

*“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, September 9, 2014 at 12:00 noon in the Council Chambers, 3rd Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to discuss and possibly act upon the matters as set forth below in this tentative agenda. (*Please silence mobile devices.*)

A G E N D A

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations:
 - ❖ Proclamation – Gentleman Day (Autumn Craft, Sonya Masse, Jaye Kennedy, Tara Beck, David Thielen, Ashley Taylor, Nelly Hill)
 - ❖ Proclamation – Constitution Week (Peg Wilkinson)
 - ❖ Proclamation – National Childhood Cancer Awareness Month (Gary Cotton, Stephanie Horn)

PUBLIC HEARINGS

1. A public hearing will be held 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 (Rita Rasmussen).
 - a. Resolution to continue 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
2. A public hearing will be held 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 10th Avenue SW (Rita Rasmussen).
 - a. Resolution to continue the disposition of excess City-owned property by sealed bid and described as a vacant lot with structure located at 217 10th Avenue SW. CIP/DID #3302500004-00

3. A public hearing will be held to consider a change of zone for property at 2727 16th 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 (Vern Zakostelecky).
 - a. First Reading: Ordinance granting a change of zone for property at 2727 16th 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
4. A public hearing will be held 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. (Vern Zakostelecky).
 - a. First Reading: Ordinance granting 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
5. A public hearing will be held 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. (Vern Zakostelecky).
 - a. First Reading: Ordinance 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
6. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Police Station Roof Replacement project (estimated cost is \$400,000) (Brent Schlotfeldt).
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Police Station Roof Replacement project. CIP/DID #0814-030

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.**

7. Motion to approve minutes.
8. Motions setting public hearing dates for:
 - a. September 23, 2014 – to consider the disposition of a .75-acre parcel of vacant City-owned land located northerly of Ellis Road NW at 80th Street NW as requested by the State of Iowa; CIP/DID #52-15-003
 - b. September 23, 2014 – to consider the vacation of public ways and grounds described as a portion of a frontage road easement located at 2701 12th Avenue SW as requested by Quarton Place 2 Limited Partnership; CIP/DID #EASE-011980-2014
 - c. September 23, 2014 – to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, adding a Northwest Flood Mitigation Overlay District with specific guidelines applicable to land use applications and permits; CIP/DID #OB1294914
 - d. September 23, 2014 – to consider the disposition of nine excess City-owned properties at 606 and 610 J Avenue NW; 1106, 1108, 1110 and 1116 6th Street NW; and 1101, 1111 and 1113 Ellis Boulevard NW acquired through the Voluntary Property Acquisition Program (**FLOOD**); CIP/DID #OB959319
 - e. September 23, 2014 – to consider the disposition of City-owned commercial property at 615 K Avenue NW; 1125, 1127 and 1129 Ellis Boulevard NW; and 1130 and 1138 6th Street NW and inviting redevelopment proposals (**FLOOD**); CIP/DID #OB1058253
 - f. October 7, 2014 – to consider an Ordinance relating to collection of tax increment within the proposed Northtowne Market Urban Renewal Area at 1201 Blairs Ferry Road NE; CIP/DID #OB1300915
 - g. October 7, 2014 – to consider an Ordinance relating to collection of tax increment for the Amendment No. 1 to the Council Street Urban Renewal Plan; CIP/DID #OB41576
 - h. October 7, 2014 – to consider an Ordinance relating to collection of tax increment within the proposed New Pioneer Urban Renewal Area at 3338 Center Point Road NE; CIP/DID #OB1303711
 - i. October 21, 2014 – to consider a request by Red Star Yeast for the expansion of the existing Urban Revitalization Area to provide for future growth of its current facility located at 950 60th Avenue SW; CIP/DID #OB66779
 - j. October 21, 2014 – to consider a request by Acme Electric Company, Inc. for an amendment to the Acme Electric Company, Inc. Urban Revitalization Plan to allow for the construction of six new row houses. CIP/DID #OB865223
9. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for September 23, 2014 and advertising for bids by publishing notice to bidders for the 29th Street NE from West of Eastern Avenue to Staub Court Storm Sewer and Water Main Improvements project and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on October 8, 2014 (estimated cost is \$320,000). CIP/DID #304378-01

10. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
 - a. Adelita's Mexican Grill, 2383 Blairs Ferry Road NE;
 - b. Benz Beverage Depot, 501 7th Avenue SE (5-day permit for an event in the street on September 27, 2014);
 - c. Bulicek's Deli & Brew, 1616 6th Street SW;
 - d. Butcher Block Steakhouse, 1117 1st Avenue SE;
 - e. Checkers Tavern & Eatery, 3120 6th Street SW (outdoor service for an event on October 4-5, 2014);
 - f. CVS/Pharmacy #8443, 3419 16th Avenue SW;
 - g. Jerks Island Bar & Grill, 1810 6th Street SW (new – formerly TJ's Steakhouse);
 - h. Jersey's Pub & Grub, 5761 C Street SW (outdoor service for an event on September 14-15, 2014);
 - i. The Keg, 719 5th Street SE (outdoor service for an event on September 20, 2014);
 - j. Kum & Go #508, 30 Four Oaks Drive SW;
 - k. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on October 2-6, 2014);
 - l. National Czech & Slovak Museum & Library, 1400 Inspiration Place SW (5-day permit for an event on October 3, 2014);
 - m. Paddy O'Rourke's, 608 16th Street NE (outdoor service for an event on September 19-20, 2014);
 - n. Pancheros Mexican Grill, 5300 Edgewood Road NE, Suite 100;
 - o. Rumors, 400 F Avenue NW (outdoor service for an event on September 19-21, 2014);
 - p. Theatre Cedar Rapids, 102 3rd Street SE (new license);
 - q. Time Out Lounge, 3230 16th Avenue SW (outdoor service for an event on September 27-28, 2014);
 - r. Zeppelins, 5300 Edgewood Road NE, Suite 500;
 - s. Zins, 227 2nd Avenue SE.
11. Resolutions (3) approving payment of bills and payroll. CIP/DID #OB1143566
12. Resolution thanking Sean Newlin for serving on the Grants and Programs Citizens Advisory Committee. CIP/DID #OB534302
13. Resolution approving the special event application for Benz Beverage Depot Beer Nuts Festival on September 27, 2014 (includes road closure); CIP/DID #SPEC-024638-2014
14. Resolution setting a public hearing date for October 7, 2014 to consider the Resolution of Necessity (Proposed) for the construction of the 18th Street SW from Wilson Avenue SW to 16th Avenue SW Improvements project. CIP/DID #301500-00
15. Resolution setting a public hearing date for October 7, 2014 to consider the Resolution of Necessity (Proposed) for the construction of the 2015 Sidewalk Infill Project. CIP/DID #3012074-00
16. Resolution determining the necessity and setting dates of a public hearing for October 7, 2014 and consultation with affected taxing entities, and referral to the City Planning Commission for a report and recommendation on the proposed Urban Renewal Plan for the Northtowne Market Urban Renewal Area. CIP/DID #OB1300915

17. Resolution determining the necessity and setting dates of a public hearing for October 7, 2014 and consultation with affected taxing entities, and referral to the City Planning Commission for a report and recommendation on the proposed Amendment No. 1 to the Council Street Urban Renewal Plan for the Council Street Urban Renewal Area. CIP/DID #OB41576
18. Resolution determining the necessity and setting dates of a public hearing for October 7, 2014 and consultation with affected taxing entities, and referral to the City Planning Commission for a report and recommendation on the proposed Urban Renewal Plan for the New Pioneer Urban Renewal Area. CIP/DID #OB1303538
19. Resolutions approving assessment actions:
 - a. Levy assessment – Solid Waste & Recycling – clean-up costs – two properties; CIP/DID #OB1294619
 - b. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 21 properties. CIP/DID #OB1303518
20. Resolutions accepting projects, approving Performance Bonds and authorizing issuance of final payments:
 - a. WPCF Lenel and Security Camera Upgrades project, final payment in the amount of \$28,694.64 and 2-year Performance Bond submitted by Price Industrial Electric, Inc. (original contract amount was \$585,000; final contract amount is \$573,892.84); CIP/DID #615125-06
 - b. 1st Avenue East from 17th Street to 27th Street SE and 40th Street NE to Collins Road NE Crack and Joint Cleaning and Sealing project, final payment in the amount of \$3,013.32 and 4-year Performance Bond submitted by Illowa Investment, Inc. (original contract amount was \$58,012; final contract amount is \$60,266.40); CIP/DID #3012034-02
 - c. 2nd Street SE Parking Ramp at 7th Avenue – Mechanical project, final payment in the amount of \$12,833.95 and 2-year Performance Bond submitted by Bowker Mechanical Contractors, LLC (original contract amount was \$215,000; final contract amount is \$256,678.79); CIP/DID #635120-21
 - d. FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project, final payment in the amount of \$12,198.72 and 4-year Performance Bond submitted by BWC Excavating, LC (original contract amount was \$189,177.50; final contract amount is \$243,974.39); CIP/DID #3017012-01
 - e. Meiers Court NW Drainage Improvements project, and 4-year Performance Bond submitted by Ricklefs Excavating, Ltd. (original contract amount was \$46,000; final contract amount is \$48,185.30); CIP/DID #304363-02
 - f. E Ave NW at West Post Road Storm Sewer Crossing project, and 4-year Performance Bond submitted by Pirc-Tobin Construction (original contract amount was \$20,929; final contract amount is \$20,324.50). CIP/DID #304392-01
21. Resolutions authorizing execution of Development Agreements and Special Warranty Deeds for City-owned property participating in the fourth round of the Single Family New Construction Program (**FLOOD**): CIP/DID #OB540257
 - a. Cedar Valley Habitat for Humanity, Inc. for property at 358 7th Avenue SW;
 - b. Premiere Developers, Inc. for property at 1424 L Street SW.
22. Resolution authorizing execution of a Development Agreement and Special Warranty Deed for City-owned property participating in the third round of the Single Family New Construction Program (**FLOOD**). CIP/DID #OB540257
 - a. Skogman Construction Company of Iowa for property at 1238 10th Street NW.

23. Resolution approving the final plat of Crescent View Third Addition, located north of 74th Street NE and east of Crescent View Boulevard NE. CIP/DID #FLPT-006801-2013
24. Resolution establishing a public utility easement varying from 10 feet to 20 feet in width on City-owned property located at 214 1st Street SW in connection with redevelopment of the adjacent parcels located on 3rd Avenue SW between 1st Street and the alley. CIP/DID #49-15-023
25. Resolution fixing value of lots for the construction of the Edgewood Road SW and Edgewood Parkway SW Traffic Signal Improvements project. CIP/DID #306163-00
26. Resolution accepting work and fixing amount to be assessed for the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project. CIP/DID #3017012-00
27. Resolution accepting work and fixing amount to be assessed for the FY 2013 Sidewalk Repair and Ramp Program – Contract No. 1 project. CIP/DID #3017013-00
28. Resolution waiving the City's right to review a subdivision of land for property at 4950 and 5050 Deer View Road as requested by Mary H. Krivit, Tork J. Harman and Lynn M. Dennis for Woodland Estates 10th Addition to Linn County. CIP/DID #PRPT-012917-2014
29. Resolution extending the competitive proposal deadline from September 30 to October 28, 2014 for the disposition of City-owned property at the 400 block of 1st Street SW bounded by 1st and 2nd Streets and 4th and 5th Avenues SW acquired through the Voluntary Acquisition Program for the property disposition process and inviting redevelopment proposals (**FLOOD**). CIP/DID #OB1292699
30. Resolution authorizing submittal of a grant application to the Iowa Department of Transportation (IDOT) for Iowa Clean Air Attainment Program (ICAAP) funds to provide funding for the Old Marion Road at C Avenue NE Intersection Improvements project. CIP/DID #301446-00
31. Resolution authorizing submittal of a grant application to the Iowa Department of Transportation (IDOT) for Iowa Clean Air Attainment Program (ICAAP) funds to provide funding for the realignment of 51st Street NE at Council Street NE to provide more separation from Collins Road. CIP/DID #301491-00
32. Resolution approving the 2014-2017 Cedar Rapids Transit Title VI Program. CIP/DID #OB1303503
33. Resolutions approving actions regarding Purchases/Contracts/Agreements:
 - a. Amendment No. 3 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$3,500 for design services in connection with the Collins Road NE Improvements Backage Road from C Avenue NE to Northland Avenue Extension project (original contract amount was \$39,617; total contract amount with this amendment is \$53,947); CIP/DID #301446-04
 - b. Amendment No. 2 to the Professional Services Agreement with Shive-Hattery, Inc. specifying an increased amount not to exceed \$24,946 for design services in connection with the Edgewood Road SW and Wiley Boulevard SW from Williams Boulevard to 16th Avenue project (original contract amount was \$37,393; total contract amount with this amendment is \$71,092) (**Paving for Progress**); CIP/DID #3012084-01

- c. Amendment No. 3 to renew Contract for Snow Removal Services with BladeWorks – 20/20 Development for Facilities Maintenance for an estimated annual amount of \$35,000 (original contract amount was \$8,200; renewal contract amount is \$35,000); CIP/DID #0913-044
- d. Amendment No. 5 to renew Agreement for Mailing Services with Mailing Services, Inc. for the Utilities Department for a total annual amount not to exceed \$183,000 (original contract amount was \$175,000; renewal contract amount is \$183,000); CIP/DID #0910-055
- e. Amendment No. 3 to the contract for Lime Sludge Hauling Removal and Disposal – Northwest Water Treatment Plant Lagoons Project with Mike McMurrin Trucking, Inc. to reflect increased quantities of sludge for an amount not to exceed \$113,280 (original contract amount was \$354,000; total contract amount with this amendment is \$467,280); CIP/DID #0513-256
- f. Professional Services Agreement with Snyder and Associates, Inc. for an amount not to exceed \$538,484 for design services in connection with the West Post Road NW from E Avenue to Gordon Avenue and Midway Drive NW from West Post Road to Wiley Boulevard Roadway Improvements project (**Paving for Progress**); CIP/DID #3012120-01
- g. Professional Services Agreement with Watersmith Engineering for an amount not to exceed \$44,838 for design services in connection with the Sanitary Sewer Lift Station Evaluations project; CIP/DID #6550004-01
- h. Professional Services Agreement with Foth Infrastructure and Environmental, LLC for an amount not to exceed \$916,472 for design services in connection with the O Avenue NW Roadway Improvements from Edgewood Road to Ellis Boulevard project (**Paving for Progress**); CIP/DID #3012121-01
- i. Professional Services Agreement with Hall & Hall Engineers, Inc. for an amount not to exceed \$26,590 for design services in connection with the Seminole Valley Road NE Alternative Access Conceptual Plan; CIP/DID #301925-01
- j. Purchase Agreement in the amount of \$4,700 and accepting a Warranty Deed and Temporary Grading Easement for Construction from Scott C. Evans, Renay C. Evans, Shawn G. Evans and Karine H. Apineru-Evans from land located at 3875 Oakland Road NE in connection with the Oakland Road NE Sidewalk from Golf Street to Golfview Drive project; CIP/DID #301374-00
- k. Awarding and approving contract in the amount of \$49,825 plus incentive up to \$1,000, bond and insurance of Rathje Construction Company for the City Hall Roof Drain Repair project (estimated cost is \$37,000); CIP/DID #353039-09
- l. Awarding and approving contract in the amount of \$43,000 plus incentive up to \$1,500, bond and insurance of Hardscape Solutions of Iowa for the FY 2015 Downtown Streetscape Enhancement project (estimated cost is \$40,000); CIP/DID #321549-01
- m. Professional Services Agreement with CP Solutions, Inc. for an amount not to exceed \$45,000 for Cathodic Protection Design, Training, Testing and Inspection; CIP/DID #625542-2014064-02
- n. Professional Services Agreement with CH2M HILL Engineers, Inc. for an amount not to exceed \$78,461 for the WPCF Biofilter Evaluation project; CIP/DID #615236-01
- o. Authorizing the City Attorney, Chief of Police and the Eastern Iowa Airport Public Safety Commander to execute a State of Iowa Department of Public Safety Iowa On-Line Warrants and Articles User Agreement; CIP/DID #OB759137
- p. Assignment and Assumption of Development Agreement from Schissel, LLC to Cedar Ridge Homes, Inc. for property at 408 5th Avenue SW participating in the third round of the Single Family New Construction Program (**FLOOD**); CIP/DID #OB540257

- q. Development Agreement with Cargill, Inc. for disposition of City-owned properties at 903, 908 and 915 16th Avenue SE; 1616 9th Street SE; 900, 906, 916, 919; and 923 17th Avenue SE; and 929 Hull Avenue SE acquired through the City's Voluntary Acquisition Program (**FLOOD**); CIP/DID #OB811370
- r. Payment of \$68,563.25 to the Iowa Individual Health Reinsurance Association for annual assessment due October 8, 2014; CIP/DID #OB1303589
- s. Contract for Seal Coat Parking Lot project with L.L. Pelling Co. Inc. for the Utilities Department for an amount not to exceed \$38,860; CIP/DID #0714-023
- t. Contract for Hoover Trail Park Pavilion project with Connerley Construction LLC for the Parks and Recreation Department for an amount not to exceed \$32,836; CIP/DID #0814-028
- u. Contract for Painting of Cherry Hill Pool Slide Supports project with Van Nevel Coatings & Restoration for the Parks and Recreation Department for an amount not to exceed \$46,500. CIP/DID #0514-191

REGULAR AGENDA

- 34. Report on bids for the Blairs Ferry Road and Ushers Ferry Road NE Traffic Signalization project (estimated cost is \$90,000) (Doug Wilson).
 - a. Resolution awarding and approving contract in the amount of \$85,650 plus incentive up to \$1,000, bond and insurance of Trey Electric Corp. for the Blairs Ferry Road and Ushers Ferry Road NE Traffic Signalization project (estimated cost is \$90,000). CIP/DID #306266-02
- 35. Report on bids for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels project (estimated cost is \$550,000) (John Riggs).
 - a. Resolution awarding and approving contract for an amount not to exceed \$355,440 bond and insurance of D.W. Zinser Company for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels project (**FLOOD**). CIP/DID #0714-013

ORDINANCES

(Second and possible Third Readings)

- 36. 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
- 37. 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

38. Ordinance granting a change of zone for property at 435 8th Avenue SW, 1238 10th 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
39. Ordinance granting a change of zone for City-owned property at 1016 2nd 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
40. 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
41. 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
42. 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
43. Ordinance amending Chapter 66 of the Municipal Code, Helicopter Landing Areas, by deleting Section 66.06 therefrom and enacting a new Section 66.06 which authorizes the Fire Chief or Chief's designee to issue temporary special permits for temporary landing or 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*



Council Agenda Item Cover Sheet PUBLIC HEARING AND RESOLUTION

Submitting Department: Public Works Department

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

Phone Number/Extension: 5807

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

Phone Number/Extension: 5092

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

Public Hearing 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 vacant lot with structure located westerly of and adjacent to 1400 and 1412 6th Street SW.

Resolution to continue 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 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, including the existing structure. As determined by the City Assessor, the most recent assessed values of these commercial parcels are \$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 City-owned parcels located at 1400 and 1412 6th Street SW and vacant lot 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

3302500004/COUNCIL AGENDA ITEMS/COVER SHEET PH & RES CONTINUE DISP CR6416NR CR6417NR CR6418NR

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): n/a

Local Preference Policy Applies Exempt

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

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

RESOLUTION TO CONTINUE THE DISPOSITION OF EXCESS CITY-OWNED PROPERTY
BY SEALED BID

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

Three commercial 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

, and

WHEREAS, on September 9, 2014 at the Council Chambers, 3rd Floor, City Hall, 101 First Street SE, Cedar Iowa, the Cedar Rapids City Council, after notice as required by law, held a public hearing to consider the disposition of said property,

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

Passed this 9th day of September, 2014.



PROPERTY DISPOSITION

Vacant Land

14TH AVE SW

1400 6th St SW

1412 6th St SW

6TH STREET SW

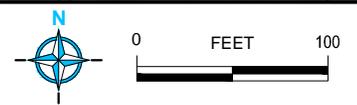
15TH AVENUE SW

16TH AVENUE SW

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



3302500004



Council Agenda Item Cover Sheet PUBLIC HEARING AND RESOLUTION

Submitting Department: Public Works Department

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

Phone Number/Extension: 5807

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

Phone Number/Extension: 5092

Description of Agenda Item: Consent Agenda Regular Agenda YES Map

Public Hearing to consider the continuation of the disposition of excess City-owned property by sealed bid and described as a lot with structure located at 217 10th Street SW.

Resolution to continue the disposition of excess City-owned property by sealed bid and described as a lot with structure located at 217 10th 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, including the existing structure, a garage which is shared with the adjacent property at 215 10th 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 10th 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 10th 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)

3302500004/COUNCIL AGENDA ITEMS/COVER SHEET PH & RES CONTINUE DISP 217 10TH AVE SW

Budget Information (if applicable): n/a

Local Preference Policy Applies Exempt

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

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

RESOLUTION TO CONTINUE THE DISPOSITION OF EXCESS CITY-OWNED PROPERTY
BY SEALED BID

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

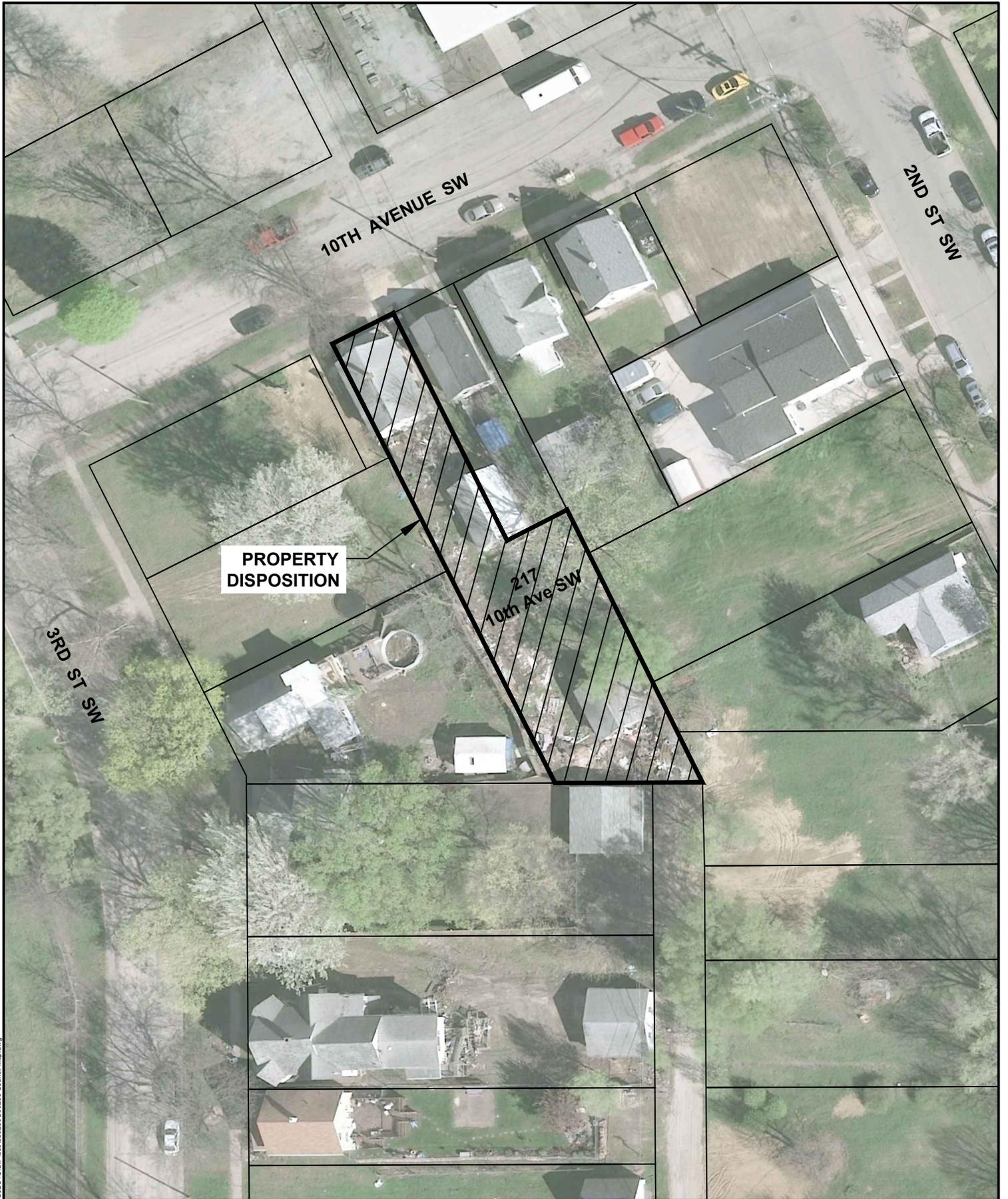
A lot with structure located at 217 10th Avenue SW

, and

WHEREAS, on September 9, 2014 at the Council Chambers, 3rd Floor, City Hall, 101 First Street SE, Cedar Iowa, the Cedar Rapids City Council, after notice as required by law, held a public hearing to consider the disposition of said property,

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

Passed this 9th day of September, 2014.



**PROPERTY
DISPOSITION**

**217
10th Ave SW**

10TH AVENUE SW

2ND ST SW

3RD ST SW

Cadd File Name: W:\PROJECTS\CIP\330\330250\30250 Council Map.dwg



**PROPERTY DISPOSITION
217 10TH AVENUE SW**





Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Development Services

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

Phone Number/Ext: 319 286-5043

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

Phone Number/Ext: 319 286-5822

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

A public hearing will be held to consider a change of zone for property at 2727 16th 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 16th 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"> City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission reviewed the application on August 21, 2014 and recommended approval unanimously on a 6 to 0 vote. A portion of the minutes are included as Attachment A.
City Council consideration	<ul style="list-style-type: none"> A Public Hearing to allow for public input and the First Reading of the Ordinance will be held on September 9, 2014. Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final. Approval of the rezoning will be subject to the conditions stated in the Ordinance.

Action / Recommendation:

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

Alternative Recommendation:

City Council may table this item and request further information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 5 minutes

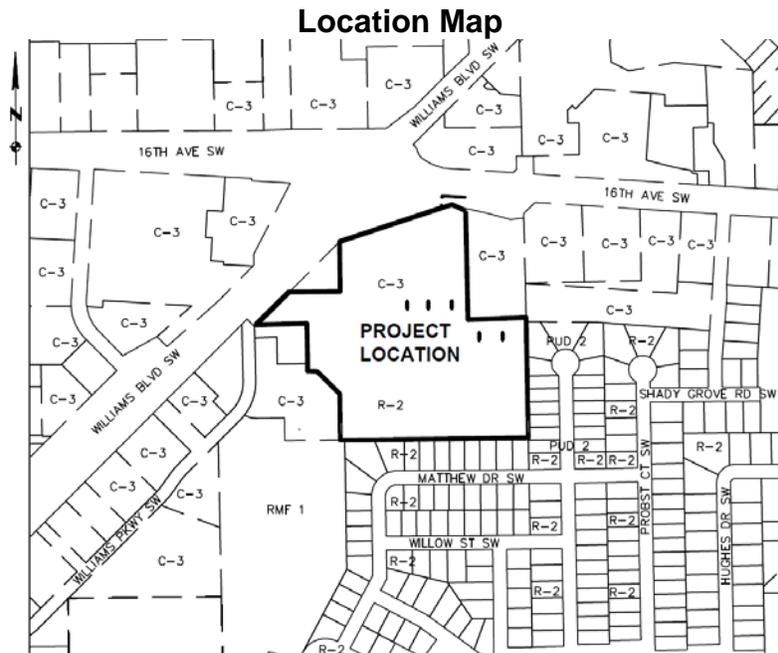
Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):





**MINUTES OF
CITY PLANNING COMMISSION MEETING,
Thursday, August 21, 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 31, 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: 2727 16th Avenue SW (Rezoning and Conditional Use)

- a. Consideration of a Rezoning from R-2, Single Family Residence Zone District to C-3, Community Commercial Zone District as requested by MidAmerican Aerospace (Applicant) and S & C Realty Associates (Titleholder)
Case No: RZNE-011721-2014; Case Manager: Vern Zakostelecky

- b. Consideration of a Conditional Use for Warehousing, Wholesaling and Distribution in a C-3, Community Commercial Zone District as requested by MidAmerican Aerospace (Applicant) and S & C Realty Associates (Titleholder)
Case No: COND-011719-2014; Case Manager: Dave Houg

Mr. Zakostelecky stated this was a rezoning and conditional use request for the old K-Mart property at 2727 16th Avenue by MidAmerican Aerospace. MidAmerican is currently located on Blairs Ferry Road and have outgrown their space. Mr. Zakostelecky presented a location/zoning map, general information, aerial photo and building renderings. Mr. Zakostelecky stated that MidAmerican was providing 58 parking spaces for their use, and northerly portion of the lot would be sold for commercial development. They are providing stormwater management, the entrance would be on the east end of the current building, providing tree buffering and landscaping as well as a building facelift.

Commissioner Overland called for questions of Mr. Zakostelecky.

Commissioner Dahlby recused herself from this project.

Commissioner Halverson stated in addition to the screening, there also seems to be natural screening. Mr. Zakostelecky stated the developer would be able to count that toward the trees. Commissioner Halverson also stated the dock space did not appear to be visible. Mr. Zakostelecky stated it would be along the east side of the building.

Commissioner Overland called for a representative of the applicant.

Brent Jackman, Hall & Hall Engineers, 1860 Boyson Road, Hiawatha, Iowa stated Mr. Zakostelecky had done a great job of explaining the project. Mr. Jackman stated that they had a neighborhood meeting that went well and that there were overhead doors on the east side and not a dock.

Commissioner Overland called for questions of the applicant.

Commissioner Knox-Seymour stated there is a huge parking lot on the property. Mr. Jackman stated that in the future the lot next to 16th Avenue would be for sale for future commercial development.

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

Mike Smejkel, 2608 Matthew Drive SW stated that he lives near this building and since seeing the plans feels this is a great opportunity to turn an old building into something new and approves of the rezoning.

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

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

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

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the Conditional Use for Warehousing, Wholesaling and Distribution in a C-3, Community Commercial Zone District. Commissioner Wilts seconded the motion.

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

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

Commissioner Dahlby returned to the dais.
The meeting was adjourned at 4:30 pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant
Community Development

ORDINANCE NO.

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

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

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

The most southerly 197 feet of Parcel B, Plat of survey No. 999, Cedar Rapids, Linn County, Iowa as recorded in Book 5012, Page 85 in the Office of the Linn County Recorder.

and located at 2727 16th Avenue SW, now zoned R-2, Single Family Residence Zone District, and as shown on the "District Map," be rezoned and changed to C-3, Regional Commercial Zone District, and that the property be used for such purposes as outlined in the C-3, Regional Commercial Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. Subject property shall be platted per State and City platting regulations.
2. That approval of this site development plan is subject to the Conditional Use review process and that no Certificate of Occupancy shall be issued for "Warehousing, wholesale or distribution" activities until such use is approved by the Board of Adjustment.
3. Effective screening shall be provided and maintained per provisions of the Zoning Ordinance where adjacent to an "R" District or a variance be obtained.
4. 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.
5. If outside dumpsters are proposed 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.

6. Signage is not being reviewed at this time. Sign permit applications must be submitted and approved and permits obtained prior to erection of signage (Subsection 32.06.020 & 32.06.030 is the sign regulation in the Zoning Ordinance).
7. Sites will need to comply with off-street parking requirement per Chapter 32, Subsection 32.05.020.A.

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 9th day of September, 2014.

ACCEPTANCE OF CONDITIONS OF REZONING

ORDINANCE NO.

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

20 day of August, 2014

S & C REALTY ASSOCIATES

Signature

Printed name

Printed title



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Development Services

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

Phone Number/Ext: 319 286-5043

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

Phone Number/Ext: 319 286-5822

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

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

Action / Recommendation:

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

Alternative Recommendation:

City Council may table this item and request further information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 5 minutes

Budget Information (if applicable): N/A

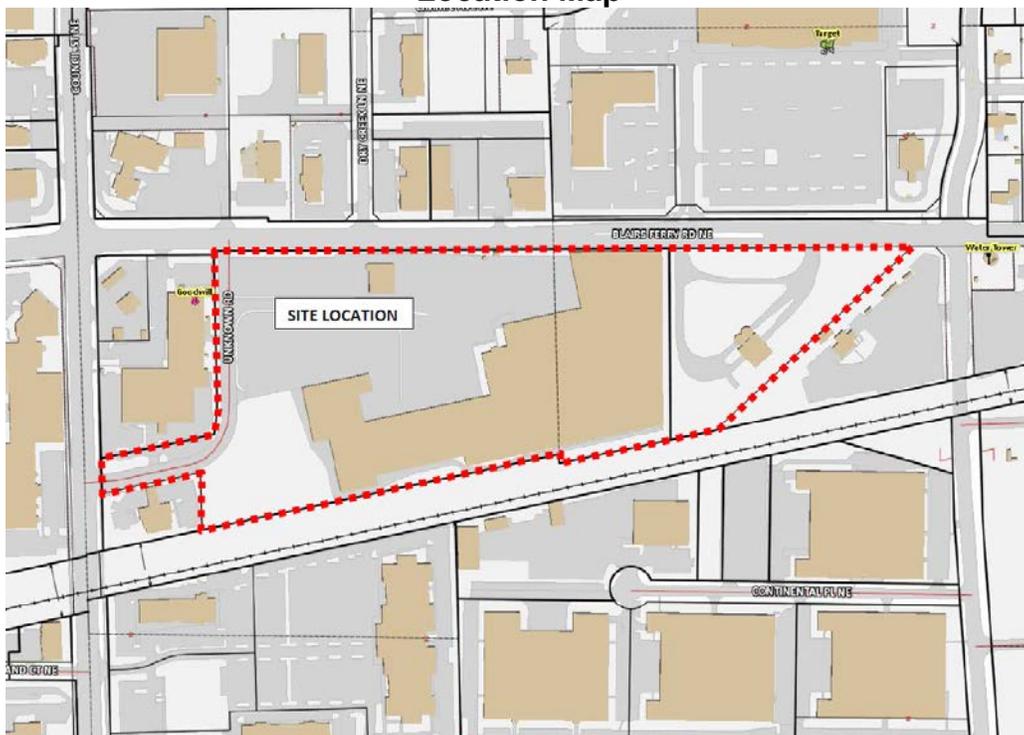
Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

Location Map





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

**MINUTES OF
CITY PLANNING COMMISSION MEETING,
Thursday, August 21, 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 31, 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: 1103 and 1201 Blairs Ferry Road NE (Rezoning)

Consideration of a Rezoning from I-1, Light Industrial Zone District to PUD-1, Planned Unit Development One Zone District as requested by Hunter Companies, LLC (Applicant) and Nash Finch Company and Northwestern States Portland Cement Co (Titleholders)

Case No: RZNE-011742-2014; Case Manager: Vern Zakostelecky

Mr. Zakostelecky stated this was a proposed zoning of the Nash Finch and Northwestern States Portland Cement Co. properties along Blairs Ferry Road NE between Council Street and

Rockwell Drive in an I-1 Zone District and proposed zoning of C-3 to be more consistent with the property to the west, north and south. The applicant will demo the 23 acre site and build a mix of commercial and retail. There will be four accesses, one on Council and three on Blairs Ferry to the property. The applicant will present site plans to CPC as the area is developed. Mr. Zakostecky presented a location/zoning map, general information and a Master Plan.

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

Commissioner Overland called for a representative of the applicant.

Shannon Thompson, Bradley and Riley, 2007 1st Avenue SE was present representing the applicant Hunter Companies. Ms. Thompson stated this area is somewhat blighted and will be converted into useful space. The project will provide 7 to 8 times more tax revenue as well as more green space.

Commissioner Overland called for questions of the applicant.

Commissioner Knox-Seymour commended the applicant and stated that this was a much needed redevelopment of the area and was happy to see it happening.

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

Derek Stepanek, 8720 Deercree Lane stated that he owns the business to the north of this property and supports and welcome the upgrade and appreciates the quality of the site plan. Mr. Stepanek did want to bring to the commissioners his concern of the existing road way and traffic that is currently there due to the current retail that is there.

Commissioner Overland asked Mr. Zakostecky if he can comment on the traffic study. Mr. Zakostecky stated that a traffic impact study is required and the developer may be asked to do some of the off-site improvements. The applicant will have to return to the Planning Commission with site plans as lots develop. More planning has to go into this project after this rezoning is approved.

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the Rezoning from I-1, Light Industrial Zone District to PUD-1, Planned Unit Development One Zone District. Commissioner Knox-Seymour seconded the motion.

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

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

The meeting was adjourned at 4:30 pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant
Community Development

ORDINANCE NO.

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

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

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

1103 Blairs Ferry Road NE
GPN: 14032-04003-00000 IRR SUR NW 3-83-7 N OF RR 9(LESS W 328' N 538.7') & (LESS ST) & (LESS E 244' BNG N 376.7' MEAS ON W LN) & (LESS LEHIGH PORTLAND CEMENT CO) STR/LB 2

1201 Blairs Ferry Road NE
GPN: 14032-28005-00000 NASH FINCH 1ST STR/LB 1
LOT 1, NASH FINCH FIRST ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA

and located at 1103 and 1201 Blairs Ferry Road NE, now zoned I-1, Light Industrial Zone District, and as shown on the "District Map," be rezoned and changed to C-3, Regional Commercial Zone District, and that the property be used for such purposes as outlined in the C-3, Regional Commercial Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. Subject property shall be platted per State and City platting regulations.
2. All lots shall be provided frontage on an approved public or private street which is appropriately named.
3. 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.
4. Evidence of acceptable shared access easement agreements shall be provided.
5. Lighting fixtures shall be shielded in a manner that shall not direct illumination on adjacent residential properties, or on any public right-of-way as per Subsection 32.05.030.B. of the Zoning Ordinance.
6. Landscaping and buffering/screening shall be provided per the Zoning Ordinance, Subsection 32.05.030.A. This includes street front landscaping for parking area adjoining public and private streets, continuous planting islands for every 4th bay of parking, street front landscaping, etc.

7. 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.
8. 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.
9. The existing structures must be removed under appropriate permit and inspections conducted and approved.
10. Sites will need to comply with off-street loading requirement per Chapter 32, Subsection 32.05.020.C. or modified per Subsection 32.03.010.C.4 of the Zoning Ordinance.
11. Signage is not being reviewed at this time. Sign permit applications must be submitted and approved and permits obtained prior to erection of signage (Subsection 32.06.020 & 32.06.030 is the sign regulation in the Zoning Ordinance). City staff recommends an overall development signage plan be submitted for review prior to building permit applications to identify compliance or the need for variances.
12. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to construct 6' wide concrete sidewalk along Blairs Ferry Road NE and 5' sidewalk along Rockwell Drive NE adjoining this site. The property owner shall construct the sidewalk improvements in accordance with City Standards, ADA requirements, and improvement plans accepted by the City Public Works Director/City Engineer.
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 Quality improvements on this site. The City Public Works Department shall provide a copy of the Agreement form upon request by the property owner.

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

Introduced this 9th day of September, 2014.

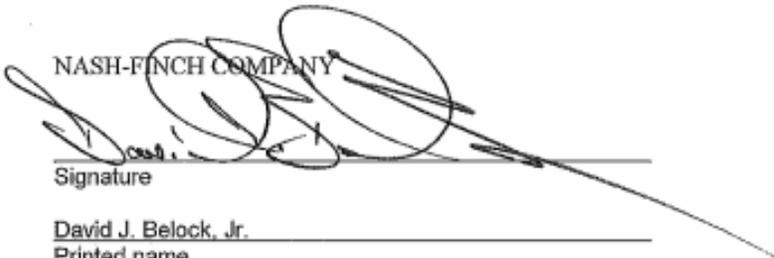
ACCEPTANCE OF CONDITIONS OF REZONING

ORDINANCE NO. _____

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

22nd day of August, 2014

NASH-FINCH COMPANY



Signature

David J. Belock, Jr.

Printed name

Vice President Real Estate

Printed title

ACCEPTANCE OF CONDITIONS OF REZONING

ORDINANCE NO.

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

22nd day of August, 2014

Holcim (US) Inc. (as successor to Northwestern
«OWNER_TITLEHOLDER» Portland Cement Co.)

Jodie L Earle
Signature

Jodie L Earle
Printed name

Compliance Director
Printed title



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Development Services

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

Phone Number/Ext: 319 286-5043

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

Phone Number/Ext: 319 286-5822

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

A public hearing will be held to consider a change of zone for property at 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:

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

Action / Recommendation:

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

Alternative Recommendation:

City Council may table this item and request further information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 5 minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

Location Map





**MINUTES OF
CITY PLANNING COMMISSION MEETING,
Thursday, August 21, 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 31, 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: 1415 Bever Avenue SE (Rezoning)

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

Case No: RZNE-011780-2014; Case Manager: Vern Zakostelecky

Mr. Zakostecky stated this was a rezoning of 1415 Bever Avenue SE for Affordable Housing Network who has developed many other properties in the Wellington Heights Neighborhood. Mr. Zakostecky presented a location/zoning map and aerial photo.

Commissioner Overland called for questions of Mr. Zakostecky.

Commissioner Dahlby asked if the property would be split north/south with an access through the alley. Mr. Zakostecky stated the lot line would be north/south but still have access from alley.

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

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

Commissioner Overland called for a motion. Commissioner Dahlby made a motion to approve the Rezoning from R-3, Single 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

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

The meeting was adjourned at 4:30 pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant
Community Development

DSD BSD
ENG STR
FIR RCR
TITLEHOLDER WTR
CONTACT TED
CLK PKS
RZNE-011780-2014

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 7 and the West 15 feet of Lot 6, Block 1, Wellington Place First Addition to Cedar Rapids, Linn County, Iowa

and located at 1415 Bever Avenue SE, now zoned R-3, Single Family Residence Zone District, and as shown on the "District Map," be rezoned and changed to R-TN, Traditional Neighborhood Residence Zone District, and that the property be used for such purposes as outlined in the R-TN, Traditional Neighborhood Residence Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. That any property split for the parcel shall not be recorded until the rezoning has been officially approved and recorded.
2. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible for removal and replacement of City sidewalk adjoining this site, damaged as a result of construction activities on this site or not meeting ADA standards. Said removal and replacement areas shall be determined by the City Public Works Department, shall be completed by the property owner, and approved by the City.
3. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to remove the existing driveway and restore the Right of Way and curb line at the drive location.

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 9th day of September, 2014.

ACCEPTANCE OF CONDITIONS OF REZONING

ORDINANCE NO.

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

18 day of August, 2014

AFFORDABLE HOUSING NETWORK, INC.



Signature

Joe Lock

Printed name

Executive Director

Printed title



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: 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:

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Police Station Roof Replacement project (estimated cost is \$400,000). (Brent Schlotfeldt)

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Police Station Roof Replacement project. CIP/DID #0814-030

Background:

This project is to replace the roof at the Police Station, 505 1st St SW, Cedar Rapids, Iowa. The engineer's estimate of cost is \$400,000.

A motion to schedule the public hearing was approved by City Council on August 26, 2014. The Notice of Hearing and Letting was published in The Gazette on August 30, 2014. A pre-bid meeting was held on September 2, 2014 at 11:00 am. Bids will be publicly opened and read aloud on Wednesday, September 10, 2014 at 11:00 am. Reading of the bids and possible resolution to award the contract will occur at the September 23, 2014 council meeting.

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: September 9, 2014

Estimated Presentation Time: 5 minutes

Budget Information (if applicable): 360-081201-3603009

Local Preference Policy Applies Exempt

Explanation: Public improvement project

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, on August 26, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Police Station Roof Replacement project (Contract No. 0814-030) 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 9th day of September, 2014.



Council Agenda Cover Sheet Motion Setting 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 setting public hearing for September 23, 2014 to consider the disposition of a .75 acre parcel of vacant City-owned land located northerly of Ellis Road NW at 80th Street NW as requested by the State of Iowa in connection with the future expansion of Highway 100. CIP/DID #52-15-003

Background:

In 1992, the City of Cedar Rapids purchased approximately 75 acres of former railroad right-of-way from CMC Heartland Partners for the future extension of Highway 100. The City also entered into a Right of Way Agreement for City Street Relocations and/or Reconstruction with the Iowa Department of Transportation and agreed to transfer title to any and all of said land that is required for the construction of said highway to the State of Iowa Department of Transportation upon their request for a consideration of \$1,000 per acre. The State is now exercising that option, and title will be transferred by Quitclaim Deed for a total consideration of \$750.

Action / Recommendation:

The Public Works Department recommends adoption of the resolution approving the disposition of this land to the State of Iowa.

Alternative Recommendation:

If this resolution is not approved, the City of Cedar Rapids will be unable to honor the pre-existing Right of Way Agreement for City Street Relocations and/or Reconstruction for the construction of the extension of Iowa Highway 100.

Time Sensitivity: Normal

Resolution Date: September 23, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): NA

Cadd File Name: W:\PROJECTS\Non-CIP\2015\2150003 Hwy 100 IDOT Parcels\52-15-003 Council Map.dwg



**PROPERTY DISPOSITION
FUTURE EXTENSION OF HIGHWAY 100**





Council Agenda Item Cover Sheet

MOTION TO SET PUBLIC HEARING

Submitting Department: Public Works Department

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

Phone Number/Extension: 5807

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

Phone Number/Extension: 5092

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

Motion to set a public hearing for September 23, 2014 to consider the vacation of public ways and grounds described as a portion of a frontage road easement located at 2701 12th Avenue SW as requested by Quarton Place 2 Limited Partnership. CIP/DID #EASE-011980-2014

Background:

Quarton Place 2 Limited Partnership has requested that a portion of the frontage road easement at this location be vacated. This easement is no longer necessary because the major portion of the easement was vacated by the adjacent property owner in May of this year. This will allow Quarton Place to fully utilize their parcel without the encumbrance of the non-purposeful portion of the road easement.

Action / Recommendation:

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

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: Proposed timeline as follows:

September 23, 2014 – Public Hearing

September 23, 2014 – If no objections, recommend passing the resolution on same date as public hearing.

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

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

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):



Cadd File Name: W:\PROJECTS\Non-CIP\2015\4115 Right of Way Mgmt\VACATIONS - ENERGEV/EASE-011880-2014 2701 12th Ave SW/EASE-011880-2014 Council Map.dwg



**2701 12TH AVENUE SW
FRONTAGE ROAD EASEMENT VACATION**



EASE-011880-2014



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Jeff Hintz

Phone Number/Ext: 319 286-5781

Email: j.hintz@cedar-rapids.org

Alternate Contact Person: Kevin Ciabatti

Phone Number/Ext: 319 286-5841

Email: k.ciabatti@cedar-rapids.org

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

Motion setting a public hearing for September 23, 2014 to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, adding a Northwest Flood Mitigation Overlay District with specific guidelines applicable to land use applications and permits. CIP/DID #OB1294914

Background:

Community Development Staff has been working with Building Services and Development Services staff to create an overlay district which would allow for routine maintenance of property in the area that is currently subject to the moratorium.

The proposed ordinance would establish an overlay district with requirements which seek to limit new development or changes in development patterns. This overlay would not prevent a homeowner from doing the following:

- Routine maintenance and upkeep, such as roof replacement
- Meeting requirements of building and other mechanical codes

The list above is certainly not exhaustive of what would be allowed, but the intent and spirit of this overlay is to keep properties in this area habitable, safe and enjoyable. At the same time, the overlay would prohibit changes in land usage and significant investment. The proposed overlay district would not allow any new applications for the following:

- Zone changes
- Conditional Uses
- Home Occupation
- Expansion, construction or relocation of new structures
- Site Development Plans
- Platting, re-platting or subdividing of land
- Rental registrations

This overlay district is intended to preserve the area the way it exists today, prior to the flood protection system final plans. The overlay allows properties to be maintained, structures to be maintained and enjoyment of property as it exists today, while limiting new development.

Action / Recommendation:

City staff recommends setting the public hearing.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

N/A

Local Preference Policy Applies Exempt N/A

Explanation:

Recommended by Council Committee Yes No N/A

Explanation:

City Council Development Committee recommend proposed ordinance at its meeting on August 20, 2014.

Consideration by City Planning Commission is scheduled for September 11, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Community Development

Presenter at Meeting: Paula Mitchell

Phone: 319 286-5852

Email: p.mitchell@cedar-rapids.org

Alternate Contact Person: Caleb Mason

Phone: 319 286-5188

Email: c.mason@cedar-rapids.org

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

Motion setting a public hearing for September 23, 2014 to consider the disposition of nine (9) excess City-owned properties at 606 and 610 J Avenue NW, 1106, 1108, 1110 and 1116 6th Street NW, 1101, 1111 and 1113 Ellis Boulevard NW acquired through the Voluntary Property Acquisition Program (**FLOOD**). CIP/DID #OB959319

Background:

The City has received a request for City-owned properties at 606 J Avenue NW, 610 J Avenue NW, 1106 6th Street NW, 1108 6th Street NW, 1110 6th Street NW, 1116 6th Street NW, 1101 Ellis Boulevard NW, 1111 Ellis Boulevard NW, and 1113 Ellis Boulevard NW. The City acquired these parcels through the Voluntary Property Acquisition Program. The properties within the Ellis Boulevard Viable Business District. Based on their locations, City staff recommends accepting proposals through Request for Proposal process to allow ability to review end use of the property.

The City may use the standard competitive proposal process to invite and evaluate proposals on the use of these properties based on the level of reinvestment and long-term benefit to the neighborhood. In addition to the standard criteria used to evaluate proposals, the following criteria is being recommended:

1. Demonstrated capacity to complete a redevelopment project of this size and scope
2. If a commercial proposal, previous commercial operations experience or identified business tenant and marketing plan based on current market conditions.
3. Financial feasibility based on sources/uses of funds and operational pro forma.
4. Project financing documented by a letter of commitment from a financial institution.
5. Timeline for redevelopment and operations.
6. Consistency with the results of the Neighborhood Planning Process and Ellis Boulevard Plan, including:
 - a. Redevelopment consistent with existing neighborhood character;
 - b. Plan to address on site and neighborhood parking;
 - c. Sustainable design features consistent with Ellis Overlay District;
 - d. Provides for mix of uses and promotes density throughout the area.
7. Economic impact, including total project cost, and projected post-development property valuation.

8. Community benefits, in addition to economic impact, such as walkable neighborhood amenities or services.
9. Readiness to proceed.

The following is the timeline for the next steps:

September 9, 2014	Motion Setting a public hearing
September 23, 2014	Public Hearing on disposition and inviting proposals
October 17, 2014	Proposal Deadline
Week of October 20, 2014	Stakeholder panel review
November 4, 2014	City Council selection of preferred developer

Action/Recommendation:

City staff recommends setting a public hearing.

Alternative Recommendation:

City Council may table the motion and request additional information.

Time Sensitivity:

The requesting party proposes a LIHTC project at the site. LIHTC applications are due to IFA in early December.

Resolution Date: November 4, 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 through this action.

Recommended by Council Committee Yes No N/A

Explanation (if necessary):



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Caleb Mason

Phone Number/Ext: (319) 286-5188

Email: c.mason@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext: (319) 286-5047

Email: c.mason@cedar-rapids.org

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

Motion setting a public hearing for September 23, 2014 to consider the disposition of City-owned commercial property at 615 K Avenue NW; 1125, 1127 and 1129 Ellis Boulevard NW and 1130 and 1138 6th Street NW and inviting redevelopment proposals (**FLOOD**). CIP/DID #OB1058253

Background:

The Flood Recovery Committee and Development Committee have recommended initiating the Request for Proposal (RFP) process for 615 K Avenue NW and inviting proposals for reuse of the existing structure. Alternate proposals incorporating the six adjacent lots at 615 K Avenue NW, 1125, 1127 and 1129 Ellis Boulevard NW, 1130 6th Street NW, and/or 1138 6th Street NW into a single project would also be accepted.

Based on other similar RFPs, the following proposal criteria will be issued for potential developers to respond to:

1. Demonstrated capacity to complete a commercial redevelopment project of this size and scope.
2. Previous commercial development experience or identified business tenant.
3. Marketing plan for proposed uses, based on current market conditions.
4. Financial feasibility based on sources/uses of funds for the redevelopment project costs.
5. Project financing documented by a letter of commitment from a financial institution.
6. Timeline for redevelopment and operations.
7. Consistency with the results of the Ellis Boulevard Plan, including:
 - a. Density consistent with the Ellis Boulevard Plan;
 - b. Multi-story design consistent with neighborhood character and local overlay district guidelines;
 - c. High-quality exterior materials and finishes consistent with overlay district guidelines;
 - d. Building setbacks that address street frontage;
 - e. Plan to address on-site and neighborhood parking;
 - f. Sustainable design features;
8. Provides a mix of uses (priority given to market rate housing options); Economic impact, including number/wage rate of jobs to be created, total project cost, and projected post-development property valuation.
9. Community benefits, in addition to economic impact, such as walkable neighborhood

amenities or services.

10. Acknowledgement of a demolition deposit through an irrevocable line of credit or escrow.

The following is the timeline for the next steps:

September 23, 2014	Public Hearing on disposition and inviting proposals
October 31, 2014	Proposal Deadline
Week of November 10, 2014	Stakeholder panel review
November 18, 2014	City Council consideration of proposals

Action / Recommendation:

City staff recommends setting the public hearing.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

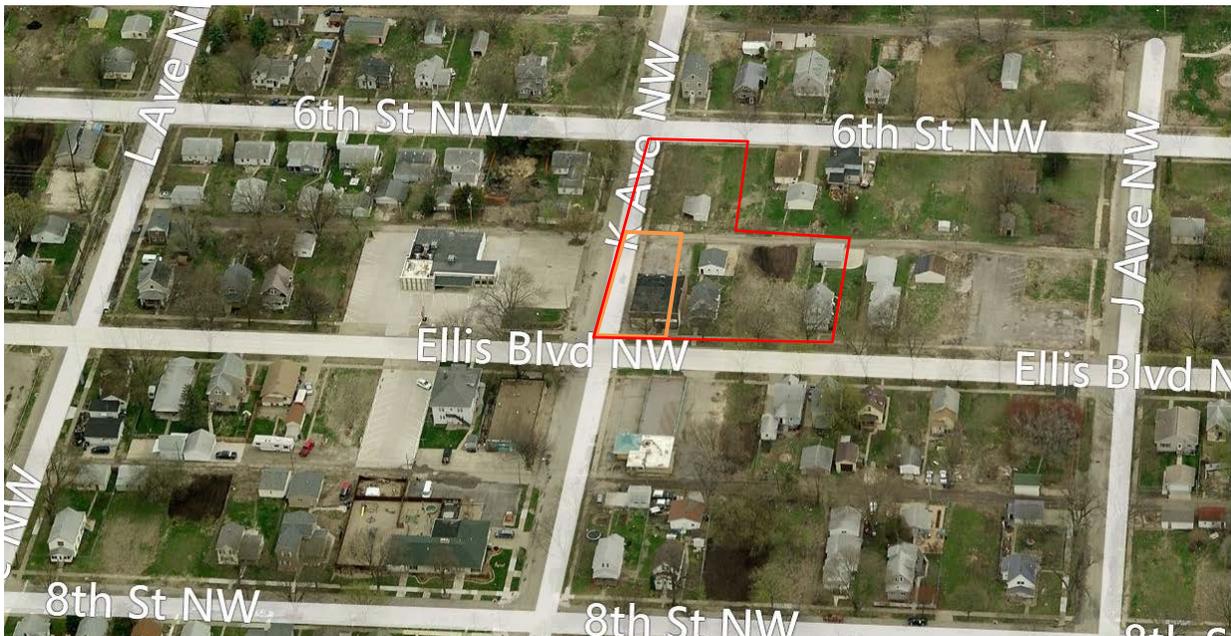
Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

On January 22, 2014 Development Committee recommended that the City initiate the standard competitive proposal process for disposition and redevelopment of City-owned property.

Location Map



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Community Development

Presenter at meeting: Kirsty Sanchez

Phone Number/Ext: 319-286-5428

Email: k.sanchez@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext: 319-286-5047

Email: j.pratt@cedar-rapids.org

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

Motion setting a public hearing for October 7, 2014 to consider an Ordinance relating to collection of tax increment within the proposed Northtowne Market Urban Renewal Area at 1201 Blairs Ferry Road NE. CIP/DID #OB1300915

Background:

The City has received a proposal by Hunter Companies, LLC. for development of an infill master development to be located in northeast Cedar Rapids at 1103 and 1201 Blairs Ferry Road NE (former Nash Finch site). The proposed project meets the Targeted Development Large Site Master Plan Program.

This would be the first of multiple new office buildings. The overall development would provide quality office, service, retail, and residential space in a setting with amenities to attract new businesses with high quality jobs. Amenities include consistent architectural character and pedestrian-friendly connectivity.

To offset the costs of enhanced amenities and position the development to compete with communities in the region, the reimbursement of future increased property tax revenues is being requested. The proposed project is currently in the Council Street Urban Renewal Area however this Urban Renewal Area will expire in 2023. To utilize tax increment generated by the private investment, the City Council would need to establish an Urban Renewal Area/TIF District. The steps for establishing a Northtowne Market Renewal Area/TIF District would be as follows:

- 09/09/14 Setting the public hearing
- 09/23/14 Consultation with affected taxing agencies
- 10/02/14 City Planning Commission Review
- 10/07/14 Public hearing and introduction of First Reading
- 10/21/14 Second and possible Third Reading

In order to collect tax increment generated within the proposed Northtowne Market Urban Renewal Area, an ordinance is necessary. If established, proposed terms of a Development Agreement will be presented to City Council for consideration at a future date.

Action / Recommendation:

City staff recommends setting a public hearing.

Alternative Recommendation:

City Council may table the item and request additional information.

Time Sensitivity: N/A

Resolution Date: October 7, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Proposed City participating would be in the form of property tax reimbursement of the increased tax revenue generated by the construction of the development; terms and conditions would be presented in a Development Agreement at a future City Council meeting.

Local Preference Policy Applies Exempt N/A

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Community Development

Presenter at meeting: Kirsty Sanchez

Phone Number/Ext: 319-286-5428

Email: k.sanchez@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext: 319-286-5047

Email: j.pratt@cedar-rapids.org

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

Motion setting a public hearing for October 7, 2014 to consider an Ordinance relating to collection of tax increment for the proposed Amendment No. 1 to the Council Street Urban Renewal Plan. CIP/DID #OB41576

Background:

Amendment No. 1 to the Council Street Urban Renewal Plan would remove 1103 and 1201 Blairs Ferry Road NE from the existing Council Street Urban Renewal Area.

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.

To offset the costs of enhanced amenities and position the development to compete with communities in the region, the reimbursement of future increased property tax revenues is being requested. The proposed project is currently in the Council Street Urban Renewal Area however this Urban Renewal Area will expire in 2023. To utilize tax increment generated by the private investment, the City Council would need to delete 1103 and 1201 Blairs Ferry Road NE from the Council Street Urban Renewal Area and establish a new Urban Renewal Area/TIF District.

Action / Recommendation:

City staff recommends setting a public hearing.

Alternative Recommendation:

City Council may table the item and request additional information.

Time Sensitivity: N/A

Resolution Date: October 7, 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):

Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Community Development

Presenter at meeting: Kirsty Sanchez

Phone Number/Ext: 319-286-5428

Email: k.sanchez@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext: 319-286-5047

Email: j.pratt@cedar-rapids.org

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

Motion setting a public hearing for October 7, 2014 to consider an Ordinance relating to collection of tax increment within the proposed New Pioneer Urban Renewal Area at 3338 Center Point Road NE. NEW

Background:

The City has received a request for Tax Increment Financing by New Pioneer's Cooperative Society for the property located at 3338 Center Pointe Road NE. The building at the project site is vacant and 16,473 square feet. The proposed project meets the Targeted Development Program for the Removal of Blight.

To offset the costs of enhanced amenities and position the development to compete with communities in the region, the reimbursement of future increased property tax revenues is being requested. To utilize tax increment generated by the private investment, the City Council would need to establish an Urban Renewal Area/TIF District. The steps for establishing a New Pioneer Renewal Area/TIF District would be as follows:

- 09/09/14 Setting the public hearing
- 09/23/14 Consultation with affected taxing agencies
- 10/02/14 City Planning Commission Review
- 10/07/14 Public hearing and introduction of First Reading
- 10/21/14 Second and possible Third Reading

In order to collect tax increment generated within the proposed New Pioneer Urban Renewal Area, an ordinance is necessary. If established, proposed terms of a Development Agreement will be presented to City Council for consideration at a future date.

Action / Recommendation:

City staff recommends setting a public hearing.

Alternative Recommendation:

City Council may table the item and request additional information.

Time Sensitivity: N/A

Resolution Date: October 7, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Proposed City participating would be in the form of property tax reimbursement of the increased tax revenue generated by the construction of the development; terms and conditions would be presented in a Development Agreement at a future City Council meeting.

Local Preference Policy Applies Exempt N/A

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Community Development

Presenter at meeting: Kirsty Sanchez

Phone Number/Ext: 319 286-5428

Email: k.sanchez@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

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

Motion setting a public hearing for October 21, 2014 to consider a request by Red Star Yeast for the expansion of the existing Urban Revitalization Area to provide for future growth of their current facility located at 950 60th Avenue SW. CIP/DID #OB66779

Background:

On March 31, 2004, Council approved the Red Star Yeast Company Urban Revitalization Plan (Resolution 0601-03-04). On June 3, 2014, a request was made by Red Star Yeast for the expansion of the existing Urban Revitalization Area to provide for future growth of their current facility located at 950 60th Avenue SW.

The project site and surrounding properties are zoned 1-2B (General Industrial). The Future Land Use Map indicates the area as Industrial which is compatible with the proposed use.

Action / Recommendation:

City staff recommends setting the public hearing.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

N/A

Resolution Date: N/A

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Local Preference Policy Applies Exempt N/A

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Community Development

Presenter at meeting: Kirsty Sanchez

Phone Number/Ext: 319 286-5428

Email: k.sanchez@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Description of Agenda Item: Consent Public Hearing Regular Agenda

Motion setting a public hearing for October 21, 2014 to consider a request by Acme Electric Company, Inc. for an amendment to the Acme Electric Company, Inc. Urban Revitalization Plan to allow for the construction of an additional new row house for a total of six row houses. CIP/DID #OB865223

Background:

On March 11, 2014, City Council approved the Acme Electric Company, Inc. Urban Revitalization Plan by Resolution 0264-03-14. This plan allowed for the 1) relocation of a historic structure located at 1018 2nd Street SE to the adjacent parcels as 1024 2nd Street SE and 208 11th Avenue SE, and 2) the construction of five new row houses for sale at 1008 and 1012 2nd Street SE.

On August 19, 2014, staff received a request by Acme Electric Company, Inc. for an amendment to the Urban Revitalization Plan to allow for the construction of an additional new row house, for a total of six new row houses. Section 4.3 of the Urban Revitalization Plan states that additional development within the Urban Revitalization Area may be eligible for the tax exemption based upon the review and approval of City Council.

Project Details:

- Previous Project cost –\$1,400,000
- New Project cost –\$1,500,000
- Previous Estimated assessed value – \$980,000
- New Estimated assessed value - \$1,050,000

Benefits to the Community:

- Restoration of a historic structure
- Additional new construction in the Czech Village/New Bohemia District
- Provide housing options to attract new families or individuals to live in the District

The partial tax exemption would be a ten-year, declining scale exemption, averaging 44% per year, applied only to the increased property valuation generated by the new additions. Based on the scope of the proposed addition, the increased assessed value for the facility is estimated at

\$1,050,000 This would generate an additional \$35,700 in property tax revenue annually. Over a ten-year period, this would be an additional \$199,920 collected in tax revenues and \$157,080 deferred as tax exempt.

Action / Recommendation:

City staff recommends holding the public hearing, 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 \$1,050,000 generated by the new construction, the estimated total over the ten-year period is an additional \$199,920 collected in tax revenues and \$157,080 deferred as tax exempt.

Local Preference Policy Applies Exempt N/A

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):



Council Agenda Cover Sheet

Motion Setting Public Hearing, filing plans and advertising for bids

Submitting Department: Public Works Department

Presenter at meeting: Scott Sovers, PE
E-mail Address: s.rovers@cedar-rapids.org

Phone Number/Extension: 5547

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** **Yes** **Map**

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for September 23, 2014 and advertising for bids by publishing notice to bidders for the 29th Street NE from West of Eastern Avenue to Staub Court Storm Sewer and Water Main Improvements project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on October 8, 2014 (estimated cost is \$320,000). CIP/DID #304378-01

Background:

Currently, storm water runoff flows in a shallow open channel within an existing drainage easement between 29th Street NE and Staub Court NE. During rain events, the existing channel is frequently overtopped, thus causing flooding and erosion within adjacent private properties. The proposed project will replace the open channel with storm sewer, reducing flooding potential on adjacent private properties and public street network. Also included in the project is the replacement of an aging water main with a break history.

Action / Recommendation:

The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for October 7, 2014 and advertising for bids by publishing notice to bidders for the project.

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

Time Sensitivity: Normal

Resolution Date Adopting Plans and Specs: September 23, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP 304378: \$313,636, CIP 625884: \$240,000

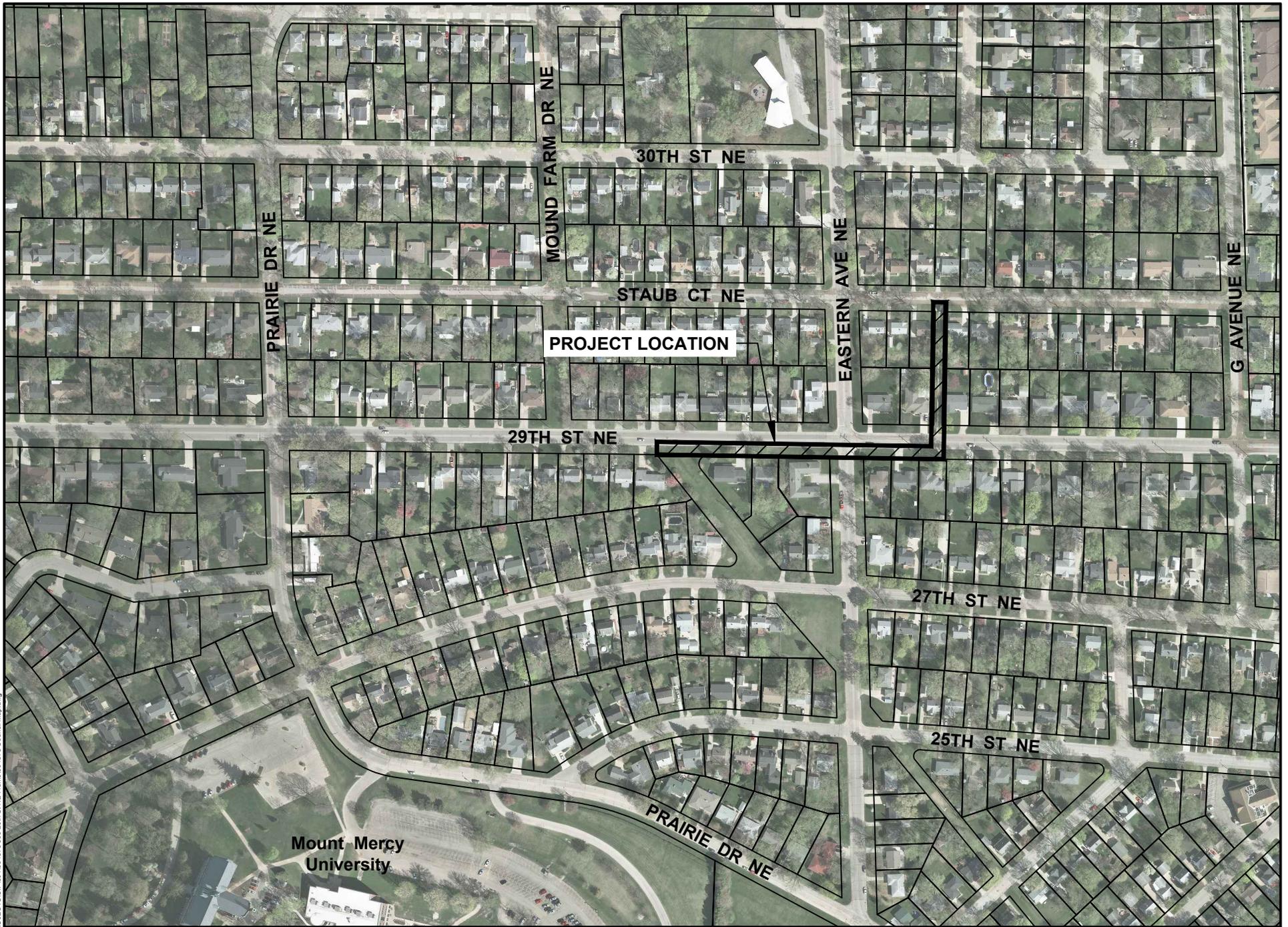
Local Preference Policy: Applies Exempt

Explanation: Does not apply to public improvement projects.

Recommended by Council Committee: Yes No N/A

Explanation

Cadd File Name: W:\PROJECTS\CIP\304378_900_29th St NE Flume\304378 Council Map.dwg



PROJECT LOCATION



**29TH STREET NE FROM WEST OF EASTERN AVENUE TO STAUB COURT
STORM SEWER AND WATER MAIN IMPROVEMENTS**





COUNCIL AGENDA ITEM COVER SHEET

Meeting Date: 9/9/2014

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. Adelita's Mexican Grill, 2383 Blairs Ferry Road NE;
- b. Benz Beverage Depot, 501 7th Avenue SE (5-day permit for an event in the street on September 27, 2014);
- c. Bulicek's Deli & Brew, 1616 6th Street SW;
- d. Butcher Block Steakhouse, 1117 1st Avenue SE;
- e. Checkers Tavern & Eatery, 3120 6th Street SW (outdoor service for an event on October 4-5, 2014);
- f. CVS/Pharmacy #8443, 3419 16th Avenue SW;
- g. Jerks Island Bar & Grill, 1810 6th Street SW (new-formerly TJ's Steakhouse);
- h. Jersey's Pub & Grub, 5761 C Street SW (outdoor service for an event on September 14-15, 2014);
- i. The Keg, 719 5th Street SE (outdoor service for an event on September 20, 2014);
- j. Kum & Go #508, 30 Four Oaks Drive SW;
- k. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on October 2-6, 2014);
- l. National Czech & Slovak Museum & Library, 1400 Inspiration Place SW (5-day permit for an event on October 3, 2014);
- m. Paddy O'Rourke's, 608 16th Street NE (outdoor service for an event on September 19-20, 2014);
- n. Pancheros Mexican Grill, 5300 Edgewood Road NE, suite 100;
- o. Rumors, 400 F Avenue NW (outdoor service for an event on September 19-21, 2014);
- p. Theatre Cedar Rapids, 102 3rd Street SE (new license);
- q. Time Out Lounge, 3230 16th Avenue SW (outdoor service for an event on September 27-28, 2014);
- r. Zeppelins, 5300 Edgewood Road NE, suite 500;
- s. Zins, 227 2nd Avenue SE.

Background:

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

Alternative Recommendation:

Time Sensitivity:

Resolution Date: N/A

Estimated Presentation Time: N/A

Budget Information (if applicable): N/A

Local Preference Policy: Applies Exempt

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: 9/9/14

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Adelita's Mexican Grill 2383 Blairs Ferry RD NE	1	0	0	0
Bulicek's Deli & Brew 1616 6TH ST SW	5	0	0	0
Butcher Block Steakhouse 1st Avenue 1117 1ST AVE SE	31	2	0	3
Checkers Tavern & Eatery 3120 6TH ST SW	17	0	0	5
CVS/Pharmacy #8443 3419 16TH AVE SW	68	0	2	3
Jerks Island Bar & Grill 1810 6TH ST SW	0	0	0	0
Jersey's Pub & Grub (C Street) 5761 C ST SW	2	0	0	0
Keg, The 719 5TH ST SE	17	0	0	2
Kum & Go #508 30 FOUR OAKS DR SW	106	0	2	5
McGrath Amphitheatre Cedar Rapids 475 1st ST SW	8	0	0	0
National Czech & Slovak Museum & Library 1400 INSPIRATION PL SW	17	0	0	1
Paddy O'Rourke's 608 16TH ST NE	31	0	0	5
Pancheros Mexican Grill 5300 EDGEWOOD RD NE	3	0	0	1

Rumors 400 F AVE NW	97	1	0	14
Sam's Club #8162 2605 BLAIRS FERRY RD NE	47	0	1	5
Theatre Cedar Rapids 102 3RD ST SE	0	0	0	0
Time Out Lounge 3230 16TH AVE SW	45	2	1	12
Zeppelins 5300 EDGEWOOD RD NE	1	0	0	0
Zins 227 2ND AVE SE	6	0	2	0

RESOLUTION NO.

WHEREAS, the attached listing of bills dated September 9, 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 9th day of September, 2014.

REC	FIN
TED	CLK
FIR	VET
PD	WTR
TRS	WPC
EIA	STR

OB1143566

RESOLUTION NO.

TRANSFER OF FUNDS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that and City of Cedar Rapids Finance Director is hereby authorized and directed to transfer funds as per the attached listing.

Passed this 9th day of September, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: City Clerk's Office

Presenter at meeting: Amy Stevenson

Phone Number/Ext: 319-286-5061

Email: AmyS@cedar-rapids.org

Alternate Contact Person: Bridget McMenomy

Phone Number/Ext: 319-286-5272

Email: b.mcmenomy@cedar-rapids.org

Description of Agenda Item:

Resolution thanking the following individual:

- a. Vote of thanks to Sean Newlin for serving on the Grants and Programs Citizens Advisory Committee; CIP/DID #OB534302

Background:

This agenda includes a vote of thanks for a member that has recently moved out of the Cedar Rapids area.

Action / Recommendation:

Approve resolutions as presented.

Alternative Recommendation:

Time Sensitivity: None

Resolution Date: September 9, 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):

RESOLUTION NO.

WHEREAS, Sean Newlin has devoted considerable time and effort as a member of the Grants and Programs Citizens 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 Sean Newlin for serving as a member of the Grants and Programs Citizens Advisory Committee.

Passed this 9th day of September, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: City Manager's Office

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

Phone Number/Ext: 319-286-5090

Alternate Contact Person: Kim Greene
Email: kimg@cedar-rapids.org

Phone Number/Ext: 319-286-5083

Description of Agenda Item:

Resolution approving the Benz Beverage Depot Beer Nuts Festival event on September 27, 2014 (includes road closure); CIP/DID #SPEC-024638-2014

Background:

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

Action / Recommendation:

Approve motion for this event.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: September 9, 2014

Estimated Presentation Time: N/A

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt X

Explanation:

Recommended by Council Committee Yes No N/A X

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, Matt Hanlin of Benz Beverage Depot located at 501 7th Avenue SE has requested approval for the "Cedar Rapids Beer Nuts Festival", a beer tasting event, at the Benz parking lot on 7th Avenue SE and on adjacent public property areas including a request to close 7th Avenue SE between 5th and 6th Streets on Saturday, September 27, 2014, from 7 AM until 7 PM (including setup and teardown) for a promotional beer tasting event including participant fees, live musical entertainment and food cooked on site, the following is provided, and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the request is approved subject to the following conditions

1. Applicant's insured traffic control contractor shall provide all barricades/traffic controls required by the City for the temporary street closure. All barricades/traffic controls must conform to the requirements of the Manual on Uniform Traffic Control Devices. Applicant shall provide the name and phone number of the company providing the barricades/traffic controls to the Police Department and Traffic Engineering one week prior to the event.
2. Applicant shall contact the City Clerk's Office (319-286-5060) 45 to 60 days in advance of the event to obtain appropriate alcohol related applications and information on processing deadlines.
3. 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 one (1) off duty Cedar Rapids Police Officer six (6) hours @ \$49/hr. Estimated cost is \$294.

4. Applicant will contact Fire Marshal Vance McKinnon at 319-286-5862 to acquire an Outdoor Place of Assembly permit as required for the outdoor service area and request the appropriate inspections prior to the event taking place.
5. If food is served and/or sold at the event, the applicant (or vendors) shall meet all applicable requirements of the Linn County Health Department and the City Code.
6. Applicant will ensure proper exiting is in place from the fenced area, patrons cannot reenter the building to exit the fenced area.
7. Applicant shall have a discernible area as required by the Police Department. No alcoholic beverages shall be carried beyond the discernible area.
8. Applicant shall comply with all existing parking regulations on all adjacent areas of public property.
9. Applicant shall not use any equipment that penetrates or damages the City street or sidewalk surface. All tents, stages, and other structures shall be water barrel or sand weight supported.
10. Access for fire-fighting purposes in the neighborhood shall be maintained, therefore the street may not be blocked with any items not easily moved.

11. Applicant shall make themselves aware of the state and city codes pertaining to disorderly conduct and disturbing the peace. The Police Department will reserve the right to terminate the event if complaints are received.
12. 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.
13. Applicant shall provide complete maintenance of the area prior to it being opened to traffic and reimburse the City for damage to any portion of public property.
14. Minors Prohibited in Alcohol Area.
15. Applicant shall not obstruct the public sidewalk or impede normal pedestrian traffic. A minimum sidewalk clear width of five (5) feet shall be maintained on all public sidewalks adjacent to the event site. The outermost event fencing shall be no closer than two (2) feet from all public sidewalks to avoid obstructing a public sidewalk or impeding pedestrian traffic.
16. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.
17. Applicant agrees to defend, indemnify and save the City of Cedar Rapids harmless from all liability and place on file a liability insurance policy in limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

Passed this 9th day of September, 2014.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

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

Phone Number/Extension: 5153

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

Resolution setting a public hearing date for October 7, 2014 to consider the Resolution of Necessity (Proposed) for the construction of the 18th Street SW from Wilson Avenue SW to 16th Avenue SW Improvements project. CIP #301500-00

Background:

This is phase two of the 18th Street SW extension project, which will connect Wilson Avenue SW to 16th Avenue SW. This 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 16th Avenue SW, thus, reducing travel time and improving the efficiency of the existing transportation network.

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 where there is currently no sidewalk installed. There are sections of one-half of the street unconstructed, which will also be installed, in addition to the roadway extension.

When infrastructure construction by the City by the City has benefited underdeveloped land, it has been the City's practice to charge adjacent lands for benefit they receive, via special assessment. If not assessed, the City is essentially financing development construction and increasing property value at the cost of taxpayers. 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.

Refer to the attached flow chart of the Special Assessment process. The proposed Resolution of Necessity before City Council is the fourth resolution in a series of resolutions which will lead to an assessment public hearing (Step 5A on the flow chart). This resolution is in accordance with Iowa Code Section 384 for special assessments.

A public hearing is proposed for October 7, 2014, to receive public comments. If the Resolution of Necessity is adopted, property owners in the assessment district will receive written notices of the project, proposed preliminary assessment amounts, and public hearing date. Following the public hearing, council will consider one of the following options:

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

Action / Recommendation:

The Public Works Department recommends adoption of the proposed Resolution of Necessity and setting of a public hearing on October 7, 2014, to receive public comments.

Alternative to the Recommendation:

If resolution is not adopted, the assessment will not proceed. The project will then require funding by TIF and the STP (Surface Transportation Program) grant, general obligation funds, or the project abandoned.

Time Sensitivity: Normal

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

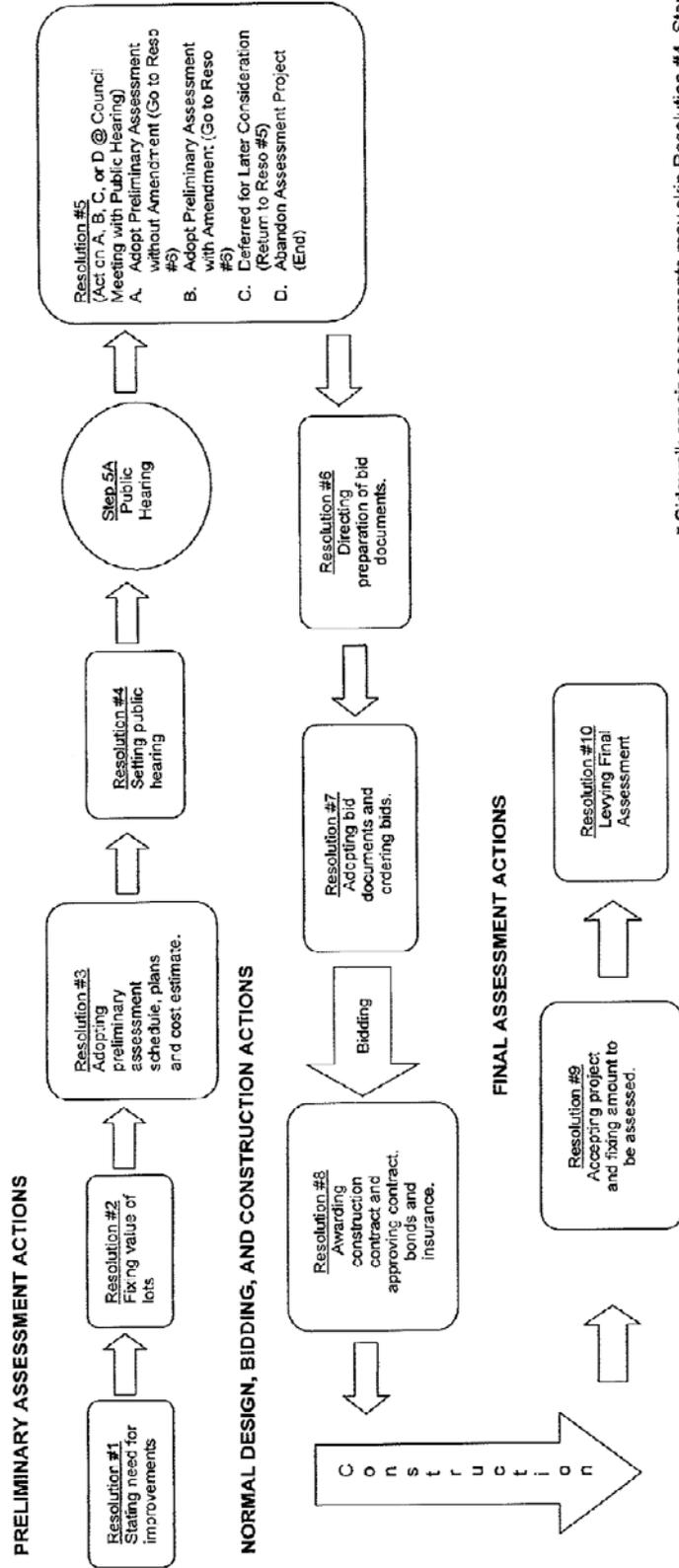
Local Preference Policy: Applies Exempt

Explanation:

Recommended by Council Committee: Yes No N/A

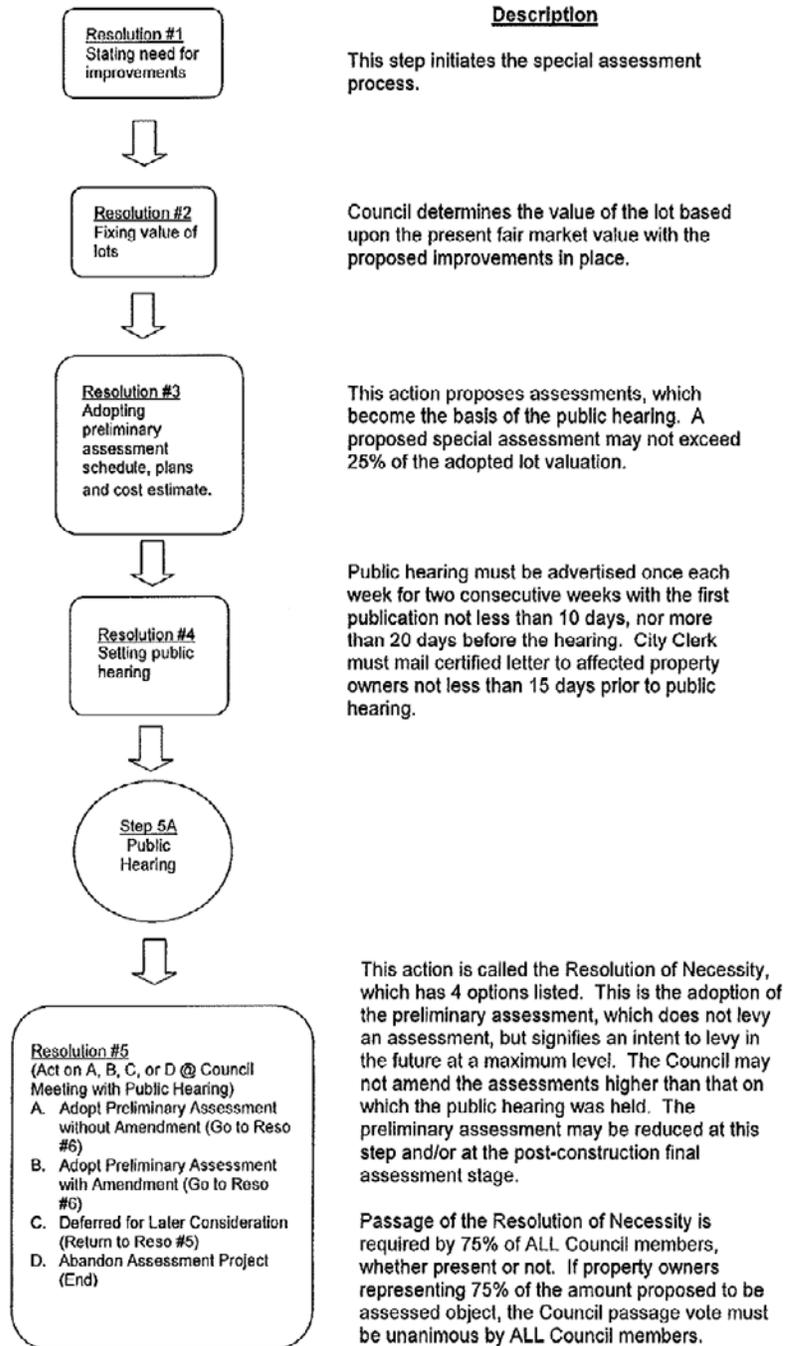
Explanation (if necessary):

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



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

**CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS
PRELIMINARY ASSESSMENT**



RESOLUTION NO.

RESOLUTION SETTING A PUBLIC HEARING DATE FOR OCTOBER 7, 2014, TO CONSIDER
THE RESOLUTION OF NECESSITY (PROPOSED)

WHEREAS, preliminary plans and specifications and plat and schedule and estimate of cost are now on file in the Office of the City Clerk, located at 101 First Street SE, Cedar Rapids, Iowa, showing the boundaries of the District, containing the properties and lots to be assessed, locations of the improvements, each lot proposed to be assessed, together with a valuation of each lot as fixed by the Council, an estimate of the cost of the entire proposed improvements, stating the cost of each type of construction and kind of materials to be used, and an estimate of the amount proposed to be assessed against each lot, for the construction of the 18th Street SW from Wilson Avenue SW to 16th Avenue SW Improvements as hereinafter described, in Cedar Rapids, Iowa:

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

That it is deemed desirable, advisable and necessary to construct as a single improvement the 18th Street SW from Wilson Avenue SW to 16th Avenue SW Improvements in Cedar Rapids, Iowa.

Said District containing the properties to be assessed is set out and described in the following "Notice to Property Owners", set out in this Resolution.

Said improvements within said District are located and described in the following "Notice to Property Owners", set out in this Resolution.

The method of construction shall be by contract.

Costs of said improvements will be assessed to the properties within the boundaries of the District. No property shall be assessed more than it is benefited by the improvement nor more than 25% of its value on the date of its assessment. Said assessment may include a ten percent Default and Deficiency Fund, as authorized by Section 384.44, State Code of Iowa.

A plat and schedule and estimate of costs are now on file in the Office of the Clerk as required by law.

Any difference between the amount which is derived from cash payments made by property owners during the thirty day collection period and the sale of Improvement Bonds issued against assessments on benefited properties and the total cost of the improvements, shall be paid for from the proceeds derived from the issuance and sale of bonds as authorized by Section 384.25, State Code of Iowa, and/or from such other funds of said Municipality as may be legally used for such purpose.

BE IT FURTHER RESOLVED, that the Cedar Rapids City Council meet at 12:00 Noon., on the 7th day of October, 2014, at Council Chambers, City Hall, 3rd Floor, 101 First Street SE, in the City of Cedar Rapids, Iowa, for the purpose of hearing property owners subject to assessment and interested parties for or against the improvement, its cost, the assessment, or the boundaries of the district. Unless a property owner files objections with the Clerk at the time of the hearing on this Resolution, the property owner shall be deemed to have waived all objections pertaining to the regularity of the proceedings and the legality of using special assessment procedure, and

BE IT FURTHER RESOLVED, that the Clerk is hereby instructed to cause notice to be published and mailed as required by law of the pendency of this Resolution and of the time and place of hearing objections thereto, and to the said preliminary plans and specifications, estimate of costs and to the making of said improvements; said Notice to be in substantially the following form:

NOTICE TO PROPERTY OWNERS

Notice is hereby given that there is now on file for public inspection in the Office of the City Clerk, located at 101 First Street SE, Cedar Rapids, Iowa, a proposed Resolution of Necessity, an estimate of costs and plat and schedule showing the amounts proposed to be assessed against each lot and the valuation thereof within District as approved by the Council of Cedar Rapids, Iowa, for an improvement, designated as the 18th Street SW from Wilson Avenue SW to 16th Avenue SW Improvements of the types and in the location as follows:

GPN & Legal Description:

143225300900000 LANDS (LESS ST) W 83' S 234.2' SW NW STR/LB 32 83 7	143225300201026 MEADOW CREEK-CONDO BLDG 1940 UNIT 27 STR/LB
143225300500000 IRR SUR SW NW 32-83-7 (LESS E'LY 283') S 121.41' STR/LB 1	143225300201027 MEADOW CREEK-CONDO BLDG 1940 UNIT 28 STR/LB
143225300400000 IRR SUR SW NW 32-83-7 (LESS ST) N 61.41' S 182.82' STR/LB 1	143225300201029 MEADOW CREEK-CONDO BLDG 1940 UNIT 30 STR/LB
143225300300000 IRR SUR SW NW 32-83-7 W 280' N 175.21' S 358.08'-EX RD	143225300201030 MEADOW CREEK-CONDO BLDG 1940 UNIT 31 STR/LB
143225300201000 MEADOW CREEK-CONDO BLDG 1900 UNIT 1 STR/LB	143225300201031 MEADOW CREEK-CONDO BLDG 1940 UNIT 32 STR/LB
143225300201001 MEADOW CREEK-CONDO BLDG 1900 UNIT 2 STR/LB	143225300201024 MEADOW CREEK-CONDO BLDG 1940 UNIT 25 STR/LB
143225300201002 MEADOW CREEK-CONDO BLDG 1900 UNIT 3 STR/LB	143225300201025 MEADOW CREEK-CONDO BLDG 1940 UNIT 26 STR/LB
143225300201003 MEADOW CREEK-CONDO BLDG 1900 UNIT 4 STR/LB	143225300201032 MEADOW CREEK-CONDO BLDG 1960 UNIT 33 STR/LB
143225300201004 MEADOW CREEK-CONDO BLDG 1900 UNIT 5 STR/LB	143225300201033 MEADOW CREEK-CONDO BLDG 1960 UNIT 34 STR/LB
143225300201005 MEADOW CREEK-CONDO BLDG 1900 UNIT 6 STR/LB	143225300201034 MEADOW CREEK-CONDO BLDG 1960 UNIT 35 STR/LB
143225300201006 MEADOW CREEK-CONDO BLDG 1900 UNIT 7 STR/LB	143225300201035 MEADOW CREEK-CONDO BLDG 1960 UNIT 36 STR/LB
143225300201007 MEADOW CREEK-CONDO BLDG 1900 UNIT 8 STR/LB	143225300201036 MEADOW CREEK-CONDO BLDG 1960 UNIT 37 STR/LB
143225300201008 MEADOW CREEK-CONDO BLDG 1920 UNIT 9 STR/LB	143225300201037 MEADOW CREEK-CONDO BLDG 1960 UNIT 38 STR/LB

143225300201009 MEADOW CREEK-CONDO BLDG 1920 UNIT 10 STR/LB	143225300201038 MEADOW CREEK-CONDO BLDG 1960 UNIT 39 STR/LB
143225300201010 MEADOW CREEK-CONDO BLDG 1920 UNIT 11 STR/LB	143225300201039 MEADOW CREEK-CONDO BLDG 1960 UNIT 40 STR/LB
143225300201011 MEADOW CREEK-CONDO BLDG 1920 UNIT 12 STR/LB	143225300201040 MEADOW CREEK-CONDO BLDG 1960 UNIT 41 STR/LB
143225300201023 MEADOW CREEK-CONDO BLDG 1920 UNIT 24 STR/LB	143225300201041 MEADOW CREEK-CONDO BLDG 1960 UNIT 42 STR/LB
143225300201012 MEADOW CREEK-CONDO BLDG 1920 UNIT 13 STR/LB	143225300201042 MEADOW CREEK-CONDO BLDG 1960 UNIT 43 STR/LB
143225300201013 MEADOW CREEK-CONDO BLDG 1920 UNIT 14 STR/LB	143225300201043 MEADOW CREEK-CONDO BLDG 1960 UNIT 44 STR/LB
143225300201014 MEADOW CREEK-CONDO BLDG 1920 UNIT 15 STR/LB	143225300201044 MEADOW CREEK-CONDO BLDG 1960 UNIT 45 STR/LB
143225300201015 MEADOW CREEK-CONDO BLDG 1920 UNIT 16 STR/LB	143225300201045 MEADOW CREEK-CONDO BLDG 1960 UNIT 46 STR/LB
143225300201016 MEADOW CREEK-CONDO BLDG 1920 UNIT 17 STR/LB	143225300201046 MEADOW CREEK-CONDO BLDG 1960 UNIT 47 STR/LB
143225300201017 MEADOW CREEK-CONDO BLDG 1920 UNIT 18 STR/LB	143225300201047 MEADOW CREEK-CONDO BLDG 1960 UNIT 48 STR/LB
143225300201018 MEADOW CREEK-CONDO BLDG 1920 UNIT 19 STR/LB	143222800500000 S 430 1/3' N 1503 1/3' W OF RR W 1/2 NW EX RD STR/LB 32 83 7
143225300201019 MEADOW CREEK-CONDO BLDG 1920 UNIT 20 STR/LB	143222800400000 LANDS (LESS ST) N 10.12AC S 18.18AC NW NW STR/LB 32 83 7
143225300201020 MEADOW CREEK-CONDO BLDG 1920 UNIT 21 STR/LB	143222800300000 HAVLIK 1ST EX RD STR/LB 2
143225300201021 MEADOW CREEK-CONDO BLDG 1920 UNIT 22 STR/LB	143110300100000 LANDS S OF RD N 260' E 200' NE NE STR/LB 31 83 7
143225300201022 MEADOW CREEK-CONDO BLDG 1920 UNIT 23 STR/LB	143110301800000 P.O.S. #1059 PARCEL B LYG E'LY OF WHISPERING PINES 3RD-EX WHISPERING PINES 5TH & EX P.O.S. #1806

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

Construction of Portland cement concrete pavement and sidewalk and any necessary work such as grading, seeding, and removals to complete said construction.

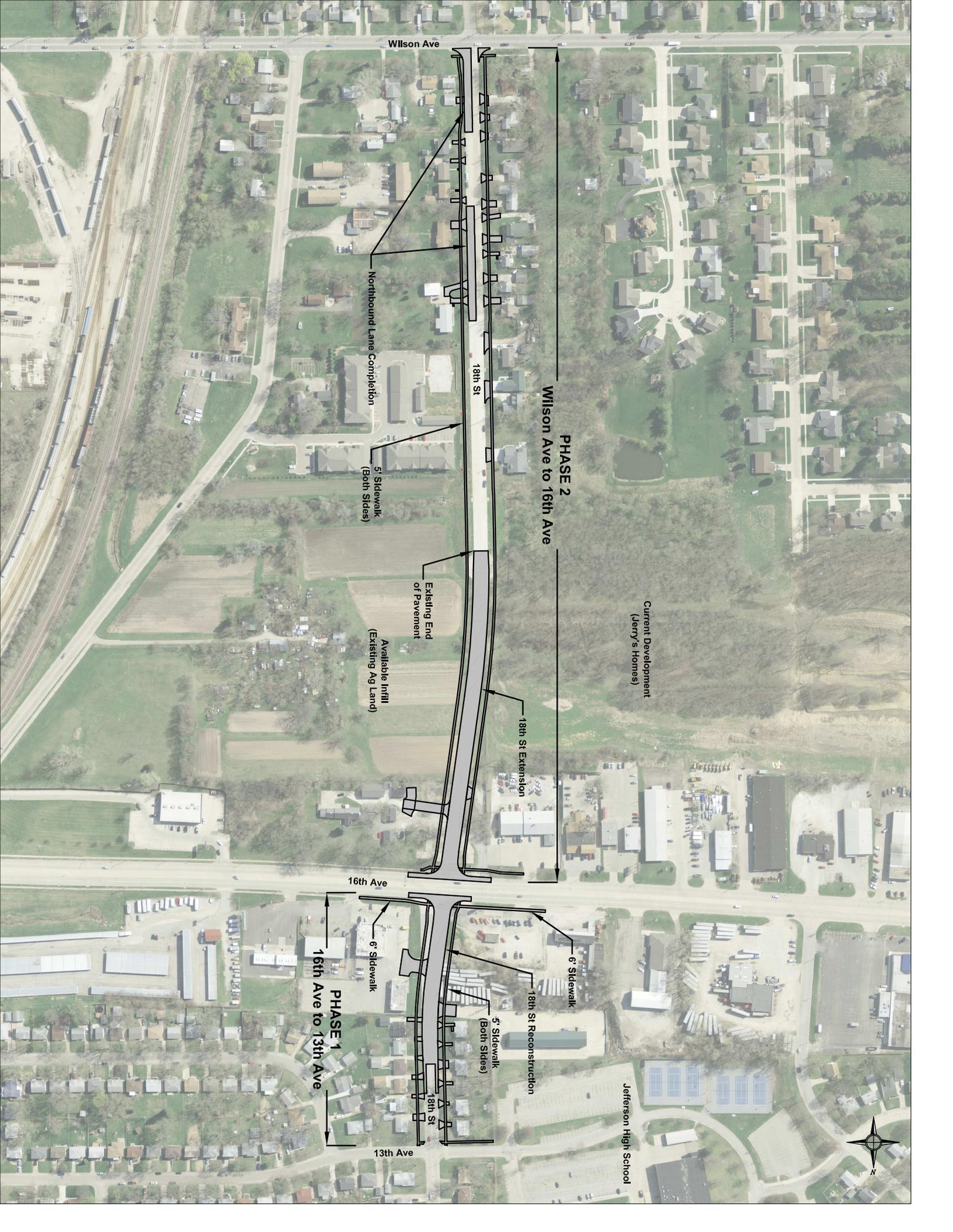
The Cedar Rapids City Council will meet at 12:00 Noon., on the 7th day of October, 2014, at the Cedar Rapids Council Chambers, 3rd floor of City Hall, 101 1st Street SE, Cedar Rapids, Iowa, at which time the owners of property subject to assessment for the proposed improvements, or any other person having an interest in the matter may appear and be heard for or against the making of the improvement, the boundaries of the District, the cost, the assessment against any lot, tract, or parcel of land, or the final adoption of a Resolution of Necessity. A property owner will be deemed to have waived all objections unless at the time of Hearing he has filed objections with the Clerk.

The Notice is given by authority of the Council of the City of Cedar Rapids, Iowa.

Amy Stevenson
City Clerk, Cedar Rapids, Iowa

(END OF NOTICE)

INTRODUCED AND PROPOSED at a meeting held on the 9th day of September, 2014.



Wilson Ave

Northbound Lane Completion

5' Sidewalk (Both Sides)

18th St

PHASE 2
Wilson Ave to 16th Ave

Existing End of Pavement

Available Infill (Existing Ag Land)

18th St Extension

Current Development (Jerry's Homes)

16th Ave

PHASE 1
16th Ave to 13th Ave

6' Sidewalk

18th St

13th Ave

5' Sidewalk (Both Sides)

18th St Reconstruction

6' Sidewalk

Jefferson High School





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Kevin Vrchticky EI **Phone Number/Extension:** 5896
E-mail Address: k.vrchticky@cedar-rapids.org

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

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **No Map**
 Resolution setting a public hearing date for October 7, 2014 to consider the Resolution of Necessity (Proposed) for the construction of the 2015 Sidewalk Infill Project. CIP/DID #3012074-00

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.

Refer to the attached flow chart of the Special Assessment process. The proposed Resolution of Necessity before City Council is the fourth resolution in a series of resolutions which will lead to an assessment public hearing (Step 5A on the flow chart). This resolution is in accordance with Iowa Code Section 384 for special assessments.

A public hearing is proposed for October 7, 2014 to receive public comments. If the Resolution of Necessity is adopted, property owners in the assessment district will receive written notices of the project, proposed preliminary assessment amounts, and public hearing date. Following the public hearing, council will consider one of the following options:

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

Action / Recommendation:

The Public Works Department recommends adoption of the proposed Resolution of Necessity and setting of a public hearing on October 7, 2014 to receive public comments.

Alternative to the Recommendation:

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: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP No. 3012074

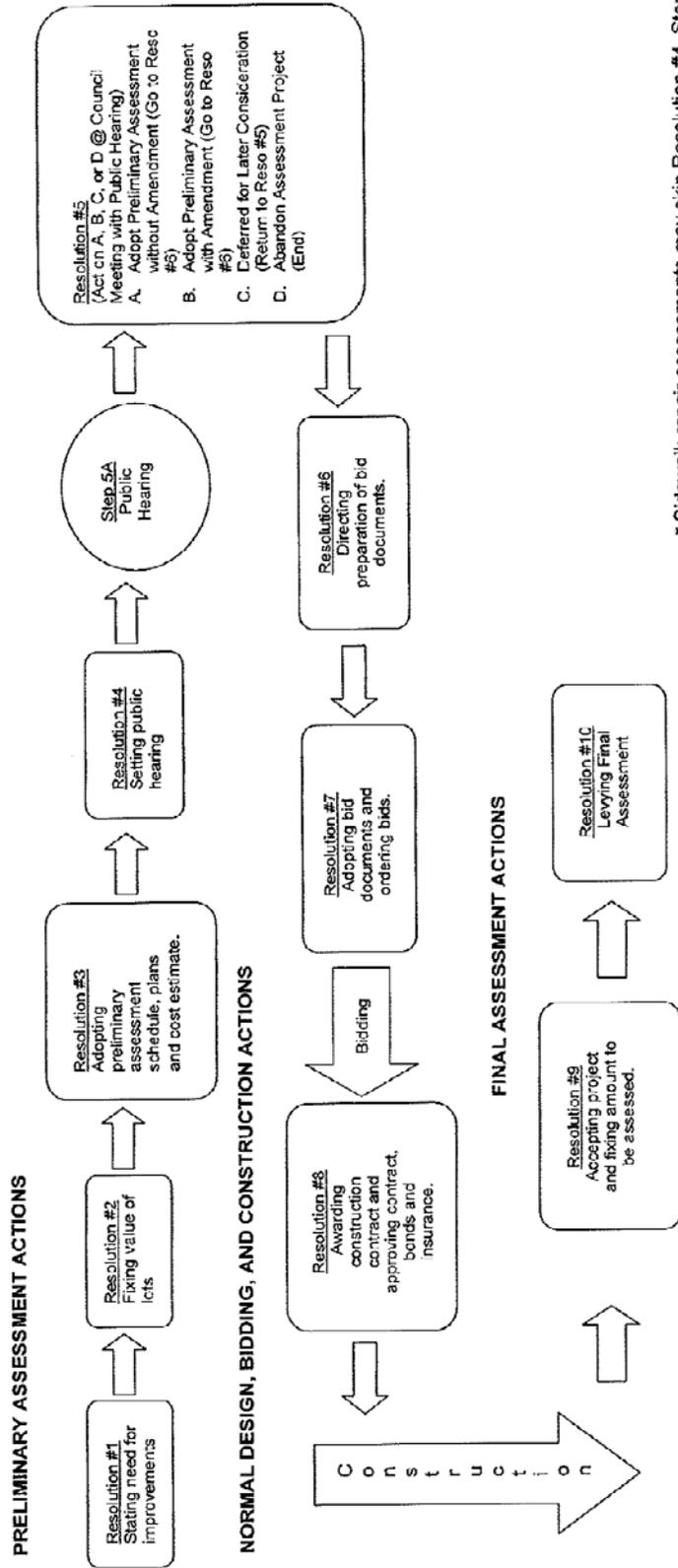
Local Preference Policy: Applies Exempt

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**

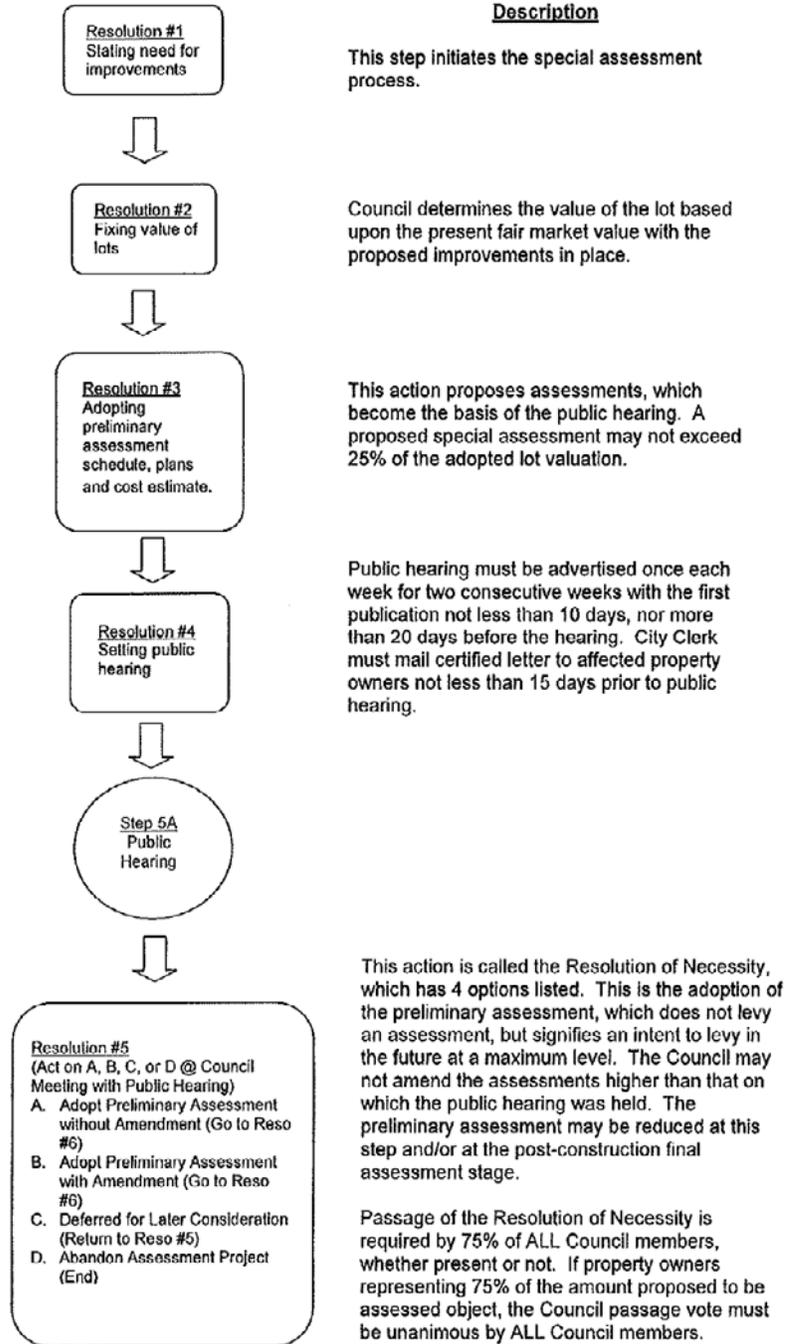


* Sidewalk repair assessments may skip Resolution #4, Step 5A, Resolution #5, and Resolution #6.

UPDATED 6.29.07

Page 1 of 2

**CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS
PRELIMINARY ASSESSMENT**



UPDATED 8.29.07

RESOLUTION NO.

RESOLUTION SETTING A PUBLIC HEARING DATE FOR OCTOBER 7, 2014 TO CONSIDER
THE RESOLUTION OF NECESSITY (PROPOSED)

WHEREAS, preliminary plans and specifications and plat and schedule and estimate of cost are now on file in the Office of the City Clerk, located at 101 First Street SE, Cedar Rapids, Iowa, showing the boundaries of the District, containing the properties and lots to be assessed, locations of the improvements, each lot proposed to be assessed, together with a valuation of each lot as fixed by the Council, an estimate of the cost of the entire proposed improvements, stating the cost of each type of construction and kind of materials to be used, and an estimate of the amount proposed to be assessed against each lot, for the construction of the 2015 Sidewalk Infill Project as hereinafter described, in Cedar Rapids, Iowa:

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

That it is deemed desirable, advisable and necessary to construct as a single improvement the 2015 Sidewalk Infill Project in Cedar Rapids, Iowa.

Said District containing the properties to be assessed is set out and described in the following "Notice to Property Owners", set out in this Resolution.

Said improvements within said District are located and described in the following "Notice to Property Owners", set out in this Resolution.

The method of construction shall be by contract.

Costs of said improvements will be assessed to the properties within the boundaries of the District. No property shall be assessed more than it is benefited by the improvement, nor more than 25% of its value on the date of its assessment. Said assessment may include a ten percent Default and Deficiency Fund, as authorized by Section 384.44, State Code of Iowa.

A plat and schedule and estimate of costs are now on file in the Office of the Clerk as required by law.

Any difference between the amount which is derived from cash payments made by property owners during the thirty day collection period and the sale of Improvement Bonds issued against assessments on benefited properties and the total cost of the improvements, shall be paid for from the proceeds derived from the issuance and sale of bonds as authorized by Section 384.25, State Code of Iowa, and/or from such other funds of said Municipality as may be legally used for such purpose.

BE IT FURTHER RESOLVED, that the Cedar Rapids City Council meet at 12:00 Noon, on the 7th day of October, 2014 at Council Chambers, City Hall, 3rd Floor, 101 First Street SE, in the City of Cedar Rapids, Iowa, for the purpose of hearing property owners subject to assessment and interested parties for or against the improvement, its cost, the assessment, or the boundaries of the district. Unless a property owner files objections with the Clerk at the time of the hearing on this Resolution, the property owner shall be deemed to have waived all

objections pertaining to the regularity of the proceedings and the legality of using special assessment procedure, and

BE IT FURTHER RESOLVED, that the Clerk is hereby instructed to cause notice to be published and mailed as required by law of the pendency of this Resolution and of the time and place of hearing objections thereto, and to the said preliminary plans and specifications, estimate of costs and to the making of said improvements; said Notice to be in substantially the following form:

NOTICE TO PROPERTY OWNERS

Notice is hereby given that there is now on file for public inspection in the Office of the City Clerk, located at 101 First Street SE, Cedar Rapids, Iowa, a proposed Resolution of Necessity, an estimate of costs and plat and schedule showing the amounts proposed to be assessed against each lot and the valuation thereof within District as approved by the Council of Cedar Rapids, Iowa, for an improvement, designated as the 2015 Sidewalk Infill Project of the types and in the location as follows:

GPN & Legal Description:

GPN	LEGAL DESCRIPTION
133627600800000	LANDMARK 3RD STR/LB 2
200117700100000	BANAR 1ST STR/LB 1
200110300100000	LANDS (LESS STS) LYG S'LY OF WILEY BLVD & S'LY OF 33RD AVE NE NE STR/LB 1 82 8
190627600900000	W 1/2 SE NW W 172.5 N 188' E 10 AC W 16 AC EX RD STR/LB 6 82 7
190627601500000	REMINGTON WEST 1ST STR/LB 1
131220105300000	P.O.S. #798 PARCEL B EX P.O.S. #1698
131225102900000	COTTAGE HILL 3RD STR/LB 13
131225103000000	COTTAGE HILL 3RD STR/LB 14
131225102500000	COTTAGE HILL 3RD STR/LB 9
131225102200000	COTTAGE HILL 3RD STR/LB 6
131222800100000	COTTAGE HILL 3RD STR/LB 17
131225101000000	COTTAGE HILL 2ND STR/LB 3
131225100900000	COTTAGE HILL 2ND STR/LB 2
131227901200000	COTTAGE HILL 2ND LOT 14 EX P.O.S. #1587
131227901300000	COTTAGE HILL 2ND LOT 13 EX P.O.S. #1587
131225101900000	COTTAGE HILL 2ND STR/LB 12
143215101300000	WILLIAMS PLAZA 3RD STR/LB 1

191135200100000	WHEATLAND PARK 1ST STR/LB 24
191135101401033	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5847-4
191135101401033	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5847-4
191135101401072	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5841-1
191135101401049	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5901-2
191135101401015	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5829-2
19135101401048	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5901-1
191135101401014	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5829-1
191135101401003	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5805-4
191135101401027	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5835-4
191135101401030	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5837-1
191135101401036	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5919-1
191135101401058	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5913-1
191135101401042	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5943-3
191135101401043	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5943-4
191135101401057	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5907-6
191135101401028	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5835-5
191135101401052	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5907-1
191135101401001	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5805-2
191135101401060	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5913-3
191135101401070	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5937-5
191135101401074	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5841-3
191135101401077	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5841-6
191135101401047	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5931-4
191135101401053	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5907-2
191135101401006	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5811-3

191135101401056	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5907-5
191135101401039	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5919-4
191135101401046	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5931-3
191135101401020	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5823-1
191135101401040	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5943-1
191135101401063	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5925-2
191135101401016	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5829-3
191135101401071	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5937-6
191135101401059	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5913-2
191135101401069	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5937-4
191135101401029	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5835-6
191135101401045	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5931-2
191135101401061	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5913-4
191135101401073	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5841-2
191135101401044	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5931-1
191135101401066	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5937-1
191135101401005	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5811-2
191135101401054	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5907-3
191135101401018	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5829-5
191135101401055	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5907-4
191135101401076	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5841-5
191135101401068	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5937-3
191135101401010	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5817-1
191135101401067	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5937-2
1911351014075	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5841-4
191135101401011	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5817-2

191135101401009	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5811-6
191135101401031	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5847-2
191135101401023	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5823-4
191135101401025	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5835-2
191135101401004	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5811-1
191135101401008	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5811-5
191135101401037	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5919-2
191135101401022	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5823-3
191135101401064	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5925-3
191135101401065	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5925-4
191135101401032	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5847-3
191135101401019	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5829-6
191135101401007	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5811-4
191135101401017	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5829-4
191135101401041	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5943-2
191135101401012	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5817-3
191135101401000	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5805-1
191135101401026	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5835-3
191135101401024	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5835-1
191135101401002	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5805-3
191135101401038	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5919-3
191135101401050	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5919-3
191135101401035	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5847-6
191135101401051	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5901-4
191135101401034	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5847-5
191135101401021	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5823-2

191135101401062	WHEATLAND PARK TOWNHOMES CONDOMINIUM UNIT 5925-1
132415400600000	JACKSON PARK FIRST STR/LB 11
132415400700000	JACKSON PARK FIRST STR/LB 12
132415400800000	JACKSON PARK FIRST STR/LB 13
132415301400000	JACKSON PARK 2ND STR/LB 33
132415200500000	JACKSON PARK FIRST STR/LB A
131235102800000	COTTAGE RIDGE SOUTH STR/LB 14
131235101600000	COTTAGE RIDGE SOUTH STR/LB 2
143112601100000	INVESTMENT PROPERTIES LOT 1 & P.O.S. #1615 PARCEL A
143112601000000	INVESTMENT PROPERTIES EX P.O.S. #1615 LOT 2
143112600400000	TH PT DESC V1828 P48 & V1707 P 361 LYG IN SW SE 30-83-7 & NW NE 31-83-7 BNG E'LY 70' W'LY 870' MEAS ON N'LY LN HWY 30 & INVESTMENT PROPERTIES LO TA STR/LB
143045201400000	LANDS (LESS PT DESC B 1828 P 48) & (LESS PT DESC B 1707 P 361) THAT PT DESC B 1706 P 285 LYG IN BOTH SW SE 30-83-7 & NW NE 31-83-7 BNG E'LY 200' W'LY 1000' MEAS ON N'LY LY HWY 30 & BNG S'LY 500' N OF & ADJ TO SAID HWY STR/LB
143112600300000	LANDS N OF RD W 123.28' E 325 ON N LY BNG W 100' E 330' ON S LN NW NE STR/LB 31 83 7
143112600200000	LANDS N OF RD W100' E201.72' ON N LN BNG W 100' E 230' ON S LN NW NE STR/LB 31 83 7
143112600100000	LANDS N OF RD E 101.72' ON N LN BNG 130' ON S LN NW NE & N OF RD W 88.68' ON N LN BNG W 60' ON S LN NE NE STR/LB 31 83 7
143120200600000	P.O.S. #999 PARCEL STR/LB B
143120200100000	LANDS E 250' N 500' O F THAT PT NE NW LYG S OF US 30 STR/LB 31 83 7
143112800400000	LANDS S OF RD (LESS RD) W 250' MEAS ON S LN OF HWY BNG N 250' ON W LN NW NE STR/LB 31 83 7
143112800300000	LANDS S OF RD (LESS RD) E 250' W 500' MEAS ON S LN OF HWY BNG N 308' ON E LN NW NE STR/LB 31 83 7
143112800300000	HUGHES INDUSTRIAL 3RD STR/LB 1
143112800100000	HUGHES INDUSTRIAL 2ND STR/LB 1

141712600200000	APPLEWOOD MESA 12TH STR/LB 194
113435100900000	DRY CREEK PARK 1ST REPLAT OF ADDN (LESS W 40') STR/LB 3
132647800300000	AIKEN & DYER 1ST STR/LB 1
142528002400000	WINDHAM WOODS 1ST STR/LB 9
142528002300000	WINDHAM WOODS 1ST STR/LB 8
142528002100000	WINDHAM WOODS 1ST STR/LB 6
142528002000000	WINDHAM WOODS 1ST STR/LB 6
142528001800000	WINDHAM WOODS 1ST STR/LB 3
142528003000000	WINDHAM WOODS 1ST STR/LB 15
142528001700000	WINDHAM WOODS 1ST STR/LB 2
142528001600000	WINDHAM WOODS 1ST STR/LB 1
140818001200000	S 5AC SE NE ALL E OF GLASS RD-EX TR DESC V1356/P575 & EX TR DESC V7032/P217 STR/LB 8 83 7
140718001400000	P.O.S. #1272 PARCE STR/LB A
140717800200000	LIFE INVESTORS OFFICE PARK SIXTH STR/LB 1
1407178000400000	SIGNAL RIDGE 1ST STR/LB 1
132510100100000	IRR SUR NE 25-83-8 A T COOPER'S SUBDIV (LESS STS) STR/LB 49
133610101100000	VIANDS' 1ST STR/LB 2
133610200100000	LANDS (LESS STS) N 250' E 283' S 1/2 NE STR/LB 36 83 8
141627600400000	SIERRA 1ST STR/LB 2

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

Construction of Portland Cement Concrete sidewalk and any necessary work such as grading, seeding, and removals to complete said construction.

The Cedar Rapids City Council will meet at **12:00 Noon**, on the 7th day of October, 2014 at the Cedar Rapids Council Chambers, 3rd floor of City Hall, 101 1st Street SE, Cedar Rapids, Iowa, at which time the owners of property subject to assessment for the proposed improvements, or any other person having an interest in the matter may appear and be heard

for or against the making of the improvement, the boundaries of the District, the cost, the assessment against any lot, tract, or parcel of land, or the final adoption of a Resolution of Necessity. A property owner will be deemed to have waived all objections unless at the time of Hearing he has filed objections with the Clerk.

The Notice is given by authority of the Council of the City of Cedar Rapids, Iowa.

Amy Stevenson
City Clerk, Cedar Rapids, Iowa

(END OF NOTICE)

INTRODUCED AND PROPOSED at a meeting held on the 9th day of September, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Community Development

Presenter at meeting: Kirsty Sanchez

Phone Number/Ext: 319-286-5428

Email: k.sanchez@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext: 319-286-5047

Email: j.pratt@cedar-rapids.org

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

Resolution determining the necessity and setting dates of a public hearing for October 7, 2014 and consultation with affected taxing entities, and referral to Planning Commission for a report and recommendation on the proposed Urban Renewal Plan for the Northtowne Market Urban Renewal Area. CIP/DID #OB1300915

Background:

The City has received a proposal by Hunter Companies, LLC for development of an infill master development to be located in northeast Cedar Rapids at 1103 and 1201 Blairs Ferry Road NE (former Nash Finch site). The proposed project meets the Targeted Development Large Site Master Plan Program.

This would be the first of multiple new office buildings. The overall development would provide quality office, service, retail, and residential space in a setting with amenities to attract new businesses with high quality jobs. Amenities include consistent architectural character and pedestrian-friendly connectivity.

To offset the costs of enhanced amenities and position the development to compete with communities in the region, the reimbursement of future increased property tax revenues is being requested. The proposed project is currently in the Council Street Urban Renewal Area however this Urban Renewal Area will expire in 2023. To utilize tax increment generated by the private investment, the City Council would need to establish an Urban Renewal Area/TIF District. The steps for establishing a Northtowne Market Renewal Area/TIF District would be as follows:

- 09/09/14 Setting the public hearing
- 09/23/14 Consultation with affected taxing agencies
- 10/02/14 City Planning Commission Review
- 10/07/14 Public hearing and introduction of First Reading
- 10/21/14 Second and possible Third Reading

In order to collect tax increment generated within the proposed Northtowne Market Urban Renewal Area, an ordinance is necessary. If established, proposed terms of a Development Agreement will be presented to City Council for consideration at a future date.

Action / Recommendation:

City staff recommends setting a public hearing.

Alternative Recommendation:

City Council may table the items and request additional information.

Time Sensitivity: N/A

Resolution Date: October 7, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Proposed City participating would be in the form of property tax reimbursement of the increased tax revenue generated by the construction of the development; terms and conditions would be presented in a Development Agreement at a future City Council meeting.

Local Preference Policy Applies Exempt N/A

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A
PUBLIC HEARING, CONSULTATION WITH AFFECTED TAXING ENTITIES, AND
REFERRAL TO PLANNING COMMISSION FOR A REPORT AND
RECOMMENDATION ON THE PROPOSED URBAN RENEWAL PLAN FOR THE
NORTHTOWNE MARKET URBAN RENEWAL AREA

WHEREAS, it is hereby found and determined that one or more economic development areas, as defined in Chapter 403, Code of Iowa, exist within the City of Cedar Rapids and rehabilitation, conservation, redevelopment, development, or combination thereof, of these areas are necessary in the interest of public health, safety, and welfare of the residents of the City; and

WHEREAS, this Council has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an Urban Renewal Area under Iowa Law and has caused there to be prepared a proposed Urban Renewal Plan for the Northtowne Market Urban Renewal Area described therein which proposed Plan is attached hereto as Exhibit A; and

WHEREAS, this proposed Urban Renewal Area includes and consists of an area commonly known as 1103 and 1201 Blairs Ferry Road NE and specifically described as follows:

1103 Blairs Ferry Road NE
GPN: 14032-04003-00000 IRR SUR NW 3-83-7 N OF RR 9(LESS W 328' N
538.7') & (LESS ST) & (LESS E 244' BNG N 376.7' MEAS ON W LN) & (LESS
LEHIGH PORTLAND CEMENT CO) STR/LB 2

AND

1201 Blairs Ferry Road NE
GPN: 14032-28005-00000 NASH FINCH 1ST STR/LB 1

WHEREAS, the Iowa statutes require the City Council to submit the proposed Plan for the Northtowne Market Urban Renewal Area to the Planning Commission for review and recommendation as to its conformity with the General Plan for the development of the City as a whole prior to City Council approval of such Urban Renewal Plan, and further provides that the recommendations thereon shall be submitted to this Council within thirty (30) days of its receipt of such proposed Plan; and

WHEREAS, the Iowa statutes further require the City Council to notify all affected taxing entities of the consideration being given to the proposed Plan for the Northtowne Market Urban Renewal Area and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa statutes further require the City Council to hold a Public Hearing on the proposed Plan for the Northtowne Market Urban Renewal Area subsequent to notice thereof

by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the Urban Renewal Area covered by the Urban Renewal Plan, and shall outline the general scope of the Urban Renewal project under consideration, with a copy of said notice also being mailed to each affected taxing entity;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa as follows:

1. That a Public Hearing shall be held on the proposed Plan for the Northtowne Market Urban Renewal Area before City Council at its meeting which commences at 12:00 p.m. on October 7, 2014 in the Council Chambers, City Hall, 101 First Street SE, Cedar Rapids, Iowa.
2. That the City Clerk is authorized and directed to publish notice of this Public Hearing in the Cedar Rapids Gazette, once on a date not less than four (4) nor more than twenty (20) days before the date of said Public Hearing, and to mail a copy of said notice by ordinary mail to each affected taxing entity.
3. That the consultation on the proposed Plan for the Northtowne Market Urban Renewal Area required by Section 403.5(2) of the Code of Iowa, as amended, shall be held at 9:00 a.m. on September 23, 2014 in the Kranse Conference Room at City Hall, 101 First Street SE, Cedar Rapids, Iowa, and the Development Director, or other person as designated by the Director, is hereby appointed to serve as the designated representative of the City for purposes of conducting said consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).
4. That the City Clerk is authorized and directed to cause a notice of said consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1A), along with a copy of the proposed Plan for the Northtowne Market Urban Renewal Area.
5. That the proposed Plan for the Northtowne Market Urban Renewal Area, attached hereto as Exhibit A, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed Plan for the Northtowne Market Urban Renewal Area referred to in said notices for the purposes of such consultation and hearing and that a copy of said Plan shall be placed on file in the office of the City Clerk.
6. That the proposed Plan for the Northtowne Market Urban Renewal Area be submitted to the City Planning Commission for review and recommendation as to its conformity with the General Plan for the development of the City as a whole, with such recommendation to be submitted in writing to this Council within thirty (30) days of the date hereof.

Passed this 9th day of September, 2014.



URBAN RENEWAL PLAN

for the

NORTHTOWNE MARKET URBAN RENEWAL AREA

As Approved by City Council

Resolution No. _____

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

INTRODUCTION

This Urban Renewal Plan (the "Urban Renewal Plan") has been prepared by the City of Cedar Rapids, Iowa (the "City") to provide for the development of the Northtowne Market Urban Renewal Area (the "Project Area") of the City, and to stimulate, through public actions, financings and commitments, private investment in the urban renewal Project Area. In order to achieve these objectives, the City shall undertake the urban renewal actions specified in this Urban Renewal Plan, pursuant to the powers granted to it under Chapters 403 and 15A of the Code of Iowa, 2011, as amended (the "Code").

I. URBAN RENEWAL PLAN OBJECTIVES

The City has designated the Project Area as an "economic development area" as defined under Chapter 403. The primary objectives of this Urban Renewal Plan for the Project Area are as follows:

1. To stimulate through public action and commitment, private investment in new commercial and manufacturing development;
2. To plan and provide sufficient land for new and expanding private development;
3. To attract new businesses to the City and to encourage the expansion of existing City businesses;
4. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives;
5. To ensure that the Project Area is adequately served with public facilities, roadways, utilities and services; and
6. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities for City residents and strengthening the property tax base of the City.

II. DESCRIPTION OF PROJECT AREA

The Project Area is an "urban renewal area" as defined in the Code and is located within the City of Cedar Rapids, Linn County, Iowa. The boundaries of the Project Area are illustrated on the Project Area Map attached hereto as Exhibit A.

The Project Area consists of an approximately twenty-four and one-half (24 ½) acres, in the City of Cedar Rapids, Iowa and being described as follows:

1103 Blairs Ferry Road NE
GPN: 14032-04003-00000 IRR SUR NW 3-83-7 N OF RR 9LESS W 328'
N 538.7') & (LESS ST) & (LESS E 244' BNG N 376.7' MEAS ON W LN)
& (LESS LEHIGH PORTLAND CEMENT CO) STR/LB 2

AND

1201 Blairs Ferry Road NE
GPN: 14032-28005-00000 NASH FINCH 1ST STR/LB 1

III. PROJECT AREA ACTIVITIES

As a means of assisting in the development of the Project Area and fulfilling the objectives of this Urban Renewal Plan, the City may determine:

1. To undertake and carry out urban renewal project activities through the execution of contracts and other instruments;
2. To arrange for or cause to be provided the construction or repair of public infrastructure improvements, including street, water, sanitary sewer and storm sewer systems, traffic signals, and public utilities or other facilities in connection with urban renewal projects;
3. To acquire property through a variety of means (purchase, lease, exchange, condemnation, donation or otherwise) and to hold, clear or prepare the property for redevelopment;
4. To dispose of property so acquired (by sale, lease, exchange or otherwise) for purposes of private redevelopment;
5. To provide financing to pay a portion of the cost of construction of new facilities and developments;
6. To undertake or cause to be undertaken the construction of specific site improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections and related activities, in connection with the disposition of property;
7. To make loans or grants to private persons or businesses for economic development purposes on such terms as may be determined by the City Council;
8. To borrow money and provide security therefor;

9. To establish and enforce controls, standards and restrictions on land use and buildings;

10. To make or have made surveys and plans necessary for the implementation of the urban renewal program and specific urban renewal project activities;

11. To use tax increment financing to provide for necessary physical improvements and infrastructure, and to fund other urban renewal project costs; or

12. To use any and all other powers, without limitation, granted by the Code to develop and provide for improved economic conditions in the City of Cedar Rapids, Iowa.

IV. SPECIAL FINANCING ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage private investment in and the development of the Project Area, the City may determine to provide financial assistance to qualified private businesses through the making of loans or grants under Chapter 15A of the Code and through the use of tax increment financing under Chapter 403 of the Code.

A. Chapter 15A Loans or Grants. The making of loans or grants of public funds to private businesses within the Project Area may be deemed necessary or appropriate for economic development purposes (as defined in Chapter 15A of the Code) and to aid in the planning, undertaking and carrying out of urban renewal project activities authorized under this Urban Renewal Plan and the Code. Accordingly, in furtherance of the objectives of this Urban Renewal Plan, the City may determine to issue general obligation bonds, tax increment revenue bonds or other such obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Project Area. Alternatively, the City may determine to use available funds, including tax increment revenues from the Project Area, for making such loans or grants. In determining qualifications of recipients and whether to make any such individual loan or grant, the City shall consider, among other things, one or more of the factors set forth in Section 15A.1 of the Code on a case-by-case basis.

B. Tax Increment Financing. The City intends to utilize tax increment financing as a means to help pay for the costs associated with the development of the Project Area. General obligation bonds, tax increment revenue bonds or other such obligations or loan agreements may be issued by the City, and tax increment reimbursement may be sought for, among other things, the following costs (if and to the extent incurred by the City):

1. The construction of public improvements, such as streets, sanitary sewers, storm sewers, water mains or sidewalks;

2. The funding of the "local match" required under State programs providing financial assistance to private developers; and
3. The making of loans or grants to private businesses under Chapter 15A of the Code, including debt service payments on any bonds or notes issued to finance such loans or grants.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code in furtherance of the objectives of this Urban Renewal Plan.

V. PROPERTY ACQUISITION

All of the properties located within the Project Area are owned or expected to be acquired by Hunter Companies, LLC, and the City does not presently intend to acquire any land in the Project Area for purposes of private development. Areas may be identified for acquisition in the future for the following purposes:

1. To provide sites for needed private and public improvements or facilities in proper relationship to the projected demand for such facilities and in accordance with accepted criteria for the development of such facilities;
2. To assemble land into parcels of adequate size and shape to meet contemporary development needs and standards and to allow new construction to meet the objectives of this Urban Renewal Plan; or
3. To acquire any and all interests in any property within the Project Area which in any way dominates or controls usage of other real property proposed to be acquired.

VI. CLEARANCE AND DISPOSITION OF PROPERTY

All of the properties located within the Project Area are owned or expected to be acquired by Hunter Companies, LLC, and the City does not presently intend to clear or dispose of property in the Project Area. If the City makes improvements in preparation for redevelopment or transfer of land to private developers, all improvements will be accomplished in accordance with the goals and objectives of this Urban Renewal Plan and in concert with other actions to ensure timely improvement of the land.

The City may advertise and solicit development proposals, may negotiate directly with prospective developers, and may dispose of all or a portion of any property acquired by it for the purpose of redevelopment in accordance with the goals and objectives of this Urban Renewal Plan. The property so disposed of may include vacated right-of-way and other lands under public ownership which are not needed for public purposes.

The City may subdivide, vacate or otherwise change the recorded arrangement of property under its control to accomplish the goals and objectives of this Urban Renewal Plan.

VII. LAND USE DEVELOPMENT

The planning criteria to be used to guide the physical development of the Project Area are those standards and guidelines contained within the Cedar Rapids Comprehensive Plan approved on May 19, 1999, as amended from time to time.

VIII. DEVELOPER REQUIREMENTS

In consideration of the efforts to be made by the City in furthering the development of the Project Area, developers who purchase land in the Project Area may be required to observe the land use requirements of this Urban Renewal Plan and to enter into a contractual agreement with the City in order to assure that the objectives of this Urban Renewal Plan are furthered or achieved.

Developers will not be permitted to defer the start of construction for a period longer than that required to prepare architectural plans, obtain satisfactory financing, and the review and approval of such plans by the City in order to establish their conformance with the provisions of this Urban Renewal Plan. In addition, it is expected that the following provisions will be included in agreements with developers:

1. Developers will submit plans and schedules for the proposed development to the City and will keep the City informed regarding progress on implementing these plans;
2. Any land purchased from the City can only be used for the purpose of development, and not for speculation;
3. Any ownership parcel made up in part of land acquired from the City will be built upon and improved in conformity with the objectives and provisions of this Urban Renewal Plan;
4. Construction of improvements will be initiated and completed within a reasonable time; and
5. There will be no discrimination against any person or group of persons on account of race, creed, color, national origin or ancestry in the sale, lease, sublease, transfer, use of enjoyment of the premises therein conveyed, nor will the developers themselves, or any claiming under or through them, establish or permit such practices of discrimination or segregation with respect to the selection, location, number, use or occupancy of tenants, lessees, or sub lessees in the premises therein conveyed.

The contract and other disposition documents to be executed by the developer will set forth, in detail, the provisions, standards and criteria for achieving the objectives and land use requirements established in this Urban Renewal Plan.

IX. PROJECT AND CITY INDEBTEDNESS

At the present time, the City expects to provide the "local match" required as a condition for receiving State assistance being sought by Fountains, which is undertaking the construction of significant taxable improvements within the Project Area. As a part thereof, the City may agree to make economic development grants to the developer in consideration for certain employment commitments and other covenants expected to be made by the developer. As such, the eventual level of City participation in both private and public improvements for the economic development of the Project Area cannot be fully determined at this time. However, to the extent that new tax increment revenues are generated and other appropriate funding sources are identified, the City may undertake other project-related activities in the future.

At the present time, it is anticipated that future City tax increment collections for project-related activities within the Project Area will not exceed \$2,500,000.00 in aggregate amount during the term of this Urban Renewal Plan. Proceeds of such tax increment collections are currently expected to be used to make economic development grants to the developer and to reimburse the City for any other project-related costs incurred in connection with the development of the Project Area.

As of June 30, 2013, the City's outstanding general obligation indebtedness was \$337,485,000. Article XI, Section 3 of the Constitution of the State of Iowa limits the amount of City debt outstanding at any time to no more than five percent (5%) of the value, as shown by the last certified state and City tax list, of all taxable property within the City. Based upon the actual value for fiscal year 2012/2013 (total actual value, less agriculture value that is not taxed for debt service) on all taxable property within the City of Cedar Rapids, the City is limited to \$463,611,401.00 of general obligation indebtedness.

X. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform with state and local law will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

XI. SEVERABILITY

In the event one or more provisions contained in this Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized or unenforceable in any respect, such invalidity, illegality, or lack of authorization or enforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

XII. AMENDMENT OF URBAN RENEWAL PLAN

This Urban Renewal Plan may be amended from time to time to respond to development opportunities. Any such amendment shall conform to the requirements of Chapter 403 of the Code. Any change affecting any property or contractual right will be effectuated only in accordance with applicable state and local law.

XIII. EFFECTIVE DATE

This Urban Renewal Plan shall be effective upon adoption by the City Council of the City of Cedar Rapids, Iowa, and shall remain in full force and effect until amended or rescinded by the City Council. However, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code) by the City for activities carried out under this Urban Renewal Plan shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law, including Iowa Code Section 403.17(10).

ATTACHMENT A
Proposed Northtowne Market Urban Renewal Area



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Community Development

Presenter at meeting: Kirsty Sanchez

Phone Number/Ext: 319-286-5428

Email: k.sanchez@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext: 319-286-5047

Email: j.pratt@cedar-rapids.org

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

Resolution determining the necessity and setting dates of a public hearing for October 7, 2014 and consultation with affected taxing entities, and referral to Planning Commission for a report and recommendation on the proposed Amendment No. 1 to the Council Street Urban Renewal Plan for the Council Street Urban Renewal Area. CIP/DID #OB41576

Background:

Amendment No. 1 to the Council Street Urban Renewal Plan would remove 1103 and 1201 Blairs Ferry Road NE from the existing Council Street Urban Renewal Area.

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.

To offset the costs of enhanced amenities and position the development to compete with communities in the region, the reimbursement of future increased property tax revenues is being requested. The proposed project is currently in the Council Street Urban Renewal Area however this Urban Renewal Area will expire in 2023. To utilize tax increment generated by the private investment, the City Council would need to delete 1103 and 1201 Blairs Ferry Road NE from the Council Street Urban Renewal Area and establish a new Urban Renewal Area/TIF District.

Action / Recommendation:

City staff recommends setting a public hearing.

Alternative Recommendation:

City Council may table the items and request additional information.

Time Sensitivity: N/A

Resolution Date: October 7, 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.

RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A
PUBLIC HEARING, CONSULTATION WITH AFFECTED TAXING ENTITIES, AND
REFERRAL TO PLANNING COMMISSION FOR A REPORT AND
RECOMMENDATION ON THE PROPOSED AMENDMENT NO. 1 TO THE
COUNCIL STREET URBAN RENEWAL PLAN FOR THE COUNCIL STREET
URBAN RENEWAL AREA

WHEREAS, the City Council of the City of Cedar Rapids, Iowa adopted Resolution No. 1239-06-03 on June 4, 2003 approving the Council Street Urban Renewal Plan (the "Original Plan") for the Council Street Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, the City Council now has determined that it is appropriate and necessary to further amend the Urban Renewal Plan to delete certain areas from the Urban Renewal Area; and

WHEREAS, this Council has reasonable cause to believe that the proposed amendments, described in Amendment No. 1 to the Urban Renewal Plan for the Urban Renewal Area (the "Amendment"), satisfy the eligibility criteria for urban renewal project activities and are consistent with Iowa Urban Renewal Law; and

WHEREAS, the Iowa statutes require the City Council to submit said Amendment to the Planning Commission for review and recommendation as to its conformity with the general plan for the development of the City as a whole prior to City Council approval of such Amendment, and further provides that the recommendations thereon shall be submitted to this Council within thirty (30) days of its receipt of such proposed Amendment; and

WHEREAS, this Council has been advised that the notification and consultation procedures described in Section 403.5 of the Iowa Code do not apply to the Amendment; and

WHEREAS, the Iowa statutes require the City Council to hold a public hearing on the Amendment subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the Urban Renewal Area covered by the Amendment, and shall outline the general scope of the proposed Amendment under consideration, with a copy of said notice also being mailed to each affected taxing agency;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa as follows:

1. That a Public Hearing shall be held on the proposed Amendment No. 1 to the Council Street Urban Renewal Area before City Council at its meeting which commences at 12:00 p.m. on October 7, 2014 in the Council Chambers, City Hall, 101 First Street SE, Cedar Rapids, Iowa.
2. That the City Clerk is authorized and directed to publish notice of this Public Hearing in the Cedar Rapids Gazette, once on a date not less than four (4) nor more than twenty (20) days before the date of said Public Hearing, and to mail a copy of said notice by ordinary mail to each affected taxing entity.

3. That the consultation on the proposed Amendment No. 1 to the Council Street Urban Renewal Area required by Section 403.5(2) of the Code of Iowa, as amended, shall be held at 9:00 a.m. on September 23, 2014 in the Kranse Conference Room at City Hall, 101 First Street SE, Cedar Rapids, Iowa, and the Development Director, or other person as designated by the Director, is hereby appointed to serve as the designated representative of the City for purposes of conducting said consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).
4. That the City Clerk is authorized and directed to cause a notice of said consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1A), along with a copy of the proposed Amendment No. 1 to the Council Street Urban Renewal Area.
5. That the proposed Amendment No. 1 to the Urban Renewal Plan for the Urban Renewal Area, attached hereto as Exhibit A, is hereby officially declared to be the proposed Amendment No. 1 to the Urban Renewal Plan for the Urban Renewal Area referred to in said notices for the purposes of such hearing and that a copy of said Amendment shall be placed on file in the office of the City Clerk.
6. That the proposed Amendment No. 1 to the Council Street Urban Renewal Area be submitted to the City Planning Commission for review and recommendation as to its conformity with the General Plan for the development of the City as a whole, with such recommendation to be submitted in writing to this Council within thirty (30) days of the date hereof.

Passed this 9th day of September, 2014.



**AMENDMENT NO. 1 TO THE
COUNCIL STREET URBAN RENEWAL PLAN**

As Approved by City Council

Resolution No. _____

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

TABLE OF CONTENTS

- 1.0 INTRODUCTION
 - 1.1 Purpose and Background
 - 1.2 Amendments
 - 1.3 Relationship to the Comprehensive Plan
- 2.0 ESTIMATED DIVERSION OF PROPERTY TAX INCREMENT REVENUES
- 3.0 AREA BEING DELETED
- 4.0 EFFECTIVE DATE

1.0 INTRODUCTION

1.1 Purpose and Background

The purpose and intent of this *Amendment No. 1 to the Council Street Urban Renewal Plan* (the "Amendment") is to reduce the size of the urban renewal area described in the Council Street Urban Renewal Plan as adopted by the City Council on June 4, 2003 (Resolution No. 1239-06-03) (the "Urban Renewal Plan").

All provisions of the existing Urban Renewal Plan not directly impacted by this Amendment as adopted by the City Council shall remain in full force and effect.

The separate identities of the Sub-Areas previously established as part of the Urban Renewal Plan will be maintained and observed for those purposes which are aided by or in need of the division, but the combined areas of the several Sub-Areas shall be treated together for planning and redevelopment purposes. This Amendment undertakes to continue each Project Sub-Area within the overall Urban Renewal Area as a combined Urban Renewal Area, reserving the separate elements of each such Sub-Area, but permitting the advantages of combined planning and redevelopment activities.

1.2 Amendments

Section 10.0 of the Urban Renewal Plan provides that Urban Renewal Plan may be amended from time to time to include changes in the Urban Renewal Area, to add or change land use controls and regulations, to modify goals or types of renewal activities, or to amend property acquisition and disposition guidelines. The City Council may amend the Urban Renewal Plan by resolution after holding a public hearing on the proposed change in accordance with applicable Iowa law.

Amendment No. 1 to the Urban Renewal Plan is consistent with this provision.

1.3 Relationship to the Comprehensive Plan

Cedar Rapids has adopted the *Comprehensive Plan for Cedar Rapids* which qualifies as the "general plan for the development of the municipality as a whole" as provided under Chapter 403.5, Code of Iowa. The Cedar Rapids Planning Commission reviewed the draft Amendment No. 1 to the Urban Renewal Plan, and adopted a finding that it is in conformity with the Comprehensive Plan and recommended its approval by the City Council.

2.0 ESTIMATED DIVERSION OF PROPERTY TAX INCREMENT REVENUES

The use of tax increment funds is authorized in Section 2.2 of the Urban Renewal Plan. This Amendment does not change provisions regarding the diversion of tax increment revenue within the Urban Renewal Area.

Article XI, Section 3 of the Constitution of the State of Iowa limits the amount of debt outstanding at any time of any county, municipality or other political subdivision to no more than 5% of the value, as shown by the last certified state and county tax lists, of all taxable property within such county, municipality or other political subdivision. Based upon the actual value for fiscal year 2012/2013 (total actual value, less agriculture value that is not taxed for debt service) on all taxable property within the City of Cedar Rapids, the City is limited to \$463,611,401 of general obligation indebtedness. Total City bonded indebtedness as of June 30, 2013 was \$337,485,000.

3.0 AREA BEING DELETED

Redevelopment and revitalization activities contemplated under the Urban Renewal Plan are being conducted on a sub-area basis with appropriate allocation of resources. The intent of the sub-area designations is identified in Section 5.0 of the Urban Renewal Plan.

In accordance with this intent, the Urban Renewal Plan is amended to delete the following area from the Southwest Urban Renewal Area described therein:

1103 Blairs Ferry Road NE
GPN: 14032-04003-00000 IRR SUR NW 3-83-7 N OF RR 9(LESS W 328'
N 538.7') & (LESS ST) & (LESS E 244' BNG N 376.7' MEAS ON W LN)
& (LESS LEHIGH PORTLAND CEMENT CO) STR/LB 2

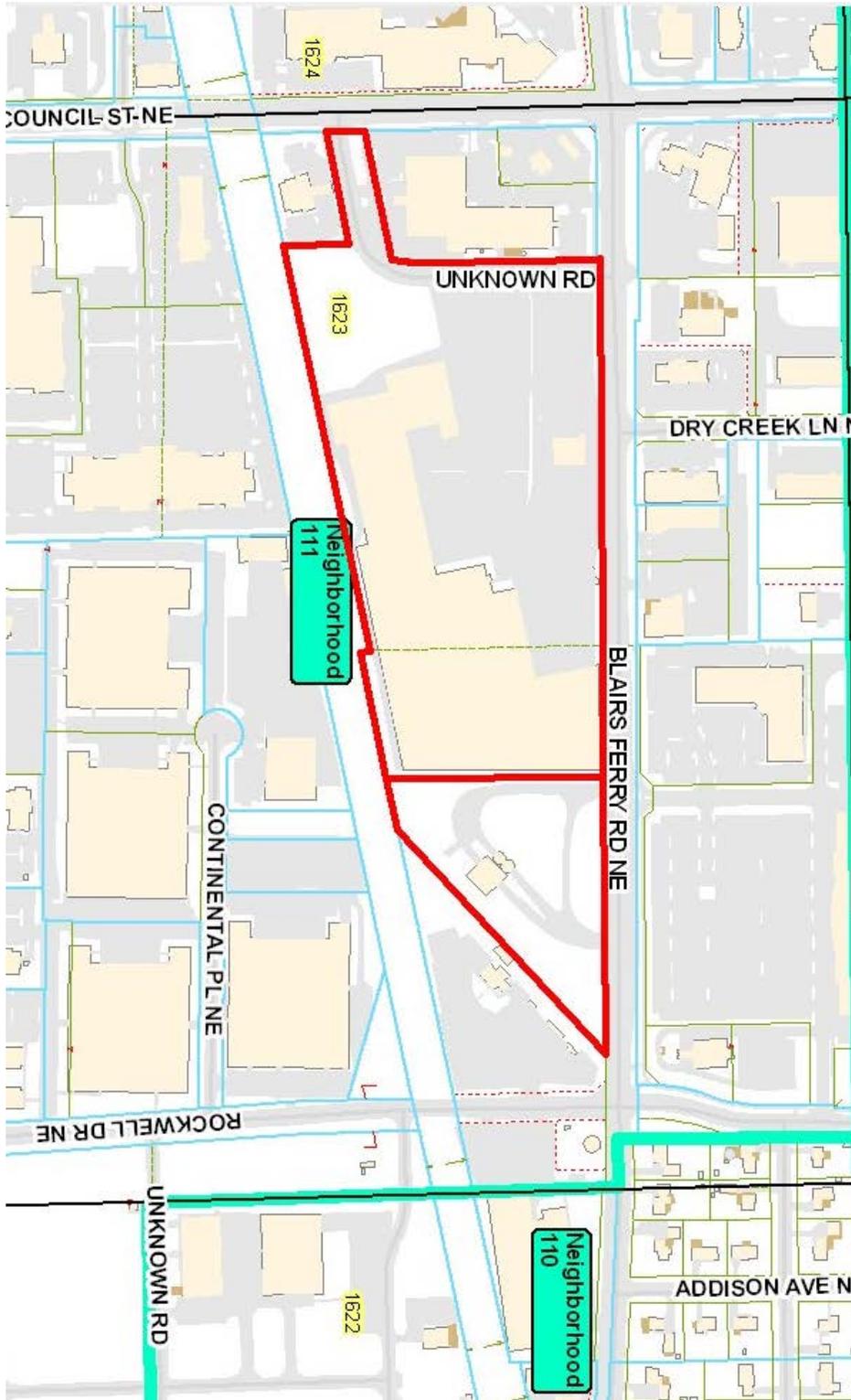
AND

1201 Blairs Ferry Road NE
GPN: 14032-28005-00000 NASH FINCH 1ST STR/LB 1

4.0 EFFECTIVE DATE

This Amendment No. 1 to the Urban Renewal Plan shall be deemed to be effective upon the adoption of a City Council Resolution approving the said Amendment No. 1 to the Urban Renewal Plan. The Urban Renewal Plan, as so amended, shall remain in full force until amended or rescinded by the City Council.

ATTACHMENT A
Parcels to be Removed from the Council Street Urban Renewal Area



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Community Development

Presenter at meeting: Kirsty Sanchez

Phone Number/Ext: 319-286-5428

Email: k.sanchez@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext: 319-286-5047

Email: j.pratt@cedar-rapids.org

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

Resolution determining the necessity and setting dates of a public hearing for October 7, 2014 and consultation with affected taxing entities, and referral to Planning Commission for a report and recommendation on the proposed Urban Renewal Plan for the New Pioneer Urban Renewal Area. NEW

Background:

The City has received a request for Tax Increment Financing by New Pioneer's Cooperative Society for the property located at 3338 Center Pointe Road NE. The building at the project site is vacant and 16,473 square feet. The proposed project meets the Targeted Development Program for the Removal of Blight.

To offset the costs of enhanced amenities and position the development to compete with communities in the region, the reimbursement of future increased property tax revenues is being requested. To utilize tax increment generated by the private investment, the City Council would need to establish an Urban Renewal Area/TIF District. The steps for establishing a New Pioneer Renewal Area/TIF District would be as follows:

- 09/09/14 Setting the public hearing
- 09/23/14 Consultation with affected taxing agencies
- 10/02/14 City Planning Commission Review
- 10/07/14 Public hearing and introduction of First Reading
- 10/21/14 Second and possible Third Reading

In order to collect tax increment generated within the proposed New Pioneer Urban Renewal Area, an ordinance is necessary. If established, proposed terms of a Development Agreement will be presented to City Council for consideration at a future date.

Action / Recommendation:

City staff recommends setting a public hearing.

Alternative Recommendation:

City Council may table the items and request additional information.

Time Sensitivity: N/A

Resolution Date: October 7, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Proposed City participating would be in the form of property tax reimbursement of the increased tax revenue generated by the construction of the development; terms and conditions would be presented in a Development Agreement at a future City Council meeting.

Local Preference Policy Applies Exempt N/A

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A PUBLIC HEARING, CONSULTATION WITH AFFECTED TAXING ENTITIES, AND REFERRAL TO PLANNING COMMISSION FOR A REPORT AND RECOMMENDATION ON THE PROPOSED URBAN RENEWAL PLAN FOR THE NEW PIONEER URBAN RENEWAL AREA

WHEREAS, it is hereby found and determined that one or more economic development areas, as defined in Chapter 403, Code of Iowa, exist within the City of Cedar Rapids and rehabilitation, conservation, redevelopment, development, or combination thereof, of these areas are necessary in the interest of public health, safety, and welfare of the residents of the City; and

WHEREAS, this Council has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an Urban Renewal Area under Iowa Law and has caused there to be prepared a proposed Urban Renewal Plan for the New Pioneer Urban Renewal Area described therein which proposed Plan is attached hereto as Exhibit A; and

WHEREAS, this proposed Urban Renewal Area includes and consists of an area commonly known as 3338 Center Point Road NE and specifically described as follows:

Lot 2, Luense's First Addition to Cedar Rapids, IA

AND

Lots 1 and 2, Dale's Market Place Second Addition to the City of Cedar Rapids, Linn County, Iowa

AND

Lots 3 & 4, Dale's Market Place Addition to Cedar Rapids, Iowa

AND

The West 20 feet of Lot 54, Irregular Survey NE ¼ SE ¼ Section 9-83-7, Linn County, Iowa and All of Lot 5, Dale's Market Place Addition to Cedar Rapids, Iowa

WHEREAS, the Iowa statutes require the City Council to submit the proposed Plan for the New Pioneer Urban Renewal Area to the Planning Commission for review and recommendation as to its conformity with the General Plan for the development of the City as a whole prior to City Council approval of such Urban Renewal Plan, and further provides that the recommendations thereon shall be submitted to this Council within thirty (30) days of its receipt of such proposed Plan; and

WHEREAS, the Iowa statutes further require the City Council to notify all affected taxing entities of the consideration being given to the proposed Plan for the New Pioneer Urban Renewal Area and to hold a consultation with such taxing entities with respect thereto, and

further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa statues further require the City Council to hold a Public Hearing on the proposed Plan for the New Pioneer Urban Renewal Area subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the Urban Renewal Area covered by the Urban Renewal Plan, and shall outline the general scope of the Urban Renewal project under consideration, with a copy of said notice also being mailed to each affected taxing entity;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa as follows:

1. That a Public Hearing shall be held on the proposed Plan for the New Pioneer Urban Renewal Area before City Council at its meeting which commences at 12:00 p.m. on October 7, 2014 in the Council Chambers, City Hall, 101 First Street SE, Cedar Rapids, Iowa.
2. That the City Clerk is authorized and directed to publish notice of this Public Hearing in the Cedar Rapids Gazette, once on a date not less than four (4) nor more than twenty (20) days before the date of said Public Hearing, and to mail a copy of said notice by ordinary mail to each affected taxing entity.
3. That the consultation on the proposed Plan for the New Pioneer Urban Renewal Area required by Section 403.5(2) of the Code of Iowa, as amended, shall be held at 9:00 a.m. on September 23, 2014 in the Kranse Conference Room at City Hall, 101 First Street SE, Cedar Rapids, Iowa, and the Development Director, or other person as designated by the Director, is hereby appointed to serve as the designated representative of the City for purposes of conducting said consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).
4. That the City Clerk is authorized and directed to cause a notice of said consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1A), along with a copy of the proposed Plan for the New Pioneer Urban Renewal Area.
5. That the proposed Plan for the New Pioneer Urban Renewal Area, attached hereto as Exhibit A, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed Plan for the New Pioneer Urban Renewal Area referred to in said notices for the purposes of such consultation and hearing and that a copy of said Plan shall be placed on file in the office of the City Clerk.
6. That the proposed Plan for the New Pioneer Urban Renewal Area be submitted to the City Planning Commission for review and recommendation as to its conformity with the General Plan for the development of the City as a whole, with such recommendation to be submitted in writing to this Council within thirty (30) days of the date hereof.

Passed this 9th day of September, 2014.



URBAN RENEWAL PLAN

for the

NEW PIONEER URBAN RENEWAL AREA

As Approved by City Council

Resolution No. _____

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

INTRODUCTION

This Urban Renewal Plan (the "Urban Renewal Plan") has been prepared by the City of Cedar Rapids, Iowa (the "City") to provide for the development of the New Pioneer Urban Renewal Area (the "Project Area") of the City, and to stimulate, through public actions, financings and commitments, private investment in the urban renewal Project Area. In order to achieve these objectives, the City shall undertake the urban renewal actions specified in this Urban Renewal Plan, pursuant to the powers granted to it under Chapters 403 and 15A of the Code of Iowa, 2011, as amended (the "Code").

I. URBAN RENEWAL PLAN OBJECTIVES

The City has designated the Project Area as an "economic development area" as defined under Chapter 403. The primary objectives of this Urban Renewal Plan for the Project Area are as follows:

1. To stimulate through public action and commitment, private investment in new commercial and manufacturing development;
2. To plan and provide sufficient land for new and expanding private development;
3. To attract new businesses to the City and to encourage the expansion of existing City businesses;
4. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives;
5. To ensure that the Project Area is adequately served with public facilities, roadways, utilities and services; and
6. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities for City residents and strengthening the property tax base of the City.

II. DESCRIPTION OF PROJECT AREA

The Project Area is an "urban renewal area" as defined in the Code and is located within the City of Cedar Rapids, Linn County, Iowa. The boundaries of the Project Area are illustrated on the Project Area Map attached hereto as Exhibit A.

The Project Area consists of an approximately two and one-fifth (2.2) acres, in the City of Cedar Rapids, Iowa and being described as follows:

Lot 2, Luense's First Addition to Cedar Rapids, IA

AND

Lots 1 and 2, Dale's Market Place Second Addition to the City of Cedar Rapids, Linn County, Iowa

AND

Lots 3 & 4, Dale's Market Place Addition to Cedar Rapids, Iowa

AND

The West 20 feet of Lot 54, Irregular Survey NE ¼ SE ¼ Section 9-83-7, Linn County, Iowa and All of Lot 5, Dale's Market Place Addition to Cedar Rapids, Iowa

III. PROJECT AREA ACTIVITIES

As a means of assisting in the development of the Project Area and fulfilling the objectives of this Urban Renewal Plan, the City may determine:

1. To undertake and carry out urban renewal project activities through the execution of contracts and other instruments;
2. To arrange for or cause to be provided the construction or repair of public infrastructure improvements, including street, water, sanitary sewer and storm sewer systems, traffic signals, and public utilities or other facilities in connection with urban renewal projects;
3. To acquire property through a variety of means (purchase, lease, exchange, condemnation, donation or otherwise) and to hold, clear or prepare the property for redevelopment;
4. To dispose of property so acquired (by sale, lease, exchange or otherwise) for purposes of private redevelopment;
5. To provide financing to pay a portion of the cost of construction of new facilities and developments;
6. To undertake or cause to be undertaken the construction of specific site improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections and related activities, in connection with the disposition of property;

7. To make loans or grants to private persons or businesses for economic development purposes on such terms as may be determined by the City Council;
8. To borrow money and provide security therefor;
9. To establish and enforce controls, standards and restrictions on land use and buildings;
10. To make or have made surveys and plans necessary for the implementation of the urban renewal program and specific urban renewal project activities;
11. To use tax increment financing to provide for necessary physical improvements and infrastructure, and to fund other urban renewal project costs; or
12. To use any and all other powers, without limitation, granted by the Code to develop and provide for improved economic conditions in the City of Cedar Rapids, Iowa.

IV. SPECIAL FINANCING ACTIVITIES

To meet the objectives of this Urban Renewal Plan and to encourage private investment in and the development of the Project Area, the City may determine to provide financial assistance to qualified private businesses through the making of loans or grants under Chapter 15A of the Code and through the use of tax increment financing under Chapter 403 of the Code.

A. Chapter 15A Loans or Grants. The making of loans or grants of public funds to private businesses within the Project Area may be deemed necessary or appropriate for economic development purposes (as defined in Chapter 15A of the Code) and to aid in the planning, undertaking and carrying out of urban renewal project activities authorized under this Urban Renewal Plan and the Code. Accordingly, in furtherance of the objectives of this Urban Renewal Plan, the City may determine to issue general obligation bonds, tax increment revenue bonds or other such obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Project Area. Alternatively, the City may determine to use available funds, including tax increment revenues from the Project Area, for making such loans or grants. In determining qualifications of recipients and whether to make any such individual loan or grant, the City shall consider, among other things, one or more of the factors set forth in Section 15A.1 of the Code on a case-by-case basis.

B. Tax Increment Financing. The City intends to utilize tax increment financing as a means to help pay for the costs associated with the development of the Project Area. General obligation bonds, tax increment revenue bonds or other such obligations or loan agreements may be issued by the City, and tax increment reimbursement may be sought for, among other things, the following costs (if and to the extent incurred by the City):

1. The construction of public improvements, such as streets, sanitary sewers, storm sewers, water mains or sidewalks;
2. The funding of the "local match" required under State programs providing financial assistance to private developers; and
3. The making of loans or grants to private businesses under Chapter 15A of the Code, including debt service payments on any bonds or notes issued to finance such loans or grants.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code in furtherance of the objectives of this Urban Renewal Plan.

V. PROPERTY ACQUISITION

All of the properties located within the Project Area are owned or expected to be acquired by New Pioneer's Cooperative Society, and the City does not presently intend to acquire any land in the Project Area for purposes of private development. Areas may be identified for acquisition in the future for the following purposes:

1. To provide sites for needed private and public improvements or facilities in proper relationship to the projected demand for such facilities and in accordance with accepted criteria for the development of such facilities;
2. To assemble land into parcels of adequate size and shape to meet contemporary development needs and standards and to allow new construction to meet the objectives of this Urban Renewal Plan; or
3. To acquire any and all interests in any property within the Project Area which in any way dominates or controls usage of other real property proposed to be acquired.

VI. CLEARANCE AND DISPOSITION OF PROPERTY

All of the properties located within the Project Area are owned or expected to be acquired by New Pioneer's Cooperative Society, and the City does not presently intend to clear or dispose of property in the Project Area. If the City makes improvements in

preparation for redevelopment or transfer of land to private developers, all improvements will be accomplished in accordance with the goals and objectives of this Urban Renewal Plan and in concert with other actions to ensure timely improvement of the land.

The City may advertise and solicit development proposals, may negotiate directly with prospective developers, and may dispose of all or a portion of any property acquired by it for the purpose of redevelopment in accordance with the goals and objectives of this Urban Renewal Plan. The property so disposed of may include vacated right-of-way and other lands under public ownership which are not needed for public purposes.

The City may subdivide, vacate or otherwise change the recorded arrangement of property under its control to accomplish the goals and objectives of this Urban Renewal Plan.

VII. LAND USE DEVELOPMENT

The planning criteria to be used to guide the physical development of the Project Area are those standards and guidelines contained within the Cedar Rapids Comprehensive Plan approved on May 19, 1999, as amended from time to time.

VIII. DEVELOPER REQUIREMENTS

In consideration of the efforts to be made by the City in furthering the development of the Project Area, developers who purchase land in the Project Area may be required to observe the land use requirements of this Urban Renewal Plan and to enter into a contractual agreement with the City in order to assure that the objectives of this Urban Renewal Plan are furthered or achieved.

Developers will not be permitted to defer the start of construction for a period longer than that required to prepare architectural plans, obtain satisfactory financing, and the review and approval of such plans by the City in order to establish their conformance with the provisions of this Urban Renewal Plan. In addition, it is expected that the following provisions will be included in agreements with developers:

1. Developers will submit plans and schedules for the proposed development to the City and will keep the City informed regarding progress on implementing these plans;
2. Any land purchased from the City can only be used for the purpose of development, and not for speculation;
3. Any ownership parcel made up in part of land acquired from the City will be built upon and improved in conformity with the objectives and provisions of this Urban Renewal Plan;
4. Construction of improvements will be initiated and completed within

a reasonable time; and

5. There will be no discrimination against any person or group of persons on account of race, creed, color, national origin or ancestry in the sale, lease, sublease, transfer, use of enjoyment of the premises therein conveyed, nor will the developers themselves, or any claiming under or through them, establish or permit such practices of discrimination or segregation with respect to the selection, location, number, use or occupancy of tenants, lessees, or sub lessees in the premises therein conveyed.

The contract and other disposition documents to be executed by the developer will set forth, in detail, the provisions, standards and criteria for achieving the objectives and land use requirements established in this Urban Renewal Plan.

IX. PROJECT AND CITY INDEBTEDNESS

The City may agree to make economic development grants to the developer in consideration for certain employment commitments and other covenants expected to be made by the developer. As such, the eventual level of City participation in both private and public improvements for the economic development of the Project Area cannot be fully determined at this time. However, to the extent that new tax increment revenues are generated and other appropriate funding sources are identified, the City may undertake other project-related activities in the future.

At the present time, it is anticipated that future City tax increment collections for project-related activities within the Project Area will not exceed \$1,000,000.00 in aggregate amount during the term of this Urban Renewal Plan. Proceeds of such tax increment collections are currently expected to be used to make economic development grants to the developer and to reimburse the City for any other project-related costs incurred in connection with the development of the Project Area.

As of June 30, 2013, the City's outstanding general obligation indebtedness was \$337,485,000. Article XI, Section 3 of the Constitution of the State of Iowa limits the amount of City debt outstanding at any time to no more than five percent (5%) of the value, as shown by the last certified state and City tax list, of all taxable property within the City. Based upon the actual value for fiscal year 2012/2013 (total actual value, less agriculture value that is not taxed for debt service) on all taxable property within the City of Cedar Rapids, the City is limited to \$463,611,401.00 of general obligation indebtedness.

X. STATE AND LOCAL REQUIREMENTS

All provisions necessary to conform with state and local law will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

XI. SEVERABILITY

In the event one or more provisions contained in this Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized or unenforceable in any respect, such invalidity, illegality, or lack of authorization or enforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

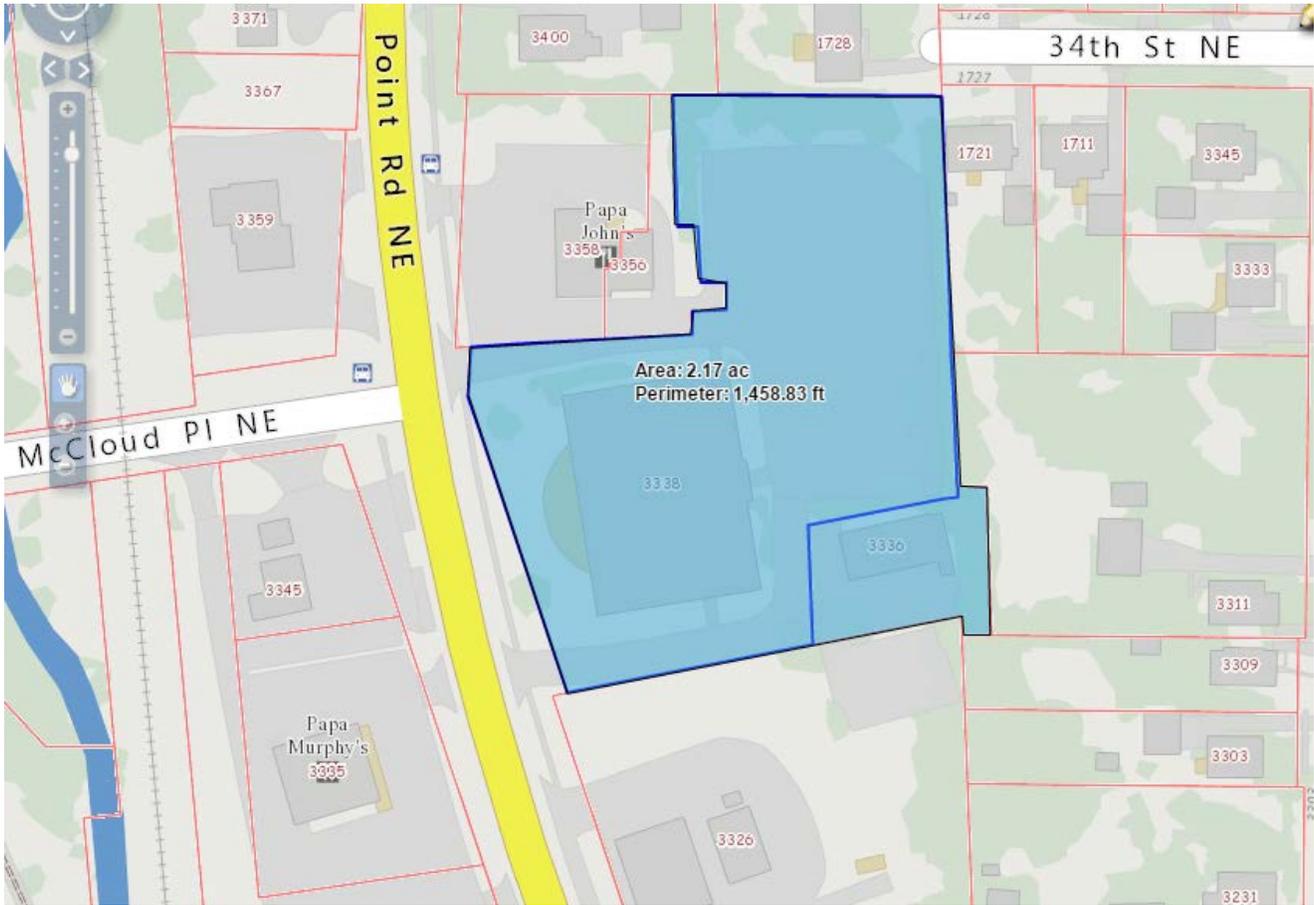
XII. AMENDMENT OF URBAN RENEWAL PLAN

This Urban Renewal Plan may be amended from time to time to respond to development opportunities. Any such amendment shall conform to the requirements of Chapter 403 of the Code. Any change affecting any property or contractual right will be effectuated only in accordance with applicable state and local law.

XIII. EFFECTIVE DATE

This Urban Renewal Plan shall be effective upon adoption by the City Council of the City of Cedar Rapids, Iowa, and shall remain in full force and effect until amended or rescinded by the City Council. However, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code) by the City for activities carried out under this Urban Renewal Plan shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law, including Iowa Code Section 403.17(10).

ATTACHMENT A Proposed New Pioneer Urban Renewal Area



Council Agenda Item Cover Sheet

Council Meeting Date: 9-9-14

Submitting Department: Solid Waste & Recycling

Presenter at meeting: Mark Jones

Phone Number/Ext: 4791

Email: m.jones@cedar-rapids.org

Alternate Contact Person: Sarah

Phone Number/Ext: X4786

Email: s.augustine@cedar-rapids.org

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

Resolutions approving assessment actions:

- a. Levy Assessment – Solid Waste & Recycling – clean-up costs – one property.

Authorize the Solid Waste & Recycling Division to Levy Assessments (to lien various properties for delinquent nuisance abatements).

(Note: The Intent to Assess Resolution was approved at the Council Meeting on July 22, 2014.)

Background:

The Solid Waste and Recycling Division is responsible for abating garbage nuisances on public and private property. The Solid Waste and Recycling Division also initiates the Special Assessment process whenever delinquent nuisance abatements are unpaid and after a Notice of Intent to Assess were mailed at least 30 days prior to this Special Assessment. Below are the steps taken for typical abatements:

- Initial inspection and photos taken
- Abatement letter and photos mailed out (property owner has 7 days to abate nuisance)
- Clean up is performed by Department, if nuisance is not cleaned up after 7 days
- Invoice mailed out
- Notice of Intent to Assess (authorized by the City Council) is mailed
- Special Assessment is approved by the City Council at least thirty days after the Intent to Assess is mailed

The Notice of Intent to Assess these properties were approved by Resolution No. 0964-07-14 passed on July 22, 2014.

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

Action / Recommendation:

The Solid Waste and Recycling Division recommends that the Resolution to Levy Assessments be approved.

Alternative Recommendation:

The City Council could decide not to assess.

Time Sensitivity:

Resolution Date: 9-9-14

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable):

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

LEVY ASSESSMENT

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

NUISANCE ABATEMENTS

WHEREAS, a report of the cost of said abatements has been filed with the City Clerk and notice of assessment has been given to the property owners, now therefore

BE IT RESOLVED, by the City Council of the City of Cedar Rapids, Iowa, that there be and is hereby levied an assessment against the lots, parts of lots and parcels of ground for the amounts shown in said assessments, which invoiced listing attached is made a part of this resolution, and the names of the owners are shown thereon so far as practicable, and

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

Passed this 9th day of September, 2014.

City of Cedar Rapids
Solid Waste & Recycling Department
Special Assessment List
Service Dates: 7-8-14 - 7-8-14

Date	Customer #	GPN#/ Parcel	First Name	Last Name	House	Street	Quad	Lot	Block	Amount	Flood Zone
7/8/2014	A00466	141538601000000	Adu	Saarah-Mensah	1642	B Ave	NE	19	9	\$ 336.75	
7/8/2014	A00522	1422381016000000	Landon C.	Taylor	838	Camburn Ct	SE	12	8	\$ 413.75	
										<u>\$ 750.50</u>	



Council Agenda Item Cover Sheet

Consent Agenda **Regular Agenda**

Council Meeting Date: September 9, 2014

Submitting Department: Utilities – Water Division

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

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

Description of Agenda Item:

Resolutions approving assessment actions:

- a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 21 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: 9/09/14

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 21st 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 3:00 p.m., October 21, 2014.

Passed this 9th day of September, 2014.

LIEN INTENTS (SPECIAL ASSESSMENTS) 9/09/14

LIEN INTENTS 9/09/14			
#		Balance Due	Premise Address
1		\$ 178.13	180 LENORA DR NW
2		\$ 201.46	185 27TH ST NW
3		\$ 173.27	368 HAMPDEN DR NE
4		\$ 222.81	427 68TH AVE CT SW
5		\$ 2,534.88	525 33RD AVE SW
6		\$ 180.52	607 4TH AVE SW
7		\$ 138.89	711 33RD ST NE
8		\$ 257.52	1027 DANIELS ST NE
9		\$ 180.01	1044 MT VERNON RD SE #A
10		\$ 75.14	1224 O AVE PL NE
11		\$ 103.71	1312 BURCH AVE NW
12		\$ 180.14	1411 WASHINGTON AVE SE-LOWER
13		\$ 108.46	1438 15TH ST NE
14		\$ 304.44	1630 TEXAS AVE NE
15		\$ 173.57	1707 A AVE NE
16		\$ 68.08	1715 ARIZONA AVE NE
17		\$ 91.65	1920 ROCKFORD RD SW #12
18		\$ 188.25	2907 WAVELAND DR NW
19		\$ 166.33	6204 LANGDON AVE SW
20		\$ 181.55	6430 CREEKSIDE DR NE #6
21		\$ 218.38	6617 KIOWA TRACE NE
		\$ 5,927.24	Grand Total
		21	Number of Properties
		\$ 68.08	Balance Due - Low
		\$ 2,534.88	Balance Due - High



Council Agenda Item Cover Sheet

Consent Agenda **Regular Agenda**

Council Meeting Date: September 9, 2014

Submitting Department: Utilities – Water Pollution Control Facility Division

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

Alternate Contact: Bruce Jacobs **Phone No.:** 5913 **E-mail:** b.jacobs@cedar-rapids.org

Description of Agenda Item:

Resolutions accepting projects, approving Performance Bonds and authorizing issuance of final payments:

- a. WPCF Lenel and Security Camera Upgrades project, authorize issuance of final retainage payment in the amount of \$28,694.64 and approving the 2-year Performance Bond submitted by Price Industrial Electric, Inc. (original contract amount was \$585,000; final contract amount is \$573,892.84). CIP/DID #615125-06

Background:

The Water Pollution Control Facility (WPCF) has two existing video camera systems. The process camera system, which monitors areas and equipment that are critical to function of the plant, was installed in 1991. The security camera system, which monitors the fenced perimeter, the entry gates into the plant, and areas likely to be frequented by the public, was installed in 2003. Both systems are outdated by current technology standards and are experiencing intermittent failures of equipment. Replacement parts for both systems are also becoming increasingly difficult to find due to technological obsolescence.

The project demolished the obsolete existing video cameras and combined both camera systems into a single video camera system. This will reduce the amount of spare parts needed to keep the system functioning and will make the system easier to maintain. The project also upgraded the Lenel software package the WPCF uses to manage its cameras to the current version.

The project also increased the redundancy and reliability of the video footage storage that the camera system creates. Currently, the video camera footage is archived to a server located at the Water Pollution Control Facility. The project will change this setup so that the footage is archived to virtual servers located at a remote data center; this change will allow the Water Pollution Control Facility camera system to function similar to the video camera system that was implemented at the Water Division sites in 2009.

Change Order No.1 was approved by the City Manager in November 2013 for a net decrease in the amount of \$(16,195.94) in part due to a credit for revising the ½” ss plate at the top of the tank wall. Change Order No. 2 was approved in May 2014 for a net increase of \$5,159.84 for two cameras. The Contract amount with Change Order No.1 and No. 2 is \$573,892.84.

Construction has been substantially completed by Price Industrial Electric, Inc. for Lenel and Security Camera Upgrades project.

Action / Recommendation:

The Utilities – Water Pollution Control Facility staff recommends that the City Council approve the resolution to accept the project and performance bond, and authorize issuance of the final payment in the amount of \$28,694.64 to Price Industrial Electric, Inc., thirty days after acceptance in accord with the State of Iowa Code.

Alternative Recommendation: None

Time Sensitivity: Action needed 9-9-14

Resolution Date: 9-9-14

Estimated Presentation Time: 0 Minutes

Budget Information Process Information:

- 1) **Included in Current Budget Year:** The project will be funded from the FY2012-2013-2014 Utilities Department – Water Pollution Control Facility Division CIP budget and coded to 553000-615-615000-x-x-615125.
- 2) **Analysis of the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The WPC Division FY2012, 2013, and 2014 budgets included \$710,000 for the upgrade of the security cameras and the WPC Lenel Software System. Actual amounts included approximately \$90,000 for Engineering costs and \$573,892.84 for Construction costs.
- 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 Pollution Control Facility certifies construction contract work on the WPCF Lenel and Security Camera Upgrades project (Contract No. 615125-06) is substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated October 23, 2012 in the amount of \$585,000 covering said work filed by Price Industrial Electric, Inc. and executed by North American Specialty Insurance Company provides a two-year correction period for defects in materials and workmanship, now therefore

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

BE IT FURTHER RESOLVED that the Utilities Department – Water Pollution Control Facility staff recommends that the City Council approve the resolution to accept the project and performance bond, authorize issuance of final payment in the amount of \$28,694.64 to Price Industrial Electric, Inc., thirty days after acceptance in accord with the State of Iowa Code. The original contract amount was \$585,000; final contract amount is \$573,892.84.

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 9th of September, 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: Pat Wieneke
E-mail Address: p.wieneke@cedar-rapids.org

Phone Number/Extension: 5848

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

Resolution accepting project, authorizing final payment in the amount of \$3,013.32 and approving the 4-year Performance Bond submitted by Illowa Investment, Inc. for the 1st Avenue East from 17th Street to 27th Street SE and 40th Street NE to Collins Road NE Crack and Joint Cleaning and Sealing project (original contract amount was \$58,012; final contract amount is \$60,266.40). CIP/DID #3012034-02

Background:

Construction has been substantially completed by Illowa Investment, Inc. for the 1st Avenue East from 17th Street to 27th Street SE and 40th Street NE to Collins Road NE Crack and Joint Cleaning and Sealing project. This is an approved Capital Improvements Project (CIP No. 3012034-02) with a final construction contract amount of \$60,266.40. 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 \$3,013.32.

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: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

CIP 3012034, FY 2014 GOB:	\$100,000
Estimated IDOT reimbursement:	<u>\$ 74,000</u>
Total of above:	\$174,000

Note: Estimated City portion of project costs, including design, construction management and administration is approximately \$29,000.

Local Preference Policy: Applies Exempt

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

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the 1st Avenue East from 17th Street to 27th Street SE and 40th Street NE to Collins Road NE Crack and Joint Cleaning and Sealing project (Contract No. 3012034-02), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated April 22, 2014 in the amount of \$56,012 covering said work filed by Illowa Investment, Inc. and executed by Merchants Bonding Company (Mutual) provides a 4-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$56,012.00
Possible Incentive	2,000.00
Change Order No. 1	<u>2,254.40</u>
Amended Contract Amount	\$60,266.40

, 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 1st Avenue East from 17th Street to 27th Street SE and 40th Street NE to Collins Road NE Crack and Joint Cleaning and Sealing project, (Contract No. 3012034-02) 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 \$3,013.32 to Illowa Investment, Inc. as final payment.

The final contract price is \$60,266.40 distributed as follows: \$60,266.40 301-301000-3012034, 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 9th day of September, 2014.

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

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

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





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: 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** **Yes** **Map**

Resolution accepting project, authorizing final payment in the amount of \$12,833.95 and approving the 2-year Performance Bond submitted by Bowker Mechanical Contractors, LLC for the 2nd Street SE Parking Ramp at 7th Avenue - Mechanical project (original contract amount was \$215,000; final contract amount is \$256,678.79). CIP/DID #635120-21

Background:

Construction has been substantially completed by Bowker Mechanical Contractors, LLC for the 2nd Street SE Parking Ramp at 7th Avenue – Mechanical project. This is an approved Capital Improvements Project (CIP No. 635120-21) with a final construction contract amount of \$256,678.79. 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 \$12,833.95.

Alternative to the Recommendation:

There is no alternative recommendation but an alternative action is to not accept the project. If the project is not accepted, the project cannot be closed out (retainage cannot be released to the Contractor, 2-year maintenance bond period cannot begin) and the City could be subject to claims since Contractor has fulfilled the terms of the construction contract.

Time Sensitivity: Normal

Resolution Date: September 9, 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

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the 2nd Street SE Parking Ramp at 7th Avenue - Mechanical project (Contract No. 635120-21), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated February 7, 2013 in the amount of \$215,000 covering said work filed by Bowker Mechanical Contractors, LLC and executed by United Fire & Casualty Company provides a 2-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$215,000.00
Change Order No. 1	5,242.95
Change Order No. 2	2,843.12
Change Order No. 3	<u>33,592.72</u>
Amended Contract Amount	\$256,678.79

, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 2-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 2nd Street SE Parking Ramp at 7th Avenue - Mechanical project, (Contract No. 635120-21) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$12,833.95 to Bowker Mechanical Contractors, LLC as final payment.

The final contract price is \$256,678.79 distributed as follows: \$256,678.79 635-635000-635120, 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 9th day of September, 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

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** **No Map**

Resolution accepting project, authorizing final payment in the amount of \$12,198.72 and approving the 4-year Performance Bond submitted by BWC Excavating, LC for the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 (original contract amount was \$189,177.50; final contract amount is \$243,974.39). CIP/DID #3017012-01

Background:

Construction has been substantially completed by BWC Excavating, LC for the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1. This is an approved Capital Improvements Project (CIP No. 3017012-01) with a final construction contract amount of \$243,974.39. 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 \$12,198.72.

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, 4-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: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt

Explanation: Project was awarded prior to policy implementation.

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 FY 2012 Sidewalk Repair and Ramp Program - Contract No. 1 project (Contract No. 3017012-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated April 10, 2012 in the amount of \$185,177.50 covering said work filed by BWC Excavating, LC and executed by North American Specialty Insurance Company provides a 4-year correction period for defects in materials and workmanship, and

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

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

, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-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 FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project, (Contract No. 3017012-01) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$12,198.72 to BWC Excavating, LC as final payment.

The final contract price is \$243,974.39 and is distributed as follows: \$243,974.39 301-301000-3017012, 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 9th day of September, 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: Pat Wieneke
E-mail Address: p.wieneke@cedar-rapids.org

Phone Number/Extension: 5848

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

Resolution accepting project and approving the 4-year Performance Bond submitted by Ricklefs Excavating, Ltd. for the Meiers Court NW Drainage Improvements project (original contract amount was \$46,000; final contract amount is \$48,185.30). CIP/DID #304363-02

Background:

Construction has been substantially completed by Ricklefs Excavating, Ltd. for the Meiers Court NW Drainage Improvements project. This is an approved Capital Improvements Project (CIP No. 304363-02) with a final construction contract amount of \$48,185.30. 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 from Ricklefs Excavating, Ltd. for the Meiers Court NW Drainage Improvements project.

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 (4-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: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt

Recommended by Council Committee: Yes No N/A

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Meiers Court NW Drainage Improvements project (Contract No. 304363-02), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated October 8, 2013 in the amount of \$46,000 covering said work filed by Ricklefs Excavating, Ltd. and executed by United Fire & Casualty provides a 4-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$46,000.00
Change Order No. 1	<u>2,185.30</u>
Amended Contract Amount	\$48,185.30

, 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 Meiers Court NW Drainage Improvements project, (Contract No. 304363-02) be and the same is hereby accepted as being substantially completed.

The final contract price is \$48,185.30 distributed as follows: 304-304000-304363

, 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 9th day of September, 2014.



Cadd File Name: W:\PROJECTS\CIP\304304363304363 Council Map.dwg



**MEIERS COURT NW
DRAINAGE IMPROVEMENTS**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5814

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

Phone Number/Extension: 5547

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

Resolution accepting project and approving the 4-year Performance Bond submitted by Pirc-Tobin Construction, Inc. for the E Avenue NW at West Post Road Storm Sewer Crossing project (original contract amount was \$20,929; final contract amount is \$20,324.50). CIP/DID #304392-01

Background:

Construction has been substantially completed by Pirc-Tobin Construction, Inc. for the E Avenue NW at West Post Road Storm Sewer Crossing project. This is an approved Capital Improvements Project (CIP No. 304392-01) with a final construction contract amount of \$20,324.50. 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 of Pirc-Tobin Construction, Inc. for the E Avenue at West Post Road Storm Sewer Crossing project.

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 (4-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: September 9, 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

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the E Avenue NW at West Post Road Storm Sewer Crossing project (Contract No. 304392-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated February 25, 2014 in the amount of \$19,439 covering said work filed by Pirc-Tobin Construction, Inc. and executed by Capitol Indemnity Corporation provides a 4-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$19,439.00
Possible Incentive	1,500.00
Qty Adjustment	<u>(614.50)</u>
Amended Contract Amount	\$20,324.50

, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-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 E Avenue NW at West Post Road Storm Sewer Crossing project, (304392-01) be and the same is hereby accepted as being substantially completed.

The final contract price is \$20,324.50 distributed as follows: 304-304000-304392
, 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 9th day of September, 2014.

Cadd File Name: W:\PROJECTS\CIP\3043904392\Council_Map.dwg



E AVENUE NW AT WEST POST ROAD STORM CROSSING



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Erika Kubly

Phone Number/Ext: 319 286-5406

Email: e.kubly@cedar-rapids.org

Alternate Contact Person: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

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

Resolutions authorizing execution of Development Agreements and Special Warranty Deeds for City-owned property participating in the fourth round of the Single Family New Construction Program (**FLOOD**). CIP/DID #OB540257

- a. Cedar Valley Habitat for Humanity, Inc. for property at 358 7th Avenue SW
- b. Premiere Developers, Inc. for property at 1424 L Street SW

Background:

The resolutions for City Council consideration provides for the execution of Development Agreements and deeds with the above listed developers and associated properties 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 Agreements and deeds to allow construction on the home to begin. To date, 23 such agreements and deeds for City property have been executed for the fourth round of 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: September 9, 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 VALLEY HABITAT FOR
HUMANITY, INC. FOR CITY-OWNED PROPERTY AT 358 7TH AVENUE SW
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 358 7th Avenue SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on 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 Skogman Construction Company of Iowa

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property in accordance with the Development Agreement and that the resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder.

Passed this 9th day of September, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
AND SPECIAL WARRANTY DEED WITH PREMIERE DEVELOPERS, INC. FOR
CITY-OWNED PROPERTY AT 1424 L STREET SW 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 1424 L Street SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on 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 Skogman Construction Company of Iowa

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property in accordance with the Development Agreement and that the resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder.

Passed this 9th Day of September, 2014



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Erika Kubly

Phone Number/Ext: 319 286-5406

Email: a.lerud@cedar-rapids.org

Alternate Contact Person: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

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

Resolutions authorizing execution of Development Agreements and Special Warranty Deeds for City-owned properties participating in the third round of the Single Family New Construction Program (**FLOOD**). CIP/DID #OB540257

- a. Skogman Construction Company of Iowa for property at 1238 10th St NW

Background:

The resolutions for City Council consideration provide for the execution of Development Agreements and deeds with the above listed developer and associated property through the third round of the Single Family New Construction Program, known locally as the ROOTs program. The properties have been awarded through a competitive proposal process and the City and developers are ready to execute the Development Agreements and deeds to allow construction on the homes to begin. To date, 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 November 9, 2010, by Resolution No. 1306-11-10, the City Council approved the

Administrative Plan for the Single Family New Construction (SFNC) Program. The administrative plan limits development of homes to lots within the “Neighborhood Revitalization Area” of the flood inundation area. The administrative plan further directs the use of lots acquired by the City through the Voluntary Property Acquisition Program to be conveyed to the developer in consideration for the construction of the SFNC unit.

Through a competitive proposal process, developers submitted applications for the program which listed “preference sites” either owned by the City or being acquired through the Voluntary Property Acquisition Program. A team of City staff, members of the Home Builders Association, and the Neighborhood Planning Process Steering Committee evaluated the proposals based on:

- financial and performance capacity;
- experience with projects of similar scope;
- architectural design;
- compatibility with the existing neighborhood;
- green building practices; and
- marketing plan.

A total of 178 properties were identified by 23 developers through three phases of property allocation for this round of the program.

Action / Recommendation:

City staff recommends approval of the resolutions.

Alternative Recommendation:

City Council may table the items and request additional information.

Time Sensitivity: N/A

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt N/A

Explanation: Federal grant funds

Recommended by Council Committee Yes No N/A

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
AND SPECIAL WARRANTY DEED WITH SKOGMAN CONSTRUCTION
COMPANY OF IOWA FOR CITY-OWNED PROPERTY AT 1238 10TH STREET NW
PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY NEW
CONSTRUCTION PROGRAM

WHEREAS, on November 9, 2010, the City Council passed Resolution 1306-11-10 approving the administrative plan and local program guidelines for the third phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the guidelines adopted in the administrative plan for the SFNC program limited redevelopment sites to private and City owned lots within the Neighborhood Revitalization Area of the flood inundation area; and

WHEREAS, the City purchased property at 1238 10th 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 November 9, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on November 19, 2013 on the possible disposition of this property in accordance with Iowa Code; and

WHEREAS, the City Council has determined that the private investment made by the Developer to construct a single-family dwelling on City-owned property constitutes good, adequate, fair and valuable consideration for the property; and

WHEREAS, the City and Developer have come to mutual agreement as to the terms and conditions of the Development Agreement which is now ready for execution on behalf of the City;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute a Development Agreement and Special Warranty Deed with Skogman Construction Company of Iowa 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 9th Day of September, 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**
 Resolution approving the Final Plat of Crescent View Third Addition located north of 74th Street NE and east of Crescent View Boulevard NE. CIP/DID #FLPT-006801-2013

Background:

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

This plat contains forty-seven (47) lots and a total plat area of 12.96 acres.

Action / Recommendation:

The Public Works Department recommends approval of the resolution to approve the Final Plat of Crescent View 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: September 9, 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
ABODE
FLPT-006801-2013

**RESOLUTION NO.
RESOLUTION APPROVING PLAT**

WHEREAS, A PLAT OF CRESCENT VIEW THIRD ADDITION IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA containing Forty-Six (46) numbered lots, Numbered Lot One (1) through Lot Forty-Six (46) and One Lettered Lot, Letter Lot 'A", both inclusive, has been filed with the City Clerk and after consideration of the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and

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

1. Development Agreement
2. Agreement to Construct a Temporary Rock Cul-de-sac (Deer Run Drive NE)
3. Agreement to Construct a Temporary Rock Cul-de-sac (Crescent View Drive NE)
4. Concrete Pavement Petition and Assessment Agreement (74th Street NE)

, 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 Crescent View Third 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 to the public of all lands within the plat that are designated for streets, more specifically Lot A (74th Street NE, Deer Run Drive NE, Westfield Drive NE and Crescent View Drive NE) is hereby approved and accepted, 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:

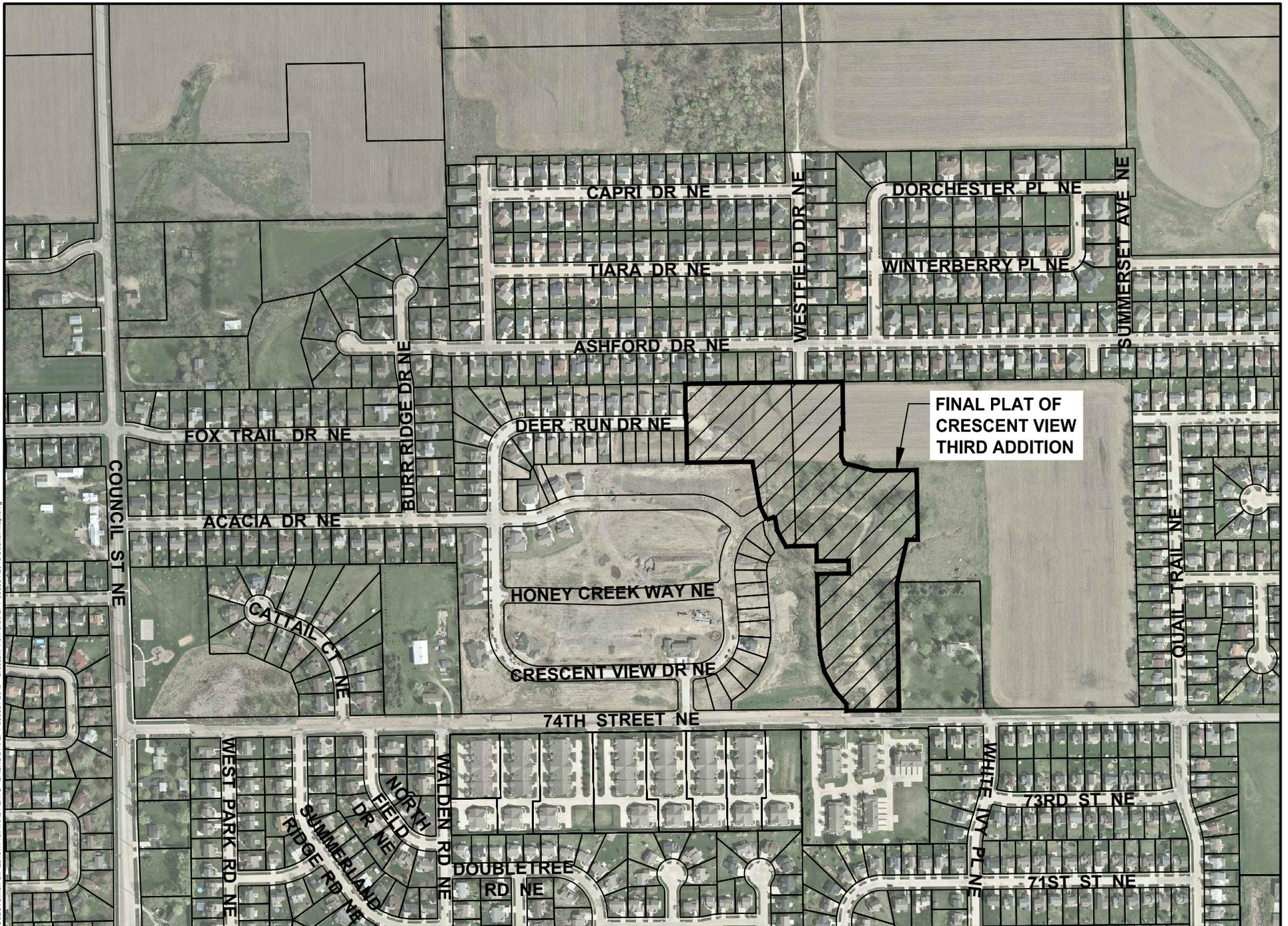
City Clerk

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\New-CIP\2013\713\FINAL PLATS - ENERGO\FLPT-006801-2013 - Crescent View 3rd FLPT-006801-2013 Council Map.dwg



**FINAL PLAT OF
CRESCENT VIEW THIRD ADDITION
Location Map**





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

Phone Number/Extension: 5092

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **Yes Map**
 Resolution establishing a public utility easement varying from 10 feet to 20 feet in width on City-owned property located at 214 1st Street SW in connection with redevelopment of the adjacent parcels located on 3rd Avenue SW between 1st Street and the alley. CIP/DID #49-15-023

Background:

The City has determined the need for a public utility easement varying from 10 feet to 20 feet in width on City-owned property located at 214 1st Street SW in connection with redevelopment of the adjacent parcels located on 3rd Avenue SW between 1st Street and the alley. Establishing the easement on this City-owned parcel will allow for underground utility service, including but not limited to Alliant Energy, to be connected to the adjacent parcels as requested in the Kingston Village Neighborhood Plan.

Action / Recommendation:

The Public Works Department recommends establishing the above-described public utility easement on this City-owned property.

Alternative to the Recommendation:

Deny the easement and request City Staff provide alternative options for the location and construction of underground utilities at this location.

Time Sensitivity: Normal

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): NA

Local Preference Policy: Applies Exempt

Explanation: Local Preference Policy does not apply.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

ENG
CLK
AUD FILE
FIN
TRS
RCR
IT
49-15-023

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined the need exists for a public utility easement varying from 10 feet to 20 feet in width on City-owned property located at 214 1st Street SW in connection with redevelopment of the adjacent parcels located on 3rd Avenue SW between 1st Street and the alley, and

WHEREAS, the City of Cedar Rapids, an Iowa municipal corporation, 101 First Street SE, is the OWNER of the real property located at 214 1st Street SW, and described as:

Part of Lots 3 and 4, Block 4, Village or Town of Kingston,
Linn County Iowa

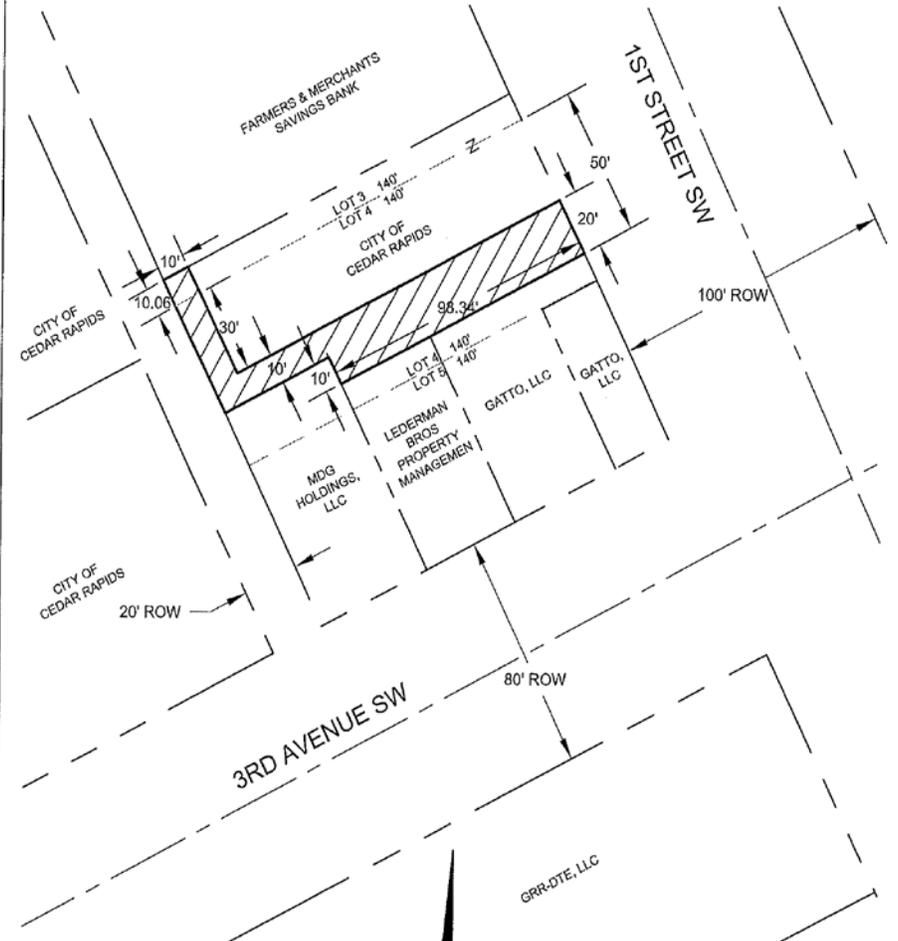
, and

WHEREAS, the Public Works Director / City Engineer recommends the City establish a public utility easement varying from 10 feet to 20 feet wide on City-owned property per the attached Exhibit A, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Public Utility Easement is hereby established and shall be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 9th day of September, 2014.

Exhibit A PUBLIC UTILITY EASEMENT



EASEMENT DESCRIPTION

A UTILITY EASEMENT LYING WITHIN THAT PART OF LOTS 3 AND 4, BLOCK 4, VILLAGE OR TOWN OF KINGSTON, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

THE SOUTHWESTERLY 10 FEET OF THE SOUTHEASTERLY 10.06 FEET OF SAID LOT 3 AND THE SOUTHWESTERLY 10 FEET OF THE NORTHWESTERLY 30 FEET, THE SOUTHEASTERLY 10 FEET OF THE NORTHWESTERLY 40 FEET AND THE NORTHEASTERLY 98.34 FEET OF THE SOUTHEASTERLY 10 FEET OF THE NORTHWESTERLY 50 FEET OF SAID LOT 4 CONTAINING 2780.0 SQUARE FEET.

SCALE 1" = 40'

LEGEND

- EXISTING PROPERTY LINES
- - - EXISTING EASEMENT LINE
- NEW EASEMENT LINE
- NEW EASEMENT AREA

TITLEHOLDER

CITY OF CEDAR RAPIDS
101 FIRST STREET SE
CEDAR RAPIDS, IA 52401

EXHIBIT A
PUBLIC UTILITY EASEMENT

PROJECT #: 49-15-023
DATE: August 22, 2014
DRAWN BY: JWM
APPROVED BY: JWM
SHEET: 1 of 1



**PUBLIC UTILITY EASEMENT
214 1ST STREET SW**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Gary Petersen, PE

Phone Number/Extension: 5153

E-mail Address: g.petersen@cedar-rapids.org

Alternate Contact Person: Doug Wilson, PE

Phone Number/Extension: 5141

E-mail Address: d.wilson@cedar-rapids.org

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

Resolution fixing value of lots for the construction of the Edgewood Road SW and Edgewood Parkway SW Traffic Signal Improvements project. CID/DID #306163-00

Background:

This project proposes to build a new traffic signal installation at the intersection of Edgewood Road SW and Edgewood Parkway SW in response to increasing traffic volumes and congestion due to development in the area. There are development agreements in place with Westdale Mall on the west side of the intersection and with Van Buren Village Addition on the east side of the intersection to pay for the traffic signal installation.

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 Tax Increment Financing (TIF) 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 August 26, 2014.

This proposed resolution before City Council is the second resolution in a series of resolutions (as shown on attached spreadsheet), which will lead to an assessment public hearing on this project. This resolution establishes the lot valuations as shown on the attached schedule under the column "Property Valuation". Per Iowa Code, a special assessment levied cannot exceed 25 percent of the lot valuation. A valuation must be the present fair market value of the property with the proposed public improvement completed. Parcels 1-3, and 5-14, shown on the attached schedule, are recommended to use the City Assessor property value. Parcel 4 has a recommended valuation of \$0.32 per square foot for mall parking spaces, similar to Parcel 3, which is also mall parking. The next resolution, should the Council proceed with the process, will adopt the preliminary assessment plat and schedule.

Action / Recommendation:

The Public Works Department recommends adoption of the Resolution Fixing Value of Lots for the Construction of the Edgewood Road SW and Edgewood Parkway SW Traffic Signal Improvements.

Alternative Recommendation (if applicable):

As an aid in determining valuations, the Council may appoint a committee of three persons skilled in the knowledge of real estate values within the city to appraise the present fair market value of each lot within a district and to file a written report of its appraisals with the council.

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: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

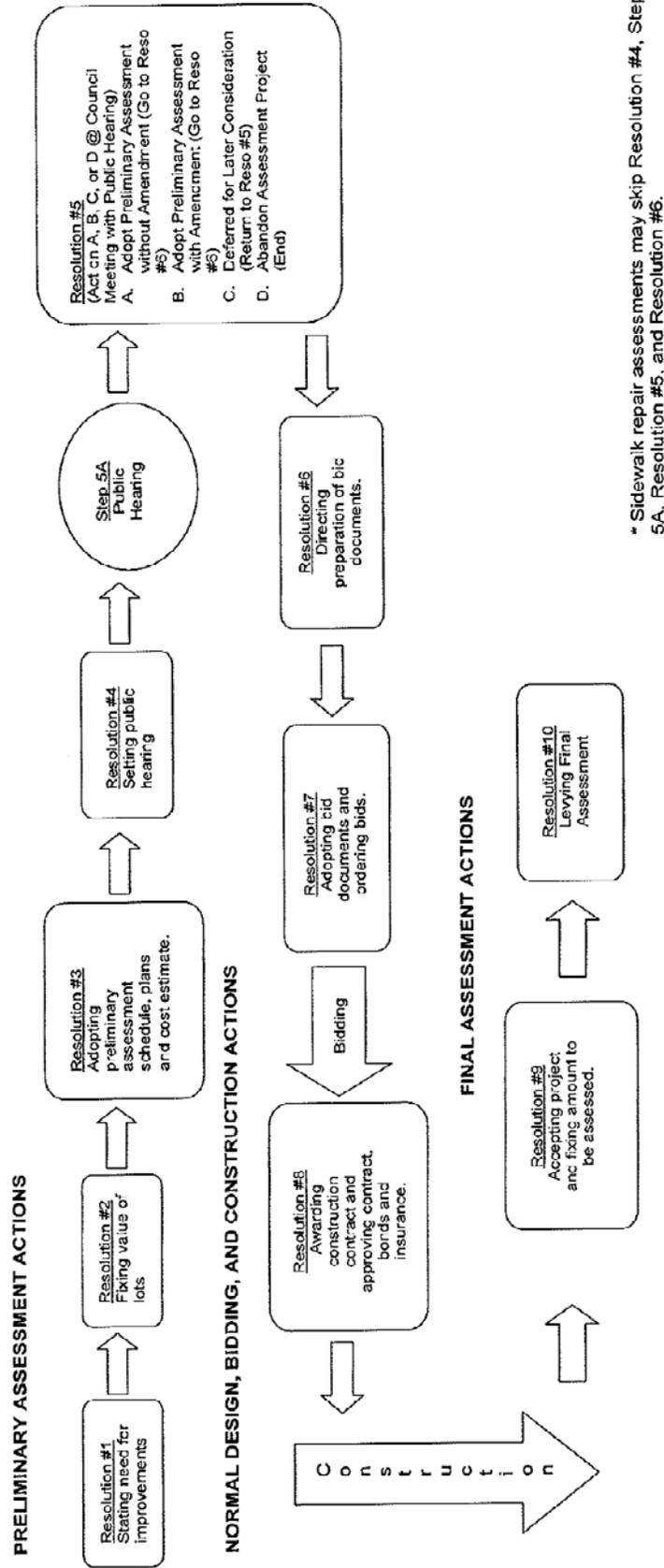
Local Preference Policy: Applies Exempt

Explanation:

Recommended by Council Committee: Yes No N/A

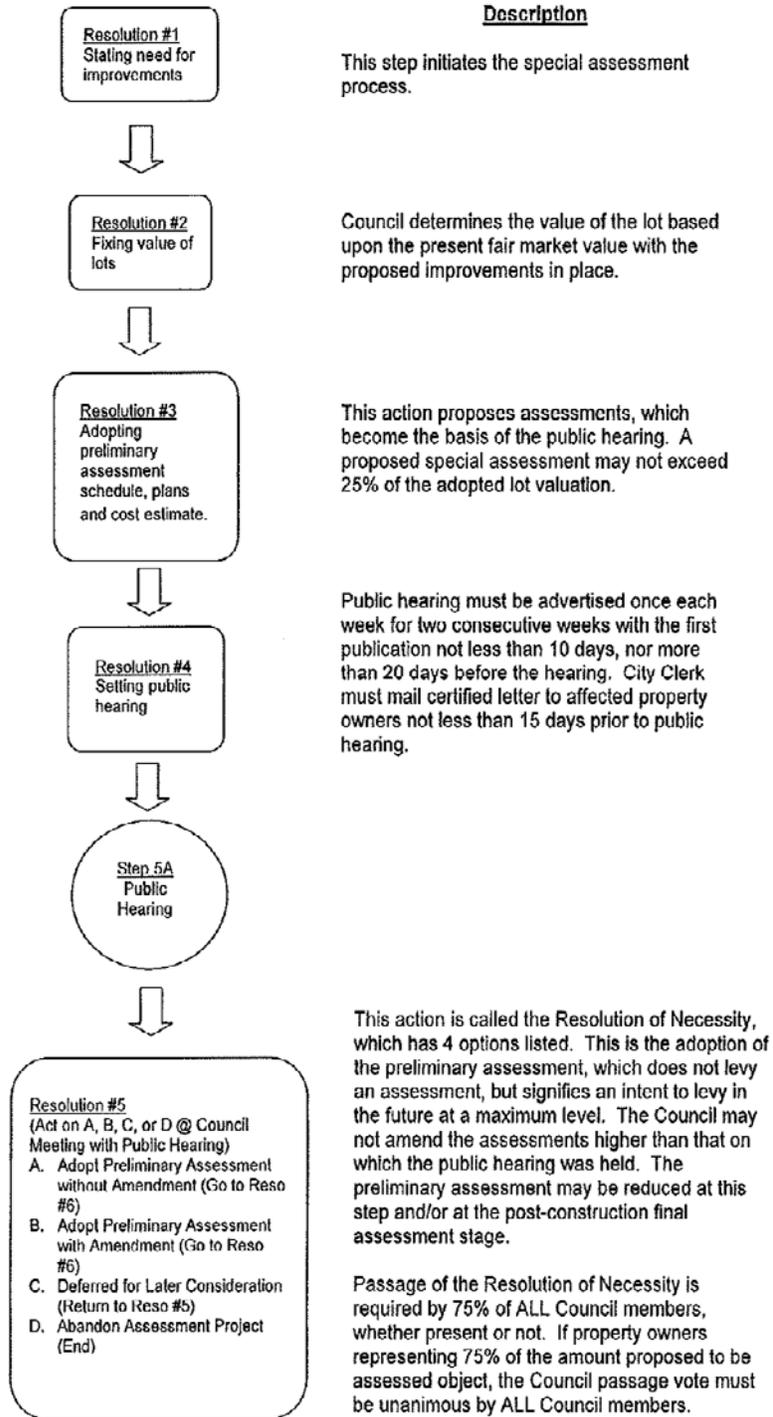
Explanation (if necessary):

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



* 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 FIXING VALUES OF LOTS FOR THE CONSTRUCTION OF
EDGEWOOD ROAD SW AT EDGEWOOD PARKWAY SW TRAFFIC SIGNAL
IMPROVEMENTS, (CIP NO. 306163)

WHEREAS, this Council after full investigation has arrived at a determination of the value of each lot located within the Edgewood Road SW and Edgewood Parkway SW Traffic Signal Improvements, said valuation being set forth in the attached preliminary schedule entitled "Preliminary Assessment Schedule", under the column therein headed "Property Valuation":

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

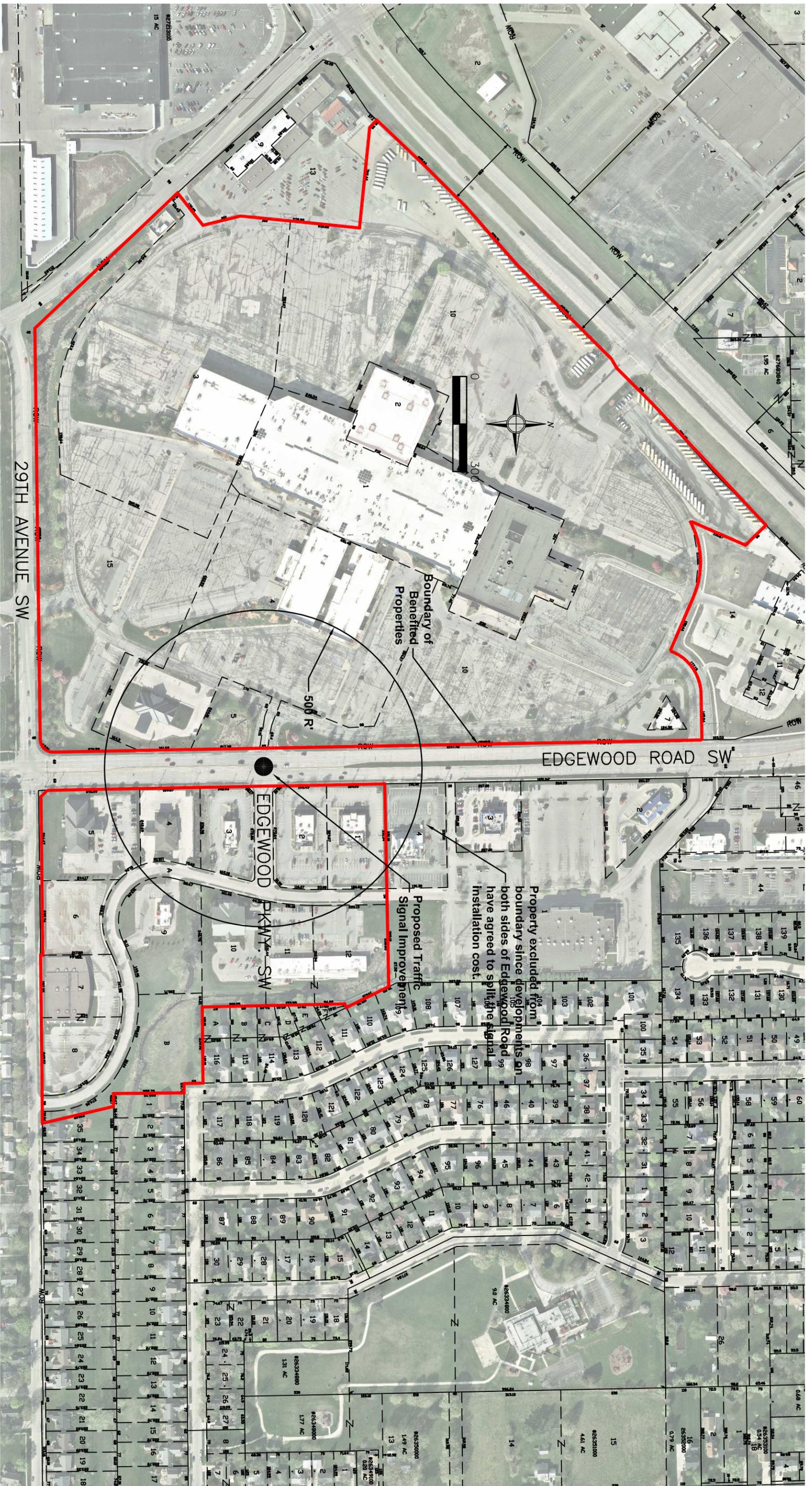
That said schedule of values, hereinabove referred to, be and the same is adopted as the valuations of the lots, with the proposed public improvements completed, within the boundaries of said improvements and the Clerk is hereby directed to deliver the same to Anderson-Bogert Engineers & Surveyors, Inc., the Engineer, for said project, and said Engineer is to insert said values in the schedule of assessments which is to be prepared and filed with this Council.

Passed this 9th of September, 2014.

**PRELIMINARY ASSESSMENT SCHEDULE
CITY OF CEDAR RAPIDS
EDGEWOOD ROAD SW AND EDGEWOOD PARKWAY SW TRAFFIC SIGNAL IMPROVEMENTS
(CIP 306163-00)**

Cust #	Assessment No.	Parcel No. & Legal Description	Property Owner and Mailing Address	Property Valuation
	1	133647600800000 MONTGOMERY WARD STR/LB 2	VERIDIAN CREDIT UNION 1827 ANSBOROUGH AVE WASHINGTON IA 50701-0000	\$ 2,024,498
	2	133647600700000 MONTGOMERY WARD STR/LB 1	A SHAPIRO LLC 4056 GLASS RD NE CEDAR RAPIDS IA 52402-0000	\$ 922,404
	3	133640100500000 A.P. #492 STR/LB 10	A SHAPIRO LLC 4056 GLASS RD NE CEDAR RAPIDS IA 52402-0001	\$ 552,758
	4	133647600500000 A.P. #492 EX RD STR/LB 15	A SHAPIRO LLC 4056 GLASS RD NE CEDAR RAPIDS IA 52402-0002	\$ 260,120
	5	133647600400000 A.P. #492 EX RD STR/LB 3	A SHAPIRO LLC 4056 GLASS RD NE CEDAR RAPIDS IA 52402-0003	\$ 896,098
	6	143135302100000 VAN BUREN VILLAGE 1ST LOTS 6, 7 & STR/LB 8	SOUTH RIVER FARMS LC 1603 22ND ST #103 WEST DES MOINES IA 50266-0000	\$ 2,600,000
	7	143135301800000 VAN BUREN VILLAGE 1ST STR/LB 5	MERCY CARE MANAGEMENT INC 2815 EDGEWOOD RD SW CEDAR RAPIDS IA 52404	\$ 2,248,000
	8	143135301700000 VAN BUREN VILLAGE 1ST STR/LB 4	FARMERS STATE BANK 1240 8TH AVE MARION IA 52302-0000	\$ 2,114,167
	9	143135301600000 VAN BUREN VILLAGE 1ST STR/LB 3	33RD AVENUE RUPPEL LLC 998 FREMONT AVE DUBUQUE IA 52003-0000	\$ 908,974
	10	143135301500000 VAN BUREN VILLAGE 1ST STR/LB 2	APPLE SEEDS LLC % WILLIAMS TAX CONSULTING LLC PO BOX 7268 EDMOND OK 73083-0000	\$ 1,183,720
	11	143135301400000 VAN BUREN VILLAGE 1ST STR/LB 1	INSPIRED MEX LLC PO BOX 7268 EDMOND OK 73083-0000	\$ 1,503,333
	12	143135301200000 VAN BUREN VILLAGE 1ST LOTS 11 & STR/LB 12	VAN BUREN GROUP THE L L C P.O. BOX 2489 CEDAR RAPIDS IA 52406	\$ 1,687,912
	13	143135302400000 VAN BUREN VILLAGE 1ST STR/LB 10	BANKIOWA 2701 EDGEWOOD PARKWAY SW CEDAR RAPIDS IA 52404-0000	\$ 1,692,411
	14	143135302300000 VAN BUREN VILLAGE 1ST STR/LB 9	FARMERS STATE BANK PO BOX 569 MARION IA 52302-0000	\$ 579,305
				\$ -17,149,202

September 9, 2014
xc: City Clerk (2 signed copies)
Controller/Auditor
City Treasurer
File
Anderson-Bogert Engineers



ABES PROJECT NO: 214057
C.I.P. NO: 306163

DRAWN BY: JCM
APPROVED BY: JCM
DATE: 08-14-14

NO.	REVISION DESCRIPTION	APPROVED	DATE



Edgewood Rd and Edgewood Pkwy
Traffic Signal Assessment

EXHIBIT B
Map of Benefitted Properties

SHEET NO.
1 of 1



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

Phone Number/Extension: 5141

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **No MAP**
 Resolution accepting work and fixing amount to be assessed for the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project. CIP/DID #3017012-00

Background:

Construction has been completed by BWC Excavating, LC for the subject project. This is a previously approved Capital Improvements Project (CIP No. 3017012-01) with a final construction amount of \$243,974.39. Final amount proposed to be assessed to the benefited properties is \$22,360. The Public Works Department has inspected the completed work and determined the work to be in conformance with the contract requirements.

Action / Recommendation:

The Public Works Department recommends adoption of the resolution to accept the work and fix the amount to be assessed.

Alternative to the Recommendation:

Revise and use the 2013 Sidewalk Repair and Reimbursement Policy. The 2013 policy would increase the total amount assessed to individual property owners.

Time Sensitivity: Must be acted on by September 9, 2014 due to assessment schedule per State code timeline.

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt
Explanation: Policy does not apply

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

RESOLUTION NO.

RESOLUTION ACCEPTING WORK AND FIXING AMOUNT TO BE ASSESSED

WHEREAS, on April 10, 2012, the City of Cedar Rapids, Iowa, entered into contract with BWC Excavating, LC of Solon, IA, for the construction of the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project (Contract No. 3017012-01) within the City, as therein described; and

WHEREAS, said contractor has completed the construction of said improvements, known as the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project (Contract No. 1 3017012-01) in accordance with the terms and conditions of said contract and plans and specifications, as shown by the certificate of the Engineer filed with the Clerk on March 27, 2012:

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

Section 1. That said report of the Engineer be and the same is hereby approved and adopted and said improvements are hereby accepted as having been completed in accordance with the said plans, specifications and contract. The total construction contract cost of the improvements payable under said contract is hereby determined to be \$243,974.39.

Section 2. The total cost of improvements including construction, engineering, legal and administrative costs are determined to be \$247,383.39.

BE IT FURTHER RESOLVED, that the Engineer is hereby instructed to prepare a final plat and schedule showing the separate lots or parcels of ground subject to assessment for the cost of the sidewalk improvements together with the names of the owners thereof, so far as practicable, and the amount assessable by law against each lot or parcel of ground so assessable, and against any railway or street railway legally assessable therefor, and \$22,360 of the whole amount of the cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

PASSED AND APPROVED this 9th day of September 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: Doug Wilson, PE
E-mail Address: d.wilson@cedar-rapids.org

Phone Number/Extension: 5141

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **No MAP**
 Resolution accepting work and fixing amount to be assessed for the FY 2013 Sidewalk and Ramp Repair Program – Contract No. 1 project. CIP/DID #3017013-00

Background:

Construction has been substantially completed by Eggleston Concrete Contractors, Inc., for the subject project. This is a previously approved Capital Improvements Project (CIP No. 3017013-01) with a final construction amount of \$178,228.85. Final amount proposed to be assessed to the benefited properties is \$22,850. The Public Works Department has inspected the completed work and determined the work to be in conformance with the contract requirements.

Action / Recommendation:

The Public Works Department recommends adoption of the resolution to accept the work and fix the amount to be assessed.

Alternative to the Recommendation:

Revise and use the 2013 Sidewalk Repair and Reimbursement Policy. The 2013 policy would increase the total amount assessed to individual property owners.

Time Sensitivity: Must be acted on by September 9, 2014 due to assessment schedule per State code timeline.

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt

Explanation: Policy does not apply

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

RESOLUTION ACCEPTING WORK AND FIXING AMOUNT TO BE ASSESSED

WHEREAS, on July 9, 2013, the City of Cedar Rapids, Iowa, entered into contract with Eggleston Concrete Contractors, Inc., of Cedar Rapids, IA, for the construction of the FY 2013 Sidewalk and Ramp Repair Program – Contract No. 1 project (Contract No. 3017013-01) within the City, as therein described; and

WHEREAS, said contractor has completed the construction of said improvements, known as the FY 2013 Sidewalk and Ramp Repair Program – Contract No. 1 project (Contract No. 1 3017012-01) in accordance with the terms and conditions of said contract and plans and specifications, as shown by the certificate of the Engineer filed with the Clerk on June 25, 2013:

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

Section 1. That said report of the Engineer be and the same is hereby approved and adopted and said improvements are hereby accepted as having been completed in accordance with the said plans, specifications and contract. The total construction contract cost of the improvements payable under said contract is hereby determined to be \$178,228.85.

Section 2. The total cost of improvements including construction, engineering, legal and administrative costs are determined to be \$178,228.85.

BE IT FURTHER RESOLVED, that the Engineer is hereby instructed to prepare a final plat and schedule showing the separate lots or parcels of ground subject to assessment for the cost of the sidewalk improvements together with the names of the owners thereof, so far as practicable, and the amount assessable by law against each lot or parcel of ground so assessable, and against any railway or street railway legally assessable therefor, and \$22,850 of the whole amount of the cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

PASSED AND APPROVED this 9th day of September 2014.



Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at meeting: Joe Mailander, PE

Phone Number/Extension: 319 286-5822

E-mail Address: j.mailander@cedar-rapids.org

Alternate Contact Person: Chris Strecker, PE

Phone Number/Extension: 319-286-5820

E-mail Address: c.strecker@cedar-rapids.org

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

Resolution to waive the City's right to review a subdivision of land for property at 4950 and 5050 Deer View Road in the Woodland Estates 10th Addition to Linn County as requested by Mary H. Krivit, Tork J. Harman and Lynn M. Dennis. CIP/DID #PRPT-012917-2014

Background:

A request was received from property owners Mary H. Krivit, Tork J. Harman and Lynn M. Dennis for the City to waive the right to review subdivision of land for property at 4950 and 5050 Deer View Road within two miles of the Cedar Rapids.

Subsection 31.1(h) provides for an applicant to request a variance, modification, or waiver from the requirements of Chapter 31 of the City's Municipal Code, the City Subdivision Ordinance.

The property owners would like to remove a lot established as part of the Woodland Estates 6th Addition and split the property between the owners to the north and south. The Woodland Estates 6th Addition was previously approved by Council in June 1994 and no new parcels are being created by this boundary change. A voluntary annexation agreement and sanitary sewer petition and assessment agreement were submitted to the City along with the request to waive review. Development Services staff has reviewed this request and supports waiving further review.

Action / Recommendation:

City staff recommends approval of the resolution.

Alternative Recommendation:

City Council may table this item and request further information.

Time Sensitivity: N/A

Resolution Date: September 9, 2014

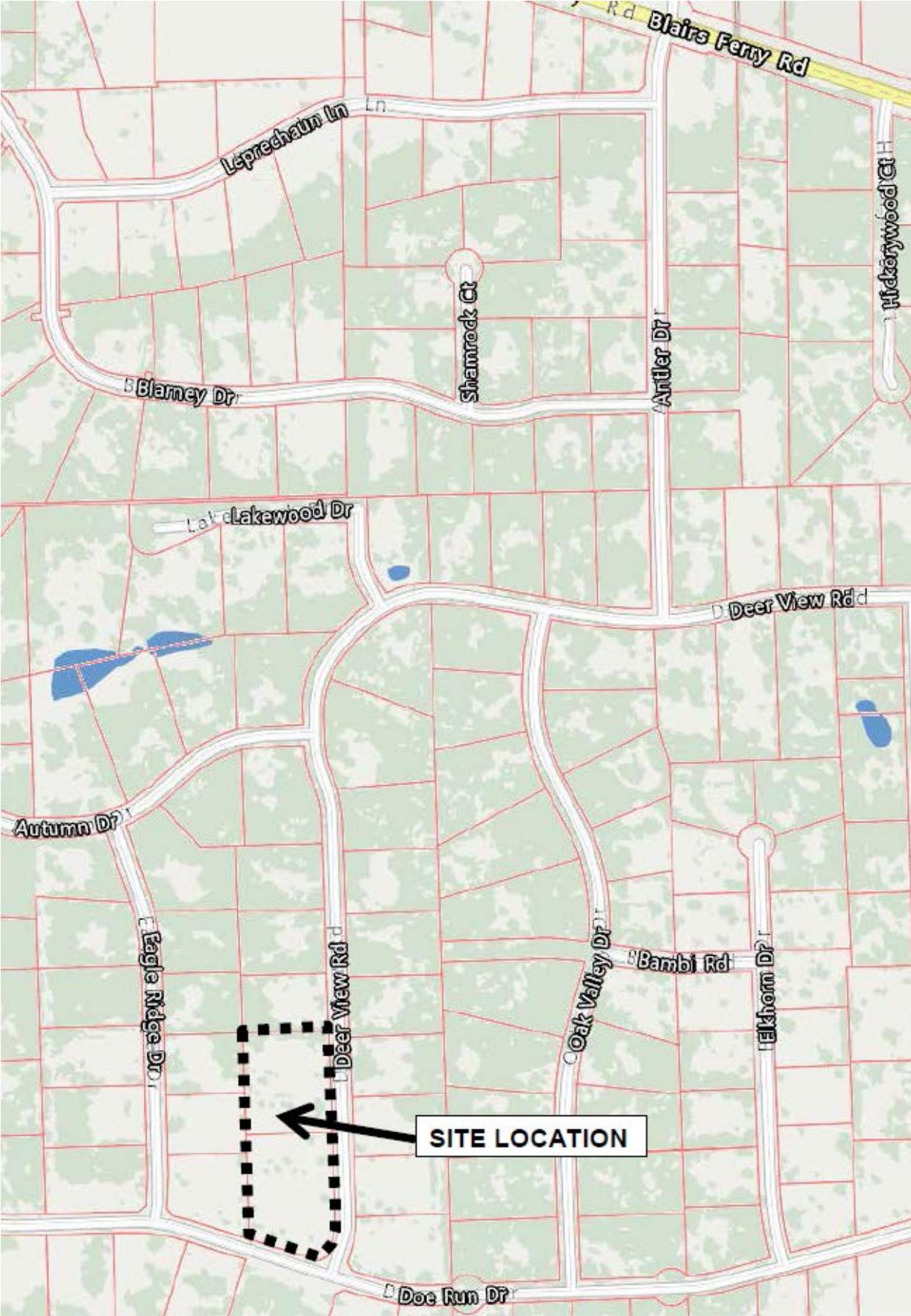
Estimated Presentation Time: 0 minutes

Budget Information (if applicable): N/A

Local Preference Policy: Applies Exempt

Recommended by Council Committee: Yes No N/A

Location Map



DSD
BSD
ENG
CD
CLK
MARY H. KRIVIT
LYNN DENNIS
TORK J. HARMAN
PRPT-012917-2014

RESOLUTION NO.

WHEREAS, The Mayor and City Council received a request to waive the City's right to review the proposed Woodland Estates 10th Addition Preliminary Plat for property at 4950 and 5050 Deer View Road within Linn County from the property owners, Mary H. Krivit, Tork J. Harman and Lynn M. Dennis; and

WHEREAS, City Council approved the Final Plat, Woodland Estates 6th Addition to Linn County on June 15, 1994 by Resolution No. 1140-6-94, and all conditions of Chapter 31 of the Cedar Rapids Municipal Code were satisfied; and

WHEREAS, approval of the proposed Woodland Estates 10th Addition will not preclude the conditions previously established by Resolution No. 1140-6-94; and

WHEREAS, the Development Services Department has reviewed the requested and recommended approval;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF CEDAR RAPIDS, IOWA, that City Council hereby approves waiving the City's right to review subdivisions of land within two miles of the Cedar Rapids corporate limits as requested by Mary H. Krivit, Tork J. Harman and Lynn M. Dennis, for Woodland Estates 10th Addition.

Passed this 9th day of September, 2014



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Community Development and Planning

Presenter at Meeting: Seth Gunnerson

Phone: 319 286-5129

Email: s.gunnerson@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone: 319 286-5781

Email: j.pratt@cedar-rapids.org

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

Resolution extending the competitive proposal deadline from September 30 to October 28, 2014 for the disposition of City-owned property at the 400 Block of 1st Street SW bounded by 1st and 2nd Streets and 4th and 5th Avenues SW acquired through the Voluntary Acquisition Program for the property disposition process and inviting redevelopment proposals (**FLOOD**). CIP/DID #OB1292699

Background:

Staff recommends approval of a resolution to extend the competitive proposal deadline for the 400 Block of 1st Street SW to October 28, 2014 at 11:00am. This will give an additional 28 days for proposals. Based on this timeline, staff anticipates that a review panel will be convened to make a recommendation on the week of November 3, 2014 with City Council selection of a developer on November 18, 2014.

The deadline for proposals was set at 11:00am on September 30, 2014. In late August, City staff received multiple inquiries and one written request to extend the deadline for an additional month. This would allow more time for the development of proposals. Prospective developers have cited the number of proposals currently being solicited by the City, in addition to the high profile nature of the site, as a reason to extend the timeframe. The request also notes that since the project is unlikely to commence during this construction season. The extension will not delay future construction on the site.

On July 22, 2014 a public hearing was held to open the competitive proposal process for 10 parcels which the City has acquired through the Voluntary Acquisition Program since 2008. The location is adjacent to the recently opened McGrath Amphitheatre and the Kingston Commons project which includes condominium apartments, retail, office, and the recently restored Louis Sullivan Bank. Combined, the site comprises 42,000 sq ft or approximately 0.96 acres. The Kingston Village Plan, adopted by Council in June of 2013, calls for commercial mixed use along this block, with building heights of 3-5+ stories.

The Development Committee recommended initiating the Request for Proposal (RFP) process for City owned property along the 400 block of 1st Street SW. The area, which is shown on the attached Location Map, comprises the easterly half of the block bounded by 1st and 2nd Streets

SW and 4th and 5th Avenues SW. The City has received formal interest in redeveloping the site.

Action/Recommendation:

City staff recommends approval of the resolution.

Alternative Recommendation:

City Council may table the motion and request more information.

Time Sensitivity: N/A

Resolution Date: September 9, 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):

RESOLUTION NO.

RESOLUTION EXTENDING THE COMPETITIVE PROPOSAL DEADLINE
FROM SEPTEMBER 30 TO OCTOBER 28, 2014 FOR THE DISPOSITION
OF CITY-OWNED PROPERTY AT THE 400 BLOCK OF 1ST STREET SW
BOUNDED BY 1ST AND 2ND STREETS AND 4TH AND 5TH AVENUES SW
ACQUIRED THROUGH THE VOLUNTARY ACQUISITION PROGRAM

WHEREAS, the ten City-owned properties at 107 and 109 4th Avenue SW; 404, 406, 416, 418, 422, 424 and 426 1st Street SW and 108 5th Avenue SW acquired through the Voluntary Property Acquisition Program; and

WHEREAS, on June 30, 2014 the City Council's Development Committee recommended competitive proposals be sought for redevelopment of said properties; and

WHEREAS, on July 8, 2014 City Council made a motion to conduct a public hearing, a notice was published on July 12, 2014 and the public hearing was held on July 22, 2014 on the possible disposition of these properties; and

WHEREAS, an informational meeting on the properties was held on July 29, 2014 for all interested proposers to discuss proposal criteria; and

WHEREAS, the deadline for proposals was set for 11:00 a.m. on September 30, 2014; and

WHEREAS, on August 22, the City received a request for an extension of the proposal submission deadline; and

WHEREAS, the City Council has determined that it is in the best interest of the City to extend the submission deadline to October 28, 2014 to facilitate the preparation of quality redevelopment proposals for the redevelopment of City-owned properties at 107 and 109 4th Avenue SW; 404, 406, 416, 418, 422, 424 and 426 1st Street SW and 108 5th Avenue SW;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City will accept competitive proposals for the redevelopment of City-owned properties at 107 and 109 4th Ave SW; 404, 406, 416, 418, 422, 424 and 426 1st St SW and 108 5th Avenue SW until 11:00 a.m. on October 28, 2014.

Passed this 9th day of September, 2014.



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

Phone Number/Extension: 5153

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

Resolution authorizing submittal of a grant application to the Iowa Department of Transportation for Iowa Clean Air Attainment Program (ICAAP) funds to provide funding for the intersection improvements at Old Marion Road NE at C Avenue NE. CIP/DID #301446-00

Background:

The intersections of C Avenue NE with Old Marion Road NE and with Collins Road NE are separated by only 250 feet. Northbound traffic on C Avenue at Collins Road frequently backs up through the Old Marion Road NE intersection. This back up in turn propagates long queues and delay for northbound traffic at C Avenue NE and Old Marion Road NE as well as eastbound Old Marion Road traffic attempting to turn left to go north on C Avenue towards Collins Road. The proposed solution is to relocate Old Marion Road farther south by about 350 feet to align with the planned backage road from C Avenue to the Northland Square shopping center. This new intersection would be constructed with a traffic signal, creating better separation from Collins Road, reduced vehicle queuing, fewer stops and less emissions. This project is coordinated with the current Collins Road NE (IA 100) Improvements project.

Annually, the Iowa Department of Transportation provides ICAAP funds on a competitive basis to transportation projects that reduce congestion problems and provide air quality improvements. The resolutions must be included in the grant applications being submitted to authorize the City's participation in the program.

Action / Recommendation:

The Public Works Department recommends approval of the resolution authorizing submittal of a grant application to the Iowa Department of Transportation for ICAAP funds for the relocation of Old Marion Road NE.

Alternative Recommendation:

If the resolution is not approved, the grant application for ICAAP funds cannot be submitted. The Old Marion Road realignment project will continue to be deferred until another funding source can be determined.

Time Sensitivity: Normal

Resolution Date: September 10, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt

Explanation: Grant application, federal funds

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

IOWA CLEAN AIR ATTAINMENT PROGRAM (ICAAP) APPLICATION

WHEREAS, traffic congestion on C Avenue NE at Old Marion Road NE could be improved with roadway projects that improve traffic flow, reduce vehicle miles of travel or reduce single-occupant vehicle (SOV) trips; and

WHEREAS, the close proximity of the intersections of C Avenue NE with Collins Road and C Avenue with Old Marion Road NE creates interference with the operation of the two intersections, increasing delay and congestion on C Avenue at Old Marion Road; and

WHEREAS, the Iowa Department of Transportation provides Iowa Clean Air Attainment Program (ICAAP) funds on a competitive basis to transportation projects that reduce traffic congestion problems and provide air quality improvements, and

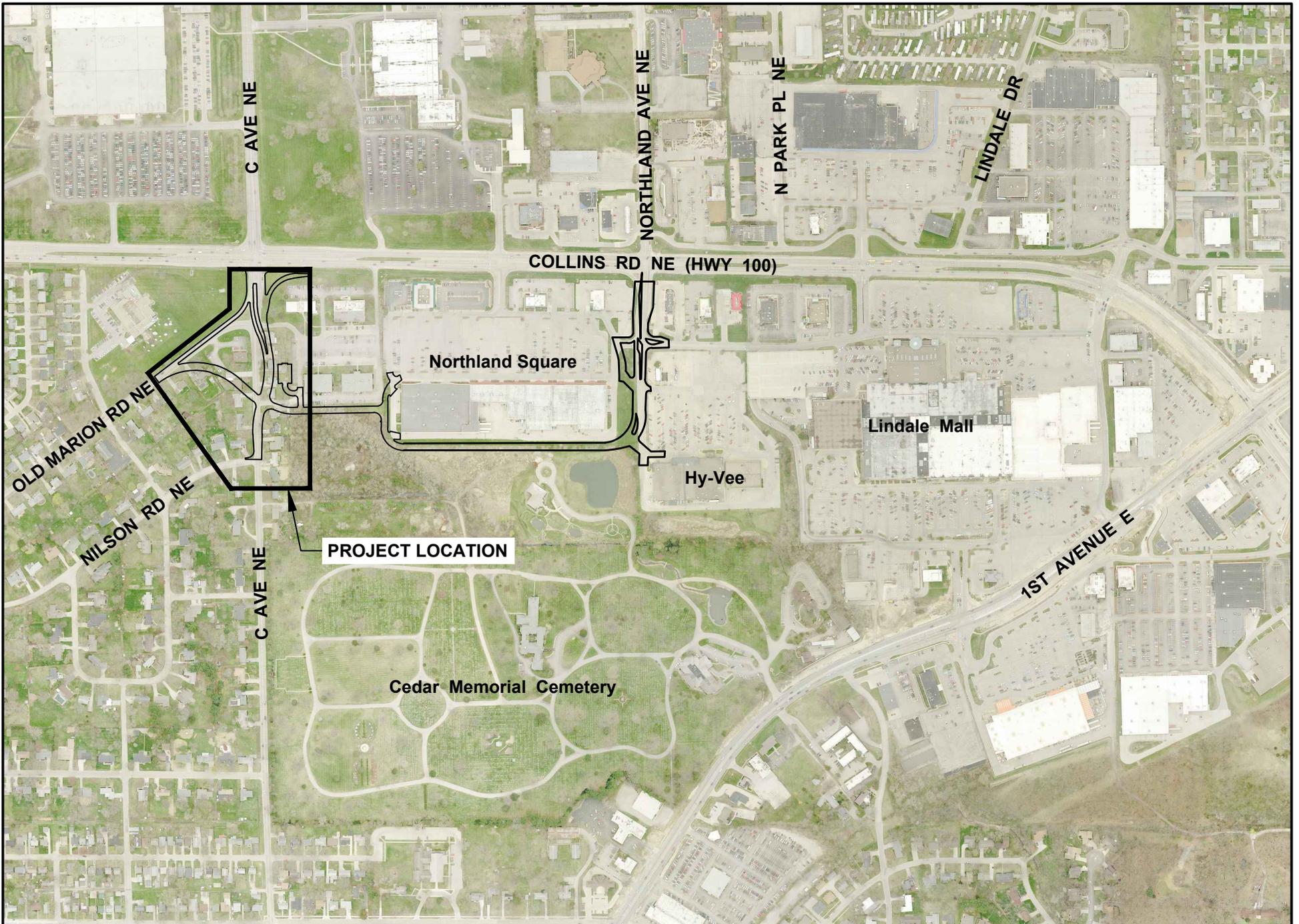
WHEREAS, the City of Cedar Rapids has determined such clean air and congestion mitigation can be realized through realigning Old Marion Road NE farther south and signaling its intersection with C Avenue NE, therefore proposes to submit an application for ICAAP funds, on October 1, 2013 for up to 80% of the project estimated cost, for this realignment and signalization, reducing congestion on C Avenue NE; and

WHEREAS, the City of Cedar Rapids will commit the necessary local matching funding for the project and will be responsible for adequately maintaining and operating the City's portion of the project for public use during the project's useful life,

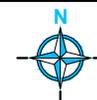
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City hereby approves the submittal of the aforementioned ICAAP application to the Iowa Department of Transportation, and

BE IT FURTHER RESOLVED that the Public Works Director/City Engineer is hereby authorized to sign the necessary application documents on behalf of the City and provide whatever additional information is requested by the Iowa Department of Transportation in connection with said ICAAP grant application.

Passed this 10th day of September, 2013



**COLLINS ROAD NE IMPROVEMENTS
C AVENUE & OLD MARION ROAD
ICAAP APPLICATION**





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-wilson.org

Phone Number/Extension: 5141

Description of Agenda Item: **Consent Agenda** **Regular Agenda** Yes **Map**
 Resolution authorizing submittal of a grant application to the Iowa Department of Transportation for Iowa Clean Air Attainment Program (ICAAP) funds to provide funding for the realignment of 51st Street NE at Council Street NE to provide more separation from Collins Road. CIP/DID #301491-00

Background:

The intersections of Council Street NE with 51st Street NE and with Collins Road NE are separated by only 400 feet. Southbound traffic on Council Street at Collins Road frequently backs up to the 51st Street NE intersection. Also, eastbound to northbound left turning traffic on Collins Road, turning north onto Council Street NE consistently fills the 375 foot long left turn bay and overflows into the adjacent through lane, impeding eastbound through traffic on Collins Road. Traffic signal timing improvements between the two intersections are limited because of their close proximity. The proposed solution is to relocate 51st Street farther north by 200 feet to align with Park Place NE, creating better separation from Collins Road, allowing better signal progression and improved vehicle storage. This project is coordinated with the current Collins Road NE (IA 100) Improvements project.

Annually, the Iowa Department of Transportation provides ICAAP funds on a competitive basis to transportation projects that reduce congestion problems and provide air quality improvements. The resolutions must be included in the grant applications being submitted to authorize the City's participation in the program.

Action / Recommendation:

The Public Works Department recommends approval of the resolution authorizing submittal of a grant application to the Iowa Department of Transportation for ICAAP funds for the relocation of 51st Street NE.

Alternative Recommendation:

If the resolution is not approved, the grant application for ICAAP funds can not be submitted. The 51st Street realignment project will continue to be deferred until another funding source can be determined.

Time Sensitivity: Normal

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt

Explanation: Grant application, federal funds

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

IOWA CLEAN AIR ATTAINMENT PROGRAM (ICAAP) APPLICATION

WHEREAS, traffic congestion on Collins Road NE (IA 100) at Council Street could be improved with roadway projects that improve traffic flow, reduce vehicle miles of travel, or reduce single-occupant vehicle (SOV) trips; and

WHEREAS, the close proximity of the intersections of Council Street NE with Collins Road and Council Street NE with 51st Street NE create interference with the operation of the two intersections, increasing delay and congestion on Collins Road and on Council Street, and

WHEREAS, the Iowa Department of Transportation provides Iowa Clean Air Attainment Program (ICAAP) funds on a competitive basis to transportation projects that reduce traffic congestion problems and provide air quality improvements, and

WHEREAS, the City of Cedar Rapids has determined such clean air and congestion mitigation can be realized through a realignment of 51st Street NE farther to the north to increase the separation from Collins Road, and therefore proposes to submit an application for ICAAP funds on October 1, 2014 for up to 80% of the estimated project cost for this realignment, reducing congestion on Collins Road NE and on Council Street NE, and

WHEREAS, the City of Cedar Rapids will commit the necessary local matching funding for the project and will be responsible for adequately maintaining and operating the City's portion of the project for public use during the project's useful life,

Now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City hereby approves the submittal of the aforementioned ICAAP application to the Iowa Department of Transportation, and

BE IT FURTHER RESOLVED that the Public Works Director/City Engineer is hereby authorized to sign the necessary application documents on behalf of the City and provide whatever additional information is requested by the Iowa Department of Transportation in connection with said ICAAP grant application.

Passed this 9th day of September, 2014



HALL CT - NE

51ST ST NE

COUNCIL ST NE

PARK PL NE

COLLINS RD - NE

51ST ST/PARK PLACE AND
COUNCIL ST NE

INTERSECTION IMPROVEMENT



SCALE: NONE



CEDAR RAPIDS
CITY OF FIVE SEASONS

301491

Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Transit

Presenter at meeting: Brad DeBrower
Email: b.debrower@cedar-rapids.org

Phone Number/Ext: 319-286-5560

Alternate Contact Person:
Email:

Phone Number/Ext:

Description of Agenda Item: Resolution approving the 2014-2017 Cedar Rapids Transit Title VI Program. NEW #

Background: The Federal Transit Administration (FTA) requires that all recipients document their compliance with the FTA Title VI guidelines by submitting a Title VI Program to the FTA's regional civil rights officer once every three years.

In compliance with Title VI of the Civil Rights Act of 1964, the City of Cedar Rapids, doing business as Cedar Rapids Transit, is committed to providing non-discriminatory service that is open to the general public. Cedar Rapids Transit is committed to ensuring that no person is excluded from access to its transit services on the basis of race, color or national origin.

The 2014-2017 Cedar Rapids Transit Title VI Program is an update to the 2011-14 Program, and was developed to guide Cedar Rapids Transit in the administration and management of its Title VI program for the next three years. The program contains a policy statement, complaint procedures, a Limited English Proficiency (LEP) Plan, public notice, summary of public participation efforts, and fixed route service standards and policies. The draft program has been reviewed by the FTA and is ready for City Council approval prior to final submittal to the FTA.

Action / Recommendation: The Transit Division recommends approval of the resolution.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):
N/A

Local Preference Policy Applies Exempt
Explanation: N/A

**Recommended by Council
Committee:** N/A

RESOLUTION NO.

WHEREAS, the Federal Transit Administration (FTA) requires that all recipients document their compliance with the FTA Title VI guidelines by submitting a Title VI Program to the FTA's regional civil rights officer once every three years, and

WHEREAS, in compliance with Title VI of the Civil Rights Act of 1964, the City of Cedar Rapids, doing business as Cedar Rapids Transit, is committed to providing non-discriminatory service that is open to the general public and ensuring that no person is excluded from access to its transit services on the basis of race, color or national origin, and

WHEREAS, the 2014-2017 Cedar Rapids Transit Title VI Program is an update to the 2011-2014 Program, and was developed to guide Cedar Rapids Transit in the administration and management of its Title VI program for the next three years, and

WHEREAS, the 2014-2017 Cedar Rapids Transit Title VI Program contains a policy statement, complaint procedures, a Limited English Proficiency (LEP) Plan, public notice, summary of public participation efforts, and fixed route service standards and policies, and

WHEREAS, the draft program has been reviewed by the FTA and needs to be approved by the City Council prior to final submittal to the FTA,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 2014-2017 Cedar Rapids Transit Title VI Program is approved.

Passed this 9th day of September, 2014.

**2014 - 2017
Cedar Rapids Transit
Title VI Program**



Cedar Rapids Transit
427 8th St NW
Cedar Rapids, Iowa 52405
319-286-5573
www.cedar-rapids.org/transit

Table of Contents

Introduction	3
Signed Policy Statement	3
Title VI Complaint Procedures	3
Record of Title VI Investigations, Complaints, or Lawsuits	4
Cedar Rapids Transit Limited English Proficiency (LEP) Outreach Plan	4
Notification of Cedar Rapids Transit Title VI obligations	4
Analysis of Construction Projects	5
Subrecipient Oversight	5
Summary of Public Participation Efforts	5
Public Participation Plan	6
Fixed Route Service Standards and Policies	6
Governing Body Review and Approval	6
Attachment A	7
Attachment B	8
Attachment C	10
Attachment D	11
Attachment E	12
Attachment F	13

Introduction

In compliance with Title VI of the Civil Rights Act of 1964, the City of Cedar Rapids, doing business as Cedar Rapids Transit, operates all of its programs and provides public transportation services without regard to race, color, or national origin. Cedar Rapids Transit is committed to providing non-discriminatory service that is open to the general public. Cedar Rapids Transit is committed to ensuring that no person is excluded from access to its transit services on the basis of race, color, or national origin. This document was developed to guide Cedar Rapids Transit in the administration and management of its Title VI program. For more information, please contact Cedar Rapids Transit at (319) 286-5573 or crtransit@cedar-rapids.org.

Signed Policy Statement

A policy statement signed by the Transit Manager assuring Cedar Rapids Transit's compliance with Title VI of the Civil Rights Act of 1964 can be found in **Attachment A**.

Title VI Complaint Procedures

Cedar Rapids Transit has a standard process for investigating all complaints. Anyone who believes that they have been subject to an unlawful discriminatory practice by Cedar Rapids Transit has the right to file a complaint with the City of Cedar Rapids. Anyone who has a discrimination complaint should call Cedar Rapids Transit at (319) 286-5573. Cedar Rapids Transit will respond and request additional information with the goal of obtaining an appropriate resolution.

Members of the public may file a signed, written complaint within 180 days from the date of the alleged discrimination. At a minimum, the complaint should include the following information:

- Name, mailing address, and contact information (i.e., telephone number, email address, etc.)
- How, when, where and why complainant alleges they were discriminated against.
- Names and contact information of any witnesses.
- Any other significant information.

Formal complaints should be mailed to the City of Cedar Rapids at the following address:

Human Resources Director
City of Cedar Rapids
Human Resources Department
101 First Street SE
Cedar Rapids, Iowa 52401.

Full procedures for filing a complaint and Cedar Rapids Transit's procedures for investigating complaints can be found in **Attachment B**.

Record of Title VI Investigations, Complaints, or Lawsuits

Cedar Rapids Transit has not received any formal Title VI complaints during the current reporting period and is not aware of any active investigations, lawsuits, or complaints naming Cedar Rapids Transit or its sub-recipients that allege discrimination on the basis of race, color, or national origin.

Cedar Rapids Transit Limited English Proficiency (LEP) Plan

A full copy of Cedar Rapids Transit's outreach plan for individuals with limited English proficiency can be found in **Attachment C**.

Notification of Cedar Rapids Transit Title VI Obligations

Cedar Rapids Transit publicizes its Title VI program by posting its commitment to providing services without regard to race, color or national origin. The Cedar Rapids Transit Title VI Public Notice shown below is posted in all Cedar Rapids Transit buses and Cedar Rapids Transit facilities. The public notice is also included in all bus schedules and on the Cedar Rapids Transit website.

Cedar Rapids Transit Title VI Public Notice

In compliance with Title VI of the Civil Rights Act of 1964, Cedar Rapids Transit operates all of its programs and provides public transportation services without regard to race, color or national origin. Cedar Rapids Transit is committed to providing non-discriminatory service that is open to the general public.

Anyone who believes that they have been subject to an unlawful discriminatory practice by Cedar Rapids Transit has the right to file a complaint with the City of Cedar Rapids. Anyone who has a discrimination complaint should call Cedar Rapids Transit at 319-286-5573. Cedar Rapids Transit will respond and request additional information with the goal of obtaining an appropriate resolution. Formal complaints should be in writing and mailed to: Human Resources Director, City of Cedar Rapids, Human Resources Department, 101 First Street SE, Cedar Rapids, Iowa 52401.

Analysis of Construction Projects

Cedar Rapids Transit has undertaken two construction projects during the current reporting period: 1) construction of a new bus garage/admin facility on the previous garage facility site; and, 2) renovation of the Ground Transportation Center in downtown Cedar Rapids. Both projects received signed documented Categorical Exclusions from the Federal Transit Administration prior to the start of construction.

When a construction project is undertaken in the future, Cedar Rapids Transit will comply with the DOT Order on Environmental Justice and will incorporate an environmental justice analysis into its National Environmental Policy Act (NEPA) documentation of construction projects. The environmental justice analysis will identify any low-income and minority populations impacted by the project, and describe all adverse and/or positive effects of the project, both during and after construction, that would affect the identified minority and low-income population. The analysis will also include mitigation and environmental enhancement actions incorporated into the project to address any adverse effects.

Subrecipient Oversight

Cedar Rapids Transit has a responsibility to provide contractor oversight for its service contractors to ensure compliance with FTA regulations. Linn County LIFTS is the service contractor for Cedar Rapids Transit's Complementary Paratransit service. Quarterly oversight meetings are held between Cedar Rapids Transit and Linn County LIFTS that include a review of any complaints (Title VI or otherwise) and/or service issues. Neighborhood Transit Service (NTS) is the contractor for Cedar Rapids Transit's after-hours demand-response service. At a minimum, annual oversight meetings are held between Cedar Rapids Transit and NTS that include a review of any complaints (Title VI or otherwise) and/or service issues. Furthermore, both LIFTS and NTS are executive members of the HSTAG Committee that meets quarterly to discuss various topics concerning transit including Title VI and LEP issues. Cedar Rapids Transit does not have any subrecipients that provide fixed-route service.

Summary of Public Participation Efforts

Over the last reporting period, Cedar Rapids Transit conducted the following public outreach and involvement activities:

Human Services and Transportation Advisory Group (HSTAG) –

Cedar Rapids Transit reaches out to local human service agencies that work with low-income and minority individuals that may be dependent on public transit through the metro area Human

Services and Transportation Advisory Group, which consists of over 50 members. This organization is coordinated by the United Way of East Central Iowa and consists of organizations representing transportation providers, school systems, youth organizations, health organizations, community organizations, state/city governments, religious organizations and legal aid entities. The HSTAG meets at least quarterly and plays an active role in the Corridor MPO's Passenger Transportation Plan. Cedar Rapids Transit will continue to coordinate community outreach through the HSTAG committee.

Cedar Rapids Transit Income-Based Half Fare Program

Cedar Rapids Transit implemented a new Income-Based Half Fare Program in December 2013. The program was developed to allow persons with incomes at or below 160% of the Federal Poverty Level to qualify for half-price bus fares. The program was developed over a 15-month timeframe with extensive input from the HSTAG which included extensive stakeholder and public involvement.

Public Participation Plan

To promote inclusive public participation with all Cedar Rapids residents, but especially minorities and LEP populations, CR Transit meets with the Human Services and Transit Advisory Group (HSTAG) at least quarterly to discuss barriers and solutions to transportation issues. HSTAG is coordinated by the United Way of East Central Iowa and consists of over 50 members that represent transportation providers, school systems, youth organizations, health organizations, community organizations, state and city government departments, religious organizations, and legal aid entities. A full list of the members is listed in **Attachment D**.

Fixed Route Service Standards and Policies

Cedar Rapids Transit operates fixed route bus service in an urbanized area less than 200,000 in population and operates with less than 50 fixed route vehicles in peak service. A copy of Cedar Rapids Transit's required fixed route system-wide service standards and policies can be found in **Attachment E**.

Governing Body Review and Approval Documentation

The review and approval documentation of the governing body can be found in **Attachment F**.

Attachment A

Cedar Rapids Transit Title VI Non-Discrimination Policy Statement

In compliance with Title VI of the Civil Rights Act of 1964, Cedar Rapids Transit operates all of its programs and provides public transportation services without regard to race, color or national origin. Cedar Rapids Transit is committed to providing non-discriminatory service that is open to the general public. Cedar Rapids Transit is committed to ensuring that no person is excluded from access to its transit services on the basis of race, color, or national origin. Also, under the Americans with Disabilities Act of 1990, Cedar Rapids Transit shall not discriminate against an individual with a physical or mental disability in connection with the provision of transportation service.

Anyone who believes that they have been subject to an unlawful discriminatory practice by Cedar Rapids Transit has the right to file a complaint with the City of Cedar Rapids. Anyone who has a discrimination complaint should call Cedar Rapids Transit at 319-286-5573. Cedar Rapids Transit will respond and request additional information with the goal of obtaining an appropriate resolution. Formal complaints should be in writing and mailed to: Human Resources Director, City of Cedar Rapids, Human Resources Department, 101 First Street SE, Cedar Rapids, Iowa 52401.



Brad DeBrower
Transit Manager

Attachment B

Cedar Rapids Transit Discrimination Complaint Procedure

In compliance with Title VI of the Civil Rights Act of 1964, Cedar Rapids Transit operates all of its programs and provides public transportation services without regard to race, color or national origin. Cedar Rapids Transit is committed to providing non-discriminatory service that is open to the general public. Cedar Rapids Transit is committed to ensuring that no person is excluded from access to its transit services on the basis of race, color, or national origin. Also, under the Americans with Disabilities Act of 1990, Cedar Rapids Transit shall not discriminate against an individual with a physical or mental disability in connection with the provision of transportation service.

1. Anyone who believes that they have been subject to an unlawful discriminatory practice by Cedar Rapids Transit has the right to file a written complaint within 180 days from the date of the alleged discrimination. Anyone who has a discrimination complaint should call Cedar Rapids Transit at 319-286-5573 and ask to speak to a supervisor or manager. Cedar Rapids Transit will respond and request additional information with the goal of obtaining an appropriate resolution promptly.
2. Formal complaints must be in writing, signed by the complainant and/or the complainant's representative, and mailed to the following address: Human Resources Director, City of Cedar Rapids, Human Resources Department, 101 First Street SE, Cedar Rapids, Iowa 52401. Complaints must describe as accurately as possible all facts and circumstances surrounding the alleged discrimination. The complaint shall then be handled according to these investigative procedures.
3. All complaints will be referred to the Transit Manager for review and action. The Transit Manager will review and investigate every complaint promptly. Reasonable measures will be undertaken to preserve any information that is confidential. The investigation will identify and review all relevant documents, practices and procedures; and identify and interview persons with knowledge of the Title VI violation (the person making the complaint; witnesses or anyone identified by the Complainant; anyone who may have been subject to similar activity, or anyone with relevant information).
4. Upon completion of the investigation, the Transit Manager will complete a final report for the Cedar Rapids Human Resources Director. If a Title VI violation is found to exist, remedial steps as appropriate and necessary will be taken immediately. The Complainant will also receive a final report together with any remedial steps.
5. The Transit Manager shall maintain a log of Title VI complaints received from this process to include the date the complaint was filed, a summary of the allegations, the status of the complaint, and actions taken by the Cedar Rapids Transit in response to the complaint.
6. A summary of the complaint and resolution will be included as part of the Title VI updates to the FTA and IDOT.

**Cedar Rapids Transit
Title VI Complaint Form**

In compliance with Title VI of the Civil Rights Act of 1964, Cedar Rapids Transit operates all of its programs and provides public transportation services without regard to race, color or national origin. Cedar Rapids Transit is committed to providing non-discriminatory service that is open to the general public. Anyone who believes that they have subject to an unlawful discriminatory practice by Cedar Rapids Transit has the right to file a Title VI complaint with the City of Cedar Rapids. The complaint must be filed within 180 days from the date of the alleged discrimination.

The following information is necessary to assist us in processing your complaint. If you require any assistance in completing this form, please call 319-286-5573. The completed form must be sent to Human Resources Director, City of Cedar Rapids, 101 First St SE, Cedar Rapids, IA 52401.

Name: _____

Phone & Alternate Phone: _____

Street Address: _____

City, State & Zip Code: _____

Person(s) discriminated against (if someone other than complainant): _____

Contact Information: _____

Describe the alleged discrimination incident as accurately as possible including names, dates and times. Provide the names of all Cedar Rapids Transit employees involved if available. Explain what happened and whom you believe was responsible. Please use the back of this form if additional space is required.

I affirm that I have read the above charge and that it is true to the best of my knowledge.

Complainant's Signature: _____ Date: _____

Attachment C

See External Attachment –

Cedar Rapids Transit’s Limited English Proficiency (LEP) Plan

**2014 - 2017
Cedar Rapids Transit
Limited English Proficiency (LEP) Plan**



Cedar Rapids Transit
427 8th St NW
Cedar Rapids, Iowa 52405
319-286-5573
www.cedar-rapids.org/transit

Introduction

This Limited English Proficiency (LEP) Plan has been prepared to address the City of Cedar Rapids' responsibilities as a recipient of federal financial assistance for the operation of its public transit system, as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964 which prohibits discrimination on the basis of race, color or national origin in programs and activities receiving Federal financial assistance. Executive Order 13166, titled "Improving Access to Services for Persons with Limited English Proficiency", indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including the City of Cedar Rapids, doing business as Cedar Rapids Transit, which receives federal assistance through the Federal Transit Administration (FTA) and Iowa Department of Transportation (IDOT).

Cedar Rapids Transit is committed to ensuring that no person is excluded from access to its transit services on the basis of race, color, or national origin. This plan was developed to guide CRT in its administration and management of LEP related activities.

Plan Summary

Cedar Rapids Transit (CRT), the public transit service provided by the City of Cedar Rapids, has developed this LEP plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by the transit agency. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English.

This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available. In order to prepare this plan, CRT undertook the FTA's four-factor LEP analysis which considers the following factors:

1. The number and proportion of LEP persons in the service area who may be served or are likely to be served by CRT.
2. The frequency with which LEP persons come in contact with CRT's services.
3. The nature and importance of CRT's services to the LEP population.
4. The resources available to CRT and overall cost to provide LEP assistance.

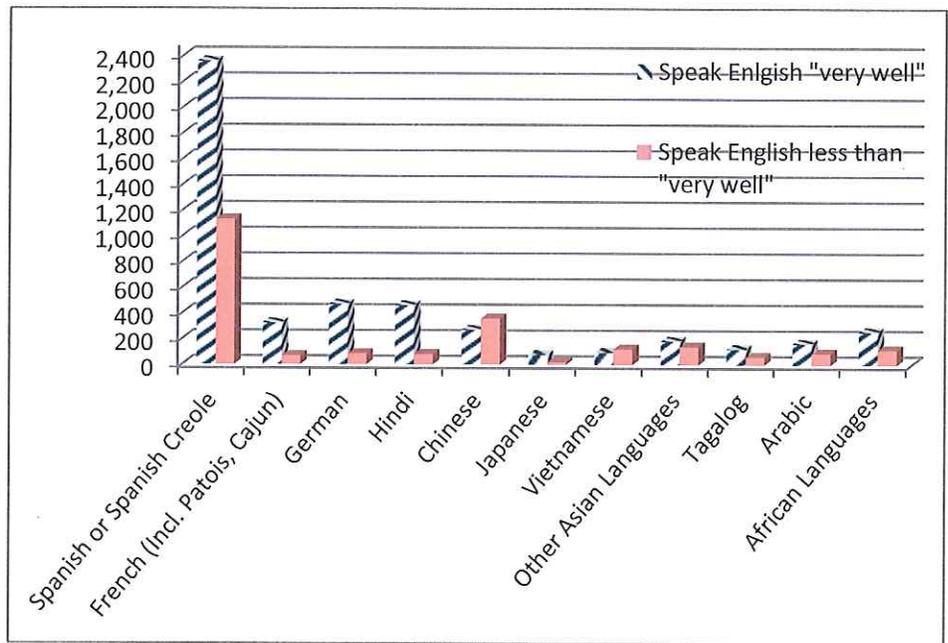
Four-Factor Analysis

1. Assessing the Number and Proportion of LEP Persons Likely to be Served by Cedar Rapids Transit.

US Census Data of the Service Area

CRT provides transit service within the Cedar Rapids metropolitan area, with service to the cities of Cedar Rapids, Marion and Hiawatha. The metropolitan planning services are provided by the Corridor MPO. US Census data from the 2008-2012 American Community Survey (ACS) 5-year estimates were used to determine the LEP population concentrations in the Cedar Rapids metropolitan planning area.

The ACS tracks information for persons speaking another language to determine how well such populations speak English. For the purpose of this analysis, the population speaking another language and speaking English less than very well is considered to be an LEP population.



**Figure 1:
Most Spoken Languages (Other Than English) in the Corridor MPO**

Figure 1 summarizes the most commonly spoken language (other than English) in the Cedar Rapids metropolitan planning area and how well these people speaking other languages speak English. As the table shows, Spanish is the most commonly spoken language other than English.

Figure 2 further breaks down the LEP population by various member jurisdictions in the Corridor MPO planning area. With the exception of the small towns of Swisher and Shueyville, which are not in the CRT service area, the LEP population is a very low percentage of the overall population among the jurisdictions. CRT provides service to Cedar Rapids, Marion and Hiawatha which have a combined LEP population of 2,842 persons or only 1.9% of the population.

Figure 2: LEP Population in the Corridor MPO

	Cedar Rapids	Marion	Hiawatha	Robins	Fairfax	Shueyville	Swisher	Palo	Bertram	Walford	Ely	All Linn County
Total Population	118,424	32,417	6,470	2,744	1,674	432	793	726	448	1,495	1,481	197,787
Speaking English Only	111,603	30,997	6,111	2,609	1,632	416	788	722	432	1,467	1,441	188,226
Speaking Another Language and Speak English Less Than "Very Well" - LEP	2,300	401	141	66	12	12	4	3	7	3	4	3,270
Limited English Proficiency (LEP) %	1.9%	1.2%	2.2%	2.4%	.7%	2.8%	.5%	.4%	1.6%	.2%	.3%	1.7%

Source: 2008-2012 American Community Survey, US Census Bureau

Figure 3 shows the LEP population in the Corridor MPO area by census tracts. Most of the LEP population is concentrated in central Cedar Rapids and Marion and shows a diverse spread of LEP population throughout the metro area.

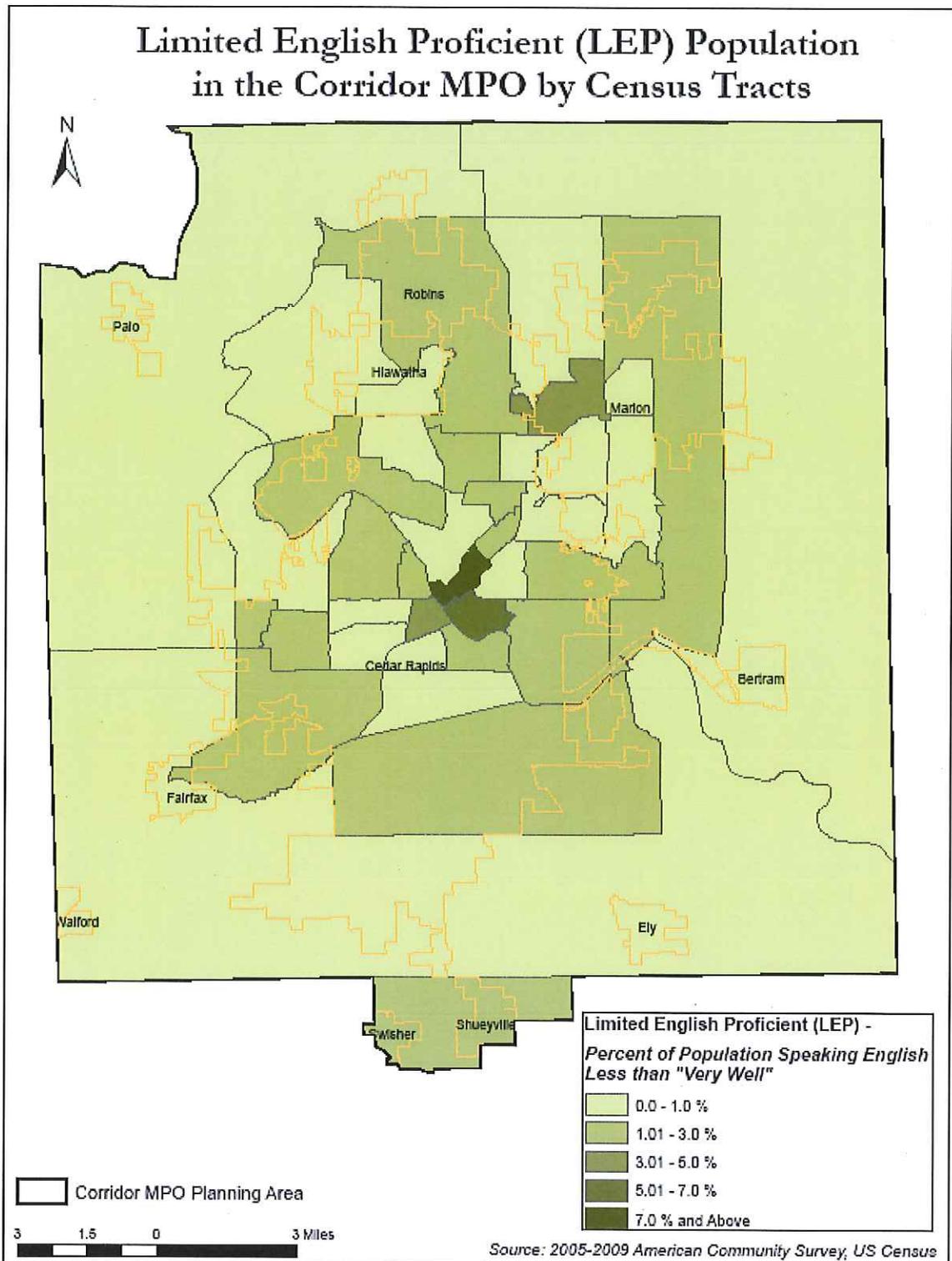


Figure 3: LEP Population Distribution by Census Tracts

Contacts with Community Organizations that serve LEP Persons

Steps were taken to identify any concentrations of LEP persons in the Cedar Rapids metropolitan area through contacts with community organizations that serve LEP persons. CRT contacted the communications liaison with the City of Cedar Rapids, Kirkwood Community College, Coe College, metro area community school districts (Cedar Rapids, College Community, Linn-Mar, and Marion), the United Way of East Central Iowa, and the metro area Human Services and Transportation Advisory Group (HSTAG) to request information on any specific LEP or minority groups that they are aware of.

City of Cedar Rapids – No known diversity groups are organized through the City of Cedar Rapids at this time to access the LEP population. In discussions with the City's Communications Liaison, no instances of language barriers have occurred in the past year with any city departments. When instances do occur, individuals generally speak Spanish and they generally bring an English speaking adult with them to discuss their issues with city staff. The City of Cedar Rapids does not track LEP instances due to the low number of occurrences.

Local Colleges and School Districts – Contacts with Kirkwood Community College, Coe College, and Mt. Mercy University revealed that while international students attend those institutions, the students speak English well enough to function sufficiently within the community. Contacts with the metro area community school districts (Cedar Rapids, College Community, Linn-Mar, and Marion) showed that none of the schools has sufficient LEP students to warrant any programs to provide LEP assistance in the classroom.

Human Services and Transportation Advisory Group (HSTAG) (50+ members) - CRT has reached out to local human service agencies that work with individuals that may be limited English proficient through the metro area Human Services and Transportation Advisory Group, which consists of over 50 members. This organization is coordinated by the United Way of East Central Iowa and consists of organizations representing transportation providers, school systems, youth organizations, health organizations, community organizations, state and city government departments, religious organizations and legal aid entities. The HSTAG meets at least quarterly and plays an active role in the Corridor MPO's Passenger Transportation Plan. The LEP analysis in the Passenger Transportation Plan concluded that limited English proficiency is not an issue at this time. CRT will continue to coordinate LEP outreach through the HSTAG committee.

HSTAG Members	HSTAG Members
Abbe Center for Mental Health	Goodwill Industries
Aging Services, Inc.	Hawkeye Area Community Action Program
Alzheimer's Association	H.D. Youth Center
American Cancer Society	Healthy Linn Care Network
Area Ambulance	Horizons, A Family Service Alliance
Area Substance Abuse Council - Heart of Iowa	Iowa Department of Transportation
Area Substance Abuse Council - Novus Center	Iowa Workforce Development
Big Brothers Big Sisters	Jane Boyd
Boys and Girls Club	Jones County Jets
Benton County Coalition	Kirkwood - Skills to Employment
Benton County Transit	Linn County Community Services
Benton County Volunteer Transportation	Linn County General Assistance
Catherine McAuley Center	Linn County LIFTS
Cedar Rapids Transit	Linn Marr School District
Cedar Rapids Community Schools	Mercy Medical Center
Cedar Rapids Recreation Department	Neighborhood Transportation Systems
Churches United	Options of Linn County
Community Health Free Clinic	RSVP of Linn and Jones County
Conner Center for Independent Living	Southeast Linn Community Center
Corridor MPO	The Arc of East Central Iowa
Cross Roads Mission	The Heritage Area Agency on Aging
Coralville Transit	United Way of East Central Iowa
Discovery Living	Volunteer Services of Cedar County
East Central Iowa Council of Governments	Willis Dady Shelter
Empower Iowa	Witwer Senior Center
Foundation 2	YMCA
Four Oaks	Young Parents Network

Human Services and Transportation Advisory Group (HSTAG) Members

2. Assessing the Frequency with which LEP Individuals Come into Contact with Cedar Rapids Transit

CRT held internal discussions with its operations personnel to help examine prior experiences with LEP persons. The following conclusions were reached:

- The bus drivers have occasional contact with LEP persons, but not to the point where they cannot get passengers to their destinations. When a communication barrier arises on the bus that cannot be resolved, the driver contacts the information booth or a supervisor for assistance because the supervisors have more time to communicate with the individual and understand their issue. Drivers are instructed to utilize the route map to communicate where the

passenger wants to go. The supervisors estimate that incidents of this nature occur a few times per year.

- The information clerks have more intermittent contact with LEP persons via face to face contact at the transfer station information booth, but again, not to the point where they cannot get passengers to their destinations. Staff is instructed to use a route map and point to where the individual is currently at and ask them to point where they want to go.
- The information clerks estimate a call every other month is made by non-English speaking individuals where staff could not understand or communicate with them during their conversation. Efforts are made to express to those individuals to come in to discuss their situation so that they can point to a map or call back with a translator.
- No LEP persons have contacted the administrative office personnel.
- No requests have been received at the CRT e-mail inbox.
- No requests have been received by attendees at public meetings held by CRT.
- Although the contact with LEP persons is infrequent at best, Spanish is the most common language encountered. With that in mind, CRT has begun to print more of the bus signage in both English and Spanish.

CRT has the bus schedule converted to Braille upon the request of sight-impaired passengers approximately once or twice a year. A more frequent accommodation is for large-text schedules, so those are now printed on an on-going basis and made available upon request.

In 2004, CRT, in partnership with the United Way of East Central Iowa, printed transit schedules in five foreign languages (Spanish, French, Bosnian, Arabic and Vietnamese) to assist LEP individuals. The foreign language schedules have been discontinued due to lack of demand for this service. CRT has not received any requests for foreign language schedules since that program was discontinued.

Most individuals that CRT struggles to communicate with are those with disabilities but not from lack of a language barrier. Generally, these individuals require additional time to understand policies or just need more information about changes occurring to CRT's bus routes.

Based upon the above assessment, CRT has concluded that we have occasional contact with LEP persons to the average of one or two encounters per month, which are often able to be resolved at this time.

3. Assessing the Nature and Importance of the Service to LEP Persons

Providing updated communication regarding CRT's fixed-route service is important to LEP persons if the lack of information results in limited access to the bus service. If limited English is a barrier to using the bus system, then the consequences could be serious, including limited access to health care, education or employment.

CRT's critical services include route and schedule information, detour information, fare and payment information, passenger information (system rules), information on how to ride, public service announcements, safety and security announcements, passenger comment cards, and transit planning information.

4. Assessing the resources available and the cost to provide LEP assistance.

Based on the low overall LEP population in the Cedar Rapids metropolitan area and the infrequent contact with LEP persons on the transit system, CRT has not dedicated any resources specifically to provide LEP assistance since the foreign language schedules were printed in 2004. As a small urban transit system with limited resources, it has not been practical to fund underutilized projects. However, low-cost measures may be available to provide LEP assistance that could be absorbed in the current operating budget.

The following steps should be considered to translate public information into Spanish:

- ◆ **Signage** – CRT should continue to provide translations on signage inside of transit facilities, shelters and vehicles.
- ◆ **Website** - CRT should ensure that information posted on its website will be compatible to allow Google Translate on its pages so that customers can view the information in their language of choice. Not only would customers be allowed to translate their information but they could print a hard copy within their own preferred language. Efforts should be made to provide information in convertible formats, such as html, to allow all documents to be accessible to everyone regardless of nationality or disability. Therefore all written materials on the website (schedules, timetables, detours, alerts, what's new information, ADA applications, Title VI complaint process etc.) would be available in alternative languages through Google translate.
- ◆ **Text/Email Notifications** - CRT has begun to communicate important updates, such as detours or service interruptions, to the public via a text and email notification service. Anyone can sign-up to receive these notifications; however the postings are still in English. Efforts should be made to see if translation services are available for this method of communication.
- ◆ **Schedules** – CRT provides its printed schedule in English format as well as on the website. With today's technology, computers have opened up a new world for the visually impaired as text can be read verbally through programs for the visually impaired.
- ◆ **Translation Service** – CRT does not have any readily available language translation services at this time. However, the Iowa DOT has recently contracted with "thebigword" for telephone interpreter services to help fulfill their LEP obligations under Title VI. The Iowa DOT's contract is available to subrecipients, such as CRT, to assist in providing meaningful access to LEP persons. This service

provides telephone interpreting service for over 250 languages and is available 24/7/365. There are no start-up or maintenance fees and the cost is \$0.85 per minute on a pay as you go basis. This service would provide an immediate benefit for verbal communication with LEP persons.

Limited English Proficiency (LEP) Plan

Although the need for LEP assistance is very low in the CRT service area, the following measures can be provided at a relatively low cost to provide better access to an LEP person.

Identifying LEP Persons and Language Assistance Measures

Free LEP Assistance Notice

To inform passengers that LEP Assistance is available to them free of charge a notice will be placed on CRT's website, added to the bus schedule, and posted at the Information Booth.

Language Identification Cards

CRT will determine the language of LEP individuals requesting information with use of language identification cards, commonly known as "[I speak cards](#)". CRT will document the LEP individuals served each year and determine their preferred national language if communication in English is a barrier to receiving CRT services.

Survey LEP Persons: Surveys will be developed for LEP persons to complete through CRT's website. CRT will communicate this survey to its human service agencies it works with through the coordinated passenger transportation plan process to receive input from those LEP persons accessing services throughout the Cedar Rapids community.

Survey CRT Staff: CRT staff will be surveyed for their alternative language skills to determine language resources available within CRT.

Website Translation – CRT has worked with the City of Cedar Rapids Information Technology Department to implement Google Translate on CRT's website. This is now available to anyone to click a drop down button to change the language on the site to the preferred language. CRT will provide website information in a translatable format.

Staff Training

The following training will be provided, at least yearly, to CRT staff:

1. CRT's Title VI Program, LEP Plan and discrimination complaint procedures will be discussed with all CRT operations employees.
2. LEP awareness training will be included for new employees on how to communicate with the LEP population as well as procedures if difficulties with communication arise.

3. LEP instances on the bus and in the office (email, phone, and letter) and requests for interpretive services through public meetings will be documented on an annual basis.

Outreach Techniques

- ◆ Documents and Public Meeting Notices –
When documents are prepared or public meetings are scheduled for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers will be published on CRT's website in which Google Translate would have translated the materials into the preferred language of choice. CRT will add to public meeting announcements that interpretive services are available upon request if the request is provided at least 48 hours prior to the meeting.
- ◆ Public Service Announcements on the Local Public Access Television Channel –
CRT will examine the possibility of airing public service announcements on the local public access channel that would inform LEP individuals of how to access CRT's services.
- ◆ Human Services and Transportation Advisory Group (HSTAG) -
CRT will continue to coordinate LEP outreach through the HSTAG committee.

Monitoring and Updating the LEP Plan

The LEP Plan will be reviewed and updated each year through the coordinated human services-transit provider plan (Corridor MPO's Passenger Transportation Plan Update) as required by the Iowa Department of Transportation. Updates will include the following:

- ◆ Annual number of documented LEP person contacts encountered.
- ◆ Annual use of interpretive language services.
- ◆ How the needs of LEP persons have been addressed.
- ◆ Determination if the need for services has changed.
- ◆ Determination if interpretative services have been effective and sufficient to meet the needs.
- ◆ Determine if CRT has fully complied with the goals of the LEP plan.
- ◆ Determine if complaints have been received concerning CRT's failure to meet the needs of LEP individuals.

Subrecipient Monitoring

Both subrecipients (LIFTS and NTS) are executive members of the HSTAG Committee and active in all discussions and decisions regarding LEP and Title VI that occur at each quarterly meeting. In addition, at the LIFTS quarterly meeting and NTS annual meeting with CRT, LEP and Title VI issues and/or complaints are discussed and noted on the meeting agenda.

Requirement to Report Minority Representation on Planning and Advisory Bodies

CRT does not have a non-elected planning or advisory board, so this requirement is not applicable.

Dissemination of CRT's LEP Plan

CRT's LEP Plan and Title VI Program will be available on CRT's website. The LEP plan will also be available through the annual Passenger Transportation Plan (PTP) update effort as required by the Iowa Department of Transportation. As a result, the LEP will be dispersed to all transportation providers and human service agencies participating in the PTP process. Any person or agency may request a copy of the LEP Plan. LEP individuals may request copies of the Plan in alternative languages which will be provided. The LEP plan will be available on CRT's website which can be translated via Google Translate.

Attachment D

<i>HSTAG Members</i>	<i>HSTAG Members</i>
Abbe Center for Mental Health	Goodwill Industries
Aging Services, Inc.	Hawkeye Area Community Action Program
Alzheimer's Association	H.D. Youth Center
American Cancer Society	Healthy Linn Care Network
Area Ambulance	Horizons, A Family Service Alliance
Area Substance Abuse Council - Heart of Iowa	Iowa Department of Transportation
Area Substance Abuse Council - Novus Center	Iowa Workforce Development
Big Brothers Big Sisters	Jane Boyd
Boys and Girls Club	Jones County Jets
Benton County Coalition	Kirkwood - Skills to Employment
Benton County Transit	Linn County Community Services
Benton County Volunteer Transportation	Linn County General Assistance
Catherine McAuley Center	Linn County LIFTS
Cedar Rapids Transit	Linn Marr School District
Cedar Rapids Community Schools	Mercy Medical Center
Cedar Rapids Recreation Department	Neighborhood Transportation Systems
Churches United	Options of Linn County
Community Health Free Clinic	RSVP of Linn and Jones County
Conner Center for Independent Living	Southeast Linn Community Center
Corridor MPO	The Arc of East Central Iowa
Cross Roads Mission	The Heritage Area Agency on Aging
Coralville Transit	United Way of East Central Iowa
Discovery Living	Volunteer Services of Cedar County
East Central Iowa Council of Governments	Willis Dady Shelter
Empower Iowa	Witwer Senior Center
Foundation 2	YMCA
Four Oaks	Young Parents Network

Human Services and Transportation Advisory Group (HSTAG) Members

Attachment E

Cedar Rapids Transit Fixed Route Service Standards and Policies

Vehicle Age

The average vehicle age for Cedar Rapids Transit's fixed-route bus fleet should not exceed 10 years.

Vehicle Load Standards

The maximum passenger load should not exceed 150% of the vehicle's seating capacity. Cedar Rapids Transit's fleet is primarily comprised of 35-foot, low-floor, Gillig buses with 32 seats; therefore, the maximum passenger load should not exceed 48 passengers.

Vehicle Headways

Service is operated on 60 minute headways for all one-hour routes, with 30 minute headways on the busiest routes during peak service hours. 30 minute headways are provided on the busiest corridor, 1st Ave E between downtown and Lindale Mall, throughout the day via Routes 5B, 5N, and 5S.

On-time Performance

A bus is considered on time if it departs a scheduled timepoint no more than 0 minutes early and no more than 5 minutes late. Cedar Rapids Transit's on-time performance objective is 90% or greater.

Service Availability

Cedar Rapids Transit strives to provide transit service so that 90% of residents in the service area are within $\frac{3}{4}$ mile of a bus route.

Transit Amenities

The installation of transit amenities at bus stops, such as benches and shelters, is based upon ridership needs and the number of passenger boardings and deboardings at the bus stops.

Vehicle Assignments

Cedar Rapids Transit does not pre-assign specific vehicles to particular routes. Each route is assigned one of the 2009-12 model Gillig low-floor buses so Cedar Rapids Transit's newest buses are evenly distributed throughout the service area.

Attachment F

Governing Body Review and Approval Documentation

- **City Council Resolution**

RESOLUTION NO.

WHEREAS, the Federal Transit Administration (FTA) requires that all recipients document their compliance with the FTA Title VI guidelines by submitting a Title VI Program to the FTA's regional civil rights officer once every three years, and

WHEREAS, in compliance with Title VI of the Civil Rights Act of 1964, the City of Cedar Rapids, doing business as Cedar Rapids Transit, is committed to providing non-discriminatory service that is open to the general public and ensuring that no person is excluded from access to its transit services on the basis of race, color or national origin, and

WHEREAS, the 2014-17 Cedar Rapids Transit Title VI Program is an update to the 2011-14 Program, and was developed to guide Cedar Rapids Transit in the administration and management of its Title VI program for the next three years, and

WHEREAS, the 2014-17 Cedar Rapids Transit Title VI Program contains a policy statement, complaint procedures, a Limited English Proficiency (LEP) Plan, public notice, summary of public participation efforts, and fixed route service standards and policies, and

WHEREAS, the draft program has been reviewed by the FTA and needs to be approved by the City Council prior to final submittal to the FTA,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 2014-17 Cedar Rapids Transit Title VI Program is approved.

Passed this 9th day of September, 2014.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Gary Petersen, PE

Phone Number/Extension: 5153

E-mail Address: g.petersen@cedar-rapids.org

Alternate contact person: Doug Wilson, PE

Phone Number/Extension: 5141

E-mail Address: d.wilson@cedar-rapids.org

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

Resolution authorizing execution of Amendment No. 3 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$3,500 for design services in connection with the Collins Road NE Improvements: Backage Road from C Avenue NE to Northland Avenue NE Extension project (original contract amount was \$39,617; total contract amount with this amendment is \$53,947). CIP/DID #301446-04

Background:

Professional services for this amendment include preparation of three Iowa Department of Transportation (IDOT) grant applications for projects connected to the Collins Road Improvements project. A Transportation Investment Generating Economic Recovery (TIGER) grant application for Collins Road improvements (approved by an Authorization for Immediate Needs Services); an Iowa Clean Air Attainment Program (ICAAP) grant application for the intersection of C Avenue & Old Marion Road NE; and an ICAAP grant application for the realignment of 51st Street at Council Street NE. The two ICAAP grant applications were submitted in September 2013 and both ranked high in the IDOT ranking system, but did not receive approval. The ICAAP grant applications will be updated with grant requests in amounts that will have a better ability to receive grant funding.

Action / Recommendation:

The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 3 of the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$3,500.

Alternative Recommendation: The services for the TIGER grant application were approved as Immediate Needs Services. The two projects for the ICAAP grants have insufficient funding to proceed to final design and construction, and the Council could choose to finance the projects with local funding

Time Sensitivity: Critical. ICAAP grant applications are due September 30, 2014

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP No. 301446

Local Preference Policy: Applies Exempt

Explanation: Anderson-Bogert is a local company

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

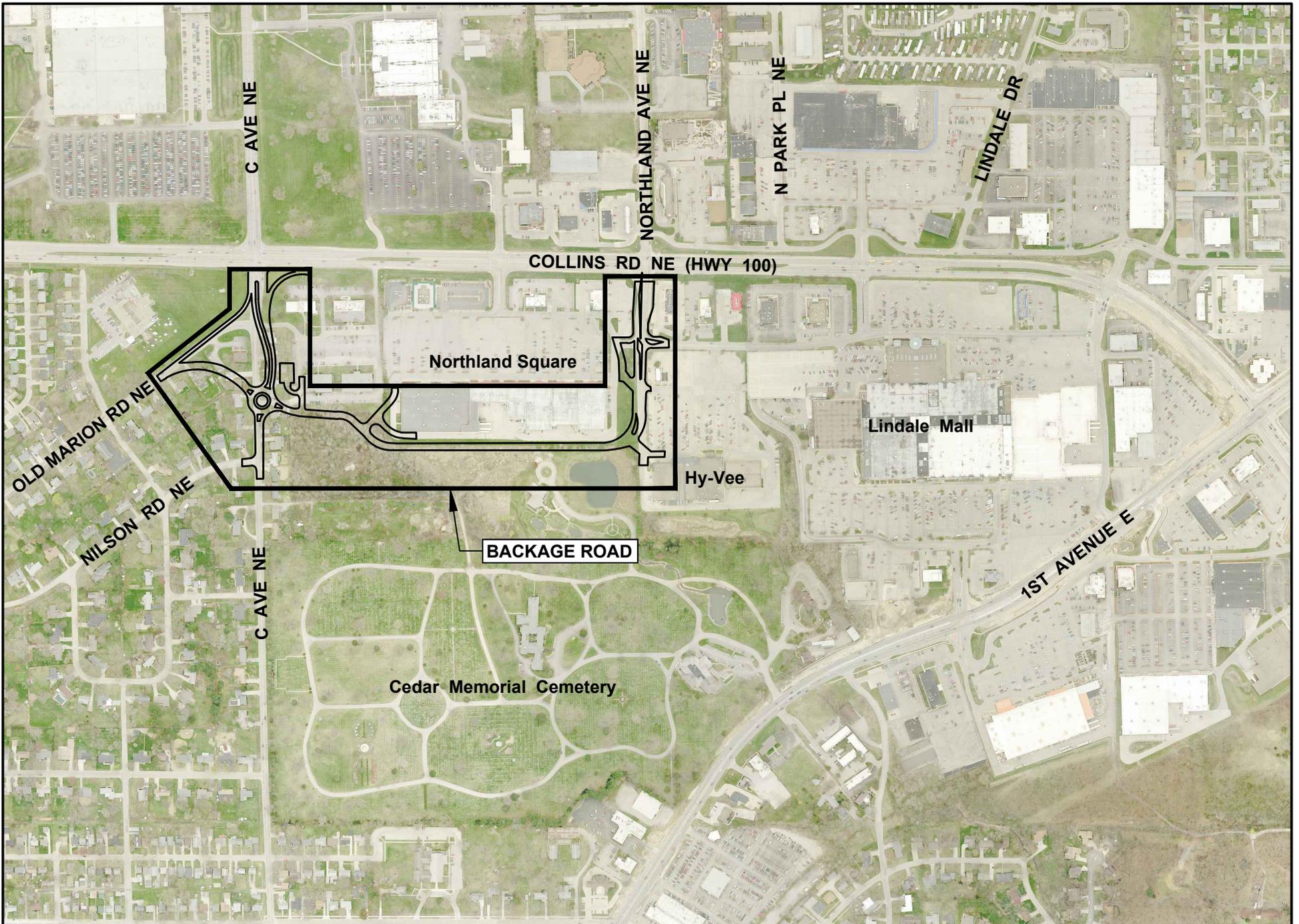
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 3 to the professional services agreement with Anderson-Bogert Engineers & Surveyors, Inc. in the amount of \$3,500 for the Collins Road NE Improvements: Backage Road from C Avenue NE to Northland Avenue NE Extension project (Contract No. 301446-04). A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$39,617
Amendment No. 1	3,900
Amendment No. 2	\$6,930
Amendment No. 3	<u>\$3,500</u>
Amended Contract Amount	\$53,947

General ledger coding for this amendment to be as follows:

Fund 301, Dept ID 301000 Project 301446	\$3,500
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Passed this 9th day of September, 2014



**COLLINS ROAD NE IMPROVEMENTS
BACKAGE ROAD FROM C AVENUE NE TO NORTHLAND AVENUE EXTENSION**





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**

Resolution authorizing execution of Amendment No. 2 to the Professional Services Agreement with Shive-Hattery, Inc. specifying an increased amount not to exceed \$24,946 for design services in connection with the Edgewood Road SW and Wiley Boulevard SW from Williams Boulevard to 16th Avenue project (original contract amount was \$37,393; total contract amount with this amendment is \$71,092) **(Paving for Progress)**. CIP/DID #3012084-01

Background:

This project includes the rehabilitation and overlay of Edgewood Road SW and Wiley Boulevard SW from Williams Boulevard to 16th Avenue. The amendment includes preparation of right-of-way acquisition plats for corridor improvements. This project is funded by the Local Option Sales Tax (LOST), approved for maintenance, repair, and reconstruction of City streets.

Action / Recommendation:

The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 2 of the Professional Services Agreement with Shive-Hattery, Inc. specifying an increased amount not to exceed \$24,946.

Alternative Recommendation: Complete required design and right-of-way acquisition documents using City staff.

Time Sensitivity: Normal

Resolution Date: September 9, 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.

WHEREAS, the Edgewood Road SW and Wiley Boulevard SW from Williams Boulevard to 16th Avenue project has been bid to complete roadway rehabilitation improvements, and

WHEREAS, this project presents an opportunity to include sidewalk construction items to improve pedestrian access and Complete Streets components along the Wiley Boulevard portion of the project, and

WHEREAS, the City has requested additional services of the Consultant and the City and the Consultant agrees to amend the Scope of Services

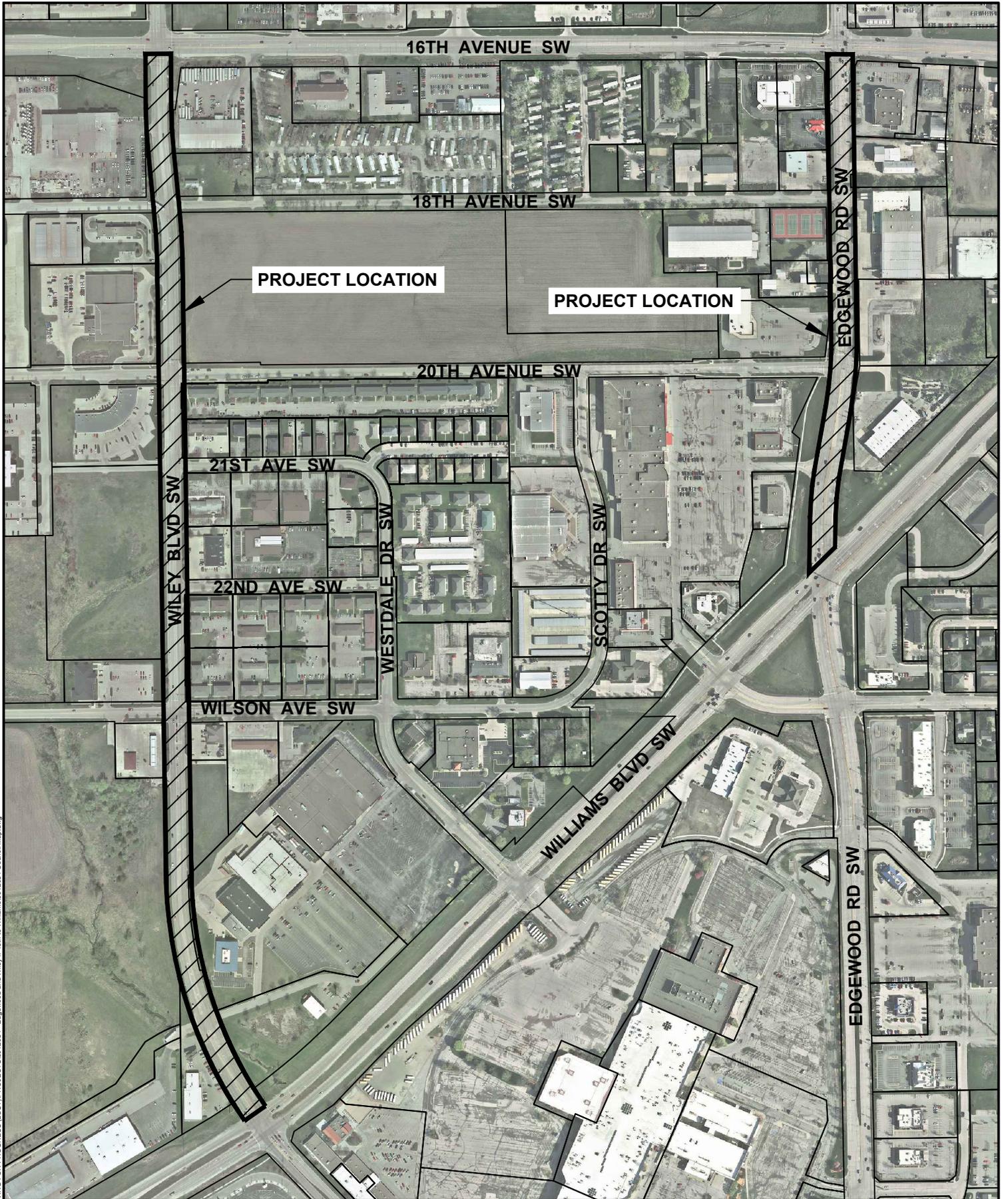
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 2 to the Professional Services Agreement with Shive-Hattery, Inc. in the amount of \$24,946 for the Edgewood Road SW and Wiley Boulevard SW from Williams Boulevard to 16th Avenue project, 3012084-01. A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$37,393
Amendment No. 1	\$8,753
Amendment No. 2	\$24,946
	<hr/>
Amended Contract Amount	\$71,092

General ledger coding for this amendment to be as follows:

Fund 301, Dept ID 301000 Project 3012084	\$24,946
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Passed this 9th day of August, 2014



PROJECT LOCATION

PROJECT LOCATION



**EDGEWOOD ROAD AND WILEY BOULEVARD SW FROM
16TH AVENUE TO WILLIAMS BOULEVARD SW
IMPROVEMENTS PROJECT**





Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda Item

Phone Number/Ext:

Email:

Alternate Contact Person: Chuck Goss

Phone Number/Ext: X5863

Email: c.goss@cedar-rapids.org

Description of Agenda Item:

Amendment No. 3 to renew Contract for Snow Removal Services with BladeWorks – 20/20 Development for Facilities Maintenance for an estimated annual amount of \$35,000 (original contract amount was \$8,200; renewal contract amount is \$35,000). CIP/CID #0913-044

Background:

Bids were solicited on behalf of the Facilities Maintenance Division for Snow Removal Services with one (1) bid submitted.

Award was made to BladeWorks as the only bidder for the initial Contract for the downtown Library with an estimated annual expenditure of \$8,200. Services are provided at the rates of \$75/hr for work using heavy equipment and \$40/hr for work that does not require use of heavy equipment. Additional facilities were added to the Contract on Amendments 1 and 2 for snow removal services provided at the same hourly rates.

Amendment No. 3 will renew the Contract for the period of October 1, 2014 through September 30, 2015 with three (3) one-year renewal options remaining. The renewal includes snow removal services for the Downtown Library, Police Sub-Station, City Hall, City Services Center, Fleet Division, Police Station, and Ladd Library for a total annual amount not to exceed \$35,000, budgeted in departmental operating budgets.

Action / Recommendation:

Resolution authorizing execution of Amendment No. 3 to Contract for Snow Removal Services for Facilities Maintenance for a total annual amount not to exceed \$35,000.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): Departmental operating budgets

Local Preference Policy Applies Exempt

Explanation:

Local preference applies but did not have any effect on the outcome because there was only one bid submitted. BladeWorks is a certified local business located in Cedar Rapids.

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Purchasing Services Division solicited bids in 2013 on behalf of the Facilities Maintenance Division for Snow Removal Services; and

WHEREAS, a response was received from one supplier; and

WHEREAS, the Contract was awarded to BladeWorks – 20/20 Development, as the only bidder; and

WHEREAS, the initial term of the Contract was October 15, 2013 to September 30, 2014; and

WHEREAS, Amendment No. 3 renews the Contract for the period of October 1, 2014 through September 30, 2015 with three one-year renewal options remaining; and

WHEREAS, the total annual expenditure will not exceed \$35,000, budgeted in departmental operating budgets; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute Amendment No. 3 with BladeWorks – 20/20 Development as described herein.

Passed this 9th day of September, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Finance – Purchasing Services

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

Alternate Contact Person: Kevin Kirchner **Phone Number/Ext:** X5902
Email: k.kirchner@cedar-rapids.org

Description of Agenda Item:

Amendment No. 5 to renew Agreement for Mailing Services with Mailing Services, Inc. for the Utilities Department for a total annual expenditure not to exceed \$183,000 (original contract amount was \$175,000; renewal contract amount is \$183,000). CIP/DID #0910-055

Background:

The Utilities Department mails approximately 340,000 municipal utility statements annually. Purchasing Services solicited bids for mailing services in 2010 which included the daily processing and mailing of these statements. Mailing Services, Inc. was the only company who submitted a bid. They have agreed to renew the agreement through September 30, 2014 with no increase in price. The estimated annual expenditure is \$183,000. The City will be charged for exact quantity of statements processed.

Action / Recommendation:

Resolution authorizing execution of Amendment No. 5 to Agreement for Mailing Services for a total estimated annual amount not to exceed \$183,000.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): 621-621008-542108

Local Preference Policy Applies Exempt

Explanation: Mailing Services, Inc. is a certified local business

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Utilities Department desires to amend the Agreement with Mailing Services, Inc. for mailing services; and

WHEREAS, the initial agreement was for the one-year period of October 1, 2010 through September 30, 2011 with options for four (4) one-year renewals; and

WHEREAS, Mailing Services, Inc. has agreed to an amendment to renew the Agreement for a fifth and final year through September 30, 2015; and

WHEREAS, the total annual expenditure is not to exceed \$183,000, budgeted in GL account #621-621008-542108; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute Amendment No. 5 with Mailing Services, Inc. as described herein.

Passed this 9th day of September, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: 09-09-14

Submitting Department: Finance - Purchasing Services

Presenter at meeting: Tariq Baloch

Phone Number/Ext: 5283

Email: t.baloch@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Amendment No. 3 to the contract for Lime Sludge Hauling Removal and Disposal-Northwest Water Treatment Plant Lagoons Project with Mike McMurrin Trucking, Inc. to reflect increased quantities of sludge for an amount not to exceed \$113,280 (original contract was \$354,000; total contract amount with this amendment is \$467,280). CIP/DID #0513-256

Background:

Lime sludge is a byproduct of the lime softening process. It is pumped into 1 of 3 lagoons at the Northwest Water Treatment Plant. When the lagoons are full, the lime sludge needs to be removed.

Services are required to haul larger amounts of sludge than originally anticipated. The estimated amount of sludge remaining is 16,000 tons. The firm fixed unit price of \$7.08 per ton remains unchanged.

Action / Recommendation:

Recommend that Council approve the resolution for the additional required services.

Alternative Recommendation:

none

Time Sensitivity:

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): 621-621001-521108

Local Preference Policy Applies Exempt

Explanation: Mike McMurrin Trucking, Inc. is a certified local vendor.

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids, Iowa and Mike McMurrin Trucking, Inc. are parties to an Agreement, whereby McMurrin provides Sludge Removal and Disposal for the Northwest Water Treatment Plant Lagoons to the City; and

WHEREAS, the City and McMurrin are desirous of amending the agreement to reflect an estimated 16,000 tons of additional sludge for a firm fixed unit price of \$7.08 per ton for an amount not to exceed \$113,280; and

WHEREAS, a summary of the contract is listed below:

Original Contract	\$ 354,000	Resolution No. 1242-07-13
Amendment No. 1	\$ 0	To extend term of Contract
Amendment No. 2	\$0	To extend term of Contract through 09-19-14
Amendment No. 3	<u>\$ 113,280</u>	To reflect increased quantities
Total	\$ 467,280	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. 3 for Sludge Removal and Disposal for the Northwest Water Treatment Plant Lagoons.

Passed this 9th day of September 2014.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

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

Phone Number/Extension: 5153

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

Resolution authorizing execution of a Professional Services Agreement with Snyder and Associates, Inc. for an amount not to exceed \$538,484 for design services in connection with the West Post Road NW from E Avenue to Gordon Avenue and Midway Drive NW from West Post Road to Wiley Boulevard Roadway Improvements project (**Paving for Progress**). CIP/DID #3012120-01

Background:

This project includes the rehabilitation or reconstruction of West Post Road NW from south of the intersection with E Avenue NW to south of the intersection with Gordon Avenue NW and Midway Drive NW from west of the intersection with Wiley Boulevard NW to the intersection with West Post Road NW Improvements. This project is funded by the Local Option Sales Tax (LOST), approved for maintenance, repair, and reconstruction of City streets. This will be a multiple year project with West Post Road being reconstructed first and Midway Drive being reconstructed the following year.

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Snyder and Associates, Inc.

Alternative Recommendation:

The City of Cedar Rapids does not currently have the staff resources to design this project internally. The alternatives are to delay a project City staff is currently designing or delay the project until City Staff has the resources available to proceed with design.

Time Sensitivity: Normal

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 3012120, LOST 7970

Local Preference Policy: Applies Exempt

Explanation:

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined it is in the best interest of the City to outsource some professional services relating to the project(s) below, and

WHEREAS, the Public Works Director / City Engineer has determined Snyder and Associates, Inc. is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$538,484, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 3012120-01 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for West Post Road NW from E Avenue to Gordon Avenue and Midway Drive NW from West Post Road to Wiley Boulevard Roadway Improvements.

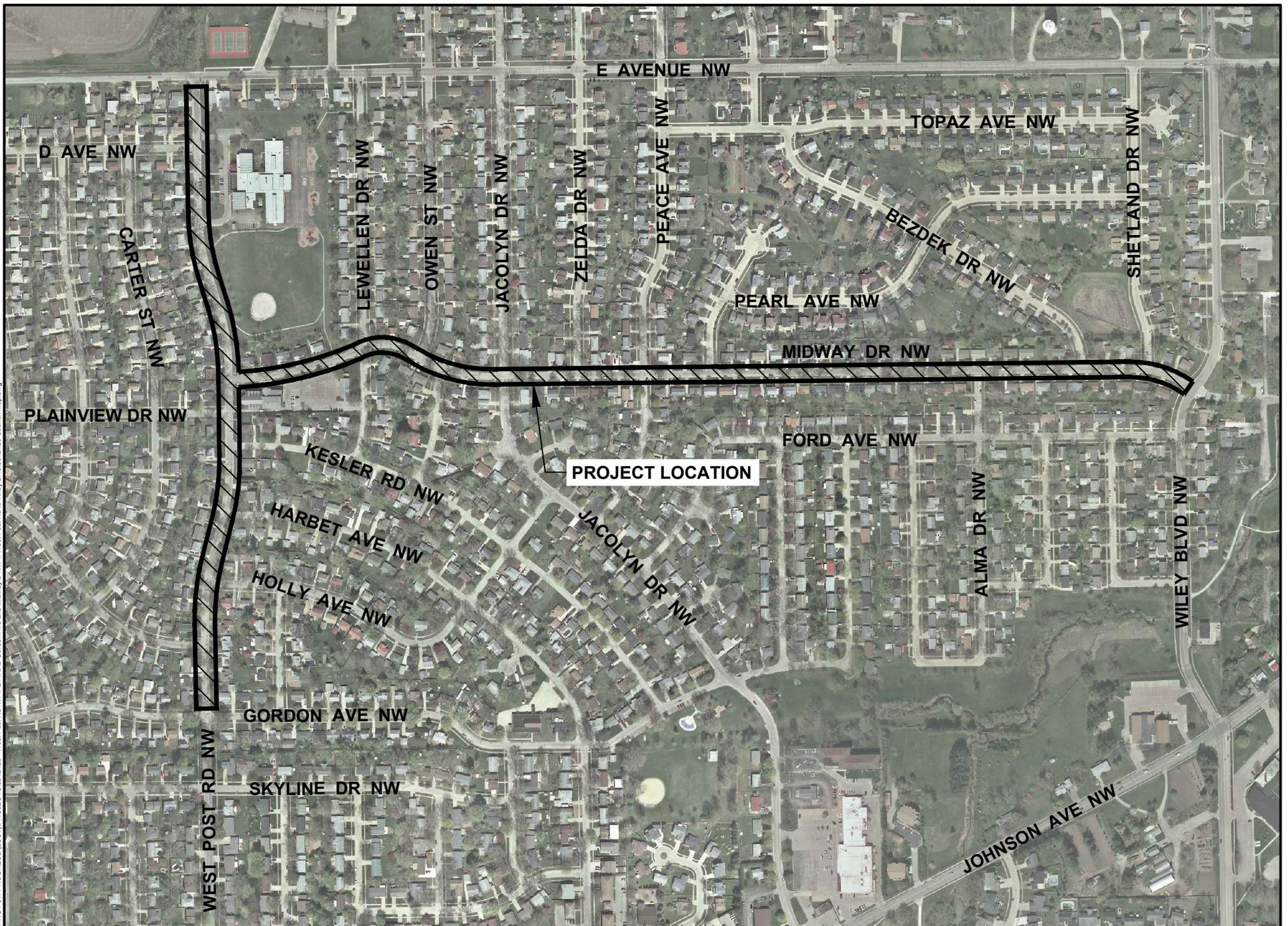
General Ledger Coding for this Agreement to be as follows:

Fund 301, Dept ID 301000, Project 3012120	\$538,484
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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 contract for the services noted herein.

Passed this 9th day of September, 2014

Cadd File Name: W:\PAVING FOR PROGRESS\LOST\PROJECTS\3012120 - West Post Rd NW fr E Ave to Gordon Ave and Midway D NW fr West Post Rd to Wiley Blvd\3012120 Council Map.dwg



**WEST POST ROAD NW FROM E AVENUE TO GORDON AVENUE AND
MIDWAY DRIVE NW FROM WEST POST ROAD TO WILEY BOULEVARD
ROADWAY IMPROVEMENTS**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5814

Alternate contact person: Garrett Prestegard, PE
E-mail Address: g.prestegard@cedar-rapids.org

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

Resolution authorizing execution of a Professional Services Agreement with Watersmith Engineering for an amount not to exceed \$44,838 for design services in connection with the Sanitary Sewer Lift Station Evaluations project. CIP/DID #6550004-01

Background: Watersmith Engineering will evaluate six private sanitary lift stations located within the City limits. These evaluations will outline the capital costs required to upgrade each lift station to meet compliance with state and local standards. In addition, the evaluations will estimate operational costs should the City assume ownership of the lift stations.

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Watersmith Engineering.

Alternative Recommendation:

The City of Cedar Rapids does not currently have the staff resources to complete this project internally. The alternatives are to delay a project City staff is currently designing, or delay the project until City staff has the resources available to proceed with the project.

Time Sensitivity: Normal

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 6550004: \$7,473 6550005: \$7,473 6550006: \$7,473
 6550007: \$7,473 6550008: \$7,473 6550009: \$7,473

Local Preference Policy: Applies Exempt

Explanation:

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined it is in the best interest of the City to outsource some professional services relating to the project(s) below, and

WHEREAS, the Public Works Director / City Engineer has determined Watersmith Engineering is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$44,838, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 6550004-01 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for improvements, Dept ID 655000, Project 655990), and

WHEREAS, the Public Works Director / City Engineer recommends transferring a portion of those funds to the Sanitary Sewer Lift Station Evaluations project (Fund 655, Dept ID 655000, Projects 6550004, 6550005, 6550006, 6550007, 6550008, and 6550009), and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that a transfer of funds from CIP 655990 to CIP Nos. 6550004, 6550005, 6550006, 6550007, 6550008, and 6550009 is approve and that the City Manager and City Clerk are hereby authorized to execute the contract for the services noted herein.

Passed this 9th day of September, 2014.

Old Orchard Knolls 5 Lift Station

Old Orchard Knolls 8 Lift Station

Spirit Hollow Lift Station

Beaver Creek Lift Station

Hoover Trail Lift Station

Prairie Lift Station



LEGEND

▲ Private Lift Station



CEDAR RAPIDS
City of Five Seasons

PRIVATE LIFT STATION LOCATIONS



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

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

Phone Number/Extension: 5153

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

Resolution authorizing execution of a Professional Services Agreement with Foth Infrastructure and Environment, LLC for an amount not to exceed \$916,472 for design services in connection with the O Avenue NW Roadway Improvements from Edgewood Road to Ellis Boulevard project (**Paving for Progress**). CIP/DID #3012121-01

Background:

This project includes the reconstruction of O Avenue NW from Edgewood Road to Ellis Boulevard NW and will be constructed in phases over multiple years. The project will utilize the Complete Streets Policy to develop a multimodal corridor and is funded by the Local Option Sales Tax (LOST), approved for maintenance, repair, and reconstruction of City streets. A water main replacement is also included in the project, with the Utilities Department participating in 23% of the design fee.

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Foth Infrastructure and Environment, LLC

Alternative Recommendation:

The City of Cedar Rapids does not currently have the staff resources to design this project internally. The alternatives are to delay a project City staff is currently designing, or to delay this project until City Staff has the resources available to proceed with design.

Time Sensitivity: Normal

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 3012121, LOST 7970, 625884

Local Preference Policy: Applies Exempt

Explanation:

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined it is in the best interest of the City to outsource some professional services relating to the project(s) below, and

WHEREAS, the Public Works Director / City Engineer has determined Foth Infrastructure and Environment, LLC is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$916,472, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 3012121-01 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for the O Avenue NW Roadway Improvements from Edgewood Road to Ellis Boulevard project,

General Ledger Coding for this Agreement to be as follows:

Fund 301, Dept ID 301000, Project 3012121	\$705,692.00
Fund 625, Dept ID 625000, Project 625884	\$210,780.00

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 contract for the services noted herein.

Passed this 9th day of September, 2014



**O AVENUE NW ROADWAY IMPROVEMENTS
FROM EDGEWOOD ROAD TO ELLIS BOULEVARD**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

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

Phone Number/Extension: 5153

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

Resolution authorizing execution of a Professional Services Agreement with Hall & Hall Engineers, Inc. for an amount not to exceed \$26,590 for design services in connection with the Seminole Valley Road NE Alternative Access Conceptual Plan. CIP/DID #301925-01

Background:

Seminole Valley Road NE and 42nd Street NE are long streets which serve approximately 500 homes with only one access. The only access out of the area is over an at-grade railroad crossing. Neighborhood representatives have expressed concerns of possible delayed emergency response when a train is present and/or if a train becomes derailed or stuck blocking access.

The City has agreed to look into alternatives to provide secondary access to the neighborhoods for emergency vehicles and a possible future separated crossing of the railroad. Conceptual plans for these alternatives, preliminary costs and possible funding sources will be included with the final deliverables under this contract. Once the alternatives have been reviewed, City staff will bring forward to the City Council Infrastructure Committee a recommendation on how to proceed with project development.

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Hall & Hall Engineers, Inc.

Alternative Recommendation:

The City of Cedar Rapids does not currently have the staff resources to design this project internally. The alternatives are to delay a project City staff is currently designing or delay the project until City Staff has the resources available to proceed with design.

Time Sensitivity: Normal

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP 301925

Local Preference Policy: Applies Exempt

Explanation: .

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined it is in the best interest of the City to outsource some professional services relating to the project(s) below, and

WHEREAS, the Public Works Director / City Engineer has determined Hall & Hall Engineers, Inc. is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$26,590, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 301925-01 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for Seminole Valley Road NE Alternative Access Conceptual Plan, and

General Ledger Coding for this Agreement to be as follows:

Fund 301, Dept ID 301000, Project 301925 \$26,590

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 contract for the services noted herein.

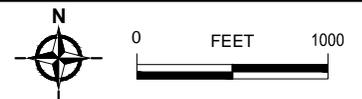
Passed this 9th day of September, 2014.



Cadd File Name: W:\PROJECTS\CI\3013011925\301925 Council Map.dwg



**SEMINOLE VALLEY ROAD NE
ALTERNATIVE ACCESS CONCEPTUAL PLAN**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5875

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

Phone Number/Extension: 5807

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

Resolution authorizing execution of a Purchase Agreement in the amount of \$4,700 and accepting a Warranty Deed and Temporary Grading Easement for Construction from Scott C. Evans, Renay C. Evans, Shawn G. Evans and Karine H. Apineru-Evans from land located at 3875 Oakland Road NE in connection with the Oakland Road NE Sidewalk from Golf Street to Golfview Drive project. CIP/DID #301734-00

Background:

The City Council previously approved funding towards the Oakland Road NE Sidewalk from Golf Street to Golfview Drive project.

The right-of-way and temporary easements are required to accommodate the proposed sidewalk project. There is currently a gap in the existing sidewalk and this project would eliminate the gap and join the sidewalks together. The City of Cedar Rapids has received a Safe Routes to School grant, which helps defray or eliminate the cost of the project to the property owner(s). Compensation amounts proposed are based on an appraisal of the subject property, provided by a qualified appraiser and a review appraiser's recommendation both hired by the City.

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$4,700 and accepting a Warranty Deed, Real Estate Transfer - Groundwater Hazard Statement and a Temporary Grading Easement for Construction from Scott C. Evans, Renay C. Evans, Shawn G. Evans and Karine H. Apineru-Evans.

Alternative to the Recommendation:

Do not proceed with acquiring the proposed right of right and temporary easements and direct City staff to abandon or reconfigure the sidewalk.

Time Sensitivity: Normal

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 301/301000/301734

Local Preference Policy: Applies Exempt

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

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined the need for additional right-of-way and a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Scott C. Evans and Renay C. Evans, 2917 Paris Road, Walker, Iowa 52352, and Shawn G. Evans and Karine H. Apineru-Evans, 3875 Oakland Road NE, Cedar Rapids, Iowa 52402, OWNERS of the real property known and described as:

See Attached Acquisition Plat

have agreed to convey the necessary right-of-way and temporary grading easement for construction from land located at 3875 Oakland Road NE, to the City of Cedar Rapids for consideration as follows:

Right of Way	\$1,800
Temporary Easement	\$200
Damages	<u>\$2,700</u>
TOTAL	\$4,700

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for Oakland Road NE Sidewalk from Golf Street to Golfview Drive project (Fund 301, Dept ID 301000, Project 301734), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are hereby authorized to execute the Purchase Agreement as described herein, and

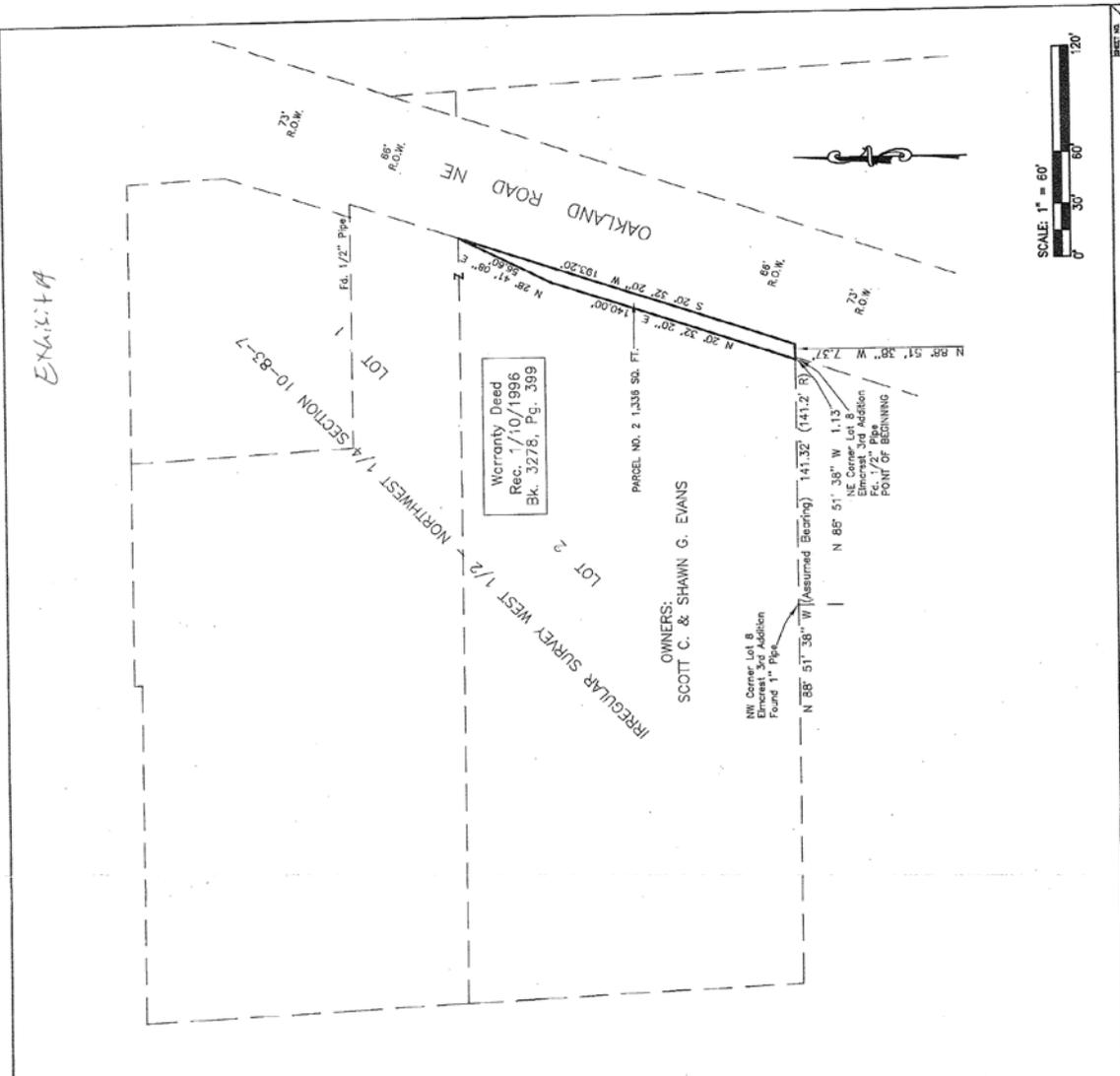
BE IT FURTHER RESOLVED that the Purchase Agreement and the Temporary Grading Easement for Construction are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

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

BE IT FURTHER RESOLVED that the Warranty Deed and Real Estate Transfer – Groundwater Hazard Statement from Scott C. Evans, Renay C. Evans, Shawn G. Evans and Karine H. Apineru-Evans 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 9th day of September, 2014.

Exhibit A



FILE NO. ROW DEDICATION/ID	FILE NO. ROW DEDICATION/ID	FILE NO. ROW DEDICATION/ID	FILE NO. ROW DEDICATION/ID
0	INITIAL ISSUE	1/28/14	DATE
NO.	REVISION DESCRIPTION		
CEDAR RAPIDS City of the Emerald			
OAKLAND ROAD NE		FILE NO. ROW DEDICATION/ID	FILE NO. ROW DEDICATION/ID
		301866	1
		RIGHT-OF-WAY ACQUISITION PLAT PARCEL NUMBER TWO	
		SHEET NO. 1	

LEGAL DESCRIPTION:
 BEING A SURVEY OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 28 NORTH RANGEL WEST OF THE 4TH P.M., CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTHEAST CORNER OF LOT 8, ENCLOSED THIRD ADDITION; THENCE NORTH 88°51'38" WEST ASSUMED BEARING, 1.13 FEET ALONG THE NORTH LINE OF SAID LOT 8; THENCE NORTH 20°32'20" EAST, 140.00 FEET; THENCE NORTH 28°41'00" EAST, 56.60 FEET TO THE NORTH LINE OF SAID LOT 2; THENCE SOUTH 28°22'20" WEST, 194.20 FEET ALONG THE EAST LINE OF THE WARRANTY DEED RECORDED JANUARY 10, 1996, IN BK. 327B PG. 399, IN THE LINN COUNTY RECORDERS OFFICE, TO THE SOUTHEAST CORNER OF SAID WARRANTY DEED; THENCE NORTH 86°51'38" WEST, 7.57 FEET ALONG THE SOUTH LINE OF SAID WARRANTY DEED TO THE POINT OF BEGINNING, CONTAINING 1,335 SQUARE FEET (0.03 ACRE), SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

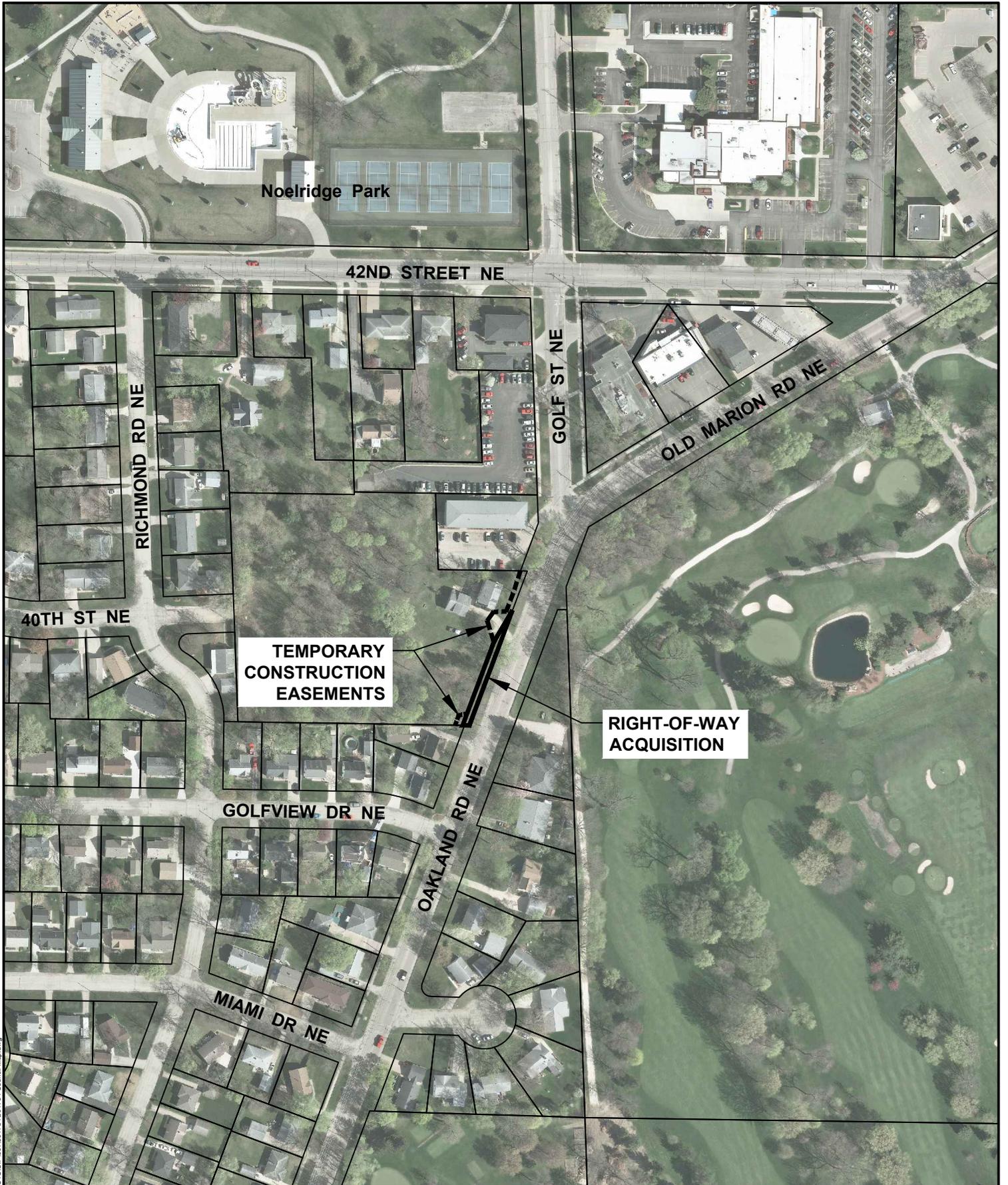
LEGEND

- FOUND SURVEY MARKER AS NOTED
- ⊙ 1/2" DIA. REBAR W/RED PLASTIC CAP LS 7060 TO BE SET WITHIN 1 YEAR OF RECORDING PLAT (R) RECORDED AS

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

 Date 1-30-14
 Lyle G. Tekippe, L.S.
 License Number 7060
 My license renewal date is December 31, 2014
 Pages or sheets covered by this seal:
 This Sheet

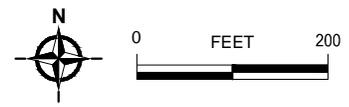




**TEMPORARY
CONSTRUCTION
EASEMENTS**

**RIGHT-OF-WAY
ACQUISITION**

**RIGHT-OF-WAY ACQUISITION AND
TEMPORARY CONSTRUCTION EASEMENTS
OAKLAND ROAD NE (NORTHWESTERLY SIDE) FROM
GOLF STREET TO GOLFVIEW DRIVE PCC SIDEWALK**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5814

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

Phone Number/Extension: 5547

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

Resolution awarding and approving contract in the amount of \$49,825, plus incentive up to \$1,000, bond and insurance of Rathje Construction Company for the City Hall Roof Drain Repair Project (estimated cost is \$37,000). CIP/DID #353039-09

Background:

Rathje Construction Company, Marion, IA	\$49,825
Possible Incentive	<u>\$ 1,000</u>
Total Award	\$50,825
 Bowker Mechanical Contractors, LLC, Cedar Rapids, IA	 \$72,540

Rathje Construction Company submitted the lowest of the bids received on August 26, 2014 for the City Hall Roof Drain Repair Project. Construction work is anticipated to begin this fall and be completed before May 1, 2015.

Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve the contract in the amount of \$49,825 plus incentive up to \$1,000, bond and insurance of Rathje Construction Company for the City Hall Roof Drain Repair 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. Deferral of the contract award after September 9, 2014 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt

Recommended by Council Committee: Yes No N/A

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, the following competitive quotations were received, opened, and announced on August 26, 2014 by the City Engineer, or designee, for the City Hall Roof Drain Repair Project (Contract No. 353039-09):

Rathje Construction Company, Marion, IA	\$49,825
Possible Incentive	<u>\$ 1,000</u>
Total Award	\$50,825
Bowker Mechanical Contractors, LLC, Cedar Rapids, IA	\$72,540

AND WHEREAS, general ledger coding for this public improvement project shall be as follows: \$50,825 353-353000-353039

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 competitive quotations is hereby ratified and approved;
2. Rathje Construction Company is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its competitive quotation and award the contract to it;
3. Subject to registration with the Department of Labor, the Competitive Quotation of Rathje Construction Company is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Rathje Construction Company.
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that 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 9th day of September, 2014.



CITY HALL ROOF DRAIN REPAIR PROJECT





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5814

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

Phone Number/Extension: 5547

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

Resolution awarding and approving contract in the amount of \$43,000 plus incentive up to \$1,500, bond and insurance of Hardscape Solutions of Iowa for the FY 2015 Downtown Streetscape Enhancement Project (estimated cost is \$40,000). CIP/DID #321549-01

Background:

Hardscape Solutions of Iowa, Marion, IA	\$42,100
Jasper Construction Services, Inc., Newton, IA	\$65,958

Hardscape Solutions of Iowa submitted the lowest of the competitive quotations received on August 29, 2014 for the FY 2015 Downtown Streetscape Enhancement Project. The bid is within the approved budget. Construction work is anticipated to begin this fall and be completed by November 26, 2014

The Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of Handscape Solutions of Iowa was corrected to be 43,000, based on the unit prices submitted and the correct bid quantity totals.

Hardscape Solutions of Iowa, Marion, IA	\$43,000
Possible Incentive	<u>\$ 1,500</u>
Total Award	\$44,500

Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$43,000 plus incentive up to \$1,500, bond and insurance of Hardscape Solutions of Iowa for the FY 2015 Downtown Streetscape Enhancement 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 September 9, 2014 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt

Explanation: This project is a Public Improvement Project and as such per State Code the City is required to award the construction contract to the lowest responsive, responsible bidder. The Buy Local Policy does not apply in this situation.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, the following competitive quotations were received, opened, and announced on August 29, 2014 by the City Engineer, or designee, for the FY 2015 Downtown Streetscape Enhancement Project (Contract No. 321549-01):

Hardscape Solutions of Iowa, Marion, IA	\$42,100
Jasper Construction Services, Inc., Newton, IA	\$65,958

, and

WHEREAS, the Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of Hardscape Solutions of Iowa was corrected to be \$43,000, based on the unit prices submitted and the correct bid quantity totals.

Hardscape Solutions of Iowa, Marion, IA	\$43,000
Possible Incentive	<u>\$ 1,500</u>
Total Award	\$44,500

, and

WHEREAS, general ledger coding for this public improvement project shall be as follows: \$44,500 321-321000-321549

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

1. The bids received as reported above are hereby ratified and accepted;
2. Irregularities and/or technicalities in bids received and corrected according to the contract requirements are hereby waived;
3. Hardscape Solutions of Iowa is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its corrected competitive quotation and award the contract to it;
4. Subject to registration with the Department of Labor, the Competitive Quotation of Hardscape Solutions of Iowa is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Hardscape Solutions of Iowa.
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 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 9th day of September, 2014.



Council Agenda Item Cover Sheet

Consent Agenda **Regular Agenda**

Council Meeting Date: September 9, 2014

Submitting Department: Utilities – Water

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

Alternate Contact: Ken Russell **Phone:** 5926 **E-mail:** k.russell@cedar-rapids.org

Description of Agenda Item:

Resolutions approving actions regarding Purchases/Contracts/Agreements:

- a. Professional Services Agreement with CP Solutions, Inc. for an amount not to exceed \$45,000 for Cathodic Protection Design, Training, Testing and Inspection. CIP/DID #625542-2014064-02

Background:

The Utilities Department – Water Division has adopted an engineering standard to install Cathodic Protection (CP) for water transmission mains 16-inches and larger in order to reduce corrosion of Ductile Iron Pipe (DIP) water main and extend the service life of critical large capacity water mains. CP Solutions, Inc. has provided CP design for three (3) existing projects (retro-fit installation on an existing 24-inch water main, and two (2) projects with 24-inch DIP Transmission Main related to Highway 100 currently under construction which will need tested, and two (2) additional proposed projects to which we would like to add CP as part of the initial installation.

The Utilities Department – Water Division recommends that the City execute a Professional Services Agreement with CP Solutions, Inc. for Cathodic Protection on water mains 16-inch and larger in an effort to reduce corrosion and extend their service life.

Our schedule proposes to continue using CP Solutions, Inc. services for projects currently in construction, and continue those services for projects to be bid, and future projects scheduled for design in the Fall of 2014 and Spring of 2015.

Action / Recommendation:

The Utilities Department – Water Division recommends approval of the Professional Services Agreement (Contract No. 2014064-02) for Cathodic Protection Design, Training, Testing and Inspection with CP Solutions, Inc., be hereby approved and that the City Manager and City Clerk be authorized to execute said Agreement.

Alternative Recommendation:

Should the City Council decide not to approve the Professional Services Agreement, the utilization of cathodic protection for large diameter water mains will not continue. The water main can be installed without cathodic protection.

Time Sensitivity: Request action during the September 9, 2014 City Council meeting in an effort to continue field inspection, testing and training of CP systems and design of systems for projects that have been identified but are not yet in design.

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

1. **Included in Current Year Budget.** Yes, the Fiscal Year 2015 CIP budget includes funding for Water Main Replacement. The general ledger coding for this project is 553000-625-625000-625542-2014064.

2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The Fiscal Year 2015 CIP budget included \$1,200,000 for engineering and construction of new water mains under CIP number 625542. The budget for construction will be established pursuant to the completion of the initial evaluation by the Engineer.
3. **Purchasing Department used or Purchasing Guidelines followed:** Purchasing guidelines are being followed for Public Improvement Projects.

Local Preference Policy **Applies** **Exempt**

Explanation: N/A

Recommended by Council Committee Yes No N/A

Explanation (if necessary): CP Solutions, Inc. is a regional firm specializing in cathodic protection for ductile iron water main. Their current on-call contract expires at the end of September and we anticipate a continued need for their service on projects that have been identified but are not yet in design.

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Utilities Department – Water Division has adopted an engineering standard to install Cathodic Protection (CP) on water transmission mains 16-inches and larger in order to reduce corrosion of Ductile Iron Pipe Water Main and extend the service life of critical large capacity water mains, and

WHEREAS, the Water Division will require the specialized services of a consultant for the Cathodic Protection Design, Training, Testing and Inspection on water transmission mains 16-inch and larger, and

WHEREAS, CP Solutions, Inc. possess the expertise and experience needed for this project and has proposed to furnish these services for an amount not to exceed \$45,000, and

WHEREAS, CP Solutions, Inc. has provided CP design for three existing projects (retro-fit installation on an existing 24-inch water main), and two projects with 24-inch DIP Transmission Main related to Highway 100 currently under construction which will need tested, and two additional proposed projects to which we would like to add CP as part of the initial installation, and

WHEREAS, the Utilities Department – Water Division staff has determined that the proposed fee is fair and reasonable for the scope of services to be furnished and recommends that the City execute a Professional Services Agreement with CP Solutions, Inc. for Cathodic Protection Design, Training, Testing and Inspection (Contract No. 2014064-02).

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Professional Services Agreement with CP Solutions, Inc. for an amount not to exceed \$45,000 for Cathodic Protection Design, Training, Testing and Inspection (Contract No. 2014064-02) be hereby approved and that the City Manager and City Clerk be authorized to execute said Agreement. To be funded from Utilities Department - Water Division Fiscal Year 2015 CIP budget and coded to 553000-625-625000-625542-2014064.

Passed this 9th day of September, 2014.



Council Agenda Item Cover Sheet

Consent Agenda **Regular Agenda**

Council Meeting Date: September 9, 2014

Submitting Department: Utilities – WPC Division

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

Alternate Contact: Jonathan Mouw **Phone:** 5296 **E-mail:** j.mouw@cedar-rapids.org

Description of Agenda Item:

Resolutions approving actions regarding Purchases/Contracts/Agreements:

- a. Professional Services Agreement with CH2M HILL Engineers, Inc. for an amount not to exceed \$78,461 for the WPCF Biofilter Evaluation project. CIP/DID #615236-01

Background:

The Water Pollution Control Facility is a significant source of odorous gasses. Several processes have been added to the facility to treat odorous air to mitigate the onsite dangers and reduce odors to nearby residents. The most significant portion of the odorous air treatment process occurs within two onsite Biofilters/Bioscrubbers, originally constructed in 1998. Loadings to the Biofilters have increased since their initial construction, while removal efficiencies have decreased.

The goal of the project is to evaluate onsite odor sources and treatment processes at the WPCF, determine if any options are available to optimize these treatment processes, determine if additional treatment is required, and provide recommendations to the City. A significant portion of the evaluation will be directed toward the condition, optimization, and possible expansion of the existing Biofilters.

Five engineering firms were contacted for Statements of Qualifications to perform the evaluation. Packets detailing the experience of the firm and the proposed schedule for the project were received from four engineering firms. The four firms were: Stanley Consultants, Inc., H.R. Green Company, HDR Engineering, and CH2M HILL Engineers, Inc. The Utilities Department staff evaluated the qualifications of the responding firms and determined that the technical resources that CH2M HILL Engineers, Inc. could bring to the project best met the needs of the Utilities Department.

Action / Recommendation:

The Utilities Department – WPC division recommends approval of the Professional Services Agreement with CH2M HILL Engineers, Inc. for the WPCF Biofilter Evaluation project and that the City Manager and City Clerk be authorized to execute said Agreement.

Alternative Recommendation: None

Time Sensitivity: Action needed 9-9-14

Resolution Date: 9-9-14

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

1. **Included in Current Budget Year.** Yes. The project will be funded from the FY 2015 WPC Division Capital Improvement Projects budget. The project will be coded to the following CIP fund: 925-553000-615-615000-x-x-615236.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$750,000 budgeted in the FY2015 CIP budget and \$750,000 planned in the FY2016 budget for the Bioscrubber Renovation Project.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, statements of qualifications were requested from multiple engineering firms and evaluated by Utilities Department staff using objective criteria.

Local Preference Policy

Applies Exempt

Explanation: Consultant evaluation form gives preference to local consultants.

Recommend by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Water Pollution Control Facility is a significant source of odorous gasses with several processes added to the facility to treat them, with the greatest portion of the odorous air treatment process occurring within two onsite Biofilters/Bioscrubbers, and

WHEREAS, loadings to the Biofilters have increased since their initial construction in 1998, while removal efficiencies have decreased, and

WHEREAS, as a result, onsite odor sources and treatment processes need to be evaluated to determine in any options are available to optimize these treatment processes and determine if additional treatment is required, and more specifically, a possible expansion of the existing Biofilters, and

WHEREAS, five engineering firms were contacted for Statements of Qualifications and packets detailing the experience of the firm and proposed schedule for the project and the four responding firms were Stanley Consultants, Inc., H.R. Green Company, HDR Engineering, and CH2M HILL, and

WHEREAS, the Utilities Department staff evaluated the qualifications of the responding firms and determined that the technical resources that CH2M HILL could bring to the project best met the needs of the department, and

WHEREAS, the Utilities Department – Water Pollution Control Division recommends approval of the Professional Services Agreement with CH2M HILL for the WPCF Biofilter Evaluation project and authorizing the City Manager and City Clerk to execute said Agreement, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Water Pollution Control Facility be hereby authorized to enter into a Professional Services Agreement with CH2M HILL for the WPCF Biofilter Evaluation project for an amount not to exceed \$78,461 be hereby approved and the City Manager and City Clerk authorized to execute. To be funded from the FY15 CIP budget and coded to 925-553000-615-615000-x-x-615236.

Passed this 9th day of September, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Cedar Rapids Police Department

Presenter at meeting: JCA Joe McCarville **Phone Number/Ext:** x5381
E-mail Address: j.mccarville@cedar-rapids.org

Alternate Contact Person: JCA Charlie McClintock **Phone Number/Ext:** 5383
E-mail Address: c.mcclintock@cedar-rapids.org

Description of Agenda Item:

Resolution authorizing the City Attorney, Chief of Police and the Eastern Iowa Airport Public Safety Commander, to execute a State of Iowa Department of Public Safety Iowa On-Line Warrants and Articles User Agreement. CIP/DID #OB759137

Background:

This two year agreement provides for the State of Iowa DPS Iowa On-Line Warrants and Articles System to facilitate the interchange of information between systems such as NCIC, NLETS, Iowa DOT and IOWA System participants, including the Cedar Rapids JCA/Police Department and Eastern Iowa Airport, as USER AGENCIES.

Action / Recommendation:

Joint Communications Agency recommends the City Council authorize execution of this agreement.

Alternative Recommendation:

The Iowa Department of Public Safety is the only option for all agencies in Iowa for criminal justice information.

Time Sensitivity: NA

Resolution Date: September 9, 2014

Estimated Presentation Time: 0

Budget Information (if applicable): NA

Local Preference Policy: Applies Exempt x

Explanation: NA

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids and the State of Iowa Department of Public Safety Iowa On-Line Warrants and Articles System desire to enter into a two year User Agreement, and

WHEREAS, the User Agreement provides for the State DPS to facilitate the interchange of information between the systems and participants including the Cedar Rapids Police Department and the Eastern Iowa Airport, and

WHEREAS, the Iowa Department of Public Safety is the only option for all agencies in Iowa to share criminal justice information,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Attorney, the Chief of Police, and the Eastern Iowa Airport Public Safety Commander are hereby authorized to execute the User Agreement.

Passed this 9th day of September, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Community Development

Presenter at meeting: Erika Kubly

Phone Number/Ext: 319 286-5406

Email: e.kubly@cedar-rapids.org

Alternate Contact Person: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

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

Resolution authorizing execution of Assignment and Assumption of Development Agreement from Schissel, LLC to Cedar Ridge Homes, Inc. for property at 408 5th Avenue SW participating in the third round of the Single Family New Construction Program (**FLOOD**). CIP/DID #OB540257

Background:

The resolution for City Council consideration provides for the execution of assignment and assumption of Development Agreement with the above listed developer and associated property through the third round of the Single Family New Construction Program, known locally as the ROOTs program. The Development Agreement and Special Warranty Deed previously executed on October 9, 2012 effectively conveyed City-owned property from the City of Cedar Rapids to Schissel, LLC. The process of assignment and conveyance to Cedar Ridge Homes, Inc. has been initiated as a result of Schissel, LLC opting to not pursue construction of a new home on this property through the ROOTs program. The Resolution provides that the City consents to this assignment as Cedar Ridge Homes, Inc. agrees to all terms and conditions of the original Development Agreement.

Highlights of the terms and conditions contained in the Agreement for Redevelopment are as follows:

- a. Property is being conveyed to the qualified developer based on the investment provided by the developer in the construction of a single-family home;
- b. Developer agrees to commence construction within one year of the execution of the agreement and complete all projects prior to the end of the program in December 2014;
- c. Developer is responsible to resolve conflicts with adjacent property owners and purchasers that might result from the construction project;
- d. Developer is responsible for maintaining the property in accordance with all City and state codes;
- e. Developer shall comply with all program requirements pertaining to the sale of the property to a qualified buyer.

On November 9, 2010, by Resolution No. 1306-11-10, the City Council approved the Administrative Plan for the Single Family New Construction (SFNC) Program. The administrative plan limits development of homes to lots within the “Neighborhood Revitalization Area” of the flood inundation area. The administrative plan further directs the use of lots acquired by the City through the Voluntary Property Acquisition Program to be conveyed to the developer in consideration for the construction of the SFNC unit.

Through a competitive proposal process, developers submitted applications for the program which listed “preference sites” either owned by the City or being acquired through the Voluntary Property Acquisition Program. A team of City staff, members of the Home Builders Association, and the Neighborhood Planning Process Steering Committee evaluated the proposals based on:

- financial and performance capacity;
- experience with projects of similar scope;
- architectural design;
- compatibility with the existing neighborhood;
- green building practices; and
- marketing plan.

A total of 200 properties were identified by 23 developers through three phases of property allocation for this round of the program.

Action / Recommendation:

City staff recommends approval of the resolutions.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity: N/A

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt N/A

Explanation: Federal grant funds

Recommended by Council Committee Yes No N/A

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF ASSIGNMENT AND
ASSUMPTION OF DEVELOPMENT AGREEMENT FROM SCHISSEL, LLC TO
CEDAR RIDGE HOMES, INC. FOR PROPERTY AT 408 5TH AVENUE SW
PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY NEW
CONSTRUCTION PROGRAM

WHEREAS, on October 9, 2012, the City Council passed Resolution 1368-10-12, authorizing execution of a Development Agreement and Special Warranty Deed with Schissel, LLC for City-owned property at 408 5th Avenue SW participating in the third round of the Single Family New Construction Program; and

WHEREAS, Schissel, LLC has opted to not proceed with construction of a new single-family home on said property and seeks to convey the property to an alternate participating developer, Cedar Ridge Homes, Inc.; and

WHEREAS, the City and participating Developers have come to mutual agreement as to the terms and conditions of the Assignment and Assumption of Development Agreement which is now ready for execution on behalf of the City;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Assignment and Assumption of Development Agreement with Cedar Ridge Homes, Inc.;

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute the Assignment and Assumption of Development Agreement effectuating the conveyance of property in accordance with the original Development Agreement and that the resolution and agreement be recorded in the Office of the Linn County Recorder.

Passed this 9th day of September, 2014



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Community Development and Planning

Presenter at Meeting: Seth Gunnerson

Phone: 319 286-5129

Email: s.gunnerson@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone: 319 286-5781

Email: j.pratt@cedar-rapids.org

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

Resolution authorizing execution of a Development Agreement with Cargill, Inc. for lease and purchases of City-owned properties at 903, 908 and 915 16th Avenue SE; 1616 9th Street SE; 900, 906, 916, 919 and 923 17th Avenue SE and 929 Hull Avenue SE acquired through the City's Voluntary Acquisition Program (**FLOOD**). CIP/DID #OB811370

Background:

The resolution will authorize the City to execute a Development Agreement with Cargill for the disposition of ten (10) properties located in Southeast Cedar Rapids near the company's Otis Road Facility. The properties are located in a former residential neighborhood located south of Otis Road SE and east of 9th Street SE. The majority of homes in this neighborhood has been acquired by either the City or Cargill and has been demolished.

All ten properties have been demolished and the site's cleared. Development on the site would not be permitted until a flood plain map amendment is made with the US Army Corp of Engineers, which would be after flood protection is constructed. Until then, Cargill will continue maintain the property as green space. Any future development on the site for parking or expansion of the plant would require approval of a Master Plan by City Council.

A public hearing was held on January 12, 2013 to solicit proposals for the disposition of the properties. The City received one bid, from Cargill, which was reviewed by an evaluation team representing interests from the Oak Hill/Jackson Neighborhood Association, New Bohemia, the Main Street District, Southside Investment and the Czech Bohemia Overlay District. On March 26, 2013 the City Council authorized staff to enter into negotiations with Cargill for a Development Agreement to allow them to acquire the properties.

Redevelopment is currently not allowed on these properties. These were purchased by the City with federal funds, as part of disaster recovery. Per federal requirements, redevelopment is currently deed restricted for properties located within the 100-year floodplain. The only exceptions are properties within Historic Districts or viable commercial corridors. Until the deed restrictions are removed, the City may not transfer title of the property.

Cargill is interested in maintaining the vacant lots until the deed restrictions are removed. This

could happen through construction of flood protection or an approved plan for reuse as a parking lot. Staff has verified with the Iowa Economic Development Authority that a Development Agreement may be created that allows City Council to choose a preferred Developer and transfer land upon removal of the deed restrictions.

Action/Recommendation:

City staff recommends approval of the resolution.

Alternative Recommendation:

City Council may table the motion and request more information.

Time Sensitivity: N/A

Resolution Date: September 9, 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):

On November 28, 2012, the Development Committee voted unanimously to recommend the disposition of these ten (10) City-owned properties adjacent to the Cargill facility at 1710 16th Street SE through a competitive proposal process.

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
WITH CARGILL, INC. FOR THE LEASE AND PURCHASE OF CITY-OWNED
PROPERTY AT 903, 908, AND 915 16TH AVE SW; 1616 9TH ST SW; 900, 906, 916,
919 AND 923 17TH AVE SW AND 929 HULL AVE SW, ACQUIRED THROUGH THE
CITY'S VOLUNTARY PROPERTY ACQUISITION PROGRAM

WHEREAS, the City acquired properties at 903, 908, and 915 16th Ave SW; 1616 9th St SW; 900, 906, 916, 919 and 923 17th Ave SW and 929 Hull Ave SW through the Voluntary Property Acquisition Program, and;

WHEREAS, on December 18, 2012 City Council made a motion to conduct a public hearing, a notice was published on January 12, 2013, and the public hearing was held on January 22, 2013 on the possible disposition of the properties; and

WHEREAS, the City received one (1) proposal to purchase and redevelop the property from Cargill, Inc.; and

WHEREAS, an evaluation team comprised of City staff and representatives of Oak Hill/Jackson Neighborhood Association, New Bohemia, Inc., Main Street, Southside Development, and Design Review – Technical Advisory Committee reviewed the proposals on March 6, 2013; and

WHEREAS, the City Council has determined that the redevelopment proposal submitted by Cargill, Inc. will provide a community benefit by use of the property as open space with potential future development as permitted through future amendment of deed restrictions; and the City and developer have come to mutual agreement as to the terms and conditions of the development agreement and the agreement is now ready for approval and 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 execute a Development Agreement and associated documents with Cargill, Inc.

Passed this 9th day of September, 2014

Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Finance

Presenter at meeting: Casey Drew

Phone Number/Ext: 286-5097

Email: c.drew@cedar-rapids.org

Alternate Contact person: Yvonne Aubrey

Phone Number/Ext: 286-5008

Email: y.aubrey@cedar-rapids.org

Description of Agenda Item:

Resolution authorizing payment of \$68,563.25 to be made to the Iowa Individual Health Reinsurance Association for annual assessment due October 8, 2014.

Background:

The State of Iowa requires all public self-insured health insurance plans to be a member of the Iowa Individual Health Benefit Reinsurance Association and to help subsidize health insurance companies selling individual basic and standard benefit policies with a loss ratio above 90%.

Action / Recommendation:

City Council approve payment of annual assessment to Iowa Individual Health Reinsurance Association in the amount of \$68,563.25.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable): N/A

Local Preference Policy: Applies Exempt

Explanation:

RESOLUTION NO.

WHEREAS, the State of Iowa requires all public self-insured health insurance plans to be a member of the Iowa Individual Health Benefit Reinsurance Association and to help subsidize health insurance companies selling individual basic and standard benefit policies with a loss ratio above 90%, and,

WHEREAS, the Association has notified the City this year's assessment is \$68,563.25, now therefore,

BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa, that payment of \$68,563.25 be made to the Iowa Individual Health Reinsurance Association.

Funding will be from the Health Insurance Fund budget (542107-013-013000).

Passed this 9th day of September, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Matt Jensen
Email:

Phone Number/Ext: 5937

Alternate Contact Person: Diane Rodenkirk
Email: d.rodenkirk@cedar-rapids.org

Phone Number/Ext: 5023

Description of Agenda Item:

Contract for Seal Coat Parking Lot project with L.L. Pelling Co. Inc. for the Utilities Department for an amount not to exceed \$38,860. CIP/DID #0714-023

Background:

Purchasing Services solicited bids on behalf of the Utilities Department for seal coating the Water Distribution parking lot, 707 J Avenue NE. One bid was received. The Utilities Department desires to award the contract to L.L. Pelling Co. Inc. The project will be completed by September 30, 2014 at a not-to-exceed cost of \$38,860.

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): 553000-625-625000-6250031

Local Preference Policy Applies Exempt

Explanation: L.L. Pelling Co. Inc. is a certified local vendor

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for parking lot seal coat on behalf of the City of Cedar Rapids Utilities Department for the Water Distribution parking lot, 707 J Avenue NE; and

WHEREAS, responses were received from one vendor; and

WHEREAS, the Utilities Department is making the following recommendation for award to L.L. Pelling Co., Inc.; and

WHEREAS, the project will be completed by September 30, 2014; and

WHEREAS, the not-to-exceed amount is \$38,860.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute a Contract with L.L. Pelling Co. Inc. as described herein.

Passed this 9th day of September, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Steve Krug

Phone Number/Ext: 5740

Email: s.krug@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Contract for Hoover Trail Park Pavilion project with Connerley Construction LLC for the Parks and Recreation Department for an amount not to exceed \$32,836. CIP/DID #0814-028

Background:

Purchasing Services solicited bids on behalf of the Parks and Recreation Department for a qualified Contractor to construct a pavilion in Hoover Trail Park. Two bids were received. The Parks and Recreation Department recommends award to Connerley Construction LLC as the lowest responsive and responsible bidder. The project will be completed by November 30, 2014.

Bids received:

Company Name	Location	Price
Connerley Construction LLC	Cedar Rapids	\$32,836
Weitz Industrial, LLC	Cedar Rapids	\$57,550

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): 307222-307-307000

Local Preference Policy Applies Exempt

Explanation: Connerley is not a certified local vendor but the local vendor is not within 5%

Recommended by Council Committee
Explanation (if necessary):

Yes

No

N/A

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for the construction of the Hoover Trail Park pavilion on behalf of the City of Cedar Rapids Parks and Recreation Department; and

WHEREAS, responses were received from two vendors; and

WHEREAS, the Parks and Recreation Department is making the following recommendation for award to Connerley Construction LLC, which was the lowest responsive and responsible bidder; and

WHEREAS, the project will be completed by November 30, 2014; and

WHEREAS, the not-to-exceed price is \$32,836.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute a Contract with Connerley Construction LLC as described herein.

Passed this 9th day of September, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Email:

Alternate Contact Person: Jerry Kirk

Phone Number/Ext: 5757

Email: j.kirk@cedar-rapids.org

Alternate Contact Person: Heather Mell

Phone Number/Ext: 5117

Email: h.mell@cedar-rapids.org

Description of Agenda Item:

Contract for Painting of Cherry Hill Pool Slide Supports Project with VanNevel Coatings & Restoration for the Parks and Recreation Department for an amount not to exceed \$46,500. CIP/DID #0514-191

Background:

Purchasing Services solicited bids on behalf of Parks and Recreation for the Painting of Cherry Hill Pool Slide Supports with three vendors responding. VanNevel was the lowest bidder with their total bid of \$46,500.

Bids were received from:

VanNevel Coatings & Restoration	Victor, IA	\$46,500
D.A. Bunch Co	Cedar Rapids, IA	\$56,825
Pospisil Painting	Cedar Rapids, IA	\$108,815

Action / Recommendation:

Recommend council approval.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Local Preference Policy Applies Exempt

Explanation: Did not have an effect on award

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for the Painting of Cherry Hill Pool Slide Supports on behalf of the City of Cedar Rapids Parks and Recreation Department; and

WHEREAS, responses were received from three vendors; and

WHEREAS, the Parks and Recreation Department is making the following recommendation for award to VanNevel Coatings & Restoration, which was the lowest responsive and responsible bidder; and

WHEREAS, the Contract period will be September 10, 2014 through November 15, 2014; and

WHEREAS, the not to exceed expenditure is \$46,500.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute a Contract with VanNevel Coatings & Restoration as described herein.

Passed this 9th day of September, 2014.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Doug Wilson, P.E. **Phone Number/Extension:** 5141

E-mail Address: d.wilson@cedar-rapids.org

Alternate Contact Person: Gary Petersen, P.E. **Phone Number/Extension:** 5153

E-mail Address: g.petersen@cedar-rapids.org

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

Report on bids and resolution awarding and approving contract in the amount of \$85,650 plus incentive up to \$1,000, bond and insurance of Trey Electric Corp. for the Blairs Ferry Road and Ushers Ferry Road NE Traffic Signalization project (estimated cost is \$90,000). CIP/DID #306266-02

Background:

Trey Electric Corp., Marion, IA	\$85,650
Incentive up to	<u>\$ 1,000</u>
Total	\$86,650
Price Industrial Electric, Inc., Robins, IA	\$86,917

Trey Electric Corp. submitted the lowest of the bids received on August 28, 2014 for the Blairs Ferry Road and Ushers Ferry Road NE Traffic Signalization project. The bid is within the approved budget. Construction work is anticipated to begin this fall and be completed by May 29, 2015.

The bid received from Trey Electric Corp. (Trey) contained an irregularity in that for Bid Item No. 5 Trey listed "\$2,000" for both the unit price bid and the extended amount. Given Trey's Total Bid Amount shown as \$85,650, and the nature of the work contemplated in Bid Item No. 5, it is obvious that Trey's listing "\$2,000" for the unit price bid is a mistake and that its unit price bid for that item is obviously \$4.67 and any irregularity in this regard should be waived.

Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$85,650 plus incentive up to \$1,000, bond and insurance of Trey Electric Corp. for the Blairs Ferry Road and Ushers Ferry Road NE Traffic Signalization 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 September 9, 2014 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: September 9, 2014

Estimated Presentation Time: 0 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



August 27, 2014

City Council
City of Cedar Rapids

RE: Report on bids as read for the Blairs Ferry Road and Ushers Ferry Road NE Traffic Signalization, Contract Number 306266-02

Dear City Council:

Bids were received on August 27, 2014 for the Blairs Ferry Road and Ushers Ferry Road NE Traffic Signalization project as follows:

Trey Electric Corp., Marion, IA	\$85,650.00
Price Industrial Electric, Inc., Robins, IA	\$86,917.00

The engineers cost opinion for this work is \$90,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in cursive script that reads "Gary Petersen".

Gary Petersen, P.E.
Capital Improvement Project Manager

GCP/cap

cc: David J. Elgin, P.E., L.S., Public Works Director/City Engineer
Robert A. Davis, P.E., Engineering Manager

Public Works Department

500 15th Avenue S.W. • Cedar Rapids, Iowa 52404-5837 • (319) 286-5802 • FAX (319) 774-5653

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on August 12, 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 Blairs Ferry Road and Ushers Ferry Road NE Traffic Signalization (Contract No. 306266-02) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on August 16, 2014 pursuant to which a public hearing was held on August 26, 2014, and

WHEREAS, the following bids were received, opened and announced on August 27, 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 September 9, 2014:

Trey Electric Corp., Marion, IA	\$85,650
Incentive up to	<u>\$ 1,000</u>
Total	\$86,650
Price Industrial Electric, Inc., Robins, IA	\$86,917

WHEREAS, the bid received from Trey Electric Corp. ("Trey") contained an irregularity in that for Bid Item No. 5 Trey listed "\$2,000" for both the unit price bid and the extended amount, and

WHEREAS, given Trey's Total Bid Amount shown as \$85,650, and the nature of the work contemplated in Bid Item No. 5, it is obvious that Trey's listing "\$2,000" for the unit price bid is a mistake and that its unit price bid for that item is obviously \$4.67 and any irregularity in this regard should be waived, and

WHEREAS, general ledger coding for this public improvement shall be as follows: \$86,650 306-306000-306266, and

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

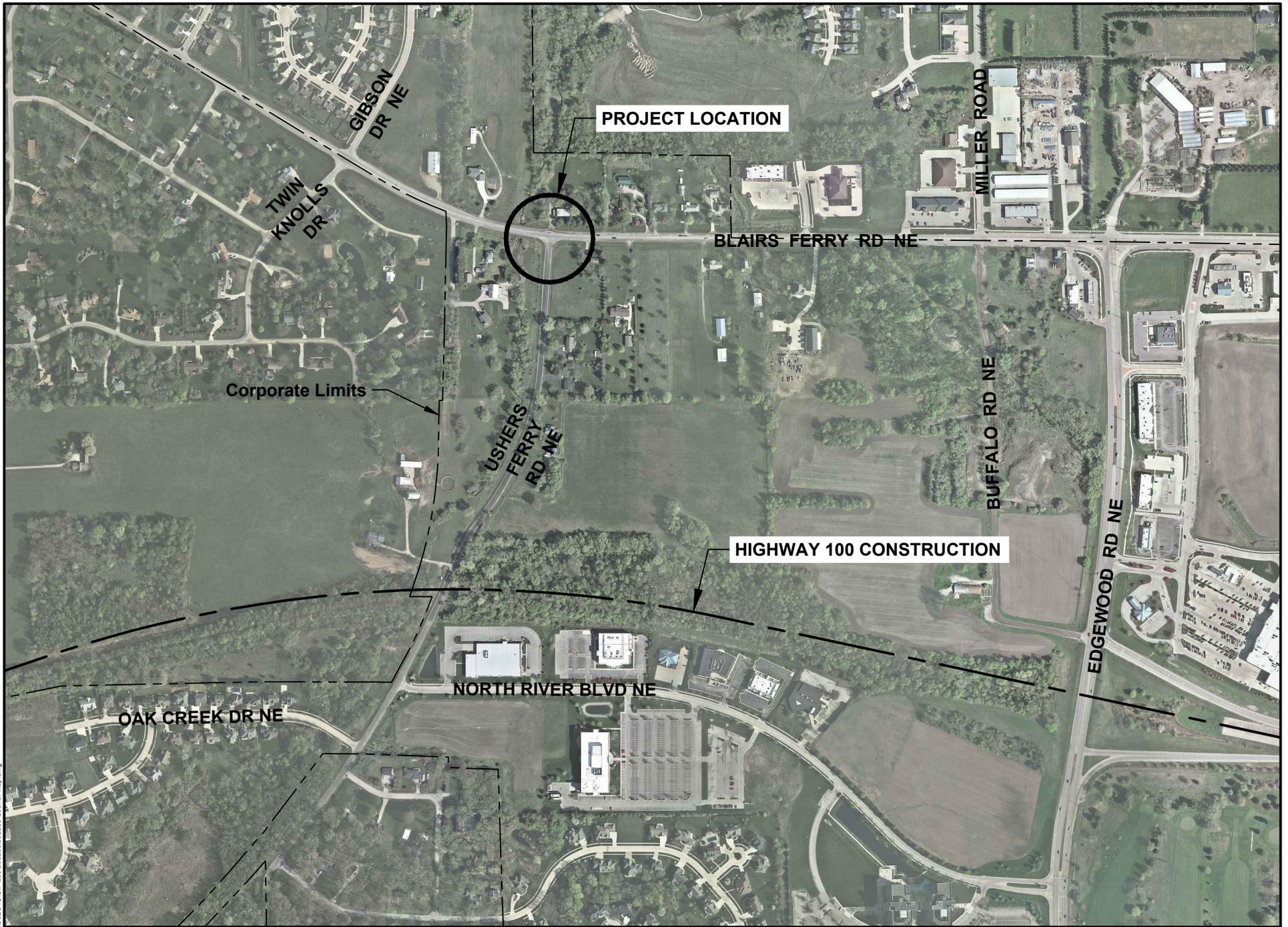
1. The recitals contained hereinabove are found to be true and correct.
2. The previous delegation to the City Engineer, or his designee, to receive, open, and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;
3. Trey Electric Corp. 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 Trey Electric Corp. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Trey Electric Corp..

5. Traffic signals be installed at the intersection of Blairs Ferry Road NE and Ushers Ferry Road NE and the Traffic Engineering Division of the Public Works Department is authorized to operate said traffic signals in a flashing mode during off-peak hours.
6. 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 9th day of September, 2014.



Cadd File Name: W:\PROJECTS\CIP\306\306266\266 Council Map.dwg



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



Council Agenda Item Cover Sheet

Council Meeting Date: 09-09-14

Submitting Department: Finance – Purchasing Services

Presenter at meeting: John Riggs
Email: j.riggs@cedar-rapids.org

Phone Number/Ext: X5981

Alternate Contact Person:
Email:

Phone Number/Ext:

Description of Agenda Item:

Report on bids for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels. (John Riggs)

- a. Resolution awarding and approving contract for the amount not to exceed \$355,440, bond and insurance of D.W. Zinser Company for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels project (estimated cost is \$550,000) (**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 13 flood-damaged parcels consisting of 5 commercial , 7 residential structures and 3 accessory structures. Payment for environmental remediation and demolition services rendered shall be on a firm fixed price basis.

Two bids were received on August 27, 2014. The bids have been carefully reviewed and it is recommended that the contract be awarded to the responsible bidder who submitted the lowest responsive bid, which was submitted by D.W. Zinser Company. The cost of this demolition project is \$355,440.

Vendor	City, State	Bid Amount
D.W. Zinser Company	Walford, IA	\$355,440
Active Thermal Concepts	Hiawatha, IA	\$395,394

The contract shall be effective on the date of issuance of the Notice to Proceed and shall end on November 14, 2014. The contract may be extended upon mutual agreement of the City and the Contractor.

Action / Recommendation:

That the City Council approve the resolution awarding bid and authorizing the City Manager and the City Clerk to execute an agreement with D.W. Zinser Company for the amount not to exceed \$355,440 for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels project, #0714-013.

Alternative Recommendation: None

Time Sensitivity: Time Sensitive. A delay in the project will impact neighborhoods

Resolution Date: 09-09-14

Estimated Presentation Time: 2 minutes

Budget Information (if applicable): CDBG

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: Federally Funded Project - CDBG

Recommended by Council Committee Yes No N/A

Explanation (if necessary):



September 9, 2014

City Council - City of Cedar Rapids

RE: Report on bids as read for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels
Bid # 0714-013

Dear City Council:

Bids were received on August 27, 2014 to provide all-inclusive environmental remediation and demolition services for 13 flood damaged parcels consisting of 5 commercial structures, 7 residential structures and 3 accessory structures. Funding is through the Community Development Block Grant (CDBG) Program.

Two bids were received. The bids have been reviewed by city staff and it is recommended the bid be awarded to D.W. Zinser Company for the amount not to exceed \$355,440.

Vendor	City, State	Bid Amount
D.W. Zinser Company	Walford, IA	\$355,440
Active Thermal Concepts	Hiawatha, IA	\$395,394

Sincerely,

Judy Lehman

CITY OF CEDAR RAPIDS PURCHASING SERVICES DIVISION
Judy Lehman, CPPB
Manager, Purchasing Services

cc: John Riggs

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on August 12, 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 specifications, form of contract and cost estimate for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels public improvement project (Contract No. 0714-013) for the City of Cedar Rapids, Iowa; and

WHEREAS, said notice was published in the Cedar Rapids Gazette on August 16, 2014 pursuant to which a public hearing was held on August 26, 2014; and

WHEREAS, the following bids were received, opened and announced on August 27, 2014 by the City Purchasing Manager, 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 September 9, 2014:

D.W. Zinser Company, Walford, IA	\$355,440
Active Thermal Concepts, Hiawatha, IA	\$395,394

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: Structures in the Greenway Area 3306200001, Structures in the Construction Study Area: 3306200002 and Structures in the Neighborhood Revitalization Area: 3306200003; 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 Purchasing Manager, or 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. D.W. Zinser Company is the lowest responsive, responsible bidder on said work and the City Purchasing Manager, or designee, has recommended that the City accept its Bid and award the contract to it;
3. Subject to approval of the Equal Employment Opportunity Officer and registration with the Department of Labor, the Bid of D.W. Zinser Company is hereby accepted, and the contract for this public improvement is hereby awarded to D.W. Zinser Company;
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders have been 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 9th day of September, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Development Services

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

Phone Number/Ext: 319 286-5043

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

Phone Number/Ext: 319 286-5822

Description of Agenda Item: Consent Ordinance Regular Agenda

Second and possible Third Reading 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

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"> • City staff reviewed the application and recommended revisions, which were made.

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

Action / Recommendation:

City staff recommends approval of the Second and possible Third Reading.

Alternative Recommendation:

City Council may table this item and request further information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

Location Map





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

**MINUTES 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 Zakostecky

Mr. Zakostecky 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. Zakostecky 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. Zakostecky.

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. Zakostecky 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 1st 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 26th day of August, 2014.

ACCEPTANCE OF CONDITIONS OF REZONING

ORDINANCE NO.

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

25th day of July, 2014

ABODE CONSTRUCTION, INC.

BY Hannah Kustes

Hannah Kustes, VP
(Please Print Name and Title)



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Development Services

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

Phone Number/Ext: 319 286-5043

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

Phone Number/Ext: 319 286-5822

Description of Agenda Item: Consent Ordinance Regular Agenda

Second and possible Third Reading 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

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

Action / Recommendation:

City staff recommends approval of Second and possible Third Reading.

Alternative Recommendation:

City Council may table this item and request further information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

Location Map





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

**MINUTES 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.

1. 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 Zakostelecky

Mr. Zakostelecky 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. Zakostelecky presented a site plan, general information, an aerial photo as well as a photo of the house.

Commissioner Overland called for questions of Mr. Zakostelecky. 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 20th 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. Zakostelecky 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 26th day of August, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Development Services

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

Phone Number/Ext: 319 286-5043

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

Phone Number/Ext: 319 286-5822

Description of Agenda Item: Consent Ordinance Regular Agenda

Second and possible Third Reading granting a change of zone for property at 435 8th Avenue SW, 1238 10th 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"> City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission reviewed the application on July 31, 2014 and recommended approval a 7 to 0 vote. A portion of the minutes are included as Attachment A. There were no objectors and this is a flood related item.
City Council consideration	<ul style="list-style-type: none"> A Public Hearing and First Reading of the Ordinance were held August 26, 2014 to allow for public input and City Council voted unanimously to approve the change of zoning on the First Reading. Three readings of the Ordinance by City Council are required by State law before approval of the rezoning is final. Approval of the rezoning will be subject to the conditions stated in the Ordinance.

Action / Recommendation:

City staff recommends approval of Second and possible Third Reading.

Alternative Recommendation:

City Council may table this item and request further information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): N/A

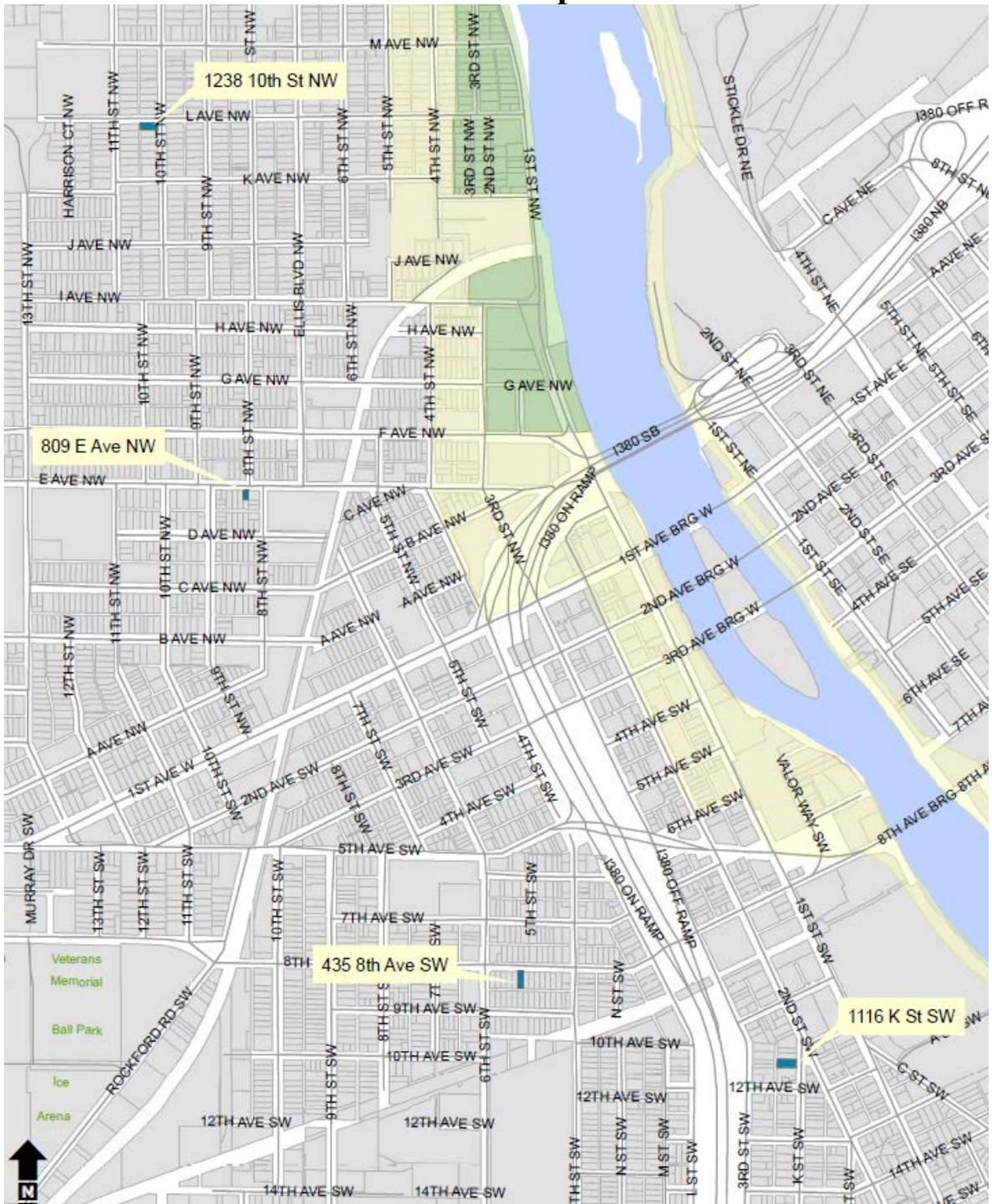
Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

Location Map





**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 8th Avenue SW, 1238 10th 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 8th Avenue SW
Lot 9, Block 9, A.K. Murray's Fourth Addition to Cedar Rapids, Iowa
1238 10th 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 10th 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 26th day of August, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Development Services

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

Phone Number/Ext: 319 286-5043

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

Phone Number/Ext: 319 286-5822

Description of Agenda Item: Consent Ordinance Regular Agenda

Second and possible Third Reading granting a change of zone for City-owned property at 1016 2nd 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"> • City staff reviewed the application and recommended revisions, which were made.

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

Action / Recommendation:

City staff approval of the Second and possible Third Reading.

Alternative Recommendation:

City Council may table this item and request further information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): N/A

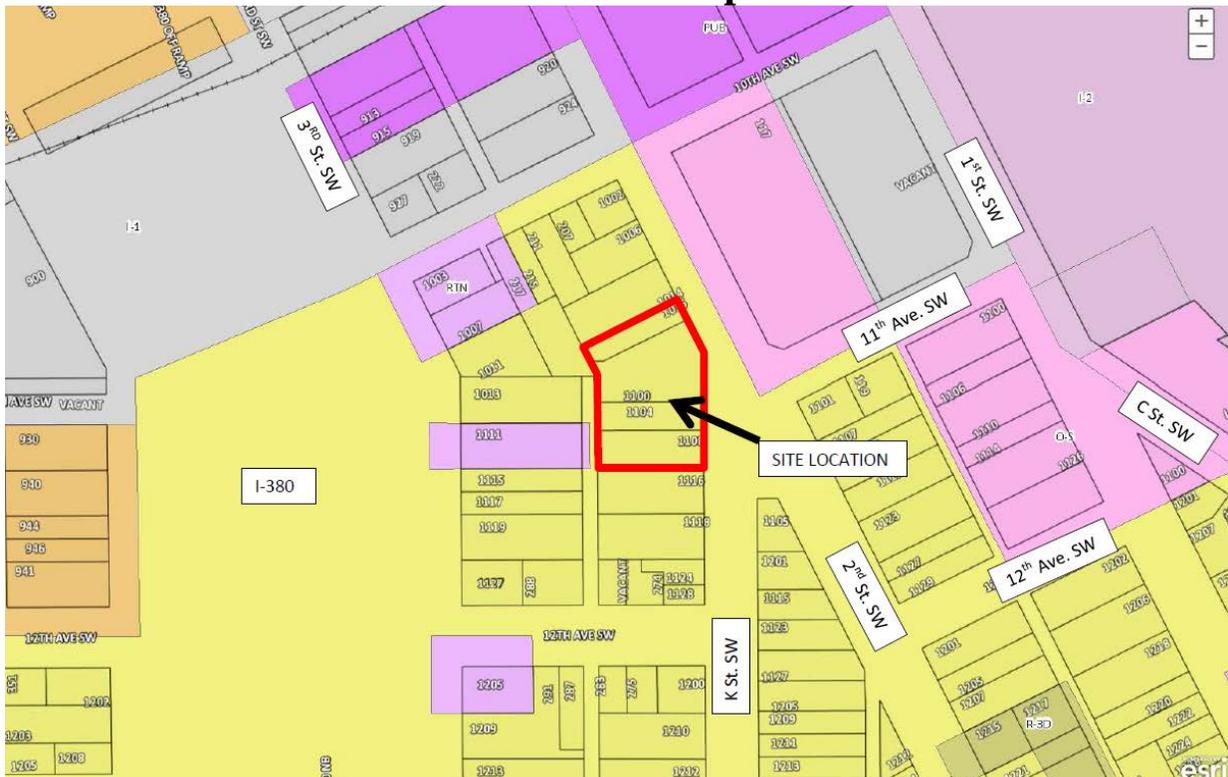
Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

Location Map





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

**MINUTES 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.

1. Case Name: 1016 2nd 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. Zakostelecky 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. Zakostelecky showed a location map.

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 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 26th day of August, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Kirsty Sanchez

Phone Number/Ext: 319 286-5428

Email: k.sanchez@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Description of Agenda Item: Consent Ordinance Regular Agenda

Second and possible Third Reading 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 approval of a Second and possible Third Reading.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

N/A

Resolution Date: N/A

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Based on a projected increased taxable value of \$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):

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. 1121-08-14

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 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 26th day of August, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 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:

Second and Third Readings 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. On August 28, 2014 a Public Hearing and First Reading was held.

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: September 9, 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 9th day of September, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 2014

Submitting Department: Community Development and Planning

Presenter at Meeting: Seth Gunnerson

Phone: 319 286-5129

Email: s.gunnerson@cedar-rapids.org

Alternate Contact Person: Jeff Hintz

Phone: 319 286-5781

Email: j.hintz@cedar-rapids.org

Description of Agenda Item: Consent Ordinance Regular Agenda

Second and possible Third Reading 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 approval of the Second and possible Third Reading.

Alternative Recommendation:

City Council may table the motion and request more information.

Time Sensitivity: N/A

Resolution Date: September 9, 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 26th day of August, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: September 9, 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, 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.

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: September 9, 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