation for new construction to be located near Kenworth Court SW.

- a. Resolution authorizing an Urban Revitalization Area designation for new construction to be located near Kenworth Court SW. CIP/DID #OB1294795
- b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Kenworth Urban Revitalization Area designation near Kenworth Court SW. CID/DID #OB1294795

### **Background:**

A request has been submitted by Hunter Companies, on behalf of Kenworth of Cedar Rapids for an Urban Revitalization Property Tax Exemption designation for the proposed construction of a new facility near Kenworth Court SW. This proposed project meets the requirements for the Targeted Development Program for High Quality Jobs.

### **Project Details:**

- Building – 39,400 square feet
- Project cost – Approximately \$4,200,000
- Estimated assessed value – \$2,900,000

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

- Project will add 60 high quality jobs within 3 years
- Expansion of an existing business

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 \$2,900,000. This would generate an additional \$98,600 in property tax revenue annually. Over a ten-year period, this would be an additional \$552,160 collected in tax revenues and \$433,840 deferred as tax exempt.

### **Action / Recommendation:**

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

Based on a projected increased taxable value of \$2,900,000 generated by the new construction, the estimated total over the ten-year period is an additional \$552,160 collected in tax revenues and \$433,840 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 KENWORTH OF  
CEDAR RAPIDS, LC URBAN REVITALIZATION PLAN

WHEREAS, the proposed Urban Revitalization Plan for the construction of a new facility near Kenworth Court SW provides high quality jobs and the expansion of a local business as provided under State Law; and

WHEREAS, on August 26, 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 Kenworth of Cedar Rapids 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 26<sup>th</sup> day of August, 2014.

# **Kenworth of Cedar Rapids Urban Revitalization Plan**

Public Hearing: August 26, 2014

## **Kenworth of Cedar Rapids Revitalization Plan**

### 1.0 INTRODUCTION

The purpose of the formation of the Urban Revitalization Tax Exemption Area and Plan is to encourage the construction of a new building near Kenworth Court SW. 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 8.42 acres in size and includes:

Lot 4, Roger L. French Addition to the City of Cedar Rapids, Iowa

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 a single parcel which is currently developed and owned by R.L French Land Development Inc. The total assessed valuation was \$145,040.

### 4.0 PROGRAM ACTIVITY

#### 4.1 Land Use and Zoning

The proposed construction of a new commercial building is consistent with the current C-3 Regional Commercial zoning and the Future Land Use Map in the City's Comprehensive Plan that designates the project area as COMMERCIAL/INDUSTRIAL.

#### 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 the new commercial building. 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 undeveloped property.



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 86 and the addition of a new Division 86 as follows:

“Division 86. Kenworth of Cedar Rapids” August 26, 2014; Resolution No.

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 87 as follows:

“Division 87. (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 26<sup>th</sup> day of August, 2014.

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Police Department

**Presenter at meeting:** SAFE-CR NPAC Grieder **Phone Number/Ext:** 5714  
**E-mail Address:** a.grieder@cedar-rapids.org

**Alternate Contact Person:** Capt. Hembera **Phone Number/Ext:** 5480  
**E-mail Address:** j.hembera@cedar-rapids.org

**Description of Agenda Item:**

A public hearing and possible First Reading, to consider amending Chapter 62 of the Municipal Code, Offenses Against Public Peace and Morals, by enacting section 62.35, Synthetic Drugs, relating to possession, distribution, sale, and advertisement of synthetic drugs. (CIP/DID OB1298683)

**Background:**

The City of Cedar Rapids has an interest in providing a safe community for all citizens. In Cedar Rapids, Synthetic drugs are commonly marketed and advertised toward youth. The City recognizes the need for additional regulations regarding the use, distribution, sale, and possession of synthetic drugs. Chapter 62.35 of the Municipal Code, Synthetic Drugs, in addition to Chapter 62 of the Municipal Code, Offenses against Public Peace and Morals, will provide police officers with the ability to address the use, possession, distribution, and sale of synthetic drugs more consistently.

Since February, City staff has collected statistics in relation to synthetic drugs in the Cedar Rapids Community. During that period of time, City staff has identified two Cedar Rapids businesses which were openly selling synthetic drugs during business hours. Chapter 62.35 of the Municipal Code, Synthetic Drugs, will provide City staff with the ability to regulate the use, sale, distribution, and possession of synthetic drugs.

Staff has regularly provided updates to the Public Safety and Youth Services Committee. On August 4, 2014, staff presented their research and provided recommendations to the City Council Public Safety and Youth Services Committee.

**Action / Recommendation:**

The Police Department recommends the City Council approve the proposed section 62.35 Synthetic Drugs.

**Alternative Recommendation:**

Failure to enact the above section 62.35, Synthetic Drugs, diminishes law enforcement's ability to effectively regulate the sale, distribution, use, and possession of synthetic drugs.

**Time Sensitivity:** N/A

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 0

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

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 62 OF THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, BY ADDING NEW SECTION 62.35 DECLARING IT UNLAWFUL TO POSSESS, DISTRIBUTE, PROVIDE, GIVE AWAY, SELL, OFFER OR ADVERTISE FOR SALE, OR PUBLICLY DISPLAY FOR SALE ANY ILLICIT SYNTHETIC DRUG WITHIN THE CITY LIMITS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Chapter 62 of the Cedar Rapids Municipal Code is amended as follows:

Section 1. Chapter 62 of the Cedar Rapids Municipal Code is hereby amended by adding the following new Section 62.35 as follows:

“62.35 – SYNTHETIC DRUGS.

(a) Definitions. As used in this Section:

(1) “Synthetic Cannabinoids” and/or “Synthetic Marijuana” shall mean any herbal or plant material which has been soaked, sprayed, or otherwise enhanced with a synthetic chemical or synthetic chemical compound that enables the herbal or plant material, or the smoke emitted from its burning, to mimic or simulate the effects of a controlled substance when inhaled, ingested, or otherwise introduced into the human body. Street names for such products include, but are not limited to: Bliss, Black Mamba, Bombay Blue, Fake Weed, Genie, Spice, Zohai, K2, K3, Smoke, Pot-Pourri, Buzz, Spice 99, Voodoo, Pulse, Hush, Mystery, Earthquake, Stinger, Ocean Blue, Serenity, Chronic Spice, Spice Gold, Spice Silver, Skunk, Mr. Nice Guy, Mr. Happy, K3 Legal, Sence, Smoke, Chill X, Earth Impact, Galaxy Gold, Space Truckin, Solar Flare, Moon Rocks, Aroma, Scope, Sky High, Atomic, G-20, Guerrilla, Warfare, Makes Scents, g-13, Tiger Shark, California Dreams, Dank, Bullet, Mind Trip, Voodoo Child, Jazz, Nightlights, Matrix, Hypnotiq, AK47, Maui Wowie, Cloud 9 Daylights, Joker, Dead Man Walking, Brain Storm, Soul Sence, Kush, Kush Mania, Dragons Fire, Lucid, Mad Hatter, Scooby Snax, D-ZL, OMG, Demon, Barely In, Pineapple Express and Hayze.

(2) “Bath Salts”, “Synthetic Cathinones” and/or “Synthetic Stimulants” shall mean any crystalline or powdered product in crystalline, loose powder, block, tablet, or capsule form, or any stimulant-type product which has been soaked, sprayed, or otherwise enhanced with a synthetic chemical or synthetic chemical compound that enables the product, or the smoke emitted from its burning, to mimic or simulate the effects of a controlled substance when inhaled, ingested, or otherwise introduced into the human body. Street names for these products include, but are not limited to: Bliss, Blue Silk, Cloud Nine, Drone, Energy-1, Ivory Wave, Lunar Wave, Meow Meow, Ocean Burst, Pure Ivory, Purple Wave, Red Dove, Snow Leopard, Stardust, Vanilla Sky, White Dove,

White Knight, White Lightening, Blizzard, Bonzai Grow, Charge Plus, Charlie, Euphoria, Hurricane, Lunar Wave, Ocean, Pixie Dust, Posh, Scarface, Lovely Dovey, Aura, MDPV, MDPK, MTV, Maddie, Hurricane Charlie, Black Rob, Super Coke, PV, Peeve, Meph, Drone and MCAT.

(3) "Drug" shall mean an article that is intended to affect the function of the body of humans.

(4) "Misbranded drug" means a drug for which (A) the label is in any way false or misleading; (B) the label does not bear the name and place of business of the manufacturer, repackager, or distributor of the finished form of the drug; (C) the label does not bear adequate directions for use; or (D) the label does not bear adequate warnings against use.

(5) "Illicit street drugs" means drugs which are trafficked and/or consumed illegally.

(6) "Illicit synthetic drugs" means synthetic equivalents of the substances contained in the Cannabis plant, or in the resinous extractives of such plant, and synthetic substances, derivatives and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant. "Illicit synthetic drugs" shall include, but not necessarily be limited to, synthetic cannabinoids, synthetic marijuana, bath salts, synthetic cathinones, synthetic stimulants and misbranded drugs. The following factors, taken in the totality of the circumstances, may be considered evidence a product, substance or other material is an illicit synthetic drug:

(A) Marketing: A product routinely advertised as having a purpose for which it is rarely, if ever, suitable to be used. Such advertised purposes include, but are not limited to, as incense, potpourri, food additive, therapeutic bath crystals, plant food, insect repellent, iPod cleaner or glass cleaner.

(B) Sales Location: Products displayed and sold in businesses such as liquor stores, smoke shops, and gas/convenience stores where such advertised products typically are not sold.

(C) Labels and Packaging:

i. Products labeled as common, non-consumable products which contain warnings not normally found on such products, such as, but not limited to, "not for human consumption" or "not for purchase by minors"

ii. Products containing notices on the package not normally found on similar products such as, but not limited to, "does not contain any chemical compounds prohibited by state law", "contains no prohibited chemicals", "product is in accordance with State and Federal laws", "does not contain AM2201 or any DEA banned substance", "legal herbal substance", "100% compliant guaranteed", "100% chemical free" and "100% synthetic free"

iii. Products the package labeling of which suggests the user will achieve a "high", euphoria, relaxation, mood enhancement or other effect on the body.

(D) Price: The price of the advertised product is significantly more expensive than other products marketed in the Cedar Rapids area for the same or similar use.

(E) Misleading Directions: The product contains directions for the product's use, which are not consistent with the type of product advertised.

(F) Similarity to Illicit Street Drugs:

i. Products designed to make the substance similar in appearance to illicit street drugs; and/or

ii. Products advertised using brand names and packaging designed to make the product similar in appearance to illicit street drugs, or labeled with names similar to commonly used street slang for illicit street drugs, which names or labeling have no relation to the advertised use of the product being sold.

(G) Ingredients: A product which has been enhanced with a synthetic chemical or synthetic chemical compound that has no legitimate relation to the advertised use of the product but mimics the effects of a controlled substance when the product, or the smoke from the burned product, is introduced into the human body.

(H) Verbal or Written Representations: Verbal or written representations made at the place of sale or display regarding the purpose, methods, use, or effect of the product.

(7) "Premises" includes all or part of any structure located on a lot or parcel of land, in addition to the lot or parcel of land surrounding the structure.

(8) "Synthetic Chemical" or "Synthetic Chemical Compound" refers to a chemical or chemical compound whose molecular make up is similar to those substances the intended primary use of which is to mimic the effects of a controlled substance when introduced into the human body.

(b) It shall be unlawful for any person to possess, distribute, provide, give away, sell, offer or advertise for sale, or publicly display for sale any illicit synthetic drug. Any owner, property manager or lessee of any premises where such unlawful activity takes place may be deemed to have engaged in such unlawful activity, despite not actively participating in such unlawful activity, if that owner, property manager or lessee knew, or reasonably should have known, such unlawful activity was occurring on the premises.

(c) It shall not be necessary to prove payment in order to prove a sale within the meaning and intent of this ordinance."

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

Section 3. All ordinances or parts of ordinances in conflict with any provision of this Ordinance are hereby repealed.

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

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

Introduced this 26th day of August, 2014.

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



## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Community Development and Planning

**Presenter at Meeting:** Seth Gunnerson

**Phone:** 319 286-5129

**Email:** [s.gunnerson@cedar-rapids.org](mailto:s.gunnerson@cedar-rapids.org)

**Alternate Contact Person:** Jeff Hintz

**Phone:** 319 286-5781

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

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

A public hearing will be held to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to allow small portable A-frame signs, commonly called sandwich board signs, in commercial areas. CIP/DID #OB1298817

### **Background:**

The Sign Code within the Zoning Ordinance permits small portable A-frame signs, commonly called sandwich board signs, within the Downtown SSMID district. Several businesses in other core area neighborhoods, such as New Bohemia and Czech Village, have been placing these signs in front of their businesses.

These signs are appropriate in other core neighborhoods which are pedestrian in nature. When researching current permitting practices, it was found that many signs located within the Downtown SSMID have not been issued a permit. Businesses are generally not aware of the requirements and place the signs outside their businesses believing it is permitted. Enforcing the current standards may discourage businesses from placing these signs outside.

Staff is recommending an ordinance to update Chapter 32 to reflect the following standards:

- Eliminate permit requirement for Sandwich Board signs. The City would no longer require an application and encroachment permit process for the placement of sandwich board.
- Develop Placement Criteria. The ordinance would be amended to establish criteria for the placement of sandwich board signs. Criteria will include:
  - o Allow one sign per store front
  - o Requirement to maintain a pedestrian path at least 6' wide
  - o Require that signs be placed within 20' of entrances.
- Expand area where allowed. Sandwich board signs will not be limited to the downtown.

City Planning Commission reviewed the proposed ordinance on July 31 and recommended approval. The CPC also suggested expanding the area to allow signs community-wide. Staff plans to incorporate this suggestion in the final ordinance, with the requirement that signs be placed near building entrances to ensure placement in pedestrian friendly areas.

**Action/Recommendation:**

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

**Alternative Recommendation:**

City Council may table the motion and request more information.

**Time Sensitivity:** N/A

**Resolution Date:** August 26, 2014

**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):**

Recommended by City Council Development Committee on June 30, 2014.

Recommended by City Planning Commission on July 31, 2014.

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 32 OF THE MUNICIPAL CODE, THE ZONING ORDINANCE, TO ALLOW SMALL PORTABLE A-FRAME SIGNS, COMMONLY CALLED SANDWICH BOARD SIGNS, IN COMMERCIAL AREAS

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

**Section 1.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.06.020.E.5 – SSMID Business District and the following Section 32.06.020.E.5 – Sandwich Board Signs is hereby adopted in lieu of:

5. Sandwich Board Signs

Notwithstanding the provisions of the preceding Subsections 1 through 4, the following provisions shall apply to temporary sandwich type, A-Frame signs placed near the entrances to businesses.

a. Purpose

The purpose of this section is to permit businesses to place portable signs near the entrance of the business for the purposes of advertising to pedestrians. The intent of this section is not to permit signage directed towards vehicular traffic.

b. Definition

A Sandwich Board sign shall be any static, temporary and portable sign of A-Frame construction with 2 faces. The sign's durable materials shall not be impacted by rain or other elements. The sign shall be self-standing and without attachment to any existing planting material, pole, sidewalk or other device located within the public right of way. The sign shall be of sufficient weight and design that it will withstand the elements of weather and remain in position at the designated location without sandbags or other temporary weighting devices. All parts of the sign shall be made in such a manner that it does not present a hazard to pedestrians and does not present an attractive nuisance to children or other individuals who may be walking or standing adjacent to the sign. It shall be the sole responsibility of the applicant to remove the sign when these standards cannot be met.

Sandwich Board signs that are not of A-Frame construction may be permitted, but shall meet the size, durability, construction and placement standards set forth in this section.

c. Permitted locations

i. Placement in Public Right of Way

Sandwich Board signs may be placed in the public right-of-way adjacent to and in front of any business provided that such placement meets the criteria set forth in this section. The City does not guarantee that the public right of way may be used in front of any single parcel.

A permit for placement is not required on city-owned streets, although businesses are encouraged to contact the City's Building Services Department to review proposed locations prior to placement of a sign. A permit is required on public right-of-way under the control of the Iowa Department of Transportation (DOT)

ii. Placement on Private Property

Sandwich boards signs may be placed on private property provided that they meet the requirements of this section. Any other portable sign placed on private property shall meet the requirements of other applicable sections of the Zoning Ordinance.

d. On-Premise Advertising

Sandwich board signs shall only advertise for the business it is located adjacent to. Other uses, such as but not limited to off-premise advertising and political campaigning are not permitted under this section.

e. Number Permitted

The number of signs placed on public or private property permitted shall be limited to one (1) per storefront.

f. Sign Type and Size

- i. Signs shall not exceed thirty-six (36) inches in width on any side
- ii. Signs shall not exceed thirty-six (36) inches in height

g. Appearance of the Sign

All signs shall be neat in appearance and unobtrusive. At any time that the appearance of the sign does not meet this standard due to physical deterioration, vandalism, or failure to meet any standard set forth in this subsection 5, the sign shall be immediately removed by the applicant upon notification by the City.

h. Placement criteria.

All sandwich board signs placed on public right-of-way or private property shall meet the following criteria.

- i. Signs shall not be placed further than twenty (20) feet from a public entrance to the business which it advertises.
- ii. Maintain at least six (6) foot wide pedestrian clear walking path between the sign and any other obstruction.
- iii. To the extent possible, signs should not be placed in a manner to cause pedestrians on a public sidewalk to deviate from a straight line path. Placement should avoid requiring pedestrian to deviate from the main

portion of the sidewalk into any decoratively paved portion of the sidewalk.

- iv. Signs shall not obstruct the access to or use of parking spaces, parking meters, benches or any other public facility or amenity located within the public right of way.
  - v. Signs shall not be placed in any landscaped area of the public right of way, such as flower beds, grass, or mulched planters.
  - vi. The location of any sign in the public right-of-way may be limited by other criteria as determined by the City. This includes but is not limited to: corner visual clearance areas, fire and building codes, street and sidewalk maintenance activities, special events, placement of public amenities in the sidewalk and any other policy or event which would affect the placement of a sign.
  - vii. The City shall have the authority to alter the placement or require the removal of any sign located in the public right-of-way.
- i. Sign Installation Time Period

Display of any sandwich board sign shall be limited to only those hours when the adjacent business is open, and the sign shall be in place for a period not to exceed the operating hours of the business. The business owner shall be solely responsible for placement and removal of the sign within those times.

j. Sign Removal and Appeals

i. Relocation or replacement of signs

The City shall have the authority to require the immediate relocation or replacement of any sign which does not meet the requirements of this ordinance.

ii. Permanent removal of signs

The City may require that a sign be permanently removed if it is determined that an appropriate location for the sign does not exist, if the sign is deemed to be dangerous, or if there are repeated violations of this ordinance.

Any sign which has been permanently removed may not be replaced unless a determination is made in writing by the Zoning Administrator that the proposed placement of the sign is in compliance with this ordinance.

iii. Appeals

Any appeal to a determination made by staff shall be made in writing to the Zoning Administrator, who shall make a determination of whether the sign in question complies with the intent of this ordinance. Any appeal of the decision of the Zoning Administrator shall be made according to the provisions of Section 32.020.010.

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

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

**Section 4.** That the afore described Amended Subsection of Chapter 32 shall be included as part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

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

Introduced this 26<sup>th</sup> day of August, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Tony Lerud  
**Email:** [a.lerud@cedar-rapids.org](mailto:a.lerud@cedar-rapids.org)

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

**Alternate Contact Person:** Paula Mitchell  
**Email:** [p.mitchell@cedar-rapids.org](mailto:p.mitchell@cedar-rapids.org)

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

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

A public hearing will be held to consider the disposition of excess City-owned properties at 1238 10<sup>th</sup> Street NW acquired through the Voluntary Property Acquisition program in the Neighborhood Revitalization Area for the third round of Single Family New Construction Program (**FLOOD**). CIP/DID #OB540257

### **Background:**

City-owned property at 1238 10<sup>th</sup> Street NW included in the public hearing have been identified for a builder participating in the third round of the Single Family New Construction Program (known locally as the ROOTs Program).

On November 9, 2010, by Resolution No. 1306-11-10 the City Council approved the Administrative Plan for the ROOTs Program. The administrative plan limits development of homes to lots within the "Neighborhood Revitalization Area" of the flood inundation area and areas outside of the 100-year floodplain. The administrative plan further directs staff to use lots acquired by the City 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, Home Builders Association members, and the Neighborhood Planning Process Steering Committee evaluated these proposals based on financial and performance capacity, experience with projects of similar scope, architectural design, compatibility with the existing neighborhood, green building practices, and site marketing plan. A total of 103 properties were identified by 26 developers for the program. Additional public hearings will be held to consider additional properties acquired by the City which have been identified by the approved developers.

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

**Action / Recommendation:**

City staff recommends setting the public hearing.

**Alternative Recommendation:**

City Council may table the resolution and request additional information.

**Time Sensitivity:** NA

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** NA

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

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**



## Council Agenda Item Cover Sheet

### PUBLIC HEARING AND RESOLUTION

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5153

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

**Phone Number/Extension:** 5141

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

A public hearing will be held to consider the proposed plans, specifications, form of contract, and estimated cost for the Blairs Ferry Road and Ushers Ferry Road NE Traffic Signalization project (estimated cost is \$90,000).

Resolution adopting plans, specifications, form of contract, and estimated cost for the Blairs Ferry Road and Ushers Ferry Road NE Traffic Signalization project. CIP/DID #306266-02

**Background:**

Existing traffic volumes at this intersection meet the criteria as contained in the Manual on Uniform Traffic Control Devices. In addition, the Highway 100 construction at Edgewood Road is expected to divert traffic from Edgewood Road to Ushers Ferry Road creating additional safety issues at this intersection. The joint Linn County/City project on Blairs Ferry Road from west of Miller Road to west of Wayside Circle Drive (CIP No. 3012093) added a left turn lane on Blairs Ferry Road at Ushers Ferry Road that provides additional safety and for efficiency in the operation of a traffic signal. An upgraded asphalt surface with a northbound left turn lane for the Ushers Ferry Road approach to this intersection will be constructed by city forces in the fall of 2014.

Project improvements include installation of a box span wire fully-actuated traffic signal. This installation will be temporary until there is a larger public improvement on Blairs Ferry Road NE to add traffic lanes and complete street improvements.

**Action / Recommendation:**

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

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

**Time Sensitivity:** Must be acted upon August 26, 2014 to maintain the project schedule, and which must occur ahead of the project's August 27, 2014 bid opening.

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 3 Minute(s)

**Budget Information (if applicable):** CIP No. 306266

**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):

RESOLUTION NO.

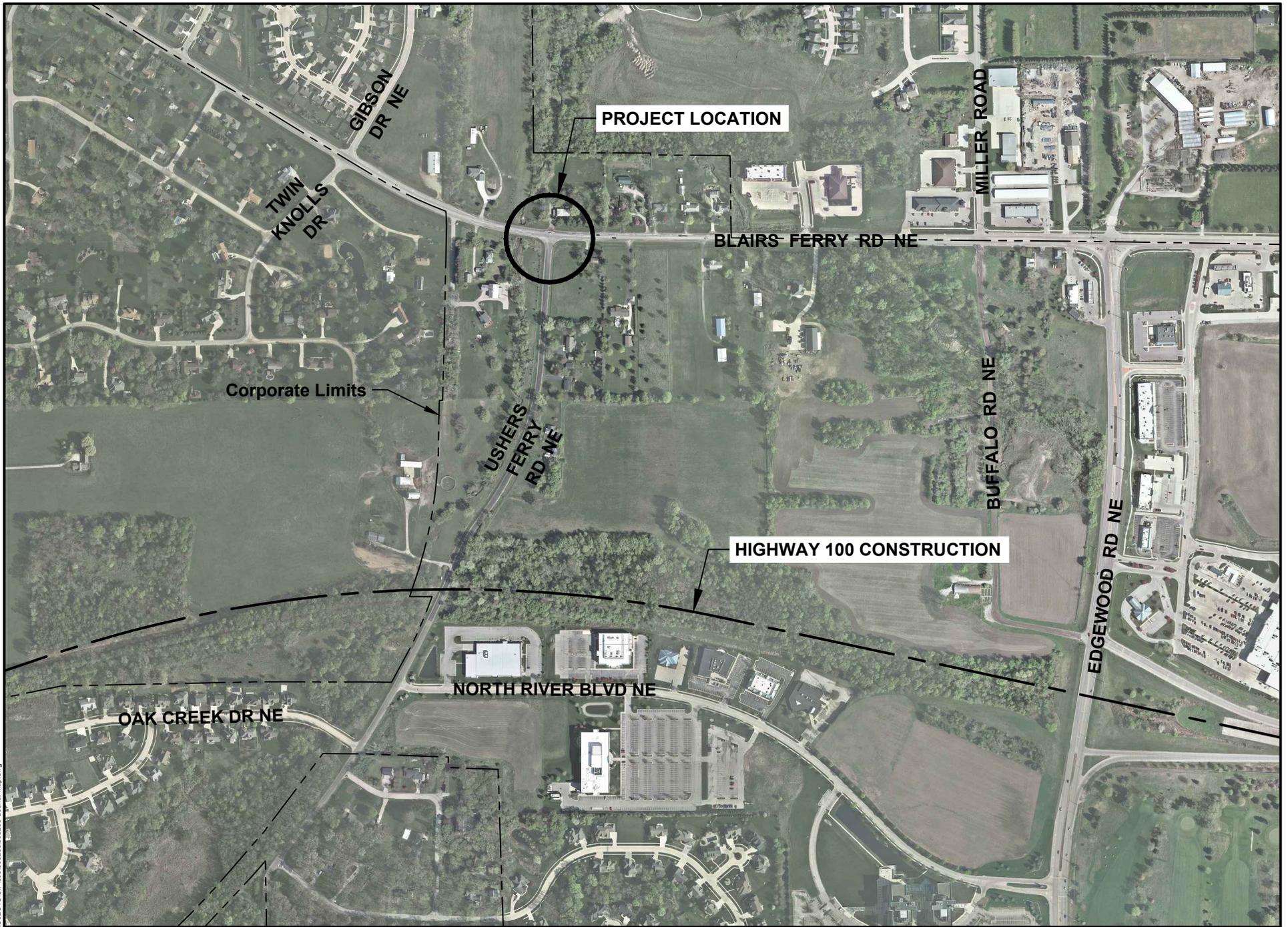
WHEREAS, on August 12, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Blairs Ferry Road and Ushers Ferry Road NE Traffic Signalization project (Contract No. 306266-02) for the City of Cedar Rapids, Iowa, and

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 26<sup>th</sup> day of August, 2014.



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**BLAIRS FERRY ROAD AND USHERS FERRY ROAD NE  
TRAFFIC SIGNALIZATION**



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** 08-26-14

**Submitting Department:** Finance – Purchasing Services Division

**Presenter at meeting:** John Riggs

**Phone Number/Ext:** 5981

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

**Alternate Contact Person:**

**Phone Number/Ext:**

**Email:**

### **Description of Agenda Item:**

A public hearing will be held to consider the proposed specifications, form of contract and estimated cost for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels Project (estimated cost is \$550,000). (John Riggs)

- a. Resolution adopting specifications, form of contract and estimated cost for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels Project (**FLOOD**). CIP/DID #0714-013

### **Background:**

The Work to be performed under this project is to provide all-inclusive environmental remediation and demolition services for thirteen (13) flood-damaged parcels consisting of three (3) commercial structures, seven (7) residential structures and five (5) accessory structures, all funded through the Community Development Block Grant (CDBG) Program. Payment for environmental remediation and demolition services rendered shall be based on a firm fixed price basis. The estimated cost for remediation and demolition is \$550,000.00.

### **Action / Recommendation:**

Approval of the resolution to adopt specifications and form of contract for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels, #0714-013.

**Alternative Recommendation:** None

### **Time Sensitivity:**

Must be acted upon August 26, 2014 to maintain the project schedule, which must occur ahead of the August 27, 2014 bid opening.

**Resolution Date:** 08-26-14

**Estimated Presentation Time:** 2 minutes

### **Budget Information (if applicable):**

Structures in the Greenway Area: 3306200001

Structures in the Construction Study Area: 3306200002

Structures in the Neighborhood Revitalization Area: 3306200003

**Local Preference Policy** Applies  Exempt

**Explanation:** CDBG funded project

**Recommended by Council Committee**  
**Explanation (if necessary):**

Yes

No

N/A

RESOLUTION NO.

WHEREAS, on August 12, 2014 there was filed in the Office of the City Clerk proposed specifications, form of contract and estimated cost for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels project (Contract No. 0714-013) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

WHEREAS, no comments or objections to the 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 specifications, form of contract and estimated cost for said improvement be and the same are hereby adopted.

Passed this 26<sup>th</sup> day of August, 2014.





## Council Agenda Cover Sheet

### Public Hearing and Resolution

**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

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the McGrath Amphitheater – Demountable Floodwall project (estimated cost is \$250,000). (Sandy Pumphrey)

Resolution adopting plans, specifications, form of contract and estimated cost for McGrath Amphitheater – Demountable Floodwall project. CIP/DID #331002-01

**Background:**

The existing concrete floodwall at the McGrath Amphitheater was constructed recently as part of the City's flood protection system. The wall was designed to easily accommodate a demountable panel floodwall system. This bid allows for one, two or three vendors to design, certify, retrofit for, furnish, and train staff in the use of distinct demountable floodwall system(s). This project is considered a pilot allowing the City to prepare for more demountable wall segments within other parts of the City's flood protection system. Timing for furnishing the materials is flexible, with a required date of April 17, 2015, and a request for each bidder to quantify the premium they would charge for expediting that to November 14, 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, abandon, or repackage into phases.

**Time Sensitivity:** Must be acted upon August 26, 2014 to maintain the project schedule, and which must occur ahead of the project's September 10, 2014 bid opening.

**Resolution Date:** August 26, 2014

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

**Budget Information (if applicable):** GRI - 331002

**Local Preference Policy:** Applies  Exempt

**Explanation:** This is a CIP project

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, on August 12, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the McGrath Amphitheater – Demountable Floodwall project (Contract No. 331002-01) 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 26<sup>th</sup> day of August, 2014.



3RD AVE SW

4TH AVE SW

5TH AVE SW

1ST STREET SW

CEDAR RIVER

PROJECT LOCATION

Police Station



**McGRATH AMPHITHEATRE CEDAR RAPIDS  
DEMOUNTABLE FLOODWALL PROJECT**





## Council Agenda Cover Sheet Public Hearing and Resolution

**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:** Dave Elgin, PE, PLS  
**E-mail Address:** d.elgin@cedar-rapids.org

**Phone Number/Extension:** 5802

**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 CRST Building – Floodwall and Pumpstation Vault project (estimated cost is \$3,950,000).

Resolution adopting plans, specifications and estimated cost for the CRST Building – Floodwall and Pumpstation Vault project. CIP/DID #3302600007-00

**Background:** As part of the City's Flood Protection System, the floodwall and pumpstation vault between 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Avenue SE will be integrated into a privately constructed building, per a recently executed Development Agreement. The City will reimburse the Developer for its actual cost, via a Lease Purchase Agreement. Due to the use of public funds for the later purchase of those privately constructed improvements, a public hearing and resolution to accept the plans, specifications and estimated cost is required by Iowa Code.

**Action / Recommendation:**

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

**Alternative to the Recommendation:** None

**Time Sensitivity:** Must be acted upon August 26, 2014 to maintain the project schedule.

**Resolution Date:** August 26, 2014

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

**Budget Information (if applicable):** GRI and WRDA monies for City's Flood Protection System

**Local Preference Policy:** Applies  Exempt

**Explanation:** Lease Purchase Agreement

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

**Explanation (if necessary):** Flood Protection Committee

RESOLUTION NO.

WHEREAS, on August 12, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, and estimated cost for the CRST Building – Floodwall and Pumpstation Vault project for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

WHEREAS, no comments or objections to the plans, specifications 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, and estimated cost for said improvement be and the same are hereby adopted.

Passed this 26<sup>th</sup> day of August, 2014.



2ND AVENUE SE

1ST STREET SE

3RD AVENUE SE

FLOODWALL

PUMP STATION VAULT

CEDAR RIVER



**CRST BUILDING  
FLOODWALL AND PUMPSTATION VAULT PROJECT**





## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** City Attorney

**Presenter at meeting:** James Flitz

**Phone Number/Ext:** 5028

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

**Alternate Contact Person:** Casey Drew

**Phone Number/Ext:** 5097

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

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

Public hearing and Resolution Authorizing a Lease Purchase Agreement between the City of Cedar Rapids and Cedar Real Estate Group III, LLC in a Principal Amount Not to Exceed \$3,950,000.

**Background:**

On August 12, 2014 the Council passed a resolution setting the date of the meeting at which the Council would consider a proposed Lease Purchase Agreement (LPA) between the City and Cedar Real Estate Group III, LLC. The procedure to consider this matter is substantially the same used to authorize the issuance of general obligation bonds for the same purpose, and includes a public hearing on the proposal. At this public hearing, the Council should provide the opportunity to receive oral and/or written objections from any resident or property owner.

The LPA is part of the Development Agreement relating to the new, proposed CRST Center to be constructed on property formerly owned by the city between 1<sup>st</sup> Street SE and the river, and 2<sup>nd</sup> and 3<sup>rd</sup> Avenues. The property subject to the LPA is the flood wall and the vault into which the City will establish a storm water pumping station. The LPA characterizes the property as personal property. The LPA contemplates that the Developer will construct the property pursuant to Army Corp of Engineer and City specifications. The City will purchase the assets within 1 year after the term of the LPA begins, which is when the property is ready for use by the City. The lease will terminate at that time. The Development Agreement also requires the Developer to give the City an easement to access these assets after the lease term ends.

The notice of meeting was published in the Cedar Rapids Gazette on August 16, 2104.

A separate hearing must be held on the plans and specifications for the improvements that are being acquired under the LPA. The Public Works Department is handling that aspect of the transaction, and will provide those items to you separately.

**Action / Recommendation:**

Conduct public hearing. Discuss public comment or objection. Adopt resolution.

**Alternative Recommendation:**

None.

**Time Sensitivity:** High

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** None

**Budget Information (if applicable):** None

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION AUTHORIZING A LEASE PURCHASE  
AGREEMENT BETWEEN THE CITY OF CEDAR RAPIDS AND  
CEDAR REAL ESTATE GROUP III, LLC, IN A PRINCIPAL  
AMOUNT NOT TO EXCEED \$3,950,000

WHEREAS, the City of Cedar Rapids, Iowa ("City") and Cedar Real Estate Group III, LLC ("Developer") are parties to an Agreement for Private Redevelopment dated June 10, 2014 (the "Development Agreement"), under which it is contemplated that the City will enter into a Lease Purchase Agreement with the Developer, as authorized by Sections 364.4 and 384.25 of the City Code of Iowa, for the purpose of acquiring certain flood mitigation structures and improvements, consisting of a flood wall and storm water pump station to be constructed by the Developer under the terms of the Development Agreement on the property bounded by 1<sup>st</sup> Street between 2<sup>nd</sup> and 3<sup>rd</sup> Avenues SE; and

WHEREAS, the term of the proposed Lease Purchase Agreement does not exceed the economic life of the property to be acquired; and

WHEREAS, the payments due under the Lease Purchase Agreement will be payable from the debt service fund, but subject to abatement and being paid from other available funds, including flood local option sales tax revenue, flood mitigation revenue, and/or tax increment revenues, as the City Council may determine; and

WHEREAS, before a lease or lease purchase agreement may be authorized, it is necessary to comply with the provisions of said Code, and to publish a notice of the proposal and of the time and place of the meeting at which the Council proposes to take action for the authorization of the lease or lease purchase agreement and to receive oral and/or written objections from any resident or property owner of said City to such action; and

WHEREAS, said notice was published and the Council did meet at 4:00 p.m. on August 26, 2014 in the City Council Chambers of City Hall located at 101 1<sup>st</sup> Street SE, Cedar Rapids, Iowa at which time and place the City Council did provide opportunity to receive any oral or written comments or objections; and

WHEREAS, pursuant to the aforementioned City Code of Iowa, and published notice, on August 26, 2014 in said City Council Chambers, the City Council held a hearing on the plans, specifications, form of contract and estimated cost of the improvements subject of the Lease Purchase Agreement and after the hearing the same were approved by City Council resolution, and;

WHEREAS, a primary purpose of the flood mitigation structures and improvements, consisting of a flood wall and storm water pump station to be constructed by the Developer and acquired by way of the Lease Purchase Agreement would be for flood protection, use of local option sales tax revenues from tax approved by the voters in 2009 would be appropriate.

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

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

Section 2. The Lease Purchase Agreement between the City of Cedar Rapids and Cedar Real Estate Group III, LLC, as Lessor, in a principal amount of not to exceed \$3,950,000 for the purpose of acquiring certain flood mitigation structures and improvements, consisting of a flood wall and storm water pump station to be constructed by the Lessor under the terms of the Development Agreement on the property bounded by 1<sup>st</sup> Street and 2<sup>nd</sup> and 3<sup>rd</sup> Avenues SE is hereby authorized and approved.

Section 3. Use of local option sales tax revenue from the 2009 election may be used to fund the acquisition provided for by the Lease Purchase Agreement, as well as Growth Reinvestment Income or urban renewal bond revenue, subject to those proceedings. The actual funding will be determined at the time the City must fund the acquisition.

Section 4. The City Manager and City Clerk are hereby authorized to sign said Lease Purchase Agreement on behalf of the City of Cedar Rapids and to do all other things reasonably necessary to carry out this direction.

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



## Council Agenda Item Cover Sheet

### MOTION TO SET PUBLIC HEARING

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5807

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

**Phone Number/Extension:** 5092

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

Motion to set a public hearing for September 9, 2014 to consider the continuation of the disposition of excess City-owned property by sealed bid and described as three commercial parcels located at 1400 and 1412 6th Street SW and a vacant lot with structure located westerly of and adjacent to 1400 and 1412 6th Street SW. CIP/DID #3302500004-00

#### **Background:**

The City of Cedar Rapids acquired these three parcels in May of 2011 through the Voluntary Property Acquisition Project. The City received interest from the public to dispose of these parcels and include the existing structure. As determined by the City Assessor, the most recent assessed values of these commercial parcels is \$66,900, \$41,100 and \$75,500 which will be the list prices for the sealed bid process.

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

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

#### **Action / Recommendation:**

If there are no objections during the public hearing, the Public Works Department recommends approving the resolution continuing the disposition of the excess City-owned parcels located at 1400 and 1412 6th Street SW and vacant lot with structure located westerly of and adjacent to 1400 and 1412 6th Street SW.

#### **Alternative to the Recommendation:**

Continue to maintain the parcels and opt not to receive the benefit of property taxes, or demolish the structure and sell the vacant lots.

**Time Sensitivity:** Normal

**Resolution Date:** September 9, 2014

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

**Budget Information (if applicable):** n/a

**Local Preference Policy:** Applies  Exempt

**Explanation:** Does not fit the criteria, therefore, does not apply.

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

**Explanation (if necessary):**



**PROPERTY DISPOSITION**

**Vacant Land**

**14TH AVE SW**

**1400 6th St SW**

**1412 6th St SW**

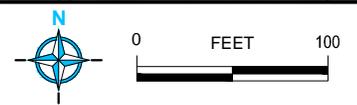
**6TH STREET SW**

**15TH AVENUE SW**

**16TH AVENUE SW**



**PROPERTY DISPOSITION  
1400 & 1412 6th STREET SW & VACANT LAND**





## Council Agenda Item Cover Sheet

### MOTION TO SET PUBLIC HEARING

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5807

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

**Phone Number/Extension:** 5092

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

Motion to set a public hearing for September 9, 2014 to consider the continuation of the disposition of excess City-owned property by sealed bid and described as a vacant lot with structure located at 217 10<sup>th</sup> Avenue SW. CIP/DID #3302500004-00

**Background:**

The City of Cedar Rapids acquired this parcel in February of 2014 through the Voluntary Property Acquisition Project. The City received interest from the public to dispose of this parcel and include the existing structure, a garage which is shared with the adjacent property at 215 10<sup>th</sup> Avenue SW. As determined by the City Assessor, the most recent assessed value of this parcel is \$8,398 which will be the list price for the sealed bid process. Because of the shared garage, this parcel will only be offered to the property owner at 215 10<sup>th</sup> Avenue SW.

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

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

**Action / Recommendation:**

If there are no objections during the public hearing, the Public Works Department recommends approving the resolution continuing the disposition of the excess City-owned parcel located at 217 10<sup>th</sup> Avenue SW.

**Alternative to the Recommendation:**

Continue to maintain the parcel and opt not to receive the benefit of property taxes, or demolish the structure and sell the vacant lot.

**Time Sensitivity:** Normal

**Resolution Date:** September 9, 2014

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

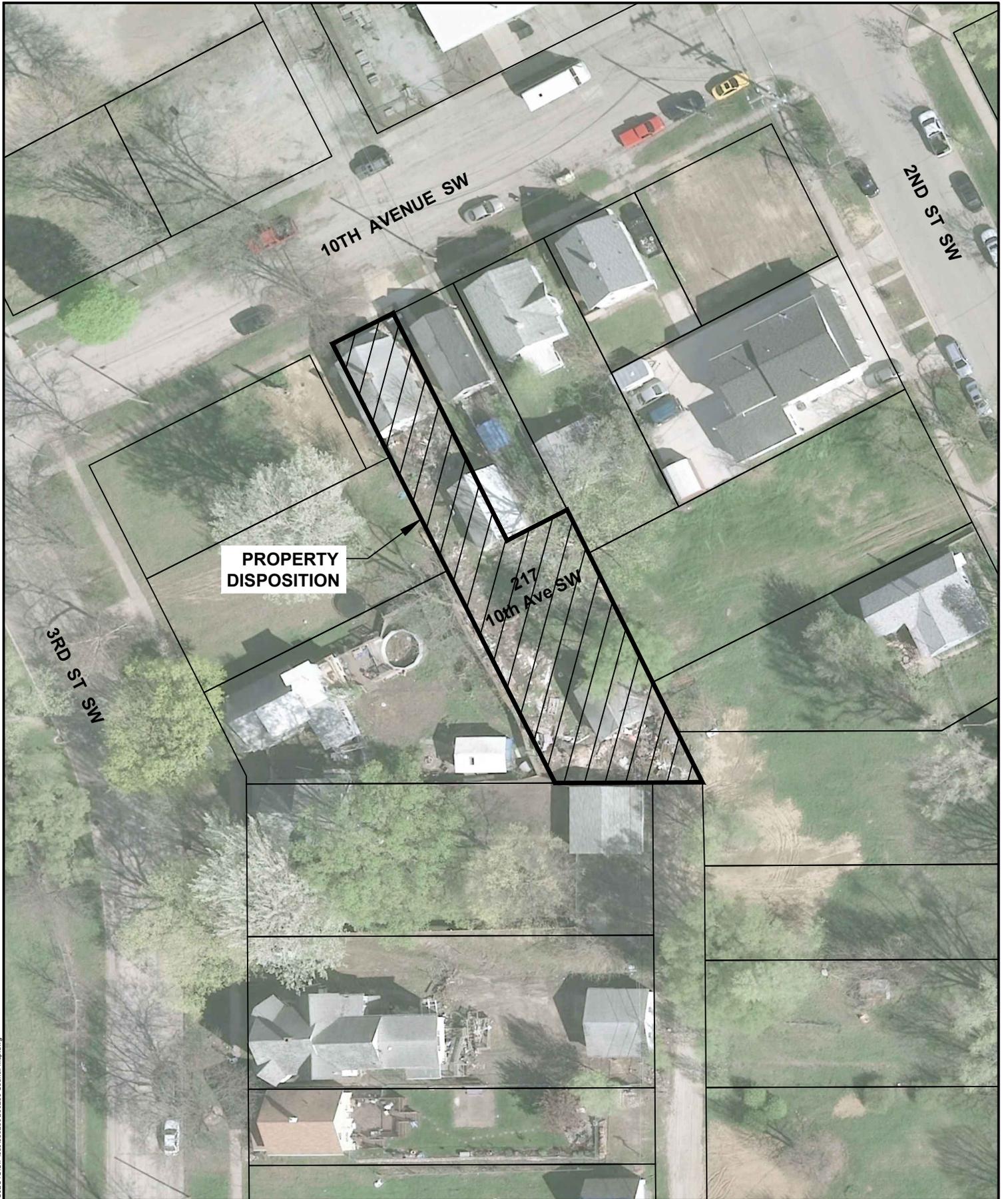
**Budget Information (if applicable):** n/a

**Local Preference Policy:** Applies  Exempt

**Explanation:** Does not fit the criteria, therefore, does not apply.

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

**Explanation (if necessary):**



**PROPERTY  
DISPOSITION**

**217  
10th Ave SW**

**10TH AVENUE SW**

**2ND ST SW**

**3RD ST SW**

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**PROPERTY DISPOSITION  
217 10TH AVENUE SW**





## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Development Services

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

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

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

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

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

Motion setting a public hearing for September 9, 2014 to consider a change of zone for property at 2727 16<sup>th</sup> Avenue SW from R-2, Single Family Residence Zone District to C-3, Regional Commercial Zone District as requested by MidAmerican Aerospace and S & C Realty Associates. CIP/DID #RZNE-011721-2014.

### **Background:**

The request for rezoning of this property was reviewed by the City Planning Commission on August 21, 2014 and the Commission's recommendation was for unanimous approval on a 6 to 0 vote.

The property is currently developed with a vacant big-box store and associated parking, which was the former location of the K-Mart Store. MidAmerican Aerospace has an existing facility at 280 Blairs Ferry Road NE, which it has out grown. The proposal would rezone the southern portion of the lot for a future building expansion area. The applicant has also submitted a preliminary plat, which would split the north 3.65 acres as a separate lot to be marketed for future commercial development. A Conditional Use for Warehousing, Wholesaling and Distribution has been submitted to allow those activities that are a large part of the applicant's business. The Preliminary Site Development Plan submitted includes the following proposed improvements:

- Total site area- 16.3 acres.
  - Proposed Lot 1-for MidAmerican Aerospace- 12.65 acres.
  - Proposed Lot 2-for future commercial development- 3.65 acres
- Total existing building area-128,421 s. f./ 167,321 s. f. with future addition.
- Total existing paved area- 9.29 acres/ proposed-9.18 acres
- Total parking-58 spaces.
- Landscape buffering on the south and east sides of the lot adjoining residential housing.
- Two accesses to Williams Parkway SW, which access Williams Boulevard and 16<sup>th</sup> Avenue SW.
- Privately owned & maintained storm water management area on east edge of Lot 1.

**Application Process/Next Steps:**

Actions	Comments
City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on August 21, 2014 and recommended approval unanimously on a 6 to 0 vote. The City Planning Commission minutes will also be included for the Public Hearing.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing to allow for public input and First Reading of the Ordinance will be held on September 9, 2014.</li> <li>Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li> <li>Approval of the rezoning will be subject to the conditions stated in the Ordinance.</li> </ul>

**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

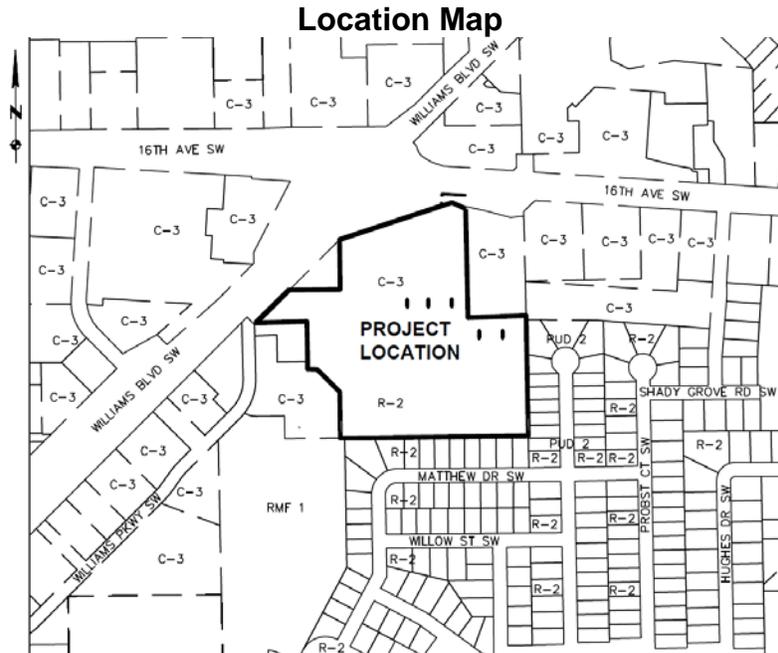
**Budget Information (if applicable):** N/A

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**





**Council Agenda Item Cover Sheet**

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Development Services

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

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

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

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

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

Motion setting a public hearing for September 9, 2014 to consider a change of zone for property at 1103 and 1201 Blairs Ferry Road NE from I-1, Light Industrial Zone District to PUD-1, Planned Unit Development One Zone District as requested by Hunter Companies, LLC, Nash Finch Company and Northwestern States Portland Cement Co. CIP/DID #RZNE-011742-2014.

**Background:**

The request for rezoning of this property was reviewed by the City Planning Commission on August 21, 2014 and the Commission’s recommendation was for unanimous approval on a 7 to 0 vote.

The property is developed with a wholesale, warehousing and distribution facility (the former Nash Finch Facility) and a concrete distribution center. The Nash Finch property hasn’t been use for warehousing, wholesaling and distribution for several years and is primarily vacant. The other property is an active cement distribution facility. The applicant has an agreement to purchase both properties and proposes to demolish the improvements on the properties and redevelop the site potentially with a mix of commercial retail, office, restaurants, financial facilities, fitness center, auto sales, etc. Since this is a rezoning to the PUD-1 Zoning District a Master Site Plan is required and then Final Site Plans will be submitted for each phase of the development prior to construction of improvements. The Master Site Plan as submitted includes the following improvements:

- Total site area-approximately 23 acres.
- Eight-out-lots fronting onto Blairs Ferry Rd. NE.
- Three-lots south of the out-lots.
- All building proposes as one-story.
- Three access to Blairs Ferry Rd. NE.
- Access to Blairs Ferry Rd. opposite the Target Store-signalized.
- Internal street extension to property to the east.

**Application Process/Next Steps:**

Actions	Comments
---------	----------

City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on August 21, 2014 and recommended approval unanimously on a 7 to 0 vote. The City Planning Commission minutes will be included for the Public Hearing.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing to allow for public input, and First Reading and possibly the Second and Third Readings of the Ordinance will be held on September 9, 2014.</li> <li>Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li> <li>Approval of the rezoning will be subject to the conditions stated in the Ordinance.</li> </ul>

**Action / Recommendation:**

City staff recommends setting a 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

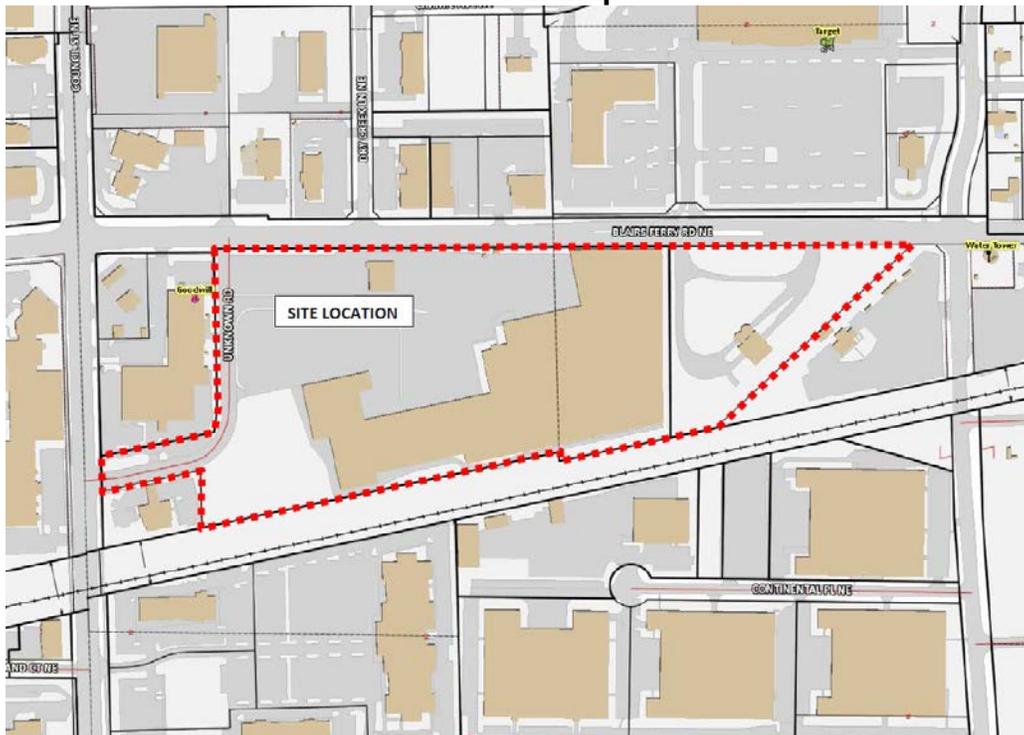
**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

**Location Map**





## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Development Services

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

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

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

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

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

Motion setting a public hearing for September 9, 2014 to consider granting a change of zone for property at 1415 Bever Avenue SE from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Affordable Housing Network, Inc. CIP/DID #RZNE-011780-2014

### **Background:**

The request for rezoning of this property was reviewed by the City Planning Commission on August 21, 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:**

<b>Actions</b>	<b>Comments</b>
City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on August 21, 2014 and recommended approval on a 7 to 0 vote. A portion of the minutes will be included for the public hearing.</li> <li>There were no objectors and this is not a flood related item.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing to allow for public input and First Reading of the Ordinance are scheduled for September 9, 2014.</li> <li>Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li> <li>Approval of the rezoning will be subject to the conditions</li> </ul>

**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

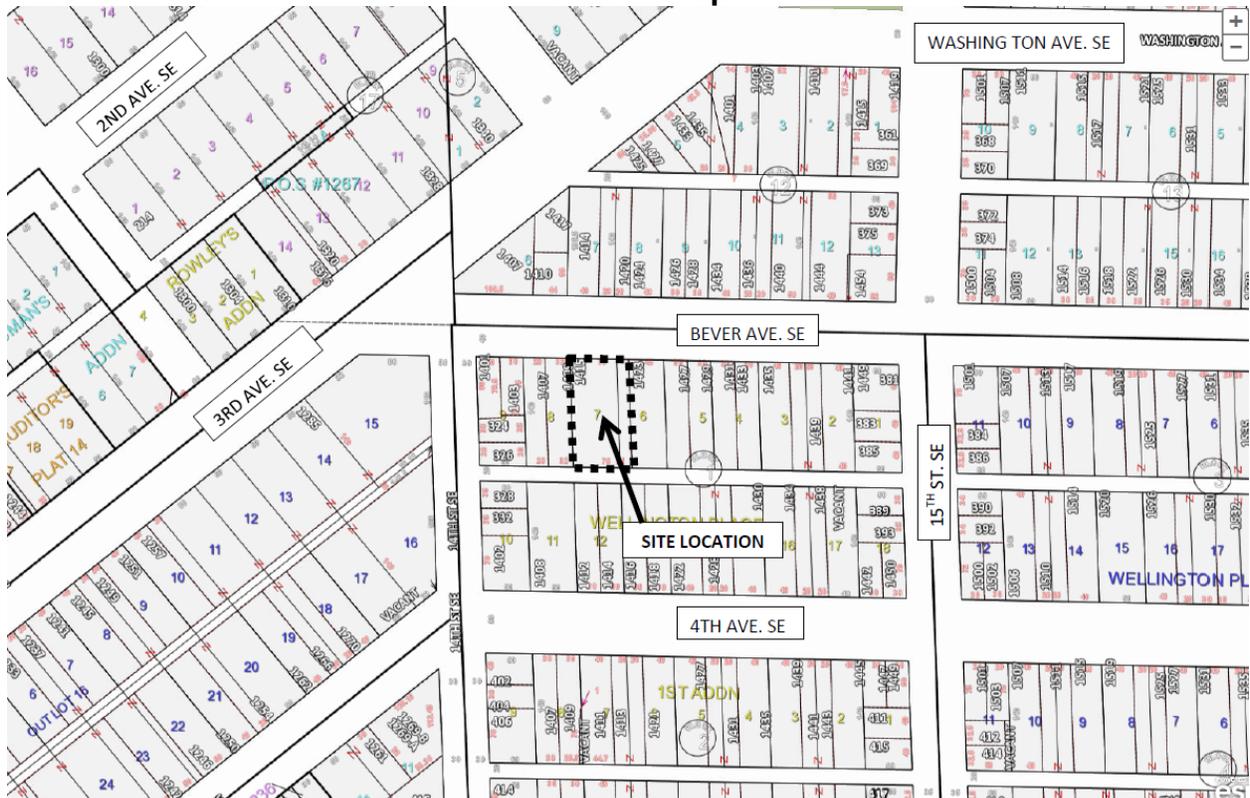
**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

**Location Map**



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Alternate Contact Person:** Brent Schlotfeldt

**Phone Number/Ext:** 5809

**Email:** b.schlotfeldt@cedar-rapids.org

**Alternate Contact Person:** Diane Rodenkirk

**Phone Number/Ext:** 5023

**Email:** d.rodenkirk@cedar-rapids.org

### **Description of Agenda Item:**

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for September 9, 2014 and advertising for bids by publishing notice to bidders for the Police Station Roof Replacement project and authorizing the Purchasing Manager, or designee, to receive and open the bids and publicly announce the results on September 10, 2014 (estimated cost is \$400,000). CIP/DID #0814-030

### **Background:**

The roof of the Police Station is in need of replacing. Purchasing Services will be issuing a Request for Bid for qualified Contractors to remove the existing roof and install a new EPDM roof membrane.

**Action / Recommendation:** Set the public hearing for September 9, 2014

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** N/A

**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):**



## COUNCIL AGENDA ITEM COVER SHEET

**Meeting Date:** 8/26/2014

**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:

- a. 2<sup>nd</sup> Avenue Corner Pocket, 609 2<sup>nd</sup> Avenue SW;
- b. 3<sup>rd</sup> Street Saloon, 1202 ½ 3<sup>rd</sup> Street SE (5-day permit for an event on August 28, 2014 at McGrath Power Sports, 4645 Center Point Road NE);
- c. 3<sup>rd</sup> Street Saloon, 1202 ½ 3<sup>rd</sup> Street SE(5-day permit for an event on September 11, 2014 at Cassill Motors, 2939 16<sup>th</sup> Avenue SW);
- d. Applebee's Neighborhood Grill, 2645 Edgewood Road SW;
- e. Casey's General Store #2765, 5050 Northland Road Avenue NE;
- f. Casey's General Store #2771, 501 6<sup>th</sup> Street SW;
- g. Chappy's Safari Lounge, 229 16<sup>th</sup> Avenue SW;
- h. Fieldhouse Cedar Rapids, 1140 Blairs Ferry Road NE (outdoor service for an event on September 13-14, 2014);
- i. Godfather's Pizza, 2201 16<sup>th</sup> Avenue SW;
- j. Godfather's Pizza, 3647 ½ 1<sup>st</sup> Avenue SE;
- k. Hy-Vee Market Cafe #6, 4035 Mount Vernon Road SE (new-adding market cafe to premise);
- l. Hy-Vee Tasting Room #6, 4035 Mount Vernon Road SE (new-tasting room added to facility);
- m. Juke Joint, 1736 16<sup>th</sup> Avenue SW;
- n. Lost Cuban, The, 209 3<sup>rd</sup> Street SE;
- o. NewBo City Market, 1100 3<sup>rd</sup> Street SE (outdoor service for an event on August 30, 2014);
- p. NewBo City Market, 1100 3RD ST SE (outdoor service for an event on September 20, 2014);
- q. NewBo City Market, 1100 3RD ST SE (outdoor service for an event on September 27, 2014);
- r. Orchestra Iowa, 119 3<sup>rd</sup> Avenue SE (5-day permit for an event at Brucemore on September 7, 2014);
- s. Planet X, 4444 1<sup>st</sup> Avenue NE Suite # 3001;
- t. Smuggler's Wharf, 95 16<sup>th</sup> Avenue SW;
- u. Splash Events, 225 5<sup>th</sup> Avenue SW (new-concessionaire for Cedar Rapids Jaycees);
- v. Sykora Bakery, 73 16<sup>th</sup> Avenue SW (5-day permit for an event on August 30, 2014)
- w. Zio Johnno's, 2925 Williams Parkway SW;

### Background:

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

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** N/A

**Estimated Presentation Time:** N/A

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

**Local Preference Policy:** Applies Exempt

**Explanation:**

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

**Explanation: (if necessary):**



## Cedar Rapids Police Department Memorandum

**To:** Chief Jerman  
**From:** Lt. Walter Deeds  
**Subject:** Beer/Liquor License Applications Calls For Service Summary  
**Date:** 8/26/2014

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
2nd Avenue Corner Pocket 609 2ND AVE SW	10	0	0	0
3rd Street Saloon 1202 1/2 3RD ST SE	13	0	0	0
3rd Street Saloon 1202 1/2 3RD ST SE	13	0	0	0
Applebee's Neighborhood Grill - Edgewood Rd 2645 EDGEWOOD RD SW	11	0	0	3
Casey's General Store #2765 5050 NORTHLAND AVE NE	71	0	0	0
Casey's General Store #2771 501 6TH ST SW	195	2	1	7
Chappy's Safari Lounge 229 16TH AVE SW	46	0	0	8
Fieldhouse Cedar Rapids 1140 BLAIRS FERRY RD NE	18	0	0	2
Godfather's Pizza (16th Ave) 2201 16TH AVE SW	2	0	0	0
Godfather's Pizza (1st Ave) 3647 1/2 1ST AVE SE	0	0	0	0
Hy-Vee Market Cafe #6 4035 MT VERNON RD SE	0	0	0	0
Hy-Vee Tasting Room #6 4035 MT VERNON RD SE	0	0	0	0
Juke Joint 1736 16TH AVE SW	143	0	0	17
Lost Cuban, The	0	0	0	0

209 3RD ST SE				
NewBo City Market	261	0	0	1
1100 3RD ST SE				
NewBo City Market	261	0	0	1
1100 3RD ST SE				
NewBo City Market	261	0	0	1
1100 3RD ST SE				
Orchestra Iowa	0	0	0	0
119 3RD AVE SE				
Smuggler's Wharf	5	0	0	0
95 16TH AVE SW				
Zio Johno's	7	0	0	3
2925 WILLIAMS PKWY SW				

## RESOLUTION NO.

WHEREAS, the attached listing of bills dated August 26, 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 26<sup>th</sup> day of August, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** August 26, 2014

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

**Presenter at meeting:** Amy Stevenson

**Phone Number/Ext:** 319-286-5061

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

**Alternate Contact Person:** Bridget McMenomy

**Phone Number/Ext:** 319-286-5272

**Email:** [b.mcmenomy@cedar-rapids.org](mailto:b.mcmenomy@cedar-rapids.org)

### **Description of Agenda Item:**

Resolutions appointing and thanking the following individuals:

- a. Appointing Dominique Blank and Bill Hunse (effective through June 30, 2017) to the City Planning Commission; CIP/DID #OB572803
- b. Appointing Keith Wiggins (effective through June 30, 2017) to the Civil Rights Commission; CIP/DID #OB629963
- c. Appointing Diann Barrigar (effective through June 30, 2015) to the Design Review Technical Advisory Committee; CIP/DID #OB715322
- d. Appointing B.J. Hobart (effective through June 30, 2015) to the Cedar Rapids Historic Preservation Commission; CIP/DID #OB691376
- e. Appointing Hattie Holmes (effective through June 30, 2017) to the Veterans Memorial Commission; CIP/DID #OB572854
- f. Vote of thanks to Jon Jelinek for serving on the Design Review Technical Advisory Committee; CIP/DID #OB715322

### **Background:**

This agenda includes appointments and a vote of thanks for several boards and commissions.

### **Action / Recommendation:**

Approve resolutions as presented.

### **Alternative Recommendation:**

Request additional information regarding the appointments.

**Time Sensitivity:** None

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** N/A

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

**Local Preference Policy** Applies  Exempt   
**Explanation:**

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

A P P O I N T M E N T

I, Ron Corbett, Mayor of the City of Cedar Rapids, in accordance with Section 2.06 of the Home Rule Charter, and subject to the advice and consent of the Cedar Rapids City Council hereby appoint the following individuals to serve on the City Planning Commission for the terms as indicated or until a successor is appointed and qualified:

<u>Commissioner</u>	<u>Term Beginning</u>	<u>Term Expiration</u>
Dominique Blank	08/26/2014	06/30/2017
Bill Hunse	08/26/2014	06/30/2017

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the advice and consent of the City Council to the Mayor's appointment of Dominique Blank and Bill Hunse to the City Planning Commission for the terms indicated above is hereby given.

Passed this 26<sup>th</sup> day of August, 2014.

A P P O I N T M E N T

I, Ron Corbett, Mayor of the City of Cedar Rapids, in accordance with Section 2.06 of the Home Rule Charter, and subject to the advice and consent of the Cedar Rapids City Council hereby appoint Keith Wiggins to serve on the Civil Rights Commission for the term as indicated or until a successor is appointed and qualified:

<u>Commissioner</u>	<u>Term Beginning</u>	<u>Term Expiration</u>
Keith Wiggins	08/26/2014	06/30/2017

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the advice and consent of the City Council to the Mayor's appointment of Keith Wiggins to the Civil Rights Commission for the term indicated above is hereby given.

Passed this 26<sup>th</sup> day of August, 2014.

A P P O I N T M E N T

I, Ron Corbett, Mayor of the City of Cedar Rapids, in accordance with Section 2.06 of the Home Rule Charter, and subject to the advice and consent of the Cedar Rapids City Council hereby appoint the following individual to serve on the (Czech Bohemia) Design Review Technical Advisory Committee for the term as indicated or until a successor is appointed and qualified:

<u>Commissioner</u>	<u>Term Beginning</u>	<u>Term Expiration</u>
Diann Barrigar	08/26/14	06/30/15

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the advice and consent of the City Council to the Mayor's appointment of Diann Barrigar to the (Czech Bohemia) Design Review Technical Advisory Committee for the term indicated above is hereby given.

Passed this 26<sup>th</sup> day of August, 2014.

A P P O I N T M E N T

I, Ron Corbett, Mayor of the City of Cedar Rapids, in accordance with Section 2.06 of the Home Rule Charter, and subject to the advice and consent of the Cedar Rapids City Council hereby appoint the following individual to serve on the Cedar Rapids Historic Preservation Commission for the term as indicated or until a successor is appointed and qualified:

<u>Commissioner</u>	<u>Term Beginning</u>	<u>Term Expiration</u>
B.J. Hobart	08/26/2014	06/30/2015

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the advice and consent of the City Council to the Mayor's appointment of B.J. Hobart to the Cedar Rapids Historic Preservation Commission for the term indicated above is hereby given.

Passed this 26<sup>th</sup> day of August, 2014.

A P P O I N T M E N T

I, Ron Corbett, Mayor of the City of Cedar Rapids, in accordance with Section 2.06 of the Home Rule Charter, and subject to the advice and consent of the Cedar Rapids City Council hereby appoint the following individual to serve on the Veterans Memorial Commission for the term as indicated or until a successor is appointed and qualified:

<u>Commissioner</u>	<u>Term Beginning</u>	<u>Term Expiration</u>
Hattie Holmes	08/26/2014	06/30/2017

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the advice and consent of the City Council to the Mayor's appointment of Hattie Holmes to the Veterans Memorial Commission for the term indicated above is hereby given.

Passed this 26<sup>th</sup> day of August, 2013.

RESOLUTION NO.

WHEREAS, Jon Jelinek has devoted considerable time and effort as a member of the (Czech Bohemia) Design Review Technical Advisory Committee,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CEDAR RAPIDS, IOWA, that a vote of thanks and appreciation be and is hereby provided to Jon Jelinek for serving as a member of the (Czech Bohemia) Design Review Technical Advisory Committee.

Passed this 26<sup>th</sup> day of August, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

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

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

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

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

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

**Description of Agenda Item:**

Resolution approving Epilepsy Foundation of North Central Illinois/Iowa and Nebraska Trashmore 5K – Dash to Bash Epilepsy 5k run and walk event beginning at the National Czech Slovak Museum & Library, utilizing city streets to the Solid Waste Agency site at 2250 A Street SW (includes road closures) on September 13, 2014. CIP/DID #SPEC-024021-2014

**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:** August 26, 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, Dale Todd on behalf of Epilepsy Foundation of North Central Illinois/Iowa and Nebraska (Applicant) has requested approval to hold a 5k Run and Walk event "Trashmore 5K – Dash to Bash Epilepsy" beginning at the National Czech Slovak Museum & Library, utilizing city streets to the Solid Waste Agency site at 2250 A Street SW on Saturday, September 13, 2014 beginning at 7:00 AM and ending at 11:00 AM not including set up and tear down time, and

WHEREAS, Applicant's insured traffic control contractor shall provide all barricades/traffic controls required by the City for the temporary street closure at the following locations.

22nd Ave at A St SW  
21st Ave at A St SW  
20th Ave at A St SW  
19th Ave at A St SW  
18th Ave at A St SW  
17th Ave at A St SW

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. 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.
2. No public streets are closed for the event except as provided by the Police Department for traffic control. Police Department will close 16th Ave/14th Ave at Inspiration Place SW at the beginning and end of the race when runners are present.
3. Applicant shall provide adequate adult volunteers at all intersections and other locations as required by the Police Department to assist with walk event instructions, event monitoring, and event participant safety. Volunteers are NOT authorized to direct vehicular traffic at any time.
4. Applicant shall not drive vehicles onto turf, or penetrate the ground with staking for tents or other needs.
5. Regarding the use of tents, stages, etc. on public property:  
Applicant shall adhere to City guidelines established for items requiring supports and/or restraints:
  - a. Applicant shall obtain City approval before any drilling, excavation, or construction is begun on City property. Applicant shall initiate advance contact

- with Public Works Department (319-286-5878) to provide exact locations of any potential new holes on public property prior to drilling.
- b. Applicant shall contact Iowa One Call, well in advance of the event, for all underground utility locations relative to any required drilling.
  - c. Applicant shall utilize the same holes previously drilled in street and sidewalk surfaces (both asphalt and concrete) for all support and restraint devices when possible.
  - d. Applicant shall contact Public Works Department for details of required post-event treatment of surfaces. Applicant shall complete required post-event treatment of all areas of drilling, excavation, or construction.
6. If a canopy or tent will be used, a permit is required from the Cedar Rapids Fire Department – Fire Marshal Vance McKinnon 319-286-5862.
  7. For traffic and pedestrian safety purposes, the City Traffic Engineering Division will approve temporary “No Parking” signs, meeting City specifications, to be placed along the following streets for this event:
    - a. The appropriate signs, as specified by the Traffic Engineering Division, will be installed, maintained and removed by an insured traffic control contractor that will be hired and paid by Applicant. Signs shall be stake mounted and a minimum size of 24” X 18”, spaced at a maximum distance of 75’ apart on all listed streets.
    - b. The temporary “No Parking” signs shall be installed by the traffic control contractor no earlier than Friday Sept. 12, 2014 and removed no later than Saturday Sept. 13, 2014.
    - c. The Applicant shall provide advance written notification to adjacent property owners on the above named streets of the event dates and times and the temporary “No Parking” posting. A copy of the notice shall be provided to the Traffic Engineering Division prior to the event.
  8. Applicant agrees that any signage required for this event will be done with prior approval of the City Building Services Division and any required permits will be obtained.
  9. Applicant is aware of the existence and requirements of the Municipal Noise Ordinance (Chapter 56 of the Cedar Rapids City Code) as relates to the intent to provide amplified music at the event.
  10. No trails or sidewalks are closed for the event
  11. If applicant alters the above route or intends to use a different route, a separate event application approval will be required with the new route detailed.
  12. 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.
  13. Applicant, vendors and participants shall not block or restrict access to the Cedar River Trail which is routed on the sidewalk across the 16th Avenue Bridge and through Sokol Park.

14. Applicant shall provide written notification of the event to all affected property owners adjoining the barricaded street closures (to help minimize traffic conflicts between motorists and race participants). Written notification shall include information on the race route, event date, start and finish times, and the name and telephone number of the Applicant's contact person. A copy of this written notification shall be provided to the City Manager's Office.
15. Applicant shall comply with all existing parking regulations on all adjacent areas of public property.
16. Upon completion of event, all areas associated with the event will be cleaned up. All permanent Park trash receptacles must have trash removed by the event and bags replaced the day of the event. All park grounds that see event crowds must be inspected by the event for any trash, litter, temporary event signs, etc., which must be removed the day of the event before park closing hours. Needed additional trash or debris cleanup by Parks staff will be billed to the event for reimbursement.
17. Applicant shall upon completion of the event, clean up all areas associated with the event and shall reimburse the City for damage to any portion of public property. Event participants shall use standard trail courtesies and yield appropriate right-of-way to non-event trail traffic. Any temporary signs placed along the event must be at least 2' away from the edge of the trail and must be removed the day of the event.
18. 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.
19. Applicant shall contact the Cedar Rapids Police Department at least 15 to 30 days prior to the event to hire off-duty police officers, as required by the Police Department to attend barricades at street closures, to assist with traffic control at designated intersections, and for event security. Contact Sgt. Mark Andries (286-5438) to arrange officers.  
  
Applicant will be required to hire three (3) off duty Cedar Rapids Police Officers @ \$49/hr for minimum three (3) hours - Total Estimated Cost - \$441.
20. Applicant shall be responsible for receiving from each participant in the run/walk an individual signed Waiver of Liabilities of the City of Cedar Rapids.
21. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.
22. Applicant agrees to defend, indemnify and save the City of Cedar Rapids harmless from all liability and place on file a liability insurance policy in limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

Passed this 26<sup>th</sup> day of August, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** 8-26-14

**Submitting Department:** Solid Waste & Recycling

**Presenter at meeting:** Mark Jones

**Phone Number/Ext:** 4791

**Email:** [m.jones@cedar-rapids.org](mailto:m.jones@cedar-rapids.org)

**Alternate Contact Person:** Sarah

**Phone Number/Ext:** X4786

**Email:** [s.augustine@cedar-rapids.org](mailto:s.augustine@cedar-rapids.org)

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

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:** 8-26-14

**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., September 24, 2014.

Passed this 26th day of August, 2014.

City of Cedar Rapids  
Solid Waste & Recycling Department  
Intent To Assess List  
8-7-14 - 8-7-14

Date	Customer #	GPN#/ Parcel	First Name	Last Name	House	Street	Quad	Lot	Block	Amount	Flood Zone
8/7/2014	A01886	1422305011000000	Loi	Lam	1521	5th Ave	SE	8	5	\$ 444.75	
8/7/2014	A01887	1411379035000000	Chester Sundance LLC		350	30th St Dr	SE	2		\$ 336.75	
										<u>\$ 781.50</u>	



## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Finance Department

**Presenter at meeting:** Casey Drew  
**Email:** [c.drew@cedar-rapids.org](mailto:c.drew@cedar-rapids.org)

**Phone Number/Ext:** 5097

**Alternate Contact Person:** Judy Jones  
**Email:** [j.jones2@cedar-rapids.org](mailto:j.jones2@cedar-rapids.org)

**Phone Number/Ext:** 5134

**Description of Agenda Item:**

Levy Special Assessments for delinquent weed mowing charges - 86 properties.

**Background:**

The Finance Department is responsible for the billing and collection of charges incurred by the Public Works Maintenance Division to bring properties into compliance with Cedar Rapids Municipal Code Chapter 21.13, and Ordinance 046-12 (Weeds).

Between June 9, 2014 and July 2, 2014, eighty-six (86) property owners did not submit payment for invoices issued due to a violation of the City's weed ordinance. Property owners were notified by letter that if payment was not made the charges would be levied against their property and collected in the same manner as property taxes. The levied amount totals \$14,078.20.

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

**Action / Recommendation:**

The Finance Department recommends approval of the Resolution to levy Special Assessments.

**Alternative Recommendation:**

Should the City Council decide not to approve the resolution, the City will not be reimbursed for work performed by the contractor and paid for by the City.

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 0 Minutes

**Budget Information (if applicable):** PW Operating – Roadside Vegetation Mgmt

**Local Preference Policy** Applies  Exempt

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

RESOLUTION NO.

WHEREAS, the Finance Department requests the City Council of the City of Cedar Rapids, Iowa, approve a Resolution of Special Assessment on eighty-six (86) properties in violation of the City's Weed Ordinance 046-12 and Municipal Code Chapter 21.13;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that there be and is hereby levied an assessment against the lots, parts of lots, and parcels of ground for a total amount of \$14,078.20, as shown below, and which have been invoiced and are on file with the Finance Department, and

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

#	Service Location	Name	Amount	Service Date	GPN	Invoice
1	1420 9TH ST SW	Anthony C Russell Trustee	145.00	6/19/2014	143210300400000	STW_000 39038
2	152 14TH AVE SW	Bank of New York Mellon	159.00	7/1/2014	142845701200000	STW_000 39939
3	921 4TH ST SW	Bradshaw B Nunnally	145.00	6/12/2014	142835200200000	STW_000 39846
4	150 33RD ST DR SE	C M ST P & P RY CO	194.00	6/17/2014	141130400600000	STW_000 39041
5	2700 A AVE NE	Chad M Byers	145.00	6/19/2014	141422801900000	STW_000 39159
6	1015 8TH ST SE	Chris & Kathryn M Pyle	145.00	6/11/2014	142723901500000	STW_000 38527
7	5919 WINDY MEADOW LN NE	Colin Crichton	145.00	6/11/2014	123647601100000	STW_000 38557
8	3102 BOWLING ST SW	Dale A Miersen	236.00	6/9/2014	190410102500000	STW_000 38560
9	801 O AVE NW	Dale E & Doris May	145.00	6/10/2014	142015200100000	STW_000 38561
10	515 9TH ST SW	Damon A. Stowell	148.50	6/12/2014	142940200700000	STW_000 39839
11	1626 5TH AVE SE	Darlene De Los Santos Nunez	145.00	6/11/2014	142243101300000	STW_000 38534
12	65 22ND AVE SW	David A Kalk	145.00	6/18/2014	143422600600000	STW_000 39055
13	1702 13TH AVE SW	David P Murphy	152.00	7/1/2014	142935702400000	STW_000 39944

#	Service Location	Name	Amount	Service Date	GPN	Invoice
14	5330 GORDON AVE NW	Derek S Swenson	145.00	6/10/2014	132618600800000	STW_000 38538
15	2620 JOHNSON AVE NW	DF Land Holdings LLC	180.00	6/24/2014	143020401600000	STW_000 39743
16	855 12TH ST NE	Donald F & Ramona M Williams	145.00	6/10/2014	141645500800000	STW_000 38549
17	1222 22ND AVE SW	Donna J Conner	145.00	6/23/2014	143228001000000	STW_000 39747
18	3401 H AVE NW	Doug & Carrie Oakley	148.50	6/10/2014	132447700100000	STW_000 38541
19	653 16TH AVE SW	Duane H & Barbara J Pratt	145.00	6/19/2014	143210701000000	STW_000 39040
20	57 18TH AVE SW	Dustin M White	145.00	6/18/2014	142848200700000	STW_000 39053
21	349 6TH AVE SW	Edward W & Patricia A Edmonds	145.00	6/19/2014	142832800400000	STW_000 39062
22	413 5TH AVE SW	Elizabeth Jones	145.00	6/19/2014	142826000400000	STW_000 39061
23	909 C AVE NW	Elvis Bernauer	145.00	6/9/2014	142913600400000	STW_000 38542
24	1200 6TH AVE SE	Ernest Brauch	145.00	6/13/2014	142235100300000	STW_000 39849
25	0 VACANT LAND	Executive Development LLC	230.00	6/16/2014	191615400100000	STW_000 39044
26	823 CAMBURN CT SE	Francois D Gravois III	145.00	6/13/2014	142238203400000	STW_000 39845
27	1408 8TH AVE SE	Franklin G & Alice Bowers	145.00	6/13/2014	142238001400000	STW_000 39835
28	1908 J ST SW	Garland D & Mary R Daugherty	145.00	6/9/2014	143327601400000	STW_000 38563
29	2337 31ST ST SW	Herman F & Mary C Darrow	145.00	6/12/2014	143132600600000	STW_000 39848
30	1731 5TH AVE SE	Hutch's Properties LLC	159.00	6/13/2014	142243300400000	STW_000 39842
31	320 CHERRY PARK DR NW	J Murphy Homes LLC	166.00	6/24/2014	132620101000000	STW_000 39741
32	516 I AVE NW	Jaime Patten	145.00	6/26/2014	142040902000000	STW_000 39681
33	3119 IDAHO ST SE	Jamen D Peyton	155.50	6/13/2014	141147800300000	STW_000 39834
34	818 12TH ST NE	James & Tracy Merta	145.00	6/18/2014	141645600400000	STW_000 39060
35	430 20TH ST NE	James J & Phyllis M Rausch	145.00	7/1/2014	141542800600000	STW_000 39943
36	520 COBBAN CT SE	Janae M Edwards	145.00	6/25/2014	142235201100000	STW_000 39732
37	1325 HINKLEY AVE NW	Jann Chposky	145.00	6/18/2014	142927900700000	STW_000 39057
38	1620 PARK AVE SE	Jared & Heather Summers	145.00	6/11/2014	142215601400000	STW_000 38540
39	1301 19TH AVE SW	John G & Carol A Brune	187.00	6/24/2014	143227700100000	STW_000 39744

#	Service Location	Name	Amount	Service Date	GPN	Invoice
40	1506 D AVE NE	Jordan C Allyn	145.00	6/10/2014	142222700300000	STW_000 38539
41	1120 12TH ST NE	Joseph J Zahorik & Clara R Czerwionka	145.00	6/25/2014	141615301200000	STW_000 39735
42	1221 K ST SW	Karen Schmitt & Krystal Nielsen	145.00	6/12/2014	142838001100000	STW_000 39850
43	916 B AVE NW	Keith D Ahrens & Margaret M White	145.00	6/25/2014	142913600800000	STW_000 39710
44	4739 DANBURY ST NE	LSF8 Master Participation Trust	145.00	6/10/2014	140340200400000	STW_000 38554
45	421 15TH ST SE	Marcelino Hivento	145.00	6/11/2014	142230403300000	STW_000 38553
46	507 2ND ST SW	Marie Grignon	145.00	6/9/2014	142828000700000	STW_000 39824
47	718 9TH ST NW	Marshall Cobb	145.00	6/26/2014	142046101800000	STW_000 39683
48	1627 D AVE NE	Martin Construction Services Inc	145.00	6/25/2014	141538401000000	STW_000 39729
49	601 8TH AVE SE	Martin D & Loyola D McNulty	145.00	6/26/2014	142810800100000	STW_000 39677
50	618 G AVE NW	MDA Fund VIII LLC	145.00	6/18/2014	142048201400000	STW_000 39052
51	142 34TH ST DR SE	Melissa R & Mohammad N Al Sharairei	166.00	6/13/2014	141130200400000	STW_000 39837
52	1840 PARK AVE SE	Michael J Meyers	145.00	7/1/2014	142215402400000	STW_000 39941
53	507 15TH ST SE	Michael L Olson	145.00	6/25/2014	142230602400000	STW_000 39731
54	351 17TH ST SE	Michael P & Nicole J Willis	145.00	6/11/2014	142215601800000	STW_000 38531
55	2820 FRUITLAND BLVD SW	Miguel Gonzalez	180.00	6/23/2014	143437700300000	STW_000 39751
56	3805 MT VERNON RD SE	Nathan L Keegan	145.00	6/17/2014	142520200400000	STW_000 39051
57	1100 31ST ST NE	Nationstar Mortgage LLC	145.00	6/10/2014	141037801800000	STW_000 38528
58	312 E AVE NW	Norma J Brannaman	145.00	6/25/2014	142048601300000	STW_000 39736
59	70 Oklahoma Ave SW	Pamela L Lines	373.10	6/10/2014	191610401000000	AST- 10006747
			145.00	6/19/2014		STW_000 39042
60	2436 WISCONSIN ST SW	Pamela S Edgar	145.00	7/1/2014	143333003200000	STW_000 39938
61	2204 A ST SW	Patrick A & Linda H Lang	152.00	6/18/2014	142735200200000	STW_000 39054
62	531 9TH ST SW	Phil A Cox Jr	145.00	6/12/2014	142940201200000	STW_000 39838
63	167 BRENTWOOD DR NE	Phillip & Lori Pankey	152.00	6/11/2014	113542601900000	STW_000 38552

#	Service Location	Name	Amount	Service Date	GPN	Invoice
64	0 VACANT LAND NE	Phyllis M Rausch	159.00	6/25/2014	112737600300000	STW_000 39713
65	1019 11TH ST NW	Premiere Developers Inc	145.00	6/26/2014	142043700300000	STW_000 39678
66	2215 EDGEWOOD RD SW	R T Midwest Real Estate LLC	229.00	6/18/2014	143125100300000	STW_000 39056
67	1206 6TH AVE SE	Rapid Development Corp	145.00	6/13/2014	142235100100000	STW_000 39825
68	0 VACANT LAND NW	Raymond F & Lucille B King	145.00	6/18/2014	142020400900000	STW_000 39059
69	1022 10TH AVE SE	Richard D & Marilyn K Carpenter	145.00	6/26/2014	142720302400000	STW_000 39680
70	6524 LAUREL LN NE	Robert K Miell	145.00	6/25/2014	113342700200000	STW_000 39738
71	5301 KESLER RD NW	Robert K Miell	145.00	6/10/2014	132618201400000	STW_000 39844
72	5554 KLINGER ST SW	Roger Stockman	159.00	6/23/2014	190937700300000	STW_000 39750
73	1323 ELLIS BLVD NW	Ruby & Joseph Souza	145.00	6/25/2014	142018700700000	STW_000 39716
74	1719 1ST AVE SW	Ryan D Goodale	145.00	6/9/2014	142932700400000	STW_000 38551
75	2335 WILEY BLVD SW	SA Development Co LLP	341.00	6/24/2014	133642700500000	STW_000 39739
76	77 Oklahoma Ave SW	Sarah E Fitzpatrick	373.10	6/10/2014	191610501000000	AST- 10006748
			145.00	6/19/2014		STW_000 39043
77	4109 14TH AVE SE	Scott A & Amy K Shipley	145.00	6/11/2014	142528000300000	STW_000 38556
78	1518 6TH ST NW	Scott E Hoeger	145.00	6/25/2014	142017901100000	STW_000 39715
79	1041 19TH ST SE	Scott L & Ginger L Patterson	145.00	6/17/2014	142710401500000	STW_000 39047
80	626 10TH AVE SE	Shirley Luter	145.00	6/17/2014	142724001600000	STW_000 39046
81	1627 5TH AVE SE	Steven M Evans	145.00	7/2/2014	142243400100000	STW_000 39946
82	1425 J ST SW	Tersea L Toney	159.00	6/23/2014	143313000400000	STW_000 39749
83	1730 I AVE NE	Thomas L Bowler	201.00	6/17/2014	141530300200000	STW_000 39045
84	1214 36TH ST SE	Virgil A Gooding	152.00	6/26/2014	142522702300000	STW_000 39684
85	51 33RD AVE SW	Weather Shield Corp	166.00	6/23/2014	190417700600000	STW_000 39746
86	4723 SAVANNAH CT SE	William E & Noriko Waid	155.50	6/12/2014	151930301300000	STW_000 38526

Passed this 26th day of August, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Finance Department

**Presenter at meeting:** Casey Drew  
**Email:** [c.drew@cedar-rapids.org](mailto:c.drew@cedar-rapids.org)

**Phone Number/Ext:** 5097

**Alternate Contact Person:** Judy Jones  
**Email:** [j.jones2@cedar-rapids.org](mailto:j.jones2@cedar-rapids.org)

**Phone Number/Ext:** 5134

**Description of Agenda Item:**

Levy assessment - nuisance property abatement charge – 1 property.

**Background:**

The Finance Department is responsible for the billing and collection of charges incurred by the Police Department for violations of Cedar Rapids Municipal Code Chapter 22A and Ordinance 002-13, Nuisance Properties.

The properties in question were designated Nuisance Properties, with notice issued as outlined in Chapter 22A. Founded calls for service occurred May 18, 2014. Costs were billed to the property owners and included notice that unpaid costs would be assessed against the properties. The levied amount totals \$139.12.

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

**Action / Recommendation:**

The Finance Department recommends approval of the Resolution to levy Special Assessment.

**Alternative Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 0 Minutes

**Budget Information (if applicable):** Police Department

**Local Preference Policy** Applies  Exempt

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

RESOLUTION NO.

WHEREAS, the Finance Department requests the City Council of the City of Cedar Rapids, Iowa, approve a Resolution of Special Assessment on one (1) property for nuisance abatement according to Municipal Code Chapter 22A, Nuisance Properties.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that there be and is hereby levied an assessment against the lots, parts of lots, and parcels of ground for a total amount of \$139.12, as shown below, which have been invoiced and are on file with the Finance Department, and

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

#	Service Location	Name	Amount	Service Date	GPN	Invoice
1	41 Florida Ct SW	Kirkwood Investment Assoc LLC	139.12	5/18/14	191610502300000	PD_NA_000 36633

Passed this 26th day of August, 2014.

## Council Agenda Item Cover Sheet

**Consent Agenda**       **Regular Agenda**

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Utilities – Water Division

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

**Alternate Contact:** Kevin Kirchner      **Phone No.:** 5902    **E-mail:** [k.kirchner@cedar-rapids.org](mailto:k.kirchner@cedar-rapids.org)

**Description of Agenda Item:**

Resolutions approving assessment actions:

- a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 50 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:** 8/26/14

**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 7<sup>th</sup> day of October, 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., October 7, 2014.

Passed this 26<sup>th</sup> day of August, 2014.

**LIEN INTENTS (SPECIAL ASSESSMENTS) 8/26/14**

				<b>LIEN INTENTS 8/26/14</b>
<b>#</b>		<b>Balance Due</b>		<b>Premise Address</b>
1		\$ 117.75		54 OKLHOMA AVE SW
2		\$ 203.87		127 EASTVIEW DR NW
3		\$ 83.03		145 37TH ST NE
4		\$ 202.85		209 7TH AVE SW
5		\$ 184.26		280 14TH AVE SW
6		\$ 304.54		287 13TH ST NW #B
7		\$ 99.67		292 34TH ST DR SE
8		\$ 101.27		405 13TH ST NW
9		\$ 160.07		501 B AV NW
10		\$ 362.34		620 35TH ST SE
11		\$ 173.64		633 OLIVE DR NW
12		\$ 79.77		641 21ST AVE SW
13		\$ 132.74		718 JACOLYN DR NW
14		\$ 198.05		801 3RD AVE SW
15		\$ 246.04		868 12TH ST NE
16		\$ 123.09		909 10TH AVE SW
17		\$ 190.40		932 22ND AVE SW
18		\$ 434.36		947 ROCKFORD RD SW
19		\$ 193.26		1003 20TH ST SE
20		\$ 119.65		1100 ROLLING CREEK DR NE
21		\$ 90.58		1100 WESTWOOD DR NW
22		\$ 433.56		1103 1ST AVE SW
23		\$ 201.88		1104 16TH AVE SW
24		\$ 285.28		1205 M ST SW
25		\$ 217.55		1210 B AVE NW - LOWER
26		\$ 346.71		1228 6TH AVE SE
27		\$ 84.38		1244 WILSON AVE SW
28		\$ 144.49		1338 J AVE NE
29		\$ 219.79		1396 ELMHURST DR NE
30		\$ 189.29		1420 DANIELS ST NE
31		\$ 260.21		1512 A AVE NE
32		\$ 114.38		1524 A AVE NE
33		\$ 140.55		1527 E AVE NW
34		\$ 269.76		1615 C AVE NE
35		\$ 174.68		1708 9TH ST NW
36		\$ 310.50		1715 ARIZONA AVE NE
37		\$ 45.83		1804 L ST SW #B
38		\$ 227.79		1902 WILLIAMS BLVD SW
39		\$ 294.25		2014 J ST SW
40		\$ 194.84		2164 CHERRY LN NE
41		\$ 144.21		2329 D AVE NE
42		\$ 212.14		2400 BROOKLAND DR NE
43		\$ 199.88		2454 C ST SW
44		\$ 232.02		2520 ELLIS VIEW CT NW
45		\$ 175.96		2620 JOHNSON AVE NW

<b>LIEN INTENTS 8/26/14</b>			
<b>#</b>		<b>Balance Due</b>	<b>Premise Address</b>
46		\$ 162.23	2656 WORTHINGTON DR SW
47		\$ 112.58	3000 SPRUCE AVE SE
48		\$ 161.78	3126 C AVE NE
49		\$ 82.05	3137 CARRIAGE DR SW
50		\$ 105.72	8000 C AVE NE
		<b>\$ 9,545.52</b>	<b>Grand Total</b>
		<b>50</b>	<b>Number of Properties</b>
		<b>\$ 45.83</b>	<b>Balance Due - Low</b>
		<b>\$ 434.36</b>	<b>Balance Due - High</b>

**Council Agenda Item Cover Sheet**

**Consent Agenda**       **Regular Agenda**

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Utilities – Water Division

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

**Alternate Contact:** Kevin Kirchner      **Phone No.:** 5902    **E-mail:** [k.kirchner@cedar-rapids.org](mailto:k.kirchner@cedar-rapids.org)

**Description of Agenda Item:**

Resolutions approving assessment actions:

- a. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 10 properties. CIP/DID #OB1294632

The property address listing is included with the resolution. [**Note:** The Intent to Assess Resolution was approved at the July 22<sup>nd</sup> Council Meeting.]

**Background:**

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

Below are the steps taken in typical situations:

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

The Notice of Intent to Assess these properties was approved by City Council Resolution No. 0968-07-14 on July 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:** 8/26/14

**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 26<sup>th</sup> day of August, 2014.

**SPECIAL ASSESSMENTS (TO BE LIENED) 8-26-14**

			<b>SPECIAL ASSESSMENTS 8-26-14</b>
			<b>LIEN INTENTS 7/22/14</b>
<b>#</b>	<b>Balance Due</b>	<b>Premise Address</b>	
1	\$ 146.03	77 FLORIDA AVE SW	
2	\$ 97.67	224 NORTHLAND CT NE	
3	\$ 108.80	515 40TH ST NE	
4	\$ 209.53	721 F AVE NW	
5	\$ 231.87	1524 7TH AVE SE	
6	\$ 277.43	1541 4TH AVE SE	
7	\$ 201.78	1552 C AVE NE	
8	\$ 144.56	3102 BOWLING ST SW	
9	\$ 166.62	3565 STONE VIEW CIR SW	
10	\$ 85.21	7411 FOX CT NE	
	<b>\$ 1,669.50</b>	<b>Grand Total</b>	
	<b>10</b>	<b>Number of Properties</b>	
	<b>\$ 85.21</b>	<b>Balance Due - Low</b>	
	<b>\$ 345.19</b>	<b>Balance Due - High</b>	



## 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**  
 Resolutions accepting maintenance bonds for various subdivision improvements:

- a. Accepting sanitary sewer in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and approving 2-year Maintenance Bond submitted by Zinser Grading & Excavating, LLC in the amount of \$32,248. CIP/DID #47-09-020
- b. Accepting storm sewer in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and approving 2-year Maintenance Bond submitted by Zinser Grading & Excavating, LLC in the amount of \$42,389. CIP/DID #47-09-020
- c. Accepting Portland Cement Concrete pavement in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and approving 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$56,000. CIP/DID #47-09-020
- d. Accepting sanitary sewer in Whispering Pines Eighth Addition – Phase 1 and approving 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$19,340.80. CIP/DID #47-12-014
- e. Accepting storm sewer in Whispering Pines Eighth Addition – Phase 1 and approving 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$68,987.65. CIP/DID #47-12-014
- f. Accepting Portland Cement Concrete pavement in Whispering Pines Eighth Addition – Phase 1 and approving 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$58,671. CIP/DID #47-12-014

### Background:

This item includes acceptance of six (6) maintenance bonds from various contractors for various development improvements that have been completed. The infrastructure improvements completed by the development projects include Portland Cement Concrete pavement, sanitary sewer and storm sewer improvements. The construction has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bonds provided represents the construction value of the infrastructure improvements based on the developers' contract price for the infrastructure improvements.

**Action / Recommendation:**

The Public Works Department recommends adoption of the Resolutions to accept the maintenance bonds as submitted for the various subdivision improvements listed.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

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

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

**Local Preference Policy:** Applies  Exempt

**Explanation:** Private

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, Zinser Grading & Excavating, LLC has constructed sanitary sewer in Airport Commerce Park 10<sup>th</sup> Addition – Capital Drive SW Extension, and

WHEREAS, said work has now been completed, and Zinser Grading & Excavating, LLC has filed a 2-year Maintenance Bond, executed by North American Specialty Insurance Company in the sum of \$32,248 covering said work, now therefore

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

BE IT FURTHER RESOLVED that the 2-year Maintenance Bond filed by Zinser Grading & Excavating, LLC be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director.

Passed this 26<sup>th</sup> day of August, 2014.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

**Description of Agenda Item:**  **Consent Agenda**  **Regular Agenda** **Yes Map**  
 Resolutions accepting maintenance bonds for various subdivision improvements:

- a. Accepting sanitary sewer in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and approving 2-year Maintenance Bond submitted by Zinser Grading & Excavating, LLC in the amount of \$32,248. CIP/DID #47-09-020
- b. Accepting storm sewer in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and approving 2-year Maintenance Bond submitted by Zinser Grading & Excavating, LLC in the amount of \$42,389. CIP/DID #47-09-020
- c. Accepting Portland Cement Concrete pavement in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and approving 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$56,000. CIP/DID #47-09-020
- d. Accepting sanitary sewer in Whispering Pines Eighth Addition – Phase 1 and approving 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$19,340.80. CIP/DID #47-12-014
- e. Accepting storm sewer in Whispering Pines Eighth Addition – Phase 1 and approving 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$68,987.65. CIP/DID #47-12-014
- f. Accepting Portland Cement Concrete pavement in Whispering Pines Eighth Addition – Phase 1 and approving 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$58,671. CIP/DID #47-12-014

### Background:

This item includes acceptance of six (6) maintenance bonds from various contractors for various development improvements that have been completed. The infrastructure improvements completed by the development projects include Portland Cement Concrete pavement, sanitary sewer and storm sewer improvements. The construction has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bonds provided represents the construction value of the infrastructure improvements based on the developers' contract price for the infrastructure improvements.

**Action / Recommendation:**

The Public Works Department recommends adoption of the Resolutions to accept the maintenance bonds as submitted for the various subdivision improvements listed.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

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

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

**Local Preference Policy:** Applies  Exempt

**Explanation:** Private

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, Zinser Grading & Excavating, LLC has constructed storm sewer in Airport Commerce Park 10<sup>th</sup> Addition – Capital Drive SW Extension, and

WHEREAS, said work has now been completed, and Zinser Grading & Excavating, LLC has filed a 2-year Maintenance Bond, executed by North American Specialty Insurance Company in the sum of \$42,389 covering said work, now therefore

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

BE IT FURTHER RESOLVED that the 2-year Maintenance Bond filed by Zinser Grading & Excavating, LLC be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director.

Passed this 26<sup>th</sup> day of August, 2014.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

**Description of Agenda Item:**  **Consent Agenda**  **Regular Agenda** **Yes Map**  
 Resolutions accepting maintenance bonds for various subdivision improvements:

- a. Accepting sanitary sewer in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and approving 2-year Maintenance Bond submitted by Zinser Grading & Excavating, LLC in the amount of \$32,248. CIP/DID #47-09-020
- b. Accepting storm sewer in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and approving 2-year Maintenance Bond submitted by Zinser Grading & Excavating, LLC in the amount of \$42,389. CIP/DID #47-09-020
- c. Accepting Portland Cement Concrete pavement in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and approving 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$56,000. CIP/DID #47-09-020
- d. Accepting sanitary sewer in Whispering Pines Eighth Addition – Phase 1 and approving 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$19,340.80. CIP/DID #47-12-014
- e. Accepting storm sewer in Whispering Pines Eighth Addition – Phase 1 and approving 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$68,987.65. CIP/DID #47-12-014
- f. Accepting Portland Cement Concrete pavement in Whispering Pines Eighth Addition – Phase 1 and approving 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$58,671. CIP/DID #47-12-014

### Background:

This item includes acceptance of six (6) maintenance bonds from various contractors for various development improvements that have been completed. The infrastructure improvements completed by the development projects include Portland Cement Concrete pavement, sanitary sewer and storm sewer improvements. The construction has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bonds provided represents the construction value of the infrastructure improvements based on the developers' contract price for the infrastructure improvements.

**Action / Recommendation:**

The Public Works Department recommends adoption of the Resolutions to accept the maintenance bonds as submitted for the various subdivision improvements listed.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

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

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

**Local Preference Policy:** Applies  Exempt

**Explanation:** Private

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, E & F Paving Company, LLC has filed a Maintenance Bond executed by United Fire & Casualty Company in the sum of \$56,000 for Portland Cement Concrete pavement in Airport Commerce Park 10<sup>th</sup> Addition – Capital Drive SW Extension, now therefore

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

BE IT FURTHER RESOLVED that the acceptance of this street by the City of Cedar Rapids does not relieve Wright Brothers Blvd, LC/Don Primus, 2000 Progress Drive, Hiawatha, IA 52233 of the responsibility for:

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

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

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

Passed this 26<sup>th</sup> day of August, 2014.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

**Description of Agenda Item:**  **Consent Agenda**  **Regular Agenda** **Yes Map**  
 Resolutions accepting maintenance bonds for various subdivision improvements:

- a. Accepting sanitary sewer in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and approving 2-year Maintenance Bond submitted by Zinser Grading & Excavating, LLC in the amount of \$32,248. CIP/DID #47-09-020
- b. Accepting storm sewer in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and approving 2-year Maintenance Bond submitted by Zinser Grading & Excavating, LLC in the amount of \$42,389. CIP/DID #47-09-020
- c. Accepting Portland Cement Concrete pavement in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and approving 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$56,000. CIP/DID #47-09-020
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- e. Accepting storm sewer in Whispering Pines Eighth Addition – Phase 1 and approving 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$68,987.65. CIP/DID #47-12-014
- f. Accepting Portland Cement Concrete pavement in Whispering Pines Eighth Addition – Phase 1 and approving 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$58,671. CIP/DID #47-12-014

### Background:

This item includes acceptance of six (6) maintenance bonds from various contractors for various development improvements that have been completed. The infrastructure improvements completed by the development projects include Portland Cement Concrete pavement, sanitary sewer and storm sewer improvements. The construction has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bonds provided represents the construction value of the infrastructure improvements based on the developers' contract price for the infrastructure improvements.

**Action / Recommendation:**

The Public Works Department recommends adoption of the Resolutions to accept the maintenance bonds as submitted for the various subdivision improvements listed.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

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

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

**Local Preference Policy:** Applies  Exempt

**Explanation:** Private

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, Connolly Construction, Inc. has constructed sanitary sewer in Whispering Pines Eighth Addition – Phase 1 (Lot Nos. 1 through 9 and 27 through 33 inclusive), and

WHEREAS, said work has now been completed, and Connolly Construction, Inc. has filed a 2-year Maintenance Bond, executed by Merchants Bonding Company in the sum of \$19,340.80 covering said work, now therefore

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

BE IT FURTHER RESOLVED that the 2-year Maintenance Bond filed by Connolly Construction, Inc. be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director.

Passed this 26<sup>th</sup> day of August, 2014.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

**Description of Agenda Item:**  **Consent Agenda**  **Regular Agenda** **Yes Map**  
 Resolutions accepting maintenance bonds for various subdivision improvements:

- a. Accepting sanitary sewer in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and approving 2-year Maintenance Bond submitted by Zinser Grading & Excavating, LLC in the amount of \$32,248. CIP/DID #47-09-020
- b. Accepting storm sewer in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and approving 2-year Maintenance Bond submitted by Zinser Grading & Excavating, LLC in the amount of \$42,389. CIP/DID #47-09-020
- c. Accepting Portland Cement Concrete pavement in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and approving 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$56,000. CIP/DID #47-09-020
- d. Accepting sanitary sewer in Whispering Pines Eighth Addition – Phase 1 and approving 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$19,340.80. CIP/DID #47-12-014
- e. Accepting storm sewer in Whispering Pines Eighth Addition – Phase 1 and approving 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$68,987.65. CIP/DID #47-12-014
- f. Accepting Portland Cement Concrete pavement in Whispering Pines Eighth Addition – Phase 1 and approving 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$58,671. CIP/DID #47-12-014

### Background:

This item includes acceptance of six (6) maintenance bonds from various contractors for various development improvements that have been completed. The infrastructure improvements completed by the development projects include Portland Cement Concrete pavement, sanitary sewer and storm sewer improvements. The construction has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bonds provided represents the construction value of the infrastructure improvements based on the developers' contract price for the infrastructure improvements.

**Action / Recommendation:**

The Public Works Department recommends adoption of the Resolutions to accept the maintenance bonds as submitted for the various subdivision improvements listed.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

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

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

**Local Preference Policy:** Applies  Exempt

**Explanation:** Private

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, Connolly Construction, Inc. has constructed storm sewer in Whispering Pines Eighth Addition – Phase 1 (Lot Nos. 1 through 9 and 27 through 33 inclusive), and

WHEREAS, said work has now been completed, and Connolly Construction, Inc. has filed a 2-year Maintenance Bond, executed by Merchants Bonding Company in the sum of \$68,987.65 covering said work, now therefore

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

BE IT FURTHER RESOLVED that the 2-year Maintenance Bond filed by Connolly Construction, Inc. be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director.

Passed this 26<sup>th</sup> day of August, 2014.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

**Description of Agenda Item:**  **Consent Agenda**  **Regular Agenda** **Yes Map**  
 Resolutions accepting maintenance bonds for various subdivision improvements:

- a. Accepting sanitary sewer in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and approving 2-year Maintenance Bond submitted by Zinser Grading & Excavating, LLC in the amount of \$32,248. CIP/DID #47-09-020
- b. Accepting storm sewer in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and approving 2-year Maintenance Bond submitted by Zinser Grading & Excavating, LLC in the amount of \$42,389. CIP/DID #47-09-020
- c. Accepting Portland Cement Concrete pavement in Airport Commerce Park Tenth Addition – Capital Drive SW Extension and approving 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$56,000. CIP/DID #47-09-020
- d. Accepting sanitary sewer in Whispering Pines Eighth Addition – Phase 1 and approving 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$19,340.80. CIP/DID #47-12-014
- e. Accepting storm sewer in Whispering Pines Eighth Addition – Phase 1 and approving 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$68,987.65. CIP/DID #47-12-014
- f. Accepting Portland Cement Concrete pavement in Whispering Pines Eighth Addition – Phase 1 and approving 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$58,671. CIP/DID #47-12-014

### Background:

This item includes acceptance of six (6) maintenance bonds from various contractors for various development improvements that have been completed. The infrastructure improvements completed by the development projects include Portland Cement Concrete pavement, sanitary sewer and storm sewer improvements. The construction has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bonds provided represents the construction value of the infrastructure improvements based on the developers' contract price for the infrastructure improvements.

**Action / Recommendation:**

The Public Works Department recommends adoption of the Resolutions to accept the maintenance bonds as submitted for the various subdivision improvements listed.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

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

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

**Local Preference Policy:** Applies  Exempt

**Explanation:** Private

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, City Wide Construction Corporation has filed a Maintenance Bond executed by North American Specialty Insurance Company in the sum of \$58,671 for Portland Cement Concrete pavement in Whispering Pines Eighth Addition – Phase I (Balsam Drive and Shady Grove Road), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year Maintenance Bond filed by City Wide Construction Corporation be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the acceptance of this street by the City of Cedar Rapids does not relieve Jerry's Homes of the responsibility for:

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

The above items shall remain the responsibility of Jerry's Homes until such time as all the adjacent area has been developed and proper erosion control measures have been accomplished, and

BE IT FURTHER RESOLVED that the 4-year Maintenance Bond filed by Jerry's Homes be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director.

Passed this 26<sup>th</sup> day of August, 2014.

## Council Agenda Item Cover Sheet

Consent Agenda       Regular Agenda

**Council Date:** August 26, 2014

**Submitting Department:** Utilities - Water Division

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

**Alternate Contact:** Ken Russell            **Phone No.:** 5926    **E-mail:** [k.russell@cedar-rapids.org](mailto:k.russell@cedar-rapids.org)

**Description of Agenda Item:**

Resolutions accepting various subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:

- a. Water system improvements installed in Airport Commerce Park 10<sup>th</sup> Addition-Capital Drive SW Extension and approving the 4-Year Maintenance Bond in the amount of \$62,467 submitted by Zinser Grading & Excavating LLC. CIP/DID #2013042

**Background:**

Developers/Contractors are required to furnish and install water distribution systems to serve new developments. Upon completion of these public system improvements, a maintenance bond is required, covering the first four years in service.

The Developer, Primus Inc., was granted permission by the Water Division to install 10-inch and 6-inch water mains, services, and appurtenances in Airport Commerce Park 10<sup>th</sup> Addition (Project No. 2013042). The Contractor, Zinser Grading & Excavating LLC, has installed 766 feet of 10-inch DIP water main, service stubs and appurtenances for the Capital Drive SW extension. The Atlantic Drive SW extension will be completed at a later date.

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

**Action/Recommendation:**

The Utilities Department – Water Division is recommending acceptance of the water system improvements installed for Airport Commerce Park 10<sup>th</sup> Addition-Capital Drive SW Extension (Project No. 2013042) and the Contractor's 4-year Maintenance Bond (#2187885) in the amount of \$62,467 submitted by Zinser Grading & Excavating LLC.

**Alternative Recommendation:**

There is no alternative recommendation but an alternative action is to not accept this phase of the project. If this phase is not accepted, it cannot be closed out and the 2-year maintenance bond period cannot begin and the City could be subject to claims since the Contractor has completed this phase of the project.

**Time Sensitivity:**      None, routine item

**Resolution Date:**      08/26/2014

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

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

**Local Preference Policy**      Applies       Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, Primus Inc. was granted permission to install 10" and 6" water mains, services and appurtenances in Airport Commerce Park 10<sup>th</sup> Addition-Capital Drive SW Extension (Project No. 2013042), to the City of Cedar Rapids, Iowa, by the Cedar Rapids Utilities Department - Water Division, and

WHEREAS, said work has now been completed and Zinser Grading & Excavating LLC of Walford, Iowa, as Principal, has submitted a 4-Year Maintenance Bond executed by North American Specialty Insurance Company, as Surety, in the sum of \$62,467 (Sixty Two Thousand Four Hundred Sixty Seven Dollars and 00/100) covering said work.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the water mains, services and appurtenances installed in Airport Commerce Park 10<sup>th</sup> Addition-Capital Drive SW Extension (Project No. 2013042) be hereby accepted, and

BE IT FURTHER RESOLVED that the 4-Year Maintenance Bond filed by Zinser Grading & Excavating LLC, as Principal, and executed by American Specialty Insurance Company, as Surety, be hereby approved and filed with the City of Cedar Rapids Finance Director.

Passed this 26<sup>th</sup> day of August, 2014.



## Council Agenda Item Cover Sheet

### \*\*FLOOD\*\*

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

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

Resolution accepting project, authorizing final payment in the amount of \$12,893.33 and approving the four-year Performance Bond submitted by Dave Schmitt Construction Company, Inc. for the NE Quadrant, 2008 Flood Area Sanitary Sewer Restoration Phase 1 project (original contract amount was \$286,385; final contract amount is \$257,866.57) (**FLOOD**). CIP/DID #SSD102-02

**Background:**

Construction has been substantially completed by Dave Schmitt Construction Company, Inc. for the NE Quadrant, 2008 Flood Area Sanitary Sewer Restoration Phase 1 project. This is an approved Capital Improvements Project (CIP No. SSD102-02) with a final construction contract amount of \$257,866.57. Funding resources for this project were approved in FY15 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 \$12,893.33.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

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

**Budget Information (if applicable):** SSD102

**Local Preference Policy:** Applies  Exempt

**Explanation:** FEMA-funded project

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

**Explanation:** Presented to Infrastructure Committee on July 19, 2011

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the NE Quadrant, 2008 Flood Area Sanitary Sewer Restoration Phase 1 project (Contract No. SSD102-02), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated February 12, 2014 in the amount of \$282,885 covering said work filed by Dave Schmitt Construction Company, Inc. and executed by United Fire & Casualty Company provides a four-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$282,885.00
Possible Incentive	3,500.00
Change Order No. 1	14,520.00
Change Order No. 2	524.65
Change Order No. 3	(6,683.00)
Change Order No. 4	7,072.83
Change Order No. 5	.00
Change Order No. 6	(36,077.91)
Removals of Original Incentive	(3,500.00)
Disincentive/Liquidated Damages	<u>(4,375.00)</u>
Amended Contract Amount	\$257,866.57

, now therefore

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

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the NE Quadrant, 2008 Flood Area Sanitary Sewer Restoration Phase 1 project, (Contract No. SSD102-02) 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 \$12,893.33 to Dave Schmitt Construction Company, Inc. as final payment.

The final contract price is \$257,866.57 distributed as follows: \$177,575.72 330-330210-SSD102, \$80,290.85 625-625000-625884-2012054, 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 26<sup>th</sup> day of August, 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

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

**Phone Number/Extension:** 5258

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

Resolution accepting project, authorizing final payment in the amount of \$3,223.60 and approving the four-year Performance Bond submitted by Ahern Fire Protection, a Division of J.F. Ahern Co. for the Park Cedar Rapids 3<sup>rd</sup> Avenue SE Parkade Fire Standpipe project (original contract amount was \$26,641; final contract amount is \$32,236). CIP/DID #635128-20

### Background:

Construction has been substantially completed by Ahern Fire Protection, a Division of J.F. Ahern Co. for the Park Cedar Rapids 3<sup>rd</sup> Avenue SE Parkade project. This is an approved Capital Improvements Project (CIP No. 635128-20) with a final construction contract amount of \$32,236. Funding resources for this project were approved in FY15 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 \$3,223.60.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

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

**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):

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Park Cedar Rapids 3<sup>rd</sup> Avenue SE Parkade Fire Standpipe project (Contract No. 635128-20), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated March 25, 2014 in the amount of \$26,641 covering said work filed by Ahern Fire Protection, a Division of J.F. Ahern Co., and executed by Continental Casualty Company provides a four-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$26,641
Change Order No. 1	<u>5,595</u>
Amended Contract Amount	\$32,236

, now therefore

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

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the Park Cedar Rapids 3<sup>rd</sup> Avenue SE Parkade Fire Standpipe project, (Contract No. 635128-20) 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 \$3,223.60 to Ahern Fire Protection, a Division of J.F. Ahern Co. as final payment.

The final contract price is \$32,236 distributed as follows: \$32,236 635-635000-635128  
, 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 26<sup>th</sup> day of August, 2014.



## Council Agenda Item Cover Sheet

**Consent Agenda**       **Regular Agenda**

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Utilities – Water Division

**Presenter at meeting:** Steve Hershner      **Phone No.:** 5282      **E-mail:** [s.hershner@cedar-rapids.org](mailto:s.hershner@cedar-rapids.org)

**Alternate Contact:** Bruce Jacobs      **Phone No.:** 5918      **E-mail:** [b.jacobs@cedar-rapids.org](mailto:b.jacobs@cedar-rapids.org)

### Description of Agenda Item:

Resolution accepting projects and Performance Bonds and authorizing issuance of final payments:

- a. J Avenue Water Treatment Plant NE Booster Station Roof Replacement project, final payment in the amount of \$8,484.35 and 2-Year Performance Bond submitted by Academy Roofing & Sheet Metal Co., (original contract amount was \$175,540; final contract amount is \$169,687.07). CIP/DID# 625663-04

### Background:

In order to properly maintain all of the buildings at the Water Treatment Plants, a comprehensive long-term roof maintenance plan was developed. The maintenance plan consists of engineering services for a roof evaluation, material selection, and design for selected buildings at the Water Treatment Facilities. The plan will be routinely re-evaluated and will change, as necessary, to meet changes in conditions and plant requirements. For the current period, the Utilities Department – Water staff planned to address the roof on the NE Booster Station Building at the J Avenue Water Treatment Plant.

This project consisted of the complete removal of the existing roof system down to the structural deck. A new installation, including insulation and new EPDM membrane was installed on the roof.

Construction has been substantially completed by Academy Roofing & Sheet Metal Co., for the J Avenue Water Treatment Plant NE Booster Station Roof Replacement project.

### Action / Recommendation:

The Utilities Department – Water Division staff recommends that City Council approve the resolution to accept the project and authorize issuance of the final retainage payment to Academy Roofing & Sheet Metal Co., in the amount of \$8,484.35 thirty days after acceptance in accordance with Iowa Code.

**Alternative Recommendation:** None

**Time Sensitivity:** Action requested August 26, 2014

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 0 Minutes

### Budget Information Process Information:

1. **Included in Current Budget Year.** Yes, funding for these improvements have been included in the CIP budgets for FY13, FY14, and FY15. Project costs will be coded to 553000-625-625000-x-x-625663.

2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The total capital cost budgeted for this work was \$190,000. Additional funding was available from budgets for other deferred water CIP projects. Construction costs were \$169,687.07 and the Engineering costs was approximately \$33,255 with a total project cost of \$202,942.07.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, construction of the project was bid as a public improvement.

**Local Preference Policy** Applies  Exempt

**Explanation:** The Local Preference Policy does not apply to capital improvement projects.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Utilities Department – Water Division certifies construction contract work on the J Avenue Water Treatment Plant NE Booster Station Roof Replacement project (Contract No. 625663-04) has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated September 24, 2013 in the amount of \$175,540 covering said work filed by Academy Roofing & Sheet Metal Co. and executed by Granite Re, Inc. provides a two-year correction period for defects in materials and workmanship.

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

BE IT FURTHER RESOLVED that the Utilities Department – Water Division recommends the J Avenue Water Treatment Plant NE Booster Station Roof Replacement project (Contract No. 625663-04) be hereby accepted, and that the City of Cedar Rapids Finance Director is hereby authorized and directed to issue a warrant in the sum of \$8,484.35 for final retainage payment to Academy Roofing & Sheet Metal Co., thirty days after acceptance in accord with Iowa State Code.

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

Original Contract Amount	\$175,540.00
Change Order No. 1	<u>- 5,852.93</u>
Final Contract Amount	\$169,687.07

The project was funded from the Utilities Department – Water Division CIP budgets and coded to 553000-625-625000-X-X-625663.

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 26<sup>th</sup> day of August, 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** **Yes** **Map**

Approval of three (3) Final Plats:

- a. West Side Corporate Park Fifth Addition, located east of 6<sup>th</sup> Street SW and south of West Side Place SW. CIP/DID #FLPT-008098-2014
- b. Airport Plaza Third Addition, located east of 6<sup>th</sup> Street SW at St. Martin Boulevard SW. CIP/DID #FLPT-011094-2014
- c. 76<sup>th</sup> Avenue Industrial Park Third Addition, located west of Irish Drive SW and north of 76<sup>th</sup> Avenue SW. CIP/DID #FLPT-007975-2014

### Background:

The developers submitted the Final Plats in conformance with previously approved preliminary plats. The Public Works Department reviewed the submittals and determined they comply with applicable preliminary plat conditions and applicable requirements for the following final plats:

- a. West Side Corporate Park Fifth Addition to Cedar Rapids, Linn County, Iowa, located east of 6<sup>th</sup> Street SW and south of West Side Place SW, containing two (2) lots and a total plat area of 26.92 acres. CIP/DID #FLPT-008098-2014
- b. Airport Plaza Third Addition to Cedar Rapids, Linn County, Iowa, located east of 6<sup>th</sup> Street SW at St. Martin Boulevard SW, containing two (2) lots and a total plat area of 7.55 acres. CIP/DID #FLPT-011094-2014
- c. 76<sup>th</sup> Avenue Industrial Park Third Addition, located west of Irish Drive SW and north of 76<sup>th</sup> Avenue SW containing one (1) lot and a total plat area of 3.69 acres. CIP/DID #FLPT-007975-2014

### Action / Recommendation:

The Public Works Department recommends approval of the resolution to approve Final Plats of West Side Corporate Park Fifth Addition, Airport Plaza Third Addition, and 76<sup>th</sup> Avenue Industrial Park Third Addition to Cedar Rapids, Linn County, Iowa.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 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  
CLK  
ASR  
DSD  
SWM  
BSD  
PD  
FIR  
WTR  
STR  
IT  
LC SHERIFF  
AMBULANCE  
POST OFFICE  
WEST SIDE  
FLECK  
FLPT-008098-2014

**RESOLUTION NO.  
RESOLUTION APPROVING PLAT**

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

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

1. Agreement for Private Storm Water Detention
2. Sanitary Sewer Easement (Off-Site)
3. Traffic Signal Petition and Assessment Agreement
4. Agreement to Provide Easements for Recreational Trails
5. Agreement to Maintain Unpaved Portions of Boulevard Entrance
6. Concrete Sidewalk Petition and Assessment Agreement
7. Development Agreement

, and

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

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

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

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

\_\_\_\_\_ Mayor

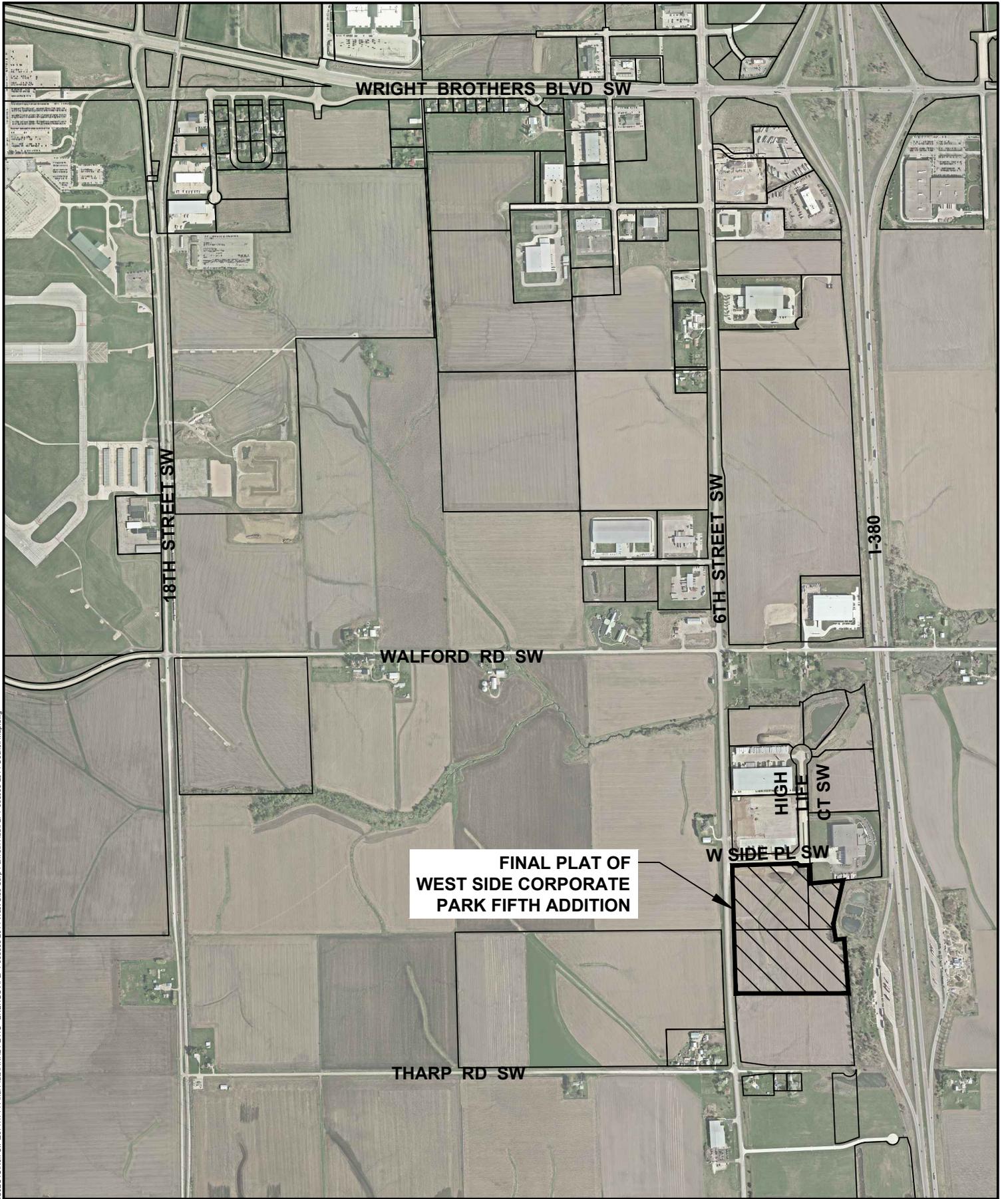
Attest:

\_\_\_\_\_ City Clerk

STATE OF IOWA     )  
                          ) ss.  
COUNTY OF LINN    )

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

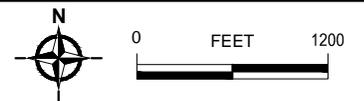
\_\_\_\_\_  
City Clerk



Cadd File Name: W:\PROJECTS\Non-CIP\2014\4714\Final Plats\FINAL PLATS - ENERGO\WELPT\008098-2014 West Side Corp Park 5th Add\FPLT-008098-2014 Council Map.dwg



**FINAL PLAT OF  
WEST SIDE CORPORATE PARK FIFTH ADDITION**  
Location Map



FLPT-008098-2014



## 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** **Yes** **Map**

Approval of three (3) Final Plats:

- a. West Side Corporate Park Fifth Addition, located east of 6<sup>th</sup> Street SW and south of West Side Place SW. CIP/DID #FLPT-008098-2014
- b. Airport Plaza Third Addition, located east of 6<sup>th</sup> Street SW at St. Martin Boulevard SW. CIP/DID #FLPT-011094-2014
- c. 76<sup>th</sup> Avenue Industrial Park Third Addition, located west of Irish Drive SW and north of 76<sup>th</sup> Avenue SW. CIP/DID #FLPT-007975-2014

### Background:

The developers submitted the Final Plats in conformance with previously approved preliminary plats. The Public Works Department reviewed the submittals and determined they comply with applicable preliminary plat conditions and applicable requirements for the following final plats:

- a. West Side Corporate Park Fifth Addition to Cedar Rapids, Linn County, Iowa, located east of 6<sup>th</sup> Street SW and south of West Side Place SW, containing two (2) lots and a total plat area of 26.92 acres. CIP/DID #FLPT-008098-2014
- b. Airport Plaza Third Addition to Cedar Rapids, Linn County, Iowa, located east of 6<sup>th</sup> Street SW at St. Martin Boulevard SW, containing two (2) lots and a total plat area of 7.55 acres. CIP/DID #FLPT-011094-2014
- c. 76<sup>th</sup> Avenue Industrial Park Third Addition, located west of Irish Drive SW and north of 76<sup>th</sup> Avenue SW containing one (1) lot and a total plat area of 3.69 acres. CIP/DID #FLPT-007975-2014

### Action / Recommendation:

The Public Works Department recommends approval of the resolution to approve Final Plats of West Side Corporate Park Fifth Addition, Airport Plaza Third Addition, and 76<sup>th</sup> Avenue Industrial Park Third Addition to Cedar Rapids, Linn County, Iowa.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 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  
CLK  
ASR  
DSD  
SWM  
BSD  
PD  
FIR  
WTR  
STR  
IT  
LC SHERIFF  
AMBULANCE  
POST OFFICE  
ST. MARTIN  
FLPT-011094-2014

**RESOLUTION NO.  
RESOLUTION APPROVING PLAT**

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

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

1. Development Agreement
2. Concrete Pavement & Concrete Sidewalk Petition and Assessment Agreement
3. Traffic Signal Petition and Assessment Agreement
4. Agreement for Private Storm Water Detention
5. Easement for Drainage and Storm Sewer Facilities
6. Agreement to Maintain Unpaved Portions of Boulevard Entrance in St. Martin Boulevard SW Right-Of-Way Located in Airport Plaza Additions to Cedar Rapids, Iowa

, and

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

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

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

and the City Clerk is hereby directed to certify this resolution of approval and affix the same to said plat as by law provided.

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

\_\_\_\_\_ Mayor

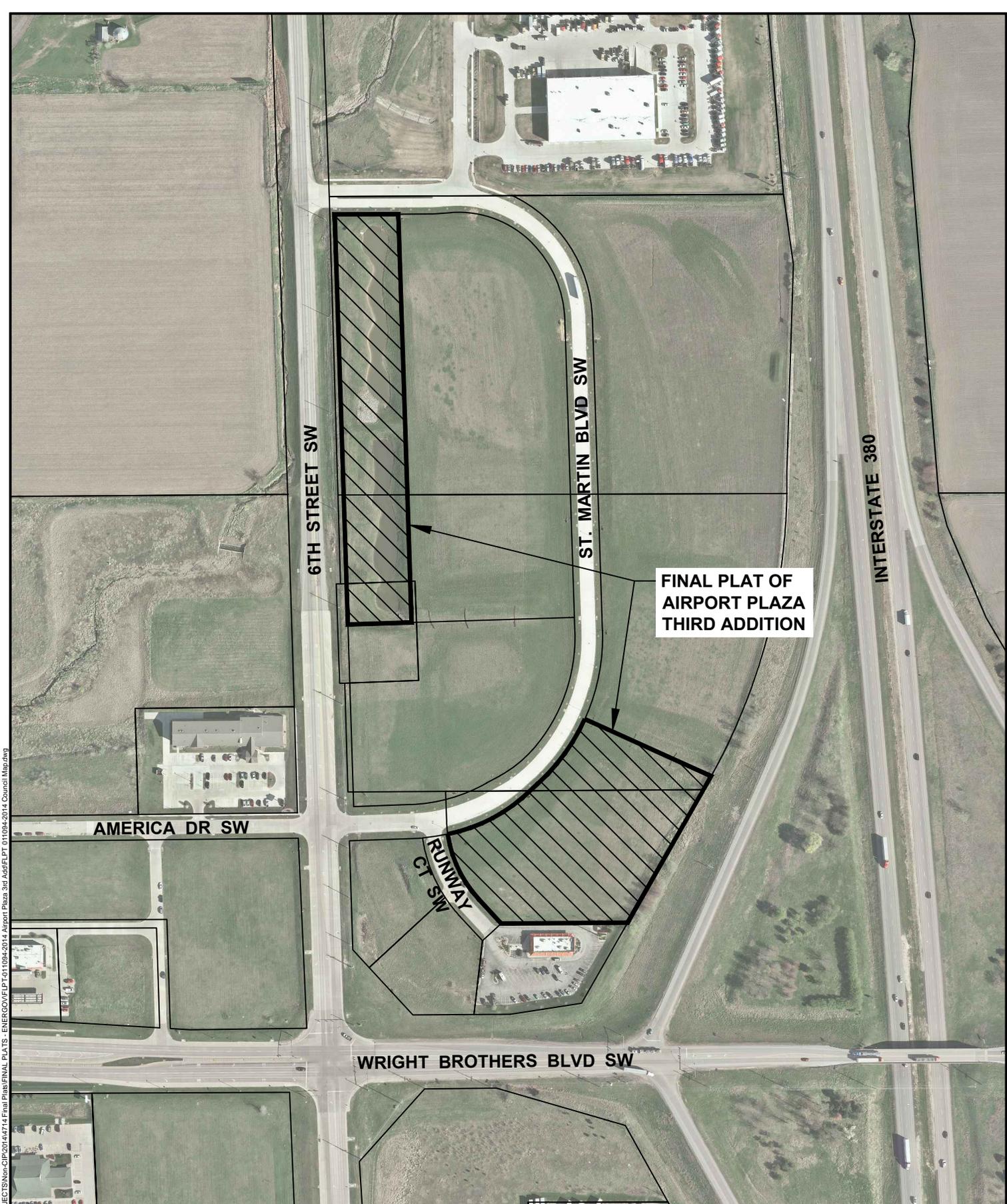
Attest:

\_\_\_\_\_ City Clerk

STATE OF IOWA     )  
                                  ) ss.  
COUNTY OF LINN    )

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

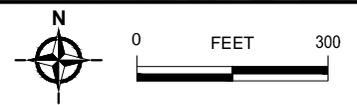
\_\_\_\_\_  
City Clerk



Cadd File Name: W:\PROJECTS\Non-CIP\2014\714\Final Plats\FINAL PLATS - ENERGO\WFLPT011094-2014 Airport Plaza 3rd Add\FPLPT 011094-2014 Council Map.dwg



**FINAL PLAT OF  
 AIRPORT PLAZA THIRD ADDITION**  
 Location Map





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5806

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

**Phone Number/Extension:** 5820

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

Approval of three (3) Final Plats:

- a. West Side Corporate Park Fifth Addition, located east of 6<sup>th</sup> Street SW and south of West Side Place SW. CIP/DID #FLPT-008098-2014
- b. Airport Plaza Third Addition, located east of 6<sup>th</sup> Street SW at St. Martin Boulevard SW. CIP/DID #FLPT-011094-2014
- c. 76<sup>th</sup> Avenue Industrial Park Third Addition, located west of Irish Drive SW and north of 76<sup>th</sup> Avenue SW. CIP/DID #FLPT-007975-2014

### Background:

The developers submitted the Final Plats in conformance with previously approved preliminary plats. The Public Works Department reviewed the submittals and determined they comply with applicable preliminary plat conditions and applicable requirements for the following final plats:

- a. West Side Corporate Park Fifth Addition to Cedar Rapids, Linn County, Iowa, located east of 6<sup>th</sup> Street SW and south of West Side Place SW, containing two (2) lots and a total plat area of 26.92 acres. CIP/DID #FLPT-008098-2014
- b. Airport Plaza Third Addition to Cedar Rapids, Linn County, Iowa, located east of 6<sup>th</sup> Street SW at St. Martin Boulevard SW, containing two (2) lots and a total plat area of 7.55 acres. CIP/DID #FLPT-011094-2014
- c. 76<sup>th</sup> Avenue Industrial Park Third Addition, located west of Irish Drive SW and north of 76<sup>th</sup> Avenue SW containing one (1) lot and a total plat area of 3.69 acres. CIP/DID #FLPT-007975-2014

### Action / Recommendation:

The Public Works Department recommends approval of the resolution to approve Final Plats of West Side Corporate Park Fifth Addition, Airport Plaza Third Addition, and 76<sup>th</sup> Avenue Industrial Park Third Addition to Cedar Rapids, Linn County, Iowa.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 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  
CLK  
ASR  
DSD  
SWM  
BSD  
PD  
FIR  
WTR  
STR  
IT  
LC SHERIFF  
AMBULANCE  
POST OFFICE  
HIGHWAY EQUIP CO  
FLPT-007975-2014

**RESOLUTION NO.  
RESOLUTION APPROVING PLAT**

WHEREAS, A PLAT OF 76<sup>TH</sup> AVENUE INDUSTRIAL PARK THIRD ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA containing one (1) lot, Numbered Lot 1, inclusive, has been filed with the City Clerk and after consideration of the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and

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

1. Agreement for Ownership, Maintenance and Payment of Taxes
2. Agreement for Private Storm Water Detention
3. Development Agreement

, and

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

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

1. The City Council concurs with the recommendation of the City Engineer, and specifically finds that the proposed plat is in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and also specifically Cedar Rapids Municipal Code Chapter 31, the Subdivision Ordinance.
2. The Mayor and City Council hereby accept the executed agreement(s), as noted above.
3. Said plat and dedication of said 76<sup>TH</sup> AVENUE INDUSTRIAL PARK THIRD ADDITION to the City of Cedar Rapids, Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Cedar Rapids, Iowa, and the dedication of the public easements for the purposes shown on the final plat is hereby approved and accepted, and the City Clerk is hereby directed to certify this resolution of approval and affix the same to said plat as by law provided.

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

\_\_\_\_\_ Mayor

Attest:

\_\_\_\_\_ City Clerk

STATE OF IOWA     )  
                              ) ss.  
COUNTY OF LINN    )

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

\_\_\_\_\_ City Clerk

**FINAL PLAT OF  
76TH AVENUE INDUSTRIAL  
PARK THIRD ADDITION**

**CRANDIC RR**

**RISH DR SW**

**6TH STREET SW**

**76TH AVENUE SW**

Cadd File Name: W:\PROJECTS\Non-CIP\2014\42714 Final Plats\FINAL PLATS - ENERGO\VELPT-007975-2014 28th Ave Ind Park 3rd Add\FELPT-007975-2014 Council Map.dwg



**FINAL PLAT OF  
76TH AVENUE INDUSTRIAL PARK THIRD ADDITION  
Location Map**



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Cari Pauli  
**E-mail Address:** c.pauli@cedar-rapids.org

**Phone Number/Extension:** 5157

**Alternate Contact Person:** Tom Peterson  
**E-mail Address:** t.peterson@cedar-rapids.org

**Phone Number/Extension:** 5847

**Description of Agenda Item:**  **Consent Agenda**  **Regular Agenda**  
Resolution establishing "No Parking Anytime" on both sides of 6<sup>th</sup> Street SW from Capital Drive SW southerly for a distance of 680 feet. CIP/DID #PARK-012456-2014

**Background:**

The Police Department reported overflow parking is occurring along 6<sup>th</sup> Street SW from the Woody's Show Club parking facility. Parking along 6<sup>th</sup> Street SW creates a sight distance issue for vehicles turning from Capital Drive and other driveways near the establishment. The Traffic Engineering Division recommends removal of parking on both sides of 6<sup>th</sup> Street SW from Capital Drive SW southerly for a distance of 680 feet.

**Action / Recommendation:**

The Public Works Department recommends approving the resolution.

**Alternative Recommendation:**

Should Council determine not to approve the requested parking restriction, the existing unrewstricted parking will remain in place and parking will be allowed on 6<sup>th</sup> Street SW.

**Time Sensitivity:** Normal.

**Resolution Date:** August 26, 2014

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

**Budget Information (if applicable):** NA

**Local Preference Policy:** Applies  Exempt

**Explanation:** Local Preference Policy does not apply to parking.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Traffic Engineering Division of the Public Works Department has been made aware of parking along 6<sup>th</sup> Street SW associated with Woody's Show Club which creates sight distance issues for vehicles exiting Capital Drive SW and associated driveways, and

WHEREAS, the Public Works Department recommends establishing "No Parking Anytime" on both sides of 6<sup>th</sup> Street SW from Capital Drive SW southerly for a distance of 680 feet, now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that "No Parking Anytime" be established on both sides of 6<sup>th</sup> Street SW from Capital Drive SW southerly for a distance of 680 feet, be and the same is hereby approved.

Passed this 26<sup>th</sup> day of August, 2014

WRIGHT BROTHERS BLVD SW

ATLANTIC DR SW

6TH STREET SW

CAPITAL DR SW

9395  
6th St SW

**ESTABLISH "NO PARKING ANYTIME"  
(BOTH SIDES OF 6TH STREET SW)**

**ESTABLISH "NO PARKING ANYTIME"  
BOTH SIDES OF 6TH STREET SW FROM CAPITAL DRIVE SW  
SOUTHERLY FOR A DISTANCE OF 680 FEET**



PARK-012456-2014



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Cari Pauli  
**E-mail Address:** c.pauli@cedar-rapids.org

**Phone Number/Extension:** 5157

**Alternate Contact Person:** Tom Peterson  
**E-mail Address:** t.peterson@cedar-rapids.org

**Phone Number/Extension:** 5847

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

Resolution establishing "No Parking Bus Loading Zone 3:00-4:00 PM, Except Saturdays, Sundays, & Holidays" on the south side of Burch Avenue NW from the south leg of 21<sup>st</sup> Street NW to 22<sup>nd</sup> Street NW. CIP/DID #PARK-012498-2014

### Background:

Cleveland Elementary School Principal Denise Pape reported a change in their bus loading procedures. Instead of loading buses in the asphalt area immediately west of the school, they will now be loading the buses on the south side of Burch Avenue NW and loading vehicles in the asphalt area to the west of the school. In order to accommodate the bus loading zone, the school requested removing parking from 3:00 to 4:00 pm on the south side of Burch Avenue NW immediately adjacent to the school.

### Action / Recommendation:

The Traffic Engineering Division of the Public Works Department recommends removal of parking from 3:00 to 4:00 pm to accommodate bus loading adjacent to Cleveland Elementary School on the south side of Burch Avenue between 21<sup>st</sup> Street and 22<sup>nd</sup> Street NW.

### Alternative Recommendation:

Should Council determine not to approve the requested parking restriction, the existing unrestricted parking will remain in place and parking will be allowed on the south side of Burch Avenue NW.

**Time Sensitivity:** Normal.

**Resolution Date:** August 26, 2014

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

**Budget Information (if applicable):** NA

**Local Preference Policy:** Applies  Exempt

**Explanation:** Local Preference Policy does not apply to parking.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, Cleveland Elementary School Principal Denise Pape has requested No Parking Bus Loading Zone on the south side of Burch Avenue NW adjacent to Cleveland Elementary School in order to accommodate a change in bus loading from the asphalt area immediately west of the school to the south side of Burch Avenue NW, and

WHEREAS, a petition has been submitted with signatures from property owners adjacent to the proposed parking restriction, and

WHEREAS, the Public Works Department recommends establishing “No Parking Bus Loading Zone 3:00-4:00 PM, Except Saturdays, Sundays, & Holidays” on the south side of Burch Avenue NW from the south leg of 21<sup>st</sup> Street NW to 22<sup>nd</sup> Street NW, now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that “No Parking Bus Loading Zone 3:00-4:00 PM, Except Saturdays, Sundays, & Holidays” on the south side of Burch Avenue NW from the south leg of 21<sup>st</sup> Street NW to 22<sup>nd</sup> Street NW, be and the same is hereby approved.

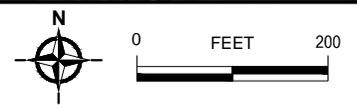
Passed this 26<sup>th</sup> day of August, 2014



**ESTABLISH "NO PARKING BUS LOADING ZONE 3:00-4:00 PM, EXCEPT SATURDAYS, SUNDAYS, & HOLIDAYS"**

**Cleveland Elementary School**

**BURCH AVENUE NW - 2100 BLOCK  
ESTABLISH "NO PARKING BUS LOADING ZONE 3:00-4:00 PM,  
EXCEPT SATURDAYS, SUNDAYS, & HOLIDAYS"**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Thomas Peterson  
**E-mail Address:** t.peterson@cedar-rapids.org

**Phone Number/Extension:** 5847

**Alternate Contact Person:** Scott Hamlin  
**E-mail Address:** s.hamlin@cedar-rapids.org

**Phone Number/Extension:** 5171

**Description of Agenda Item:**  **Consent Agenda**     **Regular Agenda**     **Map**  
Resolution approving the installation of two-way stop control at the intersection of Gas Light Road/Court SW and Rolling Ridge Drive/Court SW, stopping traffic on Gas Light Road/Court SW for Rolling Ridge Drive/Court SW. CIP/DID #60-15-031

**Background:**

Currently, this is an uncontrolled intersection. Traffic Engineering received a request to look at the intersection for the installation of stop signs. Upon a field review it was determined there is adequate reason to install stop signs at the intersection for east and westbound traffic.

**Action / Recommendation:**

The Public Works Department recommends approving the resolution to install two-way stop control at the intersection of Gas Light Road/Court SW and Rolling Ridge Drive/Court SW, stopping traffic on Gas Light Road/Court SW for Rolling Ridge Drive/Court SW. This will improve the operational characteristics of the intersection.

**Alternative Recommendation:**

Should Council not approve the resolution, the intersection will remain an uncontrolled intersection.

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

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

**Budget Information (if applicable):**

**Local Preference Policy:** Applies  Exempt

**Explanation:** Does not apply

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

**Explanation (if necessary):** Does not apply

RESOLUTION NO.

WHEREAS, the Traffic Engineering Division of the Public Works Department has recommended that two-way stop control be established at the intersection of Gas Light Road/Court SW and Rolling Ridge Drive/Court SW, such that eastbound and westbound vehicle traffic on Gas light Road/Court SW stops for Rolling Ridge Drive/Court SW,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that a two-way stop control be established at the intersection of Gas Light Road/Court SW and Rolling Ridge Drive/Court SW, such that eastbound and westbound vehicle traffic on Gas light Road/Court SW stops for Rolling Ridge Drive/Court SW.

Passed this 26<sup>th</sup> day of August, 2014



**INSTALLATION OF STOP SIGNS TO  
STOP EAST AND WEST BOUND TRAFFIC  
FOR ROLLING RIDGE DRIVE / COURT**



**INSTALLATION OF STOP SIGNS AT  
GAS LIGHT ROAD / COURT SW AND ROLLING RIDGE DRIVE / COURT SW TO  
STOP EAST AND WEST BOUND TRAFFIC FOR ROLLING RIDGE DRIVE / COURT**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Thomas Peterson  
**E-mail Address:** t.peterson@cedar-rapids.org

**Phone Number/Extension:** 5847

**Alternate Contact Person:** Scott Hamlin  
**E-mail Address:** s.hamlin@cedar-rapids.org

**Phone Number/Extension:** 5171

**Description of Agenda Item:**  **Consent Agenda**     **Regular Agenda**     **Map**  
Resolution approving the installation of two-way stop control at the intersection of Acacia Drive NE and Crescent View Drive/Deer Run Drive NE, stopping traffic on Crescent View Drive/Deer Run Drive NE for Acacia Drive NE. CIP/DID #60-15-031

**Background:**

Currently, this is an uncontrolled intersection. Traffic Engineering received a request to look at the intersection for the installation of stop signs. Upon a field review, it was determined there is adequate reason to install stop signs at this intersection for north and southbound traffic.

**Action / Recommendation:**

The Public Works Department recommends approving the resolution to install two-way stop control at the intersection of Acacia Drive NE and Crescent View Drive/Deer Run Drive NE stopping traffic on Crescent View Drive/Deer Run Drive NE for Acacia Drive NE. This will improve the operational characteristics of the intersection.

**Alternative Recommendation:**

Should Council not approve the resolution, the intersection will remain an uncontrolled intersection.

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

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

**Budget Information (if applicable):**

**Local Preference Policy:** Applies  Exempt

**Explanation:** Does not apply

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

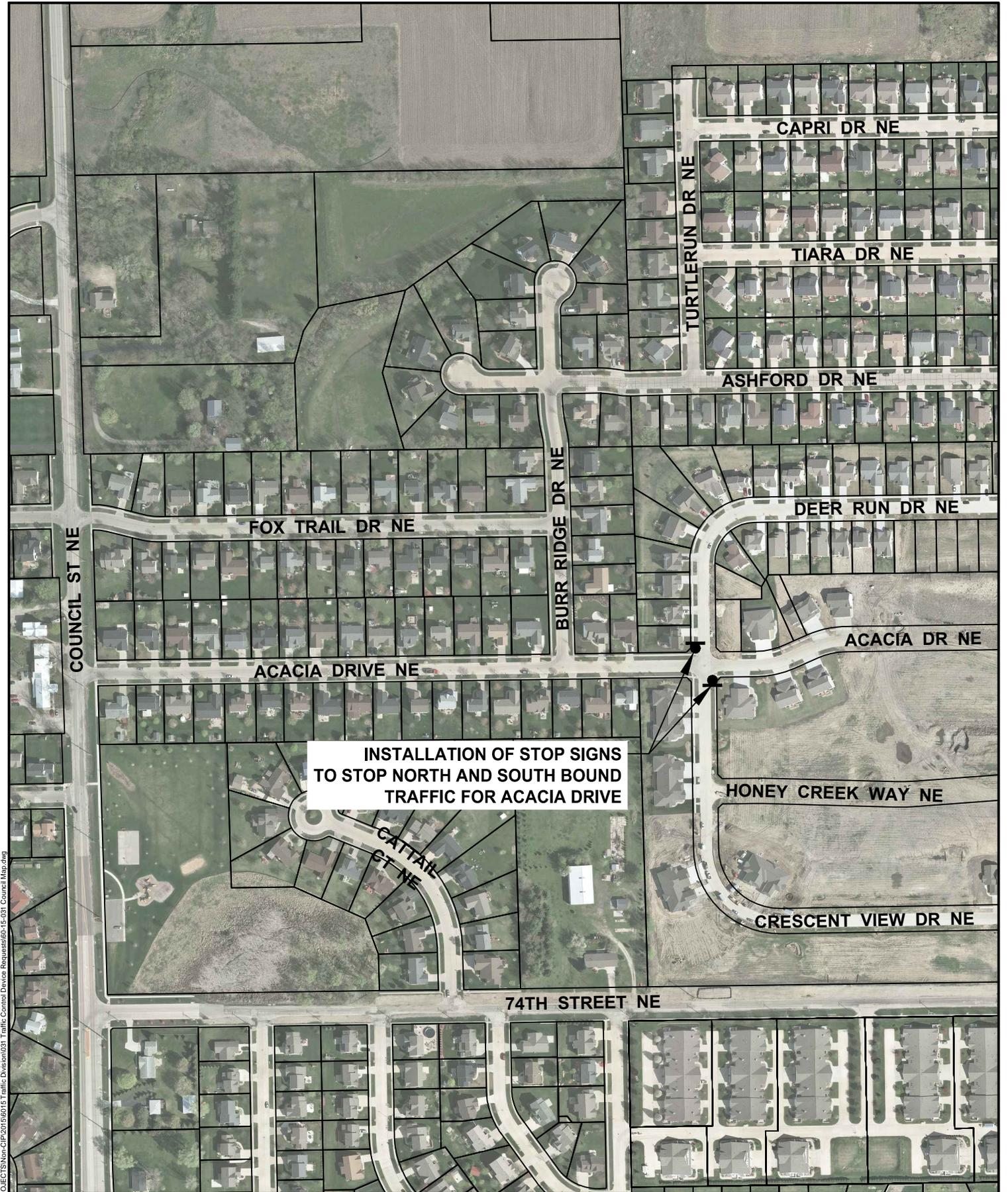
**Explanation (if necessary):** Does not apply

RESOLUTION NO.

WHEREAS, the Traffic Engineering Division of the Public Works Department has recommended that two-way stop control be established at the intersection of Acacia Drive NE and Crescent View Drive/Deer Run Drive NE, such that northbound and southbound vehicle traffic on Crescent View Drive/Deer Run Drive NE stops for traffic on Acacia Drive NE,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that two-way stop control be established at the intersection of Acacia Drive NE and Crescent View Drive/Deer Run Drive NE, such that northbound and southbound vehicle traffic on Crescent View Drive/Deer Run Drive NE stops for traffic on Acacia Drive NE.

Passed this 26<sup>th</sup> day of August, 2014



**INSTALLATION OF STOP SIGNS  
TO STOP NORTH AND SOUTH BOUND  
TRAFFIC FOR ACACIA DRIVE**

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**INSTALLATION OF STOP SIGNS AT ACACIA DRIVE NE  
AND CRESENT VIEW DRIVE/DEER RUN DRIVE NE TO STOP  
NORTH AND SOUTH BOUND TRAFFIC FOR ACACIA DRIVE**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Thomas Peterson  
**E-mail Address:** t.peterson@cedar-rapids.org

**Phone Number/Extension:** 5847

**Alternate Contact Person:** Scott Hamlin  
**E-mail Address:** s.hamlin@cedar-rapids.org

**Phone Number/Extension:** 5171

**Description of Agenda Item:**  **Consent Agenda**    **Regular Agenda**    **Map**  
Resolution approving the installation of two-way stop control at the intersection of Dennis Drive NW and Josephine Lane NW, stopping traffic on Dennis Drive NW for Josephine Lane NW. CIP/DID #60-15-031

**Background:**

Currently, this is an uncontrolled intersection. Traffic Engineering received a request to look at the intersection for the installation of stop signs. Upon a field review it was determined there is adequate reason to install stop signs at the intersection for east and west bound traffic.

**Action / Recommendation:**

The Public Works Department recommends approving the resolution to install two-way stop control at the intersection of Dennis Drive NW and Josephine Lane NW, stopping traffic on Dennis Drive NW for Josephine Lane NW. This will improve the operational characteristics of the intersection.

**Alternative Recommendation:**

Should Council not approve the resolution, the intersection will remain an uncontrolled intersection.

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

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

**Budget Information (if applicable):**

**Local Preference Policy:** Applies  Exempt

**Explanation:** Does not apply

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

**Explanation (if necessary):** Does not apply

RESOLUTION NO.

WHEREAS, the Traffic Engineering Division of the Public Works Department has recommended that two-way stop control be established at the intersection of Dennis Drive NW and Josephine Lane NW, stopping traffic on Dennis Drive NW for Josephine Lane NW, such that eastbound and westbound vehicle traffic on Dennis Drive NW stops for traffic on Josephine Lane NW,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that two-way stop control be established at the intersection of Dennis Drive NW and Josephine Lane NW, such that eastbound and westbound vehicle traffic on Dennis Drive NW stops for traffic on Josephine Lane NW.

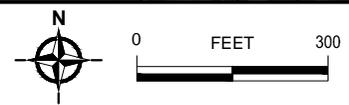
Passed this 26<sup>th</sup> day of August, 2014



Cadd File Name: W:\PROJECTS\Non-CIP\2015\6015 Traffic Control Device Requests\60-15-031 Council Map.dwg



**INSTALLATION OF STOP SIGNS AT  
DENNIS DRIVE NW AND JOSEPHINE LANE NW TO STOP  
EAST AND WEST BOUND TRAFFIC FOR JOSEPHINE LANE**





## 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**

Preliminary resolution for the construction of traffic signal improvements for the Edgewood Road SW and Edgewood Parkway SW Traffic Signal Improvements project. CIP/DID #306163-00

**Background:**

This project is to construct new traffic signal installation at the intersection of Edgewood Road SW and Edgewood Parkway SW. The assessment will be in accordance with the City Assessment Policy for Traffic Signal Improvements. The existing developments surrounding this intersection have traffic signal assessment agreements on file with the City.

The proposed resolution before City Council is the initial resolution in a series of resolutions, 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.

**Action / Recommendation:**

Public Works Department recommends adoption of the preliminary resolution for the construction of traffic signal improvements in the City of Cedar Rapids, Iowa for the Edgewood Road SW and Edgewood Parkway SW intersection project.

**Alternative Recommendation (if applicable):**

If resolution is not adopted, an alternative funding source will be needed for the project.

**Time Sensitivity:** Normal

**Resolution Date:** 26 August 2014

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

**Budget Information (if applicable):** CIP No. 306163

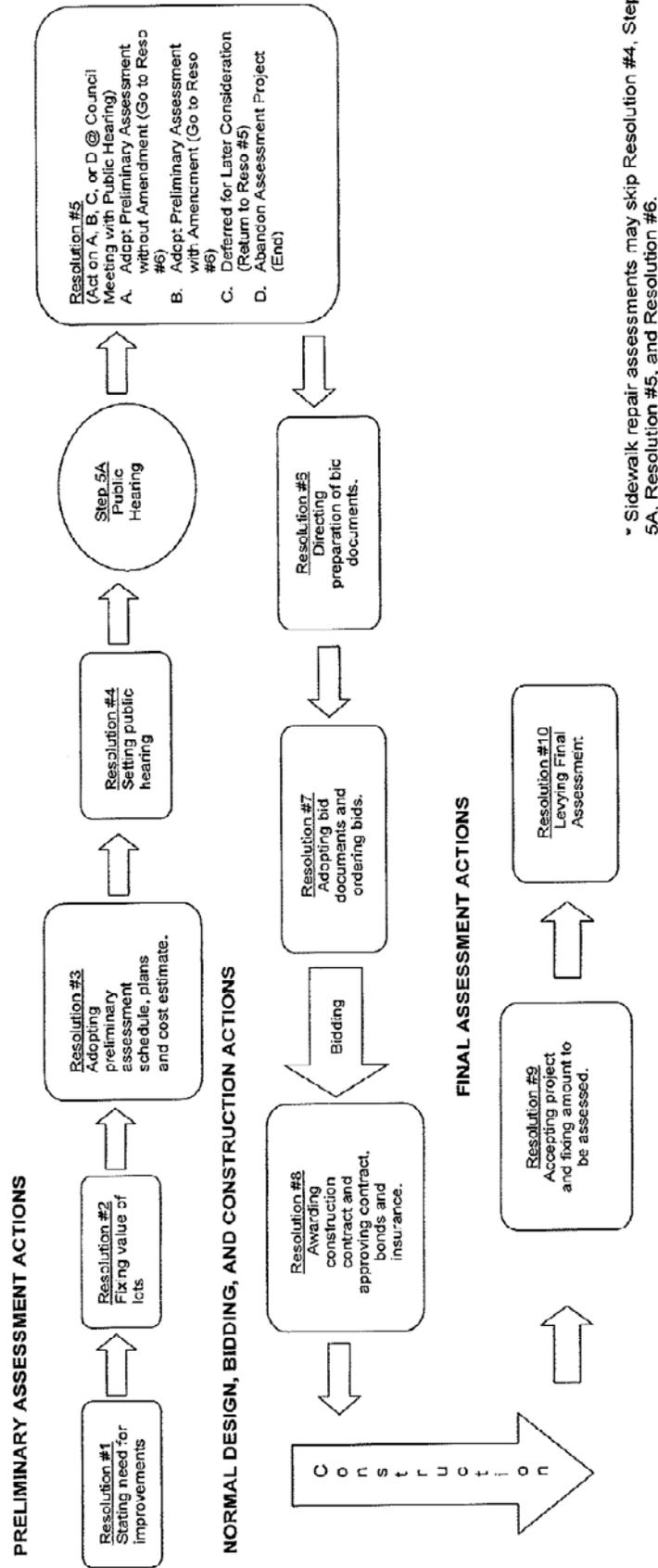
**Local Preference Policy:** Applies  Exempt

**Explanation:**

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

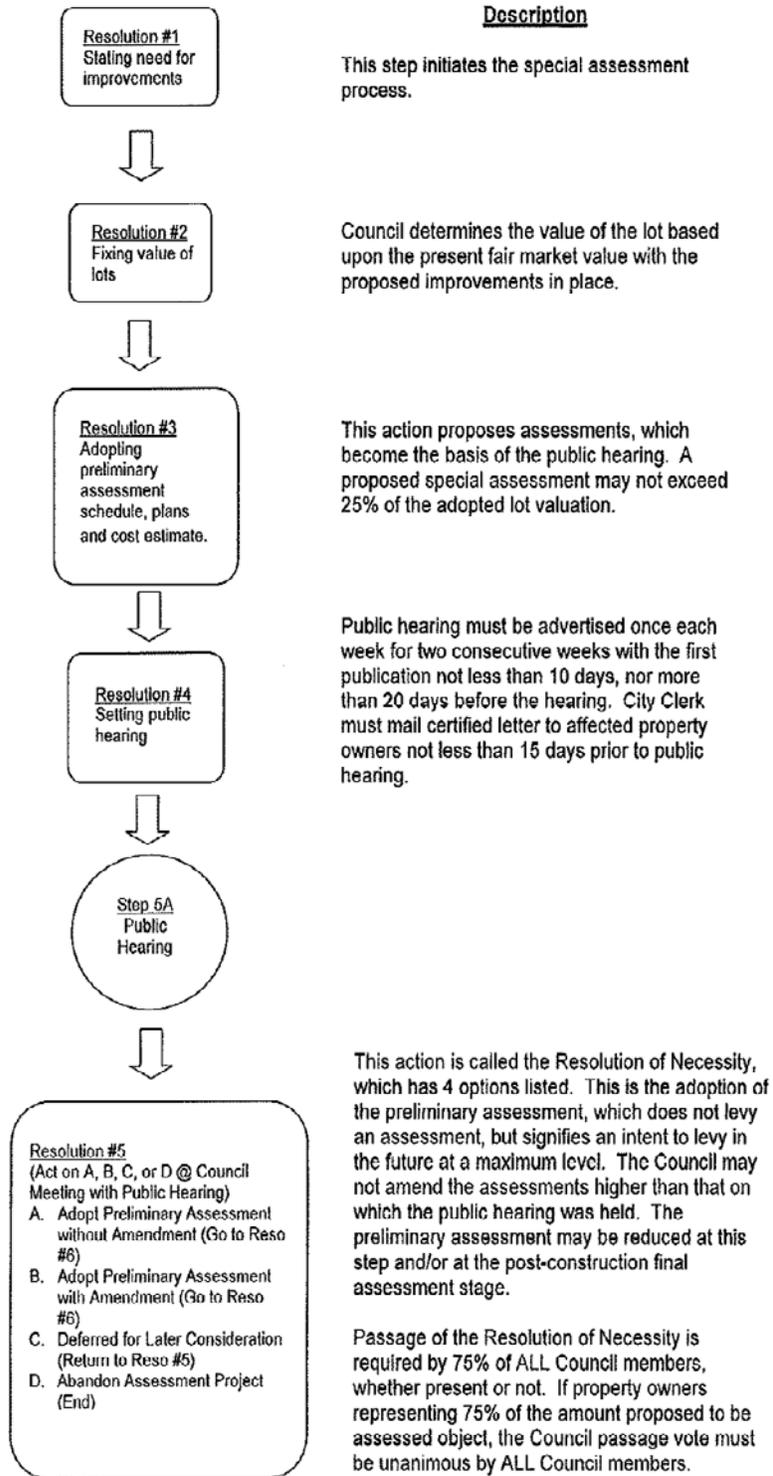
**Explanation (if necessary):**

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



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

**CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS  
PRELIMINARY ASSESSMENT**



UPDATED 8.29.07

RESOLUTION NO.

PRELIMINARY RESOLUTION FOR THE CONSTRUCTION  
OF TRAFFIC SIGNAL 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 traffic signal improvements 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 traffic signal improvements as hereinafter described.

BE IT FURTHER RESOLVED that the beginning and terminal points of said improvements shall be as follows:

The intersection of Edgewood Road SW and Edgewood Parkway SW, extending up each intersection leg to the limits of the advance detection for the traffic signal system

BE IT FURTHER RESOLVED that David J. Elgin, P.E., L.S. of the Public Works Department, Cedar Rapids, Iowa, having made arrangements to prepare estimates, plans and specifications and retained Anderson-Bogert Engineers & Surveyors Inc. to prepare plats and schedules 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.

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:

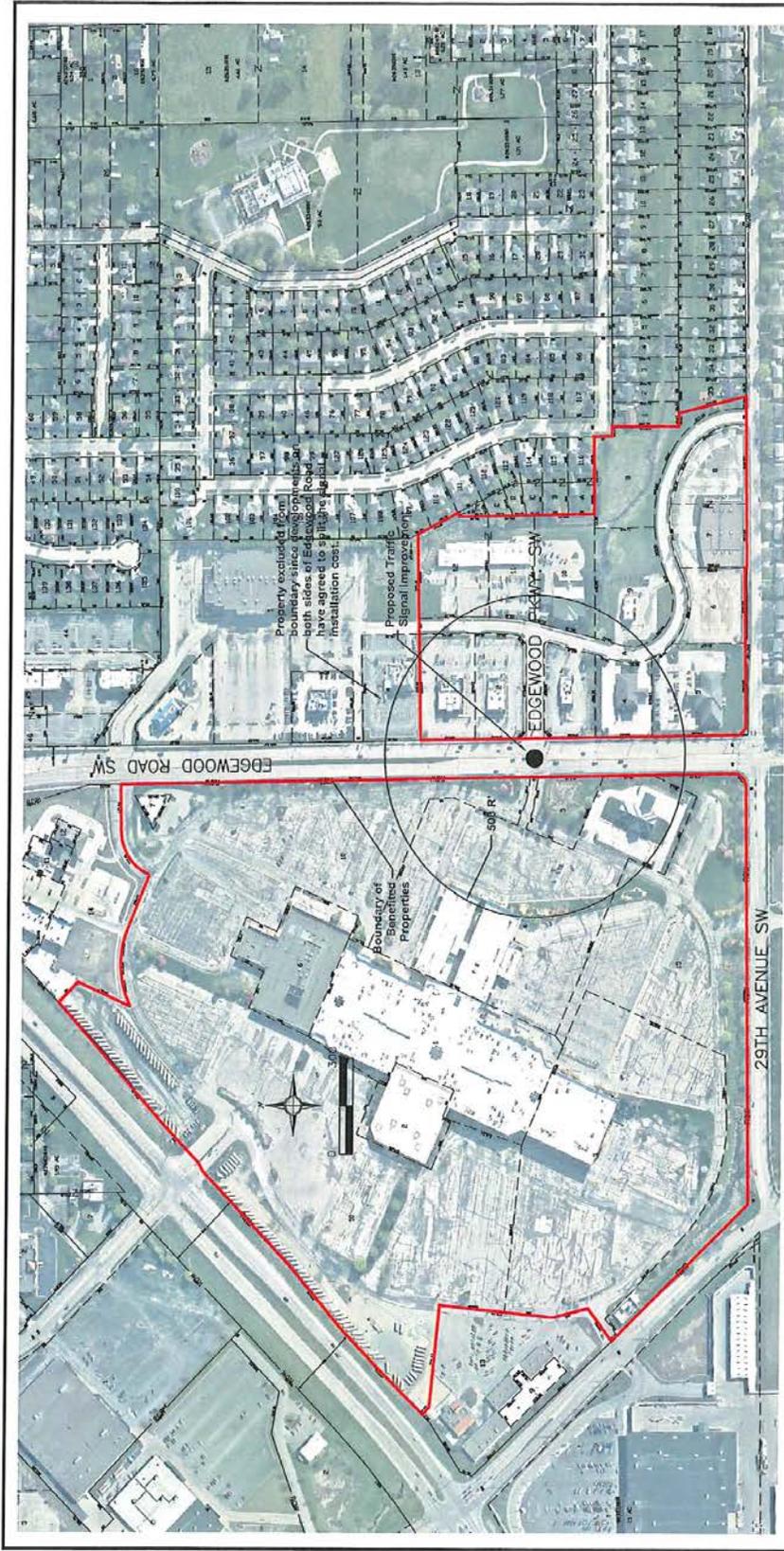
Refer to Exhibit A for GPN and Legal Description information and  
Exhibit B for a map illustrating the benefited properties.

BE IT FURTHER RESOLVED that said improvement shall be designated as "Edgewood Road SW and Edgewood Parkway SW Traffic Signal Improvements", and such name shall be sufficient designation to refer to said improvement in all subsequent proceedings.

Passed this 26th day of August, 2014.

**EXHIBIT A - PRELIMINARY RESOLUTION FOR CONSTRUCTION  
GPN & LEGAL DESCRIPTION  
Edgewood Road SW and Edgewood Parkway SW Traffic Signal Improvements  
CIP 306163**

GPN	Short Legal
133647600800000	MONTGOMERY WARD STR/LB 2
133647600600000	A.P. #492 STR/LB 5
133647600700000	MONTGOMERY WARD STR/LB 1
133640100500000	A.P. #492 STR/LB 10
133647600500000	A.P. #492 EX RD STR/LB 15
133647600400000	A.P. #492 EX RD STR/LB 3
143135302100000	VAN BUREN VILLAGE 1ST LOTS 6, 7 & STR/LB 8
143135302200000	VAN BUREN VILLAGE 1ST STR/LB B
143135301800000	VAN BUREN VILLAGE 1ST STR/LB 5
143135301700000	VAN BUREN VILLAGE 1ST STR/LB 4
143135301600000	VAN BUREN VILLAGE 1ST STR/LB 3
143135301500000	VAN BUREN VILLAGE 1ST STR/LB 2
143135301400000	VAN BUREN VILLAGE 1ST STR/LB 1
143135301200000	VAN BUREN VILLAGE 1ST LOTS 11 & STR/LB 12
143135302400000	VAN BUREN VILLAGE 1ST STR/LB 10
143135302300000	VAN BUREN VILLAGE 1ST STR/LB 9



ABES PROJECT NO: 214057 C.I.P. NO: 306163	DRAWN BY: GCM APPROVED BY: JCN DATE: 08-14-14	TDS: TRAFFIC SIGNALS TDS: TRAFFIC SIGNALS TDS: TRAFFIC SIGNALS	CEDAR RAPIDS OFFICE OF THE ENGINEER	ANDERSON BOGERT	Edgewood Rd and Edgewood Pkwy Traffic Signal Assessment	EXHIBIT B Map of Benefited Properties	PAGE NO: 1 OF 1
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306239:\Vc\0\214057\Draw\Traffic Assessment Boundary.dwg 8-15-14 12:33:57 PM



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Kevin Vrchoticky  
**E-mail Address:** k.vrchoticky@cedar-rapids.org

**Phone Number/Extension:** 5896

**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**

Resolution adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the 2015 Sidewalk Infill Project. CIP/DID #3012074-01

### Background:

This project will construct sidewalk in infill locations to remove gaps between existing sidewalks. The majority of these locations are beyond the five-year allowable grace period for when sidewalks are required to be installed per the Subdivision Ordinance, or fulfill conditions of a sidewalk Petition and Assessment Agreement.

When infrastructure construction by the City has benefited undeveloped land, it has been the City's practice to charge adjacent lands for benefit they receive, via special assessment. If not assessed, the City is essentially financing development construction and increasing property value at the cost of taxpayers. City Council passed the first, preliminary resolution for the construction of improvements on July 8, 2014.

The proposed resolution before City Council is the third resolution in a series of resolutions (as shown in the attached flow chart), which will lead to an assessment public hearing on this project. This resolution is in accordance with Iowa Code Section 384 for special assessments. City Council passed the second resolution fixing value of lots on July 22, 2014. The next resolution, should the Council proceed with the process, will notify affected property owners and set a public hearing date. The total project cost is approximately \$304,000, of which approximately \$51,000 is the City's share and the remaining is eligible for assessment.

### Action / Recommendation:

The Public Works Department recommends adoption of the resolution adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the 2015 Sidewalk Infill Project.

### Alternative Recommendation (if applicable):

If resolution is not adopted, the assessment will not proceed. The project will then require funding by general obligation funds, or the project abandoned.

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

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

**Budget Information (if applicable):** CIP No. 3012074

**Local Preference Policy:** Applies  Exempt

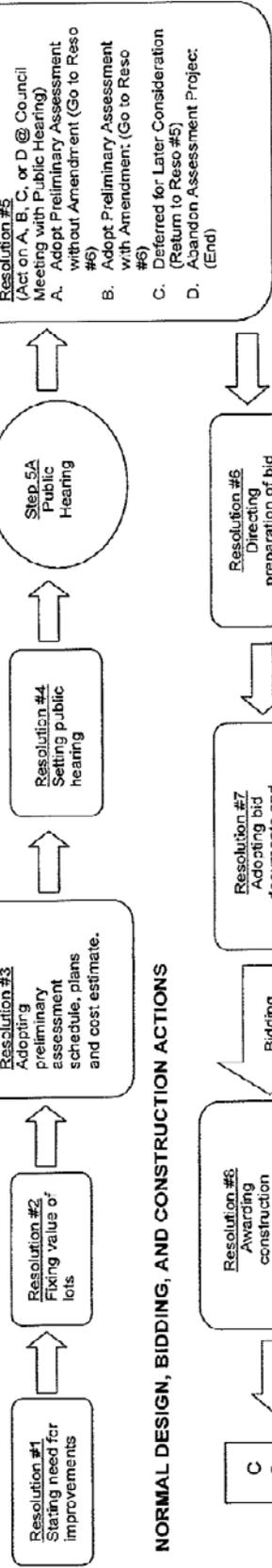
**Explanation:** Project is for sidewalk construction. In accordance with Code of Iowa, if bids are solicited and received, City Council must either award contract to the lowest responsive, responsible bidder or reject all bids.

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

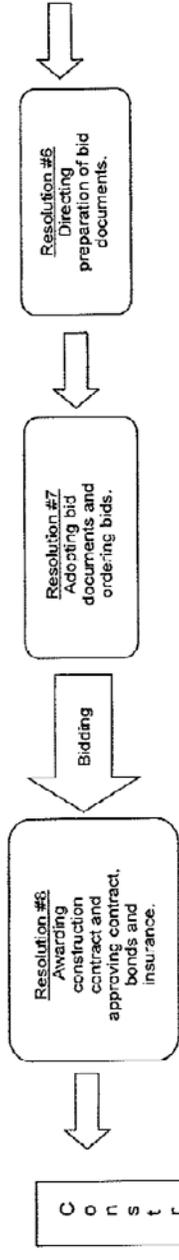
**Explanation** (if necessary):

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

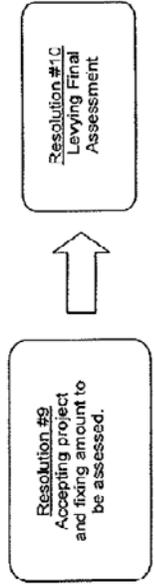
**PRELIMINARY ASSESSMENT ACTIONS**



**NORMAL DESIGN, BIDDING, AND CONSTRUCTION ACTIONS**

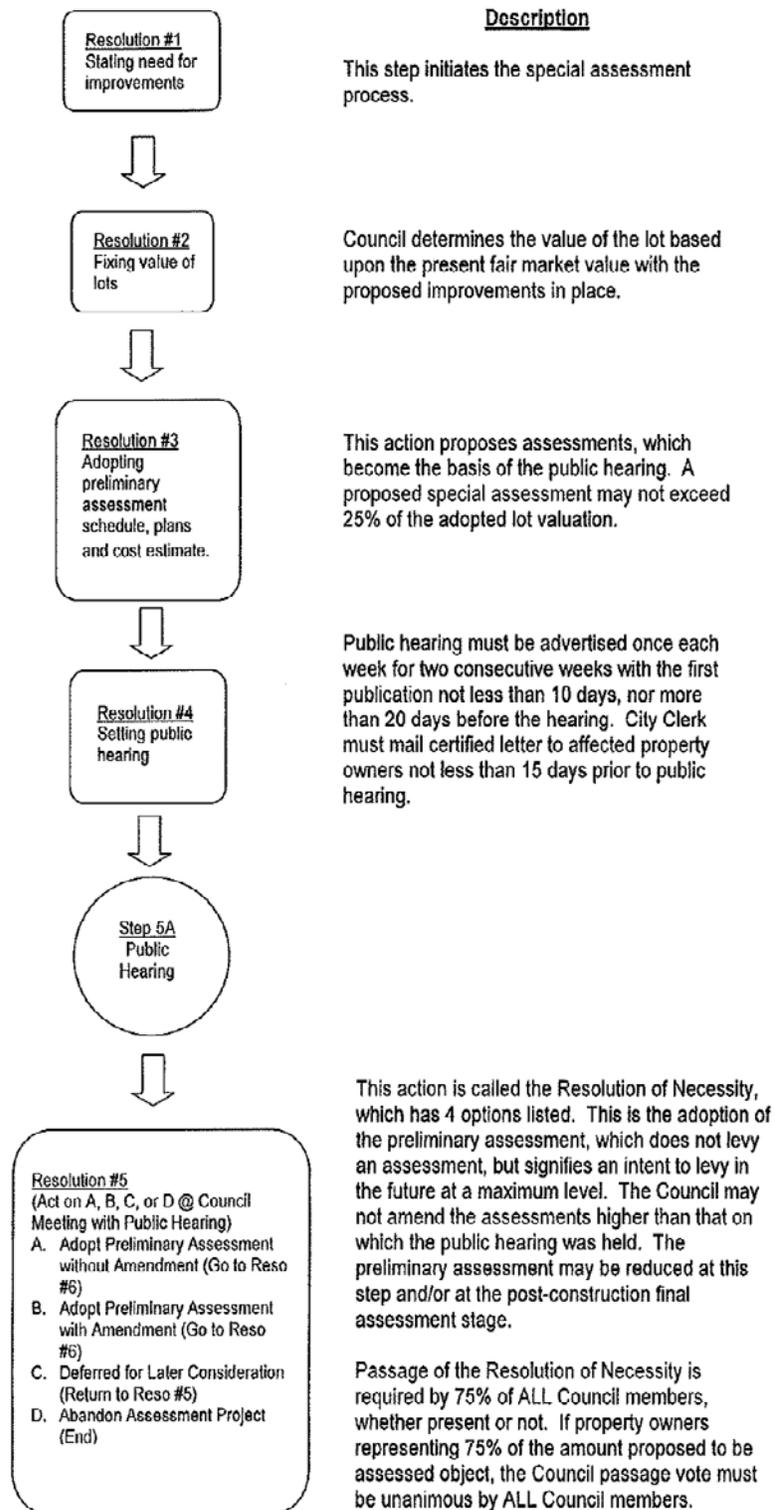


**FINAL ASSESSMENT ACTIONS**



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

## CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS PRELIMINARY ASSESSMENT



UPDATED 8.29.07

RESOLUTION NO.

RESOLUTION ADOPTING PRELIMINARY PLAT AND SCHEDULE,  
ESTIMATE OF COST AND PROPOSED PRELIMINARY PLANS AND SPECIFICATIONS  
FOR THE CONSTRUCTION OF THE 2015 SIDEWALK INFILL PROJECT (CIP NO. 3012074)

WHEREAS, this Council has caused to be prepared preliminary plat, schedule and estimate of cost, together with preliminary plans and specifications, for the construction of the 2015 Sidewalk Infill Project and this Council has fixed the valuations of the property proposed to be assessed as shown therein; and

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

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

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

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

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

BE IT FURTHER RESOLVED, that the boundaries of the District for the making of said improvements, as shown in the Engineer plat, be and the same are hereby fixed as the boundaries of said 2015 Sidewalk Infill Project.

Passed this 26<sup>th</sup> day of August, 2015.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5153

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

Resolution adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the 18th Street SW from Wilson Avenue SW to 16th Avenue SW Improvements project. CIP/DID #301500-00

### Background:

This is phase two of the 18<sup>th</sup> Street SW extension project, which will connect Wilson Avenue to 16<sup>th</sup> Avenue. The extension will provide access to property available for infill development and improved access to current development properties. The extension will also provide a shorter route between Wilson Avenue and 16<sup>th</sup> Avenue, thus, reducing travel time and improving the efficiency of the existing transportation network. Direct access to 16<sup>th</sup> Avenue from Wilson Avenue, via non-residential streets, is currently restricted.

The addition of sidewalks and bike lanes along the entire project corridor will provide an alternative travel choice for pedestrians, especially for those attending Jefferson High School. Sidewalks will allow pedestrians to utilize a safer route, outside the travel lanes of the roadway.

This roadway and sidewalk improvement will be included in phase two of the project. There is currently no sidewalk where it is shown to be installed. There are sections of one-half of the street unconstructed, which will also be installed as shown, in addition to the roadway extension.

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

City Council passed the first preliminary resolution for the construction of improvements on March 25, 2014, and an amended associated resolution, which specifically listed each unit in a condominium regime located in the project area, on August 12, 2014.

The proposed resolution before City Council is the third resolution in a series of resolutions, as shown in the attached flow chart, which will lead to an assessment public hearing on this project. This resolution is in accordance with Iowa Code Section 384 for special assessments. City Council passed the second, resolution fixing value of lots on August 12, 2014. The next resolution, should the Council proceed with the process, will notify affected property owners and set a public hearing date. The total cost is approximately \$1,971,000.

**Action / Recommendation:**

The Public Works Department recommends adoption of the resolution adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the 18th Street SW from Wilson Avenue SW to 16th Avenue SW Improvements .

**Alternative Recommendation (if applicable):**

If resolution is not adopted, the assessment will not proceed. The project will then require funding by TIF and the STP (Surface Transportation Program) grant, general obligation funds, or the project abandoned.

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

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

**Budget Information (if applicable):**

**Local Preference Policy:** Applies  Exempt

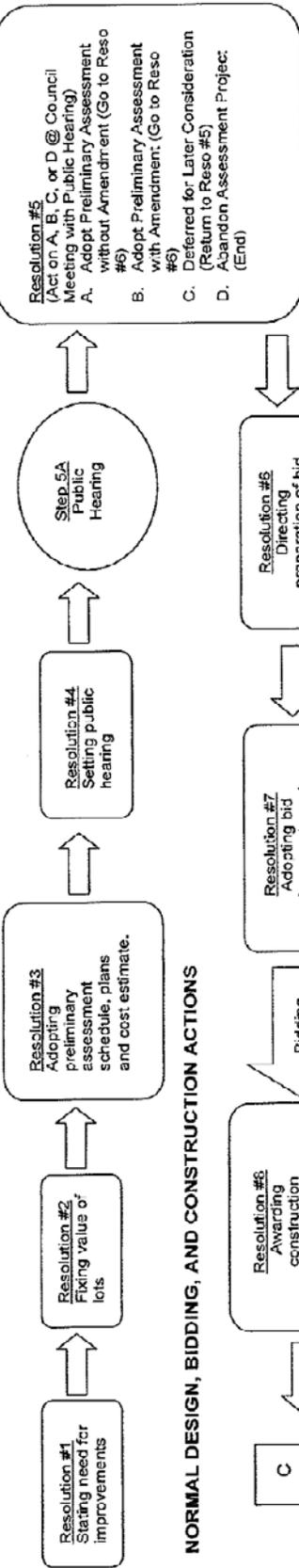
**Explanation:**

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

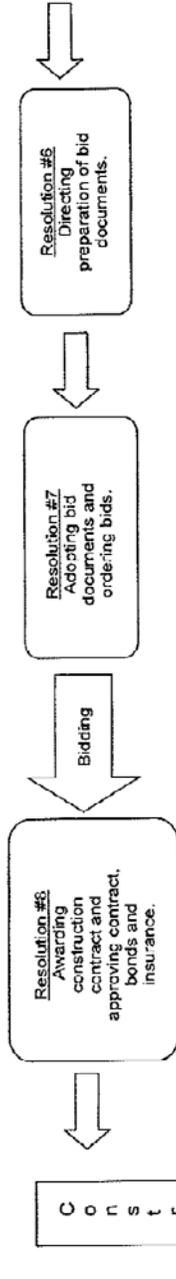
**Explanation** (if necessary):

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

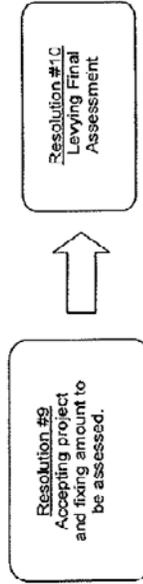
**PRELIMINARY ASSESSMENT ACTIONS**



**NORMAL DESIGN, BIDDING, AND CONSTRUCTION ACTIONS**

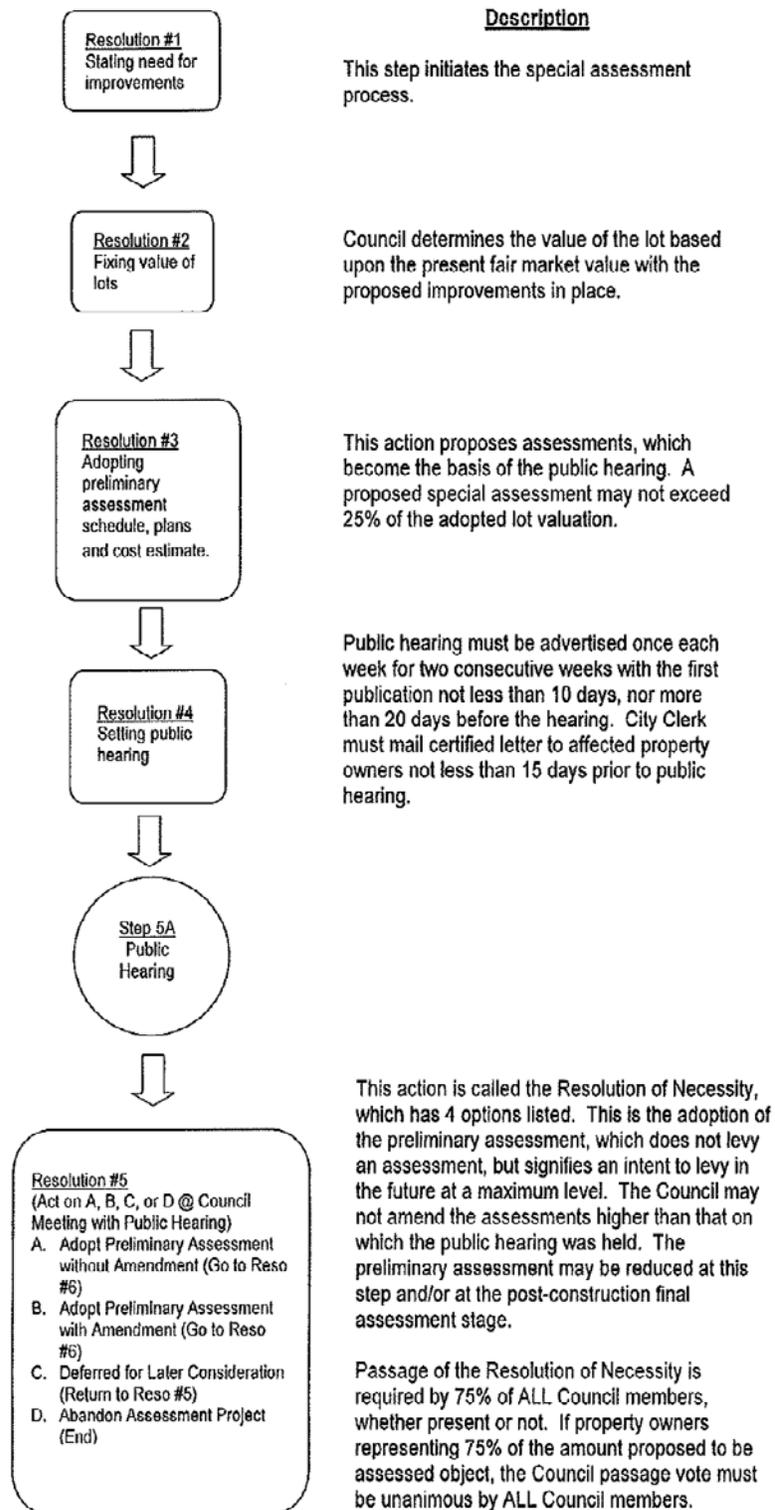


**FINAL ASSESSMENT ACTIONS**



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

## CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS PRELIMINARY ASSESSMENT



UPDATED 8.29.07

Page 2 of 2

RESOLUTION NO.

RESOLUTION ADOPTING PRELIMINARY PLAT AND SCHEDULE,  
ESTIMATE OF COST AND PROPOSED PRELIMINARY PLANS AND SPECIFICATIONS  
FOR THE CONSTRUCTION OF THE 18<sup>TH</sup> STREET SW FROM WILSON AVENUE SW TO  
16<sup>TH</sup> AVENUE SW IMPROVEMENTS, CIP NO. 301500

WHEREAS, this Council has caused to be prepared preliminary plat, schedule and estimate of cost, together with preliminary plans and specifications, for the construction of the 18<sup>th</sup> Street SW from Wilson Avenue SW to 16<sup>th</sup> Avenue SW Improvements and this Council has fixed the valuations of the property proposed to be assessed as shown therein; and

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

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

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

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

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

BE IT FURTHER RESOLVED, that the boundaries of the District for the making of said improvements, as shown in the Engineer plat, be and the same are hereby fixed as the boundaries of said 18<sup>th</sup> Street SW from Wilson Avenue SW to 16<sup>th</sup> Avenue SW Improvements project.

Passed this 26<sup>th</sup> day of August, 2014.

## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5896

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

**Phone Number/Extension:** 5808

**Description of Agenda Item:**  **Consent Agenda**  **Regular Agenda**  **Yes**  **No** **MAP**  
Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the FY 2010 Sidewalk and Ramp Repair Program – Contract No. 2 project. CIP/DID #3017010-00

**Background:**

Construction has been fully completed by Anne Duffield Construction, Inc. for the subject project. This is a previously approved Capital Improvements Project (CIP No. 3017010-02) with a total cost of completed work to date of \$114,817.80. Amount proposed to be assessed to 34 benefiting properties is \$6,935. The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements. In conformance with the provisions of the Iowa Code for special assessment (Chapter 384), a resolution is proposed to levy the final assessment.

**Action / Recommendation:**

The Public Works Department recommends adoption of the resolution.

**Alternative to the Recommendation:**

If the resolution to adopt and levy is not adopted the assessments will not be enforceable.

**Time Sensitivity:** Must be acted on by August 26, 2014 due to assessment schedule per State code timeline.

**Resolution Date:** August 26, 2014

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

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

**Local Preference Policy:** Applies  Exempt   
**Explanation:**

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

RESOLUTION NO.

RESOLUTION ADOPTING AND LEVYING FINAL SCHEDULE OF ASSESSMENTS,  
AND PROVIDING FOR THE PAYMENT THEREOF

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

That after full consideration of the final schedule of assessments and accompanying plat showing the assessments proposed to be made for the construction of the FY 2010 Sidewalk and Ramp Repair Program – Contract No. 2, within the City, under contract with Anne Duffield Construction, Inc. of Cedar Rapids, Iowa, which final plat and schedule was filed in the office of the Clerk on the 13th day of May said assessments are hereby corrected by making the following changes and reductions:

<u>NAME OF PROPERTY OWNER AND DESCRIPTION OF PROPERTY</u>	<u>PROPOSED FINAL ASSESSMENT</u>	<u>PROPOSED CONDITIONAL DEFICIENCY, IF ANY</u>	<u>CORRECTED FINAL ASSESSMENT</u>	<u>CORRECTED CONDITIONAL DEFICIENCY, IF ANY</u>
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None

BE IT FURTHER RESOLVED, that the said schedule of assessments and accompanying plat, be and the same are hereby approved and adopted; and that there be, and is hereby assessed and levied, as a special tax against and upon each of the lots, parts of lots and parcels of land, and the owner or owners thereof liable to assessment for the cost of said improvements, the respective sums expressed in figures set opposite to each of the same on account of the cost of the construction of the said improvements. Provided, further, that the amounts shown in said final schedule of assessments as deficiencies are found to be proper and are levied conditionally against the respective properties benefited by the improvements as shown in the schedule, subject to the provisions of Section 384.63, Code of Iowa. Said assessments against said lots and parcels of land are hereby declared to be in proportion to the special benefits conferred upon said property by said improvements, and not in excess thereof, and not in excess of 25% of the value of the same.

BE IT FURTHER RESOLVED, that said assessments of an amount subject to the provisions of Section 384.60, Code of Iowa, shall be payable in ten (10) equal annual installments and shall bear interest at the rate of 9 percent per annum, the maximum rate permitted by law, from the date of the acceptance of the improvements; the first installment of each assessment, or total amount thereof, if it be less than the amount subject to the provisions of Section 384.60 Code of Iowa, with interest on the whole assessment from date of acceptance of the work by the Council, shall become due and payable on July 1, 2015; succeeding annual installments, with interest on the whole unpaid amount, shall respectively become due on July 1<sup>st</sup> annually thereafter, and shall be

paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. Said assessments shall be payable at the office of the City Treasurer, in full or in part and without interest within thirty days after the date of the first publication of the notice of the filing of the final plat and schedule of assessments to the County Treasurer of Linn County, Iowa.

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to certify said final plat and schedule to the County Treasurer of Linn County, Iowa, and to publish notice of said certification once each week for two consecutive weeks in the Cedar Rapids Gazette, a newspaper printed wholly in the English language, published in Cedar Rapids, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said schedule with the County Treasurer, the Clerk shall also send by ordinary mail to all property owners whose property is subject assessment a copy of said notice, said mailing to be on or before the date of the second publication of the notice, all as provided and directed by Code Section 384.60, Code of Iowa.

BE IT FURTHER RESOLVED, that the Clerk is directed to certify the deficiencies for lots specially benefited by the improvements, as shown in the final schedule of assessments, to the County Treasurer for recording in the Special Assessment Deficiencies Book and to the city official charged with responsibility for the issuance of building permits. Said deficiencies are conditionally assessed to the respective properties under Code Section 384.63 for the amortization period specified by law.

The Clerk is authorized and directed to ascertain the amount of assessments remaining unpaid after the thirty day period against which improvement bonds may be issued and to proceed on behalf of the City with the sale of said bonds, to select a date for the sale thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the sale of said bonds on a basis favorable to the City and acceptable to the Council.

PASSED AND APPROVED this 26<sup>th</sup> day of August.

NOTICE OF FILING OF THE FINAL PLAT AND SCHEDULE  
OF ASSESSMENTS AGAINST BENEFITED PROPERTIES FOR  
THE CONSTRUCTION OF THE FY 2010 SIDEWALK & RAMP REPAIR PROGRAM –  
CONTRACT NO. 2 WITHIN THE CITY OF CEDAR RAPIDS, IOWA

TO THE PERSONS OWNING LAND LOCATED WITHIN THE DISTRICT DESCRIBED AS THE  
FY 2010 SIDEWALK & RAMP REPAIR PROGRAM – CONTRACT NO. 2 WITHIN THE CITY OF  
CEDAR RAPIDS, IOWA:

Consisting of the properties which are described as follows:

14151-83009-00000 EASTLAND MANOR STR/LB 53	13263-02010-00000 CEDAR HILLS HILLTOP UNIT ONE STR/LB 17	14272-03024-00000 CARPENTER'S 7TH W 40' S 70' MEAS ON ITS E LN BNG S 80.3' MEAS ON W LN STR/LB 24 51
14151-83008-00000 EASTLAND .MANOR STR/LB 54	13263-02011-00000 CEDAR HILLS HILLTOP UNIT ONE STR/LB 18	14224-34004-00000 IDLEWILD 3RD W 26' LOT 3 & E 13' STR/LB 4 6
14162-02030-00000 SHARWOOD 2ND STR/LB 27	13263-01004-00000 CEDAR HILLS HILLTOP UNIT ONE STR/LB 24	14271-56001-00000 OAK PARK LOT 1 BLK 9 & WEARE'S 3RD LOT 1 BLK 10 STR/LB
14081-77014-00000 FOREST HILLS 10TH STR/LB 116	13263-02001-00000 CEDAR HILLS HILLTOP UNIT ONE STR/LB 20	14291-79013-00000 BROWN'S 1ST (MILL CO RESURVEY) SE 73' STR/LB 10 42
14081-76003-00000 FOREST HILLS 10TH STR/LB 102	13262-79014-00000 CEDAR HILLS UNIT TEN STR/LB 840	14331-10002-00000 MALLORY'S 2ND STR/LB 1 4
14291-37010-00000 KING'S 2ND W 26' STR/LB 10 2	13262-79015-00000 CEDAR HILLS UNIT TEN STR/LB 841	14312-80011-00000 GOLF VIEW 3RD STR/LB 5
14204-26008-00000 HULL'S 3RD LOTS 1 & 2 & (LESS N 7.5') STR/LB 3 22	13262-83002-00000 CEDAR HILLS UNIT TEN STR/LB 838	14313-52002-00000 VAN BUREN HEIGHTS 11TH STR/LB 126
14193-51015-00000 EDGEWOOD HEIGHTS 1ST STR/LB 3	13261-55037-00000 CEDAR HILLS UNIT THREE STR/LB 341	13263-27008-00000 CEDAR HILLS HILLTOP UNIT TWO STR/LB 141
14303-30034-00000 LINDONDALE 2ND STR/LB 25	13261-57006-00000 CEDAR HILLS UNIT FOUR STR/LB 493	13263-06014-00000 CEDAR HILLS HILLTOP UNIT TWO STR/LB 167

14193-76031-00000 SHERWOOD FOREST 7TH STR/LB 86	13261-57005-00000 CEDAR HILLS UNIT FOUR STR/LB 492	13263-07014-00000 CEDAR HILLS HILLTOP UNIT TWO STR/LB 155
13261-86006-00000 CEDAR HILLS UNIT TWO STR/LB 315	14204-64015-00000 BROWN'S 3RD S 70' STR/LB 1 27	13263-07015-00000 CEDAR HILLS HILLTOP UNIT TWO STR/LB 154
13263-02009-00000 CEDAR HILLS HILLTOP UNIT ONE STR/LB 16		

The extent of the work completed on the FY 2010 Sidewalk and Ramp Repair Program – Contract No. 2 is as follows:

Concrete sidewalk and curb ramp repair and minor grading.

You are hereby notified that the final plat and schedule of assessments against benefited properties within the District described as the FY 2010 Sidewalk and Ramp Repair Program – Contract No. 2, for the construction of sidewalk improvements, has been adopted and levied by the Council of Cedar Rapids, Iowa, and that said plat and schedule of assessments has been certified to the County Treasurer of Linn County, Iowa. Assessments of \$500 or more are payable in ten (10) equal annual installments, with interest on the unpaid balance, all as provided in Section 384.65, City Code of Iowa. Conditional deficiency assessment, if any, may be levied against the applicable property for the same period of years as the assessments are made payable.

You are further notified that assessments may be paid in full or in part without interest at the office of the City Treasurer at any time within thirty days after the date of the first publication of this notice of the filing of the final plat and schedule of assessments with the County Treasurer. Unless said assessments are paid in full within said thirty day period, all unpaid assessments will draw annual interest computed at 9 percent (commencing on the date of acceptance of the work) computed to the next December 1<sup>st</sup> following the due dates of the respective installments. Each installment will be delinquent on September 30<sup>th</sup> following its due date on July 1<sup>st</sup> in each year. Property owners may elect to pay any annual installment semiannually in advance.

All properties located within the boundaries of the FY 2010 Sidewalk and Ramp Repair Program – Contract No. 2, above described have been assessed for the cost of the making of said improvements, the amount of each assessment, and the amount of any conditional deficiency assessment having been set out in the schedule of assessments and plat accompanying the same, which are now on file in the office of the County Treasurer of Linn County, Iowa. For further information you are referred to said plat and schedule of assessments.

This Notice given by direction of the Council of the City of Cedar Rapids, Iowa, as prescribed by Code Section 384.60 of the City Code of Iowa.

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Clerk of the City of Cedar Rapids, Iowa

CERTIFICATE OF LEVY OF SPECIAL ASSESSMENTS  
 TO BE MADE BY THE CLERK OF CEDAR RAPIDS, IOWA,  
 AND FILED WITH THE COUNTY TREASURER OF LINN COUNTY,  
 IOWA AND THE CITY OFFICER CHARGED WITH ISSUANCE OF  
 BUILDING PERMITS

STATE OF IOWA

COUNTY OF LINN

I, \_\_\_\_\_, Clerk of the City of Cedar Rapids, County of Linn, State of Iowa, do hereby certify that at a meeting of the Council of Cedar Rapids, Iowa, held on the 13th day of May, the said Council did levy special assessments for and on account of the cost of construction of the FY 2010 Sidewalk and Ramp Repair Program – Contract No. 2, under contract with Anne Duffield Construction, Inc. of Cedar Rapids Iowa, on the following or portions thereof, in said Municipality, to-wit:

14151-83009-00000 EASTLAND MANOR STR/LB 53	13263-02010-00000 CEDAR HILLS HILLTOP UNIT ONE STR/LB 17	14272-03024-00000 CARPENTER'S 7TH W 40' S 70' MEAS ON ITS E LN BNG S 80.3' MEAS ON W LN STR/LB 24 51
14151-83008-00000 EASTLAND .MANOR STR/LB 54	13263-02011-00000 CEDAR HILLS HILLTOP UNIT ONE STR/LB 18	14224-34004-00000 IDLEWILD 3RD W 26' LOT 3 & E 13' STR/LB 4 6
14162-02030-00000 SHARWOOD 2ND STR/LB 27	13263-01004-00000 CEDAR HILLS HILLTOP UNIT ONE STR/LB 24	14271-56001-00000 OAK PARK LOT 1 BLK 9 & WEARE'S 3RD LOT 1 BLK 10 STR/LB
14081-77014-00000 FOREST HILLS 10TH STR/LB 116	13263-02001-00000 CEDAR HILLS HILLTOP UNIT ONE STR/LB 20	14291-79013-00000 BROWN'S 1ST (MILL CO RESURVEY) SE 73' STR/LB 10 42
14081-76003-00000 FOREST HILLS 10TH STR/LB 102	13262-79014-00000 CEDAR HILLS UNIT TEN STR/LB 840	14331-10002-00000 MALLORY'S 2ND STR/LB 1 4
14291-37010-00000 KING'S 2ND W 26' STR/LB 10 2	13262-79015-00000 CEDAR HILLS UNIT TEN STR/LB 841	14312-80011-00000 GOLF VIEW 3RD STR/LB 5
14204-26008-00000 HULL'S 3RD LOTS 1 & 2 & (LESS N 7.5') STR/LB 3 22	13262-83002-00000 CEDAR HILLS UNIT TEN STR/LB 838	14313-52002-00000 VAN BUREN HEIGHTS 11TH STR/LB 126

14193-51015-00000 EDGEWOOD HEIGHTS 1ST STR/LB 3	13261-55037-00000 CEDAR HILLS UNIT THREE STR/LB 341	13263-27008-00000 CEDAR HILLS HILLTOP UNIT TWO STR/LB 141
14303-30034-00000 LINDONDALE 2ND STR/LB 25	13261-57006-00000 CEDAR HILLS UNIT FOUR STR/LB 493	13263-06014-00000 CEDAR HILLS HILLTOP UNIT TWO STR/LB 167
14193-76031-00000 SHERWOOD FOREST 7TH STR/LB 86	13261-57005-00000 CEDAR HILLS UNIT FOUR STR/LB 492	13263-07014-00000 CEDAR HILLS HILLTOP UNIT TWO STR/LB 155
13261-86006-00000 CEDAR HILLS UNIT TWO STR/LB 315	14204-64015-00000 BROWN'S 3RD S 70' STR/LB 1 27	13263-07015-00000 CEDAR HILLS HILLTOP UNIT TWO STR/LB 154
13263-02009-00000 CEDAR HILLS HILLTOP UNIT ONE STR/LB 16		

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

Concrete sidewalk and curb ramp repair and minor grading.

I further certify that the said assessments of \$500 or more are payable in ten (10) equal annual installments, together with interest thereon at the rate of 9 percent per annum computed to December 1<sup>st</sup> following the due date of each installment. Interest commences on May 13, 2014, the date of acceptance of the work. The first annual installment, or the full amount of assessments less than \$500, are due and payable on July 1<sup>st</sup> following the date of levy of these assessments as set forth above (unless this certification is made within less than thirty days prior to July 1<sup>st</sup>) and is subject to the provisions of Section 384.65, City Code of Iowa, with respect to lien, delinquent dates, interest, penalties and years of payment.

Special assessment deficiencies as set forth in the Schedule of Assessments are conditionally levied and are certified pursuant to Code Section 384.63. The period for amortization of special assessment deficiencies established by law and by action of the City Council is ten (10) years.

Assessments may be paid in full or in part at the office of the City Treasurer, within thirty days of the first publication of the notice of this filing of the final assessment schedule.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the 8<sup>th</sup> day of July 2014.

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City Clerk

I hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, there was filed with me as County Treasurer of Linn County, State of Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
County Treasurer

I hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, there was filed with me as Building Permit Official of the City of Cedar Rapids, Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Building Permit Official of the City of Cedar  
Rapids, Iowa



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5896

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

**Phone Number/Extension:** 5808

**Description of Agenda Item:**  **Consent Agenda**  **Regular Agenda**  **Yes**  **No** **MAP**  
Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 1 project. CIP/DID #3017011-00

**Background:**

Construction has been fully completed by Iowa State Contractor's, Inc. for the subject project. This is a previously approved Capital Improvements Project (CIP No. 3017011-01) with a total cost of completed work to date of \$145,610.58. Amount proposed to be assessed to 62 benefiting properties is \$19,455.57. The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements. In conformance with the provisions of the Iowa Code for special assessment (Chapter 384), a resolution is proposed to levy the final assessment.

**Action / Recommendation:**

The Public Works Department recommends adoption of the resolution.

**Alternative to the Recommendation:**

If the resolution to adopt and levy is not adopted the assessments will not be enforceable.

**Time Sensitivity:** Must be acted on by August 26, 2014 due to assessment schedule per State code timeline.

**Resolution Date:** August 26, 2014

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

**Budget Information (if applicable):**

**Local Preference Policy:** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION ADOPTING AND LEVYING FINAL SCHEDULE OF ASSESSMENTS,  
 AND PROVIDING FOR THE PAYMENT THEREOF

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

That after full consideration of the final schedule of assessments and accompanying plat showing the assessments proposed to be made for the construction of the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 1, within the City, under contract with Iowa State Contractors, Inc., of Ottumwa, IA, which final plat and schedule was filed in the office of the Clerk on the 13<sup>th</sup> day of May said assessments are hereby corrected by making the following changes and reductions:

<u>NAME OF PROPERTY OWNER AND DESCRIPTION OF PROPERTY</u>	<u>PROPOSED FINAL ASSESSMENT</u>	<u>PROPOSED CONDITIONAL DEFICIENCY, IF ANY</u>	<u>CORRECTED FINAL ASSESSMENT</u>	<u>CORRECTED CONDITIONAL DEFICIENCY, IF ANY</u>
---	----------------------------------	--	-----------------------------------	---

None

BE IT FURTHER RESOLVED, that the said schedule of assessments and accompanying plat, be and the same are hereby approved and adopted; and that there be, and is hereby assessed and levied, as a special tax against and upon each of the lots, parts of lots and parcels of land, and the owner or owners thereof liable to assessment for the cost of said improvements, the respective sums expressed in figures set opposite to each of the same on account of the cost of the construction of the said improvements. Provided, further, that the amounts shown in said final schedule of assessments as deficiencies are found to be proper and are levied conditionally against the respective properties benefited by the improvements as shown in the schedule, subject to the provisions of Section 384.63, Code of Iowa. Said assessments against said lots and parcels of land are hereby declared to be in proportion to the special benefits conferred upon said property by said improvements, and not in excess thereof, and not in excess of 25% of the value of the same.

BE IT FURTHER RESOLVED, that said assessments of an amount subject to the provisions of Section 384.60, Code of Iowa, shall be payable in ten (10) equal annual installments and shall bear interest at the rate of 9 percent per annum, the maximum rate permitted by law, from the date of the acceptance of the improvements; the first installment of each assessment, or total amount thereof, if it be less than the amount subject to the provisions of Section 384.60 Code of Iowa, with interest on the whole assessment from date of acceptance of the work by the Council, shall become due and payable on July 1, 2015; succeeding annual installments, with interest on the whole unpaid amount, shall respectively become due on July 1<sup>st</sup> annually thereafter, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary

taxes. Said assessments shall be payable at the office of the City Treasurer, in full or in part and without interest within thirty days after the date of the first publication of the notice of the filing of the final plat and schedule of assessments to the County Treasurer of Linn County, Iowa.

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to certify said final plat and schedule to the County Treasurer of Linn County, Iowa, and to publish notice of said certification once each week for two consecutive weeks in the Cedar Rapids Gazette, a newspaper printed wholly in the English language, published in Cedar Rapids, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said schedule with the County Treasurer, the Clerk shall also send by ordinary mail to all property owners whose property is subject assessment a copy of said notice, said mailing to be on or before the date of the second publication of the notice, all as provided and directed by Code Section 384.60, Code of Iowa.

BE IT FURTHER RESOLVED, that the Clerk is directed to certify the deficiencies for lots specially benefited by the improvements, as shown in the final schedule of assessments, to the County Treasurer for recording in the Special Assessment Deficiencies Book and to the city official charged with responsibility for the issuance of building permits. Said deficiencies are conditionally assessed to the respective properties under Code Section 384.63 for the amortization period specified by law.

The Clerk is authorized and directed to ascertain the amount of assessments remaining unpaid after the thirty day period against which improvement bonds may be issued and to proceed on behalf of the City with the sale of said bonds, to select a date for the sale thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the sale of said bonds on a basis favorable to the City and acceptable to the Council.

PASSED AND APPROVED this 26<sup>th</sup> day of August.

**NOTICE OF FILING OF THE FINAL PLAT AND SCHEDULE  
OF ASSESSMENTS AGAINST BENEFITED PROPERTIES FOR  
THE CONSTRUCTION OF THE FY 2011 SIDEWALK & RAMP REPAIR PROGRAM –  
CONTRACT NO. 1 WITHIN THE CITY OF CEDAR RAPIDS, IOWA**

TO THE PERSONS OWNING LAND LOCATED WITHIN THE DISTRICT DESCRIBED AS THE  
FY 2011 SIDEWALK & RAMP REPAIR PROGRAM – CONTRACT NO. 1 WITHIN THE CITY OF  
CEDAR RAPIDS, IOWA:

Consisting of the properties which are described as follows:

14142-32010-00000 NORTH VIEW STR/LB 49	13254-27019-00000 HOOVER PLACE 3RD STR/LB 43	14241-52004-00000 EASTLAND ESTATES 3RD STR/LB 17
14142-32009-00000 NORTH VIEW STR/LB 48	13254-26023-00000 HOOVER PLACE 3RD STR/LB 45	14241-53001-00000 EASTLAND ESTATES 1ST STR/LB 22
14142-32008-00000 NORTH VIEW STR/LB 47	13254-27018-00000 HOOVER PLACE 3RD STR/LB 42	14241-79005-00000 GREEN VALLEY 1ST STR/LB 25
14142-32007-00000 NORTH VIEW STR/LB 46	13254-27017-00000 HOOVER PLACE 3RD (LESS N'LY 3') STR/LB 41	14241-79004-00000 GREEN VALLEY 1ST (LESS SE 113.7' NE 8') STR/LB 26
14142-31006-00000 A.P. #177 STR/LB 27	13254-27013-00000 HOOVER PLACE 3RD S'LY 3.5' LOT 36 & ALL STR/LB 37	14241-79015-00000 GREEN VALLEY 1ST (LESS TRI BNG SE 66' SW 10') STR/LB 15
14142-32001-00000 NORTH VIEW (LESS W 80' MEAS ON N LN) STR/LB 107	13254-26014-00000 HOOVER PLACE 3RD STR/LB 54	14224-26001-00000 WELLINGTON HEIGHTS N 90' LOT 1 & N 90' E 11' & N 108' W 29' E 40' & W 5' E 45' STR/LB 2 1
14091-02008-00000 BECKER'S 3RD STR/LB 13	13254-27008-00000 HOOVER PLACE 3RD STR/LB 32	14244-53007-00000 TANGLEWOOD PATH 1ST STR/LB 3
14092-84001-00000 TIMBER RIDGE 4TH STR/LB 14	13254-26007-00000 HOOVER PLACE 2ND STR/LB 22	14331-28001-00000 BOWLING'S 1ST SE 70' STR/LB 1 8
14092-83020-00000 TIMBER RIDGE 4TH W 4' LOT 19 MEAS ON S LN & ALL STR/LB 20	13262-82009-00000 WESTGATE UNIT 1 STR/LB 371	14284-60014-00000 L S MAY'S SE 30' LOT 10 BLK 11 & THAT PT LOT 3 ADJ NEC TO MAKE A REC STR/LB

14092-83019-00000 TIMBER RIDGE 4TH STR/LB 21	13262-82008-00000 WESTGATE UNIT 1 STR/LB 370	14331-08001-00000 MALLORY'S 1ST STR/LB 1 2
14092-84012-00000 TIMBER RIDGE 4TH STR/LB 3	13251-57001-00000 HOOVER PLACE 6TH STR/LB 114	14334-09011-00000 SHEPARD'S 4TH STR/LB 11
14092-84014-00000 TIMBER RIDGE 4TH STR/LB 1	13261-55007-00000 CEDAR HILLS UNIT THREE STR/LB 356	13264-08017-00000 SPENCER 1ST STR/LB 45
14053-76012-00000 TWIN PINE 7TH STR/LB 135	14204-29008-00000 HULL'S 3RD STR/LB 2 13	13264-76001-00000 SPENCER 1ST LOTS 46 & STR/LB 47
14053-76011-00000 TWIN PINE 7TH W 1' LOT 133 & ALL STR/LB 134	14142-55010-00000 MIDWAY PARK N 55' STR/LB 9 3	13264-76002-00000 SPENCER 1ST STR/LB 48
11351-27006-00000 BOWMAN WOODS UNIT 7 STR/LB 524	14142-54006-00000 MIDWAY PARK E 45' STR/LB 6 2	13264-76004-00000 SPENCER 1ST STR/LB 49
141048-5002-00000 GRAND VIEW S 20' W 40' LOT 5 & W 40' STR/LB 6 7	14142-54004-00000 MIDWAY PARK LOT 4 & E 10' STR/LB 5 2	13264-08016-00000 SPENCER 1ST STR/LB 44
14072-26032-00000 RIVERBEND 1ST STR/LB 79	14243-05005-00000 BEVER HILLS 1ST STR/LB 13	13264-08014-00000 SPENCER 1ST STR/LB 42
14203-01007-00000 A.P. #269 STR/LB 6	14241-56002-00000 EASTLAND ESTATES 1ST STR/LB 2	13264-08012-00000 SPENCER 1ST STR/LB 40
14193-78005-00000 SHERWOOD FOREST 6TH STR/LB 71	14244-27003-00000 EASTLAND ESTATES 3RD STR/LB 10	14332-05002-00000 HULL'S 7TH STR/LB 12 72
14302-27013-00000 WENKSTERN'S 8TH STR/LB 66	14244-27002-00000 EASTLAND ESTATES 3RD STR/LB 11	14314-28026-00000 DORALE 2ND STR/LB 17
13254-26024-00000 HOOVER PLACE 3RD STR/LB 44	14241-52005-00000 EASTLAND ESTATES 3RD STR/LB 16	

The extent of the work completed on the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 1, is as follows:

Concrete sidewalk and curb ramp repair and minor grading.

You are hereby notified that the final plat and schedule of assessments against benefited properties within the District described as the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 1, for the construction of sidewalk improvements, has been adopted and levied by the Council of Cedar Rapids, Iowa, and that said plat and schedule of assessments has been certified to the County Treasurer of Linn County, Iowa. Assessments of \$500 or more are payable in ten (10) equal annual installments, with interest on the unpaid balance, all as provided in Section

384.65, City Code of Iowa. Conditional deficiency assessment, if any, may be levied against the applicable property for the same period of years as the assessments are made payable.

You are further notified that assessments may be paid in full or in part without interest at the office of the City Treasurer at any time within thirty days after the date of the first publication of this notice of the filing of the final plat and schedule of assessments with the County Treasurer. Unless said assessments are paid in full within said thirty day period, all unpaid assessments will draw annual interest computed at 9 percent (commencing on the date of acceptance of the work) computed to the next December 1<sup>st</sup> following the due dates of the respective installments. Each installment will be delinquent on September 30<sup>th</sup> following its due date on July 1<sup>st</sup> in each year. Property owners may elect to pay any annual installment semiannually in advance.

All properties located within the boundaries of the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 1, above described have been assessed for the cost of the making of said improvements, the amount of each assessment, and the amount of any conditional deficiency assessment having been set out in the schedule of assessments and plat accompanying the same, which are now on file in the office of the County Treasurer of Linn County, Iowa. For further information you are referred to said plat and schedule of assessments.

This Notice given by direction of the Council of the City of Cedar Rapids, Iowa, as prescribed by Code Section 384.60 of the City Code of Iowa.

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Clerk of the City of Cedar Rapids, Iowa

CERTIFICATE OF LEVY OF SPECIAL ASSESSMENTS  
 TO BE MADE BY THE CLERK OF CEDAR RAPIDS, IOWA,  
 AND FILED WITH THE COUNTY TREASURER OF LINN COUNTY,  
 IOWA AND THE CITY OFFICER CHARGED WITH ISSUANCE OF  
 BUILDING PERMITS

STATE OF IOWA

COUNTY OF LINN

I, \_\_\_\_\_, Clerk of the City of Cedar Rapids, County of Linn, State of Iowa, do hereby certify that at a meeting of the Council of Cedar Rapids, Iowa, held on the 13th day of May, the said Council did levy special assessments for and on account of the cost of construction of the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 1, under contract with Iowa State Contractors, Inc., of Ottumwa, Iowa, on the following or portions thereof, in said Municipality, to-wit:

14142-32010-00000 NORTH VIEW STR/LB 49	13254-27019-00000 HOOVER PLACE 3RD STR/LB 43	14241-52004-00000 EASTLAND ESTATES 3RD STR/LB 17
14142-32009-00000 NORTH VIEW STR/LB 48	13254-26023-00000 HOOVER PLACE 3RD STR/LB 45	14241-53001-00000 EASTLAND ESTATES 1ST STR/LB 22
14142-32008-00000 NORTH VIEW STR/LB 47	13254-27018-00000 HOOVER PLACE 3RD STR/LB 42	14241-79005-00000 GREEN VALLEY 1ST STR/LB 25
14142-32007-00000 NORTH VIEW STR/LB 46	13254-27017-00000 HOOVER PLACE 3RD (LESS N'LY 3') STR/LB 41	14241-79004-00000 GREEN VALLEY 1ST (LESS SE 113.7' NE 8') STR/LB 26
14142-31006-00000 A.P. #177 STR/LB 27	13254-27013-00000 HOOVER PLACE 3RD S'LY 3.5' LOT 36 & ALL STR/LB 37	14241-79015-00000 GREEN VALLEY 1ST (LESS TRI BNG SE 66' SW 10') STR/LB 15
14142-32001-00000 NORTH VIEW (LESS W 80' MEAS ON N LN) STR/LB 107	13254-26014-00000 HOOVER PLACE 3RD STR/LB 54	14224-26001-00000 WELLINGTON HEIGHTS N 90' LOT 1 & N 90' E 11' & N 108' W 29' E 40' & W 5' E 45' STR/LB 2 1
14091-02008-00000 BECKER'S 3RD STR/LB 13	13254-27008-00000 HOOVER PLACE 3RD STR/LB 32	14244-53007-00000 TANGLEWOOD PATH 1ST STR/LB 3
14092-84001-00000 TIMBER RIDGE 4TH STR/LB 14	13254-26007-00000 HOOVER PLACE 2ND STR/LB 22	14331-28001-00000 BOWLING'S 1ST SE 70' STR/LB 1 8

14092-83020-00000 TIMBER RIDGE 4TH W 4' LOT 19 MEAS ON S LN & ALL STR/LB 20	13262-82009-00000 WESTGATE UNIT 1 STR/LB 371	14284-60014-00000 L S MAY'S SE 30' LOT 10 BLK 11 & THAT PT LOT 3 ADJ NEC TO MAKE A REC STR/LB
14092-83019-00000 TIMBER RIDGE 4TH STR/LB 21	13262-82008-00000 WESTGATE UNIT 1 STR/LB 370	14331-08001-00000 MALLORY'S 1ST STR/LB 1 2
14092-84012-00000 TIMBER RIDGE 4TH STR/LB 3	13251-57001-00000 HOOVER PLACE 6TH STR/LB 114	14334-09011-00000 SHEPARD'S 4TH STR/LB 11
14092-84014-00000 TIMBER RIDGE 4TH STR/LB 1	13261-55007-00000 CEDAR HILLS UNIT THREE STR/LB 356	13264-08017-00000 SPENCER 1ST STR/LB 45
14053-76012-00000 TWIN PINE 7TH STR/LB 135	14204-29008-00000 HULL'S 3RD STR/LB 2 13	13264-76001-00000 SPENCER 1ST LOTS 46 & STR/LB 47
14053-76011-00000 TWIN PINE 7TH W 1' LOT 133 & ALL STR/LB 134	14142-55010-00000 MIDWAY PARK N 55' STR/LB 9 3	13264-76002-00000 SPENCER 1ST STR/LB 48
11351-27006-00000 BOWMAN WOODS UNIT 7 STR/LB 524	14142-54006-00000 MIDWAY PARK E 45' STR/LB 6 2	13264-76004-00000 SPENCER 1ST STR/LB 49
141048-5002-00000 GRAND VIEW S 20' W 40' LOT 5 & W 40' STR/LB 6 7	14142-54004-00000 MIDWAY PARK LOT 4 & E 10' STR/LB 5 2	13264-08016-00000 SPENCER 1ST STR/LB 44
14072-26032-00000 RIVERBEND 1ST STR/LB 79	14243-05005-00000 BEVER HILLS 1ST STR/LB 13	13264-08014-00000 SPENCER 1ST STR/LB 42
14203-01007-00000 A.P. #269 STR/LB 6	14241-56002-00000 EASTLAND ESTATES 1ST STR/LB 2	13264-08012-00000 SPENCER 1ST STR/LB 40
14193-78005-00000 SHERWOOD FOREST 6TH STR/LB 71	14244-27003-00000 EASTLAND ESTATES 3RD STR/LB 10	14332-05002-00000 HULL'S 7TH STR/LB 12 72
14302-27013-00000 WENKSTERN'S 8TH STR/LB 66	14244-27002-00000 EASTLAND ESTATES 3RD STR/LB 11	14314-28026-00000 DORALE 2ND STR/LB 17
13254-26024-00000 HOOVER PLACE 3RD STR/LB 44	14241-52005-00000 EASTLAND ESTATES 3RD STR/LB 16	

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

Concrete sidewalk and curb ramp repair and minor grading.

I further certify that the said assessments of \$500 or more are payable in ten (10) equal annual installments, together with interest thereon at the rate of 9 percent per annum computed to December 1<sup>st</sup> following the due date of each installment. Interest commences on May 13, 2014, the date of acceptance of the work. The first annual installment, or the full amount of assessments

less than \$500.00, are due and payable on July 1<sup>st</sup> following the date of levy of these assessments as set forth above (unless this certification is made within less than thirty days prior to July 1<sup>st</sup>) and is subject to the provisions of Section 384.65, City Code of Iowa, with respect to lien, delinquent dates, interest, penalties and years of payment.

Special assessment deficiencies as set forth in the Schedule of Assessments are conditionally levied and are certified pursuant to Code Section 384.63. The period for amortization of special assessment deficiencies established by law and by action of the City Council is ten (10) years.

Assessments may be paid in full or in part at the office of the City Treasurer, within thirty days of the first publication of the notice of this filing of the final assessment schedule.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the 8<sup>th</sup> day of July 2015.

\_\_\_\_\_  
City Clerk

I hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, there was filed with me as County Treasurer of Linn County, State of Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
County Treasurer

I hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, there was filed with me as Building Permit Official of the City of Cedar Rapids, Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Building Permit Official of the City of Cedar  
Rapids, Iowa



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5896

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

**Phone Number/Extension:** 5808

**Description of Agenda Item:**  **Consent Agenda**    **Regular Agenda**    **Yes**  **No MAP**  
Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 2 project. CIP/DID #3017011-00

**Background:**

Construction has been fully completed by Eastern Iowa Excavating & Concrete, LLC for the subject project. This is a previously approved Capital Improvements Project (CIP No. 3017011-02) with a total cost of completed work to date of \$140,300.56. Amount proposed to be assessed to 32 benefiting properties is \$12,327.03. The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements. In conformance with the provisions of the Iowa Code for special assessment (Chapter 384), a resolution is proposed to levy the final assessment.

**Action / Recommendation:**

The Public Works Department recommends adoption of the resolution.

**Alternative to the Recommendation:**

If the resolution to adopt and levy is not adopted, the assessments will not be enforceable.

**Time Sensitivity:** Must be acted on by August 26, 2014 due to assessment schedule per State code timeline.

**Resolution Date:** August 26, 2014

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

**Budget Information (if applicable):**

**Local Preference Policy:** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION ADOPTING AND LEVYING FINAL SCHEDULE OF ASSESSMENTS,  
AND PROVIDING FOR THE PAYMENT THEREOF

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

That after full consideration of the final schedule of assessments and accompanying plat showing the assessments proposed to be made for the construction of the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 2, within the City, under contract with Eastern Iowa Excavating & Concrete, LLC of Cedar Rapids, IA, which final plat and schedule was filed in the office of the Clerk on the 13<sup>th</sup> day of May said assessments are hereby corrected by making the following changes and reductions:

<u>NAME OF PROPERTY OWNER AND DESCRIPTION OF PROPERTY</u>	<u>PROPOSED FINAL ASSESSMENT</u>	<u>PROPOSED CONDITIONAL DEFICIENCY, IF ANY</u>	<u>CORRECTED FINAL ASSESSMENT</u>	<u>CORRECTED CONDITIONAL DEFICIENCY, IF ANY</u>
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None

BE IT FURTHER RESOLVED, that the said schedule of assessments and accompanying plat, be and the same are hereby approved and adopted; and that there be, and is hereby assessed and levied, as a special tax against and upon each of the lots, parts of lots and parcels of land, and the owner or owners thereof liable to assessment for the cost of said improvements, the respective sums expressed in figures set opposite to each of the same on account of the cost of the construction of the said improvements. Provided, further, that the amounts shown in said final schedule of assessments as deficiencies are found to be proper and are levied conditionally against the respective properties benefited by the improvements as shown in the schedule, subject to the provisions of Section 384.63, Code of Iowa. Said assessments against said lots and parcels of land are hereby declared to be in proportion to the special benefits conferred upon said property by said improvements, and not in excess thereof, and not in excess of 25% of the value of the same.

BE IT FURTHER RESOLVED, that said assessments of an amount subject to the provisions of Section 384.60, Code of Iowa, shall be payable in ten (10) equal annual installments and shall bear interest at the rate of 9 percent per annum, the maximum rate permitted by law, from the date of the acceptance of the improvements; the first installment of each assessment, or total amount thereof, if it be less than the amount subject to the provisions of Section 384.60 Code of Iowa, with interest on the whole assessment from date of acceptance of the work by the Council, shall become due and payable on July 1, 2015; succeeding annual installments, with interest on the whole unpaid amount, shall respectively become due on July 1<sup>st</sup> annually thereafter, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary

taxes. Said assessments shall be payable at the office of the City Treasurer, in full or in part and without interest within thirty days after the date of the first publication of the notice of the filing of the final plat and schedule of assessments to the County Treasurer of Linn County, Iowa.

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to certify said final plat and schedule to the County Treasurer of Linn County, Iowa, and to publish notice of said certification once each week for two consecutive weeks in the Cedar Rapids Gazette, a newspaper printed wholly in the English language, published in Cedar Rapids, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said schedule with the County Treasurer, the Clerk shall also send by ordinary mail to all property owners whose property is subject assessment a copy of said notice, said mailing to be on or before the date of the second publication of the notice, all as provided and directed by Code Section 384.60, Code of Iowa.

BE IT FURTHER RESOLVED, that the Clerk is directed to certify the deficiencies for lots specially benefited by the improvements, as shown in the final schedule of assessments, to the County Treasurer for recording in the Special Assessment Deficiencies Book and to the city official charged with responsibility for the issuance of building permits. Said deficiencies are conditionally assessed to the respective properties under Code Section 384.63 for the amortization period specified by law.

The Clerk is authorized and directed to ascertain the amount of assessments remaining unpaid after the thirty day period against which improvement bonds may be issued and to proceed on behalf of the City with the sale of said bonds, to select a date for the sale thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the sale of said bonds on a basis favorable to the City and acceptable to the Council.

PASSED AND APPROVED this 26<sup>th</sup> day of August.

**NOTICE OF FILING OF THE FINAL PLAT AND SCHEDULE  
OF ASSESSMENTS AGAINST BENEFITED PROPERTIES FOR  
THE CONSTRUCTION OF THE FY 2011 SIDEWALK REPAIR AND RAMP PROGRAM –  
CONTRACT NO. 2 WITHIN THE CITY OF CEDAR RAPIDS, IOWA**

TO THE PERSONS OWNING LAND LOCATED WITHIN THE DISTRICT DESCRIBED AS THE 2011 SIDEWALK REPAIR AND RAMP PROGRAM – CONTRACT NO. 2 PROJECT WITHIN THE CITY OF CEDAR RAPIDS, IOWA:

Consisting of the properties which are described as follows:

14153-27009-00000 PARK VIEW S 70' STR/LB 7 3	13243-80020-00000 APPLE RIDGE EAST 1ST STR/LB 163	14243-80012-00000 ZOBAC'S 3RD STR/LB 47
14071-01007-00000 LIFE INVESTORS OFFICE PARK FOURTH ADDN STR/LB 4	13271-57013-00000 STONE POINT 8TH STR/LB 201	14113-78008-00000 OAKLAND GROVE STR/LB 10 4
14073-01011-00000 RIVERBEND 1ST STR/LB 45	14194-57004-00000 JOHNSON'S HAZEL K 5TH (LESS S 64.9') LOT 1 & ALL LOT 2 & S 64.7' STR/LB 3	14113-78007-00000 OAKLAND GROVE STR/LB 11 4
14292-01017-00000 ELM PARK STR/LB 53	14232-57021-00000 BEVER WOODS STR/LB 61	14234-27004-00000 BEVER PARK PLACE N 150' E 45' LOT 9 & (LESS E 44') N 150' STR/LB 10 2
13244-77001-00000 WHITTER'S 1ST STR/LB 1	14232-81013-00000 BEVER WOODS STR/LB 82	14241-54008-00000 EASTLAND ESTATES 2ND STR/LB 6
13244-77003-00000 WHITTER'S 1ST STR/LB 3	14241-76012-00000 INDIAN CREEK VALLEY STR/LB 3	14294-09008-00000 BUCHANAN & REED'S STR/LB 5 13
13244-77004-00000 WHITTER'S 1ST STR/LB 4	14113-78012-00000 OAKLAND GROVE STR/LB 6 4	14294-28001-00000 WOODLAWN PARK 1ST LOT 15 & (LESS W 56' N 26') LOT 16 & E 44' LOT 18 & ALL STR/LB 19 1
13244-77005-00000 WHITTER'S 1ST STR/LB 5	14113-78009-00000 OAKLAND GROVE STR/LB 9 4	14332-82010-00000 ANDERSON & BUCHANAN'S STR/LB 2 7

14193-31009-00000 BERZINSKI'S 1ST STR/LB 16	14113-78004-00000 OAKLAND GROVE STR/LB 14 4	14332-82009-00000 ANDERSON & BUCHANAN'S STR/LB 3 7
14193-03001-00000 SHERWOOD FOREST 1ST STR/LB 6	14234-54002-00000 A.P. #139 STR/LB 32	13362-76005-00000 LANDMARK 2ND LOT 1 EX RD
13264-05003-00000 SPENCER 7TH STR/LB 6	14252-53028-00000 BEL AIR ESTATES 2ND STR/LB 82	

The extent of the work completed on the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 2 project is as follows:

Concrete sidewalk and curb ramp repair and minor grading.

You are hereby notified that the final plat and schedule of assessments against benefited properties within the District described as the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 2 project, for the construction of sidewalk improvements, has been adopted and levied by the Council of Cedar Rapids, Iowa, and that said plat and schedule of assessments has been certified to the County Treasurer of Linn County, Iowa. Assessments of \$500 or more are payable in ten (10) equal annual installments, with interest on the unpaid balance, all as provided in Section 384.65, City Code of Iowa. Conditional deficiency assessment, if any, may be levied against the applicable property for the same period of years as the assessments are made payable.

You are further notified that assessments may be paid in full or in part without interest at the office of the City Treasurer at any time within thirty days after the date of the first publication of this notice of the filing of the final plat and schedule of assessments with the County Treasurer. Unless said assessments are paid in full within said thirty day period, all unpaid assessments will draw annual interest computed at 9 percent (commencing on the date of acceptance of the work) computed to the next December 1<sup>st</sup> following the due dates of the respective installments. Each installment will be delinquent on September 30<sup>th</sup> following its due date on July 1<sup>st</sup> in each year. Property owners may elect to pay any annual installment semiannually in advance.

All properties located within the boundaries of the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 2 project, above described have been assessed for the cost of the making of said improvements, the amount of each assessment, and the amount of any conditional deficiency assessment having been set out in the schedule of assessments and plat accompanying the same, which are now on file in the office of the County Treasurer of Linn County, Iowa. For further information you are referred to said plat and schedule of assessments.

This Notice given by direction of the Council of the City of Cedar Rapids, Iowa, as prescribed by Code Section 384.60 of the City Code of Iowa.

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Clerk of the City of Cedar Rapids, Iowa

CERTIFICATE OF LEVY OF SPECIAL ASSESSMENTS  
 TO BE MADE BY THE CLERK OF CEDAR RAPIDS, IOWA,  
 AND FILED WITH THE COUNTY TREASURER OF LINN COUNTY,  
 IOWA AND THE CITY OFFICER CHARGED WITH ISSUANCE OF  
 BUILDING PERMITS

STATE OF IOWA

COUNTY OF LINN

I, \_\_\_\_\_, Clerk of the City of Cedar Rapids, County of Linn, State of Iowa, do hereby certify that at a meeting of the Council of Cedar Rapids, Iowa, held on the 13<sup>th</sup> day of May, the said Council did levy special assessments for and on account of the cost of construction of the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 2 project, under contract with Eastern Iowa Excavating & Concrete, LLC of Cedar Rapids, Iowa, on the following or portions thereof, in said Municipality, to-wit:

14153-27009-00000 PARK VIEW S 70' STR/LB 7 3	13243-80020-00000 APPLE RIDGE EAST 1ST STR/LB 163	14243-80012-00000 ZOBAC'S 3RD STR/LB 47
14071-01007-00000 LIFE INVESTORS OFFICE PARK FOURTH ADDN STR/LB 4	13271-57013-00000 STONE POINT 8TH STR/LB 201	14113-78008-00000 OAKLAND GROVE STR/LB 10 4
14073-01011-00000 RIVERBEND 1ST STR/LB 45	14194-57004-00000 JOHNSON'S HAZEL K 5TH (LESS S 64.9') LOT 1 & ALL LOT 2 & S 64.7' STR/LB 3	14113-78007-00000 OAKLAND GROVE STR/LB 11 4
14292-01017-00000 ELM PARK STR/LB 53	14232-57021-00000 BEVER WOODS STR/LB 61	14234-27004-00000 BEVER PARK PLACE N 150' E 45' LOT 9 & (LESS E 44') N 150' STR/LB 10 2
13244-77001-00000 WHITTER'S 1ST STR/LB 1	14232-81013-00000 BEVER WOODS STR/LB 82	14241-54008-00000 EASTLAND ESTATES 2ND STR/LB 6
13244-77003-00000 WHITTER'S 1ST STR/LB 3	14241-76012-00000 INDIAN CREEK VALLEY STR/LB 3	14294-09008-00000 BUCHANAN & REED'S STR/LB 5 13
13244-77004-00000 WHITTER'S 1ST STR/LB 4	14113-78012-00000 OAKLAND GROVE STR/LB 6 4	14294-28001-00000 WOODLAWN PARK 1ST LOT 15 & (LESS W 56' N 26') LOT 16 & E 44' LOT 18 & ALL STR/LB 19 1

13244-77005-00000 WHITTER'S 1ST STR/LB 5	14113-78009-00000 OAKLAND GROVE STR/LB 9 4	14332-82010-00000 ANDERSON & BUCHANAN'S STR/LB 2 7
14193-31009-00000 BERZINSKI'S 1ST STR/LB 16	14113-78004-00000 OAKLAND GROVE STR/LB 14 4	14332-82009-00000 ANDERSON & BUCHANAN'S STR/LB 3 7
14193-03001-00000 SHERWOOD FOREST 1ST STR/LB 6	14234-54002-00000 A.P. #139 STR/LB 32	13362-76005-00000 LANDMARK 2ND LOT 1 EX RD
13264-05003-00000 SPENCER 7TH STR/LB 6	14252-53028-00000 BEL AIR ESTATES 2ND STR/LB 82	

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

Concrete sidewalk repair and minor grading.

I further certify that the said assessments of \$500 or more are payable in ten (10) equal annual installments, together with interest thereon at the rate of 9 percent per annum computed to December 1<sup>st</sup> following the due date of each installment. Interest commences on May 13, 2014, the date of acceptance of the work. The first annual installment, or the full amount of assessments less than \$500.00, are due and payable on July 1<sup>st</sup> following the date of levy of these assessments as set forth above (unless this certification is made within less than thirty days prior to July 1<sup>st</sup>) and is subject to the provisions of Section 384.65, City Code of Iowa, with respect to lien, delinquent dates, interest, penalties and years of payment.

Special assessment deficiencies as set forth in the Schedule of Assessments are conditionally levied and are certified pursuant to Code Section 384.63. The period for amortization of special assessment deficiencies established by law and by action of the City Council is ten (10) years.

Assessments may be paid in full or in part at the office of the City Treasurer, within thirty days of the first publication of the notice of this filing of the final assessment schedule.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the 8<sup>th</sup> day of July 2014.

\_\_\_\_\_  
City Clerk

I hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, there was filed with me as County Treasurer of Linn County, State of Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed street improvements in said Municipality, and a copy of the final

plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
County Treasurer

I hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, there was filed with me as Building Permit Official of the City of Cedar Rapids, Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Building Permit Official of the City of Cedar  
Rapids, Iowa

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Community Development

**Presenter at Meeting:** Paula Mitchell

**Phone:** 286-5852

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

**Alternate Contact Person:** Caleb Mason

**Phone:** 286-5188

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

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

**Description of Agenda Item:**

Resolution confirming approval for sixteen (16) projects to be submitted to the Iowa Economic Development Authority (IEDA) for funding consideration through the Multi-family New Construction (MFNC) Program. CIP/DID #08-DRH-208

**Background:**

On August 20, 2014, the Development Committee of City Council reviewed a summary of proposals received through the sixth round of the Multi-family New Construction (MFNC) Program. City Council adopted the administrative plan for the sixth round of MFNC on June 24, 2014, establishing parameters for participation.

The City received a total of 16 proposals for the program. These were reviewed and scored by a stakeholder review committee that included non-competing development professionals and neighborhood stakeholders. Criteria used for evaluation included:

- Developer experience
- Financial and market feasibility
- Design and neighborhood compatibility
- Readiness to proceed
- Unit mix and mix of uses
- Green building
- Bonus points for adaptive re-use or historic preservation based on IEDA criteria

All proposals were recommended as meeting the eligibility requirements qualifying to move forward to IEDA. In addition, the committee categorized projects as “high priority” and “recommended for approval.” A list of all projects is included as Attachment A.

A recent market study in July 2014 indicates a vacancy rate of approximately 2%, and a demand for approximately 150 units in the income mix permitted under the MFNC program. Staff is comfortable forwarding all applications, as it is expected that there will be competition at the state level, and not all projects will be awarded funding. Cedar Rapids is competing for a pool of \$30 million available to entitlement communities statewide.

It is expected that IEDA will announce funding awards in January 2015, and projects must commence construction by April 2015. Once awards are announced, individual development agreements for funded projects will be brought forward for the City Council's approval.

**Action/Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:**

City Council may table the resolution and request additional information.

**Time Sensitivity:**

Applications are due to IEDA by September 2, 2014.

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 0 minutes

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

**Local Preference Policy** Applies  Exempt

**Explanation:** No goods or services are being purchased.

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

**Explanation (if necessary):**

Recommended by the Development Committee at the August 20, 2014 meeting.



RESOLUTION NO.

RESOLUTION CONFIRMING APPROVAL FOR SIXTEEN PROJECTS TO BE  
SUBMITTED TO THE IOWA ECONOMIC DEVELOPMENT AUTHORITY (IEDA)  
FOR FUNDING CONSIDERATION THROUGH THE MULTI-FAMILY NEW  
CONSTRUCTION (MFNC) PROGRAM

WHEREAS, the City of Cedar Rapids, Iowa is eligible to compete to receive funds from the Multi-family New Construction (MFNC) Program offered through the Iowa Economic Development Authority; and

WHEREAS, the City Council established an administrative plan for the program on June 24, 2014; and

WHEREAS, the City of Cedar Rapids has undertaken a competitive process to solicit proposals for the program; and

WHEREAS, the proposals were evaluated and prioritized by a committee of community stakeholders, and determined to meet the eligibility criteria; and

WHEREAS, the Development Committee of City Council on August 20, 2014 recommended submittal of the sixteen (16) projects listed on the attached table;

WHEREAS, the City Council has determined that the proposed projects fulfill community housing needs and provide an overall benefit to the City as a whole; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa confirms approval for the sixteen (16) prioritized projects to be submitted to IEDA for funding consideration.

BE IT FURTHER RESOLVED by the City Council of the City of Cedar Rapids, Iowa provides its support for City participation through contribution of City-owned land and/or tax incentive consistent with previously adopted City Council Economic Development Program.

Passed this 26th day of August, 2014.



**Multi-Family New  
Construction Round 6  
Proposal Summary  
8/13/2014**

Priority Rank	Developer	Project	Total # Units	PUBLIC FUNDS			PRIVATE FUNDS			TOTAL PROJECT COST		CITY PARTICIPATION		
				MFNC request	Admin (City's use)	MFNC Total	Developer Cash	Bank Financing	Private funds total	Total Project Cost	\$/Unit	10-years, 100% TIF	Urban Revit Tax Exemption	Land Contribution
1	SLE Investments, LC Steve Emerson	Cornerstone Place 323 3rd St SE	32	\$3,000,000	\$61,224	\$3,061,224	\$820,701	\$3,451,505	\$4,272,206	\$13,053,991	\$407,937	X		
2	Newbo Development Group, LLC Joe Ahmann & Chad Pelley	6th Street Commons 438 & 442 5th Ave SW 415 & 425 6th St SW	10	\$950,000	\$19,388	\$969,388	\$86,250	\$345,000	\$431,250	\$1,381,250	\$138,125		X	X
3	Progression, LC Steve Emerson	Kingston Landing 346 2nd Ave SW	26	\$3,000,000	\$61,224	\$3,061,224	\$950,500	\$2,044,000	\$2,994,500	\$11,611,500	\$446,596	X		
4	SLE Investments, LC Steve Emerson	Midtown Square 509 3rd St SE	26	\$3,000,000	\$61,224	\$3,061,224	\$566,260	\$2,200,500	\$2,766,760	\$6,272,760	\$241,260	X		
5	Hobart Historic Restoration Beverly Hobart	Kubias Building 307-311 Third Ave SE	18	\$2,695,000	\$55,000	\$2,750,000	\$550,000	\$779,411	\$1,329,411	\$5,039,611	\$279,978	X		
6	TW Sather Company Thomas Sather	Cedar Point Apartments 1427 Center Point Rd	30	\$3,000,000	\$61,224	\$3,061,224	\$55,940	\$1,800,000	\$1,855,940	\$5,126,500	\$170,883			
7	TW Sather Company Thomas Sather	Creekside Apartments 1415 Center Point Rd	30	\$2,995,000	\$61,122	\$3,056,122	\$60,540	\$1,800,000	\$1,860,540	\$5,126,500	\$170,883			
8	Robert Schaffer	Village West Apartments 100 16th Ave SW	7	\$716,670	\$14,626	\$731,296	\$101,574	\$300,000	\$401,574	\$1,118,244	\$159,749			
9	Progression, LC Steve Emerson	Kingston Quarters 353 2nd Ave SW	30	\$3,000,000	\$61,224	\$3,061,224	\$770,577	\$3,639,324	\$4,409,901	\$8,051,508	\$268,384	X		
10	Sedona Villages on First, LLC Bart Woods - Primus Construction	Sedona Villages on First 1601 1st Ave SE	16	\$1,560,000	\$31,837	\$1,591,837	\$200,000	\$600,000	\$800,000	\$2,360,000	\$147,500			
11	Cedar Venture, LLC Richard Sova	Kingston Village II 617, 623, 625, 703, 709 3rd St SW 217, 220 7th Ave SW	36	\$3,000,000	\$61,224	\$3,061,224	\$0	\$2,960,000	\$2,960,000	\$7,091,000	\$196,972		X	X
12	Schissel, LLC Bryan Schissel	Kingston Place 815 3rd Ave SW	6	\$540,000	\$11,020	\$551,020	\$100,000	\$380,000	\$480,000	\$1,020,000	\$170,000			
13	Progression, LC Steve Emerson	Kingston Pointe 210 5th St SW	18	\$3,000,000	\$61,224	\$3,061,224	\$514,414	\$1,939,000	\$2,453,414	\$5,926,814	\$329,267	X		
14	Sedona Villages One, LLC Bart Woods - Primus Construction	Sedona Villages One 1223 1st St SW & 1140 C St SW	12	\$995,000	\$20,306	\$1,015,306	\$280,400	\$300,000	\$580,400	\$1,575,400	\$131,283			X
15	Matthew 25 Clint Twedt-Ball	Taylor Townhomes 349 7th Ave SW 702 & 706 L St SW	5	\$471,900	\$9,631	\$481,531	\$129,100	\$257,000	\$386,100	\$858,000	\$171,600			X
16	Kingston Corner, LLC Frank Stephen III	Kingston Corner 305 2nd Ave SW	5	\$455,192	\$9,290	\$464,482	\$155,000	\$500,000	\$655,000	\$1,110,192	\$222,038		X	



## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Community Development & Planning

**Presenter at meeting:** Tony Lerud

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

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

**Alternate Contact Person:** Paula Mitchell

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

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

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

Resolution approving execution of a Corrective Special Warranty Deed with Little House, LLC for property at 1301 3<sup>rd</sup> Street SE (**FLOOD**). CIP/DID #OB811372

### **Background:**

The resolution authorizes a Corrective Special Warranty deed to effectively convey property. A scrivener's error provided an inaccurate legal description of the property, requiring a corrective special warranty deed to be authorized and recorded. The Corrective Special Warranty Deed will also revise name of Grantee.

### **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:** August 26, 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):**

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A CORRECTIVE SPECIAL  
WARRANTY DEED WITH LITTLE HOUSE, LLC FOR PROPERTY AT 1301 3RD  
STREET SE

WHEREAS, on February 11, 2014, the City Council adopted Resolution No. 0183-02-14 which authorized execution of a Special Warranty Deed for City-owned property at 1301 3<sup>rd</sup> Street SE acquired through the Voluntary Property Acquisition Program; and

WHEREAS, the Special Warranty Deed was recorded in the Office of the Linn County Recorder on July 7, 2014,

WHEREAS, a scrivener's error was subsequently discovered in the legal description of the Special Warranty Deed; and

WHEREAS, the corrective Special Warranty Deed has been prepared and is now ready for execution; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Corrective Special Warranty Deed be executed by the City Manager and City Clerk and be recorded in the Office of the Linn County Recorder.

Passed this 26<sup>th</sup> Day of August, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Finance Department

**Presenter at meeting:** Casey Drew  
**Email:** c.drew@cedar-rapids.org

**Phone Number/Ext:** 286-5097

**Alternate Contact person:**  
**Email:**

**Phone Number/Ext:**

**Description of Agenda Item:**

Resolution authorizing the Finance Director to commit the current and future fund balances of a new Special Revenue Fund – Veterans Memorial Building – Gallery Exhibit.

**Background:**

Governmental Accounting Standards Board (GASB) has issued Statement No. 54 – Fund Balance Reporting and Governmental Fund Type Definitions changing the definition of a Special Revenue Fund. Special Revenue Funds under the old definition were used to record proceeds of specific revenue sources that are legally restricted to expenditure for specified purposes. The new definition is focused on the source of revenue and must be either restricted by an outside entity or committed by the highest level of authority within the governing body by the end of the current fiscal year. It is in the City's best interest to segregate these funds from other revenue sources by classifying them as Special Revenue Funds.

**Action / Recommendation:**

City Council authorize and direct the Finance Director to commit the current and future fund balances of a new Special Revenue Fund not previously restricted or committed.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 0

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

**Local Preference Policy:** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, Governmental Accounting Standards Board (GASB) has issued Statement No. 54 – Fund Balance Reporting and Governmental Fund Type Definitions, requiring Special Revenue Funds to be restricted or committed, and

WHEREAS, current and future fund balance of this new Special Revenue Fund will be considered restricted for the following purpose:

Fund 7873 – Veterans Memorial Building – Gallery Exhibit: To provide funding thru the receipt of donations for a gallery exhibit at the Veterans Memorial Building.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Director be and hereby authorized and directed to commit the current and future fund balances of the Special Revenue Fund for purposes stated above.

Passed this 26th day of August, 2014.

## Council Agenda Item Cover Sheet

Consent Agenda       Regular Agenda

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Information Technology

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

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

**Description of Agenda Item:**

Resolution approving the Business Travel Report for Reuben Schloeman, Web Developer II, in the amount of \$3120.00 for attending SPTEchCon in Boston, Massachusetts, from September 15-19, 2014.

**Background:**

The City currently uses Microsoft Sharepoint as the content management system for internal and external internet sites throughout the City. As this application changes and is enhanced by new features, IT staff need to stay current with changes. This conference includes training on administration and maintenance of Sharepoint 2013, the latest version.

**Action / Recommendation:**

The Information Technology Department – recommends that City Council approve Reuben Schloeman’s Business Travel Report for attending SPTEchCon in Boston, Massachusetts for a trip cost of \$3120.00.

**Alternative Recommendation:** N/A

**Time Sensitivity:** N/A

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

Information Technology Cost of Conference/Training budget coded to 542102-101-109050

**Local Preference Policy**      Applies       Exempt

**Explanation:** Travel

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

**Explanation (if necessary):**

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Business Travel Report submitted by Reuben Schloeman, Web Developer II, be hereby approved for attending the SPTechCon conference in Boston, Massachusetts, from September 15-19, 2014 in the amount of \$3120.00. The trip cost will be funded from the Information Technology Department's FY2015 Cost of Conference/Training budget and coded to 542102-101-109050.

Passed this 26th day of August, 2014

## Council Agenda Item Cover Sheet

Consent Agenda       Regular Agenda

**Council Meeting Date:** xxxx xx, 2014

**Submitting Department:** Information Technology

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

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

**Description of Agenda Item:**

Resolution approving the Business Travel Report for Sheila Shaver, Systems Analyst II, for an estimated cost of \$5107.34 to attend the OnBase Training and Technology Conference to be held in Kissimmee, Florida from September 13 through 19, 2014.

**Background:**

The City currently uses OnBase Software as the primary document imaging software. As this application changes and is enhanced by new features, IT staff need to stay current with changes. This training will enable Sheila to stay current and gain advanced knowledge necessary to support the document imaging software and provide system administration.

**Action / Recommendation:**

The Information Technology Department – recommends that City Council approve Sheila Shaver's Business Travel Report for attending the OnBase Training and Technology Conference to be held in Kissimmee, Florida from September 13 through 19, 2014..

**Alternative Recommendation:** N/A

**Time Sensitivity:** N/A

**Resolution Date:** XXXX XX, 2013

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

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

**Local Preference Policy**      Applies       Exempt

**Explanation:** Travel

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

**Explanation (if necessary):**

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Business Travel Report submitted by Sheila Shaver, Systems Analyst II, be hereby approved for attending the OnBase Training and Technology Conference to be held in Kissimmee, Florida from September 13 through 19, 2014 at an estimated cost of \$5107.34. The trip cost will be funded from the Information Technology Department's FY2015 Cost of Conference/Training budget and coded to 542102-101-109130.

Passed this XX<sup>th</sup> day of XXXX, 2014

## Council Agenda Item Cover Sheet

Consent Agenda       Regular Agenda

**Council Meeting Date:** xxxx xx, 2014

**Submitting Department:** Information Technology

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

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

**Description of Agenda Item:**

Resolution approving the Business Travel Report for Lyman Ring, Systems Analyst III, for an estimated cost of \$5964 to attend Lenel Training to include: Digital Video, Prism and Advanced Access and Control in Rochester, New York from September 22 through October 1, 2014.

**Background:**

The City currently uses the Lenel On Guard software suite as the primary security access software. As this application changes and is enhanced by new features, IT staff need to stay current with changes. This training will enable Lyman to stay current and gain advanced knowledge necessary to support the camera/video functions and provide system administration.

**Action / Recommendation:**

The Information Technology Department – recommends that City Council approve Lyman Ring's Business Travel Report for attending the Lenel Digital Video, Prism and Advanced Access and Control Training in Rochester, New York at from September 22, through October 1, 2014

**Alternative Recommendation:** N/A

**Time Sensitivity:** N/A

**Resolution Date:** XXXX XX, 2013

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

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

**Local Preference Policy**      Applies       Exempt

**Explanation:** Travel

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

**Explanation (if necessary):**

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Business Travel Report submitted by Lyman Ring, Systems Analyst III, be hereby approved for attending the Lenel On-Guard Digital Video, Prism and Advanced Access and Control in Rochester, New York from September 22 through October 1, 2014 for a total cost estimated at \$5964.00. The trip cost will be funded from the Information Technology Department's FY2015 Cost of Conference/Training budget and coded to 542102-101-109130.

Passed this XX<sup>th</sup> day of XXXX, 2014



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Community Development & Planning

**Presenter at meeting:** Caleb Mason

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

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

**Alternate Contact Person:** Jennifer Pratt

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

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

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

Resolution authorizing execution of Amendment No. 1 to the Agreement for Private Redevelopment with Cedar Rapids City Market, Inc. now known as NewBo City Market. CIP/DID #OB281736

### **Background:**

The Resolution provides authorization for an amendment to the Agreement for Private Redevelopment (Development Agreement) between the City and Cedar Rapids City Market, Inc. now known as NewBo City Market.

The amendment provides for the following:

- Corrects the legal description of the Development Property;
- Acknowledges the change in the legal name of Cedar Rapids City Market, Inc. to NewBo City Market;
- Acknowledges the Market's parking lot on a portion of 400 12<sup>th</sup> Ave SE (former Iowa Iron site) is not the highest and best use. The Market agrees to work in good faith with developers interested in redeveloping the property for a higher and better use;
- In the event a higher and better use of the parking lot portion of the Market's project is not identified, the Market agrees to make improvements to the parking.

On July 26, 2011 the City Council authorized execution of a Development Agreement with NewBo Market for the redevelopment of City-owned property at the corner of 3<sup>rd</sup> Street and 12<sup>th</sup> Avenue SE, formerly the Quality Chef site. The Development Agreement provides the Market with a Lease of the property and Option to Purchase the property which can be exercised beginning in January 2016.

### **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:** August 26, 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):**

RESOLUTION NO.

RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT NO. 1 TO  
THE AGREEMENT FOR PRIVATE REDEVELOPMENT WITH CEDAR RAPIDS  
CITY MARKET, INC. NOW KNOWN AS NEWBO CITY MARKET

WHEREAS, on September 18, 2010 the City published a notice to receive competitive proposals and a public hearing was held on September 28, 2010 on the possible disposition of these properties in accordance with Iowa Code, and;

WHEREAS, on October 26, 2010 the City Council passed Resolution No. 1238-10-10 authorizing the City Manager to pursue an agreement with the Developer for the lease and possible disposition of Development Property, and;

WHEREAS, on July 26, 2011 the City Council passed Resolution No.0986-07-11 authorizing execution of a Development Agreement with Cedar Rapids City Market, Inc. for the redevelopment of City property; and

WHEREAS, the Agreement contained an inaccurate legal description for the Development property; and

WHEREAS, on January 18, 2014 a notice was published in the Cedar Rapids Gazette and a public hearing was held on January 28, 2014 on the possible disposition of the Development Property with a correct legal description in accordance with Iowa Code; and

WHEREAS, on or about November 13, 2013 the Developer changed its name to "NewBo City Market"; and

WHEREAS, the parties wish to amend Agreement to include the property which was the subject of the January 28, 2014 public hearing, and provide an accurate legal description of the Development Property, memorialize the Developer's change of name and make other covenants and amendments to the Development Agreement; and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute Amendment No. 1 to the Agreement for Private Redevelopment with Cedar Rapids City Market, Inc. now known as NewBo City Market.

Passed this 26<sup>th</sup> day of August, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Paula Mitchell

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

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

**Alternate Contact Person:** Caleb Mason

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

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

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

Resolution authorizing execution of Amendment No. 16 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 \$60,445,505). CIP/DID #08-DRH-208

### **Background:**

Amendment No. 16 is a budget amendment that increases the contract amount by \$27,000 for the Round 2 of the Single Family New Construction Program. The original contract budget fell short of the 2% the City is allowed for administrative costs. This amendment corrects this and provides additional funding to reimburse the City's administrative costs for operating the 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 Single 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 \$60,418,505.

### **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:** August 26, 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. 16  
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. 16 to Contract 08-DRH-208 amending the amount of the contract budget from \$60,418,505 to \$60,445,505 for administration of the Single Family New Construction 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. 16 to Contract 08-DRH-208 with the Iowa Economic Development Authority.

Passed this 26th day of August, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Jennifer Pratt

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

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

**Alternate Contact Person:** Caleb Mason

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

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

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

Resolution authorizing execution of Amendment No. 1 to the Agreement for Private Redevelopment by and between the City of Cedar Rapids and 4000, LLC and execution of Assignment and Assumption of Agreement for Private Redevelopment from 4000, LLC to Station on First, LLC for property at 427 1<sup>st</sup> Street SE (**FLOOD**). CIP/DID #OB687456

### **Background:**

The resolution for City Council consideration includes two actions that facilitate the redevelopment of the former firehouse station at 427 1<sup>st</sup> Street SE, as described below:

#### **1. Amendment No. 1 to the Agreement for Private Redevelopment**

On December 20, 2011, the City entered into an agreement to convey the property to the 4000, LLC for redevelopment through a future tenant. 4000, LLC has negotiated with Station on First, LLC for the sale of the property, rather than a lease.

As part of the sale, Station on First, LLC has agreed to assume the terms of the Agreement for Private Redevelopment from 4000, LLC. This assignment will be completed through a separate resolution being presented for City Council consideration.

The proposed amendments to the original Agreement for Private Redevelopment are as follows:

- a. Allows for assignment of the terms and conditions of the agreement to a Developer approved by the City Council.
- b. Eliminates the timeline to secure a tenant, as the identified Developer – Station on First, LLC – will purchase and not lease the property.
- c. Update the start date on construction of the building improvements to no later than June 30, 2015 and the minimum investment in the renovation to at least \$1,000,000.

#### **2. Assignment and assumption of Agreement for Private Redevelopment**

Transfers the Agreement upon sale from 4000, LLC to Station on First, LLC. As part of the sale, Station on First, LLC has agreed to assume the terms of the Agreement for

Private Redevelopment from 4000, LLC. The key terms and conditions contained in the Agreement for Redevelopment are as follows:

- a. Construction will commence no later than June 30, 2015
- b. Minimum investment of \$1,000,000 will be made in the renovation of the property;
- c. When the Flood Mitigation System is constructed, a public access easement will be allowed between the building and the Cedar River.

The initial disposition of the property to 4000, LLC on or around January 18, 2012 was the result of a competitive proposal process. The City held a public hearing on October 11, 2011 to encourage competitive proposals and one proposal was received. On November 22, 2011 through Resolution No. 1534-11-11, City Council authorized negotiation of an Agreement for Private Redevelopment with 4000, LLC for disposition and redevelopment of the property.

**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:** August 26, 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 AMENDMENT NO. 1 TO THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF CEDAR RAPIDS AND 4000, LLC AND EXECUTION OF ASSIGNMENT AND ASSUMPTION OF AGREEMENT FOR PRIVATE REDEVELOPMENT FROM 4000, LLC TO STATION ON FIRST, LLC FOR PROPERTY AT 427 1<sup>ST</sup> STREET SE

WHEREAS, on December 20<sup>th</sup>, 2011 the City entered into an Agreement for Private Redevelopment (hereinafter, the "Agreement") with the Developer for the redevelopment of City-owned properties at 427 1<sup>st</sup> Street SE (the "Development Property"), for the purpose of redevelopment and neighborhood revitalization; and

WHEREAS, the City and Developer wish to amend the Agreement to, among other things, allow for assignment of the Agreement, revise the commencement of construction date to no later than June 30, 2015, and update the total investment for Minimum Improvements to \$1,000,000 which, together with terms left intact in the Agreement will provide a benefit to the community as a whole by allowing for the redevelopment of the Development Property; and

WHEREAS, Amendment #1 to the Agreement for Private Redevelopment is attached as Exhibit A and is ready for execution on behalf of the City; and

WHEREAS, 4000, LLC has negotiated with Station on First, LLC for the sale of the property at 427 1<sup>st</sup> Street SE, rather than a lease arrangement which was contemplated in the original Agreement for Private Redevelopment; and

WHEREAS, the City and participating Developers have come to mutual agreement as to the terms and conditions of the Assignment and Assumption of Development Agreement which is now ready for execution on behalf of the City and is attached as Exhibit B;

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 Amendment No. 1 to the Development Agreement with 4000, LLC and the Assignment and Assumption of Agreement for Private Redevelopment from 4000, LLC to Station on First, LLC for property at 427 1<sup>st</sup> Street SE.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to record the resolution and agreement in the Office of the Linn County Recorder and thereafter file with the City of Cedar Rapids Finance Director.

Passed this 12<sup>nd</sup> day of August, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Lt. Dominic Wibe

**Phone Number/Ext:** 5899

**Email:** d.wibe@cedar-rapids.org

**Alternate Contact Person:** Heather Mell

**Phone Number/Ext:** 5117

**Email:** h.mell@cedar-rapids.org

**Description of Agenda Item:**

Amendment No. 1 to renew contract for ammunition with Ultramax Ammunition for the Police Department for an estimated annual amount of \$90,000 (original contract amount was \$70,000; renewal contract amount is \$90,000). CIP/DID #0713-013

**Background:**

Bids were solicited in 2013 for handgun, shotgun, and rifle ammunition for the Police Department with two (2) vendors responding. The Contract was awarded to the lowest bidder, Ultramax Ammunition for the initial period of September 1, 2013 through August 31, 2014.

Ultramax Ammunition has agreed to renew for the first one-year renewal period of September 1, 2014 through August 31, 2015 with no increase in price. The bid document allows for three additional one-year renewal options. Anticipated annual expenditure for this contract is not to exceed \$90,000.

**Action / Recommendation:**

Resolution authorizing execution of Amendment No. 1 to Contract for Ammunition for a total estimated annual amount not to exceed \$90,000.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** FY15 Police Operating Budget

**Local Preference Policy** Applies  Exempt

**Explanation:** Local preference applied, but did not have an effect on award.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Police Department and Ultramax Ammunition are parties to a Contract for annual purchases of handgun, shotgun, and rifle ammunition; and

WHEREAS, the City desires to renew the Contract with Ultramax Ammunition for the contract period September 1, 2014 through August 31, 2015 with no increase in price; and

WHEREAS, this renewal is year two of the Contract; three additional one-year renewal options remain; and

WHEREAS, vendor has agreed to hold the pricing firm for the one-year renewal period; and

WHEREAS, the estimated annual cost of this Contract is \$90,000.

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

Passed this 26<sup>th</sup> day of August, 2014.

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** 08-26-14

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** consent **Phone Number/Ext:**  
**Email:**

**Alternate Contact Person:** John Riggs **Phone Number/Ext:** X5981  
**Email:** [j.riggs@cedar-rapids.org](mailto:j.riggs@cedar-rapids.org)

**Description of Agenda Item:**

Amendment No. 14 to reflect anticipated additional services for Environmental Assessment Services for Flood Damaged Structures project with Tetra Tech, Inc. for an amount not to exceed \$14,224 (original contract amount was \$1,260,000; total contract with this amendment is \$2,230,064) (**FLOOD**). CIP/DID #0809-043

**Background:**

The work to be performed under this contract consists of providing environmental assessment services for flood-damaged residential properties. The assessment reports generated from this contract identify the items to be abated by the remediation contractor.

This contract amendment is to reflect the anticipated additional services needed for the remaining parcels recently acquired and approved for demolition through the CDBG acquisition program over the next 5 months.

**Summary of Contract:**

Original Agreement	1,260,000.00	FEMA	Resolution 1150-11-09
Amendment No. 1	9,554.00	FEMA	FEMA HMGP Properties, Task 1 and Task 2
Amendment No. 2	913,600.00	CDBG	Approx 800 CDBG Properties, Resolution 1074-09-10
Amendment No. 3	0	CDBG	To add Federal Regulations
Amendment No. 4	0	CDBG	Approx 150 CDBG Properties, Task 1 and Task 2
Amendment No. 5	0	CDBG	To amend Amendment No 2 and 3
Amendment No. 6	0	FEMA	To add 2 FEMA PA properties
Amendment No. 7	0	FEMA	To add 5 FEMA HMGP Properties
Amendment No. 8	2,786.00	FEMA/CDBG	To reflect pricing for Task 1 with no house structure
Amendment No. 9	0	FEMA/CDBG	To clarify Amendment No. 8
Amendment No. 10	0	FEMA/CDBG	To extend term, expand and clarify language
Amendment No. 11	0	FEMA	To identify 3 FEMA HMGP Properties
Amendment No. 12	0	CDBG	To extend term of contract
Amendment No. 13	29,900.00	CDBG	To extend term and to reflect cost of continuing services Resolution No. 1984-12-13
Amendment No. 14	14,224.00	CDBG	To reflect cost of continuing services
<b>Total</b>	<b>2,230,064.00</b>		<b>Not to exceed, except by written amendment</b>

**Action / Recommendation:**

That the City Council approve the recommendation above.

**Alternative Recommendation:** None

**Time Sensitivity:** Time Sensitive. A delay in the project will impact neighborhoods

**Resolution Date:** 08-26-14

**Estimated Presentation Time:** consent

**Budget Information (if applicable):**

**Local Preference Policy**  Applies  Exempt

**Explanation:** Federally Funded Project – CDBG

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids, Iowa and Tetra Tech, Inc. are parties to an Agreement, whereby Tetra Tech provides Environmental Assessment Services for Flood Damaged Structures to the City, and

WHEREAS, the services were competitively solicited on September 11, 2009 by a competitive Request for Proposal process (RFP #0809-043); and

WHEREAS, the City and Tetra Tech are desirous of amending the agreement include additional services needed for the remaining parcels recently acquired and approved for demolition through the CDBG acquisition program over the next 5 months for an amount not to exceed \$14,224; and

WHEREAS, a summary of the contract is listed below:

Original Agreement	1,260,000.00	FEMA	Resolution 1150-11-09
Amendment No. 1	9,554.00	FEMA	FEMA HMGP Properties, Task 1 and Task 2
Amendment No. 2	913,600.00	CDBG	Approx 800 CDBG Properties, Resolution 1074-09-10
Amendment No. 3	0	CDBG	To add Federal Regulations
Amendment No. 4	0	CDBG	Approx 150 CDBG Properties, Task 1 and Task 2
Amendment No. 5	0	CDBG	To amend Amendment No 2 and 3
Amendment No. 6	0	FEMA	To add 2 FEMA PA properties
Amendment No. 7	0	FEMA	To add 5 FEMA HMGP Properties
Amendment No. 8	2,786.00	FEMA/CDBG	To reflect pricing for Task 1 with no house structure
Amendment No. 9	0	FEMA/CDBG	To clarify Amendment No. 8
Amendment No. 10	0	FEMA/CDBG	To extend term, expand and clarify language
Amendment No. 11	0	FEMA	To identify 3 FEMA HMGP Properties
Amendment No. 12	0	CDBG	To extend term of contract
Amendment No. 13	29,900.00	CDBG	To extend term reflect the cost of continuing services Resolution No. 1984-12-13
Amendment No. 14	14,224.00	CDBG	To reflect the cost of continuing services
Total	2,230,064.00		Not to exceed, except by written amendment

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the above listed recommendation be accepted and that the City Manager and the City Clerk are hereby authorized to execute Amendment No. 14 for Environmental Assessment Services for Flood Damaged Structures.

Passed this 26th day of August 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Veterans Memorial

**Presenter at meeting:** Mike Jager

**Phone Number/Ext:** 5039

**Email:** m.jager@cedar-rapids.org

### **Description of Agenda Item:**

Authorizing Change Order No. 3 in the amount of \$5,806.21 with Hawkeye Electrical Contractors of Cedar Rapids, Ltd. for the Veterans Memorial Phase III – Bid Package #13 – Electrical & Telecommunications project (original contract amount was \$1,256,500; total contract amount with this amendment is \$1,274,799.79) (**FLOOD**); CIP/DID #VME001-06

### **Background:**

TCIDC-3013 – Addition of 3 wall sconces to bid pkg #13 (fema) \$1,308.23

PR-3018 – Adding an actuated damper in the relief air shaft for the state elevator; during the winter there was a considerable amount of cold air entering the elevator shaft & this is being done to mitigate this (non-fema) \$1,674.82

ODC-message board – the message board was delayed due to permitting issues outside of the owner's control; however, during that time the cost of the message boards changed slightly, this allowed the owner to get a much better board for a somewhat reduced cost (non-fema) \$2,823.16

### **Action / Recommendation:**

Veterans Memorial recommends the approval of Change Order No. 3 to increase the contract amount for Hawkeye Electrical Contractors of Cedar Rapids, Ltd.

### **Alternative Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

### **Estimated Presentation Time:**

**Budget Information (if applicable):** VME001-06

**Local Preference Policy** Applies  Exempt

**Explanation:** This is a FEMA funded project.

RESOLUTION NO.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to execute Change Order No. 3 in the amount of \$5,806.21 with Hawkeye Electrical Contractors of Cedar Rapids, Ltd. for the Veterans Memorial Phase III – Bid Package #13 – Electrical & Telecommunications project, Contract No. VME001-06. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,256,500.00
Change Order No. 1	474.68
Change Order No. 2	12,018.90
Change Order No. 3	<u>5,806.21</u>
Amended Contract Amount	\$1,274,799.79

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

\$5,806.21 Fund 330, Dept ID 330020, Project VME001-06

Passed this 26th day of August, 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. 6 in the amount of \$88,082, plus 30 additional calendar days, with Knutson Construction Services Midwest, Inc. for the 2<sup>nd</sup> Street SE Parking Ramp at 7<sup>th</sup> Avenue – General Construction project (original contract amount was \$7,801,500; total contract amount with this amendment is \$8,055,633). CIP/DID #635120-20

**Background:**

WCD = Work Change Directive

WCD #6	Beam Clarifications 5 <sup>th</sup> & 6 <sup>th</sup> Levels	\$5,659
	Elevator Entry Clarification	\$10,893
	Tube Steel and Connection for Beams in the Elevator Shaft – structural revisions	\$5,040
	Exterior Panel Elevations.	\$20,211
	Fire Extinguisher Cabinet Locations	\$5,497
	Steel Support below electrical room	\$13,832
	Elevator Equipment Room Firewall and Insulation	\$15,832
	Parking Stall Marking Devices on Grade Level – Revised	\$14,577
	Backflow Device and Water Meter Enclosure	\$6,347
	Handrail and Guardrail Modifications	\$8,895
	Revised Canopy Roof Plan & Collector Box Detail	\$11,582
	Street Address Signage	\$1,690
	Delete Plantings	(\$523)
	Reconciled Drilled pier Obstructions	\$16,244
	Add one bike rack	\$2,229
	Adjustment for electrical power usage	\$788
	Onsite supervision and temporary facilities to complete seasonally warm weather activities in spring	\$34,120
	Time Extension: Add 30 calendar days to completion date. New date is February 4, 2014	\$0
	Late Completion Settlement	(\$114,000)
	Galvanized Washers	\$18,410
	Washer and Fastener Revisions	\$10,759

**Action / Recommendation:**

The Public Works Department recommends approval of Change Order No. 6 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:** August 26, 2014

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

**Budget Information (if applicable):**

**Local Preference Policy:** Applies  Exempt

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

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

ENG  
AUD FILE  
FIN  
CLK  
KNUTSON  
OPN  
635120-20

RESOLUTION NO.

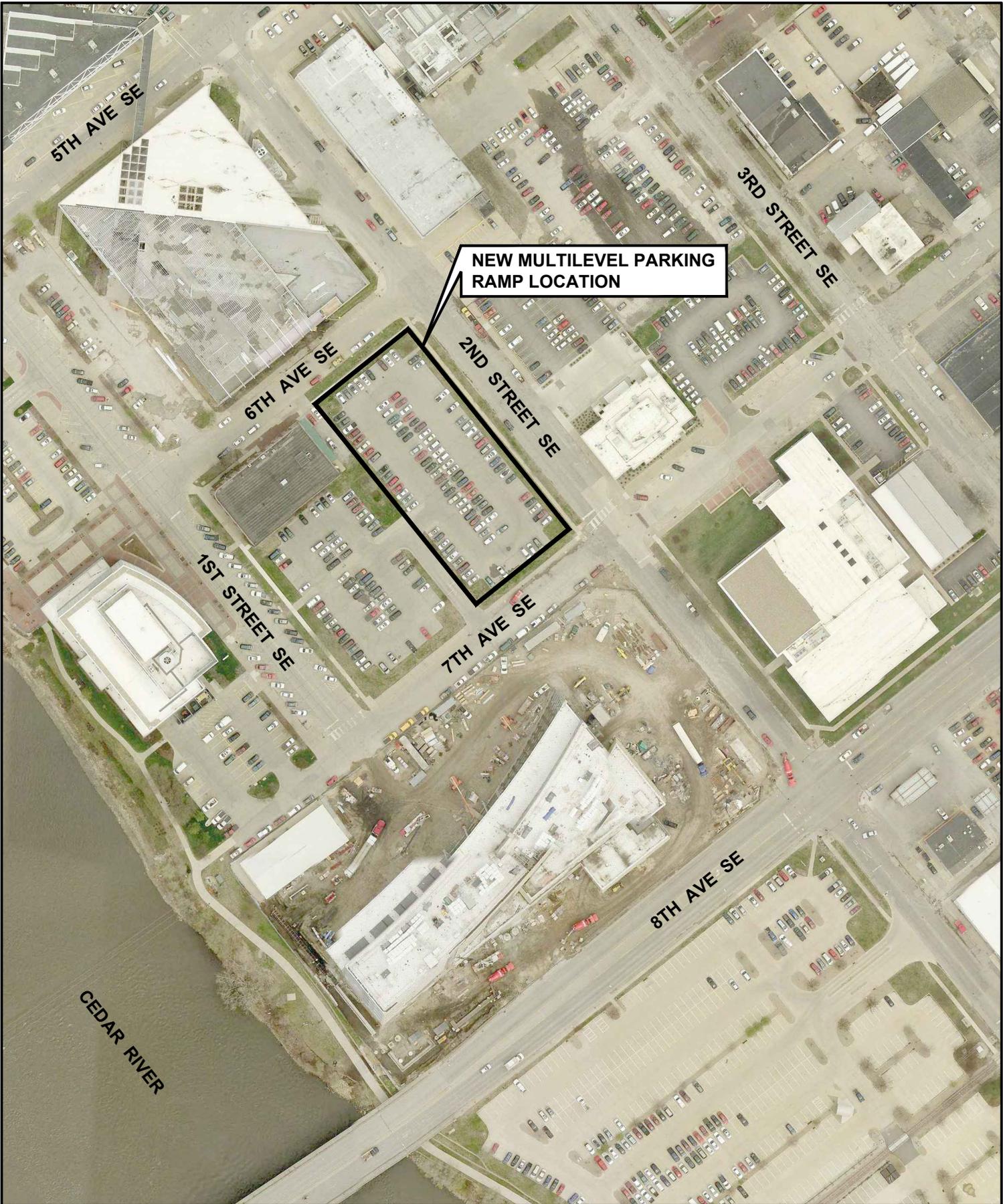
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 6 in the amount of \$88,082, plus 30 additional calendar days, with Knutson Construction Services Midwest, Inc. for the 2<sup>nd</sup> Street SE Parking Ramp at 7<sup>th</sup> Avenue – General Construction project, Contract No. 635120-20. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$7,801,500
Change Order No. 1	31,593
Change Order No. 2	23,960
Change Order No. 3	16,159
Change Order No. 4	15,216
Change Order No. 5	79,123
Change Order No. 6	<u>88,082</u>
Amended Contract Amount	<u>\$8,055,633</u>

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

\$88,082 635-635000-635120

Passed this 26<sup>th</sup> day of August, 2014.



**NEW MULTILEVEL PARKING RAMP LOCATION**



**7TH AVENUE SE AND 2ND STREET SE  
NEW MULTILEVEL PARKING RAMP**



0 FEET 150



## Council Agenda Item Cover Sheet

**\*FLOOD\***

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

**Alternate Contact Person:** Russell F. Betts, P.E.  
**E-mail Address:** r.betts@cedar-rapids.org

**Phone Number/Extension:** 5212

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

Authorizing Change Order No. 5 in the amount of \$16,320, and extending the contract completion date to August 20, 2014, with D.W. Zinser Company for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – Demolition & Abatement project (original contract amount was \$489,000; total contract amount with this amendment is \$926,132) (**FLOOD**). CIP/DID #PWE006-22

**Background:**

WCD = Work Change Directive

WCD #6	Extra Associated with Demolition at Public Works (City Services Center)	\$16,320
	Completion date has been adjusted due to coordination with the general contractor and site work	\$0

**Action / Recommendation:**

The Public Works Department recommends approval of Change Order No. 5 submitted by D.W. Zinser Company.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

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

**Budget Information (if applicable):** FEMA/I-Jobs/City – PWE006

**Local Preference Policy:** Applies  Exempt

**Explanation:** Capital Improvement Project

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

**Explanation** (if necessary): Project update provided at June 19, 2012 Infrastructure Committee Meeting.

ENG  
AUD FILE  
FIN  
CLK  
ZINSER  
RYAN CO  
PWE006-22  
OB377545

RESOLUTION NO.

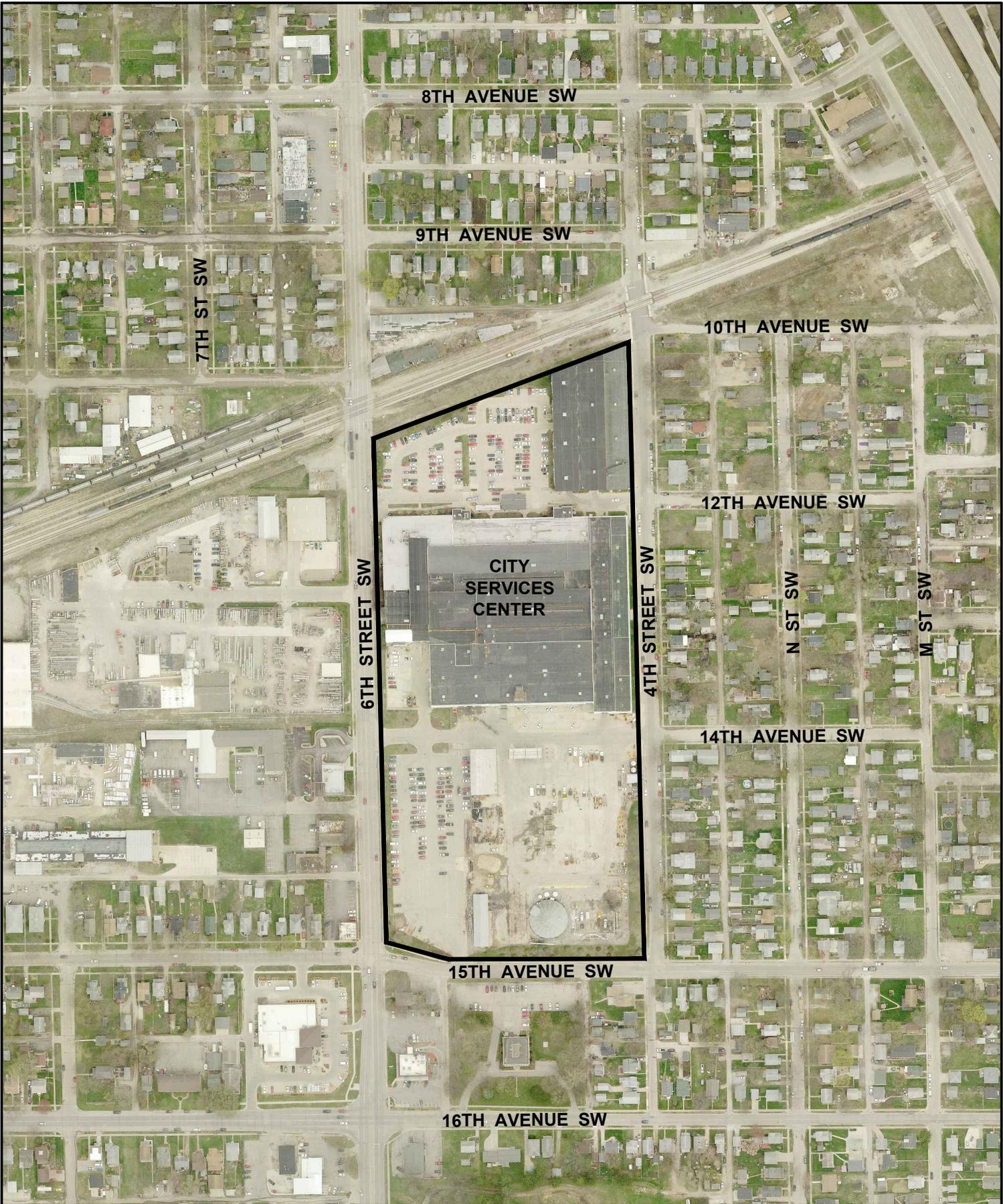
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 5 in the amount of \$16,320 and extend contract completion date to August 20, 2014 with D.W. Zinser Company for the Cedar Rapids City Services Center - Bid Package 2 - Phase 2 Demolition, Sitework and New Building Construction Project - Demolition & Abatement project, FLOOD No. PWE006-22. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$489,000
Change Order No. 1	26,480
Change Order No. 2	5,604
Change Order No. 3	161,234
Change Order No. 4	227,494
Change Order No. 5	<u>16,320</u>
Amended Contract Amount	\$926,132

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

\$16,320      330-330210-18515-PWE006-NG

Passed this 26<sup>th</sup> day of August, 2014.



8TH AVENUE SW

9TH AVENUE SW

7TH ST SW

10TH AVENUE SW

12TH AVENUE SW

6TH STREET SW

CITY SERVICES CENTER

4TH STREET SW

N ST SW

M ST SW

14TH AVENUE SW

15TH AVENUE SW

16TH AVENUE SW



CITY SERVICES CENTER



0 FEET 300



## Council Agenda Item Cover Sheet

### \*\*FLOOD\*\*

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

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

Authorizing Change Order No. 4 in the amount of \$2,758.80 with Ricklefs Excavating, Ltd. for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (original contract amount was \$1,765,564.20; total contract amount with this amendment is \$1,845,027.04) (**FLOOD**).  
 CIP/DID #SSD103-11

**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 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:** August 26, 2014

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

**Budget Information (if applicable):**

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

ENG  
AUD FILE  
FIN  
CLK  
RICKLEFS  
SNYDER  
SSD103-11  
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. 4 in the amount of \$2,758.80 with Ricklefs Excavating, Ltd. for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2, Contract No. SSD103-11. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,765,564.20
Possible Incentive	50,000.00
Change Order No. 1	31,968.10
Change Order No. 2	4,527.17
Change Order No. 3	3,708.77
Change Order No. 4	2,758.80
Disincentive/Liquidated Damages	<u>(13,500.00)</u>
Amended Contract Amount	\$1,845,027.04

General ledger coding for this Change Order to be as follows: \$2,758.80 330-330210-18511-SSD103

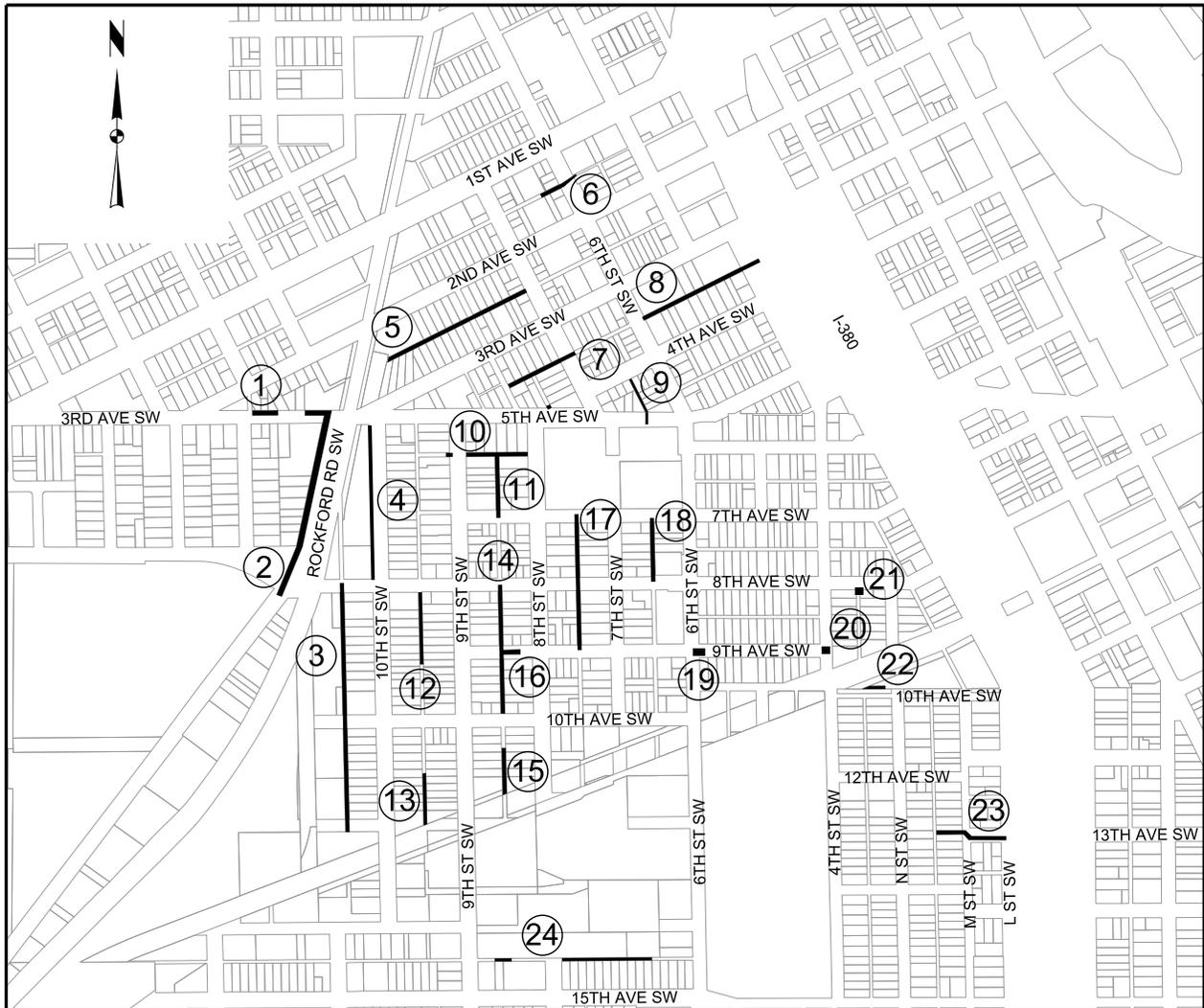
Passed this 26<sup>th</sup> day of August, 2014.

# SW QUADRANT, 2008 FLOOD AREA SANITARY SEWER RESTORATION, PHASE II, PART 2

CONTRACT NUMBER SSD103-11

Project Location Map & Table Reference		
#	Street or alley	Location
1	3rd Ave. SW	11th St. SW to Rockford Rd. SW
2	Rockford Rd. SW	8th Ave. SW to 3rd Ave. SW
3	Alley West of 10th St. SW	12th Ave. SW to 8th Ave. SW
4	10th St. SW	8th Ave. SW to 5th Ave. SW
5	2nd-3rd Ave. SW Alley	CRANDIC Rail to 7th St. SW
6	1st-2nd Ave. SW Alley	7th to 6th Streets SW
7	3rd-5th Ave. SW Alley	8th to 7th Streets SW
8	3rd-4th Ave. SW Alley	6th to 4th Streets SW
9	7th-6th St. SW Alley	5th to 4th Ave. SW
10	7th-5th St. SW Alley	9th to 8th Ave. SW
11	8th-9th St. SW Alley	7th to 5th Ave. SW
12	10th-9th St. SW Alley	9th to 8th Ave. SW

Project Location Map & Table Reference (Continued)		
13	10th-9th St. SW Alley	CRANDIC Rail to 10th Ave. SW
14	8th-9th St. SW Alley	8th to 10th Ave. SW
15	8th-9th St. SW Alley	10th Ave. SW to CRANDIC Rail
16	9th Ave. SW	Between 8th and 9th Streets SW
17	8th-7th St. SW Alley	9th to 7th Ave. SW
18	7th-6th St. SW Alley	8th to 7th Ave. SW
19	19th Ave. SW	East of 6th St. SW
20	4th St. SW	9th Ave. SW
21	4th-N St SW Alley	South of 8th Ave. SW
22	10th Ave. SW	Between 4th and N St. SW
23	13th Ave. SW	West of M St. SW to L St. SW
24	Alley north of 15th Ave. SW	9th to 6th St. SW



PROJECT LOCATION  
MAP & TABLE REFERENCE



## **Council Agenda Item Cover Sheet**

**Consent Agenda**       **Regular Agenda**

**Council Meeting Date:** August 26, 2014

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

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

**Alternate Contact:** Rich Block                      **Phone No.:** 5918    **E-mail:** [r.block@cedar-rapids.org](mailto:r.block@cedar-rapids.org)

**Description of Agenda Item:**

Change Order No. 1 in the amount of \$30,332.70 with Rice Lake Construction Group for the Permanent Flood Repairs Package 3 - Intermediate Lift, Final Lift, Secondary Treatment, Unit Substations 3 & 7, Cryogenic Oxygen Generation, and Activated Sludge project (original contract amount was \$7,748,600; total contract amount with this amendment is \$7,778,932.70) (**FLOOD**). CIP/DID #3303100091-01

**Background:**

In June of 2008, WPCF was inundated by the largest flood in the history of Cedar Rapids. Immediately after the flood a joint effort was undertaken by city employees, contractors and consultants working together to get the plant operational. Emergency repairs were completed at a rapid pace throughout the facility to begin pumping and treating wastewater. While the Emergency Flood Repairs allowed WPCF to begin treating wastewater; the facility has experienced significantly more reliability and redundancy problems since the flood. The Permanent Flood Repairs are designed to return the plant to pre-flood levels of redundancy and reliability. The Permanent Repairs - Package 1 (Main Lift pump station) project was previously completed in December 2011 by Rice Lake Construction Group. The Permanent Repairs - Package 2 (Solids Handling) project was previously completed in December 2013 by Staab Construction.

The Permanent Flood Repairs associated with these documents (Package 3) focus on flood damages at the Intermediate Lift, Final Lift, Unit Substations 3 & 7, Cryogenic Oxygen Generation Building, and activated sludge basins. Permanent replacement or repairs include process/mechanical equipment, pavement replacement, electrical components and wiring, and instrumentation and control components. (Flood Related)

Proposed Change Order No. 1 includes 41 items. Items 1-40 are for changes to the scope of work as defined in the Contract Documents. Item 41 is to account for the Allowance that was included in the Bid for work related to, but not reasonably inferred from the Plans and Specifications. Justification for each item is briefly described in the body of the change order. Item 24 is expected to be only partially FEMA reimbursable.

Each contractor proposal (COP) was reviewed by the Owner's and Engineer's designated representatives to ensure that the scope of the proposal is appropriate, and the pricing is reasonable.

**Action / Recommendation:**

The Utilities Department staff recommends execution of Change Order No. 1 in the amount of \$30,332.70 with Rice Lake Construction Group.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 08-26-14

**Resolution Date:** 08-26-14

**Estimated Presentation Time:** 0 Minutes

**Budget Information Process Information:**

1. **Included in Current Budget Year:** No. The project is a flood project and is being funded by FEMA. The project was accounted for in the FY12 and FY13 Water Pollution Control Department Flood budget and coded to WPF007.
2. **Analysis of the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** This project is a flood project and is being funded by FEMA.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes. The project was bid as a Capital Improvement project.

**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 be authorized to execute Change Order No. 1, to the Contract with Rice Lake Construction Group, specifying an increase in the amount of \$30,322.70 for the Permanent Flood Repairs Package 3 - Intermediate Lift, Final Lift, Secondary Treatment, Unit Substations 3 & 7, Cryogenic Oxygen Generation, and Activated Sludge (Contract No. 3303100091-01)

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

Original Contract Amount	\$7,748,600.00
Plus Change Order No. 1	<u>\$ 30,332.70</u>
Amended Contract Amount	\$7,778,932.70

Funded by FEMA. The project was accounted for in the FY12 and FY13 Water Pollution Control Department Flood budget and coded to WPF007.

Passed this 26<sup>th</sup> day of August, 2014



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5807

**Alternate Contact Person:** Dave Elgin  
**E-mail Address:** D.Elgin@cedar-rapids.org

**Phone Number/Extension:** 5803

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

Resolution authorizing execution of a Total Acquisition Purchase Agreement in the amount of \$15,000 with Better Built Investment Properties, L.L.C. for real property located at 1337 4<sup>th</sup> Street NW in connection with the Northwest Flood Mitigation System project. CIP/DID #331003-00

**Background:**

The property is being voluntarily acquired to accommodate the future Northwest Flood Mitigation System project. The existing structure will be demolished and the property converted to green space.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a Total Acquisition Purchase Agreement in the amount of \$15,000 and accepting a Warranty Deed from Better Built Investment Properties, L.L.C.

**Alternative to the Recommendation:**

Not acquire the property.

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

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

**Budget Information (if applicable):** 331/331000/331003

**Local Preference Policy:** Applies  Exempt

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

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Public Works Director has determined the need to acquire the real property located at 1337 4<sup>th</sup> Street NW for the future Northwest Flood Mitigation System project, and

WHEREAS, Better Built Investment Properties, L.L.C., % M. Duane Fadley, P.O. Box 196, Walford, Iowa 52351, Owner of the real property known and described as:

Lot 11, Block 47, O.N. Hulls Sixth Addition to the City of Cedar Rapids, Iowa

has agreed to convey said property by Warranty Deed to the City of Cedar Rapids for a total consideration of \$15,000, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into an agreement to purchase the property in accordance with the terms set forth in the Total Acquisition Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for the Northwest Flood Mitigation Acquisition project (Fund 331, Dept ID 331000, Project 331003), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are hereby authorized to execute the Total Acquisition Purchase Agreement as described herein, and

BE IT FURTHER RESOLVED that the Total Acquisition Purchase Agreement is hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City Attorney is authorized to review the abstract of title and upon approval by the City Attorney, the City Attorney or designee (the Real Estate Services Manager, City Engineer or the Engineering Manager) shall finalize the transaction and authorize the City of Cedar Rapids Finance Director to issue payment(s) necessary per the terms of the Total Acquisition Purchase Agreement to Better Built Investment Properties, L.L.C., Linn County Treasurer and lien holders, if applicable, per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that upon receipt, the Warranty Deed, Groundwater Hazard Statement and all other documents from Better Built Investment Properties, L.L.C., be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 26<sup>th</sup> day of August, 2014.

N AVENUE NW

CEDAR RIVER

M AVENUE NW

1ST STREET NW

4TH STREET NW

3RD STREET NW

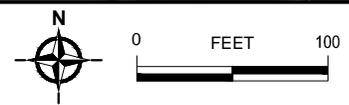
L AVENUE NW



PROPERTY ACQUISITION  
1337 4TH STREET NW



PROPERTY ACQUISITION  
1337 4TH STREET NW



Cadd File Name: W:\PROJECTS\GIS\311003 - NW Flood Mitigation Acquisition\311003 Council Map.dwg



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Cari Pauli, P.E.  
**E-mail Address:** c.pauli@cedar-rapids.org

**Phone Number/Extension:** 5157

**Alternate Contact Person:** Tom Peterson, PE, PTOE  
**E-mail Address:** t.peterson@cedar-rapids.org

**Phone Number/Extension:** 5847

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

Resolution authorizing execution of a 28E Memorandum of Agreement with All Saints Elementary School for participation in the adult guard program for FY 2015, reimbursing All Saints Elementary School for 50% of the costs for wages up to \$11.40/hour, fringes, and updated equipment, up to a maximum of \$1,847.94. CIP/DID #60-15-011

**Background:**

The City of Cedar Rapids entered into a 28E Agreement with All Saints Elementary School for implementation of an adult crossing guard program, which expired on June 30, 2014. The subject 28E Agreement is for FY 2015.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a 28E Memorandum of Agreement for participation in the adult guard program for FY 2015, reimbursing All Saints Elementary School for 50% of the costs for wages up to \$11.40/hour, fringes, and updated equipment, up to a maximum of \$1,847.94.

**Alternative to Recommendation:** All Saints Elementary School would be responsible for 100% of the funding for their adult crossing guard(s).

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** FY15 adult guard budget account #139000

**Local Preference Policy:** Applies  Exempt

**Explanation:** Local Preference Policy does not apply to adult crossing guard 28E Agreements.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, St. Matthew School (SCHOOL) has agreed to establish and operate an adult guard program at designated school crossings and has submitted a 28E Memorandum of Agreement agreeing to the terms and conditions of the program, and

WHEREAS, the City has allocated funding in the amount of \$62,830 in its FY 2015 adult guard budget to be distributed to schools/districts participating in the adult guard program, according to the number of approved guard locations, to reimburse 50% of the hourly wage and other costs incurred for the guard program, and

WHEREAS, according to the number of SCHOOL crossing guard hours, the SCHOOL is eligible for a maximum reimbursement amount of \$1,847.94, and

WHEREAS, the City will reimburse the SCHOOL 50% of the hourly wage of \$11.40, with the remaining maximum to be used to reimburse fringes, updated Manual on Uniform Traffic Control Devices (MUTCD)-compliant guard clothing and portable equipment for existing location, and new MUTCD-compliant guard clothing and portable equipment for new locations,

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 28E Memorandum of Agreement with St. Matthew School for an adult guard program, and

BE IT FURTHER RESOLVED that the 28E Memorandum of Agreement with St. Matthew School be accepted and filed with the City of Cedar Rapids Finance Director.

Passed this 26<sup>th</sup> day of August, 2014



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Cari Pauli, P.E.  
**E-mail Address:** c.pauli@cedar-rapids.org

**Phone Number/Extension:** 5157

**Alternate Contact Person:** Tom Peterson, PE, PTOE  
**E-mail Address:** t.peterson@cedar-rapids.org

**Phone Number/Extension:** 5847

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

Resolution authorizing execution of a 28E Memorandum of Agreement with St. Matthew School for participation in the adult guard program for FY 2015, reimbursing St. Matthew School for 50% of the costs for wages up to \$11.40/hour, fringes, and updated equipment, up to a maximum of \$1,847.94. CIP/DID #60-15-011

**Background:**

The City of Cedar Rapids entered into a 28E Memorandum of Agreement with St. Matthew School for implementation of an adult crossing guard program, which expired on June 30, 2014. The subject 28E Memorandum of Agreement is for FY 2015.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a 28E Memorandum of Agreement for participation in the adult guard program for FY 2015, reimbursing St. Matthew School for 50% of the costs for wages up to \$11.40/hour, fringes, and updated equipment, up to a maximum of \$1,847.94.

**Alternative to Recommendation:** St. Matthew School would be responsible for 100% of the funding for their adult crossing guard(s).

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** FY15 adult guard budget account #139000

**Local Preference Policy:** Applies  Exempt

**Explanation:** Local Preference Policy does not apply to adult crossing guard 28E Agreements.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, St. Matthew School (SCHOOL) has agreed to establish and operate an adult guard program at designated school crossings and has submitted a 28E Memorandum of Agreement agreeing to the terms and conditions of the program, and

WHEREAS, the City has allocated funding in the amount of \$62,830 in its FY 2015 adult guard budget to be distributed to schools/districts participating in the adult guard program, according to the number of approved guard locations, to reimburse 50% of the hourly wage and other costs incurred for the guard program, and

WHEREAS, according to the number of SCHOOL crossing guard hours, the SCHOOL is eligible for a maximum reimbursement amount of \$1,847.94, and

WHEREAS, the City will reimburse the SCHOOL 50% of the hourly wage of \$11.40, with the remaining maximum to be used to reimburse fringes, updated Manual on Uniform Traffic Control Devices (MUTCD)-compliant guard clothing and portable equipment for existing location, and new MUTCD-compliant guard clothing and portable equipment for new locations,

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 28E Memorandum of Agreement with St. Matthew School for an adult guard program, and

BE IT FURTHER RESOLVED that the 28E Memorandum of Agreement with St. Matthew School be accepted and filed with the City of Cedar Rapids Finance Director.

Passed this 26<sup>th</sup> day of August, 2014



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Cari Pauli, P.E.  
**E-mail Address:** c.pauli@cedar-rapids.org

**Phone Number/Extension:** 5157

**Alternate Contact Person:** Tom Peterson, PE, PTOE  
**E-mail Address:** t.peterson@cedar-rapids.org

**Phone Number/Extension:** 5847

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

Resolution authorizing execution of a 28E Memorandum of Agreement with the Linn Mar Community School District for participation in the adult guard program for FY 2015, reimbursing the Linn Mar Community School District for 50% of the costs for wages up to \$11.40/hour, fringes, and updated equipment, up to a maximum of \$1,847.94. CIP/DID #60-15-011

**Background:**

The City of Cedar Rapids entered into a 28E Agreement with the Linn Mar Community School District for implementation of an adult crossing guard program, which expired on June 30, 2014. The subject 28E Memorandum of Agreement is for FY 2015.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a 28E Memorandum of Agreement for participation in the adult guard program for FY 2015, reimbursing the Linn Mar Community School District for 50% of the costs for wages up to \$11.40/hour, fringes, and updated equipment, up to a maximum of \$1,847.94.

**Alternative to Recommendation:** Linn Mar Community School District would be responsible for 100% of the funding for their adult crossing guard(s).

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** FY15 adult guard budget account #139000

**Local Preference Policy:** Applies  Exempt

**Explanation:** Local Preference Policy does not apply to adult crossing guard 28E Agreements.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Linn Mar Community School District (DISTRICT) has agreed to establish and operate an adult guard program at designated DISTRICT crossings and has submitted a 28E Memorandum of Agreement agreeing to the terms and conditions of the program, and

WHEREAS, the City has allocated funding in the amount of \$62,830 in its FY 2015 adult guard budget to be distributed to schools/districts participating in the adult guard program, according to the number of approved guard locations, to reimburse 50% of the hourly wage and other costs incurred for the guard program, and

WHEREAS, according to the number of DISTRICT crossing guard hours, the DISTRICT is eligible for a maximum reimbursement amount of \$1,847.94, and

WHEREAS, the City will reimburse the DISTRICT 50% of the hourly wage of \$11.40, with the remaining maximum to be used to reimburse fringes, updated Manual on Uniform Traffic Control Devices (MUTCD)-compliant guard clothing and portable equipment for existing location, and new MUTCD-compliant guard clothing and portable equipment for new locations,

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 28E Memorandum of Agreement with the Linn Mar Community School District for an adult guard program, and

BE IT FURTHER RESOLVED that the 28E Memorandum of Agreement with the Linn Mar Community School District be accepted and filed with the City of Cedar Rapids Finance Director.

Passed this 26<sup>th</sup> day of August, 2014



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Cari Pauli, P.E.  
**E-mail Address:** c.pauli@cedar-rapids.org

**Phone Number/Extension:** 5157

**Alternate Contact Person:** Tom Peterson, PE, PTOE  
**E-mail Address:** t.peterson@cedar-rapids.org

**Phone Number/Extension:** 5847

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

Resolution authorizing execution of a 28E Memorandum of Agreement with the Cedar Rapids Community School District (CRCSD) for participation in the adult guard program for FY 2015, reimbursing the Cedar Rapids Community School District for 50% of the costs for wages up to \$11.40/hour, fringes, and updated equipment, up to a maximum of \$57,286.18. CIP/DID #60-15-011

**Background:**

The City of Cedar Rapids entered into a 28E Agreement with the Cedar Rapids Community School District (CRCSD) for implementation of an adult crossing guard program, which expired on June 30, 2014. The subject 28E Agreement is for FY 2015.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a 28E Memorandum of Agreement for participation in the adult guard program for FY 2015, reimbursing the CRCSD for 50% of the costs for wages up to \$11.40/hour, fringes, and updated equipment, up to a maximum of \$57,286.18.

**Alternative to Recommendation:** The Cedar Rapids Community School District would be responsible for 100% of the funding for their adult crossing guard(s).

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** FY15 adult guard budget account #139000

**Local Preference Policy:** Applies  Exempt

**Explanation:** Local Preference Policy does not apply to adult crossing guard 28E Agreements.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Cedar Rapids Community School District (DISTRICT) has agreed to establish and operate an adult guard program at designated DISTRICT crossings and has submitted a 28E Memorandum of Agreement agreeing to the terms and conditions of the program, and

WHEREAS, the City has allocated funding in the amount of \$62,830 in its FY 2015 adult guard budget to be distributed to schools/districts participating in the adult guard program, according to the number of approved guard locations, to reimburse 50% of the hourly wage and other costs incurred for the guard program, and

WHEREAS, according to the number of DISTRICT crossing guard hours, the DISTRICT is eligible for a maximum reimbursement amount of \$57,286.18, and

WHEREAS, the City will reimburse the DISTRICT 50% of the hourly wage of \$11.40, with any remaining maximum to be used to reimburse fringes, updated Manual on Uniform Traffic Control Devices (MUTCD)-compliant guard clothing and portable equipment for existing location, and new MUTCD-compliant guard clothing and portable equipment for new locations,

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 28E Memorandum of Agreement with the Cedar Rapids Community School District for an adult guard program, and

BE IT FURTHER RESOLVED that the 28E Memorandum of Agreement with the Cedar Rapids Community School District be accepted and filed with the City of Cedar Rapids Finance Director.

Passed this 26<sup>th</sup> day of August, 2014

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** August 26, 2014

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

**Presenter at meeting:** Angie Charipar  
**Email:** s.fowler@cedar-rapids.org

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

**Alternate Contact Person:** Kim Greene  
**Email:** Ki.greene@cedar-rapids.org

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

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

Resolution authorizing payments to various non-profit special events held in Cedar Rapids during the second half of the fiscal year 2014 from the Special Event Public Safety Fund. CIP/DID #OB568164

**Background:**

Beginning in fiscal year 2011, the Cedar Rapids City Council put in place public safety funding to provide financial support to special events utilizing the services of the Cedar Rapids Special Duty Police program. Approximately 30-40 events per year hire special duty police to provide public safety, traffic control, and crowd management services at special events in Cedar Rapids.

On January 8, 2013, the Council approved Resolution No. 0024-01-13 authorizing the City Manager to implement the Special Event Public Safety Fund Policy to provide support for community special events as defined in the policy.

The criteria for special event applicants to receive Public Safety Funds includes:

- Events are provided funding for the amount invoiced from the Cedar Rapids Special Duty Police program, or \$1,000 per event, whichever is less.
- Organizations may receive a maximum of \$5,000 per fiscal year. Funding will be distributed twice annually.
- Organizations must be a non-profit, or the proceeds from the event must be directed toward a non-profit
- Organizations and/or special events to which the City contributes Hotel/Motel funding are not eligible.

This resolution is authorizing payment to four non-profit special event applicants for a total of \$7,114.28 for FY14 funding (January 1, 2014 to June 30, 2014).

**Action / Recommendation:**

Approve payment to non-profit organizations for special events held in Cedar Rapids from January 1, 2014 to June 30, 2014 as indicated in resolution.

**Alternative Recommendation:**

Request more information

**Time Sensitivity:**

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 0

Fund 101, deptid 181000, class 13218

**Budget Information (if applicable):**

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Cedar Rapids City Council approved Resolution No. 0024-01-13 which established the Special Event Public Safety Fund Policy to provide financial support for community special events, and

WHEREAS, three individual non-profit applicants have applied for reimbursement for their Special Duty Police officers utilized to provide public safety, traffic control and/or crowd management services at special events in Cedar Rapids during the second portion of FY14 (January 1, 2014 to June 30, 2014).

<b>Non-Profit Organization</b>	<b>Event Name</b>	<b>Event Dates</b>	<b>Amount</b>
Saint Patrick's Day Parade Society (SAPADAPASO)	Parade	3/17/14	1,000
Cedar Rapids Jaycees	Uptown Friday Nights	5/23/14	441
Cedar Rapids Jaycees	Uptown Friday Nights	5/30/14	441
Cedar Rapids Jaycees	Uptown Friday Nights	6/6/14	343
Cedar Rapids Jaycees	Uptown Friday Nights	6/13/14	441
Cedar Rapids Jaycees	Uptown Friday Nights	6/20/14	441
Coe College	Athletic competitions (Basketball/Wrestling)	1/8/14, 1/11/14 and 1/17/14	499.45
Coe College	Athletic competition (basketball)	1/22/14	173.72
Coe College	Athletic competition (basketball)	2/8/14	195.44
Coe College	Athletic competition (basketball)	2/19/14, 2/22/14 and 2/27/14	521.16
Coe College	Athletic competition (baseball)	4/5/14, 4/6/14 and 4/8/14	738.31
Coe College	Athletic competition (baseball)	4/25 and 4/26/14	456.02
Coe College	Athletic competition (baseball/softball)	5/2/14, 5/8-5/11/14	1,129.18
Four Oaks	Wellington Heights Single Family Home Groundbreaking	4/22/14	294.00

**TOTAL                    \$7,114.28**

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Department is hereby authorized to issue payments to the above non-profit organizations for the amounts listed above from the public safety FY14 fund [Fund 101, Dept ID 181000, class 13218].

Passed this 26<sup>th</sup> day of August, 2014.



## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services Department

**Presenter at meeting:** Joe Mailander, PE

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

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

**Alternate Contact Person:** Chris Strecker, PE

**Phone Number/Extension:** 319-286-5820

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

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

Resolution authorizing reimbursement of \$25,000 to Prairie Crossing, LLC for turn lane improvements along C Street SW at the Kirkwood Parkway intersection in connection with the new Ruffalo Cody office construction project. CIP/DID #OB814580

### Background:

An Administrative Site Development Plan for the construction of a new corporate headquarters for Ruffalo Cody was reviewed and approved by City staff in September 2013. The approved site plans included off-site construction of a right-hand turn lane along C Street SW at the Kirkwood Parkway intersection. The turn lane was required as part of this project due to the number of employees anticipated. In addition to the contribution from Ruffalo Cody, a traffic study reviewed and approved by the City Traffic Engineer indicates that the existing traffic volumes at this intersection are already large enough to meet the guidelines for a right-hand turn lane. Due to this existing traffic volume, the applicant has requested City participation in the construction of the turn lane. The estimated construction cost of this improvement is \$53,494. The Public Works Department and Development Services review group recommends participation in the amount of \$25,000 for this work.

### Action / Recommendation:

City staff recommends approval of the resolution.

### Alternative Recommendation:

City Council may table this item and request further information.

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

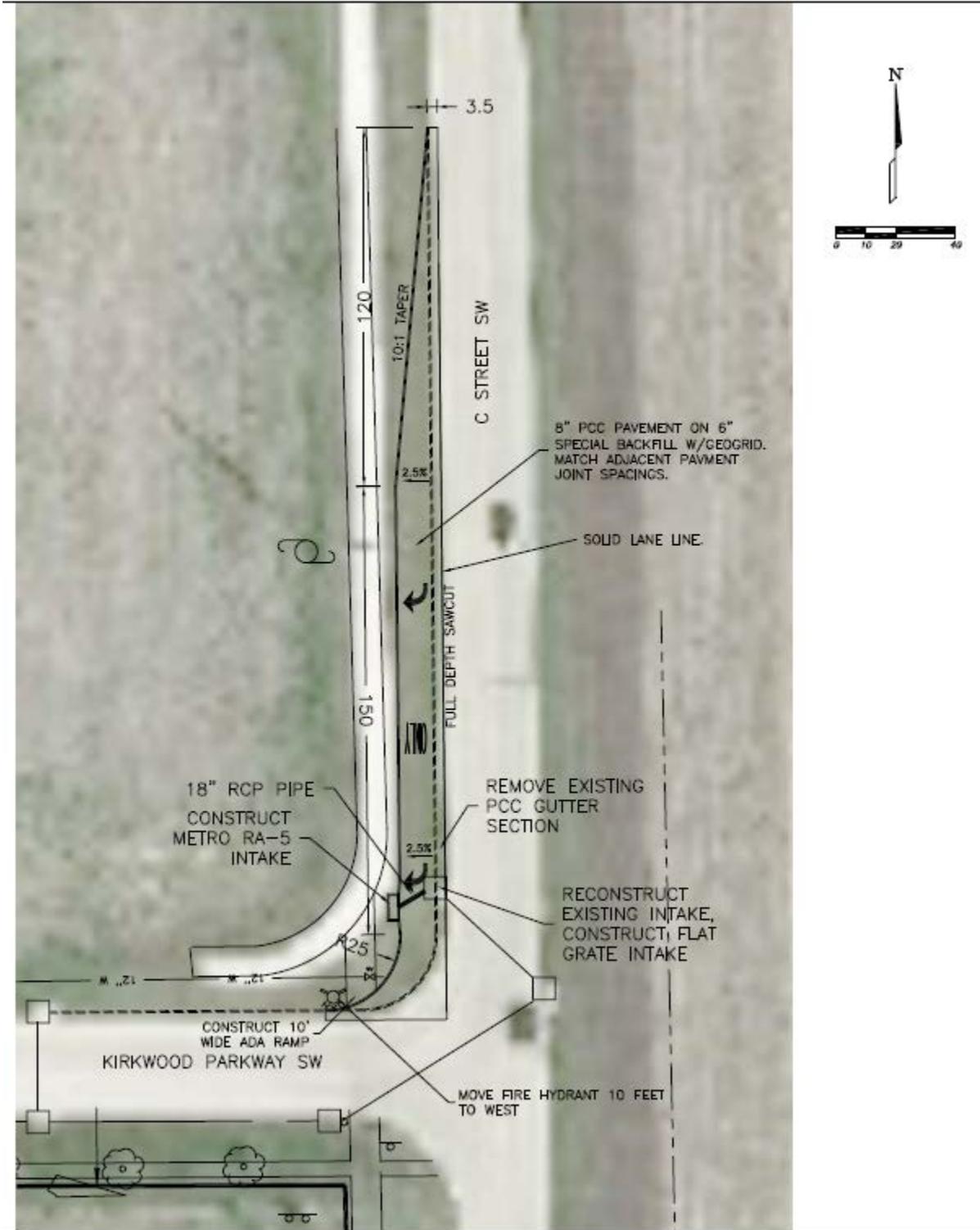
**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** Fund 301924

**Local Preference Policy:** Applies  Exempt

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

# C Street Turn Lane Exhibit



RESOLUTION NO.

WHEREAS, an Administrative Site Development Plan for the construction of a new corporate office for Ruffalo Cody was approved by the Development Services Department on September 19, 2013; and

WHEREAS, the City has requested that the developer construct a right-hand turn lane on C Street SW at the Kirkwood Parkway intersection to accommodate the increased traffic generated by this project; and

WHEREAS, a traffic study reviewed and approved by the City shows that the existing traffic levels in the area already meet the guidelines for a right-hand turn lane; and

WHEREAS, the cost of this engineering, design and construction of a right-hand turn lane is estimated at \$53,494; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Prairie Crossing, LLC is paid a maximum amount of \$25,000 from the Street Fund (Fund 301924) as the City's participation in the C Street and Kirkwood Parkway SW right-hand turn lane construction project.

Passed this 26<sup>th</sup> day of August, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** August 26<sup>th</sup>, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** Jasmine Almoayed

**Phone Number/Ext:** 319-286-5349

**Email:** j.almoayed@cedar-rapids.org

**Alternate Contact Person:**

**Phone Number/Ext:**

**Email:**

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

Resolution authorizing City matching contribution of \$50,000 to partner with the Metro Economic Alliance on a Downtown Façade Improvement Program; CIP/DID #OB143651

### **Background:**

The purpose of the Downtown Façade Improvement Program is to encourage property and business owners within the downtown to renovate their building fronts and other exteriors plainly visible to the public. It is a mechanism for the City of Cedar Rapids, the Downtown Self-Supported Municipal Improvement District (SSMID) Commission and property/business owners to share in the project cost.

This Program may be used in conjunction with the City's established Economic Development Programs.

This concept was presented to and approved by the Downtown SSMID Board at their July meeting, and the three person Façade Improvement Committee has been established. The first committee meeting would occur in late August/ early September pending City Council approval.

### **Action / Recommendation:**

City staff recommends approval of the resolution.

### **Alternative Recommendation:**

City Council may table this item and request further information

**Time Sensitivity:** Normal

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

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

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

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids, Downtown Self-Supported Municipal Improvement District (SSMID) and the Cedar Rapids Metro Economic Alliance (CRMEA) have a vested interest in furthering the revitalization of Downtown Cedar Rapids and the local economy; and

WHEREAS, the City of Cedar Rapids, Downtown SSMID and CRMEA identified the need for building façade improvements, the purpose of the Downtown Façade Improvement Program is to encourage property and business owners within the downtown to renovate their building fronts and other exteriors plainly visible to the public. It is a mechanism for the City of Cedar Rapids, SSMID Commission and property/business owners to share in the project cost.

WHEREAS, the Downtown SSMID and CRMEA has worked with City staff in developing a Façade Renovation Program to provide an incentive for property and business owners in the form of a matching grant for approved exterior improvements; which may be used in conjunction with other City urban renewal activities and programs, as well as private redevelopment projects; and

WHEREAS, the City Council of the City of Cedar Rapids recognizes the positive impact a dynamic central business district has to the overall character of the City and the significance of sustaining a robust level of economic and social activity in the City's Downtown; and the program was presented and approved by the Downtown SSMID Board on July 13, 2014 pending City Council approval;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa as follows:

1. That the Council approves the Façade Renovation Program, as attached hereto, and authorizes the following allocations, \$50,000 through June 30, 2014 to be funded by the Economic Development Fund.
2. That the Downtown SSMID will appoint a three-member Façade Improvement Committee consisting of two members of the SSMID and one member of the Economic Alliance Community Development Innovation Council. The City of Cedar Rapids and the Economic Alliance will each assign a staff member to assist the committee. This Committee shall be responsible for the review of proposed renovation projects to insure the compatibility of Façade Renovation Program projects.

Passed the 26<sup>th</sup> day of August, 2014.

## **Downtown Façade Improvement Program**

### **Purpose**

The Downtown Façade Improvement Program (the “Program”) is intended to encourage property and business owners within the downtown to renovate their building fronts and other exteriors plainly visible to the public. By establishing a mechanism for the City of Cedar Rapids and the Downtown Self-Supported Municipal Improvement District (SSMID) Commission to share in the project cost, the Program promotes more renovations, as well as higher quality exterior improvements. An increase in the visible private investment complements all other economic initiatives within the area.

This Program may be used in conjunction with other City urban renewal activities and programs, as well as private redevelopment projects.

### **Qualified Area**

Downtown is defined by the boundaries of the Downtown SSMID. See map on the next page.

### **Eligible Structures & Applicants**

Eligible structures may have various uses, such as commercial, residential, arts and entertainment or mixed-use properties, but must be located within the designated Qualified Area identified above. Projects will be considered, as applications are received. However, priority will be given for buildings determined by the City and Downtown SSMID to have greatest need for renovation or the greatest strategic importance for implementation of the Downtown Vision Plan. Targeted properties must be in compliance with standards for routine maintenance and upkeep. The program is not intended to benefit property owners that have been negligent in standard maintenance of buildings and property.

Applicants can be property owners. Applicants can also be business owners or tenants within the building being renovated, but such applications must be accompanied by written consent from the property owner.

### **Eligible Improvements/Expenses**

Program participation includes, but is not limited to, the following:

- Removal of existing façade materials in preparation for restoration of historic building features
- Renovation of building facades, including exterior design elements, that lead to visible aesthetic improvements (i.e.: a routine tuck-pointing job would not be covered, but painting or brickwork cleaning/restoration may be eligible)
- Restoration of historic painting or design on building exteriors
- Installation of exterior lighting for the purpose of aesthetic enhancement that fits the character of the area
- Renovation of historic business signs remaining on buildings

The Program is not intended to cover replacement of existing signage, nor any work related to

structural or mechanical upgrades.

### **City and Downtown SSMID Participation**

The Program will cover up to 50 percent of eligible expenses on a project. The City of Cedar Rapids and Downtown SSMID will each contribute up to 25 percent of the project cost in the form of a cash reimbursement to the property or business owner or tenant upon satisfactory completion of the project. Reimbursements cannot exceed \$100 per linear foot of building frontage in the project.

### **Committee Structure**

The Downtown SSMID will appoint a three-member Façade Improvement Committee consisting of two members of the SSMID and one member of the Economic Alliance Community Development Innovation Council. The City of Cedar Rapids and the Economic Alliance will each assign a staff member to assist the committee.

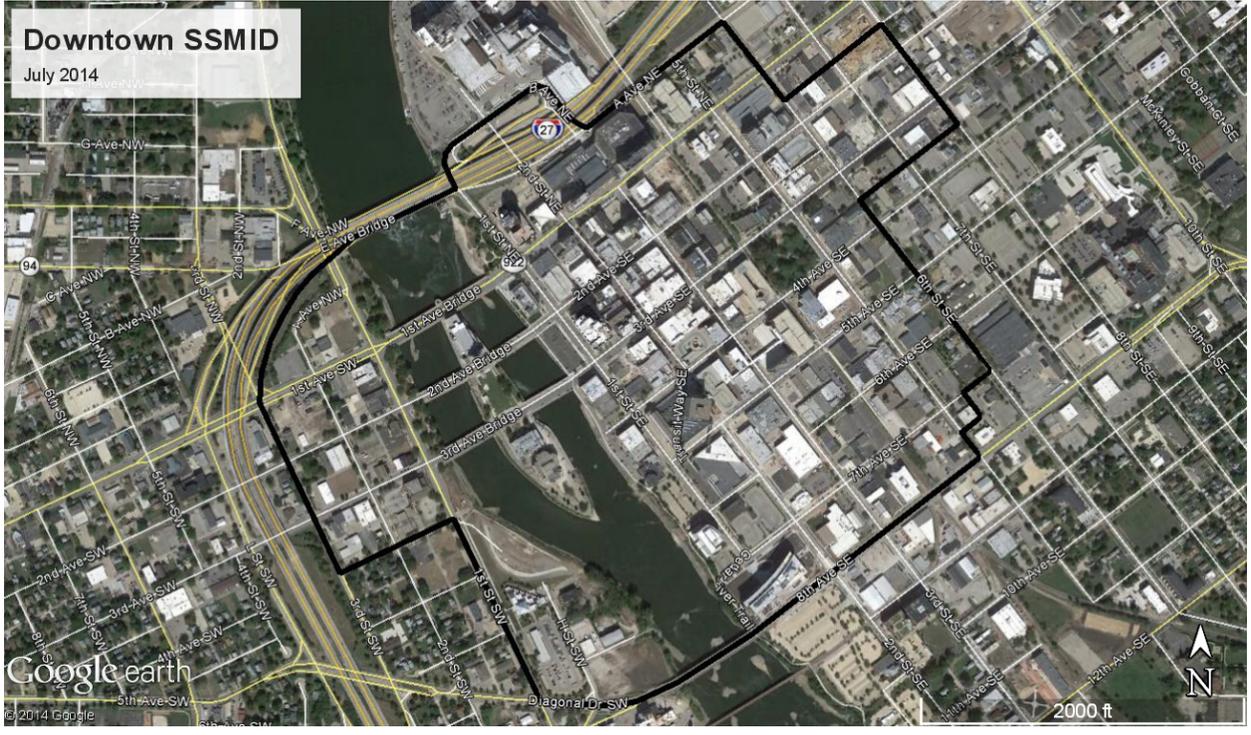
### **Participation Procedure**

Success of the Program depends, in large part, upon the mutual cooperation and response on the part of the participant and City/Downtown SSMID. The general procedure includes the following steps:

- Initial project consultation with the Façade Improvement Committee to establish eligibility based on concept plans. The Committee will be facilitated by the Cedar Rapids Metro Economic Alliance, and applicant contact can be made via the Economic Alliance.
- Submit final plans and project bid to the Committee.
- Committee determines award to project and enters into an agreement with the applicant.
- Reimbursement to the applicant for eligible costs upon completion of improvements.

# Downtown SSMID

July 2014



## Council Agenda Item Cover Sheet

Consent Agenda       Regular Agenda

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Utilities – Water Division

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

**Alternate Contact:** Kevin Kirchner      **Phone No.:** 5902    **E-mail:** [k.kirchner@cedar-rapids.org](mailto:k.kirchner@cedar-rapids.org)

**Description of Agenda Item:**

Resolutions approving actions regarding Purchases/Contracts/Agreements:

- a. Renewal of the annual database software license update and technical support services contract (Service Contract No. 2170127) for Fiscal Year 2015 (Sept. 3, 2014 – Sept. 2, 2015) with Oracle in the amount of \$32,893.57 (original contract amount from last year was \$31,935.50; renewal contract amount for this year is \$32,893.57). CIP/DID #88075-01

**Background:**

The Utilities Water Division Utility Customer Care and Billing Software 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 Water Division must renew the software license update and technical support services annually to maintain support for the database.

**Action / Recommendation:**

The Utilities Water Division recommends approving the resolution authorizing renewal of the annual database software license update and technical support services contract with Oracle in the amount of \$32,893.57 for Fiscal Year 2015.

**Alternative Recommendation (if applicable):**

The Council could decide not to approve this renewal contract. If that would happen, the Utilities Division would not have maintenance and support on the database that the Customer Care and Billing Software operates on.

**Time Sensitivity:** The renewal period is for the time frame of Sept. 3, 2014 – Sept. 2, 2015.

**Resolution Date:** 8/26/14

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

**Budget and Purchase Process Information (if applicable):**

1. **Included in Current Budget Year:** Yes, this is budgeted for Fiscal Year 2015 under Utilities Water Division Operations – Administration. To be coded to 522102-621-621010.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** \$33,000 was budgeted for Fiscal Year 2015 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:** N/A

RESOLUTION NO.

WHEREAS, the Utilities Department – Water Division purchased an Oracle database for its Utility Customer Care and Billing Software System, and

WHEREAS, the Utility Customer Care and Billing Software 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 services annually to maintain support for the database, and

WHEREAS, Oracle has submitted an invoice in the amount of \$32,893.57 for renewal of the annual database software license update and technical support services contract (Service Contract No. 2170127) for Fiscal Year 2015 (September 3, 2014 – September 2, 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 to Oracle for renewal of the annual database software license update and technical support services contract (Service Contract No. 2170127) for Fiscal Year 2015 (September 3, 2014 – September 2, 2015). To be funded from the Utilities Department - Water's administrative FY15 operations and maintenance budget and coded to 522102-621-621010.

Passed this 26<sup>th</sup> day of August, 2014.

## Council Agenda Item Cover Sheet

**Consent Agenda**       **Regular Agenda**

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Utilities Department – Water Plant Operations

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

**Alternate Contact:** Tariq Baloch                      **Phone No.:** 5283    **E-mail:** [t.baloch@cedar-rapids.org](mailto:t.baloch@cedar-rapids.org)

**Description of Agenda Item:**

Resolution approving actions regarding Purchases/Contracts/Agreements.

- a. Utilities Department – Water Plant Operations purchase of five Hach Nitratax Plus SC 2 MM Nitrate Analyzers and five SC200 Controllers in the amount of \$84,417 from Hach Company (sole source – see attachment). CIP/DID #OB

**Background:**

The Utilities Department – Water Plant Operations needs to extend monitoring capability of nitrate concentrations at each of five horizontal collector wells which provide the majority of the City’s raw water supply. Nitrate and nitrite constituents in water are regulated under EPA and IDNR standards and rules. Utilities Department – Water Plant Operations currently monitors nitrate levels at each Water Plant. Adding analyzers at each well house allows for quicker response and operational flexibility when concentrations elevate, and will reduce manpower and analytical expense incurred with manual laboratory sampling

Utilities Department – Water Plant Operations has used the Hach Nitratax Plus SC 2MM Nitrate Analyzer for the past 10 years at the NW Plant and at the J Ave Plant for the past year, with little or no problem. The nitrate value is displayed real time for Plant Operations and is archived in the database for regulatory purposes.

Hach Company (sole source provider) is the local distributor for the Hach Nitratax Plus SC 2MM Nitrate Analyzer and SC200 Controller and has submitted a quote in the amount of \$84,417 for five units.

**Action / Recommendation:**

The Utilities Department – Water Plant Operations recommends approval of the Resolution authorizing the purchase of five Hach Nitratax Plus SC 2 MM Nitrate Analyzers and five SC200 Controllers at a total cost of \$84,417 from Hach Company.

**Alternative Recommendation:** N/A

**Time Sensitivity:** N/A

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 0 Minutes

**Budget Information (if applicable):**

To be funded from the Utilities Department – Water Plant Operations fiscal year 2015 budget and coded to 554000-621-621001.

**Local Preference Policy**    Applies     Exempt

**Explanation:** Hach Company is the sole source provider and local distributor for this equipment.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Utilities Department – Water Plant Operations needs to expand monitoring capability of nitrate concentrations at each of five horizontal collector wells which provide the majority of the City’s raw water supply, and

WHEREAS, Nitrate and nitrite constituents in water are regulated under EPA and IDNR standards and rules. Utilities Department – Water Plant Operations currently monitors nitrate levels at each Water Plant. Adding analyzers at each well house allows for quicker response and operational flexibility when concentrations elevate, and will reduce manpower and analytical expense incurred with manual laboratory sampling, and

WHEREAS, the Utilities Department – Water Plant Operations has used the Hach Nitratax Plus SC 2MM Nitrate Analyzer for the past 10 years at the NW Plant and at the J Ave Plant for the past year, with little or no problem. The nitrate value is displayed real time for Plant Operations and is archived in the database for regulatory purposes, and

WHEREAS, Hach Company (sole source provider) is the local distributor for the Hach Nitratax Plus SC 2MM Nitrate Analyzer and SC200 Controller and has submitted a quote in the amount of \$84,417 for five units.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Utilities Department – Water Plant Operations be authorized to purchase five Hach Nitratax Plus SC 2MM Nitrate Analyzers and five SC200 Controllers in the amount of \$84,417 from Hach Company. To be funded from the Utilities Department – Water Plant Operations fiscal year 2015 budget and coded to 554000-621-621001.

Passed this 26<sup>th</sup> day of August, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Community Development & Planning

**Presenter at meeting:** Kirsty Sanchez

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

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

**Alternate Contact Person:** Jennifer Pratt

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

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

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

Resolution authorizing execution of a Development Agreement with Avril House, LLC for the relocation and historic rehabilitation of the Avril House at 616 4<sup>th</sup> Avenue SE. NEW

### **Background:**

The Resolution provides authorization to execute a Development Agreement with Avril House, LLC which provides City Tax Increment Financing (TIF) for the relocation and historic rehabilitation of the Avril House at 616 4<sup>th</sup> Avenue SE. This project meets the requirements for the Targeted Development Program for Historic Preservation.

A highlight of the terms contained in the Development Agreement include:

- Developer provided a Minimum Investment of \$629,563 for land and building acquisition, building renovation, building relocation, and occupant improvements to the historic Avril House;
- All Minimum Improvements made to the facility met the U.S. Department of the Interior Standards for the Treatment of Historic Properties;
- The Developer will refrain from making renovations that will alter the building's historic character;
- The City will provide a 5-year, 100% reimbursement of the TIF generated by the improvements;
- Developer shall create or maintain 7 full time employees annually to receive the commercial TIF reimbursement;

The relocation and rehabilitation of the property has already occurred. The developer's historic consultant did not submit the Historic Property Tax Exemption application to the State Office of Historic Preservation (SHPO) by the November 1, 2013 deadline. In addition, SHPO will not accept or approve applications after the November deadline has passed. The developer is requesting the 5-year, 100% tax reimbursement from the City in lieu of the Historic Property Tax Exemption.

**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:** August 26, 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):**

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT  
AGREEMENT WITH AVRIL HOUSE LLC FOR THE RELOCATION AND  
HISTORIC RENOVATION OF THE AVRIL HOUSE AT 616 4TH AVENUE SE

WHEREAS, the City received a redevelopment proposal submitted by Avil House, LLC (the "Developer") with respect to the relocation and historic rehabilitation of the Avril House at 616 4<sup>th</sup> Avenue SE; and

WHEREAS, the proposal provides for the relocation and historic rehabilitation of the historic Avril House at a cost of \$629,563 and includes the following activities:

- Land and building acquisition
- Building renovation
- Building relocation
- Occupant improvements

WHEREAS, the Developer will receive a property tax reimbursement from the City as follows:

- Commercial – 100% reimbursement for 5 years;

WHEREAS, the City Council has determined that the redevelopment project submitted by the Developer provides an overall community benefit by:

- Relocation and rehabilitation of a historic building is critical for the City to retain the historic character of the area, but involves an increased cost of renovation.
- Office-use infill development is consistent with City Council goals of creating a vibrant community and cost-effective provision of existing infrastructure and City services.

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk, are hereby authorized to execute a Development Agreement and all associated documents with Avil House, LLC.

Passed this 26<sup>nd</sup> day of August, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Tony Lerud

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

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

**Alternate Contact Person:** Paula Mitchell

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

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

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

Resolution authorizing execution of Development Agreement and Special Warranty Deed with Cedar Ridge Homes, Inc. for City-owned property at 1201 11th Street NW participating in the fourth round of the Single Family New Construction Program (**FLOOD**). CIP/DID #OB540257

### **Background:**

The resolutions for City Council consideration provide for the execution of Development Agreement and deed with the above listed developer and associated property through the fourth round of the Single Family New Construction Program, known locally as the ROOTs program. The properties have been awarded through a competitive proposal process and the City and developers are ready to execute the Development Agreement and deed to allow construction on the home to begin. To date, 174 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 October 8, 2013, by Resolution No. 1591-10-13, the City Council approved the Administrative Plan for the fourth round of the Single Family New Construction (SFNC) Program. The administrative plan limits development of homes to lots within the "Neighborhood Revitalization Area" of the flood inundation area. The administrative plan further directs the use of lots acquired by the City through the Voluntary Property Acquisition Program to be conveyed to the developer in consideration for the construction of the SFNC unit.

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

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

A total of 103 properties were identified by 26 developers in the current phase of property allocation for this program.

**Action / Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:**

City Council may table the items and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** August 26, 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 1201 11<sup>TH</sup> STREET NW PARTICIPATING IN THE  
FOURTH ROUND OF THE SINGLE FAMILY NEW CONSTRUCTION PROGRAM

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth 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 1201 11<sup>th</sup> 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 June 10, 2014 regarding the disposition of the City-owned property in accordance with Iowa Code; and

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

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

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with Cedar 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 26<sup>th</sup> Day of June, 2014

## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Tony Lerud

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

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

**Alternate Contact Person:** Paula Mitchell

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

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

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

Resolution authorizing execution of a Development Agreement with Scott Hiserote Construction, LLC for property at 1151 McCloud Drive NE participating in the fourth round of the Single Family New Construction Program. CIP/DID #OB540257

### **Background:**

The resolution for City Council consideration provides for the execution of a Development Agreement with the above listed developer and associated property through the fourth round of the Single Family New Construction Program, known locally as the ROOTs program. The property has been awarded through a competitive proposal process and the City and developer are ready to execute the Development Agreement and deed to allow construction on the home to begin. To date, 160 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 October 8, 2013, by Resolution No. 1591-10-13, 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 281 properties were identified by 26 developers through four phases of property allocation for this round of the program.

**Action / Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:**

City Council may table the items and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** August 26, 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  
WITH SCOTT HISEROTE CONSTRUCTION, LLC FOR PROPERTY AT 1151  
MCLOUD DRIVE NE PARTICIPATING IN THE THIRD ROUND OF THE SINGLE  
FAMILY NEW CONSTRUCTION PROGRAM

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth 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 Developer agrees to construct a single-family dwelling on the above mentioned property, for which the City will provide down payment assistance to the home buyer upon purchase through the SFNC program; and

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

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

Passed this 26<sup>th</sup> Day of August, 2014

## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

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

**Presenter at meeting:** Angie Charipar

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

**Email:** a.charipar@cedar-rapids.org

**Alternate Contact Person:** Sandi Fowler

**Phone Number/Ext:** 286-5077

**Email:** s.fowler@cedar-rapids.org

**Description of Agenda Item:**

Resolution authorizing the lease agreement between the City of Cedar Rapids and Noleshawk Investments LLC for the Blue Zones Project – Cedar Rapids office space at 205 2<sup>nd</sup> Street SE. CIP/DID #OB697034

**Background:**

In support of the community commitment to the Blue Zones Project – Cedar Rapids demonstration site, beginning July 1, 2013, the City of Cedar Rapids has provided office space to support the project. The lease with Vault, LLC which expired on June 30, 2014 was at a rate of \$900 per month. The project steering committee recommends the relocation of the project to office space in the Dows Building in downtown Cedar Rapids, at 205 2<sup>nd</sup> Street SE. The proposed lease rate of this property is \$650 per month.

**Action / Recommendation:**

Approve Resolution as provided.

**Alternative Recommendation:**

Request additional information.

**Time Sensitivity:** Immediate

**Resolution Date:** 8/26/2014

**Estimated Presentation Time:** Consent agenda

**Budget Information (if applicable):** Authorizing Resolution 1078-06-2013

**Local Preference Policy** Applies  Exempt

**Explanation:**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids, Iowa ("City") and Noleshawk Investments LLC ("Noleshawk") have agreed to the terms and provisions of a Lease Agreement whereby the City will lease office space in a building owned by Noleshawk located at 205 2<sup>nd</sup> Avenue S.E., in Cedar Rapids Iowa for Blue Zones Project – Cedar Rapids office space; and

WHEREAS, the term of the Lease Agreement does not exceed the economic life of the property to be acquired; and

WHEREAS, the Cedar Rapids community committed during the application process to provide office space and staffing to support the Blue Zones Project in Cedar Rapids, and

WHEREAS, the parties have agreed that the initial term of the Lease Agreement will be one (1) year, and that the rent will be \$650.00 per month; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager or his designee is hereby authorized to execute the lease agreement with Noleshawk at 205 2<sup>nd</sup> Avenue SE for use by Blue Zones Project – Cedar Rapids staff members.

Passed this 26<sup>th</sup> day of August, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** August 26, 2014

**Submitting Department:** City Council

**Presenter at Meeting:** Mayor Corbett  
**Email:** ron.corbett@cedar-rapids.org

**Phone:** 286-5080

**Alternate Contact Person:**  
**Email:**

**Phone:**

**Description of Agenda Item:**

Resolution authorizing the City Manager to provide two police vehicles from September 23 through September 27, 2014 and September 30 through October 4, 2014 pursuant to terms and conditions, including a written agreement, as deemed appropriate by the City Manager and in a form as approved by the City Attorney and making available five police uniforms to the film project for use during the film production and pursuant to terms and conditions as the City Manager determines to be reasonable.

**Background:**

On August 19<sup>th</sup>, 2014, the City of Cedar Rapids received a letter of request from Alex Levine and Mary Meisterling, Producers of *The Summerland Project*. *The Summerland Project* is a film adapted from the Theater Cedar Rapids play, written by a Cedar Rapids native and takes place in Cedar Rapids. The production will be filmed in the City of Cedar Rapids from September 23<sup>rd</sup> through September 27<sup>th</sup> and September 30<sup>th</sup> through October 4<sup>th</sup>, 2014. The Producers are requesting the use of 2 Cedar Rapids Police Department vehicles and 4-5 Cedar Rapids Police Department Uniforms to be used in the filming. The Producers have also requested donation of hotel rooms at the Doubletree Hilton hotel. Staff has referred the Producers to the General Manager of the hotel for that request.

**Action/Recommendation:**

Adoption of resolution

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:**

**Budget Information (if applicable):** Not to exceed \$5,000. To be funded from the Economic Development fund.

**Local Preference Policy** Applies  Exempt   
**Explanation:**

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

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING USE OF POLICE VEHICLES AND  
UNIFORMS FOR FILM PROJECT

WHEREAS, the Summerland Film Project is a film project adapted from the Theater Cedar Rapids play written by a Cedar Rapids native, to take place in Cedar Rapids, and use Cedar Rapids as a constant major visual focal point, and

WHEREAS, the Summerland Film Project has requested that the City of Cedar Rapids assist the film production by making available two police vehicles between September 23 through September 27, 2014 and again on September 30 through October 4, 2014, and

WHEREAS, this film project subject will involve as major characters a Cedar Rapids police officer and a Cedar Rapids school teacher, and

WHEREAS, the City Council finds that this film will provide information and create interest in the City of Cedar Rapids such that a public purpose will be realized by assisting in the production of the film as requested,

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

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

Section 2. The City Manager is authorized to provide two police vehicles from September 23 through September 27, 2014 and September 30 through October 4, 2014 pursuant to terms and conditions, including a written agreement, as deemed appropriate by the City Manager and in a form as approved by the City Attorney.

Section 3. The City Manager will make five police uniforms available to the film project for use during the film production and pursuant to terms and conditions as the City Manager determines to be reasonable.

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

## Council Agenda Item Cover Sheet

Consent Agenda       Regular Agenda

**Council Date:** August 26, 2014

**Submitting Department:** Utilities - Water Division

**Presenter at meeting:** Steve Hershner    **Phone No.:** 5281    **E-mail:** [SteveHe@cedar-rapids.org](mailto:SteveHe@cedar-rapids.org)

**Alternate Contact:** Justin Koller    **Phone No.:** 5994    **E-mail:** [j.koller@cedar-rapids.org](mailto:j.koller@cedar-rapids.org)

**Description of Agenda Item:**

Report on bids for the 16<sup>th</sup> Ave SW (400-Ft East of 23<sup>rd</sup> Street SW to Williams Blvd SW) Water Main Rehabilitation project (estimated cost is \$658,000) (Steve Hershner).

- a. Resolution awarding and approving contract in the amount of \$609,805, bond and insurance of Rathje Construction Marion, IA for the 16<sup>th</sup> Avenue SW (400 ft East of 23<sup>rd</sup> 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 16<sup>th</sup> Ave SW between William Blvd and 400 ft East of 23<sup>rd</sup> St 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.

This water main replacement project was re-evaluated and rebid with the following changes: longer construction schedule, modified scope of work; plus requirements of certain construction methods i.e. directional drill (trenchless) water main installation. Additionally, supplemental soil borings were taken to verify that soil contamination is not an issue.

Coordination with the Public Works Department and the adoption of the Complete Streets Policy has led to incorporation of grading and preparation of driveways for future sidewalks by including a thru panel.

The construction schedule will allow the contractor to start either this fall or spring of 2015 with a late start date of April 1<sup>st</sup>, 2015

The engineers cost opinion was \$658,000.

Five (5) bids were received on August 20, 2014 for the 16<sup>th</sup> Avenue SW (400-Ft East of 23<sup>rd</sup> Street SW to Williams Blvd SW) Water Main Rehabilitation (Contract No. 2011061-02). There was one bid discrepancy but does not effect the low bidder. The results are reported as follows:

Bidder	Total Bid
1. Rathje Construction Co.(Marion, IA)	\$609,805.00
2. Borst Bros. Construction Inc. (Marion, IA)	\$619,328.84
*3. Ricklefs Excavating, Ltd. (Anamosa IA) (errors found in bid)	*\$636,497.50
4. BWC Excavating LC (Solon IA)	\$649,125.40
5. Connolly Construction Inc. (Peosta IA)	\$725,978.30

A motion to publish a Notice of Hearing and Letting was approved by the City Council on July 22, 2014; a public hearing was held on August 12, 2014 and bids were opened on August 20, 2014. The work is anticipated either this fall or next spring, depending on the contractor’s availability.

**Action / Recommendation:** The Utilities Department – Water Division staff recommends approval of the Resolution to award and approve the contract in the amount of \$ 609,805.00, bond and insurance of Rathje Construction (Marion, IA) for the 16<sup>th</sup> Ave SW Water Main Rehabilitation Project from Williams Blvd SW to 400 ft East of 23<sup>rd</sup> St SW.

**Alternative Recommendation:** None

**Time Sensitivity:** The Water Division recommends awarding this contract during this City Council meeting today August 26, 2014 in order to maintain the construction schedule for this project.

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 5 Minutes

**Budget Information (if applicable):**

1. **Included in Current Budget Year.** The Utilities portion of the project will be funded from the FY15 Utilities Department – Water Division CIP budget and coded to 553000-625-625000-625884-6252011061. The sidewalk grading portion of the project will be funded from 301-301000-3012074.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The FY15 CIP budget for water includes \$1,500,000 for engineering and construction of replacement type projects under CIP number 625884. The FY 15 budget for Public Works portion of the construction is \$106,000. The budget for construction will be established pursuant to the completion of the initial evaluation by the Engineer.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, purchasing guidelines are being followed for Public Improvement Projects.

**Local Preference Policy** Applies  Exempt

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

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

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

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on July 22, 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 16<sup>th</sup> Avenue SW (400-Ft East of 23<sup>rd</sup> Street SW to Williams Blvd SW) Water Main Rehabilitation project (Contract No. 2011061-02) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on July 25, 2014 pursuant to which a public hearing was held on August 12, 2014, and

WHEREAS, the following bids were received, opened and announced on August 20, 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 August 26, 2014:

Bidder	Total Bid
1. Rathje Construction Co. (Marion, IA)	\$609,805.00
2. Borst Bros. Construction Inc. (Marion, IA)	\$619,328.84
*3. Ricklefs Excavating, Ltd. (Anamosa, IA) (errors found in bid)	*\$636,497.50
4. BWC Excavating, (Solon, IA)	\$649,125.40
5. Connolly Construction Inc. (Peosta IA)	\$725,978.30

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$609,805.00 553000-625-625000-625884-625201106, 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. Rathje Construction Co. 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 Rathje Construction Co. is hereby accepted, and the contract for this public improvement is hereby awarded to Rathje Construction Co.;
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that 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 26<sup>th</sup> day of August, 2014.

**16th Avenue SW Water Main Rehabilitation - Bid Tabulation**  
Cedar Rapids CIP #2011061-02

ITEM NO	ITEM	EST. QUANTITY	UNIT	Rathje Construction Co. Marion, IA		Borst Bros. Const. Inc. Marion, IA		Ricklefs Excavating, Ltd. Anamosa, IA		BWC Excavating LC Solon, IA		Connolly Const. Inc. Peosta, IA	
				UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT
1	Mobilization	1	LS	\$ 55,000.00	\$ 55,000.00	\$ 90,050.89	\$ 90,050.89	\$ 82,000.00	\$ 82,000.00	\$ 25,000.00	\$ 25,000.00	\$ 22,350.00	\$ 22,350.00
2	Construction Surveys	1	LS	\$ 4,750.00	\$ 4,750.00	\$ 4,250.00	\$ 4,250.00	\$ 3,000.00	\$ 3,000.00	\$ 5,600.00	\$ 5,600.00	\$ 7,950.00	\$ 7,950.00
3	Trench Compaction Testing	1	LS	\$ 1,550.00	\$ 1,550.00	\$ 1,120.00	\$ 1,120.00	\$ 3,000.00	\$ 3,000.00	\$ 2,500.00	\$ 2,500.00	\$ 3,000.00	\$ 3,000.00
4	Traffic Control	1	LS	\$ 6,200.00	\$ 6,200.00	\$ 5,485.00	\$ 5,485.00	\$ 5,000.00	\$ 5,000.00	\$ 5,500.00	\$ 5,500.00	\$ 10,250.00	\$ 10,250.00
5	Temporary Pavement Markings (4-IN wide Polymer Tape)	6274	LF	\$ 1.50	\$ 9,411.00	\$ 1.15	\$ 7,215.10	\$ 1.00	\$ 6,274.00	\$ 1.15	\$ 7,215.10	\$ 1.35	\$ 8,469.90
6	Temporary Erosion and Sediment Control	1	LS	\$ 2,400.00	\$ 2,400.00	\$ 2,000.00	\$ 2,000.00	\$ 5,000.00	\$ 5,000.00	\$ 3,500.00	\$ 3,500.00	\$ 6,500.00	\$ 6,500.00
7	Removal of Existing Pavements, Driveways, Curb and Gutter	1756	SY	\$ 20.00	\$ 35,120.00	\$ 14.25	\$ 25,023.00	\$ 24.00	\$ 42,144.00	\$ 15.00	\$ 26,340.00	\$ 17.00	\$ 29,852.00
8	Removal of Existing Sidewalk	21	SY	\$ 15.00	\$ 315.00	\$ 18.00	\$ 378.00	\$ 24.00	\$ 504.00	\$ 15.00	\$ 315.00	\$ 16.00	\$ 336.00
9	Remove Fire Hydrant	4	EA	\$ 1,000.00	\$ 4,000.00	\$ 750.00	\$ 3,000.00	\$ 700.00	\$ 2,800.00	\$ 600.00	\$ 2,400.00	\$ 875.00	\$ 3,500.00
10	Removal of Water Valve Boxes	36	EA	\$ 500.00	\$ 18,000.00	\$ 100.00	\$ 3,600.00	\$ 150.00	\$ 5,400.00	\$ 550.00	\$ 19,800.00	\$ 565.00	\$ 20,340.00
11	Subgrade Preparation	1835	SY	\$ 0.10	\$ 183.50	\$ 1.50	\$ 2,752.50	\$ 2.00	\$ 3,670.00	\$ 2.00	\$ 3,670.00	\$ 2.95	\$ 5,413.25
12	Subgrade Stabilization with Crushed Rock Material (6-IN thick)	270	SY	\$ 10.50	\$ 2,835.00	\$ 10.00	\$ 2,700.00	\$ 10.00	\$ 2,700.00	\$ 12.00	\$ 3,240.00	\$ 12.50	\$ 3,375.00
13	Granular Subbase (6-IN thick)	1835	SY	\$ 8.00	\$ 14,680.00	\$ 8.50	\$ 15,597.50	\$ 10.00	\$ 18,350.00	\$ 7.85	\$ 14,404.75	\$ 7.85	\$ 14,404.75
14	Granular Backfill	60	TON	\$ 25.00	\$ 1,500.00	\$ 25.00	\$ 1,500.00	\$ 25.00	\$ 1,500.00	\$ 20.00	\$ 1,200.00	\$ 21.00	\$ 1,260.00
15	Sanitary Sewer Services	5	EA	\$ 2,400.00	\$ 12,000.00	\$ 500.00	\$ 2,500.00	\$ 2,000.00	\$ 10,000.00	\$ 2,000.00	\$ 10,000.00	\$ 3,900.00	\$ 19,500.00
16	Reset Manhole Frame and Lid	2	EA	\$ 200.00	\$ 400.00	\$ 750.00	\$ 1,500.00	\$ 400.00	\$ 800.00	\$ 150.00	\$ 300.00	\$ 1,400.00	\$ 2,800.00
17	Adjustment Rings	2	LOC	\$ 100.00	\$ 200.00	\$ 500.00	\$ 1,000.00	\$ 400.00	\$ 800.00	\$ 200.00	\$ 400.00	\$ 210.00	\$ 420.00
18	Water Main (6-IN DIP)	100	LF	\$ 100.00	\$ 10,000.00	\$ 210.00	\$ 21,000.00	\$ 70.00	\$ 7,000.00	\$ 150.00	\$ 15,000.00	\$ 218.00	\$ 21,800.00
19	Water Main (8-IN DIP)	21	LF	\$ 150.00	\$ 3,150.00	\$ 100.00	\$ 2,100.00	\$ 75.00	\$ 1,575.00	\$ 175.00	\$ 3,675.00	\$ 185.00	\$ 3,885.00
20	Water Main (10-IN DIP)	47	LF	\$ 225.00	\$ 10,575.00	\$ 158.00	\$ 7,426.00	\$ 80.00	\$ 3,760.00	\$ 185.00	\$ 8,695.00	\$ 185.00	\$ 8,695.00
21	Water Main (12-IN DIP)	1736	LF	\$ 90.00	\$ 156,240.00	\$ 96.00	\$ 166,656.00	\$ 85.00	\$ 147,560.00	\$ 95.00	\$ 164,920.00	\$ 124.00	\$ 215,264.00
22	Water Main(16-IN DIP)	415	LF	\$ 90.00	\$ 37,350.00	\$ 144.00	\$ 59,760.00	\$ 90.00	\$ 37,350.00	\$ 95.00	\$ 39,425.00	\$ 128.00	\$ 53,120.00
23	Installation of Owner-Supplied Valves and Boxes (6-IN Gate Valve)	2	EA	\$ 690.00	\$ 1,380.00	\$ 750.00	\$ 1,500.00	\$ 1,000.00	\$ 2,000.00	\$ 500.00	\$ 1,000.00	\$ 779.00	\$ 1,558.00
24	Installation of Owner-Supplied Valves and Boxes (8-IN Gate Valve)	1	EA	\$ 900.00	\$ 900.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 550.00	\$ 550.00	\$ 825.00	\$ 825.00
25	Installation of Owner-Supplied Valves and Boxes (10-IN Gate Valve)	1	EA	\$ 900.00	\$ 900.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 600.00	\$ 600.00	\$ 886.00	\$ 886.00
26	Installation of Owner-Supplied Valves and Boxes (12-IN Gate Valve)	8	EA	\$ 900.00	\$ 7,200.00	\$ 1,250.00	\$ 10,000.00	\$ 1,000.00	\$ 8,000.00	\$ 900.00	\$ 7,200.00	\$ 970.00	\$ 7,760.00
27	Installation of Owner-Supplied Valves and Boxes (16-IN Butterfly Valve)	4	EA	\$ 900.00	\$ 3,600.00	\$ 1,500.00	\$ 6,000.00	\$ 1,000.00	\$ 4,000.00	\$ 1,000.00	\$ 4,000.00	\$ 1,100.00	\$ 4,400.00
28	Fittings for Water Distribution Systems	5765	LB	\$ 7.00	\$ 40,355.00	\$ 6.50	\$ 37,472.50	\$ 7.00	\$ 40,355.00	\$ 7.50	\$ 43,237.50	\$ 6.90	\$ 39,778.50
29	Blow-off Assemblies	1	EA	\$ 1,000.00	\$ 1,000.00	\$ 900.00	\$ 900.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 985.00	\$ 985.00
30	Install/Remove Temporary Flushing Hydrant	1	EA	\$ 1,000.00	\$ 1,000.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,000.00	\$ 1,000.00	\$ 1,024.00	\$ 1,024.00
31	Water Services - Short Side	10	EA	\$ 1,700.00	\$ 17,000.00	\$ 2,100.00	\$ 21,000.00	\$ 1,500.00	\$ 15,000.00	\$ 2,500.00	\$ 25,000.00	\$ 2,085.00	\$ 20,850.00
32	Water Services - Long Side	3	EA	\$ 5,000.00	\$ 15,000.00	\$ 3,750.00	\$ 11,250.00	\$ 2,000.00	\$ 6,000.00	\$ 4,000.00	\$ 12,000.00	\$ 5,290.00	\$ 15,870.00
33	Install Fire Hydrant (Owner Supplied)	7	EA	\$ 1,000.00	\$ 7,000.00	\$ 1,100.00	\$ 7,700.00	\$ 1,500.00	\$ 10,500.00	\$ 1,300.00	\$ 9,100.00	\$ 938.00	\$ 6,566.00
34	Disinfection and Hydrostatic Testing	1	LS	\$ 4,000.00	\$ 4,000.00	\$ 2,500.00	\$ 2,500.00	\$ 10,000.00	\$ 10,000.00	\$ 8,000.00	\$ 8,000.00	\$ 9,200.00	\$ 9,200.00
35	Portland Cement Concrete Driveway, Non-Reinforced (6-IN thick)	1002.7	SY	\$ 45.00	\$ 45,121.50	\$ 35.50	\$ 35,595.85	\$ 65.00	\$ 65,175.50	\$ 71.50	\$ 71,693.05	\$ 61.00	\$ 61,164.70
36	Portland Cement Concrete Pavement Repair, Non-Reinforced (8-IN thick)	266	SY	\$ 75.00	\$ 19,950.00	\$ 46.50	\$ 12,369.00	\$ 75.00	\$ 19,950.00	\$ 83.00	\$ 22,078.00	\$ 81.60	\$ 21,705.60
37	Portland Cement Concrete Pavement Repair, Non-Reinforced (10-IN thick)	164	SY	\$ 82.00	\$ 13,448.00	\$ 52.00	\$ 8,528.00	\$ 85.00	\$ 13,940.00	\$ 96.00	\$ 15,744.00	\$ 84.90	\$ 13,923.60
38	Portland Cement Concrete Curb Repair (24-inch wide 10-IN thick)	486	LF	\$ 47.00	\$ 22,842.00	\$ 30.00	\$ 14,580.00	\$ 50.00	\$ 24,300.00	\$ 60.00	\$ 29,160.00	\$ 38.00	\$ 18,468.00
39	Portland Cement Concrete Sidewalk (5-in thick)	21	SY	\$ 55.00	\$ 1,155.00	\$ 29.50	\$ 619.50	\$ 50.00	\$ 1,050.00	\$ 57.00	\$ 1,197.00	\$ 43.00	\$ 903.00
40	Asphalt Cement Concrete Pavement Repair (6-IN thick)	68	SY	\$ 45.00	\$ 3,060.00	\$ 40.00	\$ 2,720.00	\$ 75.00	\$ 5,100.00	\$ 42.00	\$ 2,856.00	\$ 86.00	\$ 5,848.00
41	Imported Topsoil	80	CY	\$ 42.00	\$ 3,360.00	\$ 30.00	\$ 2,400.00	\$ 25.00	\$ 2,000.00	\$ 50.00	\$ 4,000.00	\$ 29.10	\$ 2,328.00
42	Water Application for Seed/Sod (Each Application 1,000 Gallons)	40	EA	\$ 10.00	\$ 400.00	\$ 10.00	\$ 400.00	\$ 100.00	\$ 4,000.00	\$ 100.00	\$ 4,000.00	\$ 140.00	\$ 5,600.00
43	Seeding and Fertilizing	3400	SY	\$ 1.45	\$ 4,930.00	\$ 1.30	\$ 4,420.00	\$ 1.00	\$ 3,400.00	\$ 2.75	\$ 9,350.00	\$ 1.35	\$ 4,590.00
44	Seeding and Fertilizing - Dormant Seeding	2000	SY	\$ 1.67	\$ 3,340.00	\$ 1.50	\$ 3,000.00	\$ 1.00	\$ 2,000.00	\$ 2.75	\$ 5,500.00	\$ 1.35	\$ 2,700.00
45	Wood Excelsior Mat	3400	SY	\$ 1.56	\$ 5,304.00	\$ 1.40	\$ 4,760.00	\$ 1.00	\$ 3,400.00	\$ 1.40	\$ 4,760.00	\$ 4.00	\$ 13,600.00
46	Vehicle Detector Loops	1	EA	\$ 1,700.00	\$ 1,700.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 3,000.00	\$ 3,000.00	\$ 2,960.00	\$ 2,960.00
<b>TOTAL</b>					<b>\$ 609,805.00</b>		<b>\$ 619,328.84</b>		<b>\$ 636,357.50</b>		<b>\$ 649,125.40</b>		<b>\$ 725,978.30</b>

**\*NOTE: Ricklefs had bid irregularity in their bid; this did not affect low bid.**

The Utilities Department - Water Divison recommends awarding the contract to Rathje Construcion Co.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5808

**Alternate Contact Person:** Dave Wallace, PE  
**E-mail Address:** d.wallace@cedar-rapids.org

**Phone Number/Extension:** 5814

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

Report on bids and resolution awarding and approving contract in the amount of \$722,134, bond and insurance of Borst Brothers Construction, Inc. for the Cottage Grove Parkway SE Flood Risk Reduction Berm project (estimated cost is \$880,000). CIP/DID #304224-06

### Background:

Borst Brothers Construction, Inc., Marion, IA	\$722,134.00
Rathje Construction Company, Marion, IA	\$748,865.55
Ricklefs Excavating, Ltd. Anamosa, IA	*\$792,245.00
Vieth Construction Corp., Cedar Falls, IA	\$845,541.00
Peterson Contractors, Inc., Reinbeck, IA	\$921,542.00
	*Errors found in bid

Borst Brothers Construction, Inc. submitted the lowest of the bids received on August 13, 2014 for the Cottage Grove Parkway SE Flood Risk Reduction Berm project. The bid is within the approved budget. Construction work is anticipated to begin this fall and be completed by June 15, 2015.

The bid received from Borst Brothers Construction, Inc. (Borst) contained an irregularity in that for Bid Item No. 5 Borst listed "\$7,000" for both the unit price bid and the extended amount. Given Borst's Total Bid Amount shown as \$722,134, and the nature of the work contemplated in Bid Item No. 5, including the quantity to be used for purpose of the bid extension of 7,000 linear feet, it is obvious that Borst's listing "\$7,000" for the unit price bid is a mistake and that its unit price bid for that item is obviously \$1.00 and any irregularity in this regard should be waived.

The Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price, and accordingly the bid of Ricklefs Excavating, Ltd. was corrected to be \$792,245 based on the unit prices submitted and the correct bid quantity totals.

### Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$722,134, bond and insurance of Borst Brothers Construction, Inc. for the Cottage Grove Parkway SE Flood Risk Reduction Berm project.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after August 26, 2014 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** August 26, 2014

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

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

**Budget Information (if applicable):** Local Option Sales Tax (FLOOD)

**Local Preference Policy:** Applies  Exempt

**Explanation:**

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

**Explanation** (if necessary):



August 13, 2014

City Council  
City of Cedar Rapids

RE: Report on bids as read for the Cottage Grove Parkway SE Flood Risk Reduction Berm,  
Contract Number 304224-06

Dear City Council:

Bids were received on August 13, 2014 for the Cottage Grove Parkway Flood Risk Reduction  
Berm project as follows:

Borst Brothers Construction, Inc., Marion, IA	\$722,134.00
Rathje Construction Company, Marion, IA	\$748,865.55
Ricklefs Excavating, Ltd. Anamosa, IA	\$806,120.00
Vieth Construction Corp., Cedar Falls, IA	\$845,541.00
Peterson Contractors, Inc., Reinbeck, IA	\$921,542.00

The engineers cost opinion for this work is \$880,000. 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 black ink, appearing to read "Lee Tippe".

Lee Tippe, P.E.  
Project Engineer II

LJT/cap

cc: David J. Elgin, P.E., L.S., Public Works Director/City Engineer  
Robert A. Davis, P.E., Engineering Manager

**Public Works Department**  
1201 Sixth Street S.W. • Cedar Rapids, IA 52404-5836 • (319) 286-5802 • FAX (319) 286-5801

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on July 22, 2014 the City Council adopted a motion that directed the City Clerk to publish notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the Cottage Grove Parkway SE Flood Risk Reduction Berm (Contract No. 304224-06) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on July 26, 2014 pursuant to which a public hearing was held on August 12, 2014, and

WHEREAS, the following bids were received, opened and announced on August 13, 2014 by the City Engineer, or designee, and said officer has reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on August 26, 2014:

Borst Brothers Construction, Inc., Marion, IA	\$722,134.00
Rathje Construction Company, Marion, IA	\$748,865.55
Ricklefs Excavating, Ltd. Anamosa, IA	*\$792,245.00
Vieth Construction Corp., Cedar Falls, IA	\$845,541.00
Peterson Contractors, Inc., Reinbeck, IA	\$921,542.00

\*Errors found in bid

WHEREAS, the Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price, and accordingly, the bid of Ricklefs Excavating, Ltd. was corrected to be \$792,245, based on the unit prices submitted and the correct bid quantity totals, and

WHEREAS, the bid received from Borst Brothers Construction Inc. ("Borst") contained an irregularity in that for Bid Item No. 5 Borst listed "\$7,000" for both the unit price bid and the extended amount, and

WHEREAS, given Borst's Total Bid Amount shown as \$722,134, and the nature of the work contemplated in Bid Item No. 5, including the quantity to be used for purpose of the bid extension of 7,000 linear feet, it is obvious that Borst's listing "\$7,000" for the unit price bid is a mistake and that its unit price bid for that item is obviously \$1.00 and any irregularity in this regard should be waived, and

WHEREAS, general ledger coding for this public improvement shall be as follows: \$722,134 304-304000-304224 and

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

1. The recitals contained hereinabove are found to be true and correct.
2. The previous delegation to the City Engineer, or his designee, to receive, open, and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;

3. Borst Brothers Construction, Inc. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;
4. Subject to registration with the Department of Labor, the Bid of Borst Brothers Construction, Inc. is hereby accepted and the contract for this public improvement is hereby awarded to Borst Brothers Construction, Inc.
5. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

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

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

Passed this 26<sup>th</sup> day of August, 2014.



Child File Name: W:\PROJECTS\CIP\304304224\304224 Council Map.dwg



**COTTAGE GROVE PARKWAY SE  
FLOOD RISK REDUCTION BERM PROJECT**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5153

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

Report on bids and resolution awarding and approving contract in the amount of \$195,002.45 plus incentive up to \$10,600, bond and insurance of L.L. Pelling Company, Inc. for the 3<sup>rd</sup> Avenue SW Pavement Rehabilitation Improvements from 10<sup>th</sup> Street to 6<sup>th</sup> Street project (estimated cost is \$220,000) (**Paving for Progress**). CIP/DID #3012082-02

**Background:**

L.L. Pelling Company, Inc., North Liberty, IA	\$195,002.45
Incentive up to	<u>\$ 10,600.00</u>
Total	\$205,602.45

L.L. Pelling Company, Inc. submitted the only bid received on August 13, 2014 for the 3<sup>rd</sup> Avenue SW Pavement Rehabilitation Improvements from 10<sup>th</sup> Street to 6<sup>th</sup> Street project. The bid is within the approved budget. Construction work is anticipated to begin this fall or spring 2015 and be completed within 25 working days for 2014 and 30 working days for 2015 construction.

**Action / Recommendation:**

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$195,002.45 plus incentive up to \$10,600, bond and insurance of L.L. Pelling Company, Inc. for the 3<sup>rd</sup> Avenue SW Pavement Rehabilitation Improvements from 10<sup>th</sup> Street to 6<sup>th</sup> Street project.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after August 26, 2014 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** August 26, 2014

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

**Budget Information (if applicable):** CIP's 3012082 (Streets)

**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.



August 13, 2014

City Council  
City of Cedar Rapids

RE: Report on bids as read for the 3<sup>rd</sup> Avenue SW Pavement Rehabilitation Improvements from 10<sup>th</sup> Street to 6<sup>th</sup> Street, Contract Number 3012082-02

Dear City Council:

Bids were received on August 13, 2014 for the 3<sup>rd</sup> Avenue SW Pavement Rehabilitation Improvements from 10<sup>th</sup> Street to 6<sup>th</sup> Street project as follows:

L.L. Pelling Company, Inc., North Liberty, IA	\$195,002.45
---	--------------

The engineers cost opinion for this work is \$220,000. It is recommended the bid 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



Lee Tippe, P.E.  
Project Engineer II

LJT/cap

cc: David J. Elgin, P.E., L.S., Public Works Director/City Engineer  
Robert A. Davis, P.E., Engineering Manager

August 13, 2014

City Council  
City of Cedar Rapids

RE: Report on bids as read for the 3<sup>rd</sup> Avenue SW Pavement Rehabilitation Improvements from 10<sup>th</sup> Street to 6<sup>th</sup> Street, Contract Number 3012082-02

Dear City Council:

Bids were received on August 13, 2014 for the 3<sup>rd</sup> Avenue SW Pavement Rehabilitation Improvements from 10<sup>th</sup> Street to 6<sup>th</sup> Street project as follows:

L.L. Pelling Company, Inc., North Liberty, IA	\$195,002.45
---	--------------

The engineers cost opinion for this work is \$220,000. It is recommended the bid 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

Lee Tippe, P.E.  
Project Engineer II

LJT/cap

cc: David J. Elgin, P.E., L.S., Public Works Director/City Engineer  
Robert A. Davis, P.E., Engineering Manager

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on July 22, 2014 the City Council adopted a motion that directed the City Clerk to publish notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the 3<sup>rd</sup> Avenue SW Pavement Rehabilitation Improvements from 10<sup>th</sup> Street to 6<sup>th</sup> Street (Contract No. 3012082-02) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on July 26, 2014 pursuant to which a public hearing was held on August 12, 2014, and

WHEREAS, the following bids were received, opened and announced on August 13, 2014 by the City Engineer, or designee, and said officer has reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on August 26, 2014:

L.L. Pelling Company, Inc., North Liberty, IA	\$195,002.45
Incentive up to	<u>\$ 10,600.00</u>
Total	\$205,602.45

WHEREAS, general ledger coding for this public improvement shall be as follows: \$205,602.45 301-301000-7970-3012082.

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. L.L. Pelling Company, Inc. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;
3. Subject to registration with the Department of Labor, the Bid of L.L. Pelling Company, Inc. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to L.L. Pelling Company, 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 26<sup>th</sup> day of August, 2014.



Cadd File Name: W:\PAVING FOR PROGRESS\LOST\PROJECTS\3012082 - 3rd Ave fr 6th to 10th St\SW\3012082 Council Map.dwg



**3RD AVENUE SW FROM 6TH STREET TO 10TH STREET SW  
IMPROVEMENTS PROJECT**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5153

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

Report on bids and resolution awarding and approving contract in the amount of \$518,661 plus incentive up to \$20,500, bond and insurance of L.L. Pelling Company, Inc. for the Coe Road NE Pavement Rehabilitation Improvements from A Avenue to Center Point Road project (estimated cost is \$610,000) (**Paving for Progress**). CIP/DID #3012087-02

### Background:

L.L. Pelling Company, Inc., North Liberty, IA	\$518,661.00
Incentive up to	<u>\$ 20,500.00</u>
Total	\$539,161.00
Vieth Construction Corp., Cedar Falls, IA	\$532,250.90
Pirc-Tobin Construction, Inc., Alburnett, IA	\$556,025.60
E & F Paving Company, LLC, Cedar Rapids, IA	\$573,269.75
Ricklefs Excavating, Ltd., Anamosa, IA	\$577,550.00
Iowa Erosion Control, Inc., Victor, IA	\$711,004.06

L.L. Pelling Company, Inc. submitted the lowest of the bids received on August 20, 2014 for the Coe Road NE Pavement Rehabilitation Improvements from A Avenue to Center Point Road project. The bid is within the approved budget. Construction work is anticipated to begin this fall or spring 2015 and be completed within 60 calendar days.

### Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$518,661 plus incentive up to \$20,500, bond and insurance of L.L. Pelling Company, Inc. for the Coe Road NE Pavement Rehabilitation Improvements from A Avenue to Center Point Road project.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after August 26, 2014 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** August 26, 2014

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

**Budget Information (if applicable):** 3012087, 7970 (LOST)

**Local Preference Policy:** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**



August 20, 2014

City Council  
City of Cedar Rapids

RE: Report on bids as read for the Coe Road NE Pavement Rehabilitation Improvements from A Avenue to Center Point Road, Contract Number 3012087-02

Dear City Council:

Bids were received on August 20, 2014 for the Coe Road NE Pavement Rehabilitation Improvements from A Avenue to Center Point Road project as follows:

L.L. Pelling Company, Inc., North Liberty, IA	\$518,661.00
Vieth Construction Corp., Cedar Falls, IA	\$532,250.90
Pirc-Tobin Construction, Inc., Alburnett, IA	\$556,025.60
E & F Paving Company, LLC, Cedar Rapids, IA	\$573,269.75
Ricklefs Excavating, Ltd., Anamosa, IA	\$577,550.00
Iowa Erosion Control, Inc., Victor, IA	\$711,004.06

The engineers cost opinion for this work is \$610,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in blue ink, appearing to read "Doug Wilson", written over a horizontal line.

Doug Wilson, P.E.  
Capital Improvement Project Manager

DFW/cap

cc: David J. Elgin, P.E., L.S., Public Works Director/City Engineer  
Robert A. Davis, P.E., Engineering Manager

**Public Works Department**  
1201 Sixth Street S.W. • Cedar Rapids, IA 52404-5836 • (319) 286-5802 • FAX (319) 286-5801

August 20, 2014

City Council  
City of Cedar Rapids

RE: Report on bids as read for the Coe Road NE Pavement Rehabilitation Improvements from A Avenue to Center Point Road, Contract Number 3012087-02

Dear City Council:

Bids were received on August 20, 2014 for the Coe Road NE Pavement Rehabilitation Improvements from A Avenue to Center Point Road project as follows:

L.L. Pelling Company, Inc., North Liberty, IA	\$518,661.00
Vieth Construction Corp., Cedar Falls, IA	\$532,250.90
Pirc-Tobin Construction, Inc., Alburnett, IA	\$556,025.60
E & F Paving Company, LLC, Cedar Rapids, IA	\$573,269.75
Ricklefs Excavating, Ltd., Anamosa, IA	\$577,550.00
Iowa Erosion Control, Inc., Victor, IA	\$711,004.06

The engineers cost opinion for this work is \$610,000. 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

Doug Wilson, P.E.  
Capital Improvement Project Manager

DFW/cap

cc: David J. Elgin, P.E., L.S., Public Works Director/City Engineer  
Robert A. Davis, P.E., Engineering Manager

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on July 22, 2014 the City Council adopted a motion that directed the City Clerk to publish notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the Coe Road NE Pavement Rehabilitation Improvements from A Avenue to Center Point Road (Contract No. 3012087-02) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on July 26, 2014 pursuant to which a public hearing was held on August 12, 2014, and

WHEREAS, the following bids were received, opened and announced on August 20, 2014 by the City Engineer, or designee, and said officer has reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on August 26, 2014:

L.L. Pelling Company, Inc., North Liberty, IA	\$518,661.00
Incentive up to	<u>\$ 20,500.00</u>
Total	\$539,161.00
Vieth Construction Corp., Cedar Falls, IA	\$532,250.90
Pirc-Tobin Construction, Inc., Alburnett, IA	\$556,025.60
E & F Paving Company, LLC, Cedar Rapids, IA	\$573,269.75
Ricklefs Excavating, Ltd., Anamosa, IA	\$577,550.00
Iowa Erosion Control, Inc., Victor, IA	\$711,004.06

WHEREAS, general ledger coding for this public improvement shall be as follows: \$539,161 301-301000-7970-3012087, and

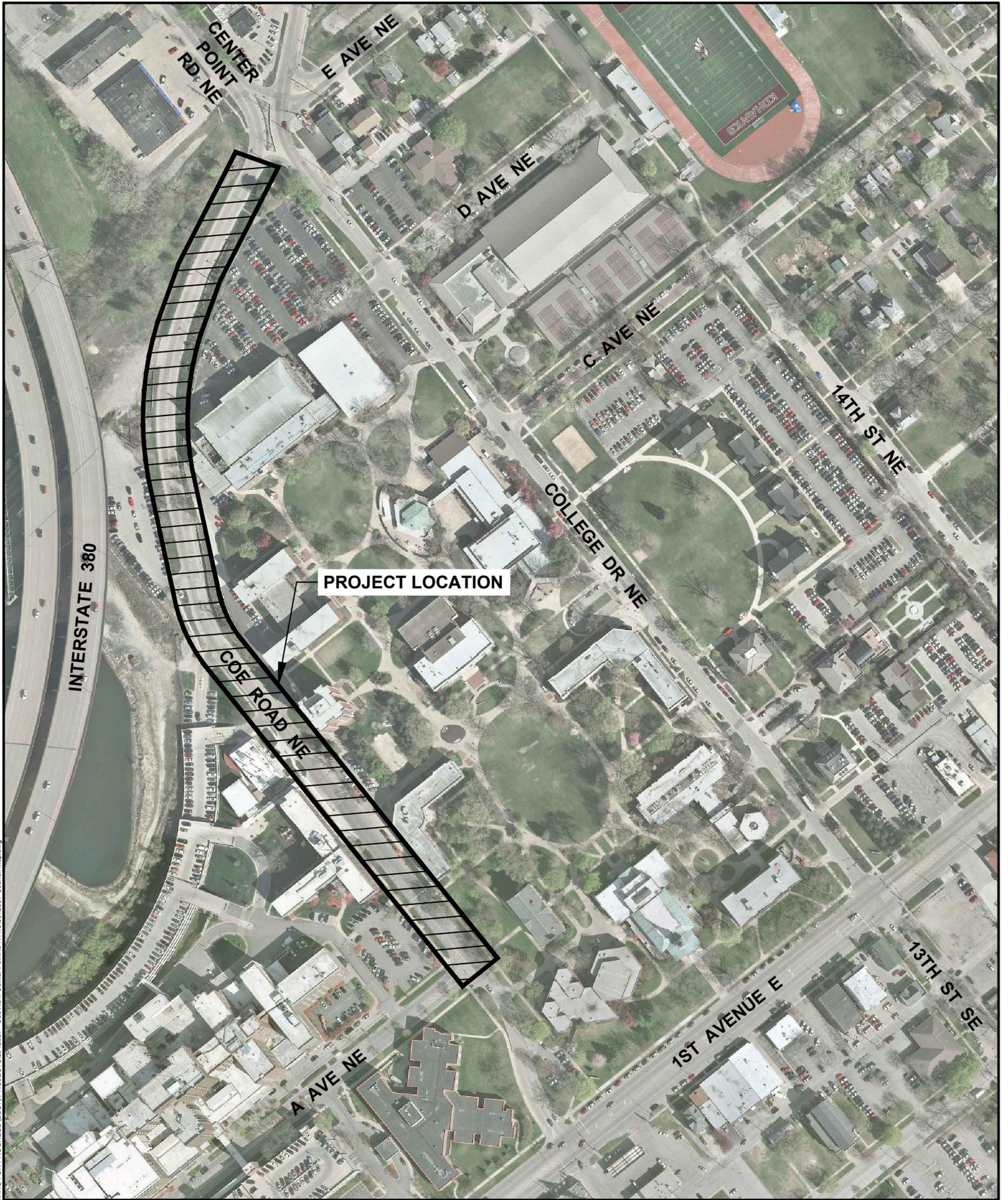
NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA as follows:

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. L.L. Pelling Company, Inc. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;
3. Subject to registration with the Department of Labor, the Bid of L.L. Pelling Company, Inc. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to L.L. Pelling Company, 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.

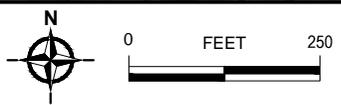
Passed this 26<sup>th</sup> day of August, 2014.



**PROJECT LOCATION**

**INTERSTATE 380**

**COE ROAD NE FROM CENTER POINT ROAD TO A AVENUE NE  
IMPROVEMENTS PROJECT**





## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** August 26<sup>th</sup>, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** Jasmine Almoayed

**Phone Number/Ext:** 319-286-5349

**Email:** j.almoayed@cedar-rapids.org

**Alternate Contact Person:**

**Phone Number/Ext:**

**Email:**

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

Discussion and resolution authorizing negotiation of a Memorandum of Agreement with the Iowa Startup Accelerator including City funding of \$50,000 (Jasmine Almoayed). CIP/DID #OB

### **Background:**

The Iowa Startup Accelerator (ISA) uses time-boxed, aggressive startup education programs designed to develop a strong innovation ecosystem in Iowa; construct national and international networks of entrepreneurs, mentors and investors; and make Iowa a top high-performing region for entrepreneurship.

The ISA is housed in a newly constructed, privately-funded, 46,000-square foot, purpose built facility, dedicated to startups, technology and innovation. It is co-located with Geonetric, a 65-person technology and software company that has made the Inc 5000 for seven consecutive years.

It is also co-located with Vault, Iowa's largest coworking and collaboration space and the hub for the startup community in Cedar Rapids.

Vault is home to:

1. Entrepreneurs and growing startups
2. Professional creatives
3. An innovative STEM and entrepreneurial-focused high school
4. A variety of entrepreneurial support organizations and professionals.

When cohorts are not in session, the ISA will produce programs to support entrepreneurial and STEM education programs, including CoderDojo, CodeDay, Lean Launchpad and more.

### **Action / Recommendation:**

City staff recommends approval of the resolution

### **Alternative Recommendation:**

City Council may table this item and request further information

**Time Sensitivity:** Normal

**Resolution Date:**

**Estimated Presentation Time:** 5 Minutes

**Budget Information (if applicable):**

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

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

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids is interested in fostering the growth of the entrepreneurial and start-up community by supporting the non-profit accelerator operating entity of the Iowa Startup Accelerator (ISA) which will manage all operational and logistical aspects of the program, and

WHEREAS the ISA will use aggressive startup education programs designed to develop a strong innovation ecosystem in Iowa; construct national and international networks of entrepreneurs, mentors and investors; and make Iowa a top high-performing region for entrepreneurship; and

WHEREAS, the ISA is housed in a newly constructed, privately-funded, 46,000-square foot built facility, dedicated to startups, technology and innovation and is co-located with Vault, Iowa's largest co-working and collaboration space and the hub for the startup community in Cedar Rapids.

WHEREAS, when cohorts are not in session, the ISA will produce programs to support entrepreneurial and STEM education programs,

NOW THEREFORE BE IT RESOLVED, by the City Council of Cedar Rapids Iowa, that:

1. The City Manager or designee is authorized to negotiate a Memorandum of Agreement with the Iowa Startup Accelerator and City funding of \$50,000 for one year ending June 30<sup>th</sup>, 2015.
2. At such time that the terms of the Memorandum of Agreement are sufficiently clear and definite, the City Manager or designee is authorized to present it to the City Council for consideration.

Passed this 26<sup>th</sup> day of August, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Caleb Mason

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

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

**Alternate Contact Person:** Jennifer Pratt

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

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

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

Discussion and Resolution authorizing negotiation of a Development Agreement with NewBo Development Group, LLC for the disposition and redevelopment of City-owned vacant property at the corner of Zika Avenue NW and 16<sup>th</sup> Street NW (commonly called the Chipping Green site) (**FLOOD**). CIP/DID #OB1241850

### **Background:**

The Resolution provides authorization to pursue a Development Agreement with NewBo Development Group, LLC for the redevelopment of City owned property commonly referred to as the Chipping Green site.

On Monday, August 18, 2014 a review panel consisting of City staff, private developer, neighborhood representative, and commercial lender reviewed the sole proposal the City received and is recommending to the City Council to move forward with a Development Agreement.

Highlights of the proposal submitted by NewBo Development include:

- Masterplan for the entire site proposing 28 residential units with a mix of housing styles and price points and related infrastructure improvements:
  - Two 5-unit rowhomes ranging from 1,350 – 1,500 sq. ft in size with a sales price of \$135,000 - \$150,000. Developer identified these units for participation in ROOTs program.
  - Five 2-unit duplexes (coach homes) ranging from 1,287 – 1,750 sq. ft. in size with a sales price range of \$145,000 - \$180,000.
  - Eight single family detached homes (cottage homes) ranging from 1,330 – 2,000 sq. ft. in size with an estimated sales price of \$200,000.
- Estimated investment in development and construction at \$4.9 Million;
- Estimated post-development assessed value of \$5.3 Million which would generate approximately \$90,000/year in revenue;
- Proposed purchase price of \$100,000 for the land;
- Construction (site prep and infrastructure) proposed to begin Fall 2014;

In April and May the Development Committee reviewed a request the City received from Ahmann Companies to initiate the Request for Proposal (RFP) process for the Chipping Green site. The Development Committee recommended to the City Council to initiate the RFP process and a public hearing was held on June 24, 2014. Development proposals for the property were due on August 1, 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:** August 26, 2014

**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):**

On May 21, 2014 the Development Committee reviewed the request to initiate the disposition process and recommends moving forward with requesting proposals for the site.

RESOLUTION NO.

RESOLUTION AUTHORIZING NEGOTIATION OF A DEVELOPMENT  
AGREEMENT WITH NEWBO DEVELOPMENT GROUP, LLC FOR THE  
DISPOSITION AND REDEVELOPMENT OF CITY-OWNED VACANT  
PROPERTY AT THE CORNER OF ZIKA AVENUE NW AND 16<sup>TH</sup> STREET NW

WHEREAS, the City owns property located at the corner of Zika Avenue NW and 16<sup>th</sup> Street SW (the "Property"); and

WHEREAS, on May 21, 2014 the City Council's Development Committee recommended inviting proposals for the redevelopment of the Property; and

WHEREAS, on June 10, 2014 the City Council passed a motion to public Notice of Public Hearing to be held on June 24, 2014 and to, conduct said public hearing on June 24, 2014 as required by law to consider disposition of the Property, and to invite competitive proposals for the acquisition and redevelopment of the Property; and

WHEREAS, the City received one (1) proposal from NewBo Development Group, LLC for the redevelopment of the Property, consisting of construction of 28 housing units with related infrastructure and site improvements; and

WHEREAS, an evaluation team comprised of City staff and representative of the Northwest Neighbors Neighborhood Association, private development company, and commercial lending institution reviewed the proposal on August 18, 2014; and

WHEREAS, based on the evaluation criteria set forth in the Notice of Public Hearing, the evaluation team recommends the NewBo Development Group, LLC proposal which provides demonstrated capacity to complete the project with a quality design and benefit by providing additional housing option in the City's core neighborhoods; and

WHEREAS, the City Council has determined that the proposal submitted by NewBo Development Group, LLC provides an overall benefit to the City by enhancing housing options for the residents, leveraging private investment, and developing now underutilized City property;

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

1. The City Manager is authorized and directed to negotiate the terms and conditions of a Development Agreement with NewBo Development Group, LLC for the purchase and redevelopment of City-owned property located at the corner of 16<sup>th</sup> Street and Zika Avenue NW commonly called the Chipping Green site.
2. At such time as the terms and conditions of the Development Agreement are sufficiently clear and definite, the City Manager is directed to present such Development Agreement to the City Council for consideration no later than December 16, 2014.

Passed this 26<sup>nd</sup> day of August, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Kirsty Sanchez

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

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

**Alternate Contact Person:** Jennifer Pratt

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

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

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

Discussion and Resolution authorizing negotiation of a Development Agreement with HF Investments, LLC for the Coventry Lofts affordable housing project at 211 and 213 1<sup>st</sup> Avenue SE (**FLOOD**). CIP/DID #OB1089967

### **Background:**

On May 27, 2014, City staff received a request from HF Investments, requesting City financial participation to facilitate the Coventry Lofts affordable housing project. The project will provide 19 units downtown, 10 of which will be available for low to moderate income families with income levels at or below 80% of the area mean gross income (AMGI).

On March 12, 2013, Council approved a resolution confirming approval of the project to the Iowa Economic Development Authority (IEDA) for funding consideration through the Multi-family New Construction (MFNC) Program.

A property tax reimbursement was not originally requested by the Developer which is typically when a request is received. However, the original \$3,900,000 reconstruction cost estimate has increased over the contingency by approximately \$550,000, related to asbestos and structural issues. In addition, since the project was initially approved, City Council has adopted the Economic Development Programs which include a 10-year, 100% reimbursement on downtown housing development.

The project provides the following benefits to the community:

- Infill development is consistent with City Council goals of creating a vibrant community and cost-effective provision of existing infrastructure and City services.
- Affordable downtown housing will be provided in the form of 19 units, 10 of which will be available for low to moderate income families with income levels at or below 80% of the area median gross income (AMGI).

Based on the community benefit, as well as the complexity and risk associated with this type of

renovation project, staff is recommending approval of the housing incentive. This is consistent with the recently adopted Economic Development Programs.

It is estimated the 10-year, 100% reimbursement of the increased property tax will generate \$246,529 over the 10-year period. To be eligible for the proposed tax reimbursement, this project will need to be added to the Central Business Urban Renewal Area Plan through the standard amendment process which includes a public hearing and consultation with affected taxing agencies.

**Action / Recommendation:**

City staff recommends approval of the Resolution.

**Alternative Recommendation:**

City Council may table and request for additional information.

**Time Sensitivity:** N/A

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 5 Minutes

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

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

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION AUTHORIZING NEGOTIATION OF A DEVELOPMENT  
AGREEMENT WITH HF INVESTMENTS, LLC FOR REDEVELOPMENT OF  
PROPERTY AT 211 AND 213 1<sup>ST</sup> AVENUE SE

WHEREAS, on May 27, 2014, City received a letter of request from HF Investments, LLC indicating interest to redevelop the property at 211 and 213 1<sup>st</sup> Avenue SE; and

WHEREAS, the costs associated with the project can be off-set with a ten-year, one-hundred percent (100%) reimbursement of property tax increment received by the increased value of the redevelopment; and

WHEREAS, the City Council has determined that the rehabilitation proposal submitted by HF Investments, LLC combine to establish the public purpose and overall benefit to the community, as described below:

- Infill development is consistent with City Council goals of creating a vibrant community and cost-effective provision of existing infrastructure and City services;
- Affordable downtown housing will be provided in the form of 19 units, 10 of which will be available for low to moderate income families with income levels at or below 80% of the area median gross income (AMGI);

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 negotiate a Development Agreement and associated documents with HF Investments, LLC for the Coventry Lofts affordable housing project.

Passed this 26<sup>th</sup> day of August, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Kirsty Sanchez

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

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

**Alternate Contact Person:** Jennifer Pratt

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

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

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

Discussion and Resolution authorizing initiation of a new Urban Renewal Area and negotiation of a Development Agreement with Hunter Companies, LLC for redevelopment of property located at 1201 Blairs Ferry Road NE (former Nash Finch site).

### **Background:**

On June 17, 2014, City staff received a request from Hunter Companies, LLC requesting City financial participation to facilitate the redevelopment of the former Nash Finch distribution area located at 1103 and 1201 Blairs Ferry Road NE. The proposed project would replace the warehouse/industrial buildings with commercial retail and services. An initial concept is attached for your reference.

The total project cost is estimated at \$16,000,000. Demolition is to begin in the fall of 2014. Total assistance requested is a 5-year, 100% reimbursement of the increased property taxes.

The project characteristics of the former Nash Finch redevelopment project, as detailed below, combine to establish the public purpose and overall benefit to the community:

- Infill development is consistent with City Council goals of creating a vibrant community and cost-effective provision of existing infrastructure and City services.
- Large-site master planned development will provide for a comprehensive planning approach for the entire site to achieve a sense of place through consistency in design, connectivity, and minimum improvement criteria.
- Appropriate land use along Blairs Ferry Road NE is achieved with a transition from the existing warehouse/industrial buildings to new commercial retail and services along this significant commercial corridor.

The City participation request is a 5-year, 100% reimbursement of the increased property tax generated by the improvements.

**Action / Recommendation:**

City staff recommends approval of the Resolution.

**Alternative Recommendation:**

Request for additional information.

**Time Sensitivity:** N/A

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** 5 Minutes

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

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

**Explanation:**

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

**Explanation (if necessary):**

Initial Concept Plan  
 Former Nash Finch Site Redevelopment  
 1201 Blairsferry Road NE



04.09.2014  
**SHIVEHATTERY**  
 ARCHITECTURE+ENGINEERING

**NORTHTOWNE MARKET DEVELOPMENT**  
 CONCEPT

**HUNTER**  
 Companies

RESOLUTION NO.

RESOLUTION AUTHORIZING INITIATION OF A NEW URBAN RENEWAL  
AREA AND NEGOTIATION OF A DEVELOPMENT AGREEMENT WITH  
HUNTER COMPANIES, LLC FOR REDEVELOPMENT OF PROPERTY AT  
1201 BLAIRS FERRY ROAD NE

WHEREAS, on June 17, 2014, City received a letter of request from Hunter Companies, LLC indicating interest to redevelop the former Nash Finch site located at 1103 and 1201 Blairs Ferry Road, NE; and

WHEREAS, the costs associated with demolition of the existing warehouse/industrial site can be off-set with one-hundred percent (100%) reimbursement of property tax increment received by the increased value of the redevelopment for up to five years for each building; and

WHEREAS, the Council Street Urban Renewal Area TIF District expires in 2023, therefore the City will seek to create a new TIF District for this project area; and

WHEREAS, the City Council has determined that the redevelopment proposal submitted by Hunter Companies, LLC combines to establish the public purpose and overall benefit to the community, as described below:

- Infill development is consistent with City Council goals of creating a vibrant community and cost-effective provision of existing infrastructure and City services.
- Large-site master planned development will provide for a comprehensive planning approach for the entire site to achieve a sense of place through consistency in design, connectivity, and minimum improvement criteria.
- Appropriate land use along Blairs Ferry Road NE is achieved with a transition from the existing warehouse/industrial buildings to new commercial retail and services along this significant commercial corridor.

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 negotiate a Development Agreement and associated documents with Hunter Companies, LLC.

Passed this 26<sup>th</sup> day of August, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Jennifer Pratt  
**Email:** [j.pratt@cedar-rapids.org](mailto:j.pratt@cedar-rapids.org)

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

**Alternate Contact Person:** Caleb Mason  
**Email:** [c.mason@cedar-rapids.org](mailto:c.mason@cedar-rapids.org)

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

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

Discussion and Resolution authorizing execution of Amendment No. 1 to the Development Agreement with New Bohemia Station, LLC for disposition and redevelopment of City-owned property at 1020 and 1028 3rd Street SE (former Brosh site) (**FLOOD**). CIP/DID #OB803603

**Background:**

The Resolution authorizes amending the Development Agreement the City has with New Bohemia Station, LLC. The matrix below shows the amended terms to the Development Agreement with reference to the original Development Agreement terms:

Term	Original Development Agreement	Proposed Amended Development Agreement
Minimum Investment	\$9.0 Million	\$4.0 Million
Job Creation/Retention	20 FTE	12 FTE
Minimum Improvements	5-story mixed use building <ul style="list-style-type: none"> <li>- basement theatre</li> <li>- first floor retail</li> <li>- boutique hotel (2-4<sup>th</sup> floors)</li> <li>- market rate housing (5<sup>th</sup> floor)</li> </ul>	4-story mixed use building <ul style="list-style-type: none"> <li>- First floor retail</li> <li>- 2<sup>nd</sup> Floor Office</li> <li>- Market rate housing (3<sup>rd</sup> &amp; 4<sup>th</sup> Floors)</li> </ul>
City Participation	10-years, 100% TIF Semi-annual reimbursement	10-years, 100% TIF Annual reimbursement
Flood Mitigation	Flood proofing of basement and first floor at 1' above BFE	First floor elevated 1' above BFE
Construction Timeline	Commencement: July 1, 2014 Completion: October 1, 2014	Commencement: November 1, 2014 Completion: December 31, 2015

The proposed amendment includes the addition of the following terms:

- New Bohemia Station, LLC is to indemnify and hold the City harmless from of any lawsuits or legal action taken against the City from current or former members of the LLC related to the project;
- New Bohemia Station, LLC will renew its representation and warranty of financial commitment of construction and permanent financing to complete the minimum improvements. The representation and warranties shall be ongoing.
- Final financing approval shall be a precedent condition to the City's transfer of title to the property;

**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:** August 26, 2014

**Estimated Presentation Time:** 5 Minutes

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

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

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

**Explanation (if necessary):**

Attachment A  
Building Renderings



RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE  
DEVELOPMENT AGREEMENT WITH NEW BOHEMIA STATION, LLC. FOR  
THE DISPOSITION AND REDEVELOPMENT OF CITY-OWNED PROPERTY  
AT 1020 AND 1028 3<sup>RD</sup> STREET SE (FORMER BROSH SITE)

WHEREAS, on January 28, 2014 the City Council adopted Resolution No. 0140-01-14 which authorized execution of a Development Agreement (the "Agreement") with New Bohemia Station, LLC ("NBS") for the redevelopment of City owned property at 1020 and 1028 3<sup>rd</sup> Street SE (the "Property"); and

WHEREAS, NBS was found to be in default of the Agreement with respect to financing of the minimum improvements outlined in the Agreement; and

WHEREAS, the City sent a notice of default to NBS in accordance with remedies of default prescribed in the Agreement; and

WHEREAS, NBS has provided evidence which, in the reasonable judgment of the City, provides assurances that the cure is remedied; and

WHEREAS, Amendment No. 1 to the Agreement (the "Amendment") proposed by NBS memorializes, among other things, new covenants, terms, and warranties together with terms left intact in the Agreement will provide a benefit to the community as a whole by allowing for the redevelopment of the Property; and

WHEREAS, the Amendment has been prepared and is now ready for execution on behalf of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to executed Amendment No. 1 to the Development Agreement with New Bohemia Station, L.L.C.

Passed this 26<sup>th</sup> day of August, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Kirsty Sanchez

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

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

**Alternate Contact Person:** Jennifer Pratt

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

**Email:** [j.pratt@cedar-rapids.org](mailto:j.pratt@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 Commonwealth Senior Apartments Urban Revitalization Area designation at 1400 2<sup>nd</sup> Avenue SE. CID/DID #OB1292697

### **Background:**

A request has been submitted by TWG Development and Landover Development Corporation for an Urban Revitalization Property Tax Exemption designation for the proposed renovation of a historic building located at 1400 2<sup>nd</sup> Avenue SE.

### **Project Details:**

- Building –84,080 square feet, 84 housing units
- Project cost –\$12,992,649
- Leverages:
  - \$7.2M in Low Income Housing Tax Credits
  - \$1.5M in Federal Historic Tax Credits
  - \$1.5M in State Historic Tax Credits

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

- Affordable housing near downtown
- Preservation of a historic building

The partial tax exemption would be a ten-year, declining scale exemption, averaging 44% per year, applied only to the increased property valuation generated by the new additions. Based on the scope of the proposed addition, the increased assessed value for the facility is estimated at \$1,500,000. This would generate an additional \$60,000 in property tax revenue annually. Over a ten-year period, this would be an additional \$336,000 collected in tax revenues and \$264,000 deferred as tax exempt.

### **Action / Recommendation:**

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

### **Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:**

N/A

**Resolution Date:** August 12, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

Based on a projected increased taxable value of \$1,500,000 generated by the renovation, the estimated total over the ten-year period is an additional \$336,000 collected in tax revenues and \$264,000 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 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 85 and the addition of a new Division 85 as follows:

“Division 85. Commonwealth.” August 12, 2014 Resolution No. 1012-08-14

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 86 as follows:

“Division 86. (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 12<sup>th</sup> day of August, 2014.



**Council Agenda Item Cover Sheet**

**Council Meeting Date:** August 26, 2014

**Submitting Department:** Fire

**Presenter at meeting:** Mark English  
**Email:** m.english@cedar-rapids.org

**Phone Number/Ext:** (319) 286-5220

**Alternate Contact Person:** Gregory Smith  
**Email:** g.smith@cedar-rapids.org

**Phone Number/Ext:** (319) 286-5224

**Description of Agenda Item:**

Ordinance amending Chapter 66 of the Cedar Rapids Municipal Code, by deleting Section 66.06 therefrom and enacting a new Section 66.06 in its place.

**Background:**

Currently this Ordinance states that helicopter landings must have formal Council approval.

The change of this ordinance will allow a helicopter to land within the city limits upon approval by the Fire Chief or the Chief's designee for pre-planned events. This will not impact the ability of the helicopter to land for emergency incidents.

**Action / Recommendation:**

The Fire Department recommends approval of this Ordinance.

**Alternative Recommendation:**

If this Ordinance is not approved at this time, the Fire Chief will not have the authority to approve helicopter landings and these will continue to be approved by the City Council.

**Time Sensitivity:** N/A

**Resolution Date:** August 26, 2014

**Estimated Presentation Time:** N/A

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

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

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



ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 66 OF THE CEDAR RAPIDS MUNICIPAL CODE BY DELETING SECTION 66.06 THEREFROM AND ENACTING A NEW SECTION 66.06 IN ITS PLACE VESTING THE FIRE CHIEF OR CHIEF'S DESIGNEE WITH AUTHORITY TO ISSUE TEMPORARY SPECIAL PERMITS FOR TEMPORARY LANDING OR TAKEOFF OF HELICOPTERS WITHIN THE CITY LIMITS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Chapter 66 of the Cedar Rapids Municipal Code is amended as follows:

Section 1. Section 66.06 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 66.06 is enacted in lieu thereof as follows:

“66.06 – OCCASIONAL LANDINGS AND TAKEOFFS.

The Fire Chief or Chief's Designee may issue a temporary special permit for the temporary landing or takeoff of a helicopter on public or private property subject to such terms as the Chief or Chief's Designee may set forth in said permit.”

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

Section 3. All ordinances or parts of ordinances in conflict with any provision of this Ordinance are hereby repealed.

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

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

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

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

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

Attest:

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