

*“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 23, 2014 at 4:00 p.m. in the Council Chambers, 3<sup>rd</sup> Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to discuss and possibly act upon the matters as set forth below in this tentative agenda. (*Please silence mobile devices.*)

## AGENDA

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations:
  - ❖ Proclamation – Parks & Recreation Volunteer Day (Sven Leff)

## PUBLIC HEARINGS

1. A public hearing will be held to consider a request by Cornerhouse Properties, LLC for an Urban Revitalization Area designation for the construction of an office building located at 2739 1<sup>st</sup> Avenue SE (Kirsty Sanchez).
  - a. Resolution authorizing an Urban Revitalization Area designation for new construction to be located at 2739 1<sup>st</sup> Avenue SE; CIP/DID #OB1298822
  - b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Cornerhouse Urban Revitalization Area designation at 2739 1<sup>st</sup> Avenue SE. CIP/DID #OB1298822
2. A public hearing will be held 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 (Jeff Hintz).
  - a. First Reading: Ordinance 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

3. A public hearing will be held to consider the disposition of nine excess City-owned properties at 606 and 610 J Avenue NW; 1106, 1108, 1110 and 1116 6<sup>th</sup> Street NW; and 1101, 1111 and 1113 Ellis Boulevard NW acquired through the Voluntary Property Acquisition Program (Caleb Mason).
  - a. Resolution authorizing the disposition of nine excess City-owned properties at 606 and 610 J Avenue NW; 1106, 1108, 1110 and 1116 6<sup>th</sup> Street NW; and 1101, 1111 and 1113 Ellis Boulevard NW acquired through the Voluntary Property Acquisition Program **(FLOOD)**. CIP/DID #OB959319
4. A public hearing will be held 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 6<sup>th</sup> Street NW and inviting redevelopment proposals (Caleb Mason).
  - a. Resolution authorizing the disposition of City-owned commercial property at 615 K Avenue NW; 1125, 1127 and 1129 Ellis Boulevard NW; and 1130 and 1138 6<sup>th</sup> Street NW and inviting redevelopment proposals **(FLOOD)**. CIP/DID #OB1058253
5. A public hearing will be held to consider the disposition of a .75-acre parcel of vacant City-owned land located northerly of Ellis Road NW at 80<sup>th</sup> Street NW as requested by the State of Iowa in connection with the future extension of Highway 100 (Dave Wallace).
  - a. Resolution authorizing execution of a Purchase Agreement in the amount of \$750 and execution of a Quitclaim Deed to the State of Iowa for property located northerly of Ellis Road NW at 80<sup>th</sup> Street NW in connection with the future extension of Highway 100. CIP/DID #52-15-003
6. A public hearing will be held to consider the vacation of public ways and grounds described as a portion of a frontage road easement located at 2701 12<sup>th</sup> Avenue SW as requested by Quarton Place 2 Limited Partnership (Dave Wallace).
  - a. Resolution vacating a portion of public ways and grounds described as a portion of a frontage road easement located at 2701 12<sup>th</sup> Avenue SW as requested by Quarton Place 2 Limited Partnership. CIP/DID #EASE-011980-2014
7. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 29<sup>th</sup> Street NE from West of Eastern Avenue to Staub Court Storm Sewer and Water Main Improvements project (estimated cost is \$320,000) (Dave Wallace).
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 29<sup>th</sup> Street NE from West of Eastern Avenue to Staub Court Storm Sewer and Water Main Improvements project. CIP/DID #304378-01

## **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.**

8. Motion to approve minutes.
9. Motions setting public hearing dates for:
  - a. October 7, 2014 – to consider a change of zone for property at the northeast corner of the intersection of Zika Avenue NW and 16<sup>th</sup> Street NW from R-1, Single Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by NewBo Development Group, LLC and the City of Cedar Rapids; CIP/DID #RZNE-010979-2014
  - b. October 7, 2014 – to consider a Substation Site Easement agreement with Interstate Power and Light Company in connection with an electric substation expansion and rebuild located on City-owned land at the southwest corner of Twin Pines Golf Course and the intersection of 42<sup>nd</sup> Street and Edgewood Road NE. CIP/DID #49-15-022
10. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
  - a. 1<sup>st</sup> Avenue Wine House, 3412 1<sup>st</sup> Avenue NE;
  - b. Blue Strawberry Coffee Company, 118 2<sup>nd</sup> Avenue SE;
  - c. Casey's General Store #2768, 1201 1<sup>st</sup> Avenue SE;
  - d. Casey's General Store #2776, 701 Ellis Boulevard NW;
  - e. Casey's General Store #2780, 5555 Edgewood Road NE;
  - f. Casey's General Store #2782, 1495 Blairs Ferry Road NE;
  - g. Casey's General Store #2790, 588 Boyson Road NE;
  - h. Casey's General Store #2791, 9125 Atlantic Drive SW;
  - i. Casey's General Store #2792, 9001 6<sup>th</sup> Street SW;
  - j. Coe College, 1220 1<sup>st</sup> Avenue NE;
  - k. Coe College, 1220 1<sup>st</sup> Avenue NE (transfer for an event at 50 2<sup>nd</sup> Avenue Bridge, Veterans Memorial Building, on Oct 11-12, 2014);
  - l. Comfort Inn & Suites, 2025 Werner Avenue NE (new);
  - m. The Fresh Market, 180 Collins Road NE, Suite D (new);
  - n. Frond Design Studio, 310 10<sup>th</sup> Avenue SE (permanent transfer to 6425 7<sup>th</sup> Street Court SW, Suite F);
  - o. Frond Design Studio, 6425 7<sup>th</sup> Street Court SW;
  - p. Genghis Grill, 2230 Edgewood Road SW;
  - q. Hy-Vee #5 Club Room, 3235 Oakland Road NE;
  - r. Hy-Vee Drugstore #6, 505 Boyson Road NE;
  - s. Julia-n-LeChef Katering Kitchen, 426 1<sup>st</sup> Avenue NW (5-day permit for an event at 51 1<sup>st</sup> Avenue Bridge, Veterans Memorial Building, on October 2, 2014);
  - t. NewBo City Market, 1100 3<sup>rd</sup> Street SE;
  - u. Papa Juan's Mexican Restaurant, 5505 Center Point Road NE;
  - v. Paramount Theatre, 119 3<sup>rd</sup> Avenue SE;

- w. Red Baron Bar & Dance Club, 62 16<sup>th</sup> Avenue SW (outdoor service for an event on September 27, 2014);
- x. Target T-1771, 3400 Edgewood Road SW;
- y. Texas Roadhouse, 2605 Edgewood Road SW;
- z. Veterans of Foreign Wars Post #788, 3240 Southgate Place SW;
- aa. Walgreens #12580, 324 Edgewood Road NW;
- bb. Westside Lounge, 325 Edgewood Road NW.

11. Resolutions (2) approving payment of bills and payroll. CIP/DID #OB1143566
12. Resolution approving a cooperative agreement between the Iowa Civil Rights Commission and Cedar Rapids Civil Rights Commission for satisfactory intake and resolution of civil rights complaints. CIP/DID #OB629963
13. Resolution granting an extension of time through November 30, 2014, for the Going Out of Business License issued to Smulekoff's Home Store, 97 3<sup>rd</sup> Avenue SE. CIP/DID #OB1306912
14. Resolution approving the Czech Village Association Czechtoberfest event on September 27, 2014 (includes road closure). CIP/DID #SPEC-025934-2014
15. Resolutions approving assessment actions:
  - a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 56 properties; CIP/DID #OB1307041
  - b. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 23 properties. CIP/DID #OB1298835
16. Resolutions accepting various subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:
  - a. Water system improvements installed in Crescent View 1<sup>st</sup> Addition – Phase 4 and approving the 2-Year Maintenance Bond in the amount of \$50,696.91 submitted by Abode Construction, Inc.; CIP/DID #2010059-04
  - b. Sanitary sewer extension in Meadow Ridge and approving the 2-year Maintenance Bond submitted by Zinser Grading & Excavating, LLC in the amount of \$77,696.60. CIP/DID #FLPT-009598-2014
17. Resolutions accepting projects, approving Performance Bonds and authorizing issuance of final payments:
  - a. 33<sup>rd</sup> Avenue SW, from West of 18<sup>th</sup> Street to West of 10<sup>th</sup> Street SW Paving project, final payment in the amount of \$30,000 and 4-year Performance Bond submitted by Horsfield Construction, Inc. (original contract amount was \$1,841,892.77; final contract amount is \$1,924,489.22); CIP/DID #301136-03
  - b. 33<sup>rd</sup> Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project, final payment in the amount of \$136,228.09 and 4-year Performance Bond submitted by Horsfield Construction, Inc. (original contract amount was \$2,553,421.50; final contract amount is \$2,724,561.79); CIP/DID #301182-06
  - c. H Street SW From Diagonal Drive SW to North of 7<sup>th</sup> Avenue SW Pavement Rehabilitation project, final payment in the amount of \$5,790.19 and 4-year Performance Bond submitted by L.L. Pelling Company, Inc. (original contract amount was \$103,819; final contract amount is \$115,803.89). CIP/DID #3012072-01

18. 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. Stonebrook Homes, LLC for property at 417 10<sup>th</sup> Street NW;
  - b. Stonebrook Homes, LLC for property at 425 10<sup>th</sup> Street NW;
  - c. Cedar Ridge Homes, Inc. for property at 602 A Avenue NW;
  - d. Hobart Historic Restoration, LLC for property at 1016 2<sup>nd</sup> Street SW;
  - e. Premiere Developers, Inc. for property at 1069 G Avenue NW;
  - f. Hobart Historic Restoration, LLC for property at 1100 K Street SW;
  - g. Hobart Historic Restoration, LLC for property at 1104 K Street SW;
  - h. Hobart Historic Restoration, LLC for property at 1108 K Street SW;
  - i. Jaylee Homes, Inc. for property at 1116 K Street SW.
  
19. Resolutions authorizing execution of Development Agreements for property participating in the fourth round of the Single Family New Construction Program. CIP/DID #OB540257
  - a. Premiere Developers, Inc. for property at 1005 11<sup>th</sup> Street NW;
  - b. Sky's Edge, LLC for property at 1023 6<sup>th</sup> Street SE;
  - c. Sky's Edge, LLC for property at 1027 6<sup>th</sup> Street SE;
  - d. Schissel, LLC for property at 1795 2<sup>nd</sup> Street SW.
  
20. Resolutions approving final plats:
  - a. Armar Square First Addition, located east of Armar Drive SE and north of Cemar Court SE, containing four lots and a total plant area of 4.50 acres; CIP/DID #FLPT-012045-2014
  - b. Holley's Second Addition to Linn County, Iowa, located at 7500 Ely Road SW, containing three lots and a total plat area of 23.33 acres. CIP/DID #FLPT-010920-2014
  
21. Resolution amending Resolution No. 0492-04-14, to correct the exhibit that was attached to the resolution that established a Sanitary Sewer Easement on City-owned property located at 217 10<sup>th</sup> Avenue SW in connection with the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration project (**FLOOD**). CIP/DID #SSD103-00
  
22. Resolution amending Resolution No. 0562-05-14, revising the final amount to be assessed for the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 2 project. CIP/DID #3017011-00
  
23. Resolution adopting the final schedule and levying of assessments and providing for the payment thereof for the FY 2012 Sidewalk and Ramp Repair Program – Contract No. 1 project. CIP/DID #3017012-00
  
24. Resolution adopting the final schedule and levying of assessments and providing for the payment thereof for the FY 2013 Sidewalk and Ramp Repair Program – Contract No. 1 project. CIP/DID #3017013-00
  
25. Resolution authorizing the Finance Department to electronically file the fiscal year ending 2014 City Street Financial Report with the Iowa Department of Transportation (IDOT). CIP/DID #OB1307100
  
26. Resolution authorizing the City to close Valor Way SW from Diagonal Drive to the end of the street on October 3, 2014 for The Summerland Project film. CIP/DID #OB1301518

27. Resolution establishing the times and dates of regularly scheduled City Council meetings to be held in calendar year 2015. CIP/DID #OB1306907
28. Resolutions approving actions regarding Purchases/Contracts/Agreements:
- a. Amendment No. 10 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$15,600 for professional services in connection with the Flood Management Structure and Outdoor Amphitheatre project (original contract amount was \$670,000; total contract amount with this amendment is \$887,600); CIP/DID #307218-03
  - b. Amendment No. 1 to renew Contract for Tire Services with Bauer Built Tire for Fleet Services for an estimated annual amount of \$200,000 (original contract amount was \$200,000; renewal contract amount is \$200,000); CIP/DID #0413-226
  - c. Amendment No. 1 to renew Contract for GPS Corner Survey Review with Dan Corbin, Inc. for the Information Technology Department for an estimated annual amount of \$35,000 (original contract amount was \$35,000; renewal contract amount is \$35,000); CIP/DID #0611-279
  - d. Amendment No. 2 to renew Contract for GPS Corner Survey Consultant with Foth Infrastructure & Environment for the Information Technology Department for an estimated annual amount of \$35,000 (original contract amount was \$35,000; renewal contract amount is \$35,000); CIP/DID #0611-269
  - e. Change Order No. 1 in the amount of \$166,601.75 with Peterson Contractors, Inc. for the Cedar River Bridges Miscellaneous Repairs project (original contract amount was \$1,275,800; total contract amount with this amendment is \$1,442,401.75); CIP/DID #305127-03
  - f. Change Order Nos. 1 and 2 for a total amount of \$11,220.78, plus an additional five working days, with Woodruff Construction, LLC for the Five Seasons Parkade Skywalk – Phase II Exterior Renovations project (original contract amount was \$64,700; total contract amount with this amendment is \$75,920.78); CIP/DID #635125-02
  - g. Change Order No. 5 in the amount of \$14,582.19 with Pirc-Tobin Construction, Inc. for the 76<sup>th</sup> Avenue SW Improvements – from Edgewood Road SW to East of the Cedar Rapids and Iowa City (CRANDIC) Railroad Crossing project (original contract amount was \$3,692,021.84; total contract amount with this amendment is \$3,724,940.89); CIP/DID #301208-02
  - h. Change Order No. 2 in the amount of \$26,682.28 with Pirc-Tobin Construction, Inc. for the Oakland Road NE From E Avenue NE to H Avenue NE Pavement Rehabilitation project (original contract amount was \$645,700; total contract amount with this amendment is \$672,607.35) (**Paving for Progress**); CIP/DID #301374-02
  - i. Change Order No. 13 in the amount of \$60 with Rathje Construction Company for the Bever Avenue SE Rehabilitation From Memorial Drive SE to 34<sup>th</sup> Street SE project (original contract amount was \$1,529,777.11; total contract amount with this amendment is \$1,692,598.95); CIP/DID #301696-01
  - j. Change Order No. 5 in the amount of \$61,593.41 with BWC Excavating, LC for the 76<sup>th</sup> Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements and Kirkwood Boulevard SW Intersection Improvements project (original contract amount was \$1,408,890.70; total contract amount with this amendment is \$1,493,990.69); CIP/DID #3012049-03

- k. Change Order No. 4 (Final Revised) deducting the amount of \$113,858.38 with S.M. Hentges & Sons, Inc. for the Indian Creek Trunk Sanitary Sewer Segment 2 – Phase 2 Reconstruction project (original contract amount was \$1,835,940.67; total contract amount with this amendment is \$1,758,160.28); CIP/DID #655625-05
- l. Change Order No. 2 in the amount of \$28,455.53 with Pirc-Tobin Construction, Inc. for the Park Avenue SE from 17<sup>th</sup> Street to 18<sup>th</sup> Street and 18<sup>th</sup> Street SE from Park Avenue to Half Block South Sanitary Sewer, Storm Sewer, Water Main, Street, and Sidewalk Improvements project (original contract amount was \$623,966.25; total contract amount with this amendment is \$670,510.31); CIP/DID #655996-07
- m. Change Order No. 5 in the amount of \$34,865.84 with Rathje Construction Company for the NW Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 1 project (original contract amount was \$1,248,132.55; total contract amount with this amendment is \$1,272,309.79) (**FLOOD**); CIP/DID #SSD101-07
- n. Change Order No. 5 in the amount of \$7,378.14 with Ricklefs Excavating, Ltd. for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (original contract amount was \$1,765,564.20; total contract amount with this amendment is \$1,813,905.18) (**FLOOD**); CIP/DID #SSD103-11
- o. Change Order No. 5 in the amount of \$14,395 with Pearson Wall Systems, Inc. for the Veterans Memorial Phase III – Bid Package #6 – Framing, Plaster, Paint, Partitions, Fabric Panels and Ceilings project (original contract amount was \$1,453,800; total contract amount with this amendment is \$1,479,301) (**FLOOD**); CIP/DID #VME001-06
- p. Approving retention of Ahlers and Cooney, P.C. as outside legal counsel regarding Veterans Memorial Building; CIP/DID #OB1306909
- q. Approving Iowa Homeland Security and Emergency Management Division's Commitment to Award and Accept Funds in the amount of \$160,850 by the Iowa Homeland Security and Emergency Management Division for the Cedar Rapids Division of Iowa Task Force One; CIP/DID #OB1307038
- r. Agreement concerning the relocation of commercial or industrial enterprises with the City of Hiawatha; CIP/DID #OB265968
- s. Development Agreement and Special Warranty Deed with Premiere Developers, Inc. for City-owned property at 800 9<sup>th</sup> Street SW participating in the third round of the Single Family New Construction Program (**FLOOD**); CIP/DID #OB540257
- t. Development Agreement with Kingston Corner, LLC for the disposition and redevelopment of City-owned property at 301 and 305 2<sup>nd</sup> Avenue SW located in the Kingston Village Area (**FLOOD**); CIP/DID #OB983052
- u. Fleet Services Division purchase of a computer equipment package from Keltek Inc. to be used to equip nine new Police Department vehicles in the amount of \$126,569.39; CIP/DID #B27172
- v. Fleet Services Division purchase of an emergency equipment package from Keltek Incorporated, to upfit nine new Police Department vehicles in the amount of \$82,268.77; CIP/DID #4603-14
- w. Fleet Services Division purchase of nine 2015 Ford Police Interceptor sedans for use by the Police Department Patrol Unit from Charles Gabus Ford in the amount of \$252,721.08; CIP/DID #4568-14
- x. Fleet Services Division purchase of four cab and chassis with bodies from Junge Center Point in the amount of \$220,084; CIP/DID #0814-029
- y. Public Works Streets Division purchase of snowplow blades from Altorfer Inc. in the amount of \$44,768.48; CIP/DID #0814-042

- z. Contract for Trees for Fall 2014 Planting with B&G Nursery & Construction for the Public Works Department – Forestry Division for an amount not to exceed \$95,310; CIP/DID #0814-034
- aa. Contract for Land Application of Biosolids with Wulfekuhle Injection & Pumping, Inc. for the Water Pollution Control Facility for a two-year contract amount not to exceed \$400,000; CIP/DID #0814-026
- bb. Contract for High Voltage Electrical Services with Trey Electric Corp for the Utilities Department for a two-year contract amount not to exceed \$50,000; CIP/DID #0814-025
- cc. Contract for Rental & Laundering of Uniforms, Towels & Linens with Aramark Uniform Services for various City departments for an annual amount not to exceed \$70,000; CIP/DID #0514-185
- dd. Contract for Environmental Remediation and Demolition Services Including RACM for Nuisance Structures project with Active Thermal Concepts, Inc. for the Building Services Division – Nuisance Abatement Program for an amount not to exceed \$56,650; CIP/DID #0714-012
- ee. Regional Conservation Partnership Program Full-Proposal submittal to the National Resource Conservation Service as invited by the United States Department of Agriculture; CIP/DID #OB1292684
- ff. Professional Services Agreement with Snyder and Associates, Inc. for an amount not to exceed \$36,492 for design services in connection with the Bever Avenue Sidewalk Extension from 30<sup>th</sup> Street SE to 34<sup>th</sup> Street SE project; CIP/DID #301696-02
- gg. Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed \$120,000 for the FY15 Miscellaneous Storm Sewer Improvements project; CIP/DID #304990-13
- hh. Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed \$37,888 for design services in connection with the Storm Sewer Culvert Replacement; 20<sup>th</sup> Avenue and 13<sup>th</sup> Street SW project; CIP/DID #304423-01
- ii. Professional Services Agreement with MSA Professional Services, Inc. for an amount not to exceed \$60,000 in connection with the FY 2015 Sanitary Sewer Investigation Services and Design Services project; CIP/DID #655990-05
- jj. Professional Services Agreement with JCG Land Services, Inc. for an amount not to exceed \$52,629 for right-of-way acquisition services in connection with the Collins Road NE (IA 100) Phase 1 Complete Streets project, from East of Northland Avenue NE to Twixt Town Road NE project; CIP/DID #301446-00
- kk. Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed \$691,616 for design services in connection with the Tower Terrace Road from west of C Avenue to Alburnett Road project; CIP/DID #301666-02
- ll. 28E Agreement with the City of Marion and Linn County for engineering services, right-of-way acquisition and construction project costs in the amount of \$1,760,000 in connection with the Tower Terrace Road from west of C Avenue to Alburnett Road project; CIP/DID #301666-00
- mm. 28E Agreement with the City of Hiawatha for proposed installation of temporary traffic signals on Blairs Ferry Road NE at Miller Road NE; CIP/DID #306266-00
- nn. Contract with Wellmark, Inc. for Health Plan Third Party Administration Services for an amount not to exceed \$1,801,482 in administrative fees over a three-year period from January 1, 2015 to December 31, 2017; CIP/DID #OB1307060

- oo. Information Technology Department purchase of various technology equipment from CDW Government for an amount not to exceed \$300,000 for Fiscal Year 2015; CIP/DID #OB1307030
- pp. Information Technology Department purchase of computer equipment (desktops, monitors, laptops, printers, workstations, server, etc.) from Hewlett-Packard Company in the amount of \$500,000 for Fiscal Year 2015; CIP/DID #OB679183
- qq. Information Technology Department purchase of rental Tier III data space and circuitry needs from Involta, LLC in the amount of \$282,600; CIP/DID #OB377724
- rr. Renewal of the Microsoft Volume Licensing Enterprise Enrollment Agreement for Microsoft software upgrades and licensing for a three year contract at an annual cost of \$475,000 (original contract amount was \$1,425,000; renewal contract amount is \$1,425,000); CIP/DID #377724
- ss. Agreement to Extend Offer to Buy Real Estate and Acceptance with Cedar Rapids Development Group, LLC., for property located at 201 1<sup>st</sup> Avenue SW. CIP/DID #OB838346**

## **REGULAR AGENDA**

- 29. Report on bids for the Police Department Roof Replacement project (estimated cost is \$400,000) (Brent Schlotfeldt).
  - a. Resolution awarding and approving contract for an amount not to exceed \$326,000, bond and insurance of Black Hawk Roof Company for the Police Department Roof Replacement project. CIP/DID #0814-030
- 30. Report on bids for the McGrath Amphitheatre – Demountable Floodwall project (estimated cost is \$250,000) (Sandy Pumphrey).
  - a. Resolution awarding and approving contract in the amount of \$253,314, bond and insurance of Jasper Construction Services, Inc. for the McGrath Amphitheatre – Demountable Floodwall project. CIP/DID #331002-01
- 31. Resolutions authorizing execution of agreements in connection with the City of Cedar Rapids Flood Protection System (Sandy Pumphrey).
  - a. Memorandum of Understanding (MOU) with HR Green and Stanley Consultants, Inc. in connection with the City of Cedar Rapids Flood Protection System – Planning and Design Services; CIP/DID #331001-00
  - b. Professional Services Agreement with HR Green for an amount not to exceed **\$3,409,543** for planning and design services in connection with the City of Cedar Rapids Flood Protection System – West Side Phase 1 Consulting Services; CIP/DID #331001-01
  - c. Professional Services Agreement with Stanley Consultants, Inc. for an amount not to exceed **\$3,959,599** for planning and design services in connection with the City of Cedar Rapids Flood Protection System – East Side Phase 1 Consulting Services. CIP/DID #331001-02

## **ORDINANCES**

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

32. Ordinance granting a change of zone for property at 2727 16<sup>th</sup> Avenue SW from R-2, Single Family Residence Zone District to C-3, Regional Commercial Zone District as requested by MidAmerican Aerospace and S & C Realty Associates. CIP/DID #RZNE-011721-2014
33. 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
34. 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

## **PUBLIC INPUT**

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

## **CITY MANAGER COMMUNICATIONS AND DISCUSSION**

### **COUNCIL COMMUNICATIONS AND DISCUSSION**

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

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

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

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



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 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  Public Hearing  Regular Agenda

A public hearing will be held to consider a request by Cornerhouse Properties, LLC for an Urban Revitalization Area designation for the construction of an office building located at 2739 1<sup>st</sup> Avenue SE.

- a. Resolution authorizing an Urban Revitalization Area designation for new construction to be located at 2739 1<sup>st</sup> Avenue SE. CIP/DID # OB1298822
- b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Cornerhouse Urban Revitalization Area designation at 2739 1<sup>st</sup> Avenue SE. CID/DID #OB1298822

### **Background:**

A request has been submitted by Cornerhouse Properties, LLC for an Urban Revitalization Property Tax Exemption designation for the construction of an office building located at 2739 1<sup>st</sup> Avenue SE. The proposed project requires substantial demolition and land acquisition costs, removal of existing structures, and construction of an 18,000 square foot building. The project qualifies for the Removing/Avoiding Blight Targeted Development Program.

### **Project Details:**

- Building – 18,000 square feet
- Project cost – Approximately \$10,000,000
- Estimated assessed value – \$7,000,000

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

- Provides increased office space and 2 level parking structure
- Provides new development on a blighted property

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 \$7,000,000. This would generate an additional \$238,000 in property tax revenue annually. Over a ten-year period, this would be an additional \$1,332,800 collected in tax revenues and \$1,047,200 deferred as tax exempt.

**Action / Recommendation:**

City staff recommends holding the public hearing and approval of the resolution.

**Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:**

N/A

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 5 minutes

**Budget Information (if applicable):**

Based on a projected increased taxable value of \$7,000,000 generated by the new construction, the estimated total over the ten-year period is an additional \$1,332,800 collected in tax revenues and \$1,047,200 deferred as tax exempt.

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

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

A RESOLUTION TO APPROVE THE CORNERHOUSE  
URBAN REVITALIZATION PLAN

WHEREAS, the proposed Urban Revitalization Plan for the construction of an office building located at 2739 1<sup>st</sup> Avenue SE which will provide office space and a 2 level parking structure as provided under State Law; and

WHEREAS, on September 23, 2014 the City Council held the required Public Hearing in connection with the said proposed Project; and

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

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

Passed this 23<sup>rd</sup> day of September, 2014.

# **Cornerhouse Urban Revitalization Plan**

Public Hearing: September 23, 2014

## Cornerhouse Urban Revitalization Plan

### 1.0 INTRODUCTION

The purpose of the formation of the Urban Revitalization Tax Exemption Area and Plan is to encourage the construction of an office building with a two-story parking structure located at 2739 1<sup>st</sup> Avenue SE. As allowed by the authority of the State of Code of Iowa, Chapter 404, the incentive for economic development through business expansion is provided by exempting a portion or all of property tax valuation added through qualified improvements for specified periods of time.

### 2.0 DESCRIPTION OF THE URBAN REVITALIZATION AREA

The area to be designated within the Urban Revitalization Tax Exemption Area (see Attachment 1 – Location Map) is approximately 0.5 acres in size and includes:

Lot 2, Block 1, George T. Hedges First Addition to Cedar Rapids, Linn County, Iowa And Lot 1, except E-ly 34 feet thereof, Block 1, George T. Hedges First Addition to Cedar Rapids, Linn County, Iowa And E-ly 34 feet of Lot 1 and W 36 feet of Lot 16, Block 1, George T. Hedges First Addition to Cedar Rapids, Linn County, Iowa And East 36 feet of the West 72 feet of Lot 16, Block 1, George T. Hedges First Addition to Cedar Rapids, Linn County, Iowa

AND

The North 6 feet of the South 16 feet of Lot 15, Block 1, George T. Hedge's First Addition to Cedar Rapids, Linn County, Iowa And The North 50 feet of Lot 15, Block 1, George T. Hedge's First Addition to Cedar Rapids, Linn County, Iowa

AND

Lot 16, (except west 72 feet thereof) Block 1, George T. Hedge's First Addition to Cedar Rapids, Linn County, Iowa, except the public highway.

### 3.0 OWNERSHIP AND ASSESSED VALUATION

The Urban Revitalization Area, as specified in the legal description above, consists of one parcel which is currently developed and owned by Cornerhouse Properties, LLC. The 2014 total assessed valuation is \$138,320.

### 4.0 PROGRAM ACTIVITY

#### 4.1 Land Use and Zoning

The proposed construction is consistent with the current C-2 Community Commercial zoning. The Future Land Use Map in the City's Comprehensive Plan designates the project area as Office use.

#### 4.2 City Services

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

#### 4.3 Applicable Property

This Plan, and the tax exemption allowed herein, is applicable to the demolition, land acquisition, removal of existing structures, and construction of the new office building and parking structure. Additional development within the property described in Section 2.0 of this Plan may be eligible for the tax exemption allowed herein, based upon the review and approval of the City of Cedar Rapids City Council. A written request by the developer must be reviewed to ensure consistency with the City Council goals of creating/retaining high quality jobs, significant increase in property valuation, and community benefits such as infill, connectivity, and mixed use development.

#### 5.0 DURATION OF THE URBAN REVITALIZATION PLAN

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

#### 6.0 PROCEDURES FOR CHANGES IN THE APPROVED PLAN

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

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

#### 7.0 REVENUE BONDS

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

#### 8.0 TAX EXEMPTION PROGRAM

##### 8.1 Procedures

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

consideration.

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

## 8.2 Tax Exemption Schedules

### 8.2.1 Schedule 1 - Residential Exemption:

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

### 8.2.2 Schedule 2 - Ten Year Declining Exemption:

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

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

### 8.2.3 Schedule 3 - Three Year Exemptions:

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

### 8.2.4 Schedule 4 - 10-Year Qualified Residential Exemption:

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

#### 8.2.5 Election of Schedule:

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

### 8.3 Definitions

(a) “Qualified Business or Other Non-Residential Tenant” shall mean the legal occupant of a building or part thereof and conducting a business or non-residential operation which is located within the designated Revitalization Area and who has occupied the same premises continuously since one year prior to the adoption of this Plan.

(b) “Qualified Real Estate” shall mean real property, other than land, which is located in this Revitalization Area and to which improvements have been added during the time of the area was so designated, which have increased the actual value by at least fifteen percent (15%) or at least ten percent (10%), in the case of land upon which is located more than one building (and not assessed as residential property) increased the actual value of the buildings to which the improvements have been made.

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

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

### 9.0 RELOCATION

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

# MAP 1



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 87 and the addition of a new Division 87 as follows:

“Division 87. Cornerhouse.” September 23, 2014 Resolution No. \_\_\_\_\_

Section 2. That Subsection 17A.06 of the Municipal Code, City of Cedar Rapids, Iowa is hereby amended by the addition of a new Division 87 as follows:

“Division 88. (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 23rd day of September, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Jeff Hintz

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

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

**Alternate Contact Person:** Kevin Ciabatti

**Phone Number/Ext:** 319 286-5841

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

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

A public hearing will be held 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.

Outreach was done to property owners in the area through mailings to bring attention to this proposed overlay district.

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 approval of the overlay district.

**Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 5 minutes

**Budget Information (if applicable):**

N/A

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

**Explanation:**

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

**Explanation:**

City Council Development Committee recommended proposed ordinance on August 20, 2014.

City Planning Commission recommended approval on September 11, 2014 by a vote of 6 to 0. A portion of the CPC Draft Minutes are included as Attachment A.



**MINUTES OF  
CITY PLANNING COMMISSION MEETING,  
Thursday September 11, 2014 @ 3:00 p.m.**

**Cedar Rapids City Hall Council Chambers, 101 First Street SE**

Members Present: Scott Overland, Chair  
Jim Halverson, Vice – Chair  
Carletta Knox-Seymour  
Richard Pankey  
Virginia Wilts  
Bill Hunse  
Dominique Blank

Members Absent: Kim King  
Samantha Dahlby

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

CD Staff: Jennifer Pratt, Interim Director  
Jeff Hintz, Planner  
Betty Sheets, Administrative Assistant

City Council Liaison: Justin Shields

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 August 21, 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.

- **New Business**

- 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.

Jeff Hintz, Community Development stated 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 routine upkeep of a property or meeting the building or mechanical codes. Zone changes and other land use items that typically come to the Planning Commission would be prohibited until the final flood protection system alignment is finalized. At that time the bounds of this overlay could potentially be adjusted.

Development Committee recommended approval of this ordinance at the August 20, 2014 meeting and City staff recommends approval and that it moves to City Council on September 23, 2014.

Commissioner Halverson asked is there an expectation when the moratorium would be retired.

Mr. Hintz said the current moratorium expires October 26, 2014 so if this Ordinance is not adopted building permits and other land use applications could be applied for in this area. There is potential to release properties from the overlay in the future, dependent upon final alignment of the flood protection system. The City has other Overlay Districts, but this district would function differently as it is preventative in nature.

Commissioner Knox-Seymour asked how routine. Mr. Hintz said a roof or furnace, windows and items along those lines, but if an addition or new construction was proposed for a property, this would be prohibited.

Commissioner Halverson said that he would need to be recused from voting.

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

Bryan Moeller, 122 35<sup>th</sup> Street NE stated he has a lot in this area. Mr. Moeller's first concern was that no sign notifications were posted for this ordinance or any proper notification of property owners' within the area. Mr. Moeller got a letter sent to him but he did not know what it was for. Mr. Moeller called three people in the area and none of the neighbors knew what was going on here and being restricted with what they can do. It is concerning that we are going forward with this without making sure that all the owners know what was going on. Mr. Moeller spoke with Ms. Pratt about it and she said letters were sent to everyone. Mr. Moeller further stated that if you get a letter from the city you don't know what it is, half the time he throws them away. So that was her notification. Mr. Moeller stated that his second area of concern is that of undue hardship that he feels is going on. Put under a non-conforming ordinance with no way of getting into conformity. The lot he has he can never build on it and no recourse other than to sell it. I am not in the way of the levy being built or not in the way of flushing of chlorine through the water system. The second area under the undue hardship is the equity

between property owners. On one side of the street is an ordinance and on the other side of the street there is not. So there are properties that have the same concerns as the city would have as far as flooding, building of the levies, being on the wet side of the levies, services that are not addressed or part of this ordinance. The 15 owners are being putting hardships that nobody else has the same concerns would have, such as flooding. There are a couple things I am asking of you. Have the city go through the same procedures that you would require of a private property owner, placement of signs, making sure that everybody that is affect is properly notified.

Commissioner Overland asked what Mr. Moeller would suggest is properly notified. We sent letters to everyone, would you like them to show up at your door? Mr. Moeller said call them. Mr. Moeller searched addresses and called three of the fifteen. He is not sure how many were notified. Mr. Moeller called the City after this moratorium was passed. They did not contact me. Make it a certified letter; make them sign for it, or more than a newsletter coming from the City. Ask the City why it is only this area that the moratorium is being pushed on. Please do not set precedence with this by changing an ordinance that greatly affects property owner's rights.

Don Steichen, 1648 27<sup>th</sup> Street NW said he did not receive a letter on this subject either. Mr. Steichen has great concerns about such a small section: 1) doesn't know why this section only has the moratorium; 2) 8<sup>th</sup> Street and Newbo have higher water; 3) don't have concrete plans on where the levy was going to go; 4) threatened with loss of City services; 5) destroying the value of the property.

Commissioner Overland called for a motion. Commissioner Pankey made a motion to approve the overlay district. Commissioner Knox-Seymour seconded the motion.

Mr. Zakostelecky stated that it is his understanding that letters were sent out to private property owners within in this area and there were attempts to get phone numbers. The Turners were contacted by Rita Rasmussen from the Public Works Department on August 8, 2014 and they declined to meet with her to discuss this proposed Overlay. The notification requirements have been met. This is not a rezoning of property; this is an Overlay District that is being established to preserve an area that is shown in the preliminary alignment for the construction area and the levy area. The city has done their best to reach out and let them know what this is about.

Commissioner Overland asked what about the boundaries determined.

Mr. Zakostelecky stated where the preliminary plans on where the flood protection will be constructed.

Commissioner Knox-Seymour asked to be clear that the 15 homes in this area, this is just an area the flood levy is to be constructed.

Mr. Zakostelecky stated that contemplated to be constructed and an attempt to protect this area..

Commissioner Knox-Seymour for example across the street would not need to be protected.

Commissioner Blank asked how that was determined.

Mr. Zakostelecky stated we may be protecting an area more than we need to protect more than the City needs but it is not exact science right now as we are trying to protect an area that is adequate enough to do that.

Commissioner Halverson stated that he was recusing himself from the vote since his current employer is doing the design on this system.

Commissioner Blank asked if this couple's roof collapsed, what was the recourse if they needed to replace their roof. Mr. Zakostecky stated they would be able to get a permit to replace their roof, it is a maintenance issues, public safety issue.

Commissioner Knox-Seymour said the gentlemen had a lot there and that he would not build on that going forward.

Mr. Zakostecky said that was correct. The City has been in negotiations with all the property owners to purchase those properties for the very reason so that they do not build a brand new home on those lots until it is determined where the flood system was going to be built.

Jennifer Pratt, Community Development said that the idea of the ordinance is to maintain the status quo until we do know where the alignment is going to be and when that designing has been done so this is best information we have and to protect them from putting money into their property that they may or may not be able to get back. Council has had a very strong track record of trying to make properties available for redevelopment. Once we know and can safely reinvest in this area, this overlay could be adjusted appropriately.

Commissioner Knox-Seymour has heard many times where citizens have not been notified. Was there anything more that could be done?

Mr. Zakostecky said that the City does do everything they can and to do a certified mailing would be extremely expensive. In some cases, there are absentee property owners that cannot be notified.

Commissioner Blank asked if the required meetings held.

Mr. Zakostecky stated there were no required meetings for this ordinance since it was not a zone change but an overlay district, which is an addition to the zoning ordinance. Citizen outreach had occurred though.

Commissioner Overland called for discussion on the motion.

Commissioner Pankey stated that it is always a challenge to identify absentee, Trust or LLC citizens to obtain addresses. The City is doing what they can. We are in a transition time and the overlay district can be dropped or reduced, but right now this is the best solution.

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 and Planning

ORDINANCE NO.

ORDINANCE AMENDING CHAPTER 32 OF THE MUNICIPAL CODE, THE  
ZONING ORDINANCE TO CREATE THE NORTHWEST FLOOD MITIGATION  
OVERLAY DISTRICT WITH SPECIFIC GUIDELINES APPLICABLE TO LAND  
USE APPLICATIONS AND PERMITS

WHEREAS, since the flood of 2008 the City of Cedar Rapids has purchased many, but not all of the property in the flood damaged areas for flood mitigation purposes; and

WHEREAS, some properties within this area may be impacted by the construction of the west side flood mitigation system or not be protected by the City's proposed flood mitigation system such that expansion or investment in said properties would not be warranted; and

WHEREAS, actions currently permitted under Cedar Rapids development and building codes and standards could allow unwarranted or unwise development or use of property in the area.

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

Section 1. That Chapter 32, the Zoning Ordinance, is hereby amended by adding Section 32.03.010.C.8– Northwest Flood Mitigation Overlay District, as follows:

8. Northwest Flood Mitigation Overlay District

- a. The Northwest Flood Mitigation Overlay District is hereby created. The area of the Northwest Flood Mitigation Overlay District is as set forth in Figure 32.03.010.C.8-1 attached hereto.



Figure 32.03.010.C.8-1

- b. After the adoption date of this ordinance, the Northwest Flood Mitigation Overlay District shall constitute a district of “nonconformities established by this Ordinance for purposes of Section 32.07 “Nonconformities.”
- c. Except for property owned by the City of Cedar Rapids, on and after the effective date of this section, buildings, structures and uses within the Northwest Flood Mitigation District shall be deemed to be nonconforming and subject to the provision of Section 32.07.
- d. Within the bounds of this district, all of the following shall also apply:
  1. No new construction, addition to, or relocation of any structure to this area;
  2. No permits for new fencing shall be issued;
  3. No alteration of surfaces including, but not limited to patios, sidewalks, driveways, or parking areas;
  4. No Rezoning, Home Occupation, Conditional Use Permit, Revised Site Development Plan, Site Development Plan, Land Use Change,

Major/Minor Preliminary Plat or Subdivision shall be applied for, nor be considered by city staff or other Board/Commission;

5. No new rental registrations shall be issued.

e. Exceptions

1. Typical maintenance to structures or buildings to meet existing building and mechanical codes shall be allowed so long as the repairs do not exceed 50% of the current market value of the building or structure.

f. Any permit applied for within the bounds of this overlay shall be subject to review by the Building Services Department for up to three business days.

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 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 23<sup>rd</sup> day of September, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Community Development

**Presenter at Meeting:** Caleb Mason

**Phone:** 319 286-5188

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

**Alternate Contact Person:** Paula Mitchell

**Phone:** 319 286-5852

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

A public hearing will be held to consider the disposition of nine (9) excess City-owned properties at 606 and 610 J Avenue NW, 1106, 1108, 1110 and 1116 6<sup>th</sup> 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 6<sup>th</sup> Street NW, 1108 6<sup>th</sup> Street NW, 1110 6<sup>th</sup> Street NW, 1116 6<sup>th</sup> 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 are 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 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 holding a public hearing and approval of the resolution.

**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:** 5 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):**

RESOLUTION NO.

RESOLUTION AUTHORIZING THE DISPOSITION OF NINE (9) EXCESS CITY-  
OWNED PROPERTIES AT 606 AND 610 J AVENUE NW, 1106, 1108, 1110  
AND 1116 6<sup>TH</sup> STREET NW, 1101, 1111 AND 1113 ELLIS BOULEVARD NW  
ACQUIRED THROUGH THE VOLUNTARY PROPERTY ACQUISITION  
PROGRAM

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 described as:

606 and 610 J Avenue NW  
1106, 1108, 1110 and 1116 6<sup>th</sup> Street NW  
1101, 1111 and 1113 Ellis Boulevard NW

WHEREAS, on September 23, 2014 at the City Council Chambers, 3<sup>rd</sup> Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, the Cedar Rapids City Council, after notice as required by law, held a public hearing to consider the disposition of said properties;

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 through a request for proposal process.

Passed this 23<sup>rd</sup> Day of September, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Caleb Mason

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

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

**Alternate Contact Person:** Jennifer Pratt

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

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

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

A public hearing will be held to consider the disposition of City-owned commercial property at 615 K Avenue NW; 1125, 1127 and 1129 Ellis Boulevard NW and 1130 and 1138 6<sup>th</sup> Street NW and inviting redevelopment proposals (**FLOOD**). CIP/DID #OB1058253

### **Background:**

Previously the City initiated a request for proposal (RFP) process for the above properties, however, no proposals were received by the deadline. Subsequent to the deadline, the City received interest and proposal from an experienced developer, the Neighborhood Development Corporation, proposing to salvage the structure at 615 K Avenue NW. Based on the qualified interest and in order to meet State Code requirements for property disposition, staff is recommending to reissue the RFP using the previously adopted criteria:

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. 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).
9. Economic impact, including number/wage rate of jobs to be created, total project cost, and projected post-development property valuation.
10. Community benefits, in addition to economic impact, such as walkable neighborhood amenities or services.
11. 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 holding the public hearing and approval of the resolution.

**Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 5 Minutes

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

**Local Preference Policy** Applies  Exempt

**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



RESOLUTION NO.

RESOLUTION AUTHORIZING DISPOSITION OF CITY-OWNED COMMERCIAL  
PROPERTY AT 615 K AVENUE NW; 1125, 1127 AND 1129 ELLIS  
BOULEVARD NW AND 1130 AND 1138 6<sup>TH</sup> STREET NW AND INVITING  
REDEVELOPMENT PROPOSALS

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 described as:

615 K Avenue NW  
1125, 1127 and 1129 Ellis Boulevard NW  
1130 and 1138 6<sup>th</sup> Street NW

WHEREAS, on September 23, 2014 at the City Council Chambers, 3<sup>rd</sup> Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, the Cedar Rapids City Council, after notice as required by law, held a public hearing to consider the disposition of said properties,

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 through a request for proposal process.

Passed this 23<sup>rd</sup> Day of September, 2014.

## **Council Agenda Item Cover Sheet PUBLIC HEARING AND POSSIBLE 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**

A public hearing to consider the disposition of a .75 acre parcel of vacant City-owned land located northerly of Ellis Road NW at 80<sup>th</sup> Street NW as requested by the State of Iowa in connection with the future extension of Highway 100.

Resolution authorizing execution of a Purchase Agreement in the amount of \$750 and execution of Quitclaim Deed to the State of Iowa for property located northerly of Ellis Road NW at 80<sup>th</sup> Street NW in connection with the future extension 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

ENG  
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IT  
IDOT  
52-15-003  
CRMFR# 12434

RESOLUTION NO.

RESOLUTION AUTHORIZING THE DISPOSITION OF CITY-OWNED  
PROPERTY TO THE STATE OF IOWA

WHEREAS, the State of Iowa, c/o Office of Right of Way, IDOT, 800 Lincoln Way Ames, IA 50010, is exercising its right to purchase a .75 acre parcel of vacant City-owned land for the construction of the westward extension of Iowa Highway 100, and

WHEREAS, on September 13, 2014 the City published a notice to hold a Public Hearing, and

WHEREAS, on September 23, 2014 a Public Hearing was held and the City Council recommended the disposition of said parcel to the State of Iowa, and

WHEREAS, the City of Cedar Rapids, an Iowa municipal corporation, 101 First Street SE, OWNER of the real property known and described as:

See Attached Exhibit A

has agreed to convey said vacant City-owned land generally located northerly of Ellis Road NW at 80<sup>th</sup> Street NW for a total consideration of \$750, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the consideration paid by the State of Iowa for the land by fee title be accepted, and

BE IT FURTHER RESOLVED that the associated Purchase Agreement be accepted and that the City Manager and City Clerk are hereby authorized to execute said agreement, and

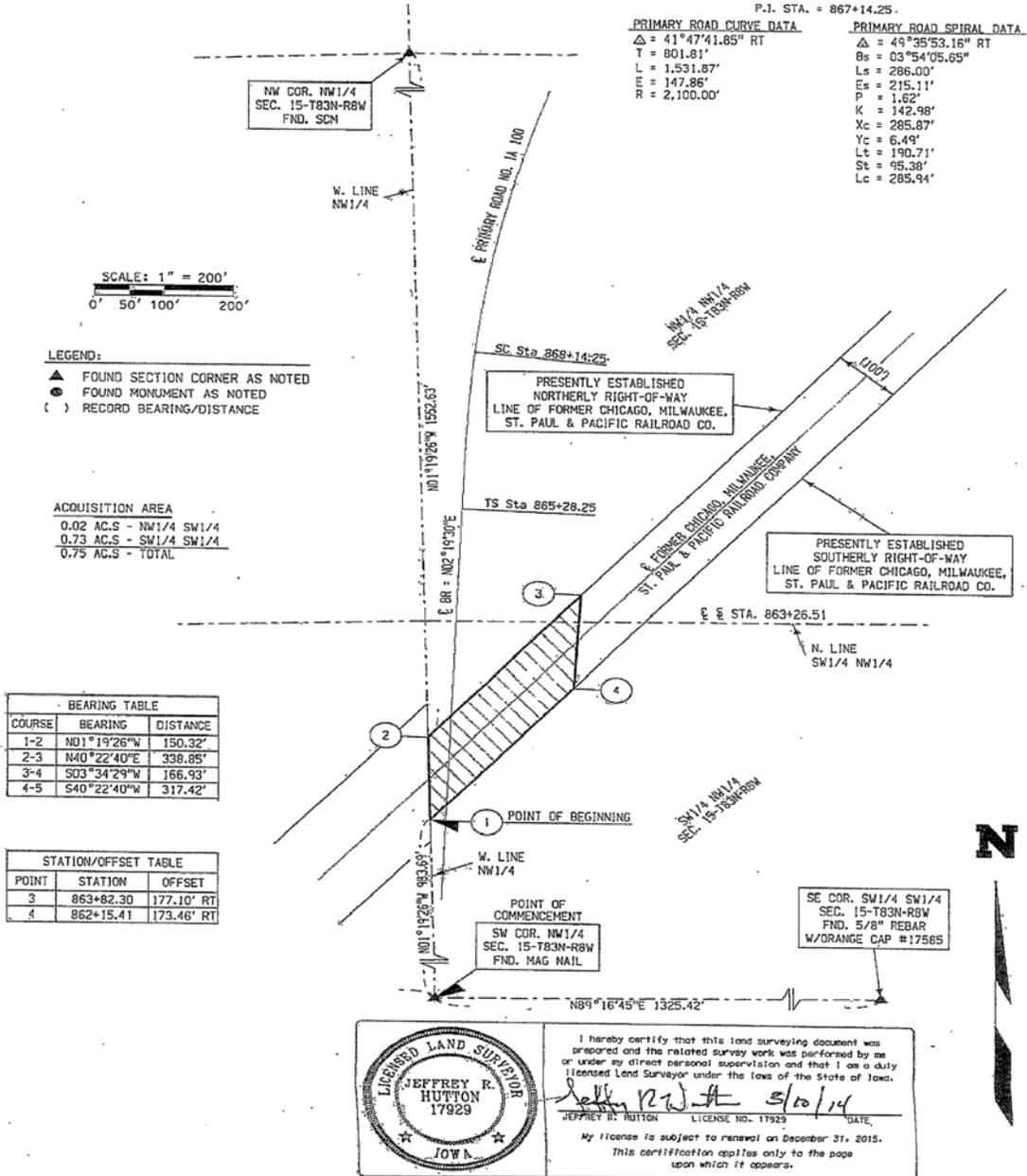
BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute the Quitclaim Deed and that the Quitclaim Deed be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 23<sup>rd</sup> day of September, 2014.

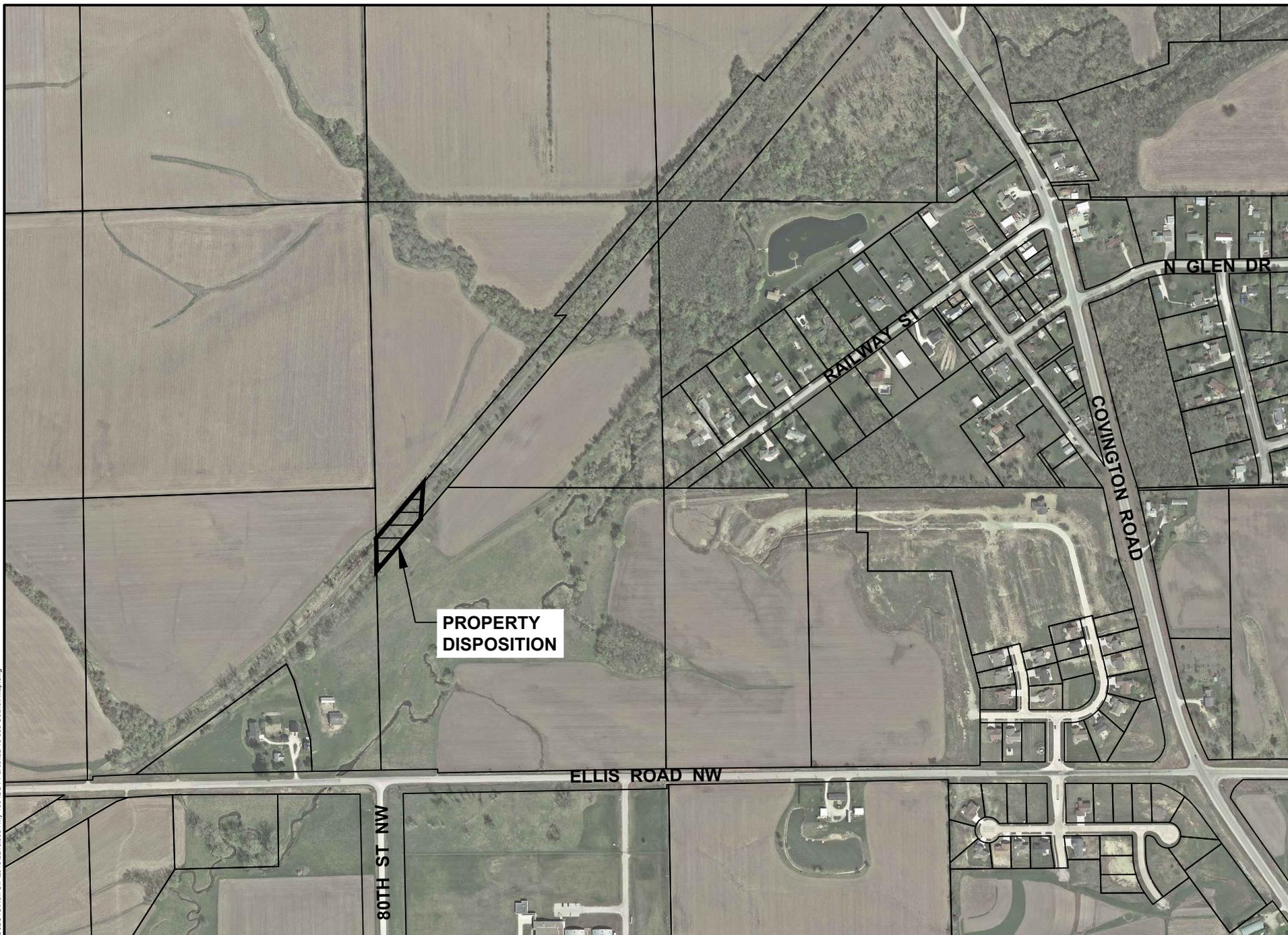
# EXHIBIT A

## Iowa Department of Transportation ACQUISITION PLAT

COUNTY LINN STATE CONTROL NO. \_\_\_\_\_  
 PROJECT NO. NHSN-100-1(40)--2R-57 PARCEL NO. 89B  
 SECTION 15 TOWNSHIP 83N RANGE 8W  
 ROW-FEE 0.75 AC EASE \_\_\_\_\_ AC EXCESS-FEE \_\_\_\_\_ AC  
 ACCESS RIGHTS \_\_\_\_\_  
 ACQUIRED FROM \_\_\_\_\_



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 Public Hearing and Resolution**

**Submitting Department:** Public Works Department

**Presenter at meeting:** Dave Wallace  
**E-mail Address:** davidw@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**

To consider the vacation of public ways and grounds described as a portion of a frontage road easement located at 2701 12<sup>th</sup> Avenue SW as requested by Quarton Place 2 Limited Partnership.

Resolution vacating a portion of public ways and grounds described as a portion of a frontage road easement located at 2701 12<sup>th</sup> 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.

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

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

**Local Preference Policy** Applies  Exempt

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

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

**Explanation** (if necessary):

ENG  
AUD FILE  
ASR  
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TED  
BSD  
STR  
CD  
IT  
QUARTON  
EASE-011980-2014

RESOLUTION NO.

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

WHEREAS, the City of Cedar Rapids does possess a frontage road easement on the following described property:

2701 12<sup>th</sup> Avenue SW  
(A part of Lot 1, Cooper and Crissman's 2<sup>nd</sup> Addition to Cedar Rapids, Iowa)

, and

WHEREAS, Quarton Place 2 Limited Partnership, 118 3<sup>rd</sup> Avenue SE, Ste. 407, Cedar Rapids, Iowa 52401, has requested the City of Cedar Rapids vacate the public's interest in and to a portion of said easement, and

WHEREAS, the Cedar Rapids Public Works Department recommends a portion of the frontage road easement be vacated as it is no longer required,

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

The Council determines the frontage road easement located on a part of Lot 1, Cooper and Crissman's 2<sup>nd</sup> Addition to Cedar Rapids, Iowa as shown on "Exhibit A" attached hereto and made a part thereof no longer serves the public interest and said public interest and use held by the City of Cedar Rapids in and to the property herein described is hereby vacated.

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

- a. Quarton Place 2 Limited Partnership shall save the City of Cedar Rapids harmless from damage or injury or loss of access or diminishing of the value of improved property, under Section 364.15 of the Iowa Code as the result of the vacation of said Frontage Road Easement hereinbefore described to said property owner.
3. The grantee, Quarton Place 2 Limited Partnership, shall pay the City Clerk all publication and recording fees associated with this easement vacation.

, and

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

Passed this 23<sup>rd</sup> day of September, 2014.



**FRONTAGE ROAD  
EASEMENT VACATION**

**2701  
12th Ave SW**

**WILLIAMS BLVD SW**

**16TH AVENUE SW**

**FOOTE ST SW**

**12TH AVENUE SW**



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



0 FEET 150

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

EASE-011880-2014



# Council Agenda Cover Sheet Public Hearing and Resolution

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5814

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

**Phone Number/Extension:** 5547

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

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 29<sup>th</sup> Street NE from West of Eastern Avenue to Staub Court Storm Sewer and Water Main Improvements project (estimated cost is \$320,000).

Resolution adopting plans, specifications, form of contract and estimated cost for the 29<sup>th</sup> Street NE from West of Eastern Avenue to Staub Court Storm Sewer and Water Main Improvements project. CIP/DID #304378-01

**Background:**

Currently storm water runoff flows in a shallow open channel within an existing drainage easement between 29<sup>th</sup> 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, thus 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 resolution to adopt plans, specifications, form of contract and estimated cost for the project.

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

**Time Sensitivity:** Must be acted upon September 23, 2014 to maintain the project schedule, and which must occur ahead of the project's October 8, 2014 bid opening.

**Resolution Date:** 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 (if necessary):**

RESOLUTION NO.

WHEREAS, on September 9, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the 29<sup>th</sup> Street NE from West of Eastern Avenue to Staub Court Storm Sewer and Water Main Improvements project (Contract No. 304378-01) for the City of Cedar Rapids, Iowa, and

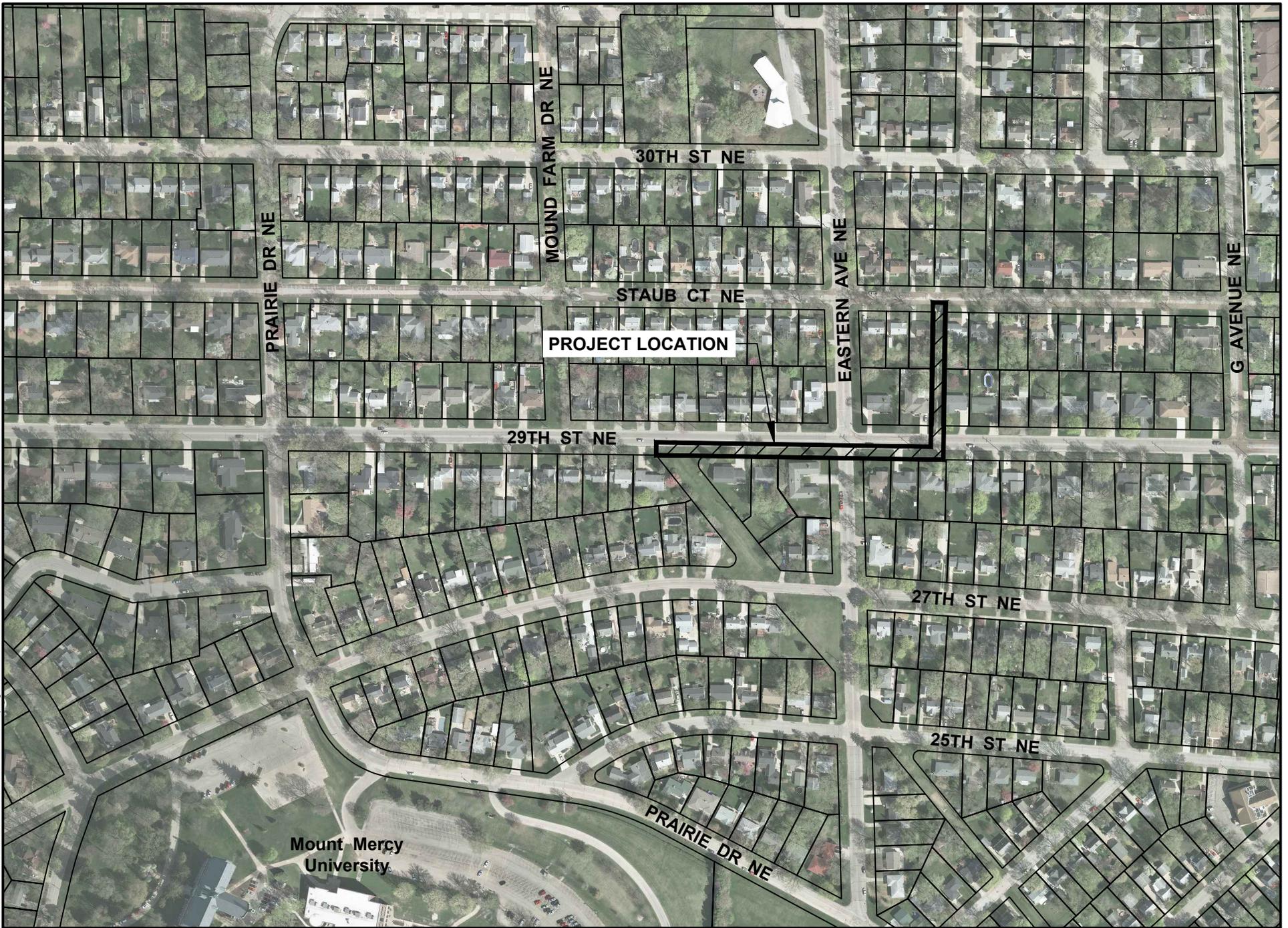
WHEREAS, a public hearing was held, and

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

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

Passed this 23<sup>rd</sup> day of September, 2014.

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**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Development Services

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

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

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

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

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

Motion setting a public hearing for October 7, 2014 to consider a change of zone for property at the northeast corner of the intersection of Zika Avenue NW and 16<sup>th</sup> Street NW from R-1, Single Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Newbo Development Group, LLC and City of Cedar Rapids. CIP/DID #RZNE-010979-2014.

**Background:**

The request for rezoning of this property was reviewed by the City Planning Commission on September 11, 2014 and the Commission’s recommendation was for unanimous approval on a 7 to 0 vote.

The property is undeveloped in the City’s Ellis Park. The applicant has been chosen by City Council as the preferred developer and is proposing a mix of single-family homes, duplexes and 5-unit row house structures. Several neighborhood meetings have been held by the applicant and no major objections have been heard. The PUD-1 rezoning requires approval of a Preliminary Site Development Plan and then an Administrative Site Plan will be submitted for the development prior to construction of improvements. The Preliminary Site Development Plan as submitted includes the following improvements:

- Total site area-6.88 acres.
- 28 building lots & several lettered lots for dedication of right-of-way and play ground and open space.
- Total of 28 housing units (10-townhomes, 10 duplex units & 7 single family homes).
- Total parking includes two stall garages for the single-family homes and duplexes and one stall garages for the townhomes.
- Total parking including tandem spaces-100.
- Access to single family & duplex homes is a public street off Zika Avenue NW.
- Access to townhomes is two private drives onto 16<sup>th</sup> Avenue NW.
- Several areas will be developed with bio-retention cells for storm water management.
- Lot B will be dedicated back to the City for park & open space use.

**Application Process/Next Steps:**

Actions	Comments
City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on September 11, 2014 and recommended approval unanimously on a 7 to 0 vote. A portion of the City Planning Commission minutes are included as Attachment A.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing to allow for public input, and First Reading of the Ordinance will be held on October 7, 2014.</li> <li>Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li> <li>Approval of the rezoning will be subject to the conditions stated in the Ordinance.</li> </ul>

**Action / Recommendation:**

City staff recommends setting a public hearing.

**Alternative Recommendation:**

City Council may table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 minutes

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

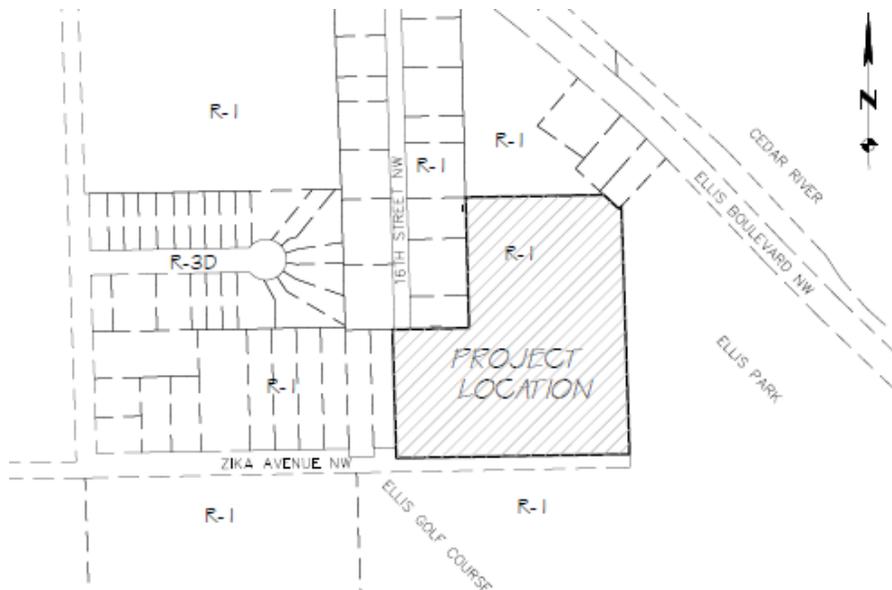
**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

**Location Map**





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 September 11, 2014 @ 3:00 p.m.**

**Cedar Rapids City Hall Council Chambers, 101 First Street SE**

Members Present: Scott Overland, Chair  
Jim Halverson, Vice – Chair  
Carletta Knox-Seymour  
Richard Pankey  
Virginia Wilts  
Bill Hunse  
Dominique Blank

Members Absent: Kim King  
Samantha Dahlby

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

CD Staff: Jennifer Pratt, Interim Director  
Jeff Hintz, Planner  
Betty Sheets, Administrative Assistant

City Council Liaison: Justin Shields

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 August 21, 2014 Minutes stand approved.

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

**Case Name: Northeast corner of the intersection of Zika Avenue NW and 16<sup>th</sup> Street NW (Rezoning)**

Consideration of a Rezoning from R-1, Single Family Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Newbo Development Group, LLC (Applicant) and City of Cedar Rapids (Titleholder)

*Case No: RZNE-010979-2014; Case Manager: Vern Zakostelecky*

Mr. Zakostelecky stated this is a rezoning request to the PUD-2 Zone District which is open unprogrammed green space in Ellis Park known as the Chipping Greens. There are 4 single-family homes that front on Ellis that back up to this property as well as single-family homes along 16<sup>th</sup> Street NW. City Council feels this is underutilized City Park property that could be developed with in-fill housing. The developer is proposing a mix of single-family homes, duplexes and row houses on the site. The developer has held three neighborhood meetings. Mr. Zakostelecky showed a Location/Zoning Map, General Information, Aerial Photo as well as a Preliminary Site Development Plan and several renderings of the buildings. The developer has indicated that they plan to far exceed the storm water management minimum requirements for this site. Mr. Zakostelecky also showed a list of neighborhood concerns that were expressed at the various neighborhood meetings that were held. Mr. Zakostelecky pointed out that we had received one objection just before the meeting of a citizen who was unable to attend this meeting and a copy of that was delivered to the Commissioners at the meeting.

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

Commissioner Overland called for a representative of the applicant.

Chad Pelley, Ahmann Companies, Newbo Development Group, 1641 Boyson Square Drive, Hiawatha, IA was present representing the applicant. Mr. Pelley stated that they had held three neighborhood meetings over the last two months. A lot of questions and comments were expressed regarding the water run, traffic, existing street conditions and property values. Mr. Pelley stated that the homes would be sold for between \$150,000 and \$300,000. Mr. Pelley stated he would be happy to answer any questions.

Commissioner Overland called for questions of the applicant.

Commissioner Pankey asked if on the site plan upper right hand corner if that was a sanitary sewer that would extend from the development to Ellis Boulevard. Mr. Pelley stated that there was a concern with the existing sewer is old clay. Mr. Pankey asked if that piece of property would be retained by City. Mr. Pelley stated yes that will remain City property along with a substantial portion on the east side of the site. Mr. Pelley stated that very few trees will be impacted by replacing the sewer and many more trees will be added to the property.

Commissioner Hunse asked how the developer became aware that the property was available. Mr. Pelley stated that several developers have come forward proposing developments on this property, but none were ever approved. So many homes were impacted by the flood and there is a great need for homes. Commissioner Hunse asked if the disposition is a public process. Mr. Pelley stated yes.

Commissioner Halverson asked if Mr. Pelley would speak to the timing of the CIP improvements. Mr. Pelley stated that there is a paving project for FYI 2014 for Zika Avenue from 20<sup>th</sup> Street to 26<sup>th</sup> Street and for 26<sup>th</sup> Street to Ellis in FYI 2016 and 2017. As part of this

project, the Developer will participate for the improvement of 16<sup>th</sup> Street and Zika Avenue adjacent to this site. The 28 homes will generate a very insignificant number of traffic trips.

Commissioner Overland asked if any of the trees will be impacted by the homes to be built. Mr. Pelley stated that very few trees would be impacted by the development.

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

James Robertson, 2255 16<sup>th</sup> Street NW presented an article that appeared in the Gazette that showed Robert Ellis donated the property to the City for park and this was never intended for development. Mr. Robertson said his research was not completed and needed to know if he had another opportunity to appeal before final approval. Mr. Zakostecky stated that this would be for a public hearing before the City Council on October 7, 2014.

Janelle Smith, 2249 16<sup>th</sup> Street NW, Jim Novak, 2233 16<sup>th</sup> Street NW, Charlotte L. Zeman, 1608 Zika Avenue NW, Jim Stratton, 2321 16<sup>th</sup> Street NW, Don Steichen, President of the Harbor Association and Iowa Water Volunteer, 1648 27<sup>th</sup> Street NW expressed their concerns and opposition to the development.

Joe Ahmann, Ahmann Companies, 1641 Boyson Square Drive, Hiawatha wanted to add a few points. He understood the concern of traffic in the area, but there are only 28 owner occupied properties proposed for this development. The difference between this project and a ROOTs project is the program has some financial assistance associated with it. The price point will be closer to \$200,000 to \$300,000 per home. Other uses such as community centers would add more traffic than 28 single-family homes. As to the concern of water runoff, there are a lot of difference between this and Sugar Creek, the housing development to the west. There are 5 different infiltration systems proposed.

Scott McMURIN, 2256 16<sup>th</sup> Street NW expressed his concerns and opposition to the development.

Commissioner Overland asked Mr. Pelley to return to the podium to answer some questions.

Commissioner Overland asked Mr. Pelley to clarify who pays for the infrastructure and also about the property lines.

Mr. Pelley stated that the Developer will pay for the infrastructure and the adjacent improvements on Zika and 16<sup>th</sup> will be paid for the Developer up front or assessed to the owners of adjoining properties, he did not know how that would play out. The price of the property was appraised at \$20,000 per acres. The license surveyors have completed their initial survey. He was unclear what the lot line disagreements are. Mr. Pelley has given his card to anyone who has questions and he would be happy to meet with them in his office where they can look at the plans. Mr. Pelley further stated that runoff is a concern. This development has been uniquely designed and broken down at less than one acre sub-drainage areas. Given each of those areas basins do not have any storm sewer to connect to 8 inch tiles will be used to release storm water run-off, which is not infiltrated. Curb cuts in streets will assist in directing run-off to the basins, which will have deeper vegetation to encouraging infiltration.

Commissioner Hunse asked if the land surveyors are using best available datum concerning the property line discrepancies. There can be discrepancies/busts in multiple data. Mr. Pelley stated he was using a third party engineer have performed the survey. Mr. Pelley is not certain if there is any discrepancy.

Commissioner Hunse said there was concern about speed that water runoff comes off a site. Building detention basins, monitored flow and state of the art technology needs to be considered. Mr. Pelley stated that in 2001 development sites could release water un-detained. In the proposed discharge system, approximately 2 feet of pooling for large shallow flat basin is being designed. This is accepted practice that is not required, but the developer wants to work with the City to be creative and sensitive to water runoff since it is a major concern.

Commissioner Hunse heard that there's narrow right of way on 16<sup>th</sup> street that is not necessarily the developer's responsibility. For those that want new roadway, the narrow right-of-way would have to be modified. Mr. Pelley has encouraged the citizens at neighborhood meetings to contact the City or their Council members to extend the right-of-way. If it gets improved, who is paying for those improvements? 16<sup>th</sup> Street and Zika Avenue are both in bad shape.

Mr. Robertson returned to podium to say he has lived on that street for a long time and said that no two cars heading in opposite directions can pass on that street.

Commissioner Halverson asked Mr. Mason to elaborate on when the property was deeded to the City.

Caleb Mason, Community Development stated that when doing research when the request came to the City to dispose of the property the City did not find an abstract. In 1956 the City had purchased the property from a Golf Association for a fee of \$6,000. If City does not maintain it would be revert back, but did not find any issues in the research preformed.

Commissioner Overland called for a motion. Commissioner Halverson made a motion to approve the rezoning from I-1, Light Industrial Zone District to C-2, Community Commercial Zone District. Commissioner Pankey seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Halverson stated that in large part any infill project will have issues. Through a Planned Unit Development, affords implementing a plan that is acceptable. There are some issues with transportation and there are limitations with the two principle streets that abut this development. The Council and various parties has serious vetted this property and there's a great deal of thought gone into the disposing of this property.

Commissioner Pankey stated that he has seen work done by the Developer and the plan for this area is compatible and the designs will handle the runoff. It is a change but another opportunity to bring housing back to the Northwest quadrant for people to live.

Commissioner Knox-Seymour wanted to make certain the applicant was giving strong consideration to the neighbors even though the development will provide housing that is necessary, but the developer also needs to put themselves in the neighbors place and what it looks like and what that is going to do to their homes, river etc.

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



## 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**       **Map**

Motion to set a public hearing for October 7, 2014, to consider the execution of a Substation Site Easement agreement with Interstate Power and Light Company in connection with an electric substation expansion and rebuild located on City-owned land at the southwest corner of Twin Pines Golf Course and the intersection of 42<sup>nd</sup> Street and Edgewood Road NE. CIP/DID #49-15-022

### **Background:**

The City has received a request from Interstate Power and Light Company (IPL) to grant an electric substation site easement at the same location as the previously existing Buffalo Substation, which was destroyed by fire in June of 2014. This easement will allow for the expansion and rebuild of that electric substation. The City Assessor's valuation for this easement area is \$68,770. The City wishes to acquire the former Cedar Substation site from IPL, and the City Assessor's valuation for that site is \$68,000. Therefore, the City and IPL have agreed to convey the easement area and the former substation site to each other for \$1 each.

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

### **Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of the Substation Site Easement agreement to IPL.

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

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

**Time Sensitivity:** Normal

**Resolution Date:** October 7, 2014

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

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

**Local Preference Policy:** Applies  Exempt

**Explanation:** Local preference policy does not apply to the granting of easements.

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

**Explanation (if necessary):**



HIGHWAY 100

NORTH RIVER BLVD NE

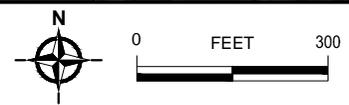
Twin Pines Golf Course

EDGEWOOD RD NE

ELECTRIC SUBSTATION SITE EASEMENT

42ND STREET NE

**ELECTRIC SUBSTATION SITE EASEMENT  
42ND STREET AND EDGEWOOD ROAD NE**



Cadd File Name: W:\PROJECTS\Non-CIP\2015\4915\22 Twin Pines Buffalo Substation - IPL\49-15-022 Council Map.dwg



## COUNCIL AGENDA ITEM COVER SHEET

**Meeting Date:** 9/23/2014

**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. 1<sup>st</sup> Avenue Wine House, 3412 1<sup>st</sup> Avenue NE;
- b. Blue Strawberry Coffee Company, 118 2<sup>nd</sup> Avenue SE;
- c. Casey's General Store #2768, 1201 1<sup>st</sup> Avenue SE;
- d. Casey's General Store #2776, 701 Ellis Boulevard NW;
- e. Casey's General Store #2780, 5555 Edgewood Road NE;
- f. Casey's General Store #2782, 1495 Blairs Ferry Road NE;
- g. Casey's General Store #2790, 588 Boyson Road NE;
- h. Casey's General Store #2791, 9125 Atlantic Drive SW;
- i. Casey's General Store #2792, 9001 6<sup>th</sup> Street SW;
- j. Coe College, 1220 1<sup>st</sup> Avenue NE;
- k. Coe College, 1220 1<sup>st</sup> Avenue NE (transfer for an event, at 50 2nd Avenue Bridge, Veteran's Memorial Building, on June 10, 2014);
- l. Comfort Inn & Suites, 2025 Werner Avenue NE (new);
- m. The Fresh Market, 180 Collins Road NE (new)
- n. Frond Design Studio, 310 10<sup>th</sup> Avenue SE (permanent transfer to 6425 7th Street Court SW, Suite F);
- o. Frond Design Studio, 6425 7<sup>th</sup> Street Court SW;
- p. Genghis Grill, 2230 Edgewood Road SW;
- q. Hy-Vee #5 Club Room, 3235 Oakland Road NE;
- r. Hy-Vee Drugstore #6, 505 Boyson Road NE;
- s. Julia-n-LeChef Katering Kitchen, 426 1<sup>st</sup> Avenue NW (5-day permit for an event at 50 2nd Avenue Bridge, Veteran's Memorial Building, on October 2, 2014);
- t. NewBo City Market, 1100 3rd Street SE;
- u. Papa Juan's Mexican Restaurant, 5505 Center Point Road NE;
- v. Paramount Theatre, 119 3<sup>rd</sup> Avenue SE;
- w. Red Baron Bar & Dance Club, 62 16<sup>th</sup> Avenue SW (outdoor service for an event on September 27, 2014);
- x. Target T-1771, 3400 Edgewood Road SW;
- y. Texas Roadhouse, 2605 Edgewood Road SW;
- z. Veterans of Foreign Wars Post #788, 3240 Southgate Place SW;
- aa. Walgreens #12580, 324 Edgewood Road NW;
- bb. Westside Lounge, 325 Edgewood Road NW.

**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:** 9/23/14

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
1st Avenue Wine House 3412 1ST AVE NE	0	0	0	0
Blue Strawberry Coffee Company 118 2ND AVE SE	4	0	0	0
Casey's General Store #2768 1201 1ST AVE SE	377	1	0	8
Casey's General Store #2776 701 ELLIS BLVD NW	173	1	2	7
Casey's General Store #2780 5555 EDGEWOOD RD NE	63	0	0	0
Casey's General Store #2782 1495 BLAIRS FERRY RD NE	104	0	0	2
Casey's General Store #2790 588 BOYSON RD NE	108	0	0	0
Casey's General Store #2791 9125 ATLANTIC DR SW	22	0	1	2
Casey's General Store #2792 9001 6TH ST SW	91	0	2	10
Coe College 1220 1ST AVE NE	59	2	0	5
Coe College 1220 1ST AVE NE	59	2	0	5

Comfort Inn & Suites 2025 WERNER AVE NE	0	0	0	0
FronD Design Studio 310 10th AVE SE	0	0	0	0
FronD Design Studio 6425 7TH ST CT SW	0	0	0	0
Genghis Grill 2230 EDGEWOOD RD SW	13	0	0	0
Hy-Vee #5 Club Room 3235 OAKLAND RD NE	125	0	1	8
Hy-Vee Drugstore #6 505 BOYSON RD NE	27	1	1	0
Julia-n-LeChef Katering Kitchen 426 1ST AVE NW	4	0	0	0
NewBo City Market 1100 3RD ST SE	266	0	0	1
Papa Juan's Mexican Restaurant 5505 CENTER POINT RD NE	15	0	0	1
Paramount Theatre 119 3RD AVE SE	1	0	0	0
Red Baron Bar & Dance Club 62 16TH AVE SW	69	1	1	20
Target T-1771 3400 EDGEWOOD RD SW	110	0	1	3
Texas Roadhouse 2605 EDGEWOOD RD SW	30	0	1	1
Veterans of Foreign Wars Post #788 3240 SOUTHGATE PL SW	11	0	0	1
Walgreens #12580 324 EDGEWOOD RD NW	14	0	0	0
Westside Lounge 325 EDGEWOOD RD NW	20	1	0	1

RESOLUTION NO.

WHEREAS, the attached listing of bills dated September 23, 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 23<sup>rd</sup> day of September, 2014.

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Civil Rights Commission

**Presenter at meeting:** LaSheila Yates  
**Email:** [l.yates@cedar-rapids.org](mailto:l.yates@cedar-rapids.org)

**Phone Number/Ext:** 319-286-5004

**Alternate Contact Person:** Stefanie Munsterman-  
Robinson  
**Email:** [s.robinson@cedar-rapids.org](mailto:s.robinson@cedar-rapids.org)

**Phone Number/Ext:** 319-286-5123

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

Resolution approving execution of a Cooperative Agreement between the Iowa Civil Rights Commission and Cedar Rapids Civil Rights Commission for satisfactory intake and resolution of civil rights complaints. CIP/DID #

**Background:**

The Cedar Rapids Civil Rights Commission (CRCRC) has maintained a Cooperative Agreement with the Iowa Civil Rights Commission (ICRC) for several years, with the most recent agreement running from July 1, 2013 to June 30, 2014. The CRCRC been asked to provide the intake and investigative services for civil rights complaints that whose allegations fall within the prohibitions of sections 216.6, 216.7, 216.8A, 216.9, 216.10, and 216.11 of the Iowa Code. In return, ICRC will pay the CRCRC for these services in accordance with the payment schedule below.

<b>Activity</b>	<b>Description</b>	<b>Payment</b>
Intake	Complaint sent to ICRC for processing and investigation within 7 days (housing) or 30 days (non-housing) of initial filing date with local agency.	\$500 for housing cases \$250 for non-housing
	Complaint sent to ICRC for processing and investigation greater than 30 days (housing); or 60 days (non-housing) of initial filing date with local agency.	\$250 for housing cases \$150 for non-housing
	Complaint sent to ICRC for processing and investigation within 7 days but less than 30 day (housing); or 30 days but less than 60 day (non-housing) of initial filing date with local agency.	\$0
Resolution for Non-Housing Cases	Complaint resolutions sent to ICRC for closure processing within 180 days of initial filing date with local agency.	\$325
	Complaint resolutions sent to ICRC for closure processing greater than 180 days but less than 600 days of initial filing date with local agency.	\$200
	Complaint resolutions sent to ICRC for closure processing greater than 600 days of initial filing date with local agency.	\$0

The ICRC also holds agreements with other local commissions throughout the state to perform similar work. The total amount of funds the ICRC will spend is \$45,000; which will be provided on a first come first serve basis.

If approved, the new Cooperative Agreement will run from July 1, 2014 to June 30, 2015. The signed agreement is to be submitted to the ICRC no later than October 15, 2014

**Action / Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:**

City Council may table the items and request additional information.

**Time Sensitivity:** The signed agreement is due to the ICRC no later than October 15, 2014

**Resolution Date:** September 23, 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 APPROVING EXECUTION OF A COOPERATIVE AGREEMENT BETWEEN  
THE IOWA CIVIL RIGHTS COMMISSION AND CEDAR RAPIDS CIVIL RIGHTS COMMISSION  
FOR SATISFACTORY INTAKE AND RESOLUTION OF CIVIL RIGHTS COMPLAINTS

WHEREAS, the Iowa Civil Rights Commission has submitted a Cooperative Agreement with the Cedar Rapids Civil Rights Commission, and

WHEREAS, the Cedar Rapids Civil Rights Commission has maintained a Cooperative Agreement with the Iowa Civil Rights Commission for several years, with the most recent agreement running from July 1, 2013 to June 30, 2014.

WHEREAS, the agreement allows for the satisfactory intake and resolution of complaints whose allegations fall within the prohibitions of sections 216.6, 216.7, 216.8A, 216.9, 216.10, and 216.11 of the Iowa Code, and

WHEREAS, the agreement will run from July 1, 2014 to June 30, 2015, and

WHEREAS, the Iowa Civil Rights Commission also holds agreements with other local commissions throughout the state to perform similar work. The total amount of funds the ICRC will spend is \$45,000; which will be provided on a first come first serve basis, and

WHEREAS, said agreement as submitted meets the approval of the Cedar Rapids Civil Rights Commission, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the Civil Rights Commission is hereby authorized to execute a Cooperative Agreement with the Iowa Civil Rights Commission.

Passed this 23rd day of September, 2014.

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

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

**Presenter at meeting:** Amy Stevenson  
**Email:** [AmyS@cedar-rapids.org](mailto:AmyS@cedar-rapids.org)

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

**Alternate Contact Person:** Bridget McMenomy  
**Email:** [b.mcmenomy@cedar-rapids.org](mailto:b.mcmenomy@cedar-rapids.org)

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

**Description of Agenda Item:**

Resolution granting an extension of time through November 30, 2014, for the Going Out of Business License issued to Smulekoff's Home Store, 97 Third Avenue SE.

**Background:**

Smulekoff's Home Store was issued a Going Out of Business License on September 5, 2014, for a sale of 30 days. A written request was submitted by Smulekoff's Home Store to extend the sale through November 30, 2014.

**Action / Recommendation:**

Approve resolution as requested.

**Alternative Recommendation:**

**Time Sensitivity:** N/A

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 0

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

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, a Going Out of Business License has been issued to Smulekoff's Home Store, 97 Third Avenue SE, for sale of 30 days from September 5, 2014, and

WHEREAS, said company has requested an extension of time through November 30, 2014, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Smulekoff's Home Store is hereby granted an extension of time through November 30, 2014, for their Going Out of Business License.

Passed this 23<sup>rd</sup> day of September, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** September 23, 2014

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

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

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

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

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

**Description of Agenda Item:**

Resolution approving the Czech Village Association Czechttoberfest event on September 27, 2014 (includes road closure); CIP/DID #SPEC-025934-2014

**Background:**

Referencing the Special Event application received for the above special event which is 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 23, 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, Pam Imerman on behalf of the Czech Village Association, has requested approval for the "Czechtobberfest" event in Czech Village including music, bingo, games, pumpkin decorating, breakfast, tractor show, hay rides between New Bo market and Czech Village, crafts and food vendors, and

WHEREAS, the application includes a request for approval to close 16<sup>th</sup> Avenue SW from "A" Street to "C" Street from 6 AM until 6 PM on Saturday, September 27, 2014, (including setup and teardown time), 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 and participants shall comply with all existing parking regulations and posted restrictions on all areas of public property.
2. 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.
3. 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 fence shall be no closer than two (2) feet from all public sidewalks.
4. The operation of the event is contingent on the weather conditions being sufficient to permit safe operation of the hayrides in regard to the passengers and other motorists.
5. The applicant or hayride operator shall comply with State Code sections 321.383 and 321.398 referring to slow vehicle identification and lamps on vehicles. The wagon shall be equipped with a slow moving vehicle sign on the rear of the wagon. Tractor shall have head lamps and trailer/hayrack shall have a reflective orange triangle (slow moving vehicle emblem) on the rear. Tractor and trailer shall also have rear red lamps and tractor shall operate hazard lights (flashers) after dusk.
6. Applicant shall provide adequate restroom facilities for the event.
7. Applicant and food vendors shall meet all applicable requirements and regulations of both the Linn County Health Department and the Cedar Rapids City Code (including all requirements of Chapter 42).
8. Food, including beverages and ice, may not be prepared or dispensed outside without prior approval of the Linn County Public Health Department at 319-892-6000.
9. Applicant shall provide written notification to all adjacent property owners affected by the street closure related to "Czechtobberfest". Written notification shall include identification of the street closure areas, event date and times required for street closures, and the name and telephone number of the applicant's contact person. Applicant shall provide a copy of the notification to the City Manager's Office.
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 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.
12. Applicant's insured traffic control contractor shall provide, setup, maintain and remove all barricades/traffic controls required by the City for the temporary street closure. All barricades/traffic controls must conform to the requirements of the Manual on Uniform Traffic Control Devices. Applicant shall provide the name and phone number of the company providing the barricades/traffic controls to the Police Department and Traffic Engineering one week prior to the event.
13. Upon completion of event, all areas associated with the event will be cleaned up. All permanent Park trash receptacles must have trash removed by the event and bags replaced the day of the event. All park grounds that see event crowds must be inspected by the event for any trash, litter, temporary event signs, etc., which must be removed the day of the event before park closing hours. Needed additional trash or debris cleanup by Parks staff will be billed to the event for reimbursement.
14. Applicant is responsible to provide additionally desired park tables and receptacles beyond what is standardly available and in place within City Parks. Additional tables, trash cans, trash bags, servicing of trash cans and removal of event related trash, event fencing, hoses, etc. must be provided by the event applicant. Events are also not allowed to move park furniture and receptacles in order to fulfill additional needs by the event.
15. Applicant shall contact the Cedar Rapids Police Department at least 15 to 30 days prior to the event to hire off-duty police officers, as required by the Police Department to attend barricades at street closures, to assist with traffic control at designated intersections, and for event security. Contact Sgt. Mark Andries (319-286-5438) to arrange officers.  
  
Applicant will be required to hire two (2) off duty Cedar Rapids Police Officers for nine (9) hours @ \$49/hr - estimated total \$882
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 23<sup>rd</sup> day of September, 2014.

**Council Agenda Item Cover Sheet**

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

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Utilities – Water Division

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

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

**Description of Agenda Item:**

Resolutions approving assessment actions:

- a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 56 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:** 9/23/14

**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 4<sup>th</sup> day of November, 2014 and notice was given by mailing to the owners of the properties, a notice of this proposed assessment, stating the amount of the assessment and the description of the property, and on what account, and that objections to said proposed assessment may be filed prior to 11:00 a.m., November 4, 2014.

Passed this 23<sup>rd</sup> day of September, 2014.

**LIEN INTENTS (SPECIAL ASSESSMENTS) 9/23/14**

		<b>LIEN INTENTS 9/23/14</b>	
<b>#</b>		<b>Balance Due</b>	<b>Premise Address</b>
1		\$ 153.64	65 LINDA SUE AVE, ROBINS
2		\$ 123.44	119 18TH ST NW
3		\$ 264.27	126 37TH ST NE
4		\$ 385.45	157 15TH AVE SW
5		\$ 140.36	164 WEST POST RD NW
6		\$ 127.13	211 CHATHAM RD NE
7		\$ 95.93	218 8TH AVE SW
8		\$ 120.95	222 15TH ST NE
9		\$ 99.82	271 27TH AVE SW
10		\$ 62.56	327 12TH ST SW
11		\$ 92.05	368 17TH ST SE
12		\$ 154.20	412 E AVE NW
13		\$ 321.50	510 15TH ST SE
14		\$ 178.14	513 MEMORIAL DR SE
15		\$ 247.60	512 17TH ST SE
16		\$ 190.28	526 MEMORIAL DR SE
17		\$ 135.83	602 1ST AVE NW - LOWER
18		\$ 109.60	604 ELLIS BLVD NW
19		\$ 81.97	615 MEADOWDALE DR NW
20		\$ 223.62	632 20TH AVE SW
21		\$ 57.96	647 41ST ST NE
22		\$ 97.61	656 21ST AVE SW
23		\$ 301.84	810 44TH ST SE
24		\$ 205.99	817 15TH ST SE
25		\$ 173.79	1114 15TH ST SE
26		\$ 244.06	1132 18TH AVE SW
27		\$ 121.61	1394 G AVE NE
28		\$ 96.78	1407 4TH AVE SE
29		\$ 205.99	1421 8TH AVE SE
30		\$ 248.97	1432 MEMORIAL DR SE
31		\$ 191.92	1435 5TH AVE SE
32		\$ 176.01	1503 4TH AVE SE
33		\$ 233.17	1524 C AVE NE
34		\$ 169.65	1530 8TH AVE SE
35		\$ 137.64	1600 1ST AVE NE
36		\$ 293.63	1607 5TH AVE SE
37		\$ 296.64	1627 WASHINGTON AVE SE
38		\$ 102.36	1718 OAKLAND RD NE
39		\$ 208.28	1719 KEITH DR NE
40		\$ 113.76	1744 MT VERNON RD SE
41		\$ 264.81	1826 J AVE NE - LOWER
42		\$ 110.12	1850 C AVE NE
43		\$ 209.05	1923 MT VERNON RD SE
44		\$ 162.98	2107 ROCKFORD RD SW #2

<b>LIEN INTENTS 9/23/14</b>			
<b>#</b>		<b>Balance Due</b>	<b>Premise Address</b>
45		\$ 78.66	2109 29TH ST NW #12
46		\$ 196.91	2417 A AVE NE
47		\$ 96.35	2523 1ST AVE SE
48		\$ 201.78	2645 MT VERNON RD SE
49		\$ 91.59	2912 RAVENWOOD DR NW
50		\$ 200.96	2923 IOWA AVE SE
51		\$ 71.37	3363 RIVERPOINTE CIR NE
52		\$ 254.29	3810 HART CT NE
53		\$ 141.53	4521 MIDWAY DR NW
54		\$ 69.03	5511 TOWER TERRACE RD NE
55		\$ 263.39	6805 CHOCTAW RIDGE RD NE
56		\$ 87.98	7414 WORCESTER RD, PALO
		<b>\$ 9,486.80</b>	<b>Grand Total</b>
		<b>56</b>	<b>Number of Properties</b>
		<b>\$ 57.96</b>	<b>Balance Due - Low</b>
		<b>\$ 385.45</b>	<b>Balance Due - High</b>

**Council Agenda Item Cover Sheet**

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

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Utilities – Water Division

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

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

**Description of Agenda Item:**

Resolutions approving assessment actions:

- a. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 23 properties. CIP/DID #OB1298835

The property address listing is included with the resolution. [**Note:** The Intent to Assess Resolution was approved at the August 12<sup>th</sup> Council Meeting.]

**Background:**

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

Below are the steps taken in typical situations:

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

The Notice of Intent to Assess these properties was approved by City Council Resolution No. 1029-08-14 on August 12, 2014.

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

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

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

**Time Sensitivity:** N/A

**Resolution Date:** 9/23/14

**Estimated Presentation Time:** 0 Minutes

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

**Local Preference Policy**      Applies       Exempt

**Explanation:** N/A

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

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

RESOLUTION NO.

**SPECIAL ASSESSMENTS**

WHEREAS, the City Council of the City of Cedar Rapids, Iowa has heretofore passed a Resolution of Intent to Assess various properties in the City of Cedar Rapids, Iowa for delinquent municipal utility service charges (water, sewer and storm sewer), penalties and Iowa sales tax, and

WHEREAS, a listing of the various properties for said delinquent utility service charges has been filed with the City Clerk and notice of assessment has been given to the property owners.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that there be and is hereby levied an assessment against various properties for the amounts shown on the attached listing and made a part of this resolution, and

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

Passed this 23<sup>rd</sup> day of September, 2014.

**SPECIAL ASSESSMENTS (TO BE LIENED) 9/23/14**

			<b>SPECIAL ASSESSMENTS 9/23/14</b>
			<b>LIEN INTENTS 8/12/14</b>
<b>#</b>	<b>Balance Due</b>	<b>Premise Address</b>	
1	\$ 187.83	253 SINCLAIR AVE SE	
2	\$ 272.46	351 30TH ST SE	
3	\$ 251.59	633 29TH ST SE	
4	\$ 147.08	711 18TH ST SE	
5	\$ 128.41	948 M ST SW	
6	\$ 373.07	1025 20TH ST SE	
7	\$ 147.48	1026 11TH AVE SE	
8	\$ 184.57	1112 8TH ST SE	
9	\$ 241.40	1212 8TH ST NW	
10	\$ 225.38	1310 M AVE NE	
11	\$ 84.24	1502 MT VERNON RD SE	
12	\$ 87.68	1528 A AVE NE	
13	\$ 168.01	1528 L ST SW	
14	\$ 53.28	1650 A AVE NE	
15	\$ 280.78	1700 BEVER AVE SE	
16	\$ 144.87	1800 1ST AVE NW	
17	\$ 133.92	1954 MT VERNON RD SE	
18	\$ 232.46	2626 FRUITLAND BLVD SW	
19	\$ 198.36	2828 SEELEY AVE SE	
20	\$ 312.33	3321 WAVELAND DR NW	
21	\$ 274.07	4710 TWIN PINE DR NE	
22	\$ 128.27	6503 BOXWOOD LN NE	
23	\$ 59.79	7916 GRAY FOX DR NE	
	<b>\$ 4,317.33</b>	<b>Grand Total</b>	
	<b>23</b>	<b>Number of Properties</b>	
	<b>\$ 53.28</b>	<b>Balance Due - Low</b>	
	<b>\$ 373.07</b>	<b>Balance Due - High</b>	

**Council Agenda Item Cover Sheet**

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

**Council Date:** September 23, 2014

**Submitting Department:** Utilities - Water Division

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

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

**Description of Agenda Item:**

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

- a. Water system improvements installed in Crescent View 1<sup>st</sup> Addition - Phase 4 (Buildings 12 through 19 and Lot 86) and approving the 2-Year Maintenance Bond (#GRIA37293A) in the amount of \$50,696.91 submitted by Abode Construction, Inc. CIP/DID #2010059-04

**Background:**

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

The Developer, Abode Construction, Inc., was granted permission by the Water Division to install 8-inch water mains, services, and appurtenances in Crescent View 1st Addition (Project No. 2010059). The Contractor, Abode Construction, Inc., has installed 726 feet of 8-inch DIP water main, service stubs and appurtenances in Acacia Drive NE for buildings 12 through 19 and Lot 86.

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

**Action/Recommendation:**

The Utilities Department – Water Division is recommending acceptance of the water system improvements installed for Crescent View 1<sup>st</sup> Addition - Phase 4 (Project No. 2010059), the Contractor's 2-year Maintenance Bond (#GRIA37293A) in the amount of \$50,696.91 submitted by Abode Construction, Inc.

**Alternative Recommendation:**

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

**Time Sensitivity:** None, routine item

**Resolution Date:** 9/23/2014

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

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

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, Abode Construction, Inc. was granted permission by the Utilities Department – Water Division to install 726 feet of 8-inch DIP water main, service stubs and appurtenances in Acacia Drive NE for buildings 12 through 19 and Lot 86, all in CRESCENT VIEW 1<sup>ST</sup> ADDITION - PHASE 4, Project No. 2010059, to the City of Cedar Rapids, and

WHEREAS, said work has now been completed and Abode Construction, Inc. of Marion, Iowa, as Principal has filed a Maintenance Bond (Bond No.GRIA37293A) executed by Granite Re, Inc. of Oklahoma City, OK, as Surety in the sum of \$50,696.91 (Fifty Thousand Six Hundred Ninety Six Dollars and 91/100) covering said work.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the water mains and appurtenances installed in CRESCENT VIEW 1<sup>ST</sup> ADDITION - PHASE 4, Project No. 2010059, be hereby accepted, and

BE IT FURTHER RESOLVED that the 2-Year Maintenance Bond submitted by Abode Construction, Inc. as Principal and executed by Granite Re, Inc., as Surety be hereby approved and filed with the City Finance Director.

Passed this 23<sup>rd</sup> 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

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

**Phone Number/Extension:** 5848

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

Resolution accepting sanitary sewer extension to Meadow Ridge and approving 2-year Maintenance Bond submitted by Zinser Grading & Excavating, LLC in the amount of \$77,696.60. CIP/DID #FLPT-009598-2014

**Background:**

Construction of the sanitary sewer extension to Meadow Ridge has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bond provided represents the construction value of the infrastructure improvements based on the developer's contract price for the infrastructure improvements.

**Action / Recommendation:**

The Public Works Department recommends adoption of the Resolution to accept the maintenance bond as submitted by Zinser Grading & Excavating, LLC.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

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

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

**Local Preference Policy:** Applies  Exempt

**Explanation:** Private Development

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

RESOLUTION NO.

WHEREAS, Zinser Grading & Excavating, LLC has constructed a sanitary sewer extension to Meadow Ridge, and

WHEREAS, said work has now been completed, and Zinser Grading & Excavating, LLC has filed a 2-year Maintenance Bond, executed by North American Specialty Insurance Company in the sum of \$77,696.60 covering said work, now therefore

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

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

Passed this 23rd 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**  **Map**

Resolution accepting project, authorizing final payment in the amount of \$30,000 and approving the 4-year Performance Bond submitted by Horsfield Construction, Inc. for the 33<sup>rd</sup> Avenue SW, from West of 18<sup>th</sup> Street to West of 10<sup>th</sup> Street SW Paving project (original contract amount was \$1,841,892.77; final contract amount is \$1,924,489.22). CIP/DID #301136-03

**Background:**

Construction has been substantially completed by Horsfield Construction, Inc. for the 33<sup>rd</sup> Avenue SW, from West of 18<sup>th</sup> Street to West of 10<sup>th</sup> Street SW Paving project. This is an approved Capital Improvements Project (CIP No. 301136-03) with a final construction contract amount of \$1,924,489.22. 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 \$30,000.

**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 23, 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 33<sup>rd</sup> Avenue SW, from West of 18<sup>th</sup> Street to West of 10<sup>th</sup> Street SW Paving project (Contract No. 301136-03), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated June 11, 2008 in the amount of \$1,818,492.77 covering said work filed by Horsfield Construction, Inc. and executed by United Fire & Casualty 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	\$1,818,492.77
Incentive Clause	23,400.00
Change Order No. 1	2,820.00
Change Order No. 2	7,590.00
Change Order No. 3	10,150.00
Change Order No. 4	5,849.90
Change Order No. 5	32,208.00
Change Order No. 6	(116,795.91)
Change Order No. 7	44,268.19
Change Order No. 8 (Final)	119,106.27
Removal of Original Incentive	<u>(22,600.00)</u>
Amended Contract Amount	\$1,924,489.22

, now therefore

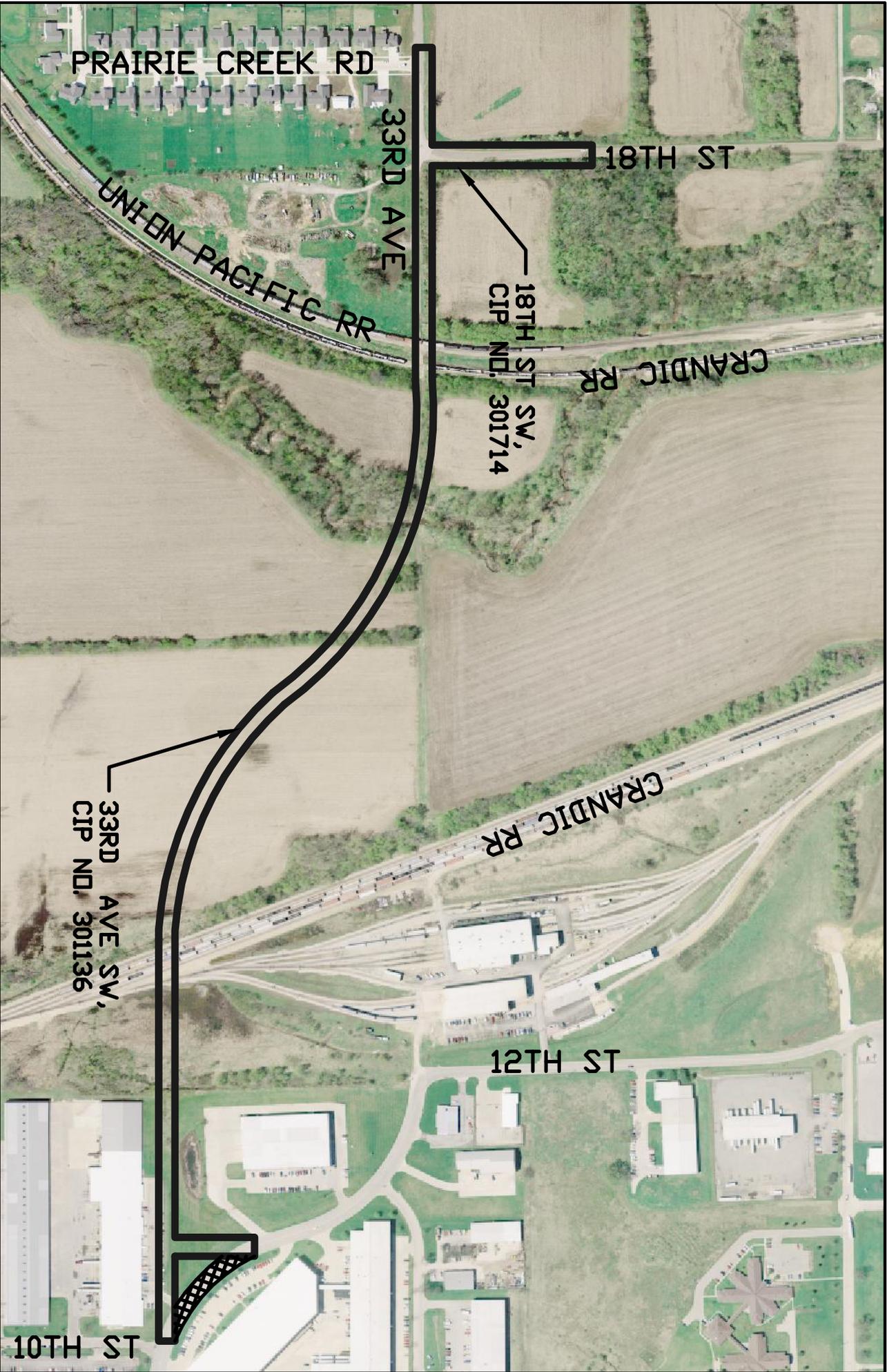
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the 33<sup>rd</sup> Avenue SW, from West of 18<sup>th</sup> Street to West of 10<sup>th</sup> Street SW Paving project, (Contract No. 301136-03) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$30,000 to Horsfield Construction, Inc. as final payment.

The final contract price is \$1,924,489.22 distributed as follows: \$1,914,809.22 301-301000-301136, \$9,680 305-305000-305067, 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 23<sup>rd</sup> day of September, 2014.



**33RD AVENUE SW, EXTENSION,  
FROM 10TH ST TO 18TH ST**



SCALE: NONE



**CEDAR RAPIDS**  
CITY OF FIVE SEASONS

**301136**



## 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**  **Map**

Resolution accepting project, authorizing final payment in the amount of \$136,228.09 and approving the 4-year Performance Bond submitted by Horsfield Construction, Inc. for the 33<sup>rd</sup> Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project (original contract amount was \$2,553,421.50; final contract amount is \$2,724,561.79). CIP/DID #301182-06

**Background:**

Construction has been substantially completed by Horsfield Construction, Inc. for the 33<sup>rd</sup> Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street. This is an approved Capital Improvements Project (CIP No. 301182-06) with a final construction contract amount of \$2,724,561.79. 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 \$136,228.09.

**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 23, 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 33<sup>rd</sup> Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project (Contract No. 301182-06), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated April 27, 2010 in the amount of \$2,458,421.50 covering said work filed by Horsfield Construction, Inc. and executed by United Fire & Casualty 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	\$2,458,421.50
Possible Incentive	95,000.00
Change Order No. 1	29,144.00
Change Order No. 2	8,522.43
Change Order No. 3	9,601.76
Change Order No. 4	454.44
Change Order No. 5	4,128.55
Change Order No. 6	16,669.56
Change Order No. 7	41,615.91
Change Order No. 8	9,529.54
Change Order No. 9	38,662.43
Change Order No. 10	16,084.44
Change Order No. 11	16,190.82
Change Order No. 12	9,929.00
Change Order No. 13	30,522.63
Change Order No. 14	3,612.00
Change Order No. 15	(32,201.22)
Change Order No. 16	17,854.46
Change Order No. 17	2,953.50
Change Order No. 18	(32,756.56)
Change Order No. 19 (Final Revised)	(12,177.40)
Removal of Original Incentive	<u>(7,200.00)</u>
Amended Contract Amount	\$2,724,561.79

, 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 33<sup>rd</sup> Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project, (Contract No. 301182-06) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$136,228.09 to Horsfield Construction, Inc. as final payment.

The final contract price is \$2,724,561.79 distributed as follows: \$2,379,511.82 301-301000-301182, \$43,143.71 301-301000-301627, \$166,906.26 625-625000-625884-6252009066, \$135,000.00 306-306000-306225, 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 23<sup>rd</sup> day of September, 2014.



COYOTE RD SW

EDGEWOOD ROAD SW

33RD AVENUE SW

REMINGTON ST SW

18TH STREET SW



SCALE: NONE

**33RD AVENUE SW  
FROM COYOTE RD TO REMINGTON  
ST IMPROVEMENTS PROJECT**



**CEDAR RAPIDS**  
CITY OF FIVE SEASONS

**301182**



## 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**  **Map**

Resolution accepting project, authorizing final payment in the amount of \$5,790.19 and approving the 4-year Performance Bond submitted by L.L. Pelling Company, Inc. for the H Street SW From Diagonal Drive SW to North of 7<sup>th</sup> Avenue SW Pavement Rehabilitation project (original contract amount was \$103,819; final contract amount is \$115,803.89). CIP/DID #3012072-01

### **Background:**

Construction has been substantially completed by L.L. Pelling Company, Inc. for the H Street SW From Diagonal Drive SW to North of 7<sup>th</sup> Avenue SW Pavement Rehabilitation. This is an approved Capital Improvements Project (CIP No. 3012072-01) with a final construction contract amount of \$115,803.89. 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 \$5,790.19.

### **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 23, 2014

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

**Budget Information (if applicable):** CIP No. 3012072: \$120,000

**Local Preference Policy:** Applies  Exempt

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

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

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the H Street SW From Diagonal Drive SW to North of 7<sup>th</sup> Avenue SW Pavement Rehabilitation project (Contract No. 3012072-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated January 14, 2014 in the amount of \$99,819 covering said work filed by L.L. Pelling Company, 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	\$99,819.00
Possible Incentive	4,000.00
Change Order No. 1	3,536.99
Change Order No. 2	27,900.30
Change Order No. 3 Final	-17,452.40
Removal of Original Incentive	<u>-2,000.00</u>
Amended Contract Amount	\$115,803.89

, now therefore

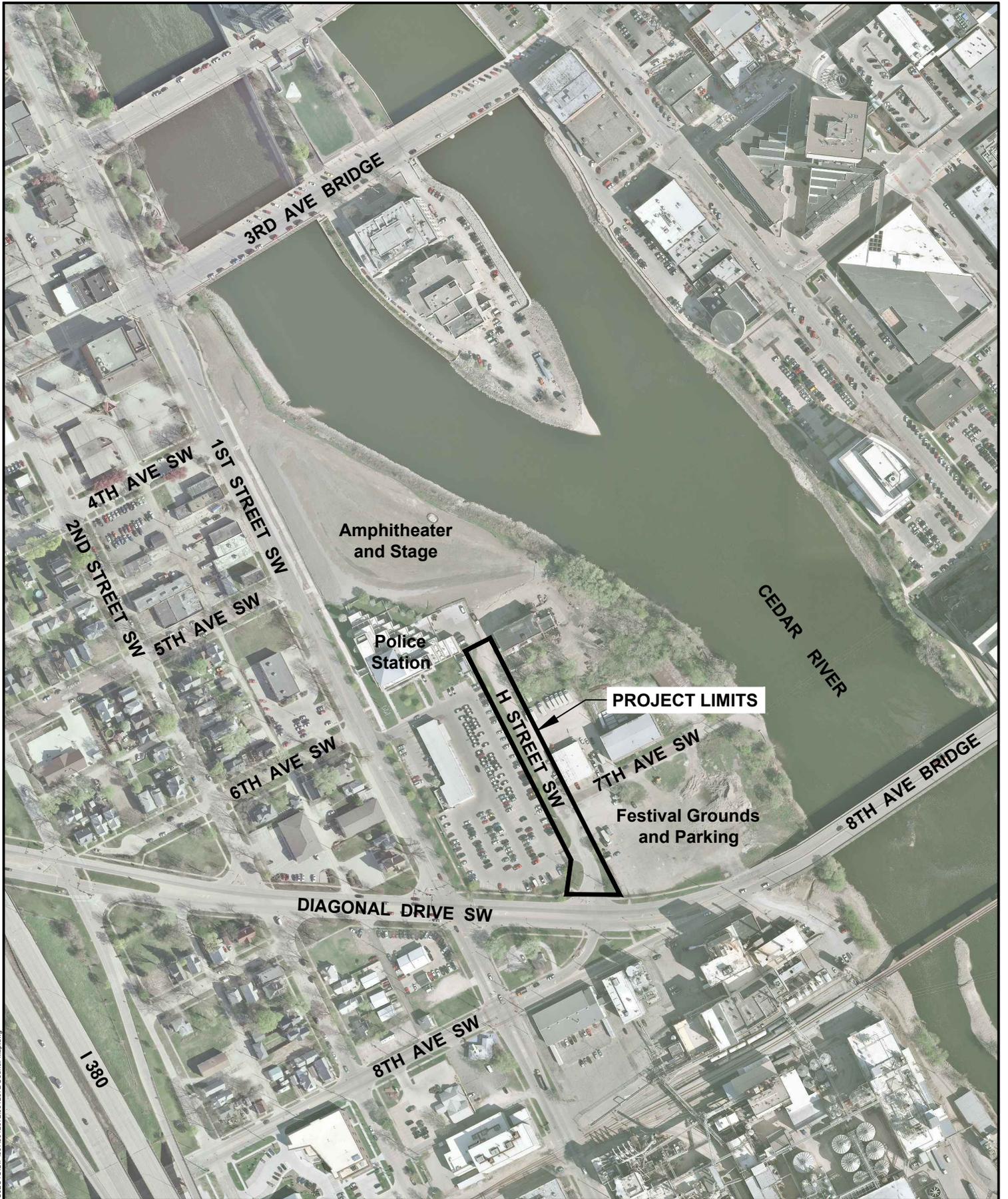
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the H Street SW From Diagonal Drive SW to North of 7<sup>th</sup> Avenue SW Pavement Rehabilitation project, (Contract No. 3012072-01) 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 \$5,790.19 to L.L. Pelling Company, Inc. as final payment.

The final contract price is \$115,803.89 distributed as follows: \$115,803.89 301-301000-3012072, 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 23<sup>rd</sup> day of September, 2014.



**H STREET SW FROM DIAGONAL DRIVE SW  
TO NORTH OF 7TH AVENUE SW  
PAVEMENT REHABILITATION**



## Council Agenda Item Cover Sheet

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Erika Kubly

**Phone Number/Ext:** 319 286-5406

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

**Alternate Contact Person:** Paula Mitchell

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

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

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

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. Stonebrook Homes, LLC. for property at 417 10<sup>th</sup> Street NW
- b. Stonebrook Homes, LLC. for property at 425 10<sup>th</sup> Street NW
- c. Cedar Ridge Homes, Inc. for property at 602 A Avenue NW
- d. Hobart Historic Restoration, LLC for property at 1016 2<sup>nd</sup> Street SW
- e. Premiere Developers, Inc. for property at 1069 G Avenue NW
- f. Hobart Historic Restoration, LLC for property at 1100 K Street SW
- g. Hobart Historic Restoration, LLC for property at 1104 K Street SW
- h. Hobart Historic Restoration, LLC for property at 1108 K Street SW
- i. Jaylee Homes, Inc. for property at 1116 K 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, 25 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 September 2015;
- 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 resolutions.

**Alternative Recommendation:**

City Council may table the items and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** September 23, 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 STONEBROOK HOMES, LLC FOR  
CITY-OWNED PROPERTY AT 417 10<sup>TH</sup> STREET NW PARTICIPATING IN THE  
FOURTH ROUND OF THE SINGLE FAMILY NEW CONSTRUCTION PROGRAM

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

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

WHEREAS, the City purchased property at 417 10<sup>th</sup> Street NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on June 10, 2014 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on February 25, 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 Stonebrook Homes LLC;

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

Passed this 23<sup>rd</sup> day of September, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH STONEBROOK HOMES, LLC FOR  
CITY-OWNED PROPERTY AT 425 10<sup>TH</sup> STREET NW PARTICIPATING IN THE  
FOURTH ROUND OF THE SINGLE FAMILY NEW CONSTRUCTION PROGRAM

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

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

WHEREAS, the City purchased property at 425 10<sup>th</sup> Street NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on June 10, 2014 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on February 25, 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 Stonebrook Homes LLC;

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

Passed this 23<sup>rd</sup> day of September, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH CEDAR RIDGE HOMES, INC FOR CITY-  
OWNED PROPERTY AT 602 A AVENUE NW PARTICIPATING IN THE FOURTH  
ROUND OF THE SINGLE FAMILY NEW CONSTRUCTION PROGRAM

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

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

WHEREAS, the City purchased property at 602 Avenue NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on June 10, 2014 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on February 25, 2014 on the possible disposition of this property in accordance with Iowa Code; and

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

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with Cedar Ridge Homes, Inc;

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

Passed this 23<sup>rd</sup> day of September, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH HOBART HISTORIC RESTORATION,  
LLC FOR CITY-OWNED PROPERTY AT 1016 2<sup>ND</sup> 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 1016 2<sup>nd</sup> 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 Hobart Historic Restoration, LLC;

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

Passed this 23<sup>rd</sup> 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 1069 G AVENUE NW PARTICIPATING IN THE  
FOURTH ROUND OF THE SINGLE FAMILY NEW CONSTRUCTION PROGRAM

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

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

WHEREAS, the City purchased property at 1069 G Avenue NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on 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 Premiere Developers, Inc.;

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

Passed this 23<sup>rd</sup> Day of September, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH HOBART HISTORIC RESTORATION,  
LLC FOR CITY-OWNED PROPERTY AT 1100 K 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 1100 K 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 Hobart Historic Restoration, LLC;

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

Passed this 23<sup>rd</sup> day of September, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH HOBART HISTORIC RESTORATION,  
LLC FOR CITY-OWNED PROPERTY AT 1104 K 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 1104 K 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 Hobart Historic Restoration, LLC;

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

Passed this 23<sup>rd</sup> day of September, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH HOBART HISTORIC RESTORATION,  
LLC FOR CITY-OWNED PROPERTY AT 1108 K 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 1108 K 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 February 25, 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 Hobart Historic Restoration, LLC;

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

Passed this 23<sup>rd</sup> day of September, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH JAYLEE HOMES, INC. FOR CITY-  
OWNED PROPERTY AT 1116 K 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 1116 K 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 Jaylee Homes, Inc.;

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

Passed this 23<sup>rd</sup> Day of September, 2014

## Council Agenda Item Cover Sheet

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Erika Kubly

**Phone Number/Ext:** 319 286-5406

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

**Alternate Contact Person:** Paula Mitchell

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

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

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

Resolutions authorizing execution of Development Agreements for property participating in the fourth round of the Single Family New Construction Program. CIP/DID #OB540257

- a. Premiere Developers, Inc. for property at 1005 11<sup>th</sup> Street NW
- b. Sky's Edge, LLC for property at 1023 6<sup>th</sup> Street SE
- c. Sky's Edge, LLC for property at 1027 6<sup>th</sup> Street SE
- d. Schissel, LLC for property at 1795 2<sup>nd</sup> Street SW

### **Background:**

The resolutions for City Council consideration provides for the execution of a Development Agreements 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 developer are ready to execute the Development Agreement to allow construction on the home to begin.

Highlights of the terms and conditions contained in the Development Agreements are as follows:

- a. 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 September 2015;
- b. Developer is responsible to resolve conflicts with adjacent property owners and purchasers that might result from the construction project;
- c. Developer is responsible for maintaining the property in accordance with all City and State codes;
- d. Developer shall comply with all program requirements pertaining to the sale of the property to a qualified buyer.

On October 8, 2013, by Resolution No. 1591-10-13, the City Council approved the Administrative Plan for the Single Family New Construction (SFNC) Program. The administrative plan limits development of homes to lots within the "Neighborhood Revitalization Area" of the flood inundation area.

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 resolutions.

**Alternative Recommendation:**

City Council may table the items and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 0 Minutes

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

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

**Explanation:** Federal grant funds

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

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
WITH PREMIERE DEVELOPERS, INC. FOR PROPERTY AT 1005 11<sup>th</sup> STREET  
NW PARTICIPATING IN THE FOURTH ROUND OF THE SINGLE FAMILY NEW  
CONSTRUCTION PROGRAM

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

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

WHEREAS, the Developer agrees to construct a single-family dwelling on the above mentioned property, for which the City will provide down payment assistance to the home buyer upon purchase through the SFNC program; and

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with Premiere Developers, Inc.

Passed this 23<sup>rd</sup> Day of September, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
WITH SKY'S EDGE DEVELOPMENT, LLC FOR PROPERTY AT 1023 6<sup>TH</sup> STREET  
SE 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 Developer agrees to construct a single-family dwelling on the above mentioned property, for which the City will provide down payment assistance to the home buyer upon purchase through the SFNC program; and

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with Sky's Edge Development, LLC.

Passed this 23<sup>rd</sup> Day of September, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
WITH SKY'S EDGE DEVELOPMENT, LLC FOR PROPERTY AT 1027 6<sup>TH</sup> STREET  
SE 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 Developer agrees to construct a single-family dwelling on the above mentioned property, for which the City will provide down payment assistance to the home buyer upon purchase through the SFNC program; and

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with Sky's Edge Development, LLC.

Passed this 23<sup>rd</sup> Day of September, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
WITH SCHISSEL LLC FOR PROPERTY AT 1795 2<sup>ND</sup> 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 Developer agrees to construct a single-family dwelling on the above mentioned property, for which the City will provide down payment assistance to the home buyer upon purchase through the SFNC program; and

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with Schissel, LLC.

Passed this 23<sup>rd</sup> 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 Armar Square First Addition located east of Armar Drive SE and north of Cemar Court SE. CIP/DID #FLPT-012045-2014

### Background:

The developer submitted the Final Plat in conformance with 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 four (4) lots and a total plat area of 4.50 acres.

### Action / Recommendation:

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

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 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  
ARMAR VENTURES, L.C.  
FLPT-012045-2014

**RESOLUTION NO.  
RESOLUTION APPROVING PLAT**

WHEREAS, A PLAT OF ARMAR SQUARE FIRST ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA containing Four 4) lots, Numbered Lot 1 through Lot 4, 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 for Private Storm Water Detention
3. Agreement for Private Water Main Facilities
4. Agreement for Private Sanitary Sewer Facilities

, 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 Armar Square First Addition to the City of Cedar Rapids, Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Cedar Rapids, Iowa, and the dedication of the public easements for the purposes shown on the final plat is hereby approved and accepted, and the City Clerk is hereby directed to certify this resolution of approval and affix the same to said plat as by law provided.

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

\_\_\_\_\_ Mayor

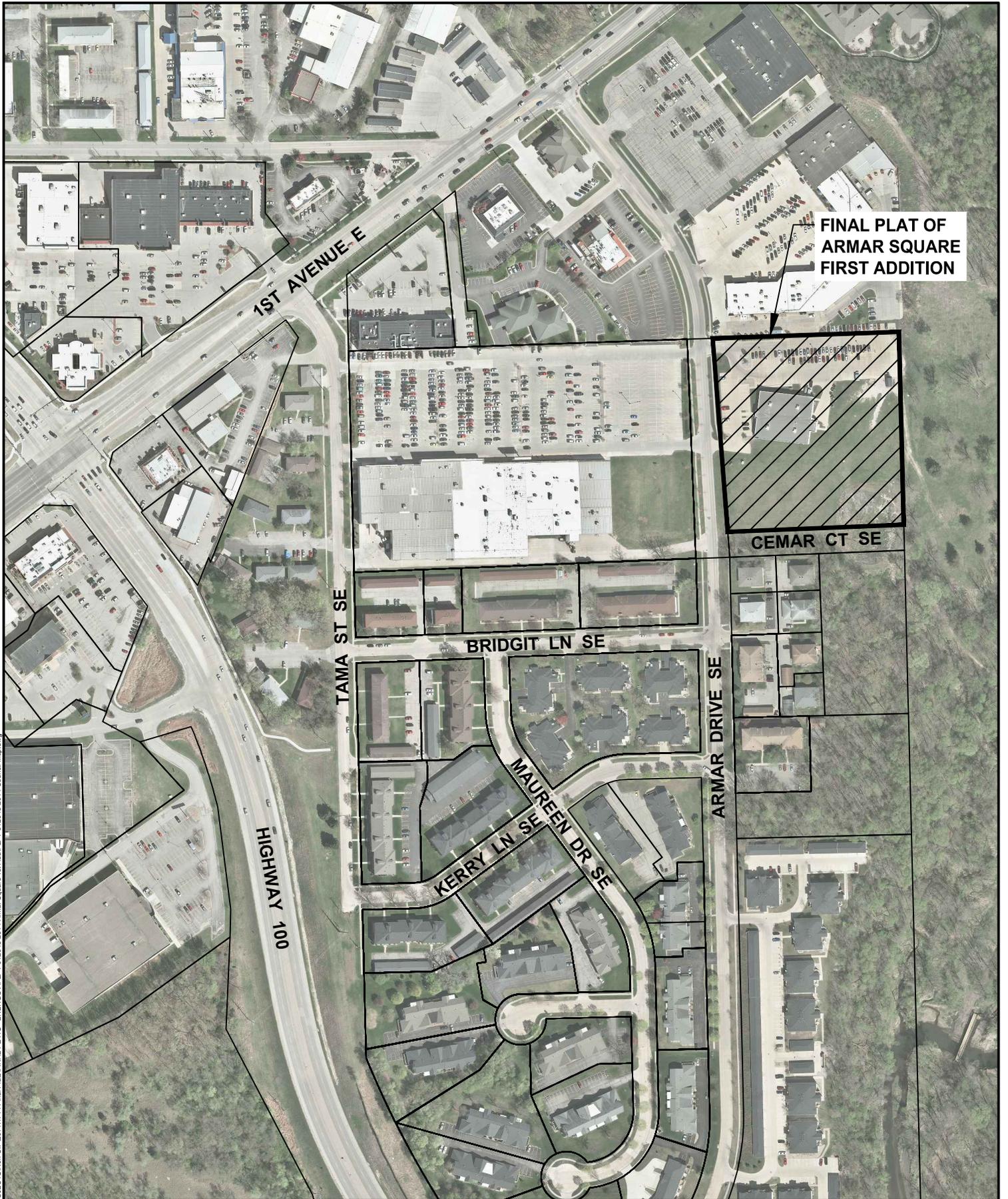
Attest:

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

STATE OF IOWA     )  
                                  ) ss.  
COUNTY OF LINN    )

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

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



**FINAL PLAT OF  
ARMAR SQUARE  
FIRST ADDITION**

Cadd File Name: W:\PROJECTS\Non-CIP\2014\714 Final Plats\FINAL PLATS - ENERGO\WLP\1012045-2014 Armar Square 1st Add\FPLT-012045-2014 Council Map.dwg



**FINAL PLAT OF  
ARMAR SQUARE FIRST ADDITION  
Location Map**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5806

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

**Phone Number/Extension:** 5820

**Description of Agenda Item:**  **Consent Agenda**  **Regular Agenda** **Yes** **Map**  
Approval of two (2) Final Plats:

- a. Armar Square First Addition, located east of Armar Drive SE and north of Cemar Court SE. CIP/DID #FLPT-012045-2014
- b. Holley's Second Addition, located at 7500 Ely Road SW. CIP/DID #FLPT-010920-2014

**Background:**

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

- a. Armar Square First Addition to Cedar Rapids, Linn County, Iowa, located east of Armar Drive SE and north of Cemar Court SE, containing four (4) lots and a total plat area of 4.50 acres. CIP/DID #FLPT-012045-2014
- b. Holley's Second Addition to Linn County, Iowa, located at 7500 Ely Road SW, containing three (3) lots and a total plat area of 23.33 acres. CIP/DID #FLPT-010920-2014

**Action / Recommendation:**

The Public Works Department recommends approval of the resolution to approve Final Plat of Armar Square First Addition to Cedar Rapids, Linn County, Iowa and the Final Plat of Holley's Second Addition to 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 23, 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  
MYRA J. HOLLEY  
FLPT-010920-2014

**RESOLUTION NO.  
RESOLUTION APPROVING PLAT**

WHEREAS, A PLAT OF HOLLEY'S SECOND ADDITION TO LINN COUNTY, IOWA containing three (3) lots, labeled Lot 1, Outlot A, and Lot A, all inclusive, has been filed with the City Clerk and after consideration of the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and

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

1. Agreement to Annex
2. Concrete Pavement and Concrete Sidewalk Petition and Assessment Agreement
3. Concrete Sidewalk Petition and Assessment Agreement
4. Sanitary Sewer Petition and Assessment Agreement
5. Agreement to Connect to City Sanitary Sewer Facilities
6. Agreement for Ownership, Maintenance, and Payment of Taxes for Lots Designed as Non-buildable

, 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 Holley's Second Addition to Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Cedar Rapids, Iowa, and the dedication of the public easements for the purposes shown on the final plat is hereby approved and accepted, and the dedication to the public of all lands within the plat that are designated for streets, more specifically Lot A [County Road No. W6E (Ely Road)], is hereby approved and accepted, and the City Clerk is hereby directed to certify this resolution of approval and affix the same to said plat as by law provided.

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

\_\_\_\_\_ Mayor

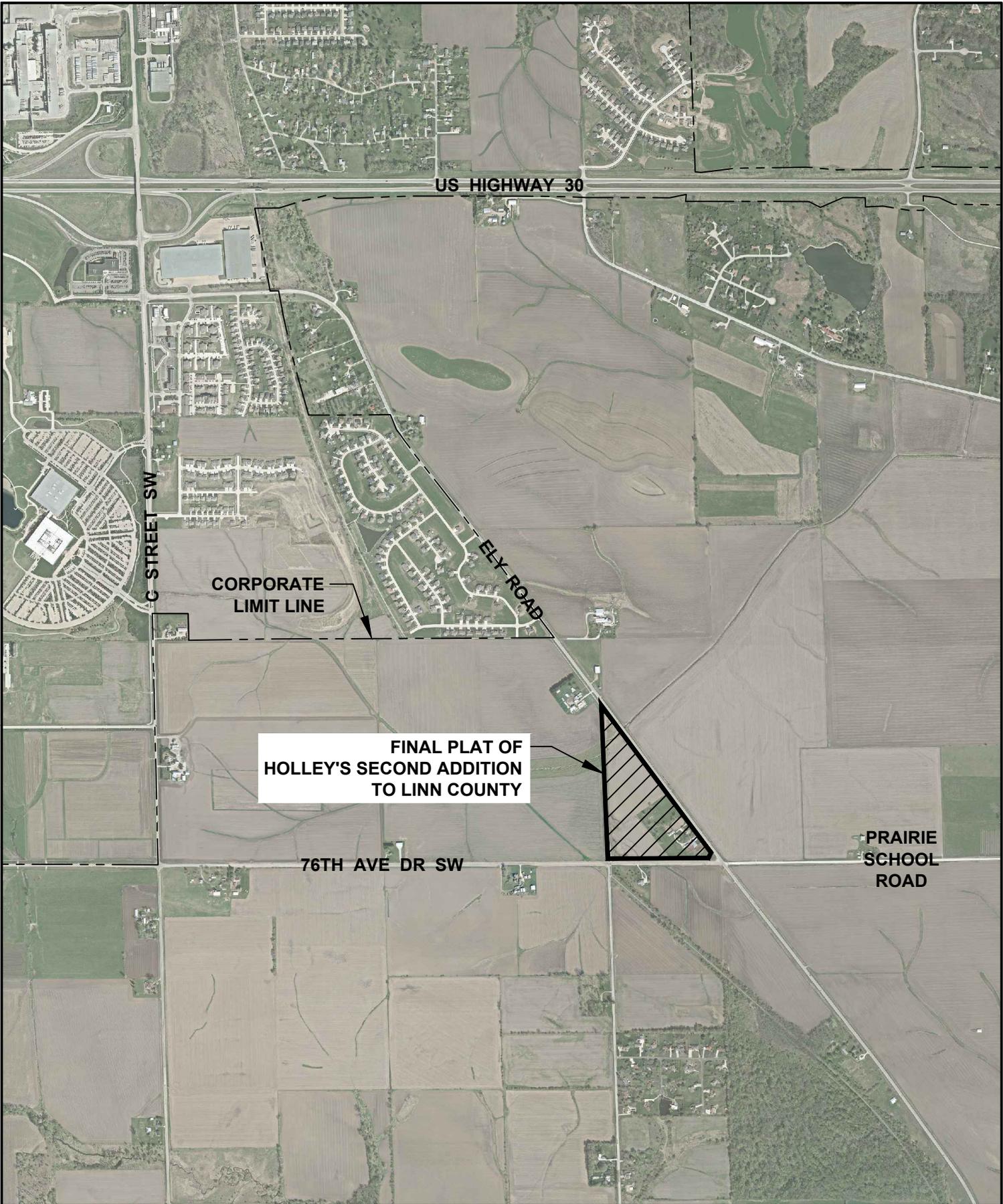
Attest:

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

STATE OF IOWA     )  
                                  ) ss.  
COUNTY OF LINN    )

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

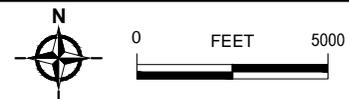
\_\_\_\_\_ City Clerk



Cadd File Name: W:\PROJECTS\Non-CIP\2014\714\Final Plats\FINAL PLATS - ENERGO\WELPT\010920-2014\_Holley's 2nd Add. (County)\FLPT\_010920-2014\_Council Map.dwg



**FINAL PLAT OF  
 HOLLEY'S SECOND ADDITION  
 TO LINN COUNTY**



FLPT-010920-2014



## Council Agenda Item Cover Sheet

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

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5875

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

**Phone Number/Extension:** 5807

**Description of Agenda Item:**  **Consent Agenda**     **Regular Agenda**     **Map**  
Resolution to amend Resolution No. 0492-04-14 to correct the exhibit that was attached to the resolution that established a Sanitary Sewer Easement on City-owned property located at 217 10<sup>th</sup> Avenue SW in connection with the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration project (**FLOOD**). CIP/DID #SSD103-00

#### **Background:**

The City Council approved Resolution No. 0492-04-14 to establish a Sanitary Sewer Easement on City-owned property which was subsequently recorded in the Office of the Linn County Recorder. After recording, it was discovered the Sanitary Sewer Easement Exhibit attached to Resolution No. 0492-04-14 was incorrect.

Previously, the City Council approved the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration project. This project will repair flood damaged sanitary sewers located at various locations within the southwest quadrant of the City. The project is eligible for FEMA funding.

There is an existing sanitary sewer in this location, but the easement was never properly established. Establishing an easement for sanitary sewer on the City-owned property will protect the public improvement if redeveloped.

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

The Public Works Department recommends amending Resolution No. 0492-04-14 to correct the Sanitary Sewer Easement Exhibit.

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

If Council does not approve the resolution to amend the Resolution No. 0492-04-14 to correct the Sanitary Sewer Easement Exhibit, the title to the property will remain clouded and will need to be corrected prior to disposing of the property, which the City has a desire to do.

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

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

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

**Local Preference Policy:** Applies  Exempt

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

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

**Explanation (if necessary):**

SSD103/ACQUISITION/CITY/COUNCIL AGENDA ITEMS/COVER SHEET EST EASE FROM CITY PROPERTY-217 10<sup>TH</sup> AVE SW-AMEND

RESOLUTION NO.

WHEREAS, on April 22, 2014 the City of Cedar Rapids City Council approved Resolution No. 0492-04-14 which authorized establishing a Sanitary Sewer Easement on City-owned property at 217 10<sup>th</sup> Avenue SW in order to accommodate the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration project (FLOOD SSD103), and

WHEREAS, the Sanitary Sewer Easement Exhibit recorded in the office of the Linn County Recorder was incorrect, and

WHEREAS, the Public Works Director / City Engineer recommends amending Resolution No. 0492-04-14 to have the correct (attached) Sanitary Sewer Easement Exhibit recorded, now therefore

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

Passed this 23<sup>rd</sup> day of September, 2014

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

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

## SANITARY SEWER EASEMENT EXHIBIT

### SANITARY SEWER EASEMENT DESCRIPTION

Lot 4, Fractional Block 7, "May & Covell's 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, except the Northerly 100 feet of the Northeasterly 23 1/3 feet thereof.

### LEGEND

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

### PREPARED FOR

CITY OF CEDAR RAPIDS  
ENGINEERING DEPARTMENT

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

### DATE OF SURVEY

08-13-2013

### OWNER

CITY OF CEDAR RAPIDS, IOWA

### SANITARY SEWER EASEMENT EXHIBIT

### CITY OF CEDAR RAPIDS, IOWA



**SNYDER & ASSOCIATES, INC.**  
Engineers and Planners

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

SHEET 1 OF 2

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DATE: 04/01/14

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Snyder

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4/1/14 10:52:13 AM





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**217 10TH AVENUE SW - SANITARY SEWER EASEMENT  
SW QUADRANT, 2008 FLOOD AREA SANITARY SEWER RESTORATION PROJECT**





## 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 amending Resolution No. 0562-05-14, revising the final amount to be assessed for the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 2 project. CIP/DID #3017011-00

**Background:**

Final assessments for the above sidewalk repair project were approved by Resolution 0562-05-14 on May 13, 2014, in which construction was completed by Eastern Iowa Excavating & Concrete, LLC. This is a previously approved Capital Improvements Project (CIP No. 3017011-02) with a final construction amount of \$140,300.56. The final original amount proposed to be assessed to the benefited properties was \$12,327; however, a property was added and the final amount has been revised to \$13,548.30.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution amending Resolution No. 0562-05-14, revising the final amount to be assessed to benefited properties.

**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 23, 2014 due to assessment schedule per State code timeline.

**Resolution Date:** September 23, 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 AMENDING RESOLUTION NO. 0562-05-14

WHEREAS, Resolution No. 0562-15-14 to adopt final special assessments for FY 2011 Sidewalk Repair and Ramp Program – Contract No. 2 project was passed by the City Council on May 13, 2014, and

WHEREAS, the assessment district for said project was amended to include the DJB Properties LC property, located at 2230 Wiley Boulevard SW, and

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 \$140,300.56.

Section 2. The total cost of improvements including construction, engineering, legal and administrative costs are determined to be \$142,100.56.

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 \$13,548.30 of the whole amended 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 23<sup>rd</sup> 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:** Rob Davis, PE  
**E-mail Address:** r.davis@cedar-rapids.org

**Phone Number/Extension:** 5808

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

Resolution adopting the final schedule and levying of assessments and providing for the payment thereof for the FY 2012 Sidewalk and Ramp Repair Program – Contract No. 1 project. CIP/DID #3017012-00

### Background:

Construction has been fully completed by BWC Excavating, LC. for the subject project. This is a previously approved Capital Improvements Project (CIP No. 3017012-01) with a total cost of completed work to date of \$243,974.39. Amount proposed to be assessed to 66 benefiting properties is \$22,360. The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements. In conformance with the provisions of the Iowa Code for special assessment (Chapter 384), a resolution is proposed to levy the final assessment.

### Action / Recommendation:

The Public Works Department recommends adoption of the resolution.

### Alternative to the Recommendation:

Council not adopt the final assessment schedule, and not levy any assessments for the project and use City funds to pay for the entire project.

**Time Sensitivity:** Must be acted on by September 23, 2014 due to assessment schedule per State code timeline.

**Resolution Date:** September 23, 2014

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

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

**Local Preference Policy:** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION ADOPTING AND LEVYING FINAL SCHEDULE OF ASSESSMENTS,  
 AND PROVIDING FOR THE PAYMENT THEREOF

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

That after full consideration of the final schedule of assessments and accompanying plat showing the assessments proposed to be made for the construction of the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project, within the City, under contract with BWC Excavating, LC of Solon, IA, which final plat and schedule was filed in the office of the Clerk on the 9th day of September said assessments are hereby corrected by making the following changes and reductions:

<u>NAME OF PROPERTY OWNER AND DESCRIPTION OF PROPERTY</u>	<u>PROPOSED FINAL ASSESSMENT</u>	<u>PROPOSED FINAL DEFICIENCY, IF ANY</u>	<u>CORRECTED FINAL DEFICIENCY, IF ANY</u>	<u>CORRECTED FINAL DEFICIENCY, IF ANY</u>
---	----------------------------------	--	---	---

BE IT FURTHER RESOLVED, that the said schedule of assessments and accompanying plat, be and the same are hereby approved and adopted; and that there be, and is hereby assessed and levied, as a special tax against and upon each of the lots, parts of lots and parcels of land, and the owner or owners thereof liable to assessment for the cost of said improvements, the respective sums expressed in figures set opposite to each of the same on account of the cost of the construction of the said improvements. Provided, further, that the amounts shown in said final schedule of assessments as deficiencies are found to be proper and are levied conditionally against the respective properties benefited by the improvements as shown in the schedule, subject to the provisions of Section 384.63, Code of Iowa. Said assessments against said lots and parcels of land are hereby declared to be in proportion to the special benefits conferred upon said property by said improvements, and not in excess thereof, and not in excess of 25% of the value of the same.

BE IT FURTHER RESOLVED, that said assessments of an amount subject to the provisions of Section 384.60, Code of Iowa, shall be payable in ten (10) equal annual installments and shall bear interest at the rate of 9 percent per annum, the maximum rate permitted by law, from the date of the acceptance of the improvements; the first installment of each assessment, or total amount thereof, if it be less than the amount subject to the provisions of Section 384.60 Code of Iowa, with interest on the whole assessment from date of acceptance of the work by the Council, shall become due and payable on July 1, 2015; succeeding annual installments, with interest on the whole unpaid amount, shall respectively become due on July 1<sup>st</sup> annually thereafter, and shall be

paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. Said assessments shall be payable at the office of the City Treasurer, in full or in part and without interest within thirty days after the date of the first publication of the notice of the filing of the final plat and schedule of assessments to the County Treasurer of Linn County, Iowa.

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to certify said final plat and schedule to the County Treasurer of Linn County, Iowa, and to publish notice of said certification once each week for two consecutive weeks in the Cedar Rapids Gazette, a newspaper printed wholly in the English language, published in Cedar Rapids, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said schedule with the County Treasurer, the Clerk shall also send by ordinary mail to all property owners whose property is subject assessment a copy of said notice, said mailing to be on or before the date of the second publication of the notice, all as provided and directed by Code Section 384.60, Code of Iowa.

BE IT FURTHER RESOLVED, that the Clerk is directed to certify the deficiencies for lots specially benefited by the improvements, as shown in the final schedule of assessments, to the County Treasurer for recording in the Special Assessment Deficiencies Book and to the city official charged with responsibility for the issuance of building permits. Said deficiencies are conditionally assessed to the respective properties under Code Section 384.63 for the amortization period specified by law.

The Clerk is authorized and directed to ascertain the amount of assessments remaining unpaid after the thirty day period against which improvement bonds may be issued and to proceed on behalf of the City with the sale of said bonds, to select a date for the sale thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the sale of said bonds on a basis favorable to the City and acceptable to the Council.

PASSED AND APPROVED this 23<sup>rd</sup> day of September, 2014.

Published in the Cedar Rapids Gazette September 27, 2014 & October 4, 2014  
(Two publications required)

NOTICE OF FILING OF THE FINAL PLAT AND SCHEDULE  
OF ASSESSMENTS AGAINST BENEFITED PROPERTIES FOR  
THE CONSTRUCTION OF THE FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1  
project  
WITHIN THE CITY OF CEDAR RAPIDS, IOWA

TO THE PERSONS OWNING LAND LOCATED WITHIN THE DISTRICT DESCRIBED AS THE  
FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project WITHIN THE CITY OF  
CEDAR RAPIDS, IOWA:

Consisting of the properties which are described as follows:

14222-31006-00000 GREENE & COLLEGE NW 33' SE 65.5' STR/LB 1 FR10	14052-28004-00000 TWIN PINE NORTH 2ND STR/LB 65	14241-54004-00000 EASTLAND ESTATES 1ST STR/LB 18
14222-31005-00000 GREENE & COLLEGE NW 74.5' STR/LB 1 FR10	11284-79002-00000 NORTHBROOK UNIT 13 STR/LB 509	14241-54003-00000 EASTLAND ESTATES 1ST STR/LB 17
14161-84005-00000 A.P. #63 STR/LB 44	11353-31002-00000 BOWMAN WOODS UNIT 1 STR/LB 96	14241-54002-00000 EASTLAND ESTATES 1ST STR/LB 16
14153-80004-00000 GREENE & COLLEGE SW 50' NW 150' SE 300' STR/LB 13 22	11352-03004-00000 BOWMAN WOODS UNIT 10 STR/LB 569	14142-55015-00000 MIDWAY PARK S 45.75' STR/LB 10 3
14153-76015-00000 GREENE & COLLEGE (BELT'S REPLAT) NE 25' LOT 17 & SW 12.5' STR/LB 18 22	11352-05006-00000 BOWMAN WOODS UNIT 10 STR/LB 563	14142-56009-00000 MIDWAY PARK STR/LB 8 4
14153-80002-00000 GREENE & COLLEGE SW 50' NW 150' SE 300' STR/LB 12 22	11263-81002-00000 BOWMAN WOODS UNIT 22 STR/LB 868	14142-55019-00000 MIDWAY PARK STR/LB 14 3
14154-54004-00000 GREENE & COLLEGE SW 29.5' NW 106' SE 300' LOT 9 & NE 27.5' NW 106' SE 300' STR/LB 10 22	11352-02001-00000 BOWMAN WOODS UNIT 21 STR/LB 840	14142-55020-00000 MIDWAY PARK STR/LB 15 3

14154-54003-00000 GREENE & COLLEGE SW 33' NW 106' SE 300' LOT 8 & NE 70.5' NW 106' SE 300' STR/LB 9 22	14223-32014-00000 OUT LOT 17 SE 50' NE 30' NW 140' LOT 10 & SE 50' NW 140' STR/LB 11	14142-56005-00000 MIDWAY PARK STR/LB 4 4
14151-31014-00000 MAPLEWOOD ADDN STR/LB 126	14223-27018-00000 OUT LOT 15 SW 7' LOT 10 & ALL STR/LB 11	14142-55022-00000 MIDWAY PARK STR/LB 17 3
14151-51001-00000 MAPLEWOOD ADDN STR/LB 150	142210400200000 RIDGEWOOD STR/LB 53	109 25TH ST DR SE MIDWAY PARK W 40' STR/LB 8 3
14151-87001-00000 EASTLAND MANOR SE 50' EACH LOTS 124 & STR/LB 125	14221-02004-00000 RIDGEWOOD STR/LB 43	14142-30013-00000 MIDWAY PARK STR/LB 2 1
14142-52020-00000 A.P. #177 STR/LB 2	14221-02006-00000 RIDGEWOOD NW 75' SE 90' STR/LB 44	14142-54002-00000 MIDWAY PARK STR/LB 2 2
14142-52023-00000 NORTH VIEW STR/LB 135	14232-29017-00000 RIDGEWOOD (LESS N 10' BNG 17' ON W LN) STR/LB 37	14142-51001-00000 MIDWAY PARK S 80' STR/LB 1 1
14104-03013-00000 KENWOOD PARK W60' EX S60' STR/LB 8 7	14233-33001-00000 VERNON HEIGHTS 7TH STR/LB 5 29	14142-30001-00000 MIDWAY PARK E 35' N 70' STR/LB A 1
14102-56001-00000 ELMCREST 1ST STR/LB 10 14	14234-52012-00000 A.P. #139 STR/LB 23	14112-76019-00000 IRR SUR NW 11-83-7 W 55' N 160' S 195' STR/LB 11
14162-02023-00000 SHARWOOD 2ND STR/LB 34	14221-60026-00000 BEVER PARK 3RD E 40' S 75' STR/LB 14 22	14113-78011-00000 OAKLAND GROVE STR/LB 7 4
14094-52009-00000 SHARWOOD MEADOWS 1ST STR/LB 31	14221-83025-00000 BEVER PARK 4TH E 40' STR/LB 16 23	14113-78006-00000 OAKLAND GROVE STR/LB 12 4
14162-01005-00000 SHARWOOD 2ND LOT 48 & LANDS AS DESC B 1834 P 6 BET SAID LOT & I 380 NW NE 16-83-7 STR/LB	14232-58007-00000 BEVER WOODS STR/LB 45	14113-78003-00000 OAKLAND GROVE STR/LB 15 4
14093-77001-00000 PHIL-BUD 1ST STR/LB 16	14241-55002-00000 EASTLAND ESTATES 1ST STR/LB 10	141120300401000 WESTOVER RIDGE CONDO BLDG 4005 UNIT A
14081-77017-00000 FOREST HILLS 6TH STR/LB 64	14241-55003-00000 EASTLAND ESTATES 1ST STR/LB 11	141120300401002 WESTOVER RIDGE CONDO BLDG 4005 UNIT C
14084-02010-00000 APPLEWOOD MESA 5TH STR/LB 76	14241-55004-00000 EASTLAND ESTATES 1ST STR/LB 12	141120300401004 WESTOVER RIDGE CONDO BLDG 4005 UNIT D

13132-26014-00000 SEMINOLE VALLEY 1ST STR/LB 8	14241-54005-00000 EASTLAND ESTATES 2ND STR/LB 9	14112-01006-00000 GLENBROOK COVE 6TH STR/LB 4
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The extent of the work completed on the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project is as follows:

Concrete sidewalk, curb repair and minor grading

You are hereby notified that the final plat and schedule of assessments against benefited properties within the District described as the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project , for the construction of sidewalk improvements, has been adopted and levied by the Council of Cedar Rapids, Iowa, and that said plat and schedule of assessments has been certified to the County Treasurer of Linn County, Iowa. Assessments of \$500 or more are payable in ten (10) equal annual installments, with interest on the unpaid balance, all as provided in Section 384.65, City Code of Iowa. Conditional deficiency assessment, if any, may be levied against the applicable property for the same period of years as the assessments are made payable.

You are further notified that assessments may be paid in full or in part without interest at the office of the City Treasurer at any time within thirty days after the date of the first publication of this notice of the filing of the final plat and schedule of assessments with the County Treasurer. Unless said assessments are paid in full within said thirty day period, all unpaid assessments will draw annual interest computed at 9 percent (commencing on the date of acceptance of the work) computed to the next December 1<sup>st</sup> following the due dates of the respective installments. Each installment will be delinquent on September 30<sup>th</sup> following its due date on July 1<sup>st</sup> in each year. Property owners may elect to pay any annual installment semiannually in advance.

All properties located within the boundaries of the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project , above described have been assessed for the cost of the making of said improvements, the amount of each assessment, and the amount of any conditional deficiency assessment having been set out in the schedule of assessments and plat accompanying the same, which are now on file in the office of the County Treasurer of Linn County, Iowa. For further information you are referred to said plat and schedule of assessments.

This Notice given by direction of the Council of the City of Cedar Rapids, Iowa, as prescribed by Code Section 384.60 of the City Code of Iowa.

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Clerk of the City of Cedar Rapids, Iowa

CERTIFICATE OF LEVY OF SPECIAL ASSESSMENTS  
 TO BE MADE BY THE CLERK OF CEDAR RAPIDS, IOWA,  
 AND FILED WITH THE COUNTY TREASURER OF LINN COUNTY,  
 IOWA AND THE CITY OFFICER CHARGED WITH ISSUANCE OF  
 BUILDING PERMITS

STATE OF IOWA

COUNTY OF LINN

I, \_\_\_\_\_, Clerk of the City of Cedar Rapids, County of Linn, State of Iowa, do hereby certify that at a meeting of the Council of Cedar Rapids, Iowa, held on the 9th day of September, the said Council did levy special assessments for and on account of the cost of construction of the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project , under contract with BWC Excavating, LC of Solon, Iowa, on the following or portions thereof, in said Municipality, to-wit:

14222-31006-00000 GREENE & COLLEGE NW 33' SE 65.5' STR/LB 1 FR10	14052-28004-00000 TWIN PINE NORTH 2ND STR/LB 65	14241-54004-00000 EASTLAND ESTATES 1ST STR/LB 18
14222-31005-00000 GREENE & COLLEGE NW 74.5' STR/LB 1 FR10	11284-79002-00000 NORTHBROOK UNIT 13 STR/LB 509	14241-54003-00000 EASTLAND ESTATES 1ST STR/LB 17
14161-84005-00000 A.P. #63 STR/LB 44	11353-31002-00000 BOWMAN WOODS UNIT 1 STR/LB 96	14241-54002-00000 EASTLAND ESTATES 1ST STR/LB 16
14153-80004-00000 GREENE & COLLEGE SW 50' NW 150' SE 300' STR/LB 13 22	11352-03004-00000 BOWMAN WOODS UNIT 10 STR/LB 569	14142-55015-00000 MIDWAY PARK S 45.75' STR/LB 10 3
14153-76015-00000 GREENE & COLLEGE (BELT'S REPLAT) NE 25' LOT 17 & SW 12.5' STR/LB 18 22	11352-05006-00000 BOWMAN WOODS UNIT 10 STR/LB 563	14142-56009-00000 MIDWAY PARK STR/LB 8 4
14153-80002-00000 GREENE & COLLEGE SW 50' NW 150' SE 300' STR/LB 12 22	11263-81002-00000 BOWMAN WOODS UNIT 22 STR/LB 868	14142-55019-00000 MIDWAY PARK STR/LB 14 3
14154-54004-00000 GREENE & COLLEGE SW 29.5' NW 106' SE 300' LOT 9 & NE 27.5' NW 106' SE 300' STR/LB 10 22	11352-02001-00000 BOWMAN WOODS UNIT 21 STR/LB 840	14142-55020-00000 MIDWAY PARK STR/LB 15 3

14154-54003-00000 GREENE & COLLEGE SW 33' NW 106' SE 300' LOT 8 & NE 70.5' NW 106' SE 300' STR/LB 9 22	14223-32014-00000 OUT LOT 17 SE 50' NE 30' NW 140' LOT 10 & SE 50' NW 140' STR/LB 11	14142-56005-00000 MIDWAY PARK STR/LB 4 4
14151-31014-00000 MAPLEWOOD ADDN STR/LB 126	14223-27018-00000 OUT LOT 15 SW 7' LOT 10 & ALL STR/LB 11	14142-55022-00000 MIDWAY PARK STR/LB 17 3
14151-51001-00000 MAPLEWOOD ADDN STR/LB 150	142210400200000 RIDGEWOOD STR/LB 53	109 25TH ST DR SE MIDWAY PARK W 40' STR/LB 8 3
14151-87001-00000 EASTLAND MANOR SE 50' EACH LOTS 124 & STR/LB 125	14221-02004-00000 RIDGEWOOD STR/LB 43	14142-30013-00000 MIDWAY PARK STR/LB 2 1
14142-52020-00000 A.P. #177 STR/LB 2	14221-02006-00000 RIDGEWOOD NW 75' SE 90' STR/LB 44	14142-54002-00000 MIDWAY PARK STR/LB 2 2
14142-52023-00000 NORTH VIEW STR/LB 135	14232-29017-00000 RIDGEWOOD (LESS N 10' BNG 17' ON W LN) STR/LB 37	14142-51001-00000 MIDWAY PARK S 80' STR/LB 1 1
14104-03013-00000 KENWOOD PARK W60' EX S60' STR/LB 8 7	14233-33001-00000 VERNON HEIGHTS 7TH STR/LB 5 29	14142-30001-00000 MIDWAY PARK E 35' N 70' STR/LB A 1
14102-56001-00000 ELMCREST 1ST STR/LB 10 14	14234-52012-00000 A.P. #139 STR/LB 23	14112-76019-00000 IRR SUR NW 11-83-7 W 55' N 160' S 195' STR/LB 11
14162-02023-00000 SHARWOOD 2ND STR/LB 34	14221-60026-00000 BEVER PARK 3RD E 40' S 75' STR/LB 14 22	14113-78011-00000 OAKLAND GROVE STR/LB 7 4
14094-52009-00000 SHARWOOD MEADOWS 1ST STR/LB 31	14221-83025-00000 BEVER PARK 4TH E 40' STR/LB 16 23	14113-78006-00000 OAKLAND GROVE STR/LB 12 4
14162-01005-00000 SHARWOOD 2ND LOT 48 & LANDS AS DESC B 1834 P 6 BET SAID LOT & I 380 NW NE 16-83-7 STR/LB	14232-58007-00000 BEVER WOODS STR/LB 45	14113-78003-00000 OAKLAND GROVE STR/LB 15 4
14093-77001-00000 PHIL-BUD 1ST STR/LB 16	14241-55002-00000 EASTLAND ESTATES 1ST STR/LB 10	141120300401000 WESTOVER RIDGE CONDO BLDG 4005 UNIT A
14081-77017-00000 FOREST HILLS 6TH STR/LB 64	14241-55003-00000 EASTLAND ESTATES 1ST STR/LB 11	141120300401002 WESTOVER RIDGE CONDO BLDG 4005 UNIT C
14084-02010-00000 APPLEWOOD MESA 5TH STR/LB 76	14241-55004-00000 EASTLAND ESTATES 1ST STR/LB 12	141120300401004 WESTOVER RIDGE CONDO BLDG 4005 UNIT D

13132-26014-00000 SEMINOLE VALLEY 1ST STR/LB 8	14241-54005-00000 EASTLAND ESTATES 2ND STR/LB 9	14112-01006-00000 GLENBROOK COVE 6TH STR/LB 4
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That the district benefited and assessed for this cost of the improvement is described as follows:

Concrete sidewalk, curb repair and minor grading

I further certify that the said assessments of \$500 or more are payable in ten (10) equal annual installments, together with interest thereon at the rate of 9 percent per annum computed to December 1<sup>st</sup> following the due date of each installment. Interest commences on September 9, 2014, the date of acceptance of the work. The first annual installment, or the full amount of assessments less than \$500.00, are due and payable on July 1<sup>st</sup> following the date of levy of these assessments as set forth above (unless this certification is made within less than thirty days prior to July 1<sup>st</sup>) and is subject to the provisions of Section 384.65, City Code of Iowa, with respect to lien, delinquent dates, interest, penalties and years of payment.

Special assessment deficiencies as set forth in the Schedule of Assessments are conditionally levied and are certified pursuant to Code Section 384.63. The period for amortization of special assessment deficiencies established by law and by action of the City Council is ten (10) years.

Assessments may be paid in full or in part at the office of the City Treasurer, within thirty days of the first publication of the notice of this filing of the final assessment schedule.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the 9th day of September 2014.

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

I hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, there was filed with me as County Treasurer of Linn County, State of Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
County Treasurer

I hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, there was filed with me as Building Permit Official of the City of Cedar Rapids, Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on \_\_\_\_\_, 20\_\_\_\_.

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Building Permit Official of the City of Cedar  
Rapids, Iowa

## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5896

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

**Phone Number/Extension:** 5808

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

Resolution adopting the final schedule and levying of assessments and providing for the payment thereof for the FY 2013 Sidewalk and Ramp Repair Program – Contract No. 1 project. CIP/DID #3017013-00

**Background:**

Construction has been fully completed by Eggleston Concrete Contractors, Inc., for the subject project. This is a previously approved Capital Improvements Project (CIP No. 3017013-01) with a total cost of completed work to date of \$178,228.85. Amount proposed to be assessed to 34 benefiting properties is \$22,850. The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements. In conformance with the provisions of the Iowa Code for special assessment (Chapter 384), a resolution is proposed to levy the final assessment.

**Action / Recommendation:**

The Public Works Department recommends adoption of the resolution.

**Alternative to the Recommendation:**

Council not adopt the final assessment schedule, and not levy any assessments for the project and use City funds to pay for the entire project.

**Time Sensitivity:** Must be acted on by September 23, 2014 due to assessment schedule per State code timeline.

**Resolution Date:** September 23, 2014

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

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

**Local Preference Policy:** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION ADOPTING AND LEVYING FINAL SCHEDULE OF ASSESSMENTS,  
 AND PROVIDING FOR THE PAYMENT THEREOF

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

That after full consideration of the final schedule of assessments and accompanying plat showing the assessments proposed to be made for the construction of the FY 2013 Sidewalk Repair and Ramp Program – Contract No. 1 project , within the City, under contract with Eggleston Concrete Contractors, Inc., of Cedar Rapids, IA, which final plat and schedule was filed in the office of the Clerk on the 9th day of September said assessments are hereby corrected by making the following changes and reductions:

<u>NAME OF PROPERTY OWNER AND DESCRIPTION OF PROPERTY</u>	<u>PROPOSED FINAL ASSESSMENT</u>	<u>PROPOSED FINAL DEFICIENCY, IF ANY</u>	<u>CORRECTED FINAL DEFICIENCY, IF ANY</u>	<u>CORRECTED FINAL DEFICIENCY, IF ANY</u>
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BE IT FURTHER RESOLVED, that the said schedule of assessments and accompanying plat, be and the same are hereby approved and adopted; and that there be, and is hereby assessed and levied, as a special tax against and upon each of the lots, parts of lots and parcels of land, and the owner or owners thereof liable to assessment for the cost of said improvements, the respective sums expressed in figures set opposite to each of the same on account of the cost of the construction of the said improvements. Provided, further, that the amounts shown in said final schedule of assessments as deficiencies are found to be proper and are levied conditionally against the respective properties benefited by the improvements as shown in the schedule, subject to the provisions of Section 384.63, Code of Iowa. Said assessments against said lots and parcels of land are hereby declared to be in proportion to the special benefits conferred upon said property by said improvements, and not in excess thereof, and not in excess of 25% of the value of the same.

BE IT FURTHER RESOLVED, that said assessments of an amount subject to the provisions of Section 384.60, Code of Iowa, shall be payable in ten (10) equal annual installments and shall bear interest at the rate of 9 percent per annum, the maximum rate permitted by law, from the date of the acceptance of the improvements; the first installment of each assessment, or total amount thereof, if it be less than the amount subject to the provisions of Section 384.60 Code of Iowa, with interest on the whole assessment from date of acceptance of the work by the Council, shall become due and payable on July 1, 2014; succeeding annual installments, with interest on the whole unpaid amount, shall respectively become due on July 1<sup>st</sup> annually thereafter, and shall be

paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. Said assessments shall be payable at the office of the City Treasurer, in full or in part and without interest within thirty days after the date of the first publication of the notice of the filing of the final plat and schedule of assessments to the County Treasurer of Linn County, Iowa.

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to certify said final plat and schedule to the County Treasurer of Linn County, Iowa, and to publish notice of said certification once each week for two consecutive weeks in the Cedar Rapids Gazette, a newspaper printed wholly in the English language, published in Cedar Rapids, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said schedule with the County Treasurer, the Clerk shall also send by ordinary mail to all property owners whose property is subject assessment a copy of said notice, said mailing to be on or before the date of the second publication of the notice, all as provided and directed by Code Section 384.60, Code of Iowa.

BE IT FURTHER RESOLVED, that the Clerk is directed to certify the deficiencies for lots specially benefited by the improvements, as shown in the final schedule of assessments, to the County Treasurer for recording in the Special Assessment Deficiencies Book and to the city official charged with responsibility for the issuance of building permits. Said deficiencies are conditionally assessed to the respective properties under Code Section 384.63 for the amortization period specified by law.

The Clerk is authorized and directed to ascertain the amount of assessments remaining unpaid after the thirty day period against which improvement bonds may be issued and to proceed on behalf of the City with the sale of said bonds, to select a date for the sale thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the sale of said bonds on a basis favorable to the City and acceptable to the Council.

PASSED AND APPROVED this 23<sup>rd</sup> day of September, 2014.

Published in the Cedar Rapids Gazette September 27, 2014 & October 4, 2014  
(Two publications required)

NOTICE OF FILING OF THE FINAL PLAT AND SCHEDULE  
OF ASSESSMENTS AGAINST BENEFITED PROPERTIES FOR  
THE CONSTRUCTION OF THE FY 2013 Sidewalk Repair and Ramp Program – Contract No. 1  
project  
WITHIN THE CITY OF CEDAR RAPIDS, IOWA

TO THE PERSONS OWNING LAND LOCATED WITHIN THE DISTRICT DESCRIBED AS THE  
FY 2013 Sidewalk Repair and Ramp Program – Contract No. 1 project WITHIN THE CITY OF  
CEDAR RAPIDS, IOWA:

Consisting of the properties which are described as follows:

Concrete sidewalk, curb repair and minor grading

The extent of the work completed on the FY 2013 Sidewalk Repair and Ramp Program –  
Contract No. 1 project is as follows:

14291-32003-00000 KING'S 1ST STR/LB 3 4	14303-30024-00000 KENRICH 1ST STR/LB 6	14343-27005-00000 SHEPARD'S 9TH (LESS N 10') STR/LB 33
14292-79025-00000 HINKLEY PLACE STR/LB 25 2	14302-26010-00000 WENKSTERN'S 8TH STR/LB 48	14343-28005-00000 SHEPARD'S 9TH STR/LB 5
14292-79022-00000 HINKLEY PLACE STR/LB 22 2	14302-27015-00000 WENKSTERN'S 8TH STR/LB 64	14343-28011-00000 SHEPARD'S 9TH STR/LB 11
14292-79021-00000 HINKLEY PLACE STR/LB 21 2	14302-26007-00000 WENKSTERN'S 8TH STR/LB 51	14343-27026-00000 SHEPARD'S PARK VIEW STR/LB 28
14191-28004-00000 HAMER'S 3RD S 5' LOT 2 & (LESS S 4') STR/LB 3	14302-26005-00000 WENKSTERN'S 8TH STR/LB 53	14343-26013-00000 SHEPARD'S PARK VIEW STR/LB 11
14303-31035-00000 LINDONDALE 4TH (LESS W 4') STR/LB 3	13252-80001-00000 CEDARCREST HEIGHTS 5TH STR/LB 105	14343-26014-00000 SHEPARD'S PARK VIEW STR/LB 12
14303-31031-00000 HUNT'S 1ST STR/LB 6	13252-05012-00000 CEDARCREST HEIGHTS 2ND STR/LB 34	14343-26015-00000 SHEPARD'S PARK VIEW LOT 13 & N 2' STR/LB 14

14303-32005-00000 EDGEWOOD KNOLLS 2ND STR/LB 7	13252-08005-00000 CEDARCREST HEIGHTS 2ND STR/LB 44	14343-53022-00000 PARK VIEW 3RD STR/LB 7
14303-31026-00000 KENRICH 1ST E 2' LOT 20 & ALL LOT 21 & W 7.54' LOT 11 EDGEWOOD KNOLLS 2ND STR/LB	14291-36014-00000 KING'S 2ND S 35' LOT 1 & S 35' E 40' STR/LB 2 1	14343-53021-00000 PARK VIEW 3RD STR/LB 8
14303-31024-00000 KENRICH 1ST STR/LB 19	14291-30007-00000 MANSFIELD'S 1ST E 10.75' LOT 10 & W 19.25' STR/LB 11 4	14343-51015-00000 PARK VIEW 3RD STR/LB 25
14303-32010-00000 KENRICH 1ST STR/LB 26	14291-30006-00000 MANSFIELD'S 1ST W 29.25' STR/LB 10 4	14343-51016-00000 PARK VIEW 3RD STR/LB 24
14303-31023-00000 KENRICH 1ST STR/LB 18	14291-30005-00000 MANSFIELD'S 1ST STR/LB 9 4	14343-51017-00000 PARK VIEW 3RD STR/LB 23
14303-32012-00000 KENRICH 1ST STR/LB 24	14291-30004-00000 MANSFIELD'S 1ST STR/LB 8 4	14343-28015-00000 SHEPARD'S 9TH (LESS N 2.9') STR/LB 15
14303-31020-00000 KENRICH 1ST STR/LB 15	14291-30003-00000 MANSFIELD'S 1ST S 70' STR/LB 7 4	14343-29006-00000 SHEPARD'S 9TH LOT 16 & W 13' STR/LB 17
14303-31040-00000 LINDONDALE 2ND STR/LB 17	14302-26004-00000 WENKSTERN'S 8TH STR/LB 54	14343-52001-00000 PARK VIEW 3RD STR/LB 2
14303-31041-00000 LINDONDALE 2ND STR/LB 18	14292-79024-00000 HINKLEY PLACE STR/LB 24 2	14343-54016-00000 PARK VIEW 3RD STR/LB 15
14303-03012-00000 LINDONDALE 2ND STR/LB 13	14204-57008-00000 BELMONT PARK N 70' STR/LB 8 5	14343-53009-00000 PARK VIEW 4TH (LESS N 6') STR/LB 26
14303-03010-00000 LINDONDALE 2ND STR/LB 11	13252-77007-00000 CEDARCREST HEIGHTS 5TH STR/LB 94	14343-54008-00000 PARK VIEW 4TH LOT 13 & (LESS S 65') STR/LB 14
14303-03008-00000 LINDONDALE 2ND STR/LB 9	13252-32019-00000 CEDARCREST HEIGHTS 2ND STR/LB 35	13264-09006-00000 SPENCER 8TH STR/LB 10
14303-03007-00000 LINDONDALE 2ND STR/LB 8	13252-32018-00000 CEDARCREST HEIGHTS 2ND STR/LB 36	13264-09007-00000 SPENCER 8TH STR/LB 9

14303-31001-00000 LINDONDALE 2ND STR/LB 19	14203-52012-00000 FAIR OAKS 1ST STR/LB 34	13264-09009-00000 SPENCER 8TH STR/LB 7
14303-30031-00000 HUNT'S 2ND STR/LB 7	11351-29014-00000 BOWMAN WOODS UNIT 7 STR/LB 482	14334-10004-00000 SHEPARD'S 10TH STR/LB 8
14303-31007-00000 HUNT'S 2ND STR/LB 10	11351-52006-00000 BOWMAN WOODS UNIT 6 STR/LB 449	14343-53004-00000 PARK VIEW 4TH STR/LB 31
14303-30029-00000 EDGEWOOD KNOLLS 3RD STR/LB 16	14283-35002-00000 MURRAY'S 4TH STR/LB 2 9	14313-78008-00000 VAN BUREN HEIGHTS 8TH STR/LB 87
14303-30026-00000 EDGEWOOD KNOLLS 3RD STR/LB 19	14343-28002-00000 SHEPARD'S 9TH STR/LB 2	14242-02001-00000 ARBOR OAKS 2ND STR/LB 13

You are hereby notified that the final plat and schedule of assessments against benefited properties within the District described as the FY 2013 Sidewalk Repair and Ramp Program – Contract No. 1 project , for the construction of Sidewalk improvements, has been adopted and levied by the Council of Cedar Rapids, Iowa, and that said plat and schedule of assessments has been certified to the County Treasurer of Linn County, Iowa. Assessments of \$500 or more are payable in ten (10) equal annual installments, with interest on the unpaid balance, all as provided in Section 384.65, City Code of Iowa. Conditional deficiency assessment, if any, may be levied against the applicable property for the same period of years as the assessments are made payable.

You are further notified that assessments may be paid in full or in part without interest at the office of the City Treasurer at any time within thirty days after the date of the first publication of this notice of the filing of the final plat and schedule of assessments with the County Treasurer. Unless said assessments are paid in full within said thirty day period, all unpaid assessments will draw annual interest computed at 9 percent (commencing on the date of acceptance of the work) computed to the next December 1<sup>st</sup> following the due dates of the respective installments. Each installment will be delinquent on September 30<sup>th</sup> following its due date on July 1<sup>st</sup> in each year. Property owners may elect to pay any annual installment semiannually in advance.

All properties located within the boundaries of the FY 2013 Sidewalk Repair and Ramp Program – Contract No. 1 project , above described have been assessed for the cost of the making of said improvements, the amount of each assessment, and the amount of any conditional deficiency assessment having been set out in the schedule of assessments and plat accompanying the same, which are now on file in the office of the County Treasurer of Linn County, Iowa. For further information you are referred to said plat and schedule of assessments.

This Notice given by direction of the Council of the City of Cedar Rapids, Iowa, as prescribed by Code Section 384.60 of the City Code of Iowa.

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Clerk of the City of Cedar Rapids, Iowa

CERTIFICATE OF LEVY OF SPECIAL ASSESSMENTS  
 TO BE MADE BY THE CLERK OF CEDAR RAPIDS, IOWA,  
 AND FILED WITH THE COUNTY TREASURER OF LINN COUNTY,  
 IOWA AND THE CITY OFFICER CHARGED WITH ISSUANCE OF  
 BUILDING PERMITS

STATE OF IOWA

COUNTY OF LINN

I, \_\_\_\_\_, Clerk of the City of Cedar Rapids, County of Linn, State of Iowa, do hereby certify that at a meeting of the Council of Cedar Rapids, Iowa, held on the 9th day of September, the said Council did levy special assessments for and on account of the cost of construction of the FY 2013 Sidewalk Repair and Ramp Program – Contract No. 1 project , under contract with Eggleston Concrete Contractors, Inc., of Cedar Rapids, Iowa, on the following or portions thereof, in said Municipality, to-wit:

14291-32003-00000 KING'S 1ST STR/LB 3 4	14303-30024-00000 KENRICH 1ST STR/LB 6	14343-27005-00000 SHEPARD'S 9TH (LESS N 10') STR/LB 33
14292-79025-00000 HINKLEY PLACE STR/LB 25 2	14302-26010-00000 WENKSTERN'S 8TH STR/LB 48	14343-28005-00000 SHEPARD'S 9TH STR/LB 5
14292-79022-00000 HINKLEY PLACE STR/LB 22 2	14302-27015-00000 WENKSTERN'S 8TH STR/LB 64	14343-28011-00000 SHEPARD'S 9TH STR/LB 11
14292-79021-00000 HINKLEY PLACE STR/LB 21 2	14302-26007-00000 WENKSTERN'S 8TH STR/LB 51	14343-27026-00000 SHEPARD'S PARK VIEW STR/LB 28
14191-28004-00000 HAMER'S 3RD S 5' LOT 2 & (LESS S 4') STR/LB 3	14302-26005-00000 WENKSTERN'S 8TH STR/LB 53	14343-26013-00000 SHEPARD'S PARK VIEW STR/LB 11
14303-31035-00000 LINDONDALE 4TH (LESS W 4') STR/LB 3	13252-80001-00000 CEDARCREST HEIGHTS 5TH STR/LB 105	14343-26014-00000 SHEPARD'S PARK VIEW STR/LB 12
14303-31031-00000 HUNT'S 1ST STR/LB 6	13252-05012-00000 CEDARCREST HEIGHTS 2ND STR/LB 34	14343-26015-00000 SHEPARD'S PARK VIEW LOT 13 & N 2' STR/LB 14
14303-32005-00000 EDGEWOOD KNOLLS 2ND STR/LB 7	13252-08005-00000 CEDARCREST HEIGHTS 2ND STR/LB 44	14343-53022-00000 PARK VIEW 3RD STR/LB 7

14303-31026-00000 KENRICH 1ST E 2' LOT 20 & ALL LOT 21 & W 7.54' LOT 11 EDGEWOOD KNOLLS 2ND STR/LB	14291-36014-00000 KING'S 2ND S 35' LOT 1 & S 35' E 40' STR/LB 2 1	14343-53021-00000 PARK VIEW 3RD STR/LB 8
14303-31024-00000 KENRICH 1ST STR/LB 19	14291-30007-00000 MANSFIELD'S 1ST E 10.75' LOT 10 & W 19.25' STR/LB 11 4	14343-51015-00000 PARK VIEW 3RD STR/LB 25
14303-32010-00000 KENRICH 1ST STR/LB 26	14291-30006-00000 MANSFIELD'S 1ST W 29.25' STR/LB 10 4	14343-51016-00000 PARK VIEW 3RD STR/LB 24
14303-31023-00000 KENRICH 1ST STR/LB 18	14291-30005-00000 MANSFIELD'S 1ST STR/LB 9 4	14343-51017-00000 PARK VIEW 3RD STR/LB 23
14303-32012-00000 KENRICH 1ST STR/LB 24	14291-30004-00000 MANSFIELD'S 1ST STR/LB 8 4	14343-28015-00000 SHEPARD'S 9TH (LESS N 2.9') STR/LB 15
14303-31020-00000 KENRICH 1ST STR/LB 15	14291-30003-00000 MANSFIELD'S 1ST S 70' STR/LB 7 4	14343-29006-00000 SHEPARD'S 9TH LOT 16 & W 13' STR/LB 17
14303-31040-00000 LINDONDALE 2ND STR/LB 17	14302-26004-00000 WENKSTERN'S 8TH STR/LB 54	14343-52001-00000 PARK VIEW 3RD STR/LB 2
14303-31041-00000 LINDONDALE 2ND STR/LB 18	14292-79024-00000 HINKLEY PLACE STR/LB 24 2	14343-54016-00000 PARK VIEW 3RD STR/LB 15
14303-03012-00000 LINDONDALE 2ND STR/LB 13	14204-57008-00000 BELMONT PARK N 70' STR/LB 8 5	14343-53009-00000 PARK VIEW 4TH (LESS N 6') STR/LB 26
14303-03010-00000 LINDONDALE 2ND STR/LB 11	13252-77007-00000 CEDARCREST HEIGHTS 5TH STR/LB 94	14343-54008-00000 PARK VIEW 4TH LOT 13 & (LESS S 65') STR/LB 14
14303-03008-00000 LINDONDALE 2ND STR/LB 9	13252-32019-00000 CEDARCREST HEIGHTS 2ND STR/LB 35	13264-09006-00000 SPENCER 8TH STR/LB 10
14303-03007-00000 LINDONDALE 2ND STR/LB 8	13252-32018-00000 CEDARCREST HEIGHTS 2ND STR/LB 36	13264-09007-00000 SPENCER 8TH STR/LB 9
14303-31001-00000 LINDONDALE 2ND STR/LB 19	14203-52012-00000 FAIR OAKS 1ST STR/LB 34	13264-09009-00000 SPENCER 8TH STR/LB 7
14303-30031-00000 HUNT'S 2ND STR/LB 7	11351-29014-00000 BOWMAN WOODS UNIT 7 STR/LB 482	14334-10004-00000 SHEPARD'S 10TH STR/LB 8

14303-31007-00000 HUNT'S 2ND STR/LB 10	11351-52006-00000 BOWMAN WOODS UNIT 6 STR/LB 449	14343-53004-00000 PARK VIEW 4TH STR/LB 31
14303-30029-00000 EDGEWOOD KNOLLS 3RD STR/LB 16	14283-35002-00000 MURRAY'S 4TH STR/LB 2 9	14313-78008-00000 VAN BUREN HEIGHTS 8TH STR/LB 87
14303-30026-00000 EDGEWOOD KNOLLS 3RD STR/LB 19	14343-28002-00000 SHEPARD'S 9TH STR/LB 2	14242-02001-00000 ARBOR OAKS 2ND STR/LB 13

That the district benefited and assessed for this cost of the improvement is described as follows:

Concrete sidewalk, curb repair and minor grading

I further certify that the said assessments of \$500 or more are payable in ten (10) equal annual installments, together with interest thereon at the rate of 9 percent per annum computed to December 1<sup>st</sup> following the due date of each installment. Interest commences on September 9, 2014, the date of acceptance of the work. The first annual installment, or the full amount of assessments less than \$500.00, are due and payable on July 1<sup>st</sup> following the date of levy of these assessments as set forth above (unless this certification is made within less than thirty days prior to July 1<sup>st</sup>) and is subject to the provisions of Section 384.65, City Code of Iowa, with respect to lien, delinquent dates, interest, penalties and years of payment.

Special assessment deficiencies as set forth in the Schedule of Assessments are conditionally levied and are certified pursuant to Code Section 384.63. The period for amortization of special assessment deficiencies established by law and by action of the City Council is ten (10) years.

Assessments may be paid in full or in part at the office of the City Treasurer, within thirty days of the first publication of the notice of this filing of the final assessment schedule.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the 23rd day of September 2014.

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

I hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, there was filed with me as County Treasurer of Linn County, State of Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on \_\_\_\_\_, 20\_\_\_\_\_.

---

County Treasurer

I hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, there was filed with me as Building Permit Official of the City of Cedar Rapids, Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on \_\_\_\_\_, 20\_\_.

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Building Permit Official of the City of Cedar  
Rapids, Iowa

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** 9/23/14

**Submitting Department:** Finance/General Accounting Division

**Presenter at meeting:** Casey Drew  
**Email:** c.drew@cedar-rapids.org

**Phone Number/Ext:** 286-5097

**Alternate Contact Person:**  
**Email:**

**Phone Number/Ext:**

**Description of Agenda Item:**

Resolution authorizing the Finance Department to electronically file the fiscal year ending 2014 City Street Financial Report with the Iowa Department of Transportation (IDOT).

**Background:**

The City is required to file FY 2014 City Street Financial Report with the IDOT by September 30, 2014. The IDOT requires a resolution from the City Council authorizing the City to file the report. Failure to submit the City Financial Report by September 30, 2014 will result in road use tax funding being withheld from the City until the report has been filed with the IDOT.

**Action / Recommendation:**

Authorize the Finance department to electronically file the FY 2014 City Street Financial Report with the Iowa Department of Transportation.

**Alternative Recommendation:**

**Time Sensitivity:** Due September 30, 2014 to Iowa Department of Transportation

**Resolution Date:** 9/23/14

**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):**

FIN  
ENG  
TRS  
IDOT  
OB1307100

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the attached official report of the City of Cedar Rapids for City Streets from July 1, 2013 through June 30, 2014, prepared by the Office of City Finance, be and the same is hereby approved, and

BE IT FURTHER RESOLVED THAT THE Office of City Finance be authorized and directed to electronically file the official report to the Iowa Department of Transportation.

Passed this 23rd day of September, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** September 23, 2014

**Submitting Department:** City Council

**Presenter at Meeting:** Angie Charipar  
**Email:** ron.corbett@cedar-rapids.org

**Phone:** 319-286-5090

**Alternate Contact Person:**  
**Email:**

**Phone:**

**Description of Agenda Item:**

Resolution authorizing the City to close Valor Way SW from Diagonal Drive to the end of the street on October 3, 2014 for The Summerland Project film. (OB1301518)

**Background:**

The Summerland Project movie producers have requested to film part of their movie at the Cedar Rapids Police Department on October 3, 2014. During that time, they will have multiple large vehicles and the Police Department informed them that there is not enough room in their parking lot. This request is to close the street behind the Police Department (Valor Way SW) for parking of several large vehicles for the one day shoot at the Police Department on Friday, October 3, 2014

**Action/Recommendation:**

Adoption of resolution

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:**

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, The Summerland Project has requested additional assistance from the City of Cedar Rapids in addition to their original approved request of utilizing police vehicles and uniforms (Resolution No. 1191-08-14), and

WHEREAS, the film project will provide information and create interest in the City of Cedar Rapids such that a public purpose will be realized by assisting in the production of the film, and

WHEREAS, the producer has requested that the City of Cedar Rapids close a street to park their production vehicles while they are filming at the Cedar Rapids Police Department, 505 1<sup>st</sup> Street SW as there is insufficient parking in the police department lot, and

WHEREAS, the request is for the City to close Valor Way SW from Diagonal Drive to the end of the street (which is directly behind the Police Department) on Friday, October 3, 2014 using city barricades, 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. Upon completion of event, all areas associated with the event will be cleaned up
2. 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 23<sup>rd</sup> day of September, 2014.

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** 23 Sept 2014

**Submitting Department:** Council

**Presenter at meeting:** Mayor Corbett  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:**  
**Email:**

**Phone Number/Ext:**

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

Resolution establishing the times and dates of regularly scheduled City Council meetings to be held in calendar year 2015. (NEW)

**Background:**

The City Council has met twice a month, on the second and fourth Tuesday, since June 2010 and wishes to continue this schedule in 2015. The October, November and December 2015 meetings will be moved to the first and third Tuesdays of the month to avoid back to back meetings between October and November and due to holidays in November and December.

**Action / Recommendation:**

Approve the resolution

**Alternative Recommendation:**

Don't approve resolution and discuss options for a different Council meeting schedule.

**Time Sensitivity:**

**Resolution Date:** 23 Sept 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.

WHEREAS, it is the desire of the Cedar Rapids City Council to establish the times and dates of its regularly scheduled meetings to be held in calendar year 2015.

NOW THEREFORE BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the meeting schedule for calendar year 2015 is shown on Attachment A attached hereto.

**Attachment A**

**2015 COUNCIL MEETING DATES**

<b>Date</b>	<b>Time</b>
Tuesday, January 13	12:00 noon
Tuesday, January 27	4:00 p.m.
Tuesday, February 10	12:00 noon
Tuesday, February 24	4:00 p.m.
Tuesday, March 10	12:00 noon
Tuesday, March 24	4:00 p.m.
Tuesday, April 14	12:00 noon
Tuesday, April 28	4:00 p.m.
Tuesday, May 12	12:00 noon
Tuesday, May 26	4:00 p.m.
Tuesday, June 9	12:00 noon
Tuesday, June 23	4:00 p.m.
Tuesday, July 14	12:00 noon
Tuesday, July 28	4:00 p.m.
Tuesday, August 11	12:00 noon
Tuesday, August 25	4:00 p.m.
Tuesday, September 8	12:00 noon
Tuesday, September 22	4:00 p.m.
Tuesday, October 6*	12:00 noon
Tuesday, October 20*	4:00 p.m.
Tuesday, November 3*	12:00 noon
Tuesday, November 17*	4:00 p.m.
Tuesday, December 1*	12:00 noon
Tuesday, December 15*	4:00 p.m.

**\*Meetings changed to first and third Tuesdays of the month to avoid back to back meetings between October and November, and due to holidays in November and December**



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5802

**Alternate Contact Person:** Sven Leff  
**E-mail Address:** s.leff@cedar-rapids.org

**Phone Number/Extension:** 5739

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

Resolution authorizing execution of Amendment No. 10 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$15,600 for professional services in connection with the Flood Management Structure and Outdoor Amphitheatre project (original contract amount was \$670,000; total contract amount with this amendment is \$887,600). CIP/DID #307218-03

**Background:**

When events are being held at the Amphitheater, certain areas in the Police Department Headquarters have operations severely hampered by noise infiltration. This amendment will provide for a study and report of possible solutions to the problems encountered during events.

**Action / Recommendation:**

The Public Works and Parks and Recreation Departments recommend adoption of the resolution authorizing execution of Amendment No. 10 of the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$15,600.

**Alternative to the Recommendation:** Council could ask for additional information prior to authorizing this review.

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

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

**Budget Information (if applicable):** Fund 307 Dept ID 307000 Project 307218.

**Local Preference Policy:** Applies  Exempt

**Explanation:** Anderson-Bogert is a local firm in compliance with this policy

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids previously entered into a contract with Anderson-Bogert Engineers & Surveyors, Inc. for Professional Services for the Flood Management Structure and Outdoor Amphitheatre project, and

WHEREAS, there is a need to add to the CONSULTANT'S scope of work for the Phase II portion of the work. This additional work is to provide a sound infiltration study within the Police Department Headquarters and provide solutions to the sound problems.

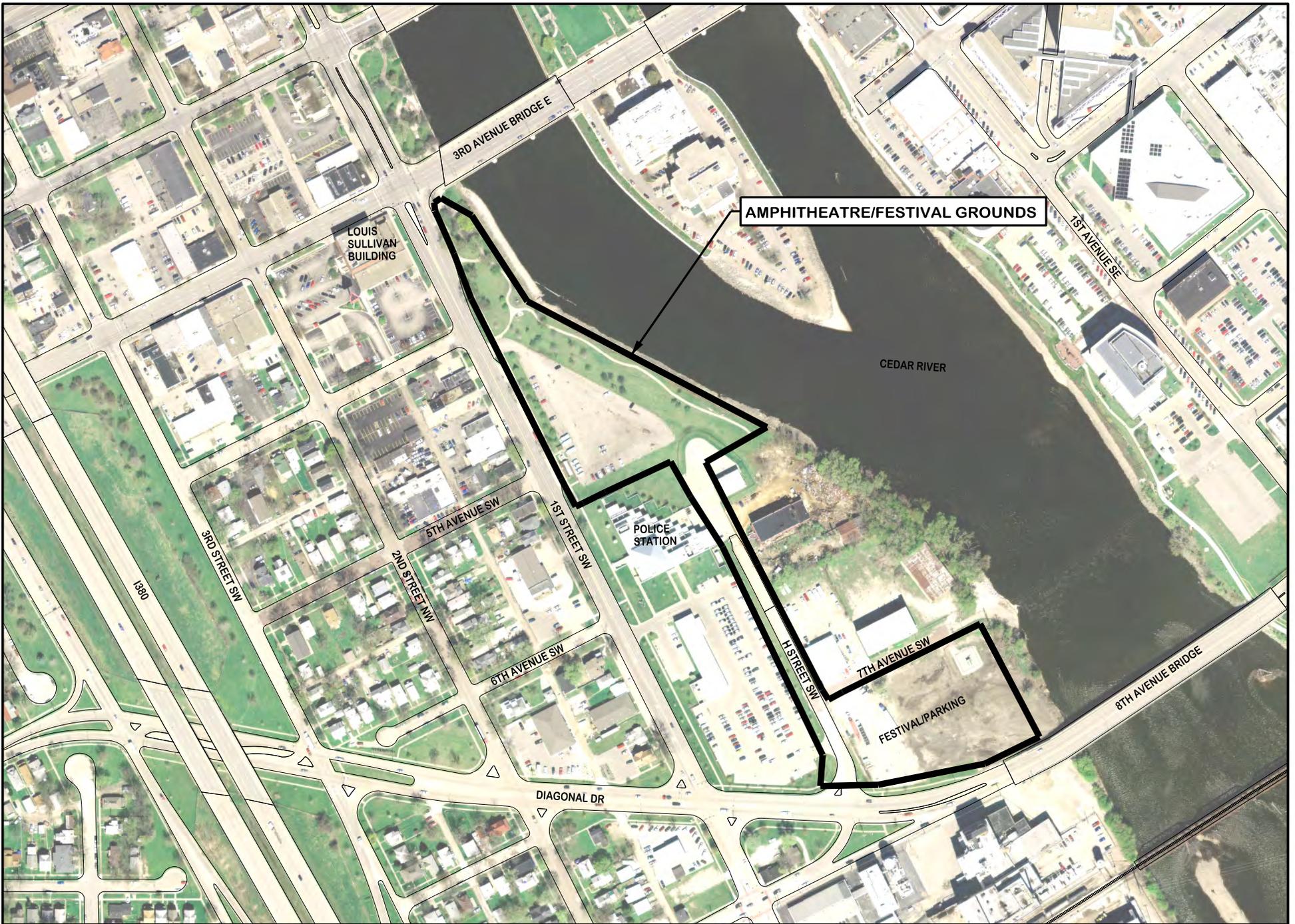
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 10 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. in the amount of \$15,600 for the Flood Management Structure and Outdoor Amphitheatre project, Contract No. 307218-03. A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$670,000
Amendment No. 1	\$0
Amendment No. 2	\$30,000
Amendment No. 3 (transfer from contingency)	\$0
Amendment No. 4	\$49,500
Amendment No. 5	\$23,100
Amendment No. 6	\$41,500
Amendment No. 7	\$33,000
Amendment No. 8	\$19,900
Amendment No. 9	\$5,000
Amendment No. 10	<u>\$15,600</u>
Amended Contract Amount	\$887,600

General ledger coding for this amendment to be as follows:

Fund 307, Dept ID 307000 Project 307218	\$15,600
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Passed this 23<sup>rd</sup> day of September, 2014



**FESTIVAL GROUND AND AMPHITHEATER  
PHASE 1**





**Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Alternate Contact Person:** Dennis Hogan

**Phone Number/Ext:** 5860

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

**Alternate Contact Person:** Diane Rodenkirk

**Phone Number/Ext:** 5023

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

**Description of Agenda Item:**

Amendment No. 1 to renew Contract for Tire Services with Bauer Built Tire for Fleet Services for an estimated annual amount of \$200,000 (original contract amount was \$200,000; renewal contract amount is \$200,000). CIP/DID #0413-226

**Background:**

City Council awarded the contract to Bauer Built Tire for tire services through Resolution No. 1140-07-13. Bauer Built Tire provides new tires as well as repair and retread of existing tires.

This resolution is to renew the contract for the period August 1, 2014 through July 31, 2015. This is the second year of the contract; three additional one-year renewal options remain. Bauer Built Tire will hold their prices firm for the renewal period.

**Action / Recommendation:** Recommend Council approve the Resolution

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 071-071000

**Local Preference Policy** Applies  Exempt

**Explanation:** Bauer Built Tire is a certified local vendor

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Fleet Services Division and Bauer Built Tire are parties to a Contract for as-needed purchase of new tires and repair and retread of existing tires; and

WHEREAS, the City desires to renew the Contract with Bauer Built Tire for the contract period August 1, 2014 through July 31, 2015; and

WHEREAS, this renewal is year two of the Contract; three additional one-year renewal options remain; and

WHEREAS, vendor has agreed to hold the pricing firm for the one-year renewal period; and

WHEREAS, the estimated annual cost of this Contract is \$200,000.

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

Passed this 23<sup>rd</sup> day of September, 2014.

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Alternate Contact Person:** Russ Camp  
**Email:** r.camp@cedar-rapids.org

**Phone Number/Ext:** 5086

**Alternate Contact Person:** Diane Rodenkirk  
**Email:** d.rodenkirk@cedar-rapids.org

**Phone Number/Ext:** 5023

**Description of Agenda Item:**

Amendment No. 1 to renew Contract for GPS Corner Survey Review with Dan Corbin, Inc. for the Information Technology Department for an estimated annual amount of \$35,000 (original contract amount was \$35,000; renewal contract amount is \$35,000). CIP/DID #0611-279

**Background:**

Dan Corbin, Inc. was awarded the Contract to perform as-needed GPS corner survey reviews for the Information Technology Department by Council resolution 1204-09-11. This resolution is to renew the Contract for the period September 13, 2014 through September 12, 2015 with no increase in the unit prices.

**Contract pricing:**

Description	Price
Cost per area (4 square miles) to provide review services of the information submitted by the GPS Corner Surveyor	\$2,997

**Action / Recommendation:** Recommend Council approve the Resolution

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 354-354000-354004

**Local Preference Policy** Applies  Exempt

**Explanation:** No local company submitted a proposal

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Information Technology Department and Dan Corbin, Inc. are parties to a Contract for as-needed GPS Corner Survey Review services; and

WHEREAS, the City desires to renew the Contract with Dan Corbin, Inc. for the contract period September 13, 2014 through September 12, 2015; and

WHEREAS, this renewal is year four of the Contract; this Contract can be renewed in 12-month increments upon mutual agreement of the City and Dan Corbin, Inc.; and

WHEREAS, vendor has agreed to hold the pricing firm for the one-year renewal period; and

WHEREAS, the estimated annual cost of this Contract is \$35,000.

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

Passed this 23<sup>rd</sup> day of September, 2014.

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Alternate Contact Person:** Russ Camp  
**Email:** r.camp@cedar-rapids.org

**Phone Number/Ext:** 5086

**Alternate Contact Person:** Diane Rodenkirk  
**Email:** d.rodenkirk@cedar-rapids.org

**Phone Number/Ext:** 5023

**Description of Agenda Item:**

Amendment No. 2 to renew Contract for GPS Corner Survey Consultant with Foth Infrastructure & Environment for the Information Technology Department for an estimated annual amount of \$35,000 (original contract amount was \$35,000; renewal contract amount is \$35,000). CIP/DID #0611-269

**Background:**

Foth Infrastructure & Environment was awarded the Contract to perform as-needed GPS corner surveys for the Information Technology Department by Council resolution 1205-09-11. This resolution is to renew the Contract for the period September 13, 2014 through September 12, 2015 with no increase in the unit prices.

**Pricing:**

	Description	Unit of Measure	Firm Fixed Price
1	Unmarked section corners	Each	\$470
2	Missing or conflicting section corners	Each	\$1,500

**Action / Recommendation:** Recommend Council approve the Resolution

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 354-354000-354004

**Local Preference Policy** Applies  Exempt

**Explanation:** Foth Infrastructure & Environment is a certified local vendor

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Information Technology Department and Foth Infrastructure & Environment are parties to a Contract for as needed GPS Corner Survey services; and

WHEREAS, the City desires to renew the Contract with Foth Infrastructure & Environment for the contract period September 13, 2014 through September 12, 2015; and

WHEREAS, this renewal is year four of the Contract; this Contract can be renewed in 12-month increments upon mutual agreement of the City and Foth Infrastructure & Environment; and

WHEREAS, vendor has agreed to hold the pricing firm for the one-year renewal period; and

WHEREAS, the estimated annual cost of this Contract is \$35,000.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute Amendment No. 2 with Foth Infrastructure & Environment as described herein.

Passed this 23<sup>rd</sup> 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

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

**Phone Number/Extension:** 5848

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

Authorizing Change Order No.1 in the amount of \$166,601.75 with Peterson Contractors, Inc. for the Cedar River Bridges Miscellaneous Repairs project (original contract amount was \$1,275,800; total contract amount with this amendment is \$1,442,401.75). CIP/DID #305127-03

### Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. As repair was being done on the outside lanes of the Edgewood Road Bridge, it was discovered that additional work was necessary along the curb portion of the interior lanes. It was also discovered that the gland was leaking and replacement was necessary.

### Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 1 submitted by Peterson Contractors, Inc.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

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

**Budget Information (if applicable):** 305127

**Local Preference Policy:** Applies  Exempt

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

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

**Explanation (if necessary):**

ENG  
AUD FILE  
FIN  
CLK  
PETERSON  
SHOEMAKER HAALAND  
305127-03

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 1 in the amount of \$166,601.75 with Peterson Contractors, Inc. for the Cedar River Bridges Miscellaneous Repairs project, Contract No. 305127-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,250,800.00
Possible Incentive	25,000.00
Change Order No. 1	166,601.75
	<hr/>
Amended Contract Amount	\$1,442,401.75

General ledger coding for this Change Order to be as follows: \$166,601.75 305-305000-30585-305127

Passed this 23<sup>rd</sup> day of September, 2014.

## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

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

Approving and ratifying Change Order Nos. 1 and 2 for a total amount of \$11,220.78, plus an additional 5 working days, with Woodruff Construction, LLC for the Five Seasons Parkade Skywalk – Phase II Exterior Renovations project (original contract amount was \$64,700; total contract amount with this amendment is \$75,920.78). CIP/DID #635125-02

### Background:

Change Order Nos. 1 and 2 were signed by the City Manager on June 20, 2014 and September 11, 2014. Change Order Nos. 1 and 2 exceed 10% of original contract amount and therefore require Council approval and ratification as well.

WCD #1	Furnish and install pedestrian protection scaffold	\$1,683.75
WCD #2	Furnish and install vented metal paneling on the underside of the Skywalk. Additional 5 working days for this work	\$6,914.15
WCD #3	Additional preparation of existing skywalk support structure	\$ 664.13
WCD #4	Structural repairs to skywalk frame	\$1,958.75

### Action / Recommendation:

The Public Works Department recommends adoption of the resolution approving and ratifying Change Order Nos. 1 and 2 submitted by Woodruff Construction, LLC.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

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

**Budget Information (if applicable):**

ENG  
AUD FILE  
FIN  
CLK  
WOODRUFF  
635125-02

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Change Order Nos. 1 and 2 for a total amount of \$11,220.78, plus an additional five (5) working days, with Woodruff Construction, LLC for the Five Seasons Parkade Skywalk – Phase II Exterior Renovations, Contract No. 635125-02 are hereby approved and ratified. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$64,700.00
Change Order No. 1	9,262.03
Change Order No. 2	1,958.75

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Amended Contract Amount	\$75,920.78
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General ledger coding for this Change Order to be as follows: \$11,220.78 635-635000-635125

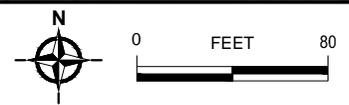
Passed this 23<sup>rd</sup> day of September, 2014.



PROJECT LOCATION



**FIVE SEASONS PARKADE SKYWALK  
PHASE 2 EXTERIOR RENOVATIONS PROJECT**



Cadd File Name: W:\PROJECTS\CIP\635125\Council Map.dwg



28g

## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

**Description of Agenda Item:**  **Consent Agenda**  **Regular Agenda**  **Map**  
Authorizing Change Order No. 5 in the amount of \$14,582.19 with Pirc-Tobin Construction, Inc. for the 76<sup>th</sup> Avenue SW Improvements – from Edgewood Road SW to East of the Cedar Rapids and Iowa City (CRANDIC) Railroad Crossing project (original contract amount was \$3,692,021.84; total contract amount with this amendment is \$3,724,940.89). CIP/DID #301208-02

### Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

### Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 5 submitted by Pirc-Tobin Construction, Inc.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

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

**Budget Information (if applicable):** 301208 (Streets) \$3.14M; 304364 & 304281 (Storm Sewer) \$770,675; 625884-2012034 (Water Main) \$40,843; 354004 (Fiber Optic) \$163,371

**Local Preference Policy:** Applies  Exempt

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

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

**Explanation (if necessary):** Infrastructure Committee and Finance Committee

ENG  
AUD FILE  
FIN  
CLK  
PIRC TOBIN  
AMENT  
301208-02

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 5 in the amount of \$14,582.19 with Pirc-Tobin Construction Inc. for the 76<sup>th</sup> Avenue SW Improvements – from Edgewood Road SW to East of the Cedar Rapids and Iowa City (CRANDIC) Railroad Crossing, Contract No. 301208-02. A cost summary of the contract changes for this project is as follows:

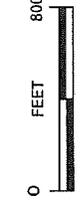
Original Contract Amount	\$3,545,021.84
Possible Incentive	147,000.00
Change Order No. 1	3,573.55
Change Order No. 2	7,665.51
Change Order No. 3	867.70
Change Order No. 4	6,230.10
Change Order No. 5	14,582.19
	<hr/>
Amended Contract Amount	\$3,724,940.89

General ledger coding for this Change Order to be as follows: \$4,699.71 301-301000-30185-301208, \$9,882.48 304-304000-30485-304364

Passed this 23<sup>rd</sup> day of September, 2014.



76TH AVENUE SW IMPROVEMENTS



76TH AVENUE SW IMPROVEMENTS FROM EDGEWOOD ROAD SW  
TO CRANVIC RAILROAD CROSSING  
RECONSTRUCTION OF RURAL SEAL COAT STREET WITH DITCHES TO CONCRETE CURB AND GUTTER





28h

## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

**Description of Agenda Item:**  **Consent Agenda**  **Regular Agenda**  **Map**  
Authorizing Change Order No. 2 in the amount of \$26,682.28 with Pirc-Tobin Construction, Inc. for the Oakland Road NE From E Avenue NE to H Avenue NE Pavement Rehabilitation project (original contract amount was \$645,700; total contract amount with this amendment is \$672,607.35) (**Paving for Progress**). CIP/DID #301374-02

### Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

### Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 2 submitted by Pirc-Tobin Construction, Inc.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

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

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

**Local Preference Policy:** Applies  Exempt

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

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

**Explanation (if necessary):**

ENG  
AUD FILE  
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PIRC-TOBIN  
SHOEMAKER  
301374-02  
7970

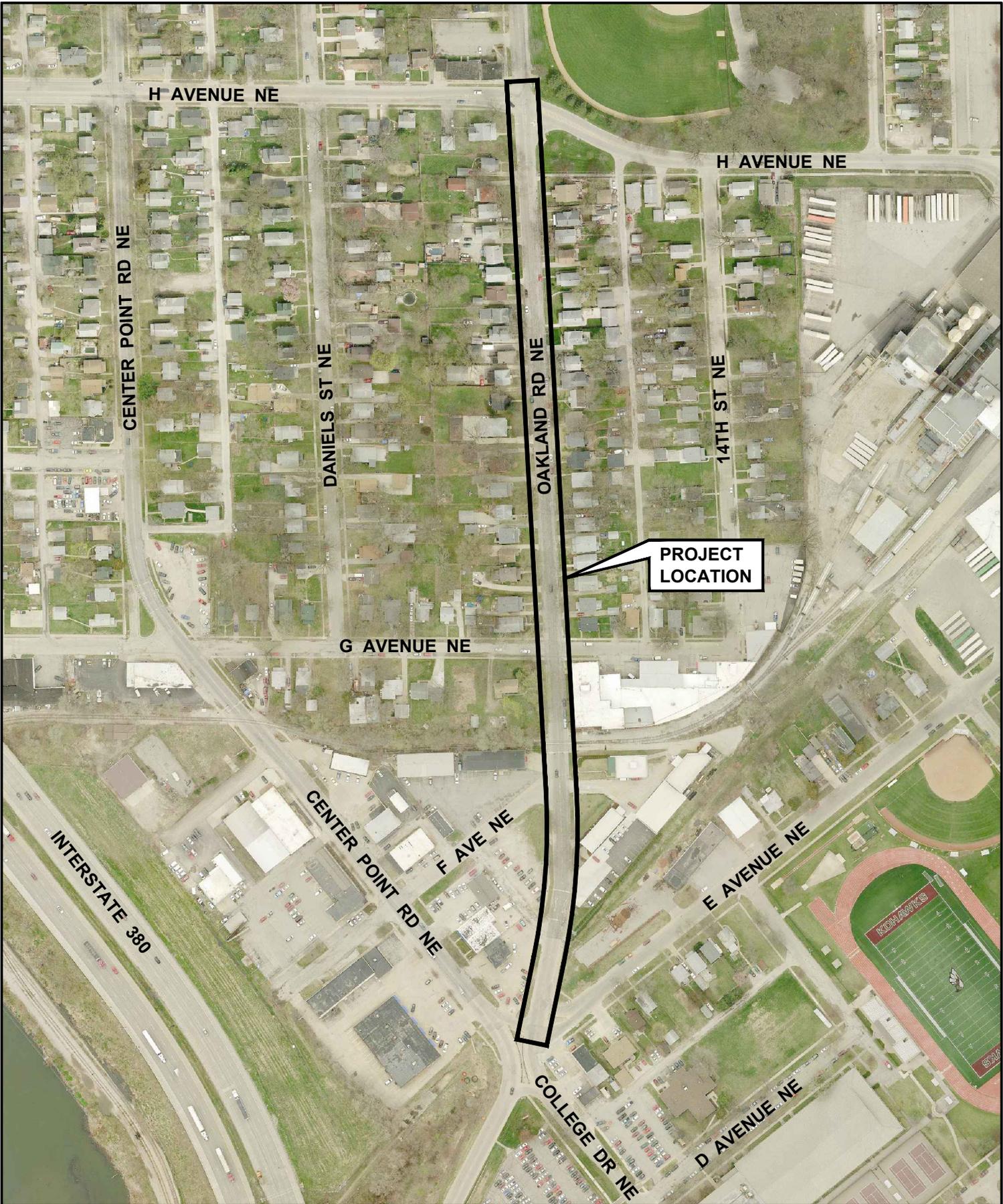
RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 2 in the amount of \$26,682.28 with Pirc-Tobin Construction, Inc. for the Oakland Road NE From E Avenue NE to H Avenue NE Pavement Rehabilitation, Contract No. 301374-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$632,100.00
Possible Incentive	13,600.00
Change Order No. 1	225.07
Change Order No. 2	26,682.28
	<hr/>
Amended Contract Amount	\$672,607.35

General ledger coding for this Change Order to be as follows: \$10,901.98 301-301000-30185-301374, \$5,357.80 301-301000-7970-301374, \$10,187.50 625-625000-625884-6252013022, \$235 655-655000-65585-655998

Passed this 23<sup>rd</sup> day of September, 2014.



**PROJECT  
LOCATION**



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



0 FEET 250



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

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

Authorizing Change Order No. 13 in the amount of \$60 with Rathje Construction Company for the Bever Avenue SE Rehabilitation From Memorial Drive SE to 34<sup>th</sup> Street SE project (original contract amount was \$1,529,777.11; total contract amount with this amendment is \$1,692,598.95). CIP/DID #301696-01

**Background:**

This is a contract change order to adjust the contract price based on the actual quantities of completed work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

**Action / Recommendation:**

The Public Works Department recommends approval of Change Order No. 13 submitted by Rathje Construction Company.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

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

**Budget Information (if applicable):** CIP 301696

**Local Preference Policy:** Applies  Exempt

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

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

**Explanation (if necessary):** Infrastructure Committee

ENG  
AUD FILE  
FIN  
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RATHJE  
SNYDER  
301696-01

RESOLUTION NO.

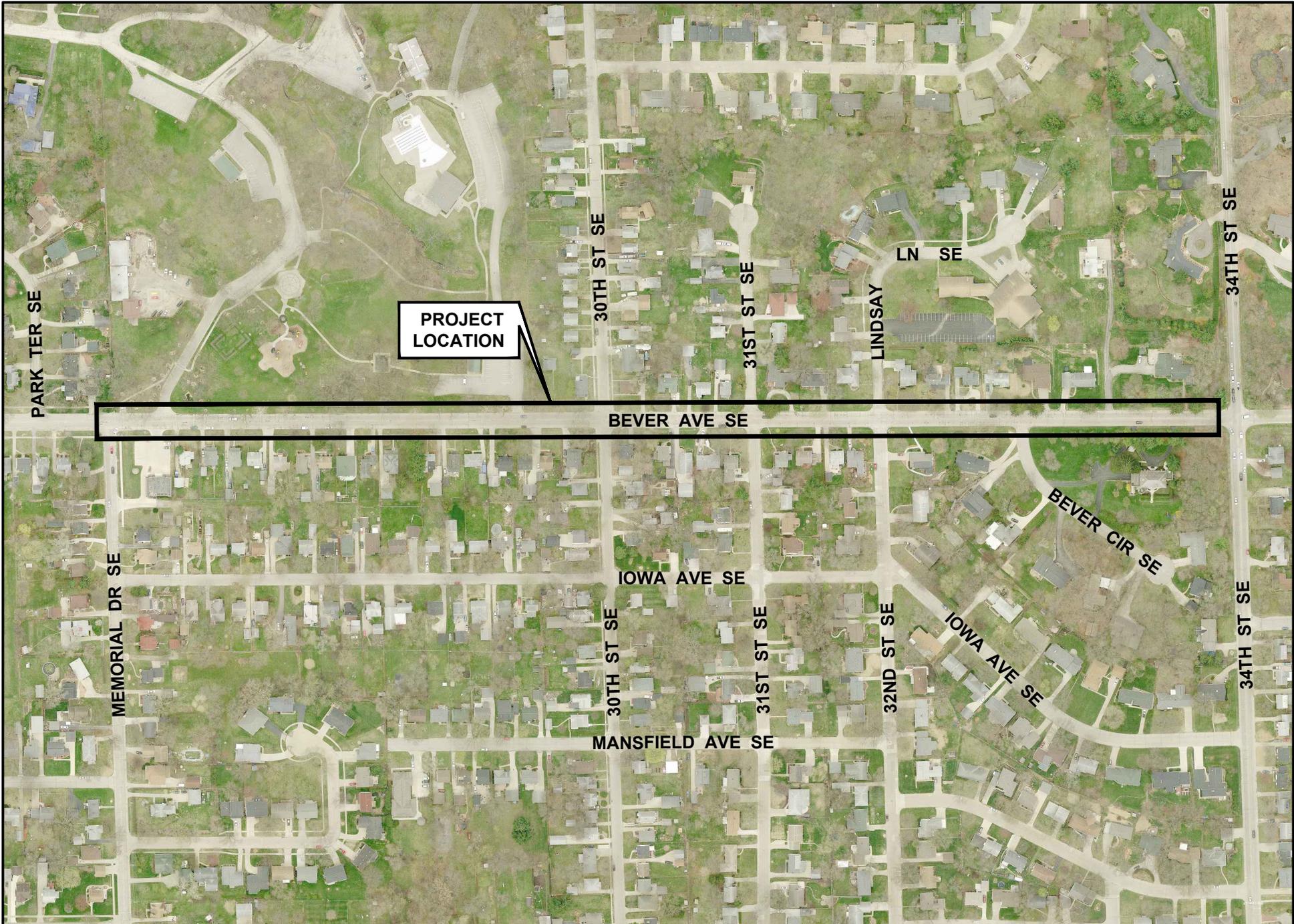
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 13 in the amount of \$60 with Rathje Construction Company for the Bever Avenue SE Rehabilitation From Memorial Drive SE to 34<sup>th</sup> Street SE, Contract No. 301696-01. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,459,777.11
Possible Incentive	70,000.00
Change Order No. 1	127.00
Change Order No. 2	18,600.00
Change Order No. 3	2,025.00
Change Order No. 4	20,892.80
Change Order No. 5	4,365.00
Change Order No. 6	20,842.98
Change Order No. 7	19,191.55
Change Order No. 8	27,526.90
Change Order No. 9	43,973.66
Change Order No. 10	733.00
Change Order No. 11	955.17
Change Order No. 12	3,528.78
Change Order No. 13	<u>60.00</u>
Amended Contract Amount	\$1,692,598.95

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

\$60.00                      301-301000-301696

Passed this 23<sup>rd</sup> day of September, 2014.



**PROJECT  
LOCATION**



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





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

**Description of Agenda Item:**  **Consent Agenda**  **Regular Agenda**  **Map**  
Authorizing Change Order No. 5 in the amount of \$61,593.41 with BWC Excavating, LC for the 76<sup>th</sup> Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements and Kirkwood Boulevard SW Intersection Improvements project (original contract amount was \$1,408,890.70; total contract amount with this amendment is \$1,493,990.69). CIP/DID #3012049-03

### Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Additional sidewalk removal and replacement was requested by Design staff to remove and replace existing 5-foot sidewalks with 6-foot walks around the school area. Additional subgrade stabilization was necessary to provide pavement support and eliminate soft areas of subgrade.

### Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 5 submitted by BWC Excavating, LC.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

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

**Budget Information (if applicable):** CIP No. 3012049

**Local Preference Policy:** Applies  Exempt

**Explanation:** Not Applicable

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

**Explanation (if necessary):**

**Recommended by College Community School District School Board:** Yes

**Explanation:** At November 18, 2013 Board meeting

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BWC  
HALL & HALL  
3012049-03

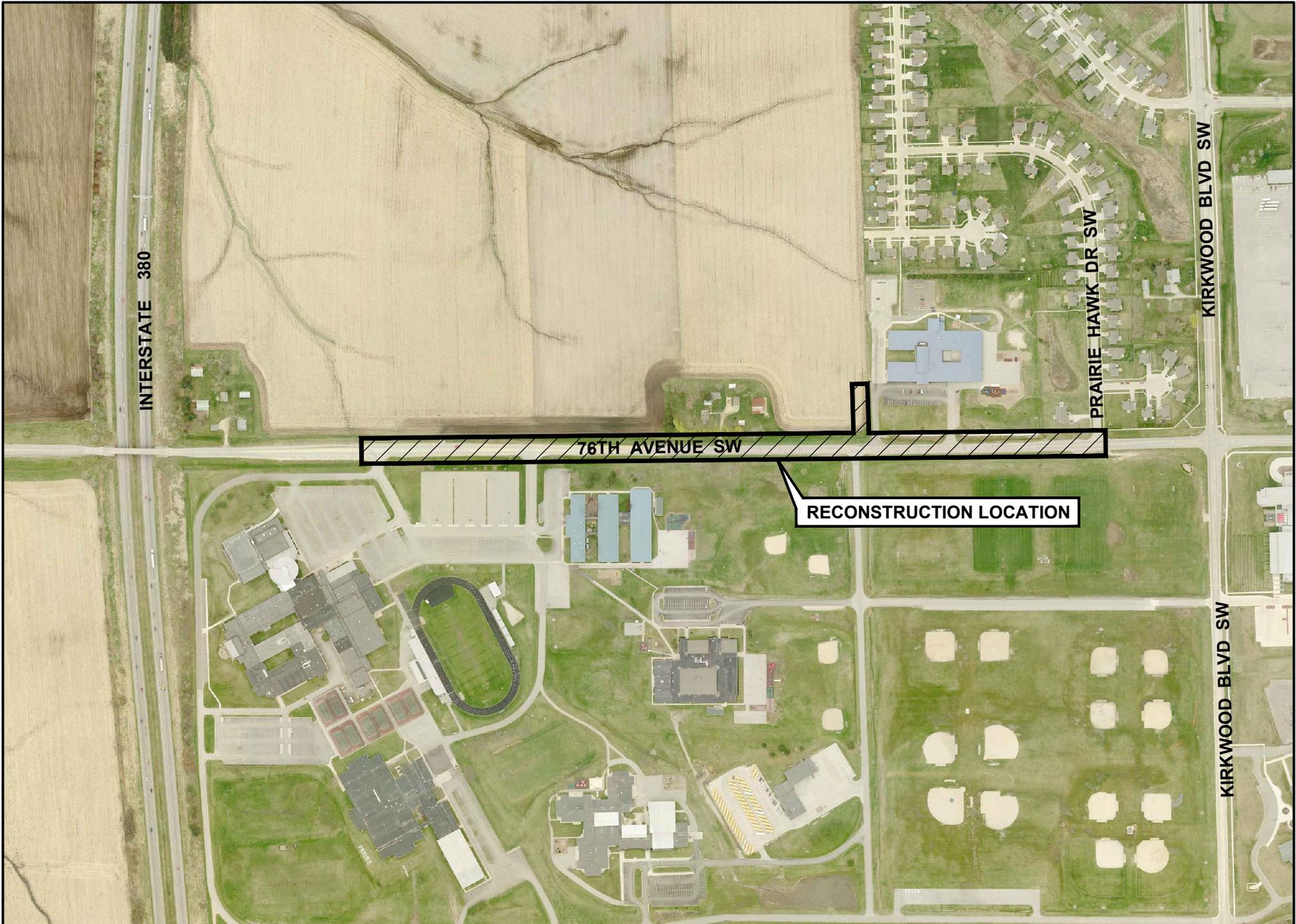
RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 5 in the amount of \$61,593.41 with BWC Excavating, LC for the 76<sup>th</sup> Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements and Kirkwood Boulevard SW Intersection Improvements, Contract No. 3012049-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,315,990.70
Possible Incentive	92,900.00
Change Order No. 1	200.00
Change Order No. 2	79.09
Change Order No. 3	9,378.70
Change Order No. 4	13,848.79
Change Order No. 5	61,593.41
	<hr/>
Amended Contract Amount	\$1,493,990.69

General ledger coding for this Change Order to be as follows: \$61,593.41 301-301000-30185-3012049

Passed this 23<sup>rd</sup> day of September, 2014.



INTERSTATE 380

76TH AVENUE SW

RECONSTRUCTION LOCATION

PRAIRIE HAWK DR SW

KIRKWOOD BLVD SW

KIRKWOOD BLVD SW



**RECONSTRUCTION OF  
76TH AVENUE SW FROM PRAIRIE HAWK DR TO EAST OF INTERSTATE 380**





28k

## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

**Description of Agenda Item:**  **Consent Agenda**  **Regular Agenda**  **Map**  
Authorizing Change Order No. 4 (Final Revised) deducting the amount of \$113,858.38 with S.M. Hentges & Sons, Inc. for the Indian Creek Trunk Sanitary Sewer Segment 2 – Phase 2 Reconstruction project (original contract amount was \$1,835,940.67; total contract amount with this amendment is \$1,758,160.28). CIP/DID #655625-05

### Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

### Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 4 submitted by S.M. Hentges & Sons, Inc.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

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

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

**Local Preference Policy:** Applies  Exempt

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

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

ENG  
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SM HENTGES  
ANDERSON BOGERT  
655625-05

RESOLUTION NO.

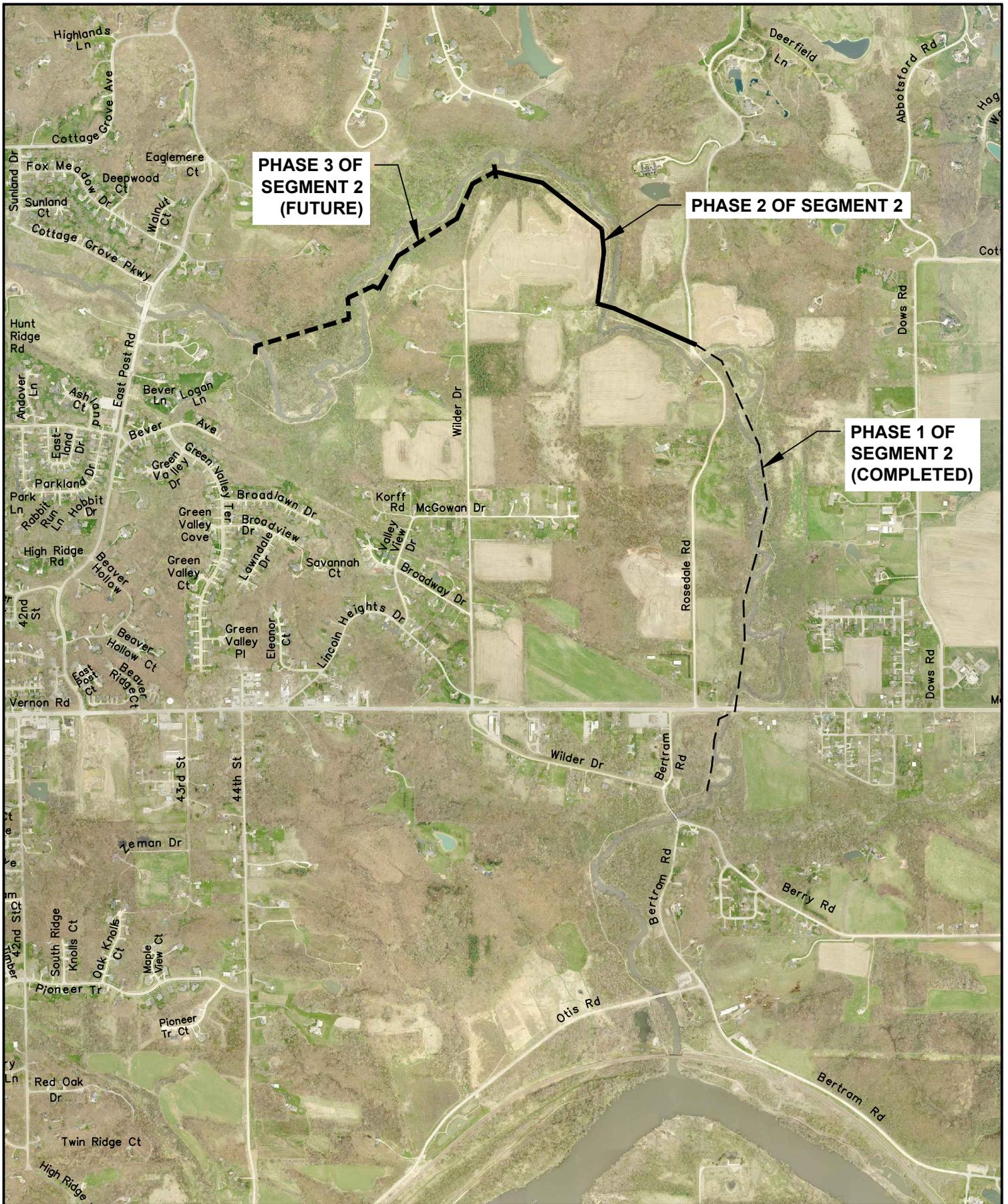
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 4 (Final Revised) deducting the amount of \$113,858.38 with S.M. Hentges & Sons, Inc. for the Indian Creek Trunk Sanitary Sewer Segment 2 - Phase 2 Reconstruction project, Contract No. 655625-05. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,800,940.67
Possible Incentive	35,000.00
Change Order No. 1	26,416.00
Change Order No. 2	4,353.98
Change Order No. 3	11,058.01
Change Order No. 4 (Final Revised)	(113,858.38)
Removal of Original Incentive Value	<u>(5,750.00)</u>
Amended Contract Amount	\$1,758,160.28

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

\$-113,858.38 655-655000-655625

Passed this 23<sup>rd</sup> day of September, 2014.



**PHASE 3 OF  
SEGMENT 2  
(FUTURE)**

**PHASE 2 OF SEGMENT 2**

**PHASE 1 OF  
SEGMENT 2  
(COMPLETED)**



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





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

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

Authorizing Change Order No. 2 in the amount of \$28,455.53 with Pirc-Tobin Construction, Inc. for the Park Avenue SE from 17<sup>th</sup> Street to 18<sup>th</sup> Street and 18<sup>th</sup> Street SE from Park Avenue to Half Block South Sanitary Sewer, Storm Sewer, Water Main, Street, and Sidewalk Improvements project (original contract amount was \$623,966.25; total contract amount with this amendment is \$670,510.31). CIP/DID #655996-07

### Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. The existing water main is an oversize main so the contractor had to use different fittings. There was not a bid item for 7" alley pavement and there are two alley returns to replace. When the new curb and gutter was installed on 17<sup>th</sup> Street, the existing street was in poor shape and did not allow good drainage so half the street was removed and replaced.

### Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 2 submitted by Pirc-Tobin Construction, Inc..

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

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

### Budget Information (if applicable):

CIP 655996 (sanitary sewer) \$335,365  
CIP 3012055 (street/sidewalk): \$344,455  
CIP 304377 (storm sewer): \$101,926  
CIP 625884 (water): \$152,037  
Total Budget: \$933,783

**Local Preference Policy:** Applies  Exempt

**Explanation:** State Code Section 26.9 requires public improvements be awarded to the lowest, responsive, responsible bidder.

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

**Explanation** (if necessary):

ENG  
AUD FILE  
FIN  
CLK  
PIRC-TOBIN  
ANDERSON BOGERT  
655996-07

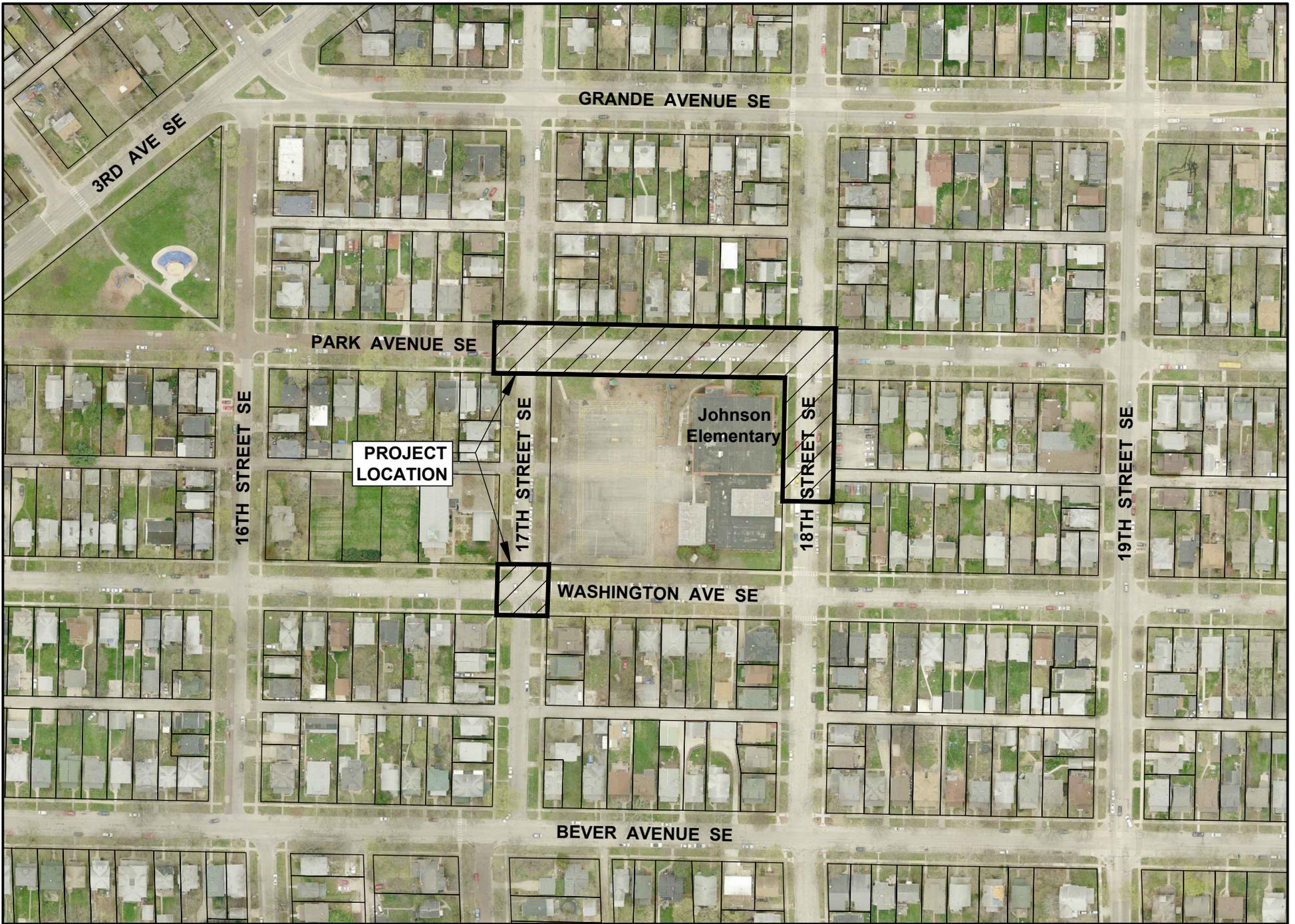
RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 2 in the amount of \$28,455.53 with Pirc-Tobin Construction, Inc. for the Park Avenue SE from 17<sup>th</sup> Street to 18<sup>th</sup> Street and 18<sup>th</sup> Street SE from Park Avenue to Half Block South Sanitary Sewer, Storm Sewer, Water Main, Street, and Sidewalk Improvements, Contract No. 655996-07. A cost summary of the contract changes for this project is as follows:

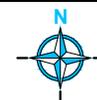
Original Contract Amount	\$615,366.25
Possible Incentive	8,600.00
Change Order No. 1	18,088.53
Change Order No. 2	28,455.53
	<hr/>
Amended Contract Amount	\$670,510.31

General ledger coding for this Change Order to be as follows: \$23,300.96 301-301000-30185-3012055, \$2,824.80 655-655000-65585-655996, \$2,329.77 625-625000-625884-6252014024

Passed this 23<sup>rd</sup> day of September, 2014.



**PARK AVENUE SE FROM 17TH STREET TO 18TH STREET AND  
 18TH STREET FROM PARK AVENUE TO 1/2 BLOCK SOUTH,  
 SANITARY SEWER, STORM SEWER, STREET AND SIDEWALK IMPROVEMENTS**





28m

## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

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

Authorizing Change Order No. 5 in the amount of \$34,865.84 with Rathje Construction Company for the NW Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 1 project (original contract amount was \$1,248,132.55; total contract amount with this amendment is \$1,272,309.79). **(FLOOD)** CIP/DID #SSD101-07

### **Background:**

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Additional 8-inch mains were found in bad shape so additional footage was added. New homes were built along O Avenue after the plans were designed. The homes had new sod and sidewalks built over the sanitary sewer so the contractor was asked to replace the sod and sidewalks.

### **Action / Recommendation:**

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

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

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

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

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

**Budget Information (if applicable):** FEMA PW #SSD101

**Local Preference Policy:** Applies  Exempt

**Explanation:** FEMA funded project

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

ENG  
AUD FILE  
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RATHJE  
SHOEMAKER HAALAND  
SSD101-07  
OB377545

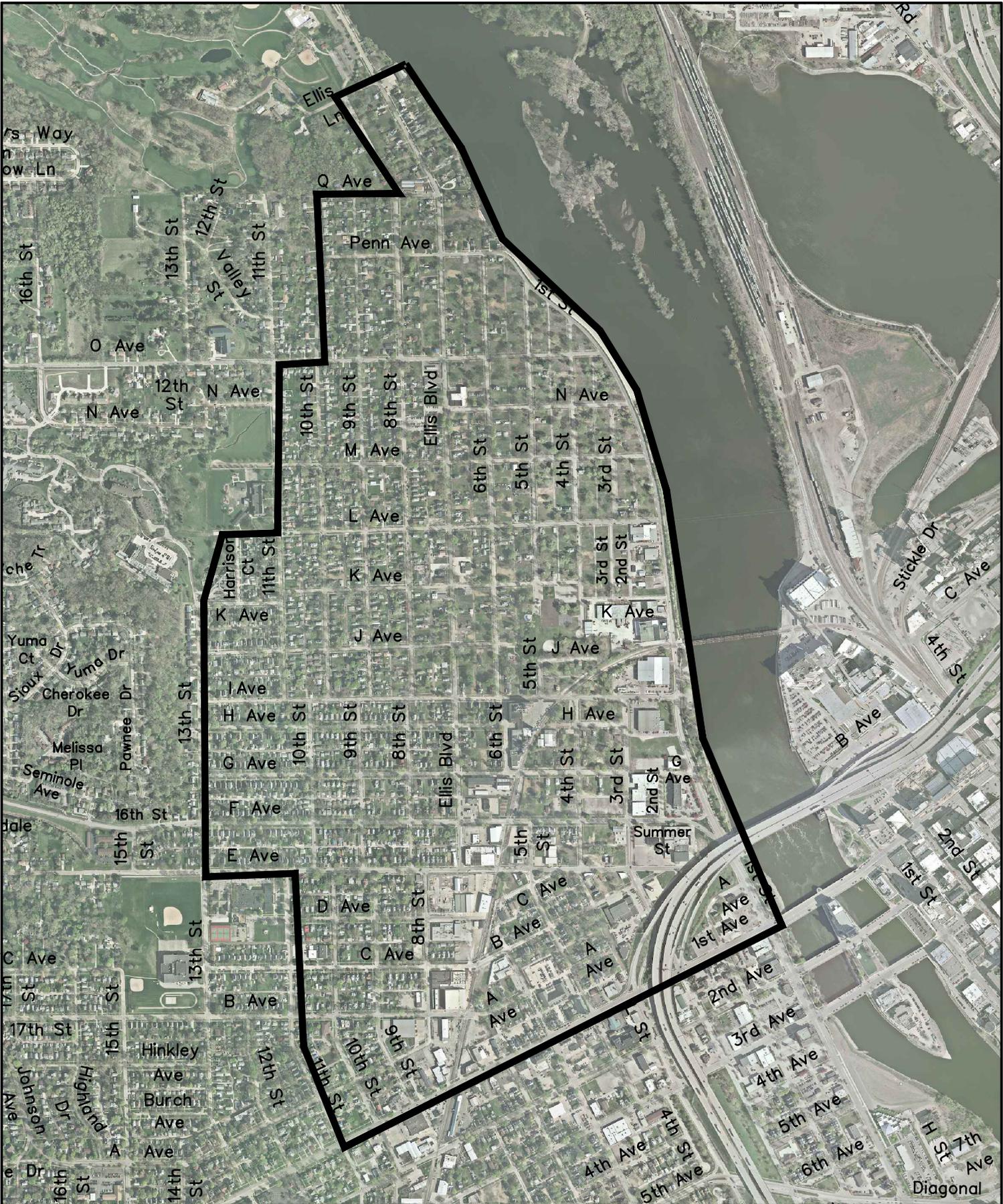
RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 5 in the amount of \$34,865.84 with Rathje Construction Company for the NW Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 1, Contract No. SSD101-07. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,211,632.55
Possible Incentive	36,500.00
Change Order No. 1	463.80
Change Order No. 2	1,239.70
Change Order No. 3	100.00
Change Order No. 4	1,907.90
Change Order No. 5	34,865.84
Addition of Disincentive and/or Liquidated Damages	(14,400.00)
	<hr/>
Amended Contract Amount	\$1,272,309.79

General ledger coding for this Change Order to be as follows: \$34,865.84 330-330210-18511-SSD101

Passed this 23<sup>rd</sup> day of September, 2014.



Cadd File Name: W:\PROJECTS\FLOODSSD101 - Sanitary Sewer NW Quadrant\SSD101 Council Map.dwg



**NW QUADRANT, 2008 FLOOD  
 SANITARY SEWER REPAIRS  
 PHASE 2, BID PACKAGE 1**





**Council Agenda Item Cover Sheet**  
**\*\*FLOOD\*\***

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

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

Authorizing Change Order No. 5 in the amount of \$7,378.14 with Ricklefs Excavating, Ltd. for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (original contract amount was \$1,765,564.20; total contract amount with this amendment is \$1,813,905.18) (**FLOOD**). CIP/DID #SSD103-11

**Background:**

This is a contract change order to adjust the contract price based on the actual quantities of completed work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

**Action / Recommendation:**

The Public Works Department recommends approval of Change Order No. 5 submitted by Ricklefs Excavating, Ltd.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

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

**Budget Information (if applicable):**

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

ENG  
AUD FILE  
FIN  
CLK  
RICKLEFS  
SNYDER  
SSD103-11  
OB377545

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 5 in the amount of \$7,378.14 with Ricklefs Excavating, Ltd. for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2, Contract No. SSD103-11. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,765,564.20
Possible Incentive	50,000.00
Change Order No. 1	31,968.10
Change Order No. 2	4,527.17
Change Order No. 3	3,708.77
Change Order No. 4	2,758.80
Change Order No. 5	7,378.14
Disincentive/Liquidated Damages	<u>(52,000.00)</u>
Amended Contract Amount	\$1,813,905.18

General ledger coding for this Change Order to be as follows: \$7,378.14 330-330210-18511-SSD103

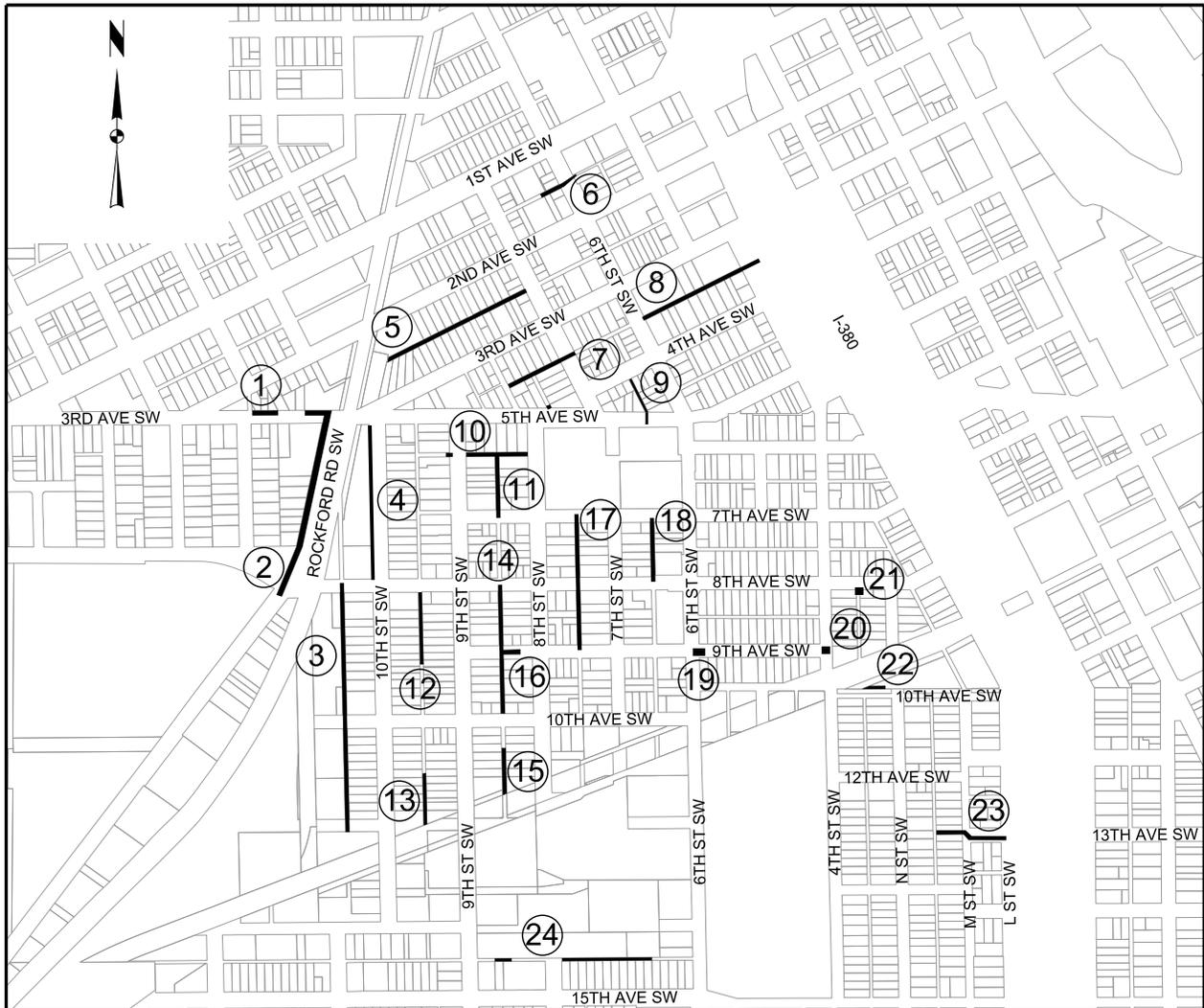
Passed this 23<sup>rd</sup> day of September, 2014.

# SW QUADRANT, 2008 FLOOD AREA SANITARY SEWER RESTORATION, PHASE II, PART 2

CONTRACT NUMBER SSD103-11

Project Location Map & Table Reference		
#	Street or alley	Location
1	3rd Ave. SW	11th St. SW to Rockford Rd. SW
2	Rockford Rd. SW	8th Ave. SW to 3rd Ave. SW
3	Alley West of 10th St. SW	12th Ave. SW to 8th Ave. SW
4	10th St. SW	8th Ave. SW to 5th Ave. SW
5	2nd-3rd Ave. SW Alley	CRANDIC Rail to 7th St. SW
6	1st-2nd Ave. SW Alley	7th to 6th Streets SW
7	3rd-5th Ave. SW Alley	8th to 7th Streets SW
8	3rd-4th Ave. SW Alley	6th to 4th Streets SW
9	7th-6th St. SW Alley	5th to 4th Ave. SW
10	7th-5th St. SW Alley	9th to 8th Ave. SW
11	8th-9th St. SW Alley	7th to 5th Ave. SW
12	10th-9th St. SW Alley	9th to 8th Ave. SW

Project Location Map & Table Reference (Continued)		
13	10th-9th St. SW Alley	CRANDIC Rail to 10th Ave. SW
14	8th-9th St. SW Alley	8th to 10th Ave. SW
15	8th-9th St. SW Alley	10th Ave. SW to CRANDIC Rail
16	9th Ave. SW	Between 8th and 9th Streets SW
17	8th-7th St. SW Alley	9th to 7th Ave. SW
18	7th-6th St. SW Alley	8th to 7th Ave. SW
19	19th Ave. SW	East of 6th St. SW
20	4th St. SW	9th Ave. SW
21	4th-N St SW Alley	South of 8th Ave. SW
22	10th Ave. SW	Between 4th and N St. SW
23	13th Ave. SW	West of M St. SW to L St. SW
24	Alley north of 15th Ave. SW	9th to 6th St. SW



## PROJECT LOCATION MAP & TABLE REFERENCE

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Veterans Memorial

**Presenter at meeting:** Mike Jager

**Phone Number/Ext:** 5039

**Email:** m.jager@cedar-rapids.org

**Description of Agenda Item:**

Authorizing Change Order No. 5 in the amount of \$14,395 with Pearson Wall Systems, Inc. for the Veterans Memorial Phase III – Bid Package #6 – Framing, Plaster, Paint, Partitions, Fabric Panels and Ceilings project (original contract amount was \$1,453,800; total contract amount with this amendment is \$1,479,301) (**FLOOD**); CIP/DID #VME001-06

**Background:**

ASI-3001.1 – Changing of all the metal base trim in Ph 3 & deleting the clear sealer in multiple Rooms & changing the floors to painted (fema) \$12,031.00

FOR-3020 – Adding a small wall in the basement to make the installation of the metal mesh Screenwall work around the ductwork (fema) \$935.00

TCIDC-3015.1 – Deleting the stainless steel surround & replacing it w/plaster detail & aluminum Trim (fema) \$1,901.00

TCIDC-3017 – Deleting the painting scope on several concrete floors (fema) (\$5,150.00)

ODC-Brick Sandblasting – After the 7/18 mtg we walked the masonry openings in the armory & It was decided to sandblast the jambs of the openings to make the brick appear uniform (non-fema) \$4,678.00

**Action / Recommendation:**

Veterans Memorial recommends the approval of Change Order No. 5 to increase the contract amount for Pearson Wall Systems, Inc.

**Alternative Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:**

**Budget Information (if applicable):** VME001-06

**Local Preference Policy** Applies  Exempt

**Explanation:** This is a FEMA funded project.

RESOLUTION NO.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to execute Change Order No. 5 in the amount of \$14,395 with Pearson Wall Systems, Inc. for the Veterans Memorial Phase III – Bid Package #6 – Framing, Plaster, Paint, Partitions, Fabric Panels and Ceilings project, Contract No. VME001-06. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,453,800.00
Change Order No. 1	2,668.00
Change Order No. 2	(3,891.00)
Change Order No. 3	1,191.00
Change Order No. 4	11,138.00
Change Order No. 5	<u>14,395.00</u>
Amended Contract Amount	\$1,479,301.00

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

\$14,395.00 Fund 330, Dept ID 330020, Project VME001-06

Passed this 23rd day of September, 2014.

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** City Attorney

**Presenter at meeting:** James Flitz

**Phone Number/Ext:** 5028

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

**Alternate Contact Person:**

**Phone Number/Ext:**

**Email:**

**Description of Agenda Item:** Resolution authorizing retention of Ahlers and Cooney, P.C. as outside legal counsel regarding Veterans Memorial Building.

**Background:**

**Action / Recommendation:** Adopt resolution to retain Ahlers and Cooney, P.C. for an amount not to exceed \$50,000.

**Alternative Recommendation:**

None.

**Time Sensitivity:** High

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** None

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

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**



RESOLUTION NO.

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS as follows:

1. The lawfirm of Ahlers & Cooney, P.C. is retained to provide services as outside legal counsel in connection with the mitigation and renovation of the Veterans Memorial Building contracts.
2. The City Manager is authorized to execute an Engagement Letter with Ahlers & Cooney, P.C.
3. The costs for these legal services shall not exceed \$50,000.00 without additional City Council approval.

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



**Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Fire

**Presenter at meeting:** Mark English  
**Email:** m.english@cedar-rapids.org  
**Alternate Contact Person:** Greg Smith  
**Email:** g.smith@cedar-rapids.org

**Phone Number/Ext:** (319) 286-5220  
**Phone Number/Ext:** (319) 286-5224

**Description of Agenda Item:**

Resolution authorizing execution of Iowa Homeland Security and Emergency Management Division's Commitment to Award and Accept Funds in the amount of \$160,850 to the City of Cedar Rapids by the Iowa Homeland Security and Emergency Management Division for the Cedar Rapids Division of Iowa Task Force One.

**Background:**

On October 8, 2003, the City of Cedar Rapids entered into a 28E Agreement with the State of Iowa and the Iowa Homeland Security and Emergency Management Division to supplement and enhance disrupted or overburdened local emergency and disaster operations. The Cedar Rapids Fire Department applied for a United States Homeland Security Grant on behalf of the Cedar Rapids Division of Iowa Task Force One for the grant year 2014. The City of Cedar Rapids has received a grant for 2014 in this program, HSGP Grant #EMW-2014-SS-00021, in the amount of \$160,850.

The attached resolution authorizes execution of the Commitment to Award and Accept Funds for the Homeland Security Grant Program grant. There is no local financial match required for any of the agreements.

**Action / Recommendation:**

The Fire Department recommends approval of resolution.

**Alternative Recommendation:**

Request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** N/A

**Budget Information (if applicable):** 531109-7862-786200, USAR Project #786214

**Local Preference Policy** Applies  Exempt

**Explanation:** N/A

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

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

RESOLUTION NO.

WHEREAS, the Cedar Rapids Fire Department is a sponsoring agency of Iowa Task Force 1, which is an urban search and rescue team that is recognized under Iowa Code Chapter 29C to supplement and enhance disrupted or overburdened local emergency and disaster operations, and

WHEREAS, the Cedar Rapids Fire Department applied for a United States Homeland Security Grant on behalf of the Cedar Rapids Division of Iowa Task Force 1, and

WHEREAS, the Homeland Security Grant Program (HSGP) will provide funding for training and equipment of the Cedar Rapids Division of Iowa Task Force 1 to provide assistance to communities under the Emergency Management Assistance Compact, and

WHEREAS, the Homeland Security Grant Program has approved the following grant:

HSGP Grant #EMW-2014-SS-00021 - \$160,850

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Mayor and the City Manager be authorized to execute the Homeland Security Grant Program Commitment to Award and Accept Funds on behalf of the Cedar Rapids Fire Department and the Cedar Rapids Division of Iowa Task Force 1.

Passed this 23<sup>rd</sup> of September, 2014.



**Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** Jasmine Almoayed  
**Email:** j.almoayed@cedar-rapids.org

**Phone Number/Ext:** 319-286-5349

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

**Phone Number/Ext:** 319-286-5470

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

Resolution authorizing agreement concerning the relocation of commercial or industrial enterprises with the City of Hiawatha, Iowa. CIP/DID #OB265968

**Background:**

As economic development continues to increase throughout the metro area, the City of Cedar Rapids and the City of Hiawatha desire to enter into an agreement concerning the general use of economic incentives, including, but not limited to, tax increment financing under Iowa Code Chapter 403 (2014) ("Chapter 403:"), to attract commercial or industrial development when such companies decide to relocate from one city to the other city.

The City of Cedar Rapids and the City of Hiawatha have determined that they have no objection to the use of tax increment funds related to the relocation of companies not currently located in their cities, and who decide to relocate between the City of Cedar Rapids and the City of Hiawatha. The Cities have agreed to notify each other within fourteen days of contact from the party interested in relocation from one community to the other.

**Action / Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:**

City Council may table this item and request further information

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 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

RESOLUTION AUTHORIZING AGREEMENT CONCERNING THE  
RELOCATION OF COMMERCIAL OR INDUSTRIAL ENTERPRISES WITH THE  
CITY OF HIAWATHA

WHEREAS, the City of Cedar Rapids and the City of Hiawatha desire to enter into an agreement concerning the general use of economic incentives, including, but not limited to, tax increment financing under Iowa Code Chapter 403 (2014) ("Chapter 403:"), to attract commercial or industrial development when such companies decide to relocate from one city to the other city; and

WHEREAS, the City of Cedar Rapids and the City of Hiawatha have determined that they have no objection to the use of tax increment funds related to the relocation of companies, not currently located in their cities, and who decide to relocate between the City of Cedar Rapids and the City of Hiawatha; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to execute a Fair Play Agreement with the City of Hiawatha.

Passed this 23<sup>rd</sup> day of September, 2014

## Council Agenda Item Cover Sheet

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Erika Kubly

**Phone Number/Ext:** 319 286-5406

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

**Alternate Contact Person:** Paula Mitchell

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

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

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

Resolution authorizing execution of a Development Agreement and Special Warranty Deed with Premiere Developers, Inc. for City-owned property at 800 9<sup>th</sup> Street SW participating in the third round of the Single Family New Construction Program (**FLOOD**). CIP/DID #OB54025

### **Background:**

The resolution for City Council consideration provides for the execution of Development Agreement and deed 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, 175 such agreements and deeds for City property have been executed for the ROOTs program.

Highlights of the terms and conditions contained in the Development Agreement 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 resolution.

**Alternative Recommendation:**

City Council may table the items and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** September 23, 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 PREMIERE DEVELOPERS, INC. FOR  
CITY-OWNED PROPERTY AT 800 9<sup>th</sup> STREET SW PARTICIPATING IN THE  
THIRD ROUND OF THE SINGLE FAMILY NEW CONSTRUCTION PROGRAM

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

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

WHEREAS, the City purchased property at 800 9<sup>th</sup> 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 March 16, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on August 27, 2013 on the possible disposition of this property in accordance with Iowa Code; and

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

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with Premiere Developers, Inc.;

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

Passed this 23<sup>rd</sup> Day of September, 2014



**Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Caleb Mason  
**Email:** [c.mason@cedar-rapids.org](mailto:c.mason@cedar-rapids.org)

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

**Alternate Contact Person:** Jennifer Pratt  
**Email:** [j.pratt@cedar-rapids.org](mailto:j.pratt@cedar-rapids.org)

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

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

Resolution authorizing execution of a Development Agreement with Kingston Corner, LLC for the disposition and redevelopment of City-owned property at 301 and 305 2<sup>nd</sup> Avenue SW located in the Kingston Village Area (**FLOOD**). CIP/DID #OB983052

**Background:**

The Resolution authorizes the City to enter into a Development Agreement with Kingston Corner, LLC for the redevelopment of City-owned property at 301 and 305 2<sup>nd</sup> Avenue SW. Kingston Corner, LLC is proposing the rehabilitation of the structure currently located at 301 2<sup>nd</sup> Avenue SW. The Developer has submitted application to the Iowa Economic Development Authority (IEDA) for funding through the Multi-Family New Construction (MFNC) Program to provide incentive for housing units on the 305 2<sup>nd</sup> Avenue SW property.

City and Kingston Corner have come to mutual agreement as to the terms of the Development Agreement. A summary of the terms are as follows:

- The Developer will purchase both properties for \$65,000 which has been determined by a real estate appraisal. Funds are returned to acquisition program.
- The City will provide a one year Option to Purchase and Lease (site control) to the Developer for 305 2<sup>nd</sup> Avenue SW. This is to meet requirements of the MFNC application submission for site control.
- Prior to the Developer’s ability to exercise the Option for 305 2<sup>nd</sup> Avenue SW, the Developer is to provide its development plan and financing.
- The Developer is to provide evidence of project financing as a precedent condition to the City transferring title to the property.
- The Developer is to provide a demolition deposit for the estimated costs to demolish the property. The deposited funds are returned to the Developer upon successful completion of the rehab to the structure.
- The commercial structure is to be flood mitigated at 1’ above the 100-year floodplain or removed from the floodplain.
- The City agrees to consider any request for TIF in accordance with City policy in the event that State Historic Preservation Tax Credits are not awarded for the project.

On February 11, 2014 the City Council authorized staff to pursue a Development Agreement with Kingston Corner, LLC based on the recommendation of a stakeholder panel review of their proposal.

**Action / Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:** NA

**Resolution Date:** NA

**Estimated Presentation Time:** NA

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

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

The Flood Recovery Committee recommended to invite competitive proposals on July 18, 2013.

The Development Committee recommended to invite competitive proposals for use of the structure or as vacant land at its July 24, 2013 meeting.

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT  
AGREEMENT WITH KINGSTON CORNER LLC FOR THE DISPOSITION AND  
REDEVELOPMENT OF CITY-OWNED PROPERTY AT 301 AND 305 2<sup>ND</sup>  
AVENUE SW LOCATED IN THE KINGSTON VILLAGE AREA

WHEREAS, the City acquired properties at 301 and 305 2<sup>nd</sup> Avenue SW (the "Property"), through the Voluntary Property Acquisition Program; and

WHEREAS, on July 24, 2013 the City Council's Development Committee recommended inviting proposals for use of the structure or as vacant land; and

WHEREAS, on November 5, 2013 the City Council made a motion to conduct a public hearing and on November 19, 2013 held a public hearing, as required by law, to consider the disposition of the Property and invite proposals for the acquisition and redevelopment of the Property; and

WHEREAS, the City received one (1) proposal from Kingston Corner LLC for the redevelopment of the Property, including reuse of the existing structure and construction of a mixed use facility; and

WHEREAS, no other acquisition and redevelopment proposals were received with respect to the Property; and

WHEREAS, an evaluation team comprised of City staff, experienced developers, and neighborhood stakeholders reviewed and evaluated the proposal submitted by Kingston Corner LLC that it was adequately responsive to the criteria set forth by the City Council and provides an overall community benefit as a mixed-use development including market rate housing; and

WHEREAS, on February 11, 2014 the City Council adopted Resolution No. 0198-02-14 authorizing staff to pursue a Development Agreement with Kingston Corner, LLC; and

WHEREAS, the terms and conditions of a Development Agreement are now clear and definite and is ready for execution on behalf of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized execute the Development Agreement and associated documents with Kingston Corner LLC for the purchase and redevelopment of City-owned property at 301 and 305 2<sup>nd</sup> Avenue SW.

Passed this 23<sup>rd</sup> Day of September, 2014.



**Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Finance – Fleet Services

**Presenter at meeting:** Dennis Hogan  
**Email:** [d.hogan@cedar-rapids.org](mailto:d.hogan@cedar-rapids.org)

**Phone Number/Ext:** 5860

**Alternate Contact Person:** Dennis Hogan  
**Email:** [d.hogan@cedar-rapids.org](mailto:d.hogan@cedar-rapids.org)

**Phone Number/Ext:** 5860

**Description of Agenda Item:**

Fleet Services Division purchase of a computer equipment package from Keltek Incorporated, to be used to equip nine new Police Department vehicles, for a total amount of \$126,569.39. CIP/DID #B27172

**Background:** The package of computer equipment will be used to equip the eight new FY 2015 budgeted Police vehicles previously approved by Council Resolution 0525-04-14. The package consists of nine computers and camera systems with associated wiring and accessories necessary for installation and operation. This purchase is being made from Keltek Incorporated, of Baxter, Iowa, an awarded dealer for State Bid Contract #B27172 WSCA KEL for “Computers, Toughbooks” as let by the Iowa Department of Administrative Services (DAS).

**Action / Recommendation:**

The Fleet Services Division recommends approval of this resolution authorizing this purchase.

**Alternative Recommendation:**

If not approved, the police vehicles will not be have the equipment that is necessary to maintain the required level of operational communication and safety.

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

Fund 073, Dept ID 073000 Project 073001

**Local Preference Policy** Applies  Exempt

**Explanation:** This is a purchase from existing State of Iowa Bid Contract.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Cedar Rapids City Council previously approved a Resolution, approving the purchase of nine 2015 Ford Police Interceptor sedans for FY 2015 budgeted and scheduled fleet replacements for use by the Police Department's Patrol Unit, and

WHEREAS, it is necessary to equip said vehicles with computers, camera systems and associated wiring and accessories to maintain the required level of operational communication and safety, and

WHEREAS, Keltek Incorporated, of Baxter, Iowa, is an awarded dealer for State Bid Contract #B27172 WSCA KEL for "Computers, Toughbooks" as let by the Iowa Department of Administrative Services, and

WHEREAS, the total purchase amount for the package will be \$120,569.39, budgeted in FY 2015 GL account Fund 073, Dept ID 073000, and

WHEREAS, the Fleet Services Division recommends the purchase of said computer equipment package for nine Police vehicles from Keltek Incorporated for the amount of \$126,569.39,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted subject to the terms and conditions of the bid documents, and

BE IT FURTHER RESOLVED, that the Fleet Services Division is hereby authorized to purchase the computer equipment package from Keltek Incorporated as described herein.

Passed this 23rd day of September, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Finance – Fleet Services

**Presenter at meeting:** Dennis Hogan

**Phone Number/Ext:** 5860

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

**Alternate Contact Person:** Dennis Hogan

**Phone Number/Ext:** 5860

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

**Description of Agenda Item:**

Fleet Services Division purchase of an emergency equipment package from Keltek Incorporated, to upfit nine new police department vehicles, for a total amount of \$82,268.77. CIP/DID #4603-14 and #4604-14

**Background:** The emergency equipment package will be used to upfit the nine new FY 2015 budgeted police vehicles previously approved by Council Resolution. The package consists of items such as emergency lighting (e.g. light bars, fog lights, grille lights, spotlight), siren and speaker, computer and printer docking stations, specialized K9 equipment, weapons mounts and other accessories. This purchase is being made from Keltek Incorporated, of Baxter, Iowa, an awarded dealer for State Bid Contract #4603-14 for HAVIS products and #4604-14 for Whelen products as let by the Iowa Department of Administrative Services (DAS).

**Action / Recommendation:**

The Fleet Services Division recommends approval of this resolution authorizing this purchase.

**Alternative Recommendation:**

If not approved, the police vehicles will not be have the equipment that is necessary to maintain the required level of operational communication and safety.

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

Fund 073, Dept ID 073000 Project 073001

**Local Preference Policy** Applies  Exempt

**Explanation:** This is a purchase from existing State of Iowa Bid Contract.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Cedar Rapids City Council previously approved a Resolution, approving the purchase of nine 2015 Ford Police Interceptor sedans for FY 2015 budgeted and scheduled fleet replacements for use by the Police Department's Patrol Unit, and

WHEREAS, it is necessary to upfit said vehicles with emergency equipment such as emergency lighting (e.g. light bars, grille lights, spotlight), siren and speaker, computer and printer docking stations, weapons mounts and other accessories to maintain the required level of operational communication and safety, and

WHEREAS, Keltek Incorporated, of Baxter, Iowa, is an awarded dealer for State Bid Contract #4603-14 for HAVIS products and Contract #4604-14 for Whelen products, (manufacturers of the emergency equipment required) as let by the Iowa Department of Administrative Services, and

WHEREAS, the total purchase amount for the package will be \$82,268.77, budgeted in FY 2015 GL account Fund 073, Dept ID 073000, and

WHEREAS, the Fleet Services Division recommends the purchase of said emergency equipment package from Keltek Incorporated for the amount of \$82,268.77,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted subject to the terms and conditions of the bid documents, and

BE IT FURTHER RESOLVED, that the Fleet Services Division is hereby authorized to purchase the emergency equipment package from Keltek Incorporated as described herein.

Passed this 23rd day of September, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Finance – Fleet Services

**Presenter at meeting:** Dennis Hogan

**Phone Number/Ext:** 5860

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

**Alternate Contact Person:** Dennis Hogan

**Phone Number/Ext:** 5860

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

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

Fleet Services Division purchase of nine (9) 2015 Ford Police Interceptor sedans for use by the Police Department Patrol Unit, from Charles Gabus Ford for a total amount of \$252,721.08. CIP/DID #4568-14

### **Background:**

These vehicles are for use by the Police Patrol Unit. They are budgeted FY 2015 fleet replacements for equipment which have exceeded their lifecycle and cost efficient life. This purchase is being made from Charles Gabus Ford of Des Moines, Iowa, an awarded vendor for state bid Contract #4568-14, "Model Year 2015 Ford Police Vehicles", as let by the Iowa Department of Administrative Services (DAS).

### **Action / Recommendation:**

The Fleet Services Division recommends approval of this resolution authorizing this purchase.

### **Alternative Recommendation:**

If not approved, the operating expenses for the City and end-user will continue to escalate.

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 0 minutes

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

Fund 073, Dept ID 073000

**Local Preference Policy** Applies  Exempt

**Explanation:** This is a purchase from existing State of Iowa Bid Contract.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Fleet Services Division has solicited a quotation for the purchase of nine 2015 Ford Police Interceptor sedans for FY 2015 budgeted and scheduled fleet replacements for use by the Police Department's patrol unit, and

WHEREAS, Charles Gabus Ford, Des Moines, Iowa, is a current holder of the State Bid Contract No. 4568-14 for "Model Year 2015 Ford Police Vehicles" as let by the Iowa Department of Administrative Services (DAS), and

WHEREAS, the total purchase amount will be \$252,721.08 budgeted in FY 2015 GL account Fund 073, Dept ID 073000, and

WHEREAS, the Fleet Services Division recommends the purchase of said 2014 Ford Police Interceptor vehicles from Charles Gabus Ford for the amount of \$252,721.08,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted subject to the terms and conditions of the bid documents, and

BE IT FURTHER RESOLVED, that the Fleet Services Division is hereby authorized to purchase the named vehicles from Charles Gabus Ford as described herein.

Passed this 23<sup>rd</sup> Day of September 2014.



**Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Dennis Hogan  
**Email:**

**Phone Number/Ext:** 5860

**Alternate Contact Person:** Heather Mell  
**Email:** h.mell@cedar-rapids.org

**Phone Number/Ext:** 5117

**Description of Agenda Item:**

Fleet Services Division purchase of four cab and chassis with bodies from Junge Center Point in the amount of \$220,084. CIP/DID #0814-029

**Background:**

Purchasing Services solicited bids on behalf of Fleet for the purchase and delivery of four cab and chassis with bodies with 2 vendors responding. Junge Center Point was the lowest bidder and only bidder on all items. Bids wwere received from:

Bob Brown Chevrolet (Did not bid on all items)	Urbandale, IA	\$99,910.19
Junge Center Point	Center Point, IA	\$220,084.00

**Action / Recommendation:**

Recommend Council approve resolution for the purchase and delivery of four cab & chassis with bodies

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 073-073000

**Local Preference Policy** Applies  Exempt

**Explanation:** Junge Center point is a certified Local Business.

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

Yes

No

N/A

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for four cab and chassis with bodies on behalf of the City of Cedar Rapids Fleet Services Division; and

WHEREAS, responses were received from two vendors; and

WHEREAS, the Fleet Services Division is making the following recommendation for award to Junge Center Point, which was the lowest responsive and responsible bidder; and

WHEREAS, the total cost is \$220,084.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted as described herein.

Passed this 23<sup>rd</sup> day of September, 2014.

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Craig Hanson  
**Email:** c.hanson@cedar-rapids.org

**Phone Number/Ext:** 5867

**Alternate Contact Person:** Heather Mell  
**Email:** h.mell@cedar-rapids.org

**Phone Number/Ext:** 5117

**Description of Agenda Item:**

Public Works Streets Division purchase of snowplow blades from Altorfer Inc in the amount of \$44,768.48. CIP/DID #0814-042

**Background:**

Purchasing Services solicited bids on behalf of Public Works Streets Division for the purchase and delivery of snowplow blades with five (5) vendors responding. Alterfer Inc was the lowest bidder with their total bid of \$44,768.48.

Bids were received from:

Chemung Supply Corp (did not bid on all items)	Elmira, NY	\$42,316.80
Altorfer Inc	Cedar Rapids, IA	\$44,768.48
Kris Engineering	St. Augusta, MN	\$47,226.50
Valk Manufacturing	New Kingstown, PA	\$49,790.00
Bonnell Industries	Dixon, IL	\$61,993.70

**Action / Recommendation:**

Recommend Council approve resolution for purchase of snowplow blades

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 101-124250

**Local Preference Policy** Applies  Exempt

**Explanation:** Local Preference applies but 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 snowplow blades on behalf of the City of Cedar Rapids Public Works Department-Streets Division; and

WHEREAS, responses were received from five vendors; and

WHEREAS, the Public Works Department-Streets Division is making the following recommendation for award to Altorfer Inc, which was the lowest responsive and responsible bidder; and

WHEREAS, the total cost is \$44,768.48.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted with Altorfer Inc as described herein.

Passed this 23<sup>rd</sup> day of September, 2014.

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Todd Fagan  
**Email:** [t.fagan@cedar-rapids.org](mailto:t.fagan@cedar-rapids.org)

**Phone Number/Ext:** 5616

**Alternate Contact Person:** Heather Mell  
**Email:** h.mell@cedar-rapids.org

**Phone Number/Ext:** 5117

**Description of Agenda Item:**

Contract for Trees for Fall 2014 Planting with B&G Nursery & Construction for the Public Works Department – Forestry Division for an amount not to exceed \$95,310. CIP/DID #0814-034

**Background:**

Purchasing Services solicited bids on behalf of Forestry for Trees for Fall 2014 Planting with one vendor responding. B&G Nursery and Construction submitted a bid for the total amount of \$95,310.

Bids were received from:

B&G Nursery & Construction	Cedar Rapids, IA	\$95,310
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**Action / Recommendation:**

Recommend Council approve resolution for trees for Fall 2014 Planting

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 309995

**Local Preference Policy** Applies  Exempt

**Explanation:** B&G Nursery & Construction is a certified local business

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

Yes

No

N/A

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for Trees for Fall 2014 Planting on behalf of the City of Cedar Rapids Public Works Department – Forestry Division; and

WHEREAS, responses were received from one vendor; and

WHEREAS, the Public Works Department is making the following recommendation for award to B&G Nursery & Construction, 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 \$95,310.

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 B&G Nursery & Construction as described herein.

Passed this 23<sup>rd</sup> day of September, 2014.

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Alternate Contact Person:** John Ernst

**Phone Number/Ext:** 4684

**Email:** j.ernst@cedar-rapids.org

**Alternate Contact Person:** Diane Rodenkirk

**Phone Number/Ext:** 5023

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

**Description of Agenda Item:**

Contract for Land Application of Biosolids with Wulfekuhle Injection & Pumping, Inc. for the Water Pollution Control Facility for a two year contract total amount not to exceed \$400,000. CIP/DID #0814-026

**Background:**

Purchasing Services solicited bids on behalf of the Water Pollution Control Facility for land application of biosolids. Biosolids are incinerated in the WPC multi-hearth incinerator. When the incinerator is shut down for maintenance, the biosolids are either land applied as a fertilizer on farm fields or hauled to a landfill.

Two bids were received and WPC staff are recommending award to Wulfekuhle Injection & Pumping as the lowest responsive and responsible bidder. The contract period is October 1, 2014 through September 30, 2016 with two additional two-year renewal options. The estimated annual expenditure is \$200,000, for a total of \$400,000 for the two year contract period. There are an estimated 7,500 wet tons to be removed annually.

**Bid Summary**

<b>VENDORS</b>	<b>Wulfekuhle Injection &amp; Pumping</b>	<b>Nutri-Ject Systems, Inc.</b>
<b>Vendor Location</b>	<b>New Vienna, IA</b>	<b>Hudson, IA</b>
<b>Description</b>		
Price per wet ton within 15 miles of WPC	\$14.28	\$19.02
Price per wet ton between 15-30 miles	\$19.84	\$19.99
Price per wet ton greater than 30 miles	\$26.98	\$27.12
Price per ton per mile to haul to landfill	\$0.212	\$0.252

**Action / Recommendation:** Recommend Council approve the Resolution

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 521108-611-611001-611043

**Local Preference Policy** Applies  Exempt

**Explanation:** No certified local vendor submitted a bid

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for land application of biosolids on behalf of the City of Cedar Rapids Water Pollution Control Facility; and

WHEREAS, responses were received from two vendors; and

WHEREAS, the Water Pollution Control Facility is making the following recommendation for award to Wulfekuhle Injection & Pumping, Inc., which was the lowest responsive and responsible bidder; and

WHEREAS, the Contract period will be October 1, 2014 through September 30, 2016, with the option of two additional two-year renewals; and

WHEREAS, the estimated expenditure for the two-year contract period is \$400,000.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute a Contract with Wulfekuhle Injection & Pumping, Inc. as described herein.

Passed this 23<sup>rd</sup> day of September, 2014.



**Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Alternate Contact Person:** Mike Little

**Phone Number/Ext:** 5974

**Email:** m.little@cedar-rapids.org

**Alternate Contact Person:** Diane Rodenkirk

**Phone Number/Ext:** 5023

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

**Description of Agenda Item:**

Contract for High Voltage Electrical Services with Trey Electric Corp for the Utilities Department for a two-year Contract amount not to exceed \$50,000. CIP/DID #0814-025

**Background:**

Purchasing Services solicited bids on behalf of the Utilities Department for as-needed high voltage electrical services. Four bids were received. Water Operations performed an analysis based on actual past usage to determine that Trey Electric Corp was the lowest responsive and responsible bidder.

The contract period will be October 1, 2014 through September 30, 2016. There are two additional two-year contract renewals available. The estimated annual expenditure is \$25,000 for a two-year contract total not-to-exceed \$50,000.

**Bids received:**

Company Name	Location	Annual Expenditure based on analysis
Trey Electric Corp	Marion	\$23,802.50
Price Industrial Electric, Inc.	Robins	\$24,760.50
Michels Power	Neenah, WI	\$29,308.35
Tri-City Electric Company	Davenport	\$51,896.40

**Action / Recommendation:** Recommend Council approve the Resolution

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 522104 (621002)

**Local Preference Policy** Applies  Exempt

**Explanation:** Trey Electric Corp 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 as-needed high voltage electrical services on behalf of the City of Cedar Rapids Utilities Department; and

WHEREAS, responses were received from four vendors; and

WHEREAS, Water Operations performed an analysis of the bids based on actual past usage and is making the following recommendation for award to Trey Electric Corp, which was the lowest responsive and responsible bidder; and

WHEREAS, the Contract period will be October 1, 2014 through September 30, 2016, with the option of two additional two-year renewals; and

WHEREAS, the estimated expenditure for the two-year Contract period is \$50,000.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute a Contract with Trey Electric Corp as described herein.

Passed this 23<sup>rd</sup> day of September, 2014.



28cc

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda Item

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Rebecca Johnson

**Phone Number/Ext:** X5062

**Email:** [r.johnson2@cedar-rapids.org](mailto:r.johnson2@cedar-rapids.org)

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

Contract for Rental & Laundering of Uniforms, Towels & Linens with Aramark Uniform Services for various City departments for an annual amount not to exceed \$70,000. CIP/DID #0514-185

### **Background:**

Proposals were solicited for citywide rental and laundering of uniforms, towels, and linens with five (5) proposals submitted.

The evaluation committee scored all five proposals and interviewed the two top scoring companies, Aramark Uniform Services and G & K Services. Scores were tabulated again following the interview process with Aramark scoring the highest. Aramark submitted the most competitive pricing is the only proposer who qualifies for local preference.

Award is recommended to Aramark Uniform Services as the most responsive proposal. The term of the initial agreement is from the date the Contract is executed through November 30, 2017 with one (1) three-year renewal option available. The total annual expenditure will not exceed \$70,000 from various departmental operating budgets.

The following proposals were submitted (in alphabetical order):

Aramark Uniform Services – Cedar Rapids, IA  
City Workplace Uniforms & Mats – Oelwein, IA  
G & K Services – Davenport, IA  
Phelps the Uniform Specialists – Muscatine, IA  
Premier Linen & Drycleaning – Dubuque, IA

### **Action / Recommendation:**

Resolution authorizing execution of Contract for rental and laundering of uniforms, towels and linens for various departments for a total annual amount not to exceed \$70,000.

### **Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** September 23, 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. The proposal submitted by Aramark scored the highest with or without the preference points.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for rental and laundering; and

WHEREAS, responses were received from five (5) suppliers; and

WHEREAS, the proposal evaluation team is making the following recommendation for award to Aramark Uniform Services, who submitted the most responsive proposal; and

WHEREAS, the initial term of the Contract shall be the date the Contract is executed through November 30, 2017 with one three-year renewal option available; and

WHEREAS, the total annual expenditure will not exceed \$70,000, 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 a Contract with Aramark Uniform Services as described herein.

Passed this 23<sup>rd</sup> day of September, 2014.

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** 09-23-14

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Kevin Ciabatti **Phone Number/Ext:** x5841  
[k.ciabatti@cedar-rapids.org](mailto:k.ciabatti@cedar-rapids.org)

**Email:**

**Alternate Contact Person:** John Riggs **Phone Number/Ext:** x5981  
**Email:** [j.riggs@cedar-rapids.org](mailto:j.riggs@cedar-rapids.org)

**Description of Agenda Item:**

Contract for Environmental Remediation and Demolition Services Including RACM for Nuisance Structures project with Active Thermal Concepts, Inc. for the Building Services Division - Nuisance Abatement Program for an amount not to exceed \$56,650. CIP/DID #0714-012

**Background:**

The Work to be performed under this project is to provide all-inclusive remediation and demolition services for five (5) parcels consisting of two (2) nuisance house structures and RACM demolition services for three (3) nuisance structures.

1	142018700700000	1323 Ellis Blvd NW	Joseph & Ruby Souza	RACM – Fire Remains – garage, concrete pad, misc debris
2	142826000400000	413 5th Ave SW	Robert Jones	RACM – Collapsed garage, concrete pad, misc debris
3	141518600200000	315 23rd St NE	Justin & Hallie VanDee	RACM – Fire remains – house, misc debris
4	143310900400000	2040 D St SW	Dennis Drahozal	Tested – House, collapsed foundation, misc debris
5	142040600700000	1133 6th St NW	Laverne Burns	Tested –House, misc debris

Three (3) bids were received on September 3, 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 Active Thermal Concepts, Inc. The cost of this demolition project is \$56,650.

Active Thermal Concepts, Inc.	Hiawatha, IA	\$ 56,650
Kelly Demolition, LLC	Mt. Vernon, IA	\$ 74,020
DW Zinser Company	Walford, IA	\$ 96,900

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 a contract with Active Thermal Concepts, Inc. for the amount not to exceed \$56,650 for the Environmental Remediation and Demolition Services Including RACM for Nuisance Structures, #0714-012.

**Alternative Recommendation:** None

**Time Sensitivity:** Time Sensitive. A delay in the project will impact neighborhoods

**Resolution Date:** 09-23-14

**Estimated Presentation Time:** 2 minutes

**Budget Information (if applicable):** Nuisance Structures 355-355000-355002

**Local Preference Policy** Applies  Exempt

**Explanation:** Local Preference did not affect the outcome. Active Thermal is a certified local business.

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

**Explanation (if necessary):**



RESOLUTION NO.

WHEREAS, The City of Cedar Rapids requested bids from qualified Contractors to provide Environmental Remediation and Demolition Services Including RACM for Nuisance Structures on five parcels as listed below:

1	142018700700000	1323 Ellis Blvd NW	Joseph & Ruby Souza	RACM – Fire Remains – garage, concrete pad, misc debris
2	142826000400000	413 5th Ave SW	Robert Jones	RACM – Collapsed garage, concrete pad, misc debris
3	141518600200000	315 23rd St NE	Justin & Hallie VanDee	RACM – Fire remains – house, misc debris
4	143310900400000	2040 D St SW	Dennis Drahozal	Tested – House, collapsed foundation, misc debris
5	142040600700000	1133 6th St NW	Laverne Burns	Tested –House, misc debris

AND WHEREAS, bids were received from three Contractors:

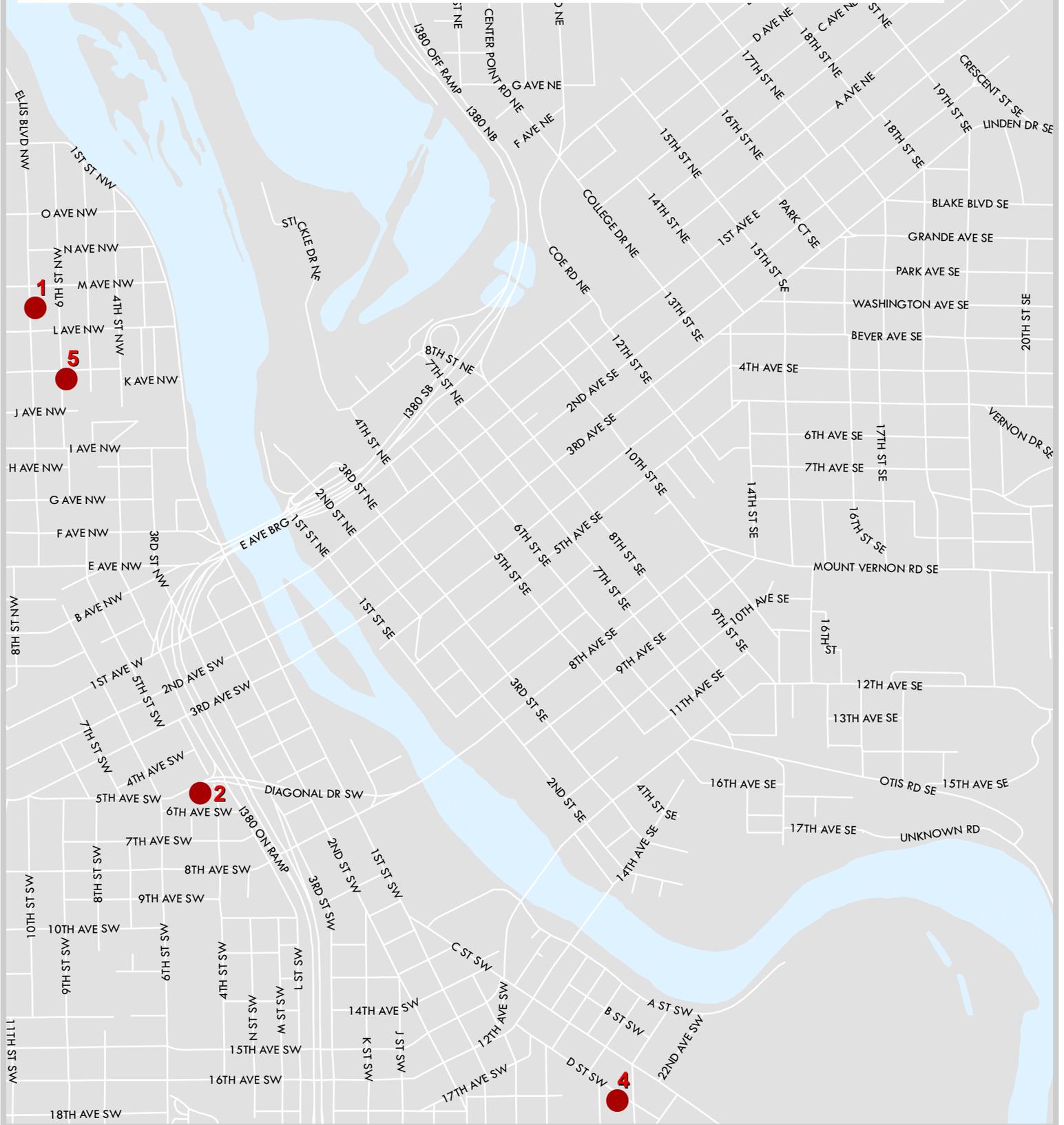
Active Thermal Concepts, Inc.	Hiawatha, IA	\$ 56,650
Kelly Demolition, LLC	Mt. Vernon, IA	\$ 74,020
DW Zinser Company	Walford, IA	\$ 96,900

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Active Thermal Concepts, Inc. is the lowest responsive, responsible bidder on said work and it is recommended that the City accept its Bid and award the contract to Active Thermal Concepts, Inc. for an amount not to exceed \$56,650 and that the City Manager and the City Clerk are hereby authorized to execute Contract No. 0714-012 for the environmental remediation and demolition services as described above.

Passed this 23<sup>rd</sup> day of September 2014.

**Combination Demolition Contract #0714-012 - GPN, Address, Owner and Description**

	GPN	Address	Name	Structure - Resd. / Comm.	Accessory Structure(s)	Other Information / Formerly Known As;
1	142018700700000	1323 Ellis Blvd	Joseph & Ruby Souza		1	RACM - Fire remains - garage, concrete pad, misc debris
2	142826000400000	413 5th Ave SW	Robert Jones		1	RACM - Collapsed garage, concrete pad, misc. debris
3	141518600200000	315 23rd St NE	Justin & Hallie VanDee	1		RACM - Fire remains house - misc debris
4	143310900400000	2040 D St SW	Dennis Drahozal	1		Tested - House, collapsed foundation, misc debris
5	142040600700000	1133 6th St NW	LaVerne Burns	1		Tested - House, misc. debris
			<b>Total =</b>	<b>3</b>	<b>2</b>	



## Council Agenda Item Cover Sheet

Consent Agenda       Regular Agenda

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Utilities Department Water Division

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

**Alternate Contact:** Tariq Baloch      **Phone No.:** 5283    **E-mail:** [t.baloch@cedar-rapids.org](mailto:t.baloch@cedar-rapids.org)

**Description of Agenda Item:**

Execution of the Regional Conservation Partnership Program (RCPP) Full-Proposal submittal to the National Resource Conservation Service (NRCS) as invited by the United States Department of Agriculture. CIP/DID #OB1292684

**Background:**

The 2014 Farm Bill reauthorization consolidated several programs and introduced the Regional Conservation Partnership Program (RCPP), which allows an entity like the City of Cedar Rapids Utilities Department – Water Division to partner with other agencies and associations. The pre-proposal, submitted in July 2014 by the City and its partners, received an invitation to submit a full-proposal by the NRCS. 230 out of 600 total RCPP submittals received the invitation to provide a full-proposal. The full-proposal must be completed by the Water Division in cooperation with other partners and submitted no later than October 2, 2014. The full-proposal includes extensive detail on expected levels of field practices installation, the need for additional technical assistance to solicit producer commitments, and specific financial contributions from federal and non-federal sources. Other financial partners in the proposal include the Natural Resource Conservation Service, Iowa Soybean Association, The Nature Conservancy, Iowa Department of Agriculture & Land Stewardship, Iowa Department of Natural Resources, and the Sand County Foundation. If approved, the proposed RCPP project(s) will take place on several HUC12 scale watersheds in the Middle Cedar River Basin and focus primarily on nutrient management practices with some water retention/flood mitigation benefits.

It is imperative that the City continue to research, develop and participate in strategies to protect its water supplies and that these efforts encompass the entire Cedar River watershed. RCPP allows for the direct participation of municipal water entities in larger projects that could improve the quality of our source water and is a good opportunity to leverage additional funding for these projects.

As part of the full-proposal submittal, the Water Division is proposing a direct contribution of \$25,000 per year for a 5-year period (\$125,000) towards a total estimated project cost of \$4,259,912. The City will provide “in-kind” staff time and resources in the form of continuing an annual Cedar River tributary water quality testing program with Coe College that are projected to total \$191,775 over this same 5-year period. Total direct and “in-kind” City financial participation for the 5-year project is estimated to be \$316,775. Any additional City commitment by the Water Division during this 5-year period will be subject to City Council approval. City and other partner organizations will contribute \$2,238,975 and have requested a RCPP fund match of \$2,020,937.

**Recommended Action:**

The Utilities Department Water Division recommends the City Council approve the Regional Conservation Partnership Program Full-Proposal Agreement and authorize the City Manager to execute said agreement.

**Alternative Recommendation (if applicable):**

If the Agreement is not approved by City Council, the Water Division will not be able to participate in this funding opportunity for water quality and potential flood mitigation improvements in the Cedar River watershed.

**Time Sensitivity:** Yes, RCPP full-proposals submittals are due October 2, 2014.

**Resolution Date:** 9/23/14

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

**Budget and Purchase Process Information:**

1. **Included in Current Budget Year:** Yes. To be funded from FY15 Utilities Department - Water operations and maintenance budget and coded to 521104-621-621011.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** Contribution amount for this project full-proposal is set at \$25K per year and expansion into other project areas will be incorporated into development of the FY16 budget.
3. **Purchasing Department used or Purchasing Guidelines followed:** N/A

**Local Preference Policy** Applies  Exempt

**Explanation:** N/A

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

**Explanation (if necessary):** Infrastructure Committee approval June 17, 2014.

RESOLUTION NO.

WHEREAS, the U.S. Department of Agriculture created the Regional Conservation Partnership Program in the 2014 Farm Bill Reauthorization that facilitates the opportunity for municipal water treatment entities to participate with other organizations in the development and implementation of water quality improvement projects in upstream watersheds, and

WHEREAS, the Cedar River is a significant source of water for the alluvial well system utilized by the City of Cedar Rapids, and

WHEREAS, projects to improve water quality and facilitate water retention in the upstream Cedar River watershed will have multiple benefits for the City of Cedar Rapids, and

WHEREAS, the current proposed project contribution from the City of Cedar Rapids and all participating agencies or organizations is estimated to be \$2,238,975 over the 5-year project period, and

WHEREAS, the City of Cedar Rapids, Utilities Dept. – Water Division will directly contribute \$25,000 each year for 5 years for a total of \$125,000 and in-directly contribute a total of \$191,775 over the 5-year project period from “in-kind” administrative support and continuance of a City of Cedar Rapids paid water quality testing program with Coe College, and

WHEREAS, the proposed project contributions from all project partners will leverage matching RCPP funds totaling \$2,020,937.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Regional Conservation Partnership Program Full-Proposal Application between the U.S. Department of Agriculture – Natural Resources Conservation Service, Iowa Department of Agriculture and Land Stewardship, other government agencies, non-profit associations, and the City of Cedar Rapids for the period beginning January 1, 2015 through December 31, 2020 be hereby approved and that the City Manager be hereby authorized to execute the Full-Proposal Application and future agreement if selected by the U.S. Department of Agriculture – National Resource Conservation Service committing the City of Cedar Rapids to contribute \$25,000 directly and estimated “in-kind” expenditures of \$38,355 as its share of project costs each year over the five year project period. To be funded from the Utilities Department Water Division fiscal year 2015 operations budget and coded to 521104-621-621011.

Passed this 23<sup>rd</sup> 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 \$36,492 for design services in connection with the Bever Avenue Sidewalk Extension from 30<sup>th</sup> Street SE to 34<sup>th</sup> Street SE project. CIP/DID #301696-02

**Background:**

This project is for the extension of sidewalk from 30<sup>th</sup> Street SE to 34<sup>th</sup> Street SE along Bever Avenue. This section of street was reconstructed in 2014 and preparations were made at that time to extend the sidewalk. This street serves one of the five major parks in the City of Cedar Rapids and installation of sidewalk along Bever Avenue is consistent with the City of Cedar Rapids Complete Streets Policy.

**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 23, 2014

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

**Budget Information (if applicable):** 301696

**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 \$36,492, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 301696-02 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for Bever Avenue Sidewalk Extension from 30<sup>th</sup> Street SE to 34<sup>th</sup> Street SE.

General Ledger Coding for this Agreement to be as follows:

Fund 301, Dept ID 301000, Project 301696-02	\$36,492
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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 23<sup>rd</sup> day of September, 2014



**BEVER AVENUE SE SIDEWALK EXTENSION  
FROM 30TH STREET SE TO 34TH STREET SE**





28gg

## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5363

**Alternate contact person:** Dave Wallace, PE  
**E-mail Address:** d.wallace@cedar-rapids.org

**Phone Number/Extension:** 5814

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

Resolution authorizing execution of a Professional Services Agreement with Anderson Bogert Engineers & Surveyors, Inc. for an amount not to exceed \$120,000 for the FY15 Miscellaneous Storm Sewer Improvements project. CIP/DID #304990-13

### Background:

City Council previously approved a similar contract for FY14 for a consultant to provide engineering analysis of miscellaneous drainage issues in various areas across the city. Most drainage issue cases are prompted by citizens and can result in actions varying in size from one-visit discussions to significantly sized CIP projects, and Public Works Staff is able to handle a share of these calls. This contract is to allow for a consultant to assist with cases that Public Works Staff is unable to attend to in a timely manner. This contract will allow for analysis of multiple issues, along with design of a limited number of CIP projects that require City participation.

### Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Anderson Bogert Engineers & Surveyors, Inc..

### Alternative Recommendation:

The City of Cedar Rapids does not currently have the staff resources to handle the current influx of drainage-related citizen calls. The alternatives are to delay a project City staff is currently working on or reduce our responsiveness until City Staff has the resources available to attend to drainage calls.

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

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

**Budget Information (if applicable):** 304990

**Local Preference Policy:** Applies  Exempt

**Explanation:** Professional Services Agreement

**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 Anderson Bogert Engineers & Surveyors, Inc. is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$120,000, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 304990-13 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for Miscellaneous Storm Sewer Improvements (CIP No. 304990),

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 23<sup>rd</sup> day of September, 2014.



28hh

## 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

**Phone Number/Extension:** 5115

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

Resolution authorizing execution of a Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed \$37,888 for design services in connection with the Storm Sewer Culvert Replacement; 20<sup>th</sup> Avenue and 13<sup>th</sup> Street SW project. CIP/DID #304423-01

**Background:** Rainfall events in June of 2014 resulted in the collapse of an existing 72-inch corrugated metal culvert located adjacent to 1229 20<sup>th</sup> Avenue SW. Anderson-Bogert Engineers & Surveyors will provide design services for the removal and replacement of the existing culvert.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Anderson-Bogert Engineers & Surveyors.

**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 23, 2014

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

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

**Local Preference Policy:** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined it is in the best interest of the City to outsource some professional services relating to the project(s) below, and

WHEREAS, the Public Works Director / City Engineer has determined Anderson-Bogert Engineers and Surveyors is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$37,888, and

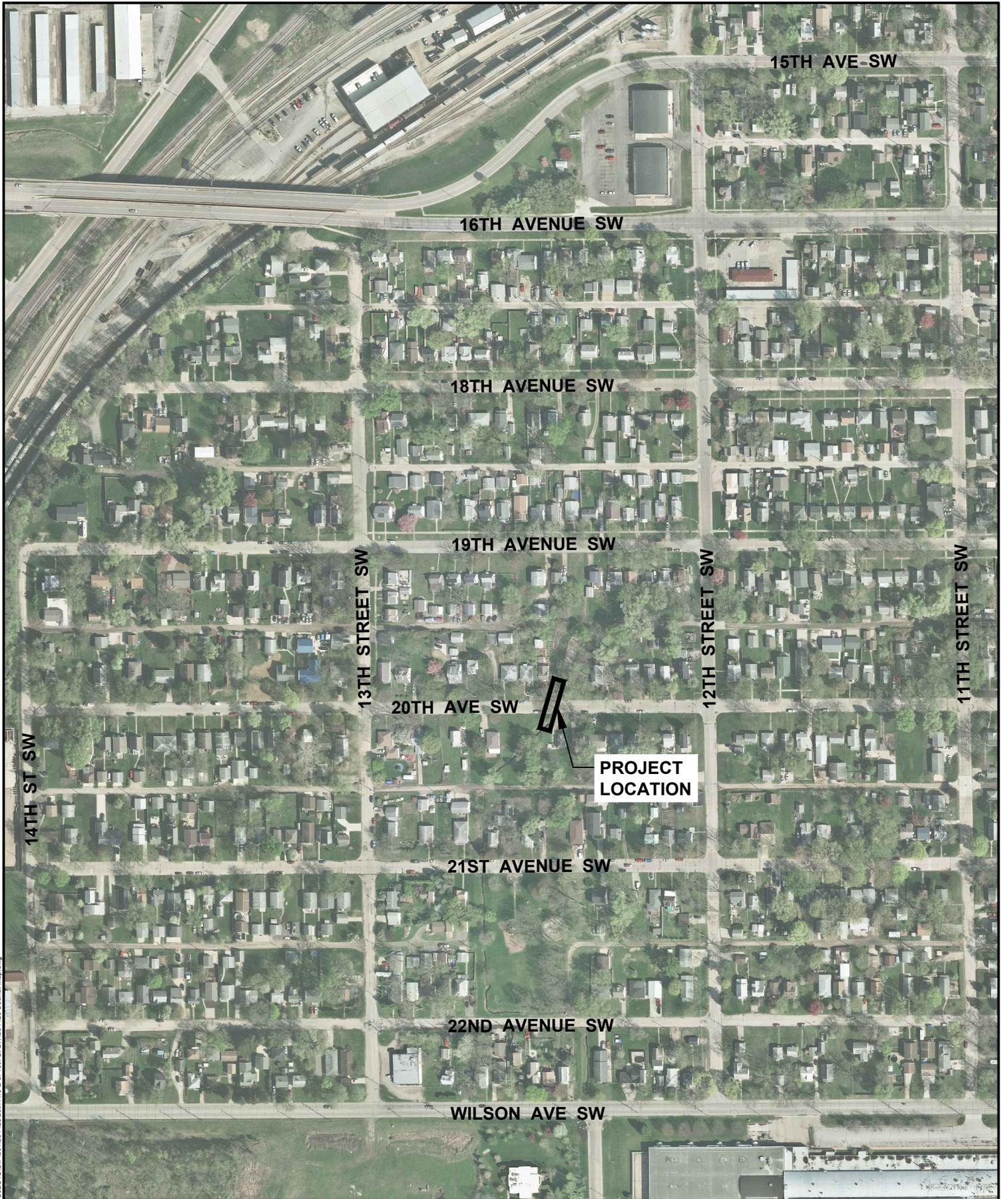
WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 304423-01 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for Miscellaneous Storm Sewer Improvements, (Fund 304, Dept ID 304000, Project 304990), and

WHEREAS, the Public Works Director / City Engineer recommends transferring a portion of those funds to Storm Sewer Culvert Replacement; 20<sup>th</sup> Avenue and 13<sup>th</sup> Street SW (Fund 304, Dept ID 304000, Project 304423),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that a transfer of funds from CIP 304990 to CIP 304423 is approved and that the City Manager and City Clerk are hereby authorized to execute the contract for the services noted herein.

Passed this 23<sup>rd</sup> day of September, 2014.



15TH AVE SW

16TH AVENUE SW

18TH AVENUE SW

19TH AVENUE SW

20TH AVE SW

21ST AVENUE SW

22ND AVENUE SW

WILSON AVE SW

14TH ST SW

13TH STREET SW

12TH STREET SW

11TH STREET SW

PROJECT LOCATION

Cadd File Name: W:\PROJECTS\CI\304\3044423\20th Ave E of 13th St SW\3044423 Council Map.dwg



**20TH AVENUE AND 13TH STREET SW  
STORM SEWER CULVERT REPLACEMENT 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:** Garrett Prestegard, PE  
**E-mail Address:** g.prestegard@cedar-rapids.org

**Phone Number/Extension:** 5115

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

Resolution authorizing execution of a Professional Services Agreement with MSA Professional Services, Inc. for an amount not to exceed \$60,000 in connection with the FY 2015 Sanitary Sewer Investigation Services and Design Services project. CIP/DID #655990-05.

**Background:** Routine maintenance work of the City's sanitary sewer system may encounter unforeseen issues that exceed the scope of the City's maintenance capabilities. As issues arise, MSA Professional Services, Inc. will provide investigation services and design services to resolve each issue on a case-by-case basis.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with MSA Professional Services, Inc.

**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 23, 2014

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

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

**Local Preference Policy:** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, 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 MSA Professional Services, 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 \$60,000, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 655990-05 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for FY 2015 Sanitary Sewer Investigation Services and Design Services (Fund 655, Dept ID 655000, Project 655990),

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 23<sup>rd</sup> day of September, 2014.



28jj

## 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:** Gary Petersen  
**E-mail Address:** g.petersen@cedar-rapids.org

**Phone Number/Extension:** 5153

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

Resolution authorizing execution of a Professional Services Agreement with JCG Land Services, Inc., for an amount not to exceed \$52,629 for right-of-way acquisition services in connection with the Collins Road NE (IA 100) Phase 1 Complete Streets Project, from East of Northland Avenue NE to Twixt Town Road NE. CIP/DID #301446-00

### **Background:**

The right-of-way acquisition for the Collins Road (IA 100) Complete Streets Project from East of Northland Avenue NE to Twixt Town Road NE is partially funded with four federal aid grant funding sources. The Iowa Department of Transportation and Federal Highway Administration have approved right-of-way authorization in the amount of \$2,651,164 for this project. The right-of-way acquisition services for this Agreement are included in the right-of-way authorization and are eligible for reimbursement.

This project will raise Collins Road at Lindale Drive NE and construct an undercrossing of Lindale Drive at Collins Road, and a pedestrian undercrossing of the entrance to the former Kmart building at Collins Road. The project will also mitigate congestion on Collins Road by adding roadway capacity, providing alternate vehicle routes other than Collins Road, and providing bicycle and pedestrian facilities for alternative transportation modes that do not exist today. The pedestrian and bicycle undercrossing will provide safe alternative routes to cross Collins Road and the commercial entrance to the former Kmart building. Significant operational efficiencies are attained by eliminating the pedestrian crossing signal timing at the Collins Road and Lindale Mall/Kmart entrance intersection.

### **Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with JCG Land Services, Inc.

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

The City of Cedar Rapids does not currently have the staff resource to acquire the necessary right-of-way for this project internally. The alternatives are to delay projects City staff is currently acquiring or delay this project until City Staff has the resources available to proceed with acquiring the necessary right of way.

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

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

**Budget Information (if applicable):** 301/301000/301446

**Local Preference Policy:** Applies  Exempt

**Explanation:** Local Preference Policy does not apply to a federally funded project.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined it in the best interest of the City to outsource professional services relating to the right-of-way acquisition for the Collins Road NE (IA 100) Phase 1 Complete Streets Project, from East of Northland Avenue NE to Twixt Town Road NE (CIP 301446) , and

WHEREAS, the Public Works Director / City Engineer has determined JCG Land Services, Inc. is qualified to provide those services and they are able to perform those services in a timely manner for an estimated annual expenditure of \$52,629 for Fiscal Year 2015, and

WHEREAS, the City Council has allocated funds for the Collins Road NE (IA 100) Phase 1 Complete Streets Project, from East of Northland Avenue NE to Twixt Town Road NE (Fund 301, Dept ID 301000, Project 301446), and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into a professional services agreement with the firm noted herein, 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 professional services agreement for right-of-way acquisition services.

Passed this 23<sup>rd</sup> day of September, 2014.





28kk

## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5153

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

**Phone Number/Extension:** 5141

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

Resolution authorizing execution of a Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed \$691,616 for design services in connection with the Tower Terrace Road from west of C Avenue to Alburnett Road project. CIP/DID #301666-02

### **Background:**

The Corridor Metropolitan Planning Organization (CMPO) funded the Tower Terrace Road from west of I-380 to Highway 13 Corridor Management Plan and the CMPO has now approved a total of \$6,900,000 for the design and construction of Tower Terrace Road from Summerset Avenue NE to Alburnett Road. A proposed 28E Agreement with the City of Cedar Rapids, the City of Marion, and Linn County is scheduled for approval at the September 23, 2014 City Council meeting.

A Consultant Selection Committee consisting of representatives from the City of Cedar Rapids, the City of Marion, and Linn County selected the team of Anderson-Bogert Engineers & Surveyors, Inc. and HR Green as design firm for the project. The scope of services for this contact include preliminary design services and environmental services through right-of-way acquisition documents, but does not include detailed Environmental Studies that may be required for a federal-aid project. A final design contract will be negotiated later in the project development process.

The proposed 28E Agreement has 55% (\$380,389) of the design fee to be funded by Cedar Rapids and 45% (\$311,227) of the design fee to be funded by the City of Marion. The project will be let in phases, with the first phase scheduled for letting in the spring of 2015.

### **Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Anderson-Bogert Engineers & Surveyors, Inc.

### **Alternative Recommendation:**

The City Council could choose to not approve the Professional Services Agreement, and request City staff to negotiate a Professional Services Agreement with a different scope of services as directed by City Council.

**Time Sensitivity:** High. The proposed Hy-Vee development could announce a construction schedule at any time and the City of Marion has developers interested in development in the Tower Terrace Road corridor.

**Resolution Date:** September 23, 2014

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

**Budget Information (if applicable):** CIP No. 301666

**Local Preference Policy:** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):** Project updates have been provided to City Council Infrastructure Committee.

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined it is in the best interest of the City to outsource some professional services relating to the project(s) below, and

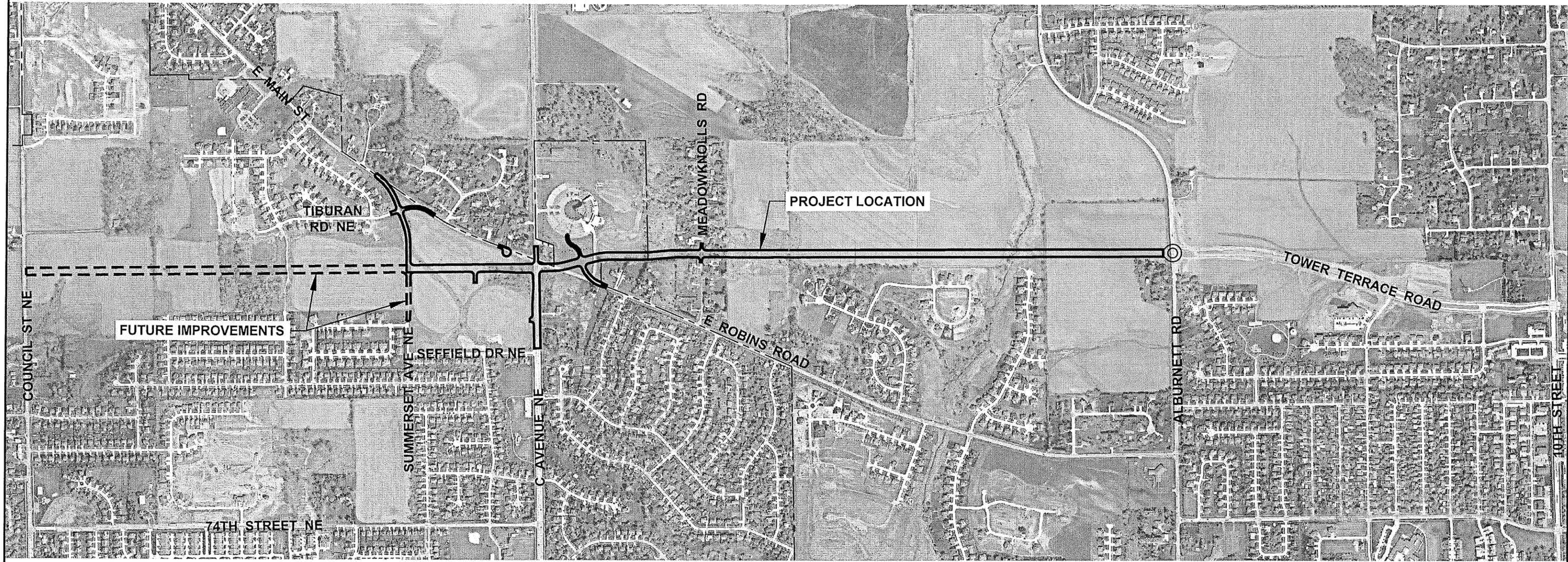
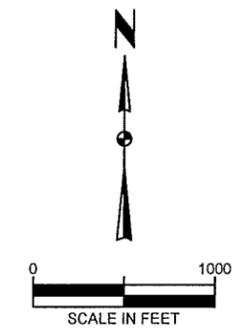
WHEREAS, the Public Works Director / City Engineer has determined Anderson-Bogert Engineers & Surveyors, Inc. is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$691,616, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 301666-02 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for Tower Terrace Road from west of C Avenue to Alburnett Road project (Fund 301, Dept. ID 301000, Project 301666), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and Deputy City Clerk are hereby authorized to execute the contract for the services noted herein.

Passed this 23rd day of September, 2014.



TOWER TERRACE ROAD NE  
FROM SUMMERSET AVENUE NE TO ALBURNETT ROAD



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5153

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

**Phone Number/Extension:** 5141

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

Resolution authorizing execution of a 28E Agreement with the City of Marion and Linn County in the amount of \$1,760,000 for engineering services, right-of-way acquisition, and construction project costs in connection with the Tower Terrace Road from west of C Avenue to Alburnett Road project. CIP/DID #301666-00

**Background:** The Corridor Metropolitan Planning Organization (CMPO) has approved a total of \$6,900,000 for the construction of Tower Terrace Road from Summerset Avenue NE to Alburnett Road. An estimated total project cost of \$9,650,000 is eligible for the \$6,900,000 of federal aid funding. This 28E Agreement has the City of Cedar Rapids funding \$1,760,000 and the City of Marion funding \$990,000 of the required local match. An estimated project cost of \$9,650,000 may only fund a two-lane partial build improvement, but not a multiple lane improvement. The proposed 28E Agreement includes an estimated \$1,000,000 for design services shared between the City of Cedar Rapids and the City of Marion, with the right-of-way, grading, paving, and drainage costs federal-aid eligible.

Currently, 46% of the project length is located in the City of Cedar Rapids and 54% is located in Linn County. The City of Cedar Rapids and the City of Marion have an approved 28E Annexation Agreement for the land located north of East Robins Road between C Avenue NE and Alburnett Road. Exhibit A in the 28E Agreement identifies Area A to be annexed to the City of Cedar Rapids, Area B to be annexed to the City of Marion, and Area C could be annexed into either of the cities.

Linn County expects the land adjacent to the project will be annexed into one of the cities, and Tower Terrace Road is not needed for the County road system, so there is no justification for county financial participation in the project. Linn County will provide consent to build the project in Linn County and provide cooperation to acquisition right-or-way within Linn County.

A project cost sharing proposal was reviewed at the August 19, 2014 Infrastructure Committee meeting. The project cost sharing proposal has the costs for the Linn County area west of C Avenue to be paid by Cedar Rapids, the costs for the Linn County area in Area A to be paid by Cedar Rapids, the costs for Area B to be paid by Marion and the costs for Area C to be split between the City of Cedar Rapids and the City of Marion. Infrastructure Committee recommended this cost sharing proposal to the City Council. A summary of the estimated project costs presented to the Infrastructure Committee, adjusted with the project cost sharing proposal, is incorporated into the proposed 28E Agreement.

Both Linn County and the City of Marion have approved the 28E Agreement. The 28E Agreement has a provision that the Agreement can be revised during the project development for additional environmental studies, final design services, bidding, and construction of the project.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a 28E Agreement for engineering services, right-of-way, and construction project costs with the City of Marion, and Linn County in the amount of \$1,760,000 for the City of Cedar Rapids share of the projected costs.

**Alternative to Recommendation:** Restructure the 28E Agreement as directed by the City Council

**Time Sensitivity:** High. The proposed Hy-Vee development could announce a construction schedule at any time, plus the City of Marion has developers interested in development in Area B of the 28E Annexation Agreement.

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** CIP No. 301666

**Local Preference Policy:** Applies  Exempt

**Explanation:**

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

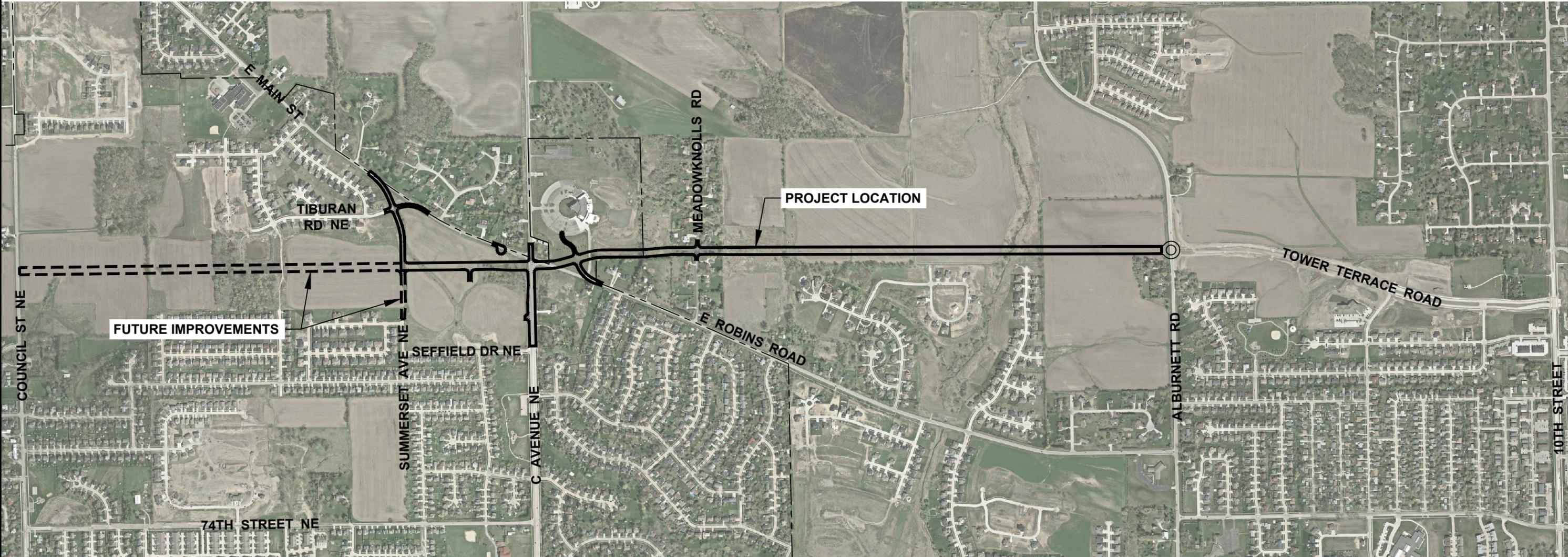
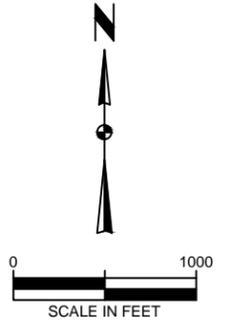
**Explanation (if necessary):** Infrastructure Committee

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 a 28E Agreement with the City of Marion, and Linn County in the amount of \$1,760,000 for engineering services, right-of-way acquisition, and construction project costs in connection with the Tower Terrace Road from west of C Avenue to Alburnett Road project (CIP No.301666).

BE IT FURTHER RESOLVED, that said agreement shall be filed with the City of Cedar Rapids Finance Director and thereafter filed with the Office of the Secretary of State.

Passed this 23<sup>rd</sup> day of September, 2014



**TOWER TERRACE ROAD NE  
FROM SUMMERSET AVENUE NE TO ALBURNETT ROAD**



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Ron Griffith  
**E-mail Address:** r.griffith@cedar-rapids.org

**Phone Number/Extension:** 5154

**Alternate Contact Person:** Tom Peterson  
**E-mail Address:** t.peterson@cedar-rapids.org

**Phone Number/Extension:** 5847

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

Resolution authorizing the execution of a 28E Agreement with the City of Hiawatha for the proposed installation of temporary traffic signals on Blairs Ferry Road NE at Miller Road NE. CIP/DID #306266-00

### Background:

The recent economic development activities in this area and the planned Highway 100 extension improvements being completed at Edgewood Road will continue to encourage additional economic development activities in this area. The Traffic Engineering Division recommends the installation of temporary traffic signals at the referenced intersection to better accommodate the increased traffic volumes and potential future increases on Blairs Ferry Road NE at the Miller Road NE intersection.

Hiawatha has also expressed interest in moving forward with the temporary traffic signal installation and supports this recommendation. The jurisdictional boundary is coincident with the approximate center of the Blairs Ferry Road right-of-way. The 28E Agreement is a jurisdictional cooperative agreement to facilitate the installation of the recommended improvements within both jurisdictions along with specifying the cost sharing responsibilities for both the installation and operational expenses. The agreement includes provisions for Cedar Rapids and Hiawatha to cooperate and support the extension of Edgewood Road northerly to Tower Terrace Road in the future. The Edgewood Road extension, when completed, is expected to allow the temporary signals to be removed and replaced with a raised median.

### Action / Recommendation:

The Public Works Department recommends approving the resolution.

### Alternative Recommendation:

Delay the temporary installation until Edgewood Road is extended north to Tower Terrace Road.

**Time Sensitivity:** Proposal is to be completed by the end of this calendar year.

**Resolution Date:** September 23, 2014

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

**Budget Information (if applicable):** Cost Estimate is \$90,000 for installation of the temporary signals and an equal cost share between Cedar Rapids and Hiawatha.

**Local Preference Policy:** Applies  Exempt

**Explanation:** Local Preference Policy does not apply to this 28E Agreement.

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

**Explanation (if necessary):** This project was presented to Infrastructure Committee on September 16, 2014.

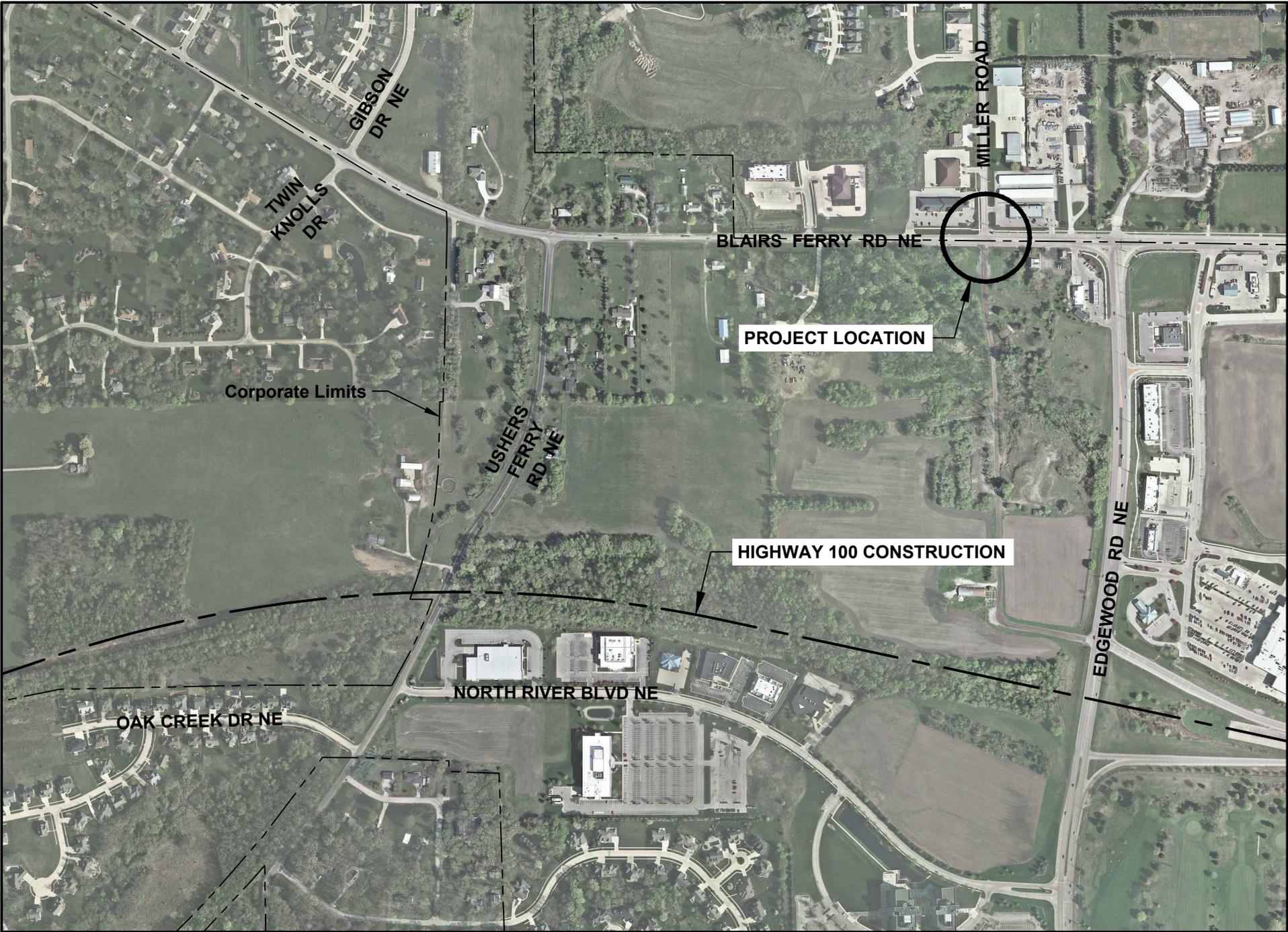
TED  
RCR  
AUD FILE  
CLK  
HIAWATHA  
306266-00

RESOLUTION NO.

WHEREAS, the Traffic Engineering Division of the Public Works Department recommends approval of the 28E Agreement with the City of Hiawatha relating to the construction, maintenance, and operation of traffic signals at the intersection of Blairs Ferry Road and Miller Road NE, 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 sign said 28E Agreement.

Passed this 23<sup>rd</sup> day of September, 2014



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**28E AGREEMENT WITH THE CITY OF HIAWATHA  
 FOR TEMPORARY TRAFFIC SIGNALS ON  
 BLAIRS FERRY ROAD NE AT MILLER ROAD**



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** 9/23/2014

**Submitting Department:** Human Resources

**Presenter at Meeting:** Conni Huber

**Phone:** 286-5019

**Email:** c.huber@cedar-rapids.org

**Alternate Contact Person:**

**Phone:**

**Email:**

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

Resolution authorizing the City Manager to sign a contract with Wellmark, Inc. for Health Plan Third Party Administration Services. Total cost of this agreement is estimated not to exceed \$1,801,482 in administrative fees over a three year period from January 1, 2015 to December 31, 2017.

**Background:**

The City's contract with PreferredOne Administrative Services, Inc. will expire on December 31, 2014. The City routinely bids Third Party Administrative Services for its Group Health Insurance (Administrative Services Only) and Pharmacy Benefit Management. A Request for Proposal (RFP) competitive bid process for these services was conducted by the City's Benefit Consulting company, Holmes Murphy. Services provided by a Third Party Administrator (TPA) include negotiating discounts with health care providers and pharmacies and processing claims. The City additionally sought a TPA who could provide additional services to help control costs including medical management and services for employees to help them be good consumers of health care including price transparency tools and information on provider quality

Criteria were developed by City staff and the City's procurement process was followed. Ten vendors responded to the RFP. Three of the ten were for Pharmacy Benefit Management services only. Four vendors were identified as finalists (the incumbent and three others).

Based on the procurement process, City staff are recommending awarding the contract to Wellmark, Inc. Reasons for the recommendation include:

- Three year price guarantee on administrative fees (fixed costs) charged to the City.
- Increase in estimated average network discount from 43% to 49%. This additional discount could save over \$5 million over the next three years assuming equal health care consumption.
- Annual Performance Guarantees with up to \$90,000 at risk.
- Annual Network Discount Guarantees with up to an additional \$90,000 at risk.
- Wellmark, Inc. recently implemented a unit dedicated solely to self-funded clients.
- Quality and transparency tools for employees.

**Action/Recommendation:**

Pass the resolution allowing the City Manager to sign a contract with Wellmark, Inc.

**Alternative Recommendation:**

Direct staff to contract with the incumbent Third Party Administrator.

**Time Sensitivity:** Moderate

**Resolution Date:** 9/23/2014

**Estimated Presentation Time:** Consent Agenda

**Budget Information (if applicable):**

These fees are paid from the Health Care Fund. Total costs for employee health care (claims and administration) is estimated at \$53 million for the three year period.

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):** Information was provided to the Council's Finance and Administrative Services Committee.

RESOLUTION NO.

WHEREAS, the Human Resources Director and Finance Director recommend the execution of an Administrative Services and Financial Agreement with Wellmark, Inc., to provide health plan administration services and pharmacy benefits management, for the period January 1, 2015 – December 31, 2017; and

WHEREAS the total cost of this agreement is estimated not to exceed \$1,801,482 in administrative fees over this three year period and will be paid from the Health Fund; and

WHEREAS Wellmark, Inc. has guaranteed not to increase the administrative fee that it charges the City during this three year period, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is hereby authorized to sign this agreement for the period January 1, 2015 – December 31, 2017.

- Administrative Services and Financial Agreement with Wellmark, Inc. subject to City of Cedar Rapids acceptance of final language.

Passed this 23<sup>th</sup> day of September, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Information Technology

**Presenter at meeting:** Consent  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Nic Roberts  
**Email:** n.roberts@cedar-rapids.org

**Phone Number/Ext:** 5088

**Description of Agenda Item:**

Purchase of various technology equipment from CDW Government for a total annual expenditure not to exceed \$300,000 for FY2015.

**Background:**

The Grant Wood Agency did a bid for needed technology equipment and local governments are able to participate in the discount pricing off of the Iowa Education Consortium (IEC) Bid # AEPA IFB 006.1G. CDW Government was awarded the IEC bid for technology items.

**Action / Recommendation:**

The Information Technology Department recommends approval of the resolution.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 0

**Budget Information (if applicable):**

IT, Various Funding sources, CIP budget

**Local Preference Policy** Applies  Exempt

**Explanation:**

RESOLUTION NO.

WHEREAS, the Information Technology Department identified the need to have technology equipment for Citywide business use; and

WHEREAS, CDW Government provides Iowa Education Consortium (IEC) pricing; and

WHEREAS, the amount of \$300,000 will come from the Information Technology and other Departments Budgets; now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that recommendation above be accepted and the Information Technology Department is hereby authorized to purchase technology equipment not to exceed over \$300,000 from CDW Government, 75 Remittance Drive, Suite 1515, Chicago, IL, 60675.

Passed this 23<sup>rd</sup> day of September 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Information Technology

**Presenter at meeting:** Consent  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Nic Roberts  
**Email:** n.roberts@cedar-rapids.org

**Phone Number/Ext:** 5088

**Description of Agenda Item:**

Purchase of computer equipment (desktops, monitors, laptops, printers, workstations, server, etc.) from Hewlett-Packard Company in the amount of \$500,000 for FY2015.

**Background:**

The City has standardized on Hewlett-Packard (HP) computer equipment. HP items are purchased off of the Western States Contracting Alliance (WSCA) contract #B27164. In accordance with a Council resolution approving procurement of computer hardware through the WSCA contract, the Information Technology Department purchases computer hardware directly from Hewlett Packard, the City's standard hardware vendor.

This includes desktops, laptops, monitors, printers, servers, and workstations and additional components.

**Action / Recommendation:**

The Information Technology Department recommends approval of the resolution.

**Alternative Recommendation:**

The City would use current equipment beyond its intended life cycle.

**Time Sensitivity:**

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 0

**Budget Information (if applicable):**

IT Budget and Various City Department funding as requested by the department.

**Local Preference Policy** Applies  Exempt

**Explanation:**

RESOLUTION NO.

WHEREAS, the Information Technology Department identified the need to have new Hewlett-Packard equipment purchased to support business technology needs in and

WHEREAS, Hewlett-Packard Company is the vendor that Information Technology is authorized to purchase server hardware, software and support through the WSCA contract B27164, and

WHEREAS, the budget will come from the Information Technology's Capital Equipment and various City Departments Budgets; now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that recommendation above be accepted and the Information Technology Department is hereby authorized to purchase equipment and support from Hewlett-Packard Company, 13207 Collection Center Drive, Chicago, IL 60693 for the amount of \$500,000 for fiscal year 2015.

Passed this 23<sup>rd</sup> day of September, 2014.

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Information Technology

**Presenter at meeting:** Consent  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Nic Roberts  
**Email:** d.roberts@cedar-rapids.org

**Phone Number/Ext:** 5088

**Description of Agenda Item:**

Resolution authorizing the Information Technology Department to purchase rental Tier III data space and circuitry needs from Involta, LLC in annual amount of \$282,600.

**Background:**

The Information Technology Department entered into a contract for the rental of Tier III data space from Involta, LLC through August 2018. Including in the rental of space is circuitry and block of IP Addresses.

**Action / Recommendation:**

The Information Technology Department recommends approval of the resolution.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 0

**Budget Information (if applicable):**

Information Technology's Operating Budget

**Local Preference Policy** Applies  Exempt

**Explanation:**

IT  
INVOLTA  
FIN  
OB377545  
OB377724

RESOLUTION NO.

WHEREAS, Resolution 0603-07-08 authorized the Information Technology Department to rent Tier III facility space and Resolution 1086-11-09 approved the necessary circuit to the facility from Involta, LLC., and

WHEREAS, the Information Technology Department has identified the need to continue both services to support the technology needs of the City, and

WHEREAS, the funding will come from the Information Technology's Operating Budget and allocated by use to departments, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Information Technology Department is hereby authorized to purchase rental Tier III facility space and circuitry needs from Involta, LLC., and PO Box 1986, Cedar Rapids, Iowa 52406 for an annual cost of \$282,600.

Passed this 23rd day of September 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Information Technology

**Presenter at meeting:** Consent  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Nic Roberts  
**Email:** n.roberts@cedar-rapids.org

**Phone Number/Ext:** 5088

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

Renewal of the Microsoft Volume Licensing Enterprise Enrollment Agreement for Microsoft software upgrades and licensing for a three year contract at an annual cost of \$475,000 (Original contract amount was \$1,425,000; renewal contract amount is \$1,425,000). CIP/DID #377724

**Background:**

The City is currently on a Microsoft platform for desktop, databases and servers. The Microsoft Volume Licensing program including software assurance will give the City the benefits of Microsoft products (Enterprise CAL (client access license), Office Enterprise, Windows, SQL, and Windows Server. This is a cost effective way to acquire the latest Microsoft technology to help standardize business IT needs and simplify license management. The charge for the agreement is based on a fixed annual price for three years.

This agreement will be with Insight Public Sector that currently holds the state bid for Microsoft products. Renewing this service agreement provides Microsoft software updates and licensing to the City. The renewal period is October 1, 2014 through September 30, 2017.

**Action / Recommendation:** The Information Technology Department recommends approval of this resolution.

**Alternative Recommendation:** The Council could decide not to approve this renewal service contract. If that would happen, there would be no updates on Microsoft products without purchasing a new version license.

**Time Sensitivity:** Current EA contract expires 9/30/2014.

**Resolution Date:** September 23, 2014

**Estimated Presentation Time:** 0 Minutes

**Budget Information (if applicable):** 522101-101-109420 & 522101-101-109130

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

RESOLUTION NO.

WHEREAS, the Information Technology Department has identified the need to proceed with the current City's technology computing platform to meet current and future needs, and

WHEREAS, Microsoft Corporation through Insight Public Sector will be able to provide a three year enterprise agreement for software upgrades, support and licensing, and

WHEREAS, to continue with these standards the Information Technology Department after the review of technology devices and user counts is requesting to enter into a three year agreement at an annual cost of \$475,000, and

WHEREAS, funds are available to provide for this purchase from the Information Technology Operating Budget (522101-101-109420 & 522101-101-109130) which will be allocated to departments through the Information Technology monthly billing; now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to execute a three year agreement for Microsoft Volume Licensing Enterprise Enrollment Renewal Form, Program Signature Form and Enterprise Update Statement with Insight Public Sector, 22721 E Mission, Liberty Lake, Washington, 99019 for a yearly cost of \$475,000.

Passed this 23rd day of September, 2014.

## RESOLUTION NO.

WHEREAS, the City of Cedar Rapids, Iowa and Cedar Rapids Development Group LLC are parties to an Offer to Buy Real Estate and Acceptance dated July 23, 2014 pertaining to property located at 201 1<sup>st</sup> Avenue S.W.; and

WHEREAS, the parties are working toward closing the real estate transaction contemplated by this Agreement but need additional time to conduct certain activities; and

WHEREAS, the parties have agreed to an Agreement to Extend Offer to Buy Real Estate and Acceptance and the same is hereby approved,

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Cedar Rapids that the Agreement to Extend Offer to Buy Real Estate and Acceptance is hereby approved and the City Manager and Deputy City Clerk are hereby authorized to execute same and to do all things reasonable and necessary toward furthering the matter.

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

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Brent Schlotfeldt  
**Email:** b.schlotfeldt@cedar-rapids.org

**Phone Number/Ext:** 5809

**Alternate Contact Person:** Diane Rodenkirk  
**Email:** d.rodenkirk@cedar-rapids.org

**Phone Number/Ext:** 5023

**Description of Agenda Item:**

Report on bids for the Police Department Roof Replacement project. (Brent Schlotfeldt)

- a. Resolution awarding and approving contract for an amount not to exceed \$326,000, bond and insurance of Black Hawk Roof Company for the Police Department Roof Replacement project (estimated cost is \$400,000). CIP/DID #0814-030

**Background:**

Purchasing Services solicited bids on behalf of Facilities Maintenance Services to replace the roof at the Police Station, 505 1<sup>st</sup> St SW, Cedar Rapids, Iowa.

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 public hearing was held on September 9, 2014 with no comments.

Bids were publicly opened and read aloud on Wednesday, September 10, 2014 at 11:00 am. Four bids were received. Facilities Maintenance Services recommends award to Black Hawk Roof Company as the lowest responsive and responsible bidder for Option #1, completion of the project in Spring 2015.

Bids received:

Company Name	Location	Price for Option #1 Spring Completion
Black Hawk Roof Company	Cedar Falls	\$326,000
T&K Roofing & Sheet Metal Co.	Ely	\$349,955
Dryspace, Inc.	Cedar Rapids	\$416,351
Advance Builders Corp	Cedar Rapids	\$444,000

**Action / Recommendation:** Recommend Council approve the Resolution

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** September 23, 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.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on August 26, 2014 the City Council adopted a motion that directed the City Clerk to give notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the Police Department roof Replacement project (Contract No. 0814-030) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on August 30, 2014 pursuant to which a public hearing was held on September 9, 2014, and

WHEREAS, the following bids were received, opened and announced on September 10, 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 23, 2014 for Option #1 with a Spring 2015 completion:

Company name	Location	Price
Black Hawk Roof Co.	Cedar Falls	\$326,000
T&K Roofing & Sheet Metal Co.	Ely	\$349,955
Dryspace, Inc.	Cedar Rapids	\$416,351
Advance Builders Corp	Cedar Rapids	\$440,000

AND WHEREAS, the general ledger coding for this public improvement project shall be 360-081201-3603009; 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. Black Hawk Roof Company is the lowest responsive, responsible bidder on said work and the City Purchasing Manager, or designee, based upon the recommendation of Facilities Maintenance services, is recommending 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 Black Hawk Roof Company is hereby accepted, and the contract for this public improvement is hereby awarded to Black Hawk Roof 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 23<sup>rd</sup> day of September, 2014.



### Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5363

**Alternate Contact Person:** Rob Davis  
**E-mail Address:** r.davis@cedar-rapids.org

**Phone Number/Extension:** 5808

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

Report on bids and resolution awarding and approving contract in the amount of \$253,314, bond and insurance of Jasper Construction Services, Inc. for the McGrath Amphitheater – Demountable Floodwall project (estimated cost is \$250,000). CIP/DID #331002-01

**Background:**

Jasper Construction Services, Inc., Newton, IA

1 Bay	\$123,538.00
2 Bays	\$188,426.00
3 Bays	\$253,314.00

Additional Price Premium for Furnishing and Installing:

1 Bay by Nov 15, 2014	\$20,000.00
2 Bays by Nov 15, 2014	\$20,000.00
3 Bays by Nov 15, 2014	\$20,000.00

Peterson Contractors, Inc., Reinbeck, IA

1 Bay	\$159,882.50
2 Bays	\$231,095.00
3 Bays	\$302,307.50

Additional Price Premium for Furnishing and Installing:

1 Bay by Nov 15, 2014	\$50,000.00
2 Bays by Nov 15, 2014	\$50,000.00
3 Bays by Nov 15, 2014	\$50,000.00

Jasper Construction Services, Inc. submitted the lowest of the bids received on September 10, 2014 for the McGrath Amphitheater – Demountable Floodwall project. The bid is within the approved budget. Construction work is anticipated to begin this fall and be completed by April 17, 2015.

**Action / Recommendation:**

The Public Works Department recommends approval of the Resolution to award and approve the contract for all three bays, but without the expedited timeline in the amount of \$253,314, bond and insurance of Jasper Construction Services, Inc. for the McGrath Amphitheater – Demountable Floodwall project.

**Alternatives to the Recommendation:**

1. The Council could opt to amend the draft resolution to select the price premium option for an expedited installation.
2. 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 23, 2014 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** September 23, 2014

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

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

**Local Preference Policy:** Applies  Exempt

**Explanation:** This is a CIP project.

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

**Explanation (if necessary):**



September 10, 2014

City Council  
City of Cedar Rapids

RE: Report on bids as read for the McGrath Amphitheater – Demountable Floodwall,  
Contract Number 331002-01

Dear City Council:

Bids were received on September 10, 2014 for the McGrath Amphitheater – Demountable Floodwall project as follows:

Jasper Construction Services, Inc., Newton, IA	
1 Bay	\$123,538.00
2 Bays	\$188,426.00
3 Bays	\$253,314.00
Additional Price Premium for Furnishing and Installing:	
1 Bay by Nov 15, 2014	\$20,000.00
2 Bays by Nov 15, 2014	\$20,000.00
3 Bays by Nov 15, 2014	\$20,000.00

Peterson Contractors, Inc., Reinbeck, IA	
1 Bay	\$159,882.50
2 Bays	\$231,095.00
3 Bays	\$302,307.50
Additional Price Premium for Furnishing and Installing:	
1 Bay by Nov 15, 2014	\$50,000.00
2 Bays by Nov 15, 2014	\$50,000.00
3 Bays by Nov 15, 2014	\$50,000.00

The engineer's cost opinion for construction of all 3 bays is \$250,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in blue ink, appearing to read "Sandy Pumphrey", is written over the typed name.

Sandy Pumphrey, PE  
Project Engineer II – Flood Mitigation

SJP/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 McGrath Amphitheater – Demountable Floodwall (Contract No. 331002-01) 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 September 10, 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 10, 2014:

Jasper Construction Services, Inc., Newton, IA		
	1 Bay	\$123,538.00
	2 Bays	\$188,426.00
	3 Bays	\$253,314.00
	Additional Price Premium for Furnishing and Installing:	
	1 Bay by Nov 15, 2014	\$20,000.00
	2 Bays by Nov 15, 2014	\$20,000.00
	3 Bays by Nov 15, 2014	\$20,000.00
Peterson Contractors, Inc., Reinbeck, IA		
	1 Bay	\$159,882.50
	2 Bays	\$231,095.00
	3 Bays	\$302,307.50
	Additional Price Premium for Furnishing and Installing:	
	1 Bay by Nov 15, 2014	\$50,000.00
	2 Bays by Nov 15, 2014	\$50,000.00
	3 Bays by Nov 15, 2014	\$50,000.00

WHEREAS, general ledger coding for this public improvement shall be as follows: \$253,314 331-331000-331002, and

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

1. The previous delegation to the City Engineer, or his designee, to receive, open, and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;
2. Jasper Construction Services, Inc. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid for 3 bays and award the contract to it, but reject the option of the expedited installation by November 15, 2014;

3. Subject to registration with the Department of Labor, the Bid of Jasper Construction Services, Inc. is hereby accepted and the contract for this public improvement is hereby awarded to Jasper Construction Services, Inc.
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

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

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

Passed this 23<sup>rd</sup> day of September, 2014.



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**McGRATH AMPHITHEATRE CEDAR RAPIDS  
DEMOUNTABLE FLOODWALL PROJECT**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5363

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

**Phone Number/Extension:** 5802

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

Resolutions authorizing execution of agreements in connection with the City of Cedar Rapids Flood Protection System:

1. Resolution authorizing execution of a Memorandum of Understanding (MOU) with HR Green and Stanley Consultants, Inc. in connection with the City of Cedar Rapids Flood Protection System – Planning and Design Services. CIP/DID #331001-00
2. Resolution authorizing execution of a Professional Services Agreement with HR Green for an amount not to exceed \$3,409,543 for planning and design services in connection with the City of Cedar Rapids Flood Protection System – West Side Phase 1 Consulting Services. CIP/DID #331001-01
3. Resolution authorizing execution of a Professional Services Agreement with Stanley Consultants, Inc. for an amount not to exceed \$3,959,599 for planning and design services in connection with the City of Cedar Rapids Flood Protection System – East Side Phase 1 Consulting Services. CIP/DID #331001-02

### Background:

City Council previously directed staff to negotiate with both firms for planning and design services related to the City's future flood protection system. The selection committee had recommended, and the Council concurred, that two firms be hired and work in collaboration with each other. Three documents are to be considered. First, an MOU between the three parties - the City of Cedar Rapids and the two firms. This document sets up the basic framework for the two separate Professional Services Agreements, as a way of defining roles, setting basic expectations and requiring expedient dispute resolution. It can be amended and/or clarified at any time.

Each of the two additional contracts set forth performance measures and deliverables for the first phase of the overall project on both sides of the river. Both contracts will result in final design documents that can be bid for construction for certain elements of the overall system.

### Action / Recommendation:

There are 3 recommendations:

1. The Public Works Department recommends adopting the resolution authorizing execution of a Memorandum of Understanding with HR Green and Stanley Consultants, Inc.
2. The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with HR Green.

3. The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Stanley Consultants, Inc.

**Alternative Recommendation:**

Renegotiate the Professional Service Agreements to include a variation of scope or schedule.

**Time Sensitivity:** Normal

**Resolution Date:** September 23, 2014

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

**Budget Information (if applicable):** GRI, WRRDA Bill and Local participation

**Local Preference Policy:** Applies  Exempt

**Explanation:** Professional Services Agreements

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

**Explanation (if necessary):** Flood Protection Committee and full City Council

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 Stanley Consultants, Inc. and HR Green, Inc. are qualified to provide those services, and

WHEREAS, the City Council previously recommended the commencement of negotiations for Professional Services with both of the firms noted herein on June 24, 2014, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No's 331001-01 and 331001-02 with the firms noted herein, and

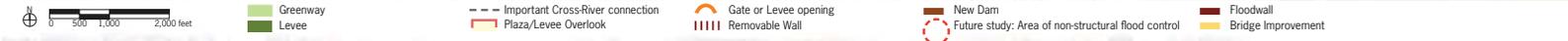
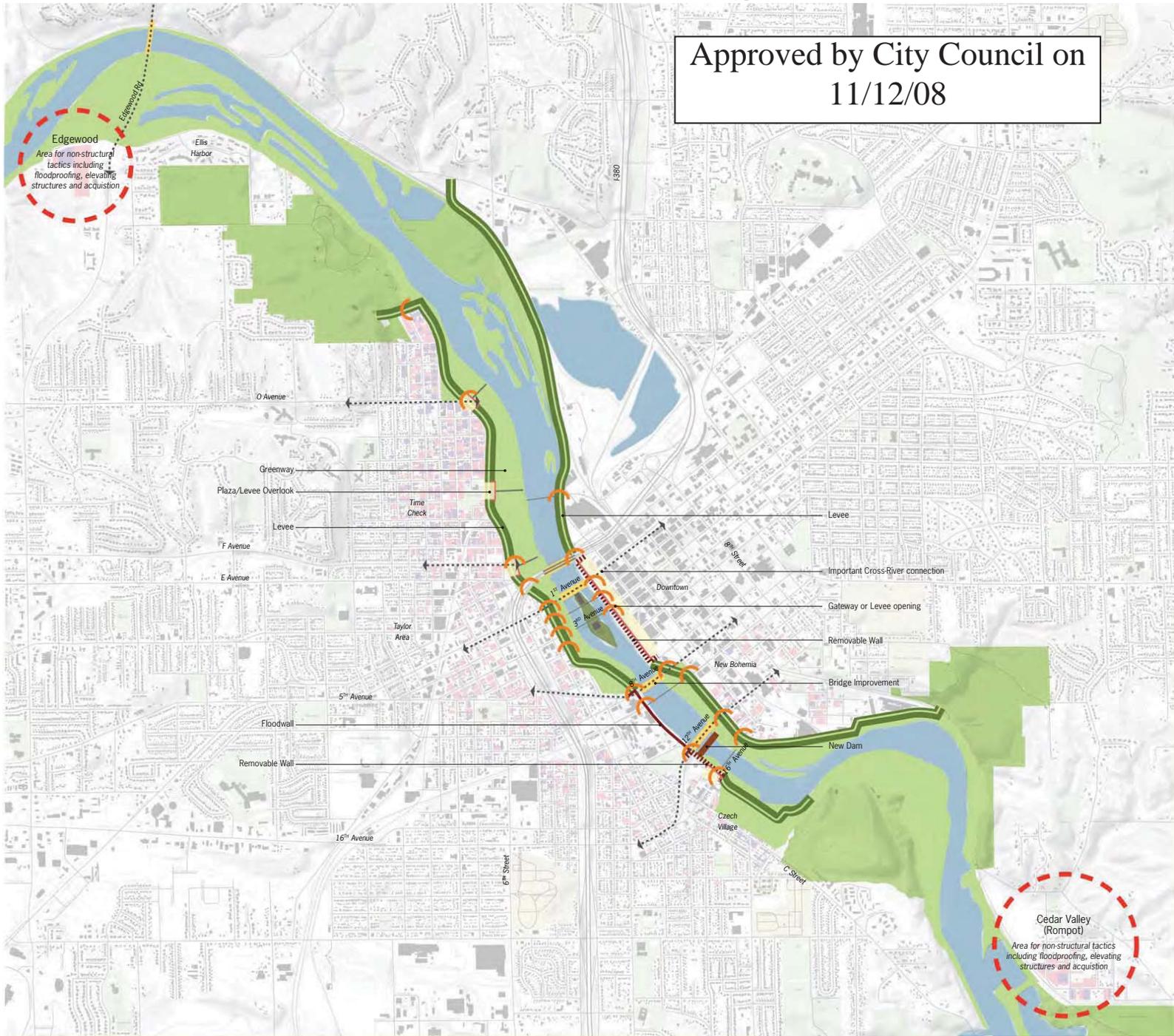
WHEREAS, the City has been awarded up to a \$264 million grant through the State of Iowa Flood Mitigation Board for use on the Cedar River Flood Mitigation Program Development Project,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute the Memorandum of Understanding between Stanley Consultants, Inc., HR Green and the City of Cedar Rapids for the services noted herein.

Passed this 23<sup>rd</sup> day of September, 2014.

# Flood Management Strategy

Approved by City Council on 11/12/08



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 Stanley Consultants, 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 \$3,959,599 and

WHEREAS, the City Council previously recommended the commencement of negotiations for Professional Services with two firms, including Stanley Consultants, Inc. on June 24, 2014, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 331001-01 with the firm noted herein, and

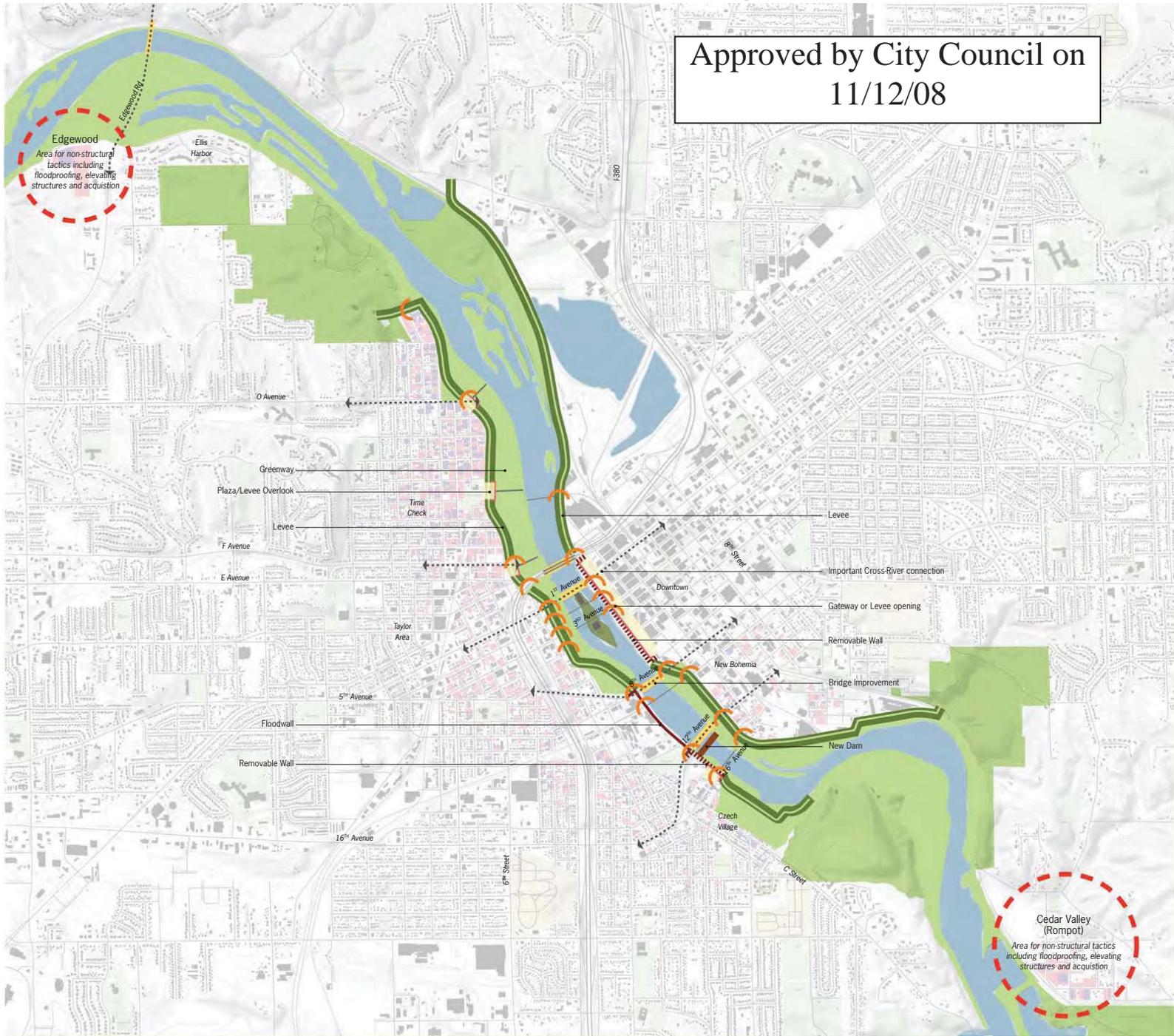
WHEREAS, the City has been awarded up to a \$264 million grant through the State of Iowa Flood Mitigation Board for use on the Cedar River Flood Mitigation Program Development Project,

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 Professional Services Agreement for the services noted herein.

Passed this 23<sup>rd</sup> day of September, 2014.

# Flood Management Strategy

Approved by City Council on 11/12/08



- Greenway  
Levee
- Important Cross-River connection
- Gate or Levee opening
- New Dam
- Floodwall
- Plaza/Levee Overlook
- Removable Wall
- Future study: Area of non-structural flood control
- Bridge Improvement



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 HR Green is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$3,409,543, and

WHEREAS, the City Council previously recommended the commencement of negotiations for Professional Services with two firms, including HR Green on June 24, 2014, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 331001-02 with the firm noted herein, and

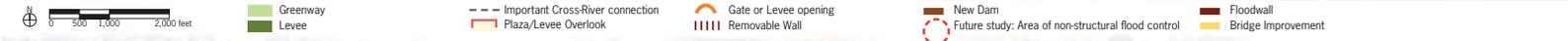
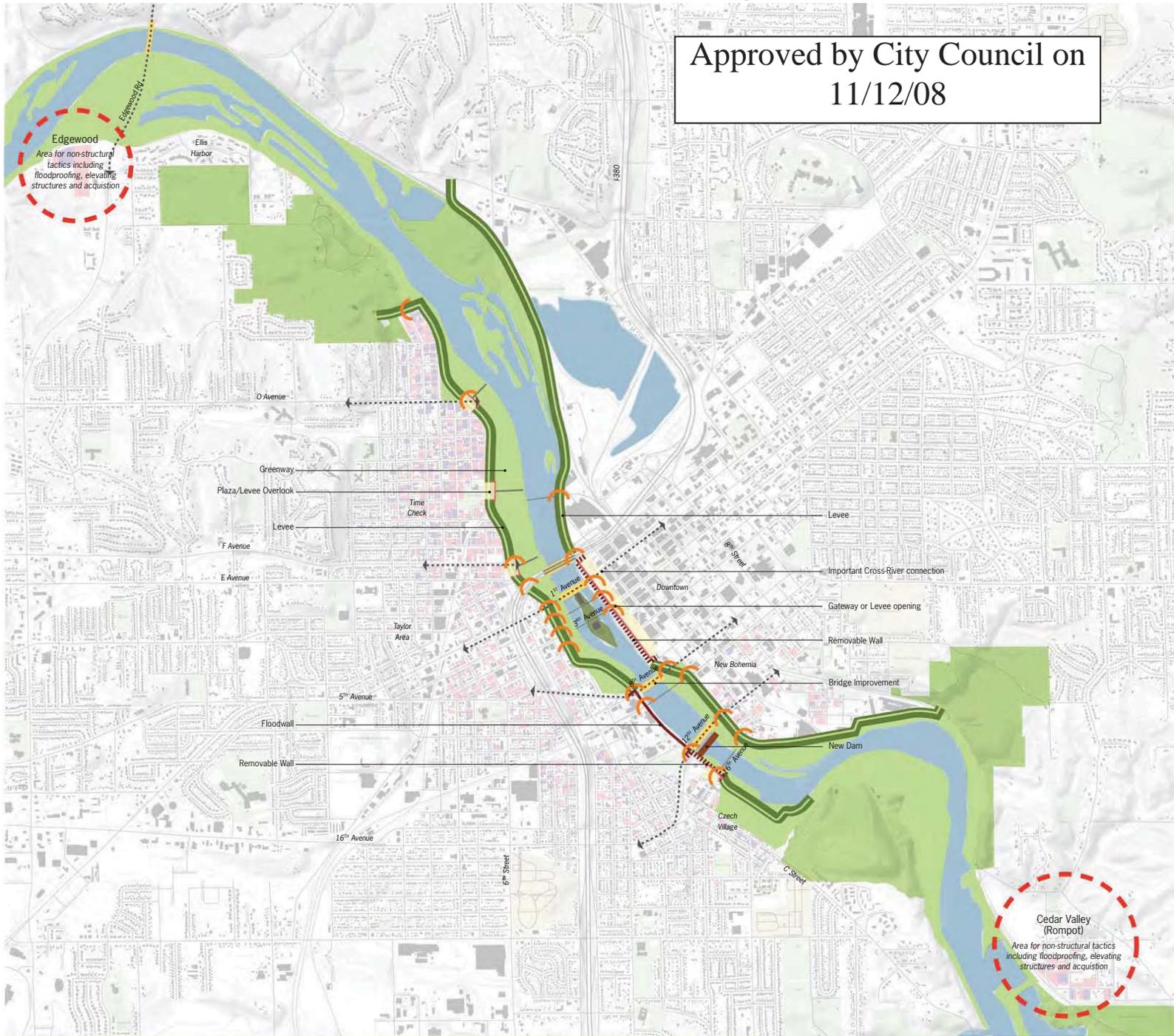
WHEREAS, the City has been awarded up to a \$264 million grant through the State of Iowa Flood Mitigation Board for use on the Cedar River Flood Mitigation Program Development Project,

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 Professional Services Agreement for the services noted herein.

Passed this 23<sup>rd</sup> day of September, 2014.

# Flood Management Strategy

Approved by City Council on 11/12/08



## Council Agenda Item Cover Sheet

**Council Meeting Date:** September 23, 2014

**Submitting Department:** Development Services

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

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

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

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

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

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

### **Background:**

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

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

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

**Application Process/Next Steps:**

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

**Action / Recommendation:**

City staff recommends 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

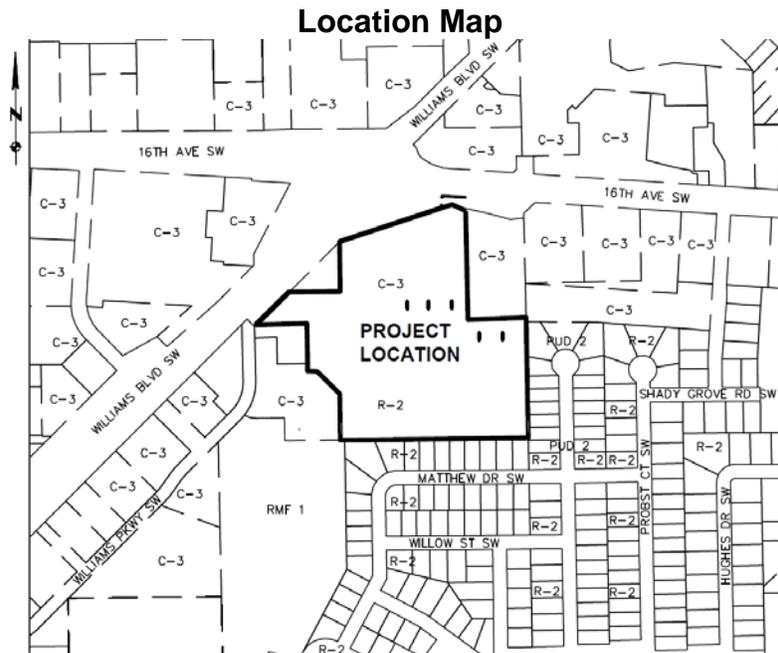
**Budget Information (if applicable):** N/A

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**





**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 16<sup>th</sup> 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 16<sup>th</sup> 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 9<sup>th</sup> 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 23, 2014

**Submitting Department:** Development Services

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

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

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

Second and possible Third Reading 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

**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 used 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.





**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: 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. Zakostecky 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 1<sup>st</sup> 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 Deercrest 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 1<sup>ST</sup> 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 9<sup>th</sup> day of September, 2014.

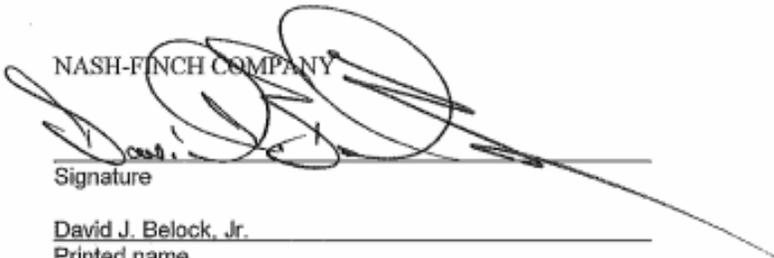
ACCEPTANCE OF CONDITIONS OF REZONING

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

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

22<sup>nd</sup> day of August, 2014

NASH-FINCH COMPANY

A handwritten signature in black ink, appearing to read "David J. Belock, Jr.", is written over a horizontal line. The signature is stylized and somewhat cursive.

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

22<sup>nd</sup> 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 23, 2014

**Submitting Department:** Development Services

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

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

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

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

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

Second and possible Third Reading granting a change of zone for property at 1415 Bever Avenue SE from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Affordable Housing Network, Inc. CIP/DID #RZNE-011780-2014

**Background:**

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

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

**Application Process/Next Steps:**

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

**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

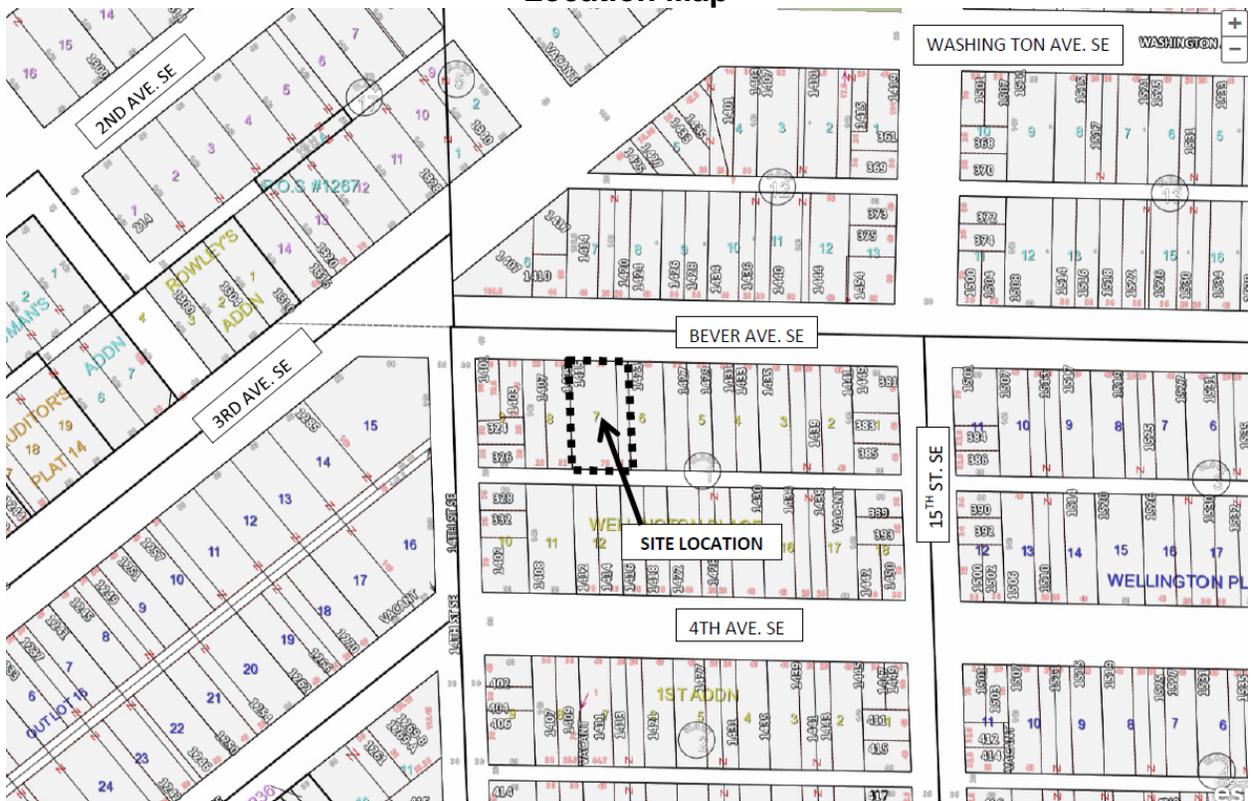
**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

**Location Map**





**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 9<sup>th</sup> 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