

*“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, October 7, 2014 at 12:00 noon 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.*)

## **A G E N D A**

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations:
  - ❖ Proclamation – America Reads: Reading Is Contagious Days (Marcia Hughes)
  - ❖ Proclamation – White Cane Safety Day (Delores Reisinger)
  - ❖ Proclamation – National Disability Employee Awareness Month (Tammy Cronin, Leland Freie, Paulette Hall, Johnny Alcivar Zuniga and LaSheila Yates)
  - ❖ Proclamation – The Summerland Project recognition (Mary Meisterling)

## **PUBLIC HEARINGS**

1. A public hearing will be held 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 (Vern Zakostecky).
  - a. First Reading: Ordinance granting 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

2. A public hearing will be held to consider a proposed Amendment No. 1 to the Council Street Urban Renewal Plan and an Ordinance relating to collection of tax increment within the proposed area (Kirsty Sanchez).
  - a. Resolution approving Amendment No. 1 to the Council Street Urban Renewal Plan; CIP/DID #OB41576
  - b. First Reading: Amending Ordinance No. 041-03, relating to collection of tax increment within the Council Street Urban Renewal Area. CIP/DID #OB41576
3. A public hearing will be held to consider the proposed Northtowne Market Urban Renewal Area and Plan located at 1201 Blairs Ferry Road NE and an Ordinance relating to collection of tax increment within the proposed area (Kirsty Sanchez).
  - a. Resolution approving the Northtowne Market Urban Renewal Area at 1201 Blairs Ferry Road NE; CIP/DID #OB1300915
  - b. First Reading: Ordinance relating to collection of tax increment within the proposed Northtowne Market Urban Renewal Area located at 1201 Blairs Ferry Road NE. CIP/DID #OB1300915
4. A public hearing will be held to consider the proposed New Pioneer Urban Renewal Area and Plan located at 3338 Center Point Road NE, authorizing negotiations for a Development Agreement and an Ordinance relating to collection of tax increment within the proposed area (Kirsty Sanchez).
  - a. Resolution approving the New Pioneer Urban Renewal Area at 3338 Center Point Road NE; CIP/DID #OB1303711
  - b. Resolution authorizing negotiations for a Development Agreement with New Pioneer's Cooperative Society; CIP/DID #OB1303711
  - c. First Reading: Ordinance relating to collection of tax increment within the proposed New Pioneer Urban Renewal Area located at 3338 Center Point Road NE. CIP/DID #OB1303711
5. A public hearing will be held to consider the Resolution of Necessity (Proposed) for the 18<sup>th</sup> Street SW from Wilson Avenue SW to 16<sup>th</sup> Avenue SW Improvements project (Doug Wilson).
  - a. Resolution with respect to the adoption of the Resolution of Necessity (Proposed) for the 18<sup>th</sup> Street SW from Wilson Avenue SW to 16<sup>th</sup> Avenue SW Improvements project. CIP/DID #301500-00
6. A public hearing will be held to consider the Resolution of Necessity (Proposed) for the construction of the 2015 Sidewalk Infill project (Doug Wilson).
  - a. Resolution with the respect to the adoption of the Resolution of Necessity (Proposed) for the 2015 Sidewalk Infill project. CIP/DID #3012074-00

7. A public hearing will be held 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 (Rita Rasmussen).
  - a. Resolution authorizing 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

### **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. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 21, 2014 and advertising for bids by publishing notice to bidders for the Water Pollution Control Facility Roughing Filter #4 Dome Replacement and Concrete Repair project, and authorizing the Utilities Director, or designee, to receive and open bids and publicly announce the results on November 5, 2014 (estimated cost is \$1,925,000). CIP/DID #615238-01
10. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 21, 2014 and advertising for bids by publishing notice to bidders for the FY 2015 Curb Repair Project – Contract 1 project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on October 22, 2014 (estimated cost is \$430,000) (**Paving for Progress**). CIP/DID #301998-06

11. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 21, 2014 and advertising for bids by publishing notice to bidders for the Prairie Valley Court SW Sidewalk Extension project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on October 29, 2014 (estimated cost is \$120,000). CIP/DID #301083-06
12. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 21, 2014 and advertising for bids by publishing notice to bidders for the Selected J Avenue Campus 2014 Renovations project, and authorizing the Utilities Director, or designee, to receive and open bids and publicly announce the results on November 5, 2014 (estimated cost is \$900,000). CIP/DID #6250031-02
13. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 21, 2014 and advertising for bids by publishing notice to bidders for the Cedar River East Floodwall PepsiCo/Quaker Oats Area, Phase 1 – Transmission Main Pressure Connections and Service Line Valve Installation project, and authorizing the Utilities Director, or designee, to receive and open bids and publicly announce the results on November 5, 2014 (estimated cost is \$1,225,000). CIP/DID #330260-04
14. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
  - a. Bricks Bar & Grill, 320 2<sup>nd</sup> Avenue SE;
  - b. Buffalo Wild Wings, 1100 Blairs Ferry Road NE;
  - c. Cooter's, 729 1<sup>st</sup> Avenue NW;
  - d. Cranky Hank's Pizza, 4444 1<sup>st</sup> Avenue NE (5-day permit for an event at 50 2<sup>nd</sup> Avenue Bridge, Veterans Memorial Building, on October 18, 2014);
  - e. Eurest Dining Services (Aegon), 6400 C Street SW;
  - f. Holiday Inn Express, 3320 Southgate Court SW;
  - g. Holiday Inn Express, 1230 Collins Road NE;
  - h. 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 18, 2014);
  - i. Lancer Lanes, 3203 6<sup>th</sup> Street SW;
  - j. Leonardo's Pizza, 2228 16<sup>th</sup> Avenue SW;
  - k. Migo's, 86 16<sup>th</sup> Avenue SW (new – formerly Blue Toad);
  - l. Noodles & Company, 310 Collins Road NE;
  - m. Oyama Sushi Japanese Steakhouse, 5350 Council Street NE;
  - n. St. Pius X Parish, 4949 Council Street NE (5-day permit for an event on October 17-22, 2014);
  - o. Taste of India, 1060 Old Marion Road NE Suite E;
  - p. Tienda Mexicana La Guanajuato, 3915 Center Point Road NE;
  - q. White Star Ale House, 305 2<sup>nd</sup> Avenue SE.
15. Resolutions (3) approving payment of bills and payroll. CIP/DID #OB1143566
16. Resolution thanking the following individuals:
  - a. Vote of thanks to Lora Ferguson and Heidi Taylor for serving on the Section 8 Housing Choice Voucher (HCV) Program Resident Advisory Board. CIP/DID #OB400545

17. Resolutions approving assessment actions:
- a. Levy assessment – Solid Waste & Recycling – clean-up costs – six properties; CIP/DID #OB1298688
  - b. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 52 properties; CIP/DID #OB1314715
  - c. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 23 properties. CIP/DID #OB1300835
18. Resolutions accepting subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:
- a. Sanitary sewer in Crescent View First Addition – Phase IV and 2-year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$29,446.19; CIP/DID #47-10-028
  - b. Storm sewer in Crescent View First Addition – Phase IV and 2-year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$26,953.68; CIP/DID #47-10-028
  - c. Portland Cement Concrete pavement in Crescent View First Addition – Phase IV and 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$59,287.50; CIP/DID #47-10-028
  - d. Water system improvements in Applewood Hills 11<sup>th</sup> Addition and 2-Year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$30,283. CIP/DID #2011060-01
19. Resolutions accepting projects, approving Performance Bonds and/or authorizing issuance of final payments:
- a. 2<sup>nd</sup> Street SE Parking Ramp at 7<sup>th</sup> Avenue – General Construction project, final payment in the amount of \$402,782 and 2-year Performance Bond submitted by Knutson Construction Services Midwest, Inc. (original contract amount was \$7,801.500; final contract amount is \$8,055,633); CIP/DID #635120-20
  - b. Sun Valley Neighborhood SE Storm Sewer Installation project, final payment in the amount of \$8,973.21 and 4-year Performance Bond submitted by Rathje Construction Company (original contract amount was \$170,784.95; final contract amount is \$179,464.25); CIP/DID #304224-04
  - c. Q Avenue NW at Ellis Boulevard NW Flood Protection Improvements project, final payment in the amount of \$4,006.69 and 4-year Performance Bond submitted by Pirc-Tobin Construction, Inc. (original contract amount was \$86,384.40; final contract amount is \$80,133.81); CIP/DID #304285-02
  - d. Five Seasons Parkade Skywalk – Phase II Exterior Renovations project, final payment in the amount of \$3,796.04 and 2-year Performance Bond submitted by Woodruff Construction, LLC (original contract amount was \$64,700; final contract amount is \$75,920.78); CIP/DID #635125-02
  - e. Veterans Memorial Phase III – Bid Package #11 – Fire Protection project, final payment in the amount of \$6,417.16 and 2-Year Performance Bond submitted by Blackhawk Automatic Sprinkler, Inc. (original contract amount was \$128,670; final contract amount is \$128,343) **(FLOOD)**; CIP/DID #VME001-06
  - f. Veterans Memorial Phase III – Bid Package #4 – Carpentry, Doors, Hardware and Specialties project, final payment in the amount of \$32,510.40 and 2-Year Performance Bond submitted by Tricon General Construction, Inc. (original contract amount was \$488,000; final contract amount is \$650,207.85) **(FLOOD)**. CIP/DID #VME001-06

20. Resolution adopting funding priorities for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs for the period covering July 1, 2015 – June 30, 2016. CIP/DID #OB71743
21. Resolution establishing “No Parking Anytime” on the north side of Bever Avenue SE from 30<sup>th</sup> Street to 34<sup>th</sup> Street SE, and on the south side of Bever Avenue SE from Bever Circle to 34<sup>th</sup> Street SE. CIP/DID #PARK-013644-2014
22. Resolution rescinding Resolution Nos. 1189-07-93 and 968-05-94, which established “No Parking 8AM-4PM” on the south side of Boyson Road NE from Kent Drive NE to the easterly drive to Bowman Woods Elementary, and establishing “No Parking Anytime” on the north and south sides of Boyson Road NE from C Avenue to the East Corporate Limits. CIP/DID #PARK-011718-2014
23. Resolution rescinding Resolution Nos. 1253-06-04 and 1551-07-03, which established “1 Hour Parking 9AM-6PM” on the north and south sides of 3<sup>rd</sup> Avenue SW from 2<sup>nd</sup> Street to 3<sup>rd</sup> Street SW; rescinding Resolution No. 1301-9-71, which established “Loading Zone” on the north side of 3<sup>rd</sup> Avenue SW from 1<sup>st</sup> Street westerly for 22 feet; and establishing “2 Hour Parking” on both sides of 3<sup>rd</sup> Avenue SW from 1<sup>st</sup> Street to 3<sup>rd</sup> Street SW. CIP/DID #PARK-012827-2014
24. Resolution rescinding Resolution No. 0451-04-14, which authorized execution of a Permanent Easement Agreement and acceptance of a permanent easement for the construction, operation, use and maintenance of an eastbound new roadway turn lane from Interstate 380 to 42<sup>nd</sup> Street NE from the Chicago, Central & Pacific Railroad Company; and approving and ratifying a License for Roadway Agreement with the Chicago, Central & Pacific Railroad Company in connection with the 42<sup>nd</sup> Street and Interstate 380 Intersection Improvements project. CIP/DID #301614-00
25. Resolution rescinding Resolution No. 0452-04-14, which authorized execution of a Permanent Easement Agreement and acceptance of a permanent easement for the construction, operation, use and maintenance of drainage culverts, pipes and structures, including erosion control from the Chicago, Central & Pacific Railroad Company; and ratifying and approving a License for Drainage System with the Chicago, Central & Pacific Railroad Company in connection with the 42<sup>nd</sup> Street and Interstate 380 Intersection Improvements project. CIP/DID #301614-00
26. Resolution accepting the Replacement of Fire Hydrants and Blow Off Completes FY14 project, approving the 2-Year Maintenance Bond and authorizing final (retainage) payment in the amount of \$232.13 to B. G. Brecke, Inc. (original contract amount was \$53,340; the final contract amount is \$5,642.50). CIP/DID #2014037-01
27. Resolution accepting a bid in the amount of \$280,000 from Jeffrey D. Wilkin and Debra J. Wilkin, and approving a Quit Claim Deed for the disposition of excess City-owned property located at 3601 42<sup>nd</sup> Street NE. CIP/DID #52-14-006
28. Resolution adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Edgewood Road SW and Edgewood Parkway SW Traffic Signal Improvements project. CIP/DID #306163-00

29. Resolutions approving actions regarding Purchases/Contracts/Agreements:

- a. Amendment No. 4 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors specifying an increased amount not to exceed \$107,196 for the Chandler St, 20<sup>th</sup> St, 18<sup>th</sup> St and 16<sup>th</sup> Ave SW Water Main Replacement project (original contract amount was \$126,521, total contract amount with this amendment is \$244,761); CIP/DID #2011061-01
- b. Amendment No. 1 to the Contract for the Environmental Assessment for Nuisance Structures project with Tetra Tech, Inc. to extend contract term and identify additional structures for an amount not to exceed \$3,242 (original contract amount was \$22,362; total contract amount with this amendment is \$25,604); CIP/DID #0911-060
- c. Amendment No. 4 to the Contract for Lime Sludge Removal and Disposal – Northwest Water Treatment Plant Lagoons with Mike McMurrin Trucking, Inc. to reflect the additional cost for 4,665 tons of additional sludge for an amount not to exceed \$33,035 (original contract amount was \$354,000; total contract amount with this amendment is \$500,315); CIP/DID #0513-256
- d. Amendment No. 11 to the Contract for City Services Center Furniture, Fixtures and Equipment (FF&E) Packages with Triplett Interior Solutions to move additional items for Fleet Services for an amount not to exceed \$895 and to extend the completion date of the project (original contract amount was \$299,520.80; total contract amount with this amendment is \$376,451.13) (**FLOOD**); CIP/DID #0113-154
- e. Amendment No. 3 to renew Contract for Electronic Plan Room Services with Rapids Reproductions, Inc. for the Public Works Department – Engineering Division for a total annual amount not to exceed \$75,000 (original contract amount was \$148,214.51; renewal contract amount is \$75,000) (**FLOOD**); CIP/DID #0811-027
- f. Amending Resolution No. 0070-01-14 for a purchase increase of \$20,000 to be added to the not to exceed amount of \$25,000 to obtain merchandise for resale from Ping during the 2014 season (original contract amount was \$25,000; contract amount with this amendment is \$45,000); CIP/DID #OB1026253
- g. Third Amendment to \$650,000 Promissory Note and \$101,044 Promissory Note with SA Investment LLC and Sherman Associates, Inc. respectively for renovation of the Roosevelt Building; CIP/DID #OB346228
- h. First Amendment to Memorandum of Understanding with Linn County Gaming Association, Inc. and Cedar Rapids Development Group, LLC; CIP/DID #OB792557
- i. Rescinding Resolution No. 514-3-98, which accepted the Agreement For Private Storm Water Detention for property located at 2010 Sylvia Avenue NE; CIP/DID ASDP-013710-2013
- j. Contract for Environmental Remediation and Demolition Services project with BWC Excavating, LC for the Public Works Department – Engineering Division for an amount not to exceed \$57,400; CIP/DID #0814-052
- k. Contract for Vehicle Glass Replacement and Repair Services with Safelite Fulfillment, Inc. for an amount not to exceed \$30,000 for the two-year Contract period; CIP/DID #0814-024
- l. Information Technology Department purchase of Hardened Control Switches from Erb's Technology Solutions in the amount of \$173,776.50; CIP/DID #0814-044
- m. Renewal of Fleet Focus Software Maintenance Agreement with AssetWorks, LLC., (original contract amount was \$24,570; renewal contract amount is \$25,798.50); CIP/DID #OB386344
- n. Accepting a Warranty Deed, Public Utility, Storm Sewer and Drainage Easement Agreement and a Concrete Sidewalk Petition and Assessment Agreement for property at 3011 Woodland Drive SW; CIP/DID #PLSV-012170-2014

- o. Linn County Multi-Jurisdictional Hazard Mitigation Plan 2014 – 2019 as required by FEMA; CIP/DID #OB1314891
- p. Special Warranty Deed conveying City-owned property at 1020 and 1028 3<sup>rd</sup> Street SE to New Bohemia Station, LLC (**FLOOD**); CIP/DID #OB803603
- q. Professional Services Agreement with HR Green, Inc. for an amount not to exceed \$211,673 for design services in connection with the Waconia Avenue Sanitary Sewer Improvements project; CIP/DID #655026-03
- r. Professional Services Agreement with Anderson-Bogert Engineers and Surveyors, Inc. for an amount not to exceed \$142,120 for design services in connection with the Collins Road NE, Williams Boulevard SW and 1<sup>st</sup> Avenue SW Roadway Improvement projects; CIP/DID #301872-06
- s. Public Works Department – Streets Division purchase of traffic marking paint beads from Potters Industries, LLC for an amount not to exceed \$30,000 to be used for roadway markings; CIP/DID #80-15-007
- t. Awarding and approving contract in the amount of \$69,028.80 plus incentive up to \$1,000, bond and insurance of Ken-Way Excavating Services, Inc. for the 6805 Brentwood Drive NE Sanitary Sewer Replacement project (estimated cost is \$55,000); CIP/DID #6559995-01
- u. Joint Funding Agreement with the U.S. Department of Interior, Geological Survey (USGS) for the continuing “Assessment of Ground-Water Flow and Quality for the Cedar Rapids Alluvium” for the period of October 1, 2014 through September 30, 2015 for a project cost of \$219,735 (project cost to be shared on a 38/62 basis with the City’s share being \$135,735). CIP/DID #625044-15

## **REGULAR AGENDA**

- 30. Discussion and Resolution in support of the proposed mixed use development at 42<sup>nd</sup> Street NE and Edgewood Road NE and direction to negotiate a Development Agreement with 42<sup>nd</sup> Street and Edgewood, LLC. CIP/DID #OB1314912

## **ORDINANCES**

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

- 31. 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
- 32. 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

## 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:

**\*\*\* *The City Council will meet immediately following the City Council Regular Session to discuss the City Manager's annual performance review. This meeting may be closed pursuant to Iowa Code Sections 21.5(1)(c) and (i) (2013).***

*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:** October 7, 2014

**Submitting Department:** Development Services

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

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

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

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

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

A public hearing will be held to consider a change of zone for property at 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 holding a public hearing and possible approval of First Reading.

**Alternative Recommendation:**

City Council may table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 5 minutes

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

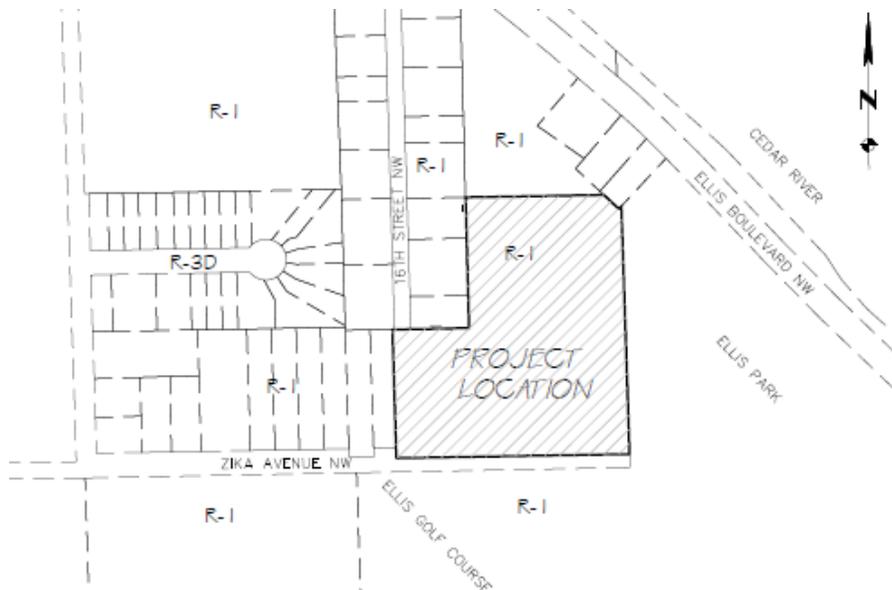
**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

**Location Map**





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

**MINUTES 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.

**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. Zakostelecky 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

DSD            BSD  
ENG            STR  
FIR            RCR  
TITLEHOLDER WTR  
CONTACT       TED  
CLK            PKS  
RZNE-010979-2014

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;

A PART OF GOVERNMENT LOT 4, SECTION 17-83-7, LINN COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID GOVERNMENT LOT 4, 15 FEET NORTH OF THE SE CORNER OF SAID GOVERNMENT LOT 4; THENCE WEST ALONG A LINE PARALLEL TO AND 15 FEET NORTH OF THE SOUTH LINE OF SAID GOVERNMENT LOT 4, 24 FEET; THENCE NORTHERLY 572.3 FEET TO A POINT 32.6 FEET WEST OF THE EAST LINE OF SAID GOVERNMENT LOT 4; THENCE NE-LY 47.2 FEET TO A POINT ON THE EAST LINE OF SAID GOVERNMENT LOT 4, 621.38 FEET NORTH OF THE SE CORNER OF SAID GOVERNMENT LOT 4: THENCE SOUTH ALONG THE EAST LINE OF SAID GOVERNMENT LOT 4, 606.38 FEET TO THE POINT OF BEGINNING, AND ALSO A PART OF GOVERNMENT LOT 4, SECTION 17-83-7, LINN COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF SAID GOVERNMENT LOT 4; THENCE NORTH ALONG THE EAST LINE OF SAID GOVERNMENT LOT 4, 15 FEET; THENCE WEST ALONG A LINE PARALLEL TO AND 15 FEET NORTH OF THE SOUTH LINE OF SAID GOVERNMENT LOT 4, 24 FEET FOR A POINT OF BEGINNING; THENCE NORTHERLY 572.3 FEET TO A POINT 32.6 FEET WEST OF THE EAST LINE OF SAID GOVERNMENT LOT 4; THENCE NE-LY 47.2 FEET TO A POINT ON THE EAST LINE OF SAID GOVERNMENT LOT 4, 621.38 FEET NORTH OF THE SE CORNER OF SAID GOVERNMENT LOT 4; THENCE NORTH 49° 27' WEST, 63.3 FEET; THENCE WEST ALONG A LINE PARALLEL TO AND 662 FEET NORTH OF THE SOUTH LINE OF SAID GOVERNMENT LOT 4, 331.7 FEET; THENCE SOUTH 332 FEET ALONG A LINE PARALLEL TO AND 379.5 FEET WEST OF THE EAST LINE OF SAID GOVERNMENT LOT 4 TO A POINT 330 FEET NORTH OF THE SOUTH LINE OF SAID GOVERNMENT LOT 4; THENCE WEST ALONG A LINE PARALLEL TO AND 330 FEET NORTH OF THE SOUTH LINE OF SAID GOVERNMENT LOT 4, 220 FEET; THENCE SOUTH ALONG A LINE PARALLEL TO AND 599.5 FEET WEST OF THE EAST LINE OF SAID GOVERNMENT LOT 4, 315 FEET TO A POINT 15 FEET NORTH OF THE SOUTH LINE OF SAID GOVERNMENT LOT 4; THENCE EAST ALONG A LINE PARALLEL TO AND 15 FEET NORTH OF THE SOUTH LINE OF SAID GOVERNMENT LOT 4, 575.5 FEET TO THE POINT OF BEGINNING.

EXCEPT

PARCEL A, PLAT OF SURVEY NO. 731

and located at the Northeast corner of the intersection of Zika Avenue NW and 16th Street NW, now zoned R-1, Single Family Residence Zone District, and as shown on the "District Map," be rezoned and changed to PUD-2, Planed Unit Development Two Zone District, and that the property be used for such purposes as outlined in the PUD-2, Planed Unit Development Two Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. 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.
2. 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.
3. The property shall be platted per State and City subdivision regulation.
4. Multi-Family Design Standards as specified in Subsection 32.05.030.D. shall be met or a variance must be obtained.

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

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

**ACCEPTANCE OF CONDITIONS OF REZONING**

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

I/we hereby agree to the terms and conditions set out in the Ordinance.

Dated this 17<sup>th</sup> day of September, 2014.

CITY OF CEDAR RAPIDS

*Cary Chen* ACTING CM  
Signature

Jeffrey A. Pomeranz  
Printed name

City Manager  
Printed title

## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Kirsty Sanchez

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

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

**Alternate Contact Person:** Jennifer Pratt

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

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

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

A public hearing will be held to consider a proposed Amendment No. 1 to the Urban Renewal Plan for the Council Street Urban Renewal Plan (Kirsty Sanchez).

a. Resolution approving Amendment No. 1 to the Council Street Urban Renewal Plan. CIP/DID #OB41576

b. First Reading: Ordinance amending Ordinance No. 041-03, providing that general property taxes levied and collected each year on all property located within the Council Street Urban Renewal Area. CIP/DID #OB41576

### **Background:**

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

On June 17, 2014, City staff received a request from Hunter Companies, LLC requesting City financial participation to facilitate the redevelopment of the former Nash Finch distribution area located at 1103 and 1201 Blairs Ferry Road NE. The proposed project would replace the warehouse/industrial buildings with commercial retail and services.

To offset the costs of demolition and site preparation, the reimbursement of future increased property tax revenues is being requested. The proposed project is currently in the Council Street Urban Renewal Area; however, this Urban Renewal Area will expire in 2023. To utilize tax increment generated by the private investment, the City Council would need to remove 1103 and 1201 Blairs Ferry Road NE from the Council Street Urban Renewal Area and establish a new Urban Renewal Area/TIF District.

### **Action / Recommendation:**

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

### **Alternative Recommendation:**

City Council may table the item and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** 5 minutes

**Budget Information (if applicable):**

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

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

RESOLUTION NO.

RESOLUTION ADOPTING AMENDMENT NO. 1 TO THE COUNCIL STREET  
URBAN RENEWAL PLAN

WHEREAS, by Resolution No. 1239-06-03, adopted June 4, 2003, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Urban Renewal Plan (the "Plan") for the Council Street Urban Renewal Area (the "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Linn County; and

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

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

WHEREAS, the Iowa statutes require the City Council to submit the proposed Amendment to the City Planning Commission for review and recommendation as to its conformity with the general plan for development of the City as a whole, prior to City Council approval thereof; and

WHEREAS, adoption of the Amendment has been approved by the City Planning Commission for the City as being in conformity with the general plan for development of the City as a whole, as evidenced by its written report and recommendation filed herewith, which report and recommendation is hereby accepted, approved in all respects and incorporated herein by this reference; and

WHEREAS, by Resolution No. 1216-09-14 adopted on September 9, 2014, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Amendment be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and no objections were received from the affected taxing entities; and

WHEREAS, by Resolution No. 1216-09-14 adopted on September 9, 2014, this Council also set a public hearing on the adoption of the Amendment for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the Cedar Rapids Gazette, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in the Urban Renewal Plan and Amendment thereto concerning the area of the City of Cedar Rapids, Iowa described in the Amendment, be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 2. This Council further finds:

A. A feasible method exists for the location of any families who may be displaced from the Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

B. The Urban Renewal Plan and Amendment thereto conform to the general plan for the development of the City as a whole; and

C. With reference to any portion of the Urban Renewal Area, as amended, which is to be developed for non-residential uses, the City Council hereby determines that such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the area being deleted from the Urban Renewal Plan by the Amendment is an economic development area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That the Amendment be and the same is hereby approved and adopted as "Amendment #1 to the Council Street Urban Renewal Plan for the Council Street Urban Renewal Area of the City of Cedar Rapids, Iowa"; the Amendment is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of the Amendment with the proceedings of this meeting.

Section 5. That the Urban Renewal Plan, as so amended, for the Urban Renewal Area, as so amended, shall be in full force and effect from the date of this Resolution until the later of the date of termination set forth in the Urban Renewal Plan as so amended, or the date on which payment of all obligations issued or advances made to carry out the purposes thereof shall be fully provided for. The Amendment shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Linn County, Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Urban Renewal Plan not affected or otherwise revised by the terms of the Amendment, as well as Resolution No. 1239-06-03 previously adopted by this City Council be and the same are hereby ratified, confirmed and approved in all respects.

Passed this 7th day of October, 2014.



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

**As Approved by City Council**

**Resolution No.**

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

## **TABLE OF CONTENTS**

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

## **1.0 INTRODUCTION**

### **1.1 Purpose and Background**

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

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

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

### **1.2 Amendments**

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

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

### **1.3 Relationship to the Comprehensive Plan**

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

## **2.0 ESTIMATED DIVERSION OF PROPERTY TAX INCREMENT REVENUES**

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

Article XI, Section 3 of the Constitution of the State of Iowa limits the amount of debt outstanding at any time of any county, municipality or other political subdivision to no more than 5% of the value, as shown by the last certified state and county tax lists, of all taxable property within such county, municipality or other political subdivision. Based upon the actual value for fiscal year 2012/2013 (total actual value, less agriculture value that is not taxed for debt service) on all taxable property

within the City of Cedar Rapids, the City is limited to \$463,611,401 of general obligation indebtedness. Total City bonded indebtedness as of June 30, 2013 was \$337,485,000.

### **3.0 AREA BEING DELETED**

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

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

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

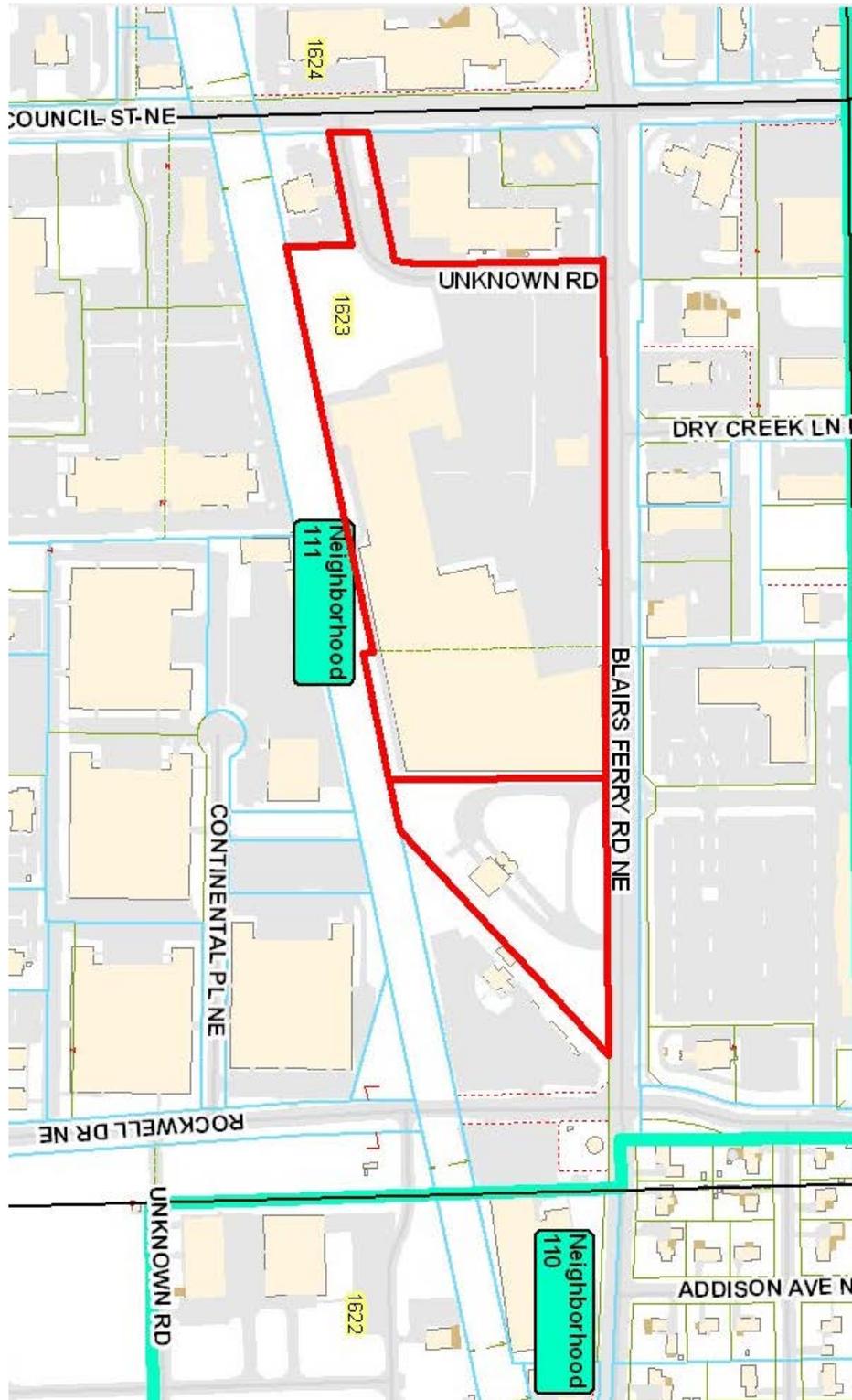
AND

1201 Blairs Ferry Road NE  
NASH FINCH 1<sup>ST</sup> STR/LB 1

### **4.0 EFFECTIVE DATE**

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

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



ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 041-03, PROVIDING THAT GENERAL PROPERTY TAXES ARE LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE COUNCIL STREET URBAN RENEWAL AREA OF THE CITY OF CEDAR RAPIDS, COUNTY OF LINN, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF CEDAR RAPIDS, COUNTY OF LINN, LINN-MAR COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY SAID CITY IN CONNECTION WITH THE AMENDED COUNCIL STREET URBAN RENEWAL PLAN FOR THE COUNCIL STREET URBAN RENEWAL AREA

WHEREAS, the City Council (the "Council") of the City of Cedar Rapids, Iowa (the "City") has heretofore, in Ordinance No. 074-02, provided for the division of taxes within an area identified as the Council Street Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, the Council has approved Amendment No. 1 to the Council Street Urban Renewal Plan for the Council Street Urban Renewal Area, deleting certain properties therefrom; and

WHEREAS, the following enactment is necessary to accomplish the objectives described in the premises.

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

Section 1: Ordinance Number 041-03 is hereby amended to delete from the definition of the "Council Street Urban Renewal Area" the lots and parcels located within the area legally described as follows:

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

AND

1201 Blairs Ferry Road NE  
NASH FINCH 1<sup>ST</sup> STR/LB 1

Section 2: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to continue and fully implement the division of taxes from property within the Council Street Urban Renewal Area under the provisions of Section 403.19 of the Code of Iowa, as authorized in Ordinance No. 041-03. In the event that any provision of this Ordinance shall be determined to be contrary to law it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to the Council Street Urban Renewal Area and the territory contained therein.

Section 3: This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Introduced this 7th day of October, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Kirsty Sanchez

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

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

**Alternate Contact Person:** Jennifer Pratt

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

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

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

A public hearing will be held to consider the proposed Northtowne Market Urban Renewal Area and Plan located at 1201 Blairs Ferry Road NE and an Ordinance relating to collection of tax increment within the proposed area.

- a. Resolution approving the Northtowne Market Urban Renewal Area at 1201 Blairs Ferry Road NE. CIP/DID #OB1300915
- b. First Reading: Ordinance relating to collection of tax increment within the proposed Northtowne Market Urban Renewal Area located at 1201 Blairs Ferry Road NE. CIP/DID #OB1300915

### **Background:**

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

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

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

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

In order to collect tax increment generated within the proposed Northtowne Market Urban

Renewal Area, an ordinance is necessary. If established, proposed terms of a Development Agreement will be presented to City Council for consideration at a future date.

**Action / Recommendation:**

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

**Alternative Recommendation:**

City Council may table the items and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** 5 minutes

**Budget Information (if applicable):**

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

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

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA DETERMINING AN AREA TO BE AN ECONOMIC DEVELOPMENT AREA; AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT; AND ADOPTING THE URBAN RENEWAL PLAN FOR THE NORTHTOWNE MARKET URBAN RENEWAL AREA

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

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

WHEREAS, a proposed Urban Renewal Plan for the Northtowne Market Urban Renewal Area described below has been prepared, which proposed Plan is on file in the office of the City Clerk and which is incorporated herein by reference; and

WHEREAS, this proposed Urban Renewal Area includes and consists of an area commonly known as 1103 and 1012 Blairs Ferry Road NE and specifically described as follows:

IRR SUR NW 3-83-7 N OF RR 9(LESS W 328' N 538.7') & (LESS ST) &  
(LESS E 244' BNG N 376.7' MEAS ON W LN) & (LESS LEHIGH  
PORTLAND CEMENT CO) STR/LB 2

AND

NASH FINCH 1<sup>ST</sup> STR/LB 1

WHEREAS, it is desirable that this area continue to be developed as an economic development project under the Urban Renewal Plan for the Northtowne Market Urban Renewal Area; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Urban Renewal Plan for the Northtowne Market Urban Renewal Area to the Planning Commission for review and recommendation as to its conformity with the general plan for development of the community as a whole, prior to City Council approval of such Urban Renewal Project and the Urban Renewal Plan therefore; and

WHEREAS, the Urban Renewal Plan for the Northtowne Market Urban Renewal Area

has been reviewed by the Planning Commission with the finding that the said Plan is in conformity with the general plan for the development of the City as a whole; and

WHEREAS, by Resolution Number 1215-09-14 adopted on September 9, 2014, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Urban Renewal Plan for the Northtowne Market Urban Renewal Area and the division of revenue described therein, and that notice of said consultation and a copy of the proposed Urban Renewal Plan for the Northtowne Market Urban Renewal Area be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and no written objections were made by any of the affected taxing entities and that the minutes of the said consultation meeting as set forth with Community Development Department are filed herewith and incorporated herein by this reference, for which no responses are necessary; and

WHEREAS, by said Resolution this Council also set a Public Hearing on the adoption of the proposed Urban Renewal Plan for the Northtowne Market Urban Renewal Area for this meeting of the Council, and due and proper notice of said Public Hearing was given, as provided by Law, by timely publication in the Cedar Rapids Gazette, which notice sets forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with said notice, all persons or organizations desiring to be heard on said proposed Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and said Public Hearing has been closed.

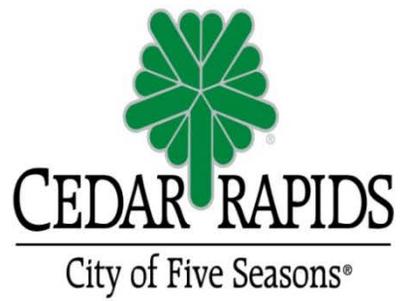
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA as follows:

1. That the findings and conclusions set forth or contained in the proposed Urban Renewal Plan for the Northtowne Market Urban Renewal Area for the area of the City of Cedar Rapids, Iowa legally described and depicted in the Plan and incorporated herein by reference (which area shall hereinafter be known as the Northtowne Market Urban Renewal Area), be and the same are hereby adopted and approved as the findings of this Council for this area.
2. That this Council further finds (a) there will be no displacement from the Northtowne Market Urban Renewal Area as a result of activities associated with implementation of the said Urban Renewal Plan; (b) the Northtowne Market Urban Renewal Area conforms to the general plan for the development of the City as a whole; and (c) there are no areas of open land to be acquired by the City within the Northtowne Market Urban Renewal Area.
3. That the Northtowne Market Urban Renewal Area is an economic development area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an Urban Renewal Area and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary and in the interest of the public health, safety, and welfare of the residents of this City.
4. That the Urban Renewal Plan for the Northtowne Market Urban Renewal Area, attached hereto as Exhibit A and incorporated herewith by reference, be and the same is hereby approved and adopted as the Urban Renewal Plan for the Northtowne Market Urban Renewal Area and is hereby in all respects approved, and the City Clerk is hereby directed to file a certified copy of said Urban Renewal Plan for the Northtowne Market Urban Renewal Area with the proceedings of this meeting with the County Recorder for

Linn County.

5. That the Urban Renewal Plan for the Northtowne Market Urban Renewal Area shall be in full force and effect from the date of this Resolution until the later of any date of termination set forth the Urban Renewal Plan for the Northtowne Market Urban Renewal Area or the date on which payment of all obligations issued or advances made to carry out the purposes thereof shall be fully provided for. Said Urban Renewal Plan for the Northtowne Market Urban Renewal Area shall be forthwith certified by the City Clerk and along with a copy of this Resolution, transmitted to the Recorder of Linn County, Iowa, to be filed and recorded in the manner provided by Law.

Passed this 7th day of October, 2014.



**URBAN RENEWAL PLAN**

for the

**NORTHTOWNE MARKET URBAN RENEWAL AREA**

**As Approved by City Council**

**Resolution No.**

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

## **TABLE OF CONTENTS**

- 1.0 INTRODUCTION
- 2.0 URBAN RENEWAL PLAN OBJECTIVES
- 3.0 DESCRIPTION OF PROJECT AREA
- 4.0 PROJECT AREA ACTIVITIES
- 5.0 SPECIAL FINANCING ACTIVITIES
  - A. Chapter 15A Loans or Grants.
  - B. Tax Increment Financing.
- 6.0 PROPERTY ACQUISITION
- 7.0 CLEARANCE AND DISPOSITION OF PROPERTY
- 8.0 LAND USE DEVELOPMENT
- 9.0 DEVELOPER REQUIREMENTS
- 10.0 PROJECT AND CITY INDEBTEDNESS
- 11.0 STATE AND LOCAL REQUIREMENTS
- 12.0 SEVERABILITY
- 13.0 AMENDMENT OF URBAN RENEWAL PLAN
- 14.0 EFFECTIVE DATE

EXHIBIT A - Proposed Northtowne Market Urban Renewal Area

## **1.0 INTRODUCTION**

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

## **2.0 URBAN RENEWAL PLAN OBJECTIVES**

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

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

## **3.0 DESCRIPTION OF PROJECT AREA**

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

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

1103 Blairs Ferry Road NE  
IRR SUR NW 3-83-7 N OF RR 9LESS W 328' N 538.7') & (LESS ST) & (LESS E  
244' BNG N 376.7' MEAS ON W LN) & (LESS LEHIGH PORTLAND CEMENT  
CO) STR/LB 2  
AND  
1201 Blairs Ferry Road NE  
NASH FINCH 1<sup>ST</sup> STR/LB 1

#### **4.0 PROJECT AREA ACTIVITIES**

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

1. To undertake and carry out urban renewal project activities through the execution of contracts and other instruments;
2. To arrange for or cause to be provided the construction or repair of public infrastructure improvements, including street, water, sanitary sewer and storm sewer systems, traffic signals, and public utilities or other facilities in connection with urban renewal projects;
3. To acquire property through a variety of means (purchase, lease, exchange, condemnation, donation or otherwise) and to hold, clear or prepare the property for redevelopment;
4. To dispose of property so acquired (by sale, lease, exchange or otherwise) for purposes of private redevelopment;
5. To provide financing to pay a portion of the cost of construction of new facilities and developments;
6. To undertake or cause to be undertaken the construction of specific site improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections and related activities, in connection with the disposition of property;
7. To make loans or grants to private persons or businesses for economic development purposes on such terms as may be determined by the City Council;
8. To borrow money and provide security therefor;
9. To establish and enforce controls, standards and restrictions on land use and buildings;
10. To make or have made surveys and plans necessary for the implementation of the urban renewal program and specific urban renewal project activities;
11. To use tax increment financing to provide for necessary physical improvements and infrastructure, and to fund other urban renewal project costs; or
12. To use any and all other powers, without limitation, granted by the Code to develop and provide for improved economic conditions in the City of Cedar Rapids, Iowa.

#### **5.0 SPECIAL FINANCING ACTIVITIES**

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

A. Chapter 15A Loans or Grants. The making of loans or grants of public funds to private businesses within the Project Area may be deemed necessary or appropriate for economic development purposes (as defined in Chapter 15A of the Code) and to aid in the

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

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

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

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

## **6.0 PROPERTY ACQUISITION**

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

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

## **7.0 CLEARANCE AND DISPOSITION OF PROPERTY**

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

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

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

## **8.0 LAND USE DEVELOPMENT**

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

## **9.0 DEVELOPER REQUIREMENTS**

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

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

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

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

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

## **10.0 PROJECT AND CITY INDEBTEDNESS**

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

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

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

## **11.0 STATE AND LOCAL REQUIREMENTS**

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

## **12.0 SEVERABILITY**

In the event one or more provisions contained in this Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized or unenforceable in any respect, such invalidity, illegality, or lack of authorization or enforceability shall not affect any other

provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

### **13.0 AMENDMENT OF URBAN RENEWAL PLAN**

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

### **14.0 EFFECTIVE DATE**

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

**EXHIBIT A**  
**Proposed Northtowne Market Urban Renewal Area**



ORDINANCE NO.

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES ARE LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE NORTHTOWNE MARKET URBAN RENEWAL AREA OF THE CITY OF CEDAR RAPIDS, COUNTY OF LINN, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF CEDAR RAPIDS, COUNTY OF LINN, LINN-MAR COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY SAID CITY IN CONNECTION WITH URBAN RENEWAL PROJECT ACTIVITIES UNDERTAKEN IN FURTHERANCE OF THE PLAN FOR THE NORTHTOWNE MARKET URBAN RENEWAL AREA

WHEREAS, the City Council, after public notice and hearing and as prescribed by law and pursuant to Resolution No. \_\_\_\_\_ passed and approved on the 7th day of October, 2014, adopted the Urban Renewal Plan (the "Urban Renewal Plan") for an urban renewal area known as the Northtowne Market Urban Renewal Area (the "Urban Renewal Project Area") that includes lots and parcels located within the area described as follows:

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

AND

1201 Blairs Ferry Road NE  
NASH FINCH 1<sup>ST</sup> STR/LB 1

WHEREAS, expenditures and indebtedness are anticipated to be incurred by the City of Cedar Rapids, Iowa in the future to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan; and

WHEREAS, the City Council of the City of Cedar Rapids, Iowa desires to provide for the division of revenue from taxation in the Urban Renewal Project Area, as above described, in accordance with the provisions of Section 403.19 of the Code of Iowa.

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

Section 1: The taxes levied on the taxable property in the Northtowne Market Urban Renewal Area, legally described in Section 1 hereof, by and for the benefit of the State of Iowa, City of Cedar Rapids, County of Linn, Linn-Mar Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 2: That portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Project Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City of Cedar Rapids certifies to the County Auditor of the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described herein (which certification is directed to be made during the 2014 calendar year), shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid (base year taxes).

Section 3: That portion of the taxes each year in excess of the base period taxes for the Northtowne Market Urban Renewal Area, shall be allocated to and when collected be paid into the special tax increment fund previously established by the City of Cedar Rapids to pay the principal of and interest on loans, monies advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under authority of Section 403.9 or Section 403.12 of the Code of Iowa, incurred by the City of Cedar Rapids, Iowa to finance or refinance, in whole or in part, urban renewal projects undertaken within the Northtowne Market Urban Renewal Area pursuant to the Urban Renewal Plan for said Northtowne Market Urban Renewal Area, except that taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the Northtowne Market Urban Renewal Area without any limitation as hereinabove provided.

Section 4: Unless or until the total assessed valuation of the taxable property in the areas of the Northtowne Market Urban Renewal Area exceeds the total assessed value of the taxable property in said areas shown by the assessment rolls referred to in Section 3 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Northtowne Market Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 5: At such time as the loans, monies advanced, bonds and interest thereon and indebtedness of the City of Cedar Rapids referred to in Section 4 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Northtowne Market Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 7: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to continue the division of taxes from property within the Northtowne Market Urban Renewal Area under the provisions of Section 403.19 of the Code of Iowa, as amended with respect to the division of taxes from property within the Northtowne Market Urban Renewal Area as described above. In the event that any provision of this Ordinance shall be determined to be contrary to law it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to the Northtowne Market Urban Renewal Area and the territory contained therein.

Section 8: This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Introduced this 7th day of October, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Kirsty Sanchez

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

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

**Alternate Contact Person:** Jennifer Pratt

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

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

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

A public hearing will be held to consider the proposed New Pioneer Urban Renewal Area and Plan located at 3338 Center Point Road NE, authorizing negotiations for a Development Agreement and an Ordinance relating to collection of tax increment within the proposed area.

- a. Resolution approving the New Pioneer Urban Renewal Area at 3338 Center Point Road NE. CIP/DID #OB1303711
- b. Resolution authorizing negotiations for a Development Agreement with New Pioneer 's Cooperative Society. CIP/DID #OB1303711
- c. First Reading: Ordinance relating to collection of tax increment within the proposed New Pioneer Urban Renewal Area located at 3338 Center Point Road NE. CIP/DID #OB1303711

### **Background:**

The City has received a request for City participation by New Pioneer's Cooperative Society for the property located at 3338 Center Pointe Road NE. The building at the project site is vacant and 16,473 square feet. The proposed project meets the Commercial Reinvestment Program and will include a minimum investment of \$5.5 million. Staff has been working with New Pioneer's Cooperative Society since the site selection process.

The standard City participation is requested as a five-year, 100% property tax reimbursement. This will amount to a reimbursement of approximately \$731,500 over the five-year period. Projecting out over the next 15 years, the project will generate approximately \$2,194,500.

To utilize tax increment generated by the private investment, the City Council would need to establish an Urban Renewal Area/TIF District. The steps for establishing a New Pioneer Renewal Area/TIF District are as follows:

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

In order to collect tax increment generated within the proposed New Pioneer Urban Renewal

Area, an ordinance is necessary. If established, proposed terms of a Development Agreement will be presented to City Council for consideration at a future date.

**Action / Recommendation:**

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

**Alternative Recommendation:**

City Council may table the items and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** 5 minutes

**Budget Information (if applicable):**

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

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

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA DETERMINING AN AREA TO BE AN ECONOMIC DEVELOPMENT AREA; AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT; AND ADOPTING THE URBAN RENEWAL PLAN FOR THE NEW PIONEER URBAN RENEWAL AREA

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

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

WHEREAS, a proposed Urban Renewal Plan for the New Pioneer Urban Renewal Area described below has been prepared, which proposed Plan is on file in the office of the City Clerk and which is incorporated herein by reference; and

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

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

AND

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

AND

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

AND

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

WHEREAS, it is desirable that this area continue to be developed as an economic development project under the Urban Renewal Plan for the New Pioneer Urban Renewal Area; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Urban Renewal Plan for the New Pioneer Urban Renewal Area to the Planning Commission for review and recommendation as to its conformity with the general plan for development of the community as a whole, prior to City Council approval of such Urban Renewal Project and the Urban Renewal Plan therefore; and

WHEREAS, the Urban Renewal Plan for the New Pioneer Urban Renewal Area has been reviewed by the Planning Commission with the finding that the said Plan is in conformity with the general plan for the development of the City as a whole; and

WHEREAS, by Resolution Number 1217-09-14 adopted on September 9, 2014, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Urban Renewal Plan for the New Pioneer Urban Renewal Area and the division of revenue described therein, and that notice of said consultation and a copy of the proposed Urban Renewal Plan for the New Pioneer Urban Renewal Area be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and no written objections were made by any of the affected taxing entities and that the minutes of the said consultation meeting as set forth with Community Development Department are filed herewith and incorporated herein by this reference, for which no responses are necessary; and

WHEREAS, by said Resolution this Council also set a Public Hearing on the adoption of the proposed Urban Renewal Plan for the New Pioneer Urban Renewal Area for this meeting of the Council, and due and proper notice of said Public Hearing was given, as provided by Law, by timely publication in the Cedar Rapids Gazette, which notice sets forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with said notice, all persons or organizations desiring to be heard on said proposed Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and said Public Hearing has been closed.

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

1. That the findings and conclusions set forth or contained in the proposed Urban Renewal Plan for the New Pioneer Urban Renewal Area for the area of the City of Cedar Rapids, Iowa legally described and depicted in the Plan and incorporated herein by reference (which area shall hereinafter be known as the New Pioneer Urban Renewal Area), be and the same are hereby adopted and approved as the findings of this Council for this area.
2. That this Council further finds (a) there will be no displacement from the New Pioneer Urban Renewal Area as a result of activities associated with implementation of the said Urban Renewal Plan; (b) the New Pioneer Urban Renewal Area conforms to the general plan for the development of the City as a whole; and (c) there are no areas of open land to be acquired by the City within the New Pioneer Urban Renewal Area.

3. That the New Pioneer Urban Renewal Area is an economic development area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an Urban Renewal Area and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary and in the interest of the public health, safety, and welfare of the residents of this City.
4. That the Urban Renewal Plan for the New Pioneer Urban Renewal Area, attached hereto as Exhibit A and incorporated herewith by reference, be and the same is hereby approved and adopted as the Urban Renewal Plan for the New Pioneer Urban Renewal Area and is hereby in all respects approved, and the City Clerk is hereby directed to file a certified copy of said Urban Renewal Plan for the New Pioneer Urban Renewal Area with the proceedings of this meeting with the County Recorder for Linn County.
5. That the Urban Renewal Plan for the New Pioneer Urban Renewal Area shall be in full force and effect from the date of this Resolution until the later of any date of termination set forth the Urban Renewal Plan for the New Pioneer Urban Renewal Area or the date on which payment of all obligations issued or advances made to carry out the purposes thereof shall be fully provided for. Said Urban Renewal Plan for the New Pioneer Urban Renewal Area shall be forthwith certified by the City Clerk and along with a copy of this Resolution, transmitted to the Recorder of Linn County, Iowa, to be filed and recorded in the manner provided by Law.

Passed this 7th day of October, 2014.



**URBAN RENEWAL PLAN**

for the

**NEW PIONEER URBAN RENEWAL AREA**

**As Approved by City Council**

**Resolution No. \_\_\_\_\_**

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

## **TABLE OF CONTENTS**

- 1.0 INTRODUCTION
- 2.0 URBAN RENEWAL PLAN OBJECTIVES
- 3.0 DESCRIPTION OF PROJECT AREA
- 4.0 PROJECT AREA ACTIVITIES
- 5.0 SPECIAL FINANCING ACTIVITIES
  - A. Chapter 15A Loans or Grants
  - B. Tax Increment Financing
- 6.0 PROPERTY ACQUISITION
- 7.0 CLEARANCE AND DISPOSITION OF PROPERTY
- 8.0 LAND USE DEVELOPMENT
- 9.0 DEVELOPER REQUIREMENTS
- 10.0 PROJECT AND CITY INDEBTEDNESS
- 11.0 STATE AND LOCAL REQUIREMENTS
- 12.0 SEVERABILITY
- 13.0 AMENDMENT OF URBAN RENEWAL PLAN
- 14.0 EFFECTIVE DATE

## **1.0 INTRODUCTION**

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

## **2.0 URBAN RENEWAL PLAN OBJECTIVES**

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

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

## **3.0 DESCRIPTION OF PROJECT AREA**

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

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

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

AND

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

AND

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

AND

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

#### **4.0 PROJECT AREA ACTIVITIES**

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

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

infrastructure, and to fund other urban renewal project costs; or

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

## **5.0 SPECIAL FINANCING ACTIVITIES**

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

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

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

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

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

## **6.0 PROPERTY ACQUISITION**

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

in the future for the following purposes:

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

## **7.0 CLEARANCE AND DISPOSITION OF PROPERTY**

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

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

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

## **8.0 LAND USE DEVELOPMENT**

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

## **9.0 DEVELOPER REQUIREMENTS**

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

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

included in agreements with developers:

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

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

## **10.0 PROJECT AND CITY INDEBTEDNESS**

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

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

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

## **11.0 STATE AND LOCAL REQUIREMENTS**

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

## **12.0 SEVERABILITY**

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

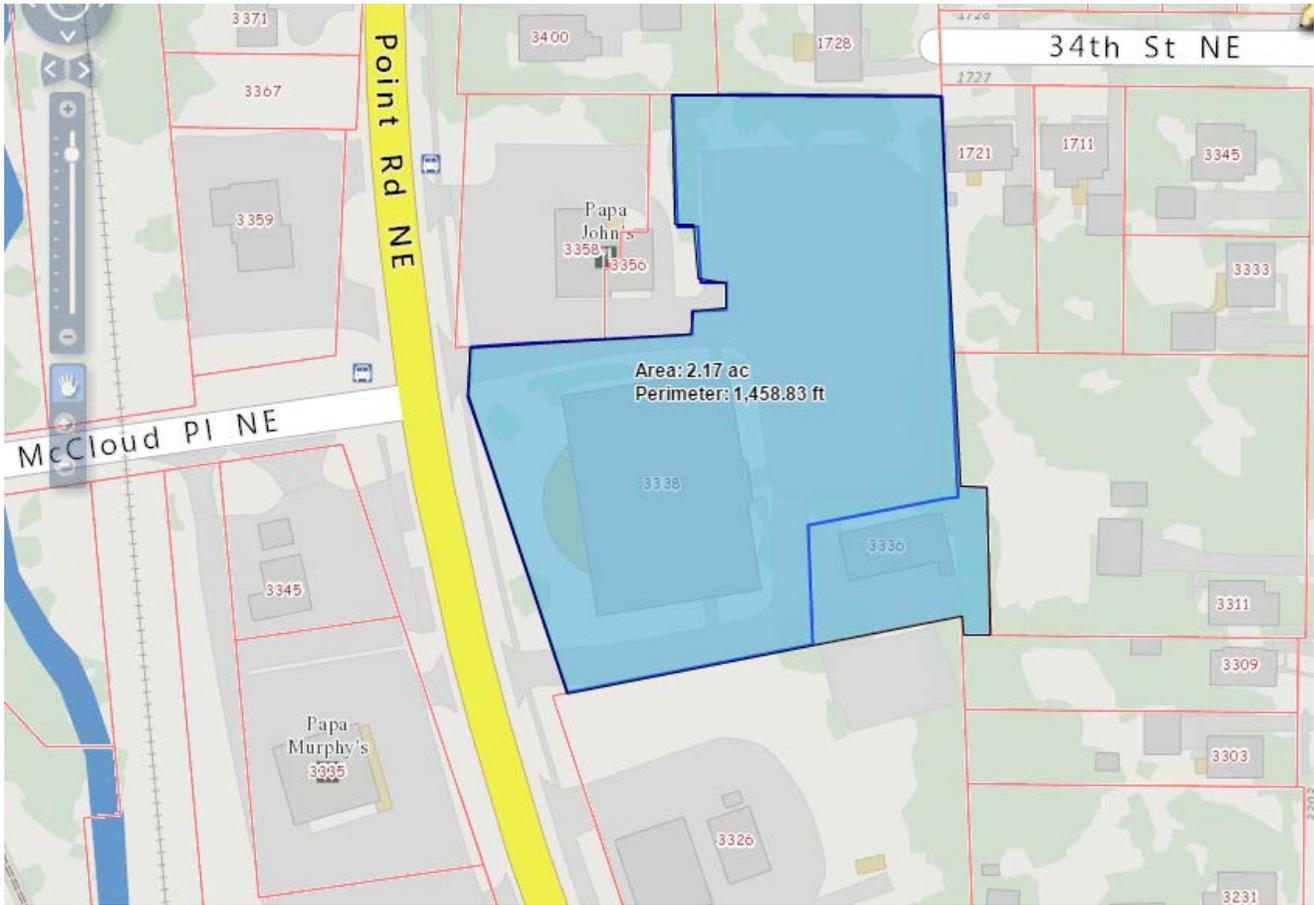
## **13.0 AMENDMENT OF URBAN RENEWAL PLAN**

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

## **14.0 EFFECTIVE DATE**

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

**EXHIBIT A**  
**Proposed New Pioneer Urban Renewal Area**



RESOLUTION NO.

RESOLUTION AUTHORIZING NEGOTIATIONS FOR A DEVELOPMENT  
AGREEMENT WITH NEW PIONEER COOPERATIVE SOCIETY

WHEREAS, the Community Development Director has advised this Council of a development project submitted by New Pioneer's Cooperative Society (the "Developer") with respect to the development at 3338 Center Point Road NE; and

WHEREAS, the project site is a vacant 16,473 square foot building; and

WHEREAS, the estimated construction cost is \$5.5 million; and

WHEREAS, the Developer is requesting a property tax reimbursement from the City of approximately \$731,500; and

WHEREAS, the City participation is a five-year, 100% reimbursement of the increased property tax generated by the improvements; and

WHEREAS, the Council desires to express its support for the Developer's proposal;

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes negotiations with the Developer in an effort to reach a mutually acceptable development agreement containing the foregoing elements and such other provisions and assurances that they may consider necessary or appropriate under the circumstances.

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

ORDINANCE NO.

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES ARE LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE NEW PIONEER URBAN RENEWAL AREA OF THE CITY OF CEDAR RAPIDS, COUNTY OF LINN, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF CEDAR RAPIDS, COUNTY OF LINN, CEDAR RAPIDS COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY SAID CITY IN CONNECTION WITH URBAN RENEWAL PROJECT ACTIVITIES UNDERTAKEN IN FURTHERANCE OF THE PLAN FOR THE NEW PIONEER URBAN RENEWAL AREA.

WHEREAS, the City Council, after public notice and hearing and as prescribed by law and pursuant to Resolution No. \_\_\_\_\_ passed and approved on the 7th day of October, 2014, adopted the Urban Renewal Plan (the "Urban Renewal Plan") for an urban renewal area known as the New Pioneer Urban Renewal Area (the "Urban Renewal Project Area") that includes lots and parcels located within the area described as follows:

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

AND

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

AND

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

AND

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

WHEREAS, expenditures and indebtedness are anticipated to be incurred by the City of Cedar Rapids, Iowa in the future to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan; and

WHEREAS, the City Council of the City of Cedar Rapids, Iowa desires to provide for the division of revenue from taxation in the Urban Renewal Project Area, as above described, in accordance with the provisions of Section 403.19 of the Code of Iowa.

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

Section 1: The taxes levied on the taxable property in the New Pioneer Urban Renewal Area, legally described in Section 1 hereof, by and for the benefit of the State of Iowa, City of Cedar Rapids, County of Linn, Cedar Rapids Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 2: That portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Project Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City of Cedar Rapids certifies to the County Auditor of the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described herein (which certification is directed to be made during the 2014 calendar year), shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid (base year taxes).

Section 3: That portion of the taxes each year in excess of the base period taxes for the New Pioneer Urban Renewal Area, shall be allocated to and when collected be paid into the special tax increment fund previously established by the City of Cedar Rapids to pay the principal of and interest on loans, monies advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under authority of Section 403.9 or Section 403.12 of the Code of Iowa, incurred by the City of Cedar Rapids, Iowa to finance or refinance, in whole or in part, urban renewal projects undertaken within the New Pioneer Urban Renewal Area pursuant to the Urban Renewal Plan for said New Pioneer Urban Renewal Area, except that taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the New Pioneer Urban Renewal Area without any limitation as hereinabove provided.

Section 4: Unless or until the total assessed valuation of the taxable property in the areas of the New Pioneer Urban Renewal Area exceeds the total assessed value of the taxable property in said areas shown by the assessment rolls referred to in Section 3 of this Ordinance, all of the taxes levied and collected upon the taxable property in the New Pioneer Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 5: At such time as the loans, monies advanced, bonds and interest thereon and indebtedness of the City of Cedar Rapids referred to in Section 4 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the New Pioneer Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 7: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to continue the division of taxes from property within the New Pioneer Urban Renewal Area under the provisions of Section 403.19 of the Code of Iowa, as amended with respect to the division of taxes from property within the New Pioneer Urban Renewal Area as described above. In the event that any provision of this Ordinance shall be determined to be contrary to law it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to the New Pioneer Urban Renewal Area and the territory contained therein.

Section 8: This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Introduced this 7th day of October, 2014.



## Council Agenda Item Cover Sheet Public Hearing and Resolution

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5808

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

A public hearing will be held to consider the Resolution of Necessity (Proposed) for the 18th Street SW from Wilson Avenue SW to 16th Avenue SW Improvements project.

Resolution with respect to the adoption of the Resolution of Necessity (Proposed) for the 18th Street SW from Wilson Avenue SW to 16th Avenue SW Improvements project.  
CIP/DID #301500-00

### **Background:**

This is Step 5 for the special assessment process to recover a portion of the public improvement costs that benefit the private properties being served. This is Resolution #5 as shown on the attached "Flowchart for City Council Actions in Special Assessment Process."

Following a Public Hearing on this matter, Council will consider an action to proceed in conformance with the provisions of the Iowa Code for special assessments (Chapter 384) with the adoption of a Resolution of Necessity for the 18th Street SW from Wilson Avenue SW to 16th Avenue SW Improvements project. Notices were mailed to the property owners proposed to be assessed prior to the scheduled public hearing notifying them of the project and proposed preliminary assessment amounts. Following the public hearing, Council will consider one of the following options:

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

This is phase two of the 18<sup>th</sup> Street SW extension project, which will connect Wilson Avenue to 16<sup>th</sup> Avenue. The extension will provide access to property available for infill development and improved access to current development properties. The extension will also provide a shorter route between Wilson Avenue and 16<sup>th</sup> Avenue, thus, reducing travel time and improving the efficiency of the existing transportation network. Direct access to 16<sup>th</sup> Avenue from Wilson Avenue, via non-residential streets, is currently restricted to the routes shown on the attached exhibit.

The addition of sidewalks and bike lanes along the entire project corridor will provide an alternative travel choice for pedestrians, especially for those attending Jefferson High School. Sidewalks will allow pedestrians to utilize a safer route, outside the travel lanes of the roadway.

This roadway and sidewalk improvement will be included in phase two of the project as shown on the attached exhibits. There is currently no sidewalk where it is shown to be installed. There are sections of one-half of the street unconstructed, which will also be installed as shown, in addition to the roadway extension.

**Action / Recommendation:**

The Public Works Department recommends adoption of the Proposed Resolution of Necessity (Option 1). If public comments are received during the public hearing that require further review, we recommend action be deferred until the October 21, 2014 council meeting (Option 3).

**Alternative to the Recommendation:**

If the resolution is not adopted, assessment proceedings will not proceed further. The project will then require additional funding by TIF (Tax Incremental Financing) and the STP (Surface Transportation Program) grant, or general obligation bonds, or the project must be deferred or abandoned.

**Time Sensitivity:** Must be acted on either on October 7, 2014, or, alternatively not later than October 21, 2014, due to assessment schedule.

**Resolution Date:** October 7, 2014

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

**Budget Information (if applicable):**

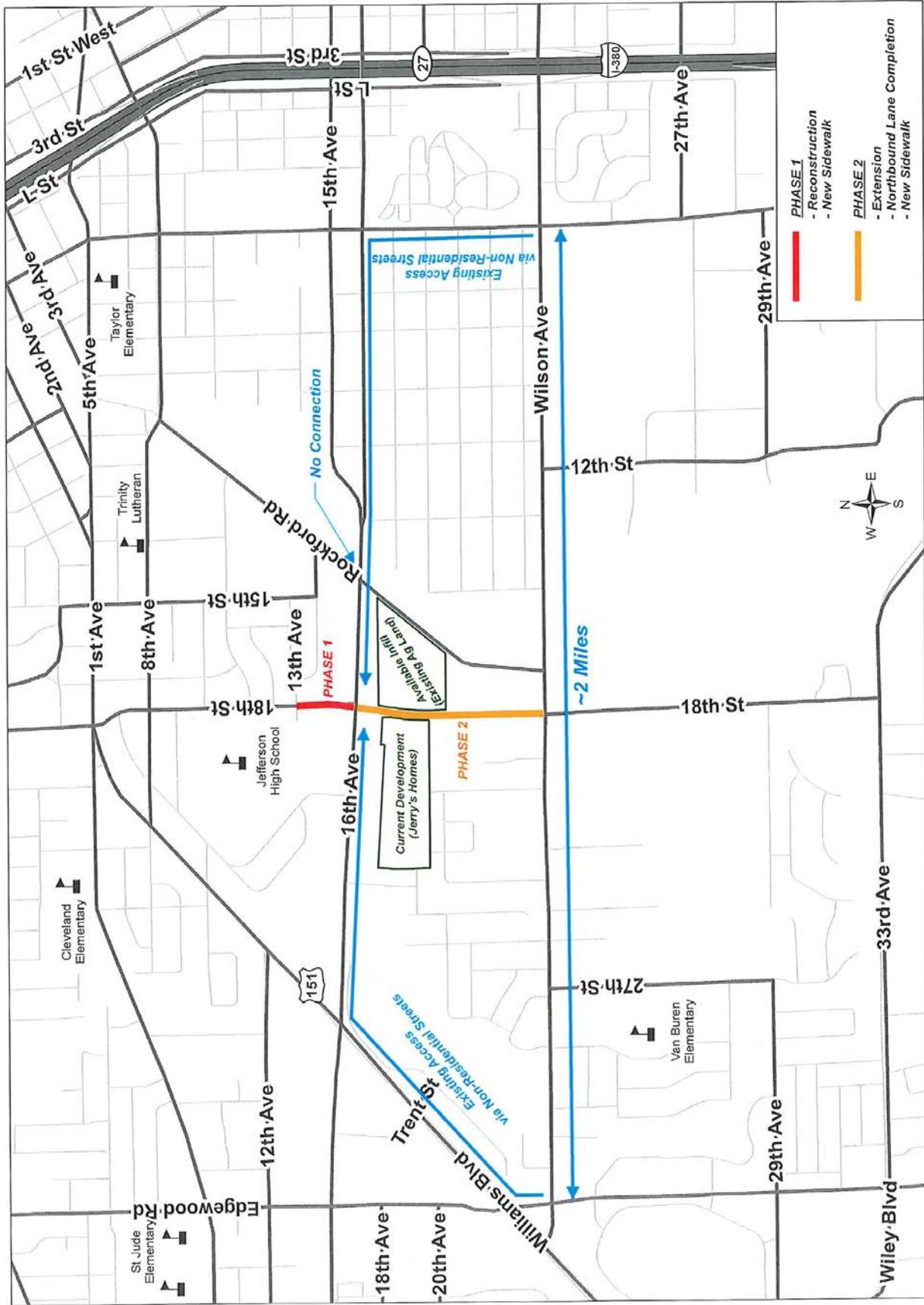
**Local Preference Policy:** Applies  Exempt

**Explanation:**

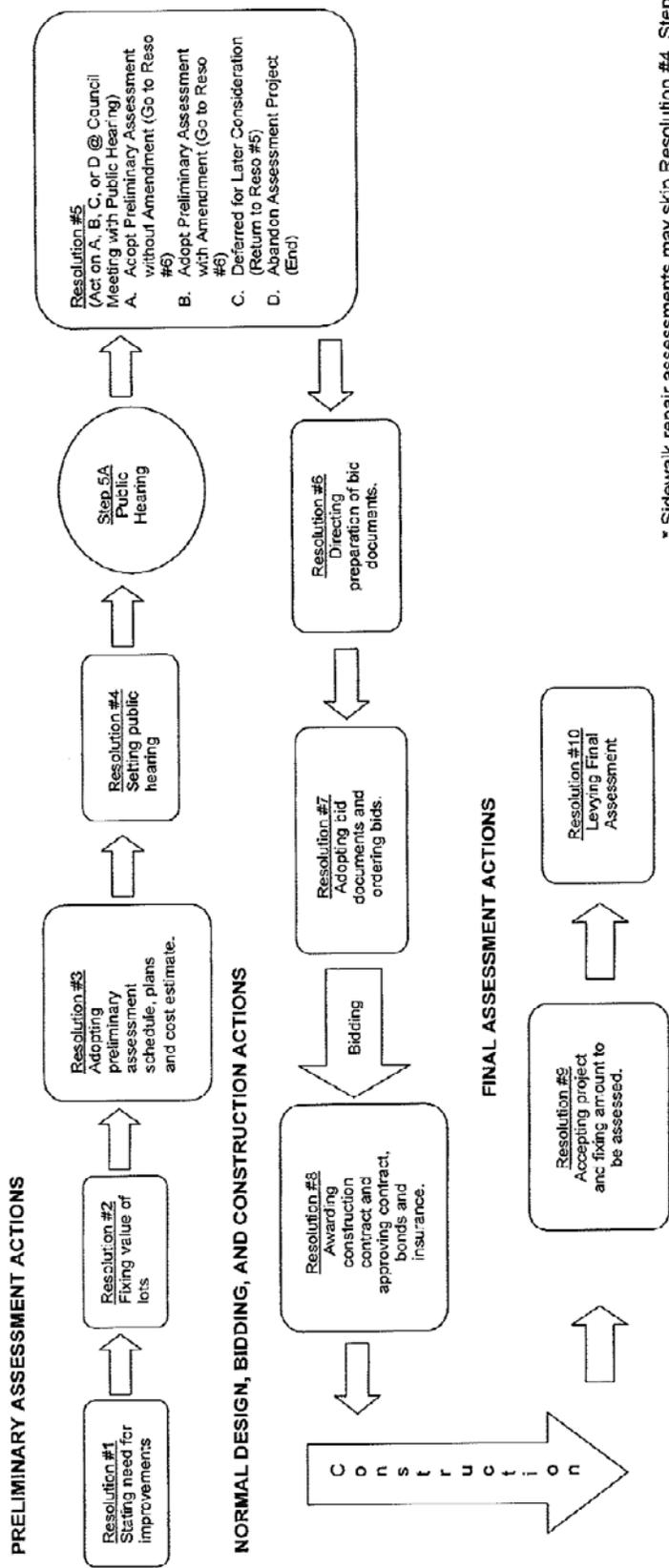
**Recommended by Council Committee:** Yes  No  N/A

**Explanation (if necessary):**





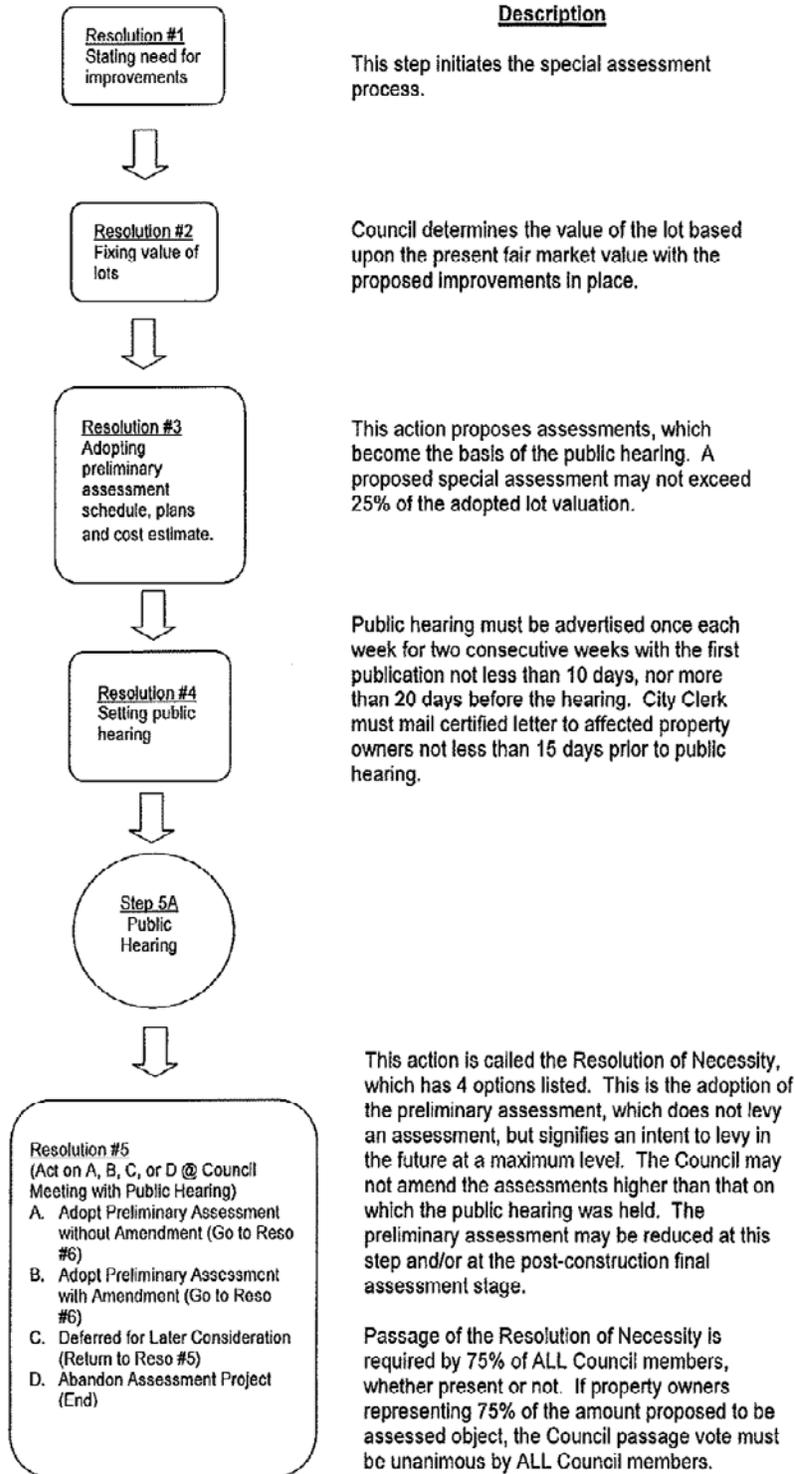
**FLOWCHART FOR CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS\*  
SUMMARY**



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

UPDATED 8.29.07

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



UPDATED 8.29.07

RESOLUTION NO

RESOLUTION WITH RESPECT TO THE ADOPTION OF THE  
RESOLUTION OF NECESSITY PROPOSED FOR THE  
18<sup>TH</sup> STREET SW FROM WILSON AVENUE SW TO 16<sup>TH</sup> AVENUE SW  
IMPROVEMENTS PROJECT (CIP NO. 301500)

WHEREAS, this Council has proposed a Resolution of Necessity for the 18th Street SW from Wilson Avenue SW to 16th Avenue SW Improvements project, has given notice of the public hearing thereon as required by law; and

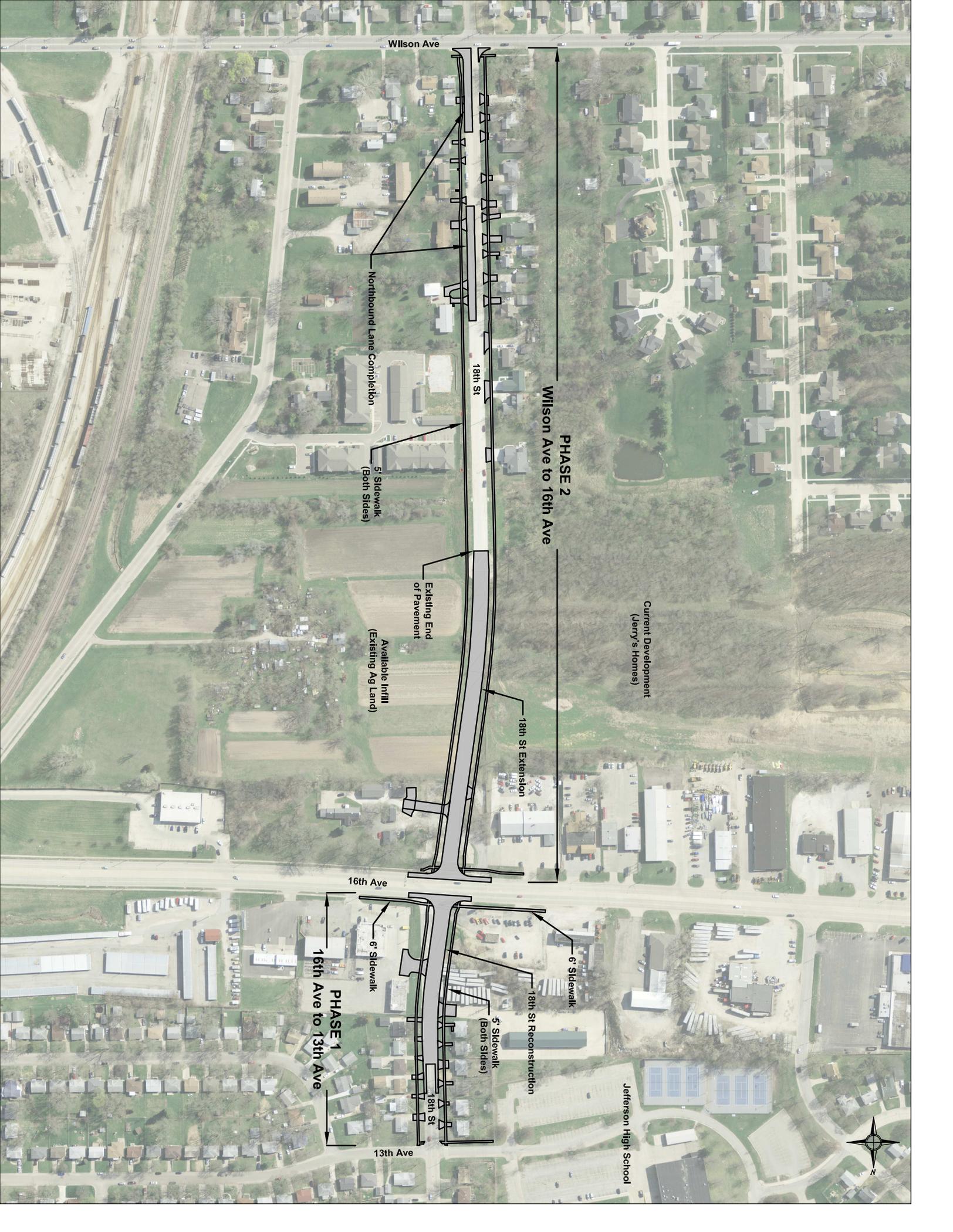
WHEREAS, the public hearing has been held, all persons offering objections have been heard and consideration given to all objections and is pending before this Council; and

WHEREAS, this is the time and place set as provided for the taking of action on the proposed Resolution of Necessity;

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

- Adopted, without amendment, and all objections filed or made having been duly considered and overruled.
- Adopted as amended by the Schedule of Amendments attached hereto as Exhibit A, and made a part thereof by reference. All objections filed or made having been duly considered are overruled.
- Deferred for later consideration to a Council meeting to be held on the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_, at this meeting place, with jurisdiction retained for further consideration and action at the adjourned meeting.
- Abandoned.

Passed and approved this 7<sup>th</sup> day of October, 2014.



Wilson Ave

Northbound Lane Completion

5' Sidewalk (Both Sides)

18th St

PHASE 2  
Wilson Ave to 16th Ave

Existing End of Pavement

Available Infill (Existing Ag Land)

18th St Extension

Current Development (Jerry's Homes)

16th Ave

PHASE 1  
16th Ave to 13th Ave

6' Sidewalk

18th St

13th Ave

5' Sidewalk (Both Sides)

18th St Reconstruction

6' Sidewalk

Jefferson High School





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5808

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

A public hearing will be held to consider the Resolution of Necessity (Proposed) for the 2015 Sidewalk Infill Project.

Resolution with respect to the adoption of the Resolution of Necessity proposed for the 2015 Sidewalk Infill Project. CIP/DID #3012074 -00

### Background:

This project will construct sidewalk in infill locations to remove gaps between existing sidewalks. The majority of these locations are beyond the five-year allowable grace period for when sidewalks are required to be installed per the Subdivision Ordinance, or fulfill conditions of a sidewalk Petition and Assessment Agreement.

When infrastructure construction by the City has benefited undeveloped land, it has been the City's practice to charge adjacent lands for benefit they receive, via special assessment. If not assessed, the City is essentially financing development construction and increasing property value at the cost of taxpayers. City Council passed the first, preliminary resolution for the construction of improvements on July 8, 2014.

This is Step 5 for the special assessment process to recover a portion of the public improvement costs that benefit the private properties being served. This is Resolution #5 as shown on the attached "Flowchart for City Council Actions in Special Assessment Process."

Following a Public Hearing on this matter, Council will consider an action to proceed with the adoption of a Resolution of Necessity for the 2015 Sidewalk Infill Project. Notices were mailed to the property owners proposed to be assessed prior to the scheduled public hearing notifying them of the project, said hearing, and proposed preliminary assessment amounts. Following the public hearing, Council will consider one of the following options:

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

**Action / Recommendation:**

The Public Works Department recommends adoption of the Proposed Resolution of Necessity (1). If public comments are received during the public hearing that require further review, we recommend action be deferred until the October 21, 2014 council meeting (3).

**Alternative to the Recommendation:**

If resolution is not adopted, the assessment will not proceed. The project will then require funding by general obligation funds, or the project abandoned.

**Time Sensitivity:** Must be acted on either on October 7, 2014 or, alternatively not later than October 21, 2014 due to assessment schedule.

**Resolution Date:** October 7, 2014

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

**Budget Information (if applicable):** CIP No. 3012074

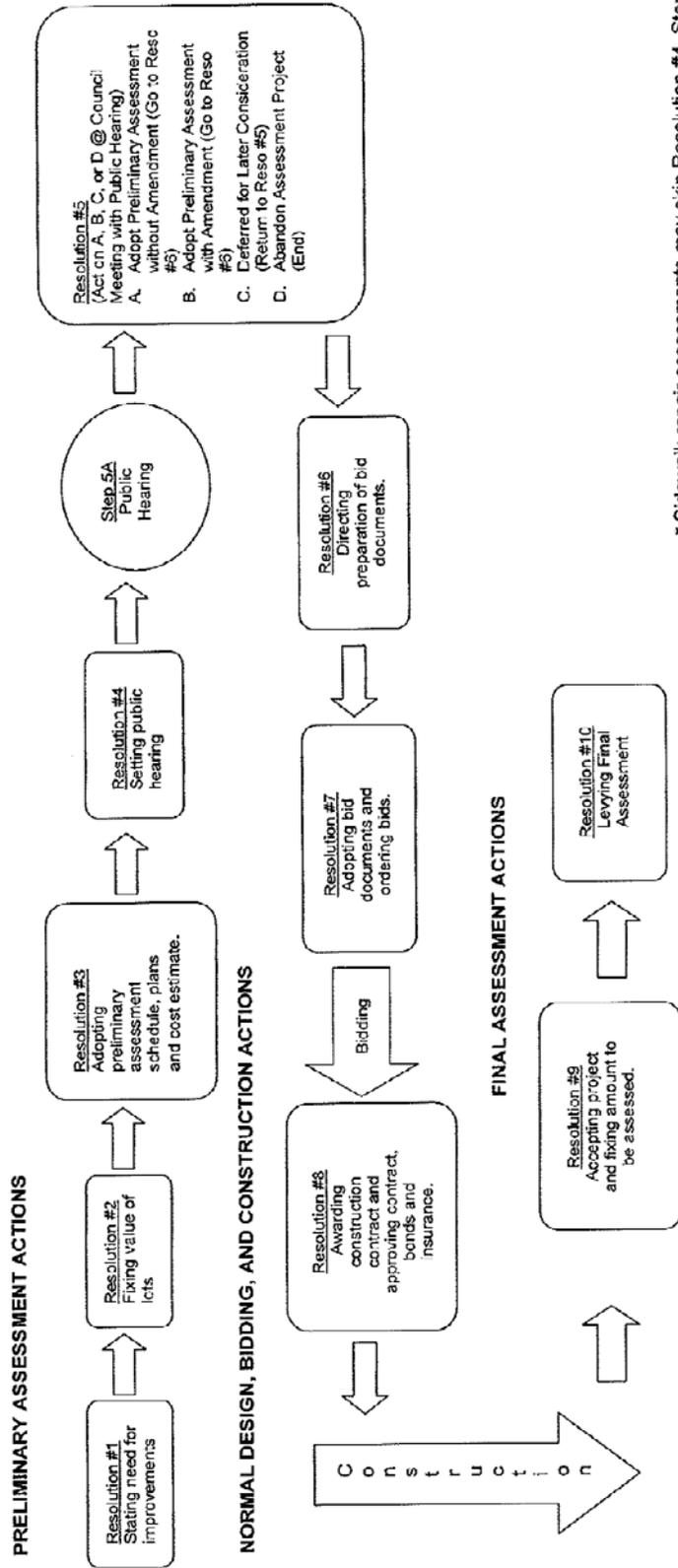
**Local Preference Policy:** Applies  Exempt

**Explanation:** Project is for sidewalk construction. In accordance with Code of Iowa, if bids are solicited and received, City Council must either award contract to the lowest responsive, responsible bidder or reject all bids.

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

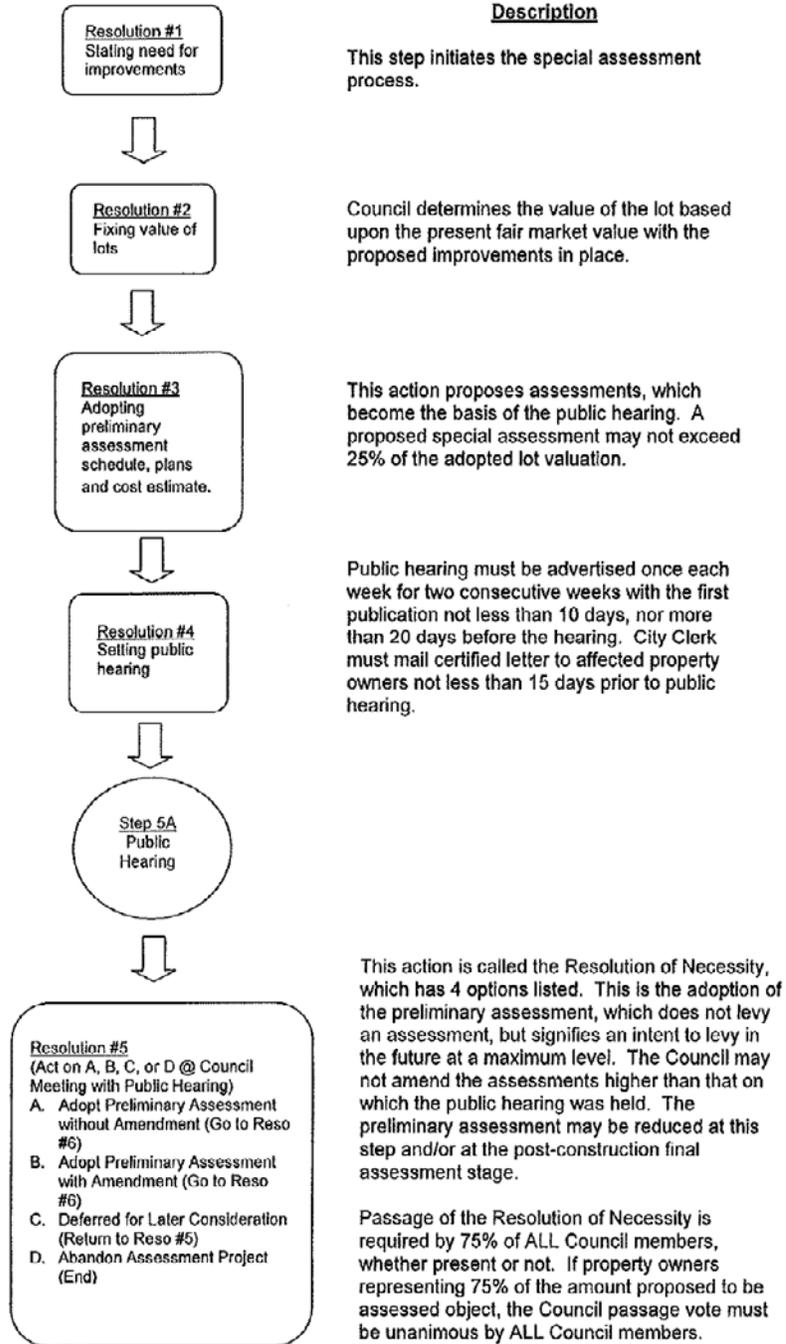
**Explanation** (if necessary):

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



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

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



UPDATED 8.29.07

RESOLUTION NO

RESOLUTION WITH RESPECT TO THE ADOPTION OF THE RESOLUTION OF NECESSITY  
PROPOSED FOR THE 2015 SIDEWALK INFILL PROJECT (CIP NO. 3012074)

WHEREAS, this Council has proposed a Resolution of Necessity for the 2015 Sidewalk Infill Project, has given notice of the public hearing thereon as required by law; and

WHEREAS, the public hearing has been held, all persons offering objections have been heard and consideration given to all objections and is pending before this Council; and

WHEREAS, this is the time and place set as provided for the taking of action on the proposed Resolution of Necessity;

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

- Adopted, without amendment, and all objections filed or made having been duly considered and overruled.
- Adopted as amended by the Schedule of Amendments attached hereto as Exhibit A, and made a part thereof by reference. All objections filed or made having been duly considered are overruled.
- Deferred for later consideration to a Council meeting to be held on the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_, at this meeting place, with jurisdiction retained for further consideration and action at the adjourned meeting.
- Abandoned.

Passed and approved this 7<sup>th</sup> day of October, 2014



## Council Agenda Item Cover Sheet Public Hearing and Resolution

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5807

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

**Phone Number/Extension:** 5092

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

A public hearing will be held to consider the execution of 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 42nd Street and Edgewood Road NE.

Resolution authorizing execution of a Substation 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 42nd 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):**

**Local Preference Policy:** Applies  Exempt

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

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

ENG  
CLK  
AUD FILE  
FIN  
TRS  
RCR  
IT  
IPL  
49-15-022

RESOLUTION NO.

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

WHEREAS, the City of Cedar Rapids, an Iowa Municipal Corporation, 101 First Street SE, Owner of the real property located at the southwest corner of Twin Pines Golf Course and the intersection of 42<sup>nd</sup> Street and Edgewood Road NE and known and described as:

See Attached Exhibit "A"

has agreed to convey to Interstate Power and Light Company, an Iowa Corporation, the necessary easement on City-owned land at this location for the consideration of \$1 plus publication and recording fees, and

WHEREAS, the City of Cedar Rapids held a Public Hearing on October 7, 2014, in which no objections were presented or heard, now therefore

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

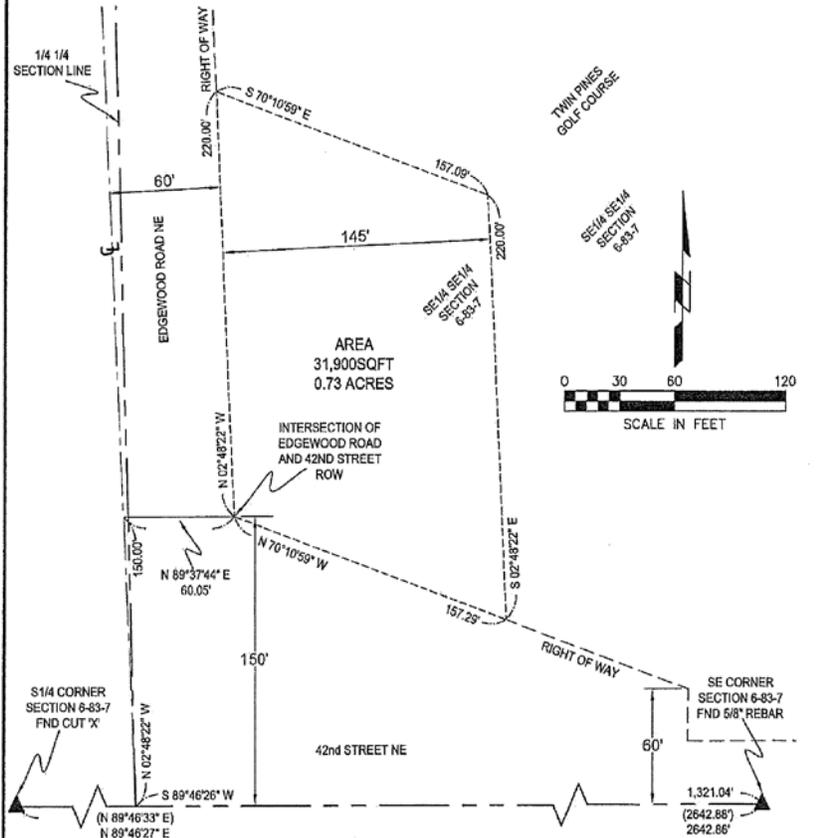
BE IT FURTHER RESOLVED, that the Substation Site Easement agreement be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 7<sup>th</sup> day of October, 2014

EXHIBIT 'A'

SUBSTATION SITE EASEMENT

The South 220 feet of the West 145 feet lying East of Edgewood Road NW Right of Way and North of 42nd Street NW Right of Way in the Southeast Quarter of the Southeast Quarter of Section 6, Township 83 North, Range 7 West of the 5th Principal Meridian, Cedar Rapids, Linn County, Iowa



**SURVEYOR / CONTACT:**  
 WADE D. WAMRE, PLS  
 SHIVE-HATTERY, INC  
 316 SECOND ST. SE, SUITE 500  
 CEDAR RAPIDS, IA 52401  
 319-364-0227  
 wwamre@shive-hattery.com

**SURVEY REQUESTED BY:**  
 ALLIANT ENERGY  
 200 1ST STREET SE  
 CEDAR RAPIDS, IOWA 52401

**OWNER:**  
 CITY OF CEDAR RAPIDS  
 (TWIN PINES GOLF COURSE)  
 101 1ST STREET SE  
 CEDAR RAPIDS, IOWA 52401

**EASEMENT DESCRIPTION:**

The South 220 feet of the West 145 feet lying East of Edgewood Road NE Right of Way and North of 42nd Street NE Right of Way in the Southeast Quarter of the Southeast Quarter of Section 6, Township 83 North, Range 7 West of the 5th Principal Meridian, Cedar Rapids, Linn County, Iowa.

Said easement contains 31,900 sq.ft., 0.73 acres, subject to easements and restrictions of record.

**SURVEY WORK PERFORMED:**  
 7-18-2014

**EASEMENT AREA:**  
 31,900 SQ.FT.  
 0.73 ACRES

**SURVEY LEGEND**

---	ADJOINING PROPERTY
---	EASEMENT

**SHIVE-HATTERY**  
 ARCHITECTURE+ENGINEERING

Iowa | Illinois | Indiana | Missouri <http://www.shive-hattery.com>

EXHIBIT 'A'		PROJECT NO.
SUBSTATION SITE EASEMENT		2142430
CEDAR RAPIDS, LINN COUNTY, IOWA		ISSUED FOR
DATE	9-5-2014	SCALE
		1"=60'
DRAWN	cm	FIELD BOOK
APPROVED	<i>[Signature]</i>	REVISION
REFERENCE DRAWING		

1 OF 1



HIGHWAY 100

NORTH RIVER BLVD NE

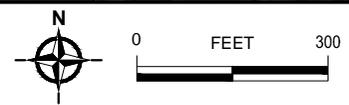
EDGEWOOD RD NE

Twin Pines Golf Course

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

## **MOTION Item Cover Sheet**

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

**Council Meeting Date:** October 7, 2014

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

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

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

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

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 21, 2014 and advertising for bids by publishing notice to bidders for the Water Pollution Control Facility Roughing Filter #4 Dome Replacement and Concrete Repair project and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on November 5, 2014 (estimated cost is \$1,925,000). CIP/DID #615238-01

### **Background:**

The existing aluminum geodesic domes at WPCF were installed approximately 12 years ago. During recent years, areas of corrosion have rapidly developed throughout the aluminum domes, with the most severe corrosion located near the air recirculation ducts. Howard R. Green Company of Cedar Rapids has completed an investigation of the domes to determine the cause of the corrosion and the best method to correct the existing corrosion. The specific areas investigated included: aluminum dome corrosion, concrete liner deterioration, humidity concerns, and the recirculation system.

Following their investigation, a final recommendation was prepared to correct the problems. Due to the significant amount of corrosion on the domes, complete replacement of existing domes was recommended. The Roughing Filter #2 project was previously completed in May 2012, the Roughing Filter #3 project was completed in January 2013, and the Roughing Filter #1 project was completed in December 2013. Roughing Filter #4 is the last project to be completed to correct the deficiencies identified by the Howard R. Green company in their investigation.

The work generally consists of removal of the aluminum dome for existing Roughing Filter #4 and its replacement with a new coated aluminum dome. Work would also include repair of corroded concrete in the interior of the Roughing Filter in both the upper and lower parts of the Roughing Filter. The upper filter portion is defined as all parts of the roughing filter above the media (including the aluminum dome). The lower filter portion is defined as all parts of the roughing filter below the media. A pre-bid meeting will be on October 21, 2014. Bids will be opened and publicly announced on November 5, 2014.

### **Action / Recommendation:**

The Utilities Department – WPC Division staff recommends that the plans and specifications be filed with the City Clerk's Office on October 7, 2014 and a Notice of Hearing and Letting be published on October 11, 2014. A Public Hearing is scheduled for October 21, 2014 and bids will be opened on November 5, 2014.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 10-7-14

**Motion Date:** 10-7-14

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

1. **Included in Current Budget Year.** Yes. The project will be funded from the FY 2015, FY2016, and FY2017 WPC Capital Improvement Projects budget.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$400,000 budgeted in the FY2015 CIP budget, \$900,000 in the projected FY2016 Capital Improvement Projects budget, and \$400,000 in the projected FY2017 Capital Improvement Projects budget for WPC for the construction of the Water Pollution Control Facility Roughing Filter #4 Dome Replacement and Concrete Repair project. If needed, additional funds are available by adjusting other items in the CIP budget or from reserves. The project will be coded to the following CIP fund: 553000-615-615000-x-x-615238.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project is being publicly bid as a Capital Improvement Project.

**Local Preference Policy** Applies  Exempt

**Explanation:** Capital Improvement Projects are not subject to local preference policy.

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

**Explanation (if necessary):**



## Council Agenda Cover Sheet

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

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5821

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

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for October 21, 2014 and advertising for bids by publishing notice to bidders for the FY 2015 Curb Repair Project – Contract 1 project and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on October 22, 2014 (estimated cost is \$430,000) **(Paving for Progress)**. CIP/DID #301998-06

**Background:**

Curb repairs to be completed this year will address numerous locations that have been deferred in the past because a proactive program for curb repairs is continuing, resulting from Paving for Progress revenue being available. Subject to receipt of acceptable bids, construction is scheduled to begin in the spring of 2015 and be completed within 45 working days.

**Action / Recommendation:**

The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for October 21, 2014 and advertising for bids by publishing notice to bidders for the project.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date Adopting Plans and Specs:** October 21, 2014

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

**Budget Information (if applicable):** 301998 Street LOST 7970

**Local Preference Policy:** Applies  Exempt

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

Program objectives reviewed with the committee

**Explanation** (if necessary):



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

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5821

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

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for October 21, 2014 and advertising for bids by publishing notice to bidders for the Prairie Valley Court SW Sidewalk Extension project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on October 29, 2014 (estimated cost is \$120,000). CIP/DID #301083-06

**Background:**

The purpose of the project is to extend sidewalk throughout both sides of Prairie Valley Court SW in accordance with preliminary assessments adopted on July 23, 2008. Subject to receipt of acceptable bids, construction is scheduled to begin in the spring or summer of 2015 and be completed within 25 working days.

**Action / Recommendation:**

The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for October 21, 2014 and advertising for bids by publishing notice to bidders for the project.

**Alternative to the Recommendation:**

If this resolution is not adopted, final assessments will be delayed. The project could be abandoned and assessments for the project deleted or an alternate funding source could be established.

**Time Sensitivity:** Normal

**Resolution Date Adopting Plans and Specs:** October 21, 2014

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

**Budget Information (if applicable):** 301083-06 assessment - \$45,603

**Local Preference Policy:** Applies  Exempt

**Explanation:**

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



Cadd File Name: W:\PROJECTS\CIP\301083\01083 Council Map.dwg



**PRAIRIE VALLEY COURT SW SIDEWALK EXTENSION PROJECT**





## **MOTION Item Cover Sheet**

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

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Utilities – Water Division

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

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

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

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 21, 2014 and advertising for bids by publishing notice to bidders for the Selected J Avenue Campus 2014 Renovations project and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on November 5, 2014 (estimated cost is \$900,000). CIP/DID #6250031-02

**Background:**

The goal of the project is to construct improvements to specific electrical, HVAC, and architectural components of the Water Distribution Maintenance Building and the J Avenue Water Treatment Plant. The electrical portion of the project involves demolishing and replacing obsolete electrical installations in the J Avenue Water Plant and Water Distribution Maintenance Building and energizing the Water Distribution Maintenance Building from a different power source located on the J Avenue Water Plant site. The HVAC and Architectural portions include identifying and correcting the existing deferred maintenance issues at the Water Distribution Maintenance Building, such as poor drainage of the site, improperly sized HVAC equipment, and inadequate sanitary sewer drainage.

The Water Distribution Maintenance Building was built in multiple phases, with the final phase being constructed in 1966. The roof on the complex was replaced in 2000. Aside from this limited work, little additional maintenance has been done on the structure. In recent years, issues with exterior paint chipping, freeze-thaw damage and wall cracking, mainly around the western-most garage, have been identified. In addition, water ingress into the office area has been observed as well. The overall goal of the project is to correct these building issues, along with the previously mentioned obsolete electrical equipment, to allow City staff to occupy and use this building for another 20 -30 years,

A pre-bid meeting will be on October 20, 2014. Bids will be opened and publicly announced on November 5, 2014.

**Action / Recommendation:**

The Utilities Department – Water Division staff recommends that the plans and specifications be filed with the City Clerk's Office on October 7, 2014 and a Notice of Hearing and Letting be published on October 11, 2014. A Public Hearing is scheduled for October 21, 2014 and bids will be opened on November 5, 2014.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 10-7-14

**Motion Date:** 10-7-14

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

1. **Included in Current Budget Year.** Yes. The project will be funded from the FY 2014, FY2015, and FY2016 Water Division Capital Improvement Projects budget.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There was currently \$225,000 budgeted in the FY2014 CIP budget, \$650,000 in the FY2015 Capital Improvement Projects budget, and \$200,000 in the projected FY2016 Capital Improvement Projects budget for the Water Division for the construction of the Selected J Avenue Campus 2014 Renovations project. If needed, additional funds are available by adjusting other items in the CIP budget or from reserves. The project will be coded to the following CIP funds: 553000-615-615000-x-x-6250031 and 553000-615-615000-x-x-6250032.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project is being publicly bid as a Capital Improvement Project.

**Local Preference Policy** Applies  Exempt

**Explanation:** Capital Improvement Projects are not subject to local preference policy.

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

**Explanation (if necessary):**



## **MOTION Item Cover Sheet**

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

**Council Meeting Date:** October 07, 2014

**Submitting Department:** Utilities – Water Division

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

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

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

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 21, 2014 and advertising for bids by publishing notice to bidders for the Cedar River East Floodwall PepsiCo/Quaker Oats Area, Phase 1 - Transmission Main Pressure Connections and Service Line Valve Installation project and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on November 05, 2014 (estimated cost is \$1,225,000). CIP/DID #330260-04

### **Background:**

The Utilities Department intends to install connection points 'live' on the existing 36-inch Prairie Valley transmission main in advance of the construction of the east side floodwall. The floodwall plan proposed to incorporate a segment of 36-inch transmission main along the base of the wall which will need to connect to the existing transmission main.

### **Action / Recommendation:**

The Water Division staff recommends that the plans and specifications be filed with the City Clerk on October 7, 2014 and a Notice of Hearing and Letting be published on Saturday, October 11, 2014. A Public Hearing is scheduled for October 21, 2014 and bids will be opened on November 5, 2014.

### **Time Sensitivity:**

Request action during the October 7, 2014 City Council meeting in an effort to maintain the proposed project bid and construction schedule which has been coordinated with Quaker plant staff.

**Motion Date:** October 07, 2014

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

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

1. **Included in Current Budget Year.** The project will be grant funded out of the CDBG / IDED Contract # 08-DRIEF-200CR and coded to 330-330260-18517-3302600006
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The CDBG / IDED Contract contains \$3,000,000 for Utility Relocations.
3. **Purchasing Department used or Purchasing Guidelines followed:** Purchasing guidelines are being followed for Public Improvement Projects.

**Local Preference Policy**      Applies       Exempt

**Explanation:** N/A

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

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



## COUNCIL AGENDA ITEM COVER SHEET

**Meeting Date:** 10/7/2014

**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. Bricks Bar & Grill, 320 2<sup>nd</sup> Avenue SE;
- b. Buffalo Wild Wings, 1100 Blairs Ferry Road NE;
- c. Cooter's, 729 1<sup>st</sup> Avenue NW;
- d. Cranky Hank's Pizza, 4444 1<sup>st</sup> Avenue NE (5-day permit for an event at 50 2<sup>nd</sup> Avenue Bridge, Veteran's Memorial Building, on October 18, 2014);
- e. Eurest Dining Services (Aegon), 6400 C Street SW;
- f. Holiday Inn Express, 3320 Southgate Court SW;
- g. Holiday Inn Express, 1230 Collins Road NE;
- h. 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, Veteran's Memorial Building, on October 18, 2014);
- i. Lancer Lanes, 3203 6<sup>th</sup> Street SW;
- j. Leonardo's Pizza, 2228 16<sup>th</sup> Avenue SW;
- k. 'Migo's, 86 16<sup>th</sup> Avenue SW (new-formerly Blue Toad);
- l. Noodles & Company, 310 Collins Road NE;
- m. Oyama Sushi Japanese Steakhouse, 5350 Council Street NE;
- n. St. Pius X Parish, 4949 Council Street NE (5-day permit for an event on October 17-22, 2014);
- o. 2014);
- p. Taste of India, 1060 Old Marion Road NE Suite #E;
- q. Tienda Mexicana La Guanajuato, 3915 Center Point Road NE;
- r. White Star Ale House, 305 2<sup>nd</sup> Avenue SE.

### Background:

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

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** N/A

**Estimated Presentation Time:** N/A

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

**Local Preference Policy:** Applies Exempt X

**Explanation:**

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

**Explanation: (if necessary):**



## Cedar Rapids Police Department Memorandum

**To:** Chief Jerman  
**From:** Lt. Walter Deeds  
**Subject:** Beer/Liquor License Applications Calls For Service Summary  
**Date:** 10/7/14

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Bricks Bar & Grill 320 2ND AVE SE	52	1	1	6
Buffalo Wild Wings - Blairs Ferry 1100 BLAIRS FERRY RD NE	12	0	0	0
Cooter's 729 1ST AVE NW	28	0	0	4
Cranky Hank's Pizza 4444 1ST AVE NE	11	1	0	4
Eurest Dining Services (Aegon) 6400 C ST SW	24	0	0	1
Holiday Inn Express - 33rd Ave 3320 SOUTHGATE CT SW	16	0	0	3
Holiday Inn Express - Collins Road 1230 COLLINS RD NE	9	2	0	0
Julia-n-LeChef Katering Kitchen 426 1ST AVE NW	4	0	0	0
Lancer Lanes 3203 6TH ST SW	17	1	0	1
Leonardo's Pizza 2228 16TH AVE SW	13	0	0	0
Migo's 86 16TH AVE SW	0	0	0	0

Noodles & Company 310 COLLINS RD NE	7	0	0	0
Oyama Sushi Japanese Steakhouse 5350 COUNCIL ST NE	0	0	0	0
St. Pius X Parish 4949 Council ST NE	8	0	0	1
White Star Ale House 305 2ND AVE SE	5	0	0	1

## RESOLUTION NO.

WHEREAS, the attached listing of bills dated October 7, 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 7<sup>th</sup> day of October, 2014.

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

OB1143566

RESOLUTION NO.

TRANSFER OF FUNDS

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

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



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 7, 2014

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

**Presenter at meeting:** Amy Stevenson

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

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

**Alternate Contact Person:** Bridget McMenomy

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

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

**Description of Agenda Item:**

Resolution thanking the following individuals:

- a. Vote of thanks to Lora Ferguson and Heidi Taylor for serving on the Section 8 Housing Choice Voucher (HCV) Program Resident Advisory Board; CIP/DID #OB400545

**Background:**

This agenda includes votes of thanks for individuals who are no longer participating in the Section 8 Housing Choice Voucher (HCV) Program and, therefore, are no longer eligible to serve on the Section 8 Housing Choice Voucher (HCV) Program Resident Advisory Board.

**Action / Recommendation:**

Approve resolutions as presented.

**Alternative Recommendation:**

**Time Sensitivity:** None

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** N/A

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

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**



RESOLUTION NO.

WHEREAS, Lora Ferguson and Heidi Taylor have devoted considerable time and effort as members of the Section 8 Housing Choice Voucher (HCV) Program Resident Advisory Board,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CEDAR RAPIDS, IOWA, that a vote of thanks and appreciation be and is hereby provided to Lora Ferguson and Heidi Taylor for serving as members of the Section 8 Housing Choice Voucher (HCV) Program Resident Advisory Board.

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

## Council Agenda Item Cover Sheet

**Council Meeting Date:** 10-7-14

**Submitting Department:** Solid Waste & Recycling

**Presenter at meeting:** Mark Jones

**Phone Number/Ext:** 4791

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

**Alternate Contact Person:** Sarah

**Phone Number/Ext:** X4786

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

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

Resolutions approving assessment actions:

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

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

(Note: The Intent to Assess Resolution was approved at the Council Meeting on August 12, 2014 & August 26, 2014.)

### **Background:**

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

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

The Notice of Intent to Assess these properties were approved by Resolution No. 1027-08-14 passed on August 12, 2014 & Resolution No. 1136-08-14 passed on August 26, 2014.

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

### **Action / Recommendation:**

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

### **Alternative Recommendation:**

The City Council could decide not to assess.

**Time Sensitivity:**

**Resolution Date:** 10-7-14

**Estimated Presentation Time:** 0 Minutes

**Budget Information (if applicable):**

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

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

RESOLUTION NO.

LEVY ASSESSMENT

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

NUISANCE ABATEMENTS

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

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

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

Passed this 7th day of October, 2014.

City of Cedar Rapids  
Solid Waste & Recycling Department  
Special Assessment List  
Service Dates: 7/18/14 - 8/7/14

Date	Customer #	GPN#/ Parcel	First Name	Last Name	House	Street	Quad	Lot	Block	Amount	Flood Zone
7/18/2014	A01874	142615301000000	Dawn A	Roth	2828	Seeley Ave	SE	15		\$ 429.75	
7/21/2014	A00265	143228101700000	Sarah A	Beltz	1372	22nd Ave	SW	289		\$ 299.75	
7/21/2014	A01165	142928401700000	Douglas E	Johnston	1402	1st Ave	NW	14	3	\$ 414.75	
7/21/2014	A01865	141130200400000	Melissa R & Mohammad	Al Sharairei	142	34th St Dr	SE	13	1	\$ 676.75	
8/7/2014	A01886	142230501100000	Loi	Lam	1521	5th Ave	SE	8	5	\$ 444.75	
8/7/2014	A01887	141137903500000	Chester Sundance LLC		350	30th St Dr	SE	2		\$ 781.50	
										<u>\$ 3,047.25</u>	

**Council Agenda Item Cover Sheet**

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

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Utilities – Water Division

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

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

**Description of Agenda Item:**

Resolutions approving assessment actions:

- a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 52 properties; CIP/DID #OB

This is a Resolution to Assess (Intent) – Various Properties for Delinquent Municipal Utility Bills, Penalties and Iowa Sales Tax. (The property address listing is included with the resolution.)

**Background:**

The Utilities Department – Water Division is responsible for the billing and collection of municipal utility bills for water, sewer, storm sewer, solid waste and recycling services provided to our customers. The Water Division initiates the Notice of Intent to Assess process whenever delinquent utility balances are unpaid; collection efforts have been ignored; and active services have been terminated. Below are the steps taken in typical situations:

- Friendly Reminder is mailed
- Final Notice is mailed
- Door Tag is placed at premise
- Services are terminated

A Notice of Intent to Assess letter is mailed (after Council approves the Resolution of Intent to Assess) giving the property owners 30 days to pay their delinquent municipal utility bill before a resolution for special assessment is approved by City Council to lien properties.

**Action / Recommendation:** The Utilities Department – Water Division recommends that the Resolution for Intent to Assess various properties for delinquent municipal utility bills be approved.

**Alternative Recommendation (if applicable):** The City Council could decide not to assess delinquent utility bills or they could approve lien intents to assess properties as a motion item eliminating the need for a resolution.

**Time Sensitivity:** None, routine item

**Resolution Date:** 10/07/14

**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 18<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 3:00 p.m., November 18, 2014.

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

**LIEN INTENTS (SPECIAL ASSESSMENTS) 10/07/14**

				<b>LIEN INTENTS 10/07/14</b>
<b>#</b>		<b>Balance Due</b>		<b>Premise Address</b>
1		\$ 254.94		114 21ST ST SW
2		\$ 131.52		218 15TH ST NE
3		\$ 143.88		253 12TH ST NW
4		\$ 207.80		264 WILSON AVE SW
5		\$ 154.83		293 18TH AVE SW
6		\$ 118.63		336 17TH ST SE
7		\$ 70.26		340 66TH AVE SW
8		\$ 67.15		415 22ND ST NE
9		\$ 92.14		512 20TH ST NE
10		\$ 117.23		513 18TH ST SE
11		\$ 278.40		519 2ND ST SW
12		\$ 214.04		608 ROBYN LN NW
13		\$ 63.75		618 L ST SW
14		\$ 236.94		623 27TH ST NW
15		\$ 172.51		634 32ND ST NE
16		\$ 150.77		800 KNOLL ST SE
17		\$ 72.20		810 10TH AVE SE
18		\$ 166.83		818 A AVE NW
19		\$ 329.65		1010 19TH ST NW
20		\$ 169.07		1054 G AVE NW
21		\$ 121.85		1114 15TH ST SE
22		\$ 127.00		1123 CAPRI DR NE
23		\$ 126.59		1130 15TH ST SE
24		\$ 123.46		1143 OAKLAND RD NE
25		\$ 50.79		1208 L ST SW
26		\$ 367.74		1234 6TH ST NW
27		\$ 242.62		1433 BEVER AVE SE
28		\$ 98.52		1547 C AVE NE
29		\$ 244.24		1618 2ND AVE SE
30		\$ 207.43		1650 ELLIS BLVD NW
31		\$ 143.18		1707 27TH ST NW
32		\$ 210.26		1727 26TH ST NW
33		\$ 237.27		1737 5TH AVE SE
34		\$ 125.96		1801 E AVE NW
35		\$ 45.83		1804 L ST SW #B
36		\$ 136.02		2520 ELLIS VIEW CT NW
37		\$ 175.96		2620 JOHNSON AVE NW
38		\$ 161.88		2622 2ND AVE SE
39		\$ 230.33		2715 FRANKLIN AVE NE
40		\$ 60.55		2825 SCHAEFFER DR SW
41		\$ 312.12		2922 Q AVE NW
42		\$ 161.94		3008 PEBBLE DR SW
43		\$ 99.73		3101 SAMUEL CT SW #11
44		\$ 98.64		3207 MOUND AVE SE

<b>LIEN INTENTS 10/07/14</b>			
<b>#</b>	<b>Balance Due</b>	<b>Premise Address</b>	
45	\$ 79.36	3212 MOUND AVE SE	
46	\$ 279.72	3219 STRATFORD LN SW	
47	\$ 273.31	3808 REDBUD RD NE	
48	\$ 663.74	3950 WILSON AVE SW	
49	\$ 254.08	4634 SUGAR PINE DR NE	
50	\$ 480.26	4810 GORDON AVE NW	
51	\$ 234.45	5441 CEDAR DR NW	
52	\$ 261.81	5931 MUIRFIELD DR SW #2	
	<b>\$ 9,649.18</b>	<b>Grand Total</b>	
	<b>52</b>	<b>Number of Properties</b>	
	<b>\$ 50.79</b>	<b>Balance Due - Low</b>	
	<b>\$ 663.74</b>	<b>Balance Due - High</b>	

**Council Agenda Item Cover Sheet**

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

**Council Meeting Date:** October 7, 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 #OB1300835

The property address listing is included with the resolution. [**Note:** The Intent to Assess Resolution was approved at the August 26<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. 111399-08-14 on August 26, 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:** 10/07/14

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

**SPECIAL ASSESSMENTS (TO BE LIENED) 10/07/14**

<b>SPECIAL ASSESSMENTS 10/07/14</b>			
<b>LIEN INTENTS 8/26/14</b>			
<b>#</b>	<b>Balance Due</b>	<b>Premise Address</b>	
1	\$ 184.26	280 14TH AVE SW	
2	\$ 304.54	287 13TH ST NW #B	
3	\$ 173.64	633 OLIVE DR NW	
4	\$ 79.77	641 21ST AVE SW	
5	\$ 198.05	801 3RD AVE SW	
6	\$ 246.04	868 12TH ST NE	
7	\$ 433.56	1103 1ST AVE SW	
8	\$ 201.88	1104 16TH AVE SW	
9	\$ 285.28	1205 M ST SW	
10	\$ 346.71	1228 6TH AVE SE	
11	\$ 84.38	1244 WILSON AVE SW	
12	\$ 144.49	1338 J AVE NE	
13	\$ 219.79	1396 ELMHURST DR NE	
14	\$ 114.38	1524 A AVE NE	
15	\$ 310.50	1715 ARIZONA AVE NE	
16	\$ 227.79	1902 WILLIAMS BLVD SW	
17	\$ 294.25	2014 J ST SW	
18	\$ 194.84	2164 CHERRY LN NE	
19	\$ 199.88	2454 C ST SW	
20	\$ 232.02	2520 ELLIS VIEW CT NW	
21	\$ 162.23	2656 WORTHINGTON DR SW	
22	\$ 161.78	3126 C AVE NE	
23	\$ 42.05	3137 CARRIAGE DR SW	
	<b>\$ 4,842.11</b>	<b>Grand Total</b>	
	<b>23</b>	<b>Number of Properties</b>	
	<b>\$ 42.05</b>	<b>Balance Due - Low</b>	
	<b>\$ 433.56</b>	<b>Balance Due - High</b>	



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

**Description of Agenda Item:**  **Consent Agenda**  **Regular Agenda** **No Map**  
 Resolutions accepting maintenance bonds for various subdivision improvements:

- a. Accepting sanitary sewer in Crescent View First Addition – Phase IV and approving 2-year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$29,446.19. CIP/DID #47-10-028
- b. Accepting storm sewer in Crescent View First Addition – Phase IV and approving 2-year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$26,953.68. CIP/DID #47-10-028
- c. Accepting Portland Cement Concrete Pavement in Crescent View First Addition – Phase IV and approving 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$59,287.50. CIP/DID #47-10-028

### Background:

This item includes acceptance of three (3) maintenance bonds from various contractors for various development improvements that have been completed. The infrastructure improvements completed by the development projects include Portland Cement Concrete pavement, sanitary sewer and storm sewer improvements. The construction has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bonds provided represents the construction value of the infrastructure improvements based on the developer's contract price for the infrastructure improvements.

### Action / Recommendation:

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

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** October 7, 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

**Explanation** (if necessary):

RESOLUTION NO.

WHEREAS, Abode Construction, Inc. has constructed sanitary sewer in Crescent View First Addition – Phase IV, and

WHEREAS, said work has now been completed, and Abode Construction, Inc. has filed a 2-year Maintenance Bond, executed by Granite Re, Inc. in the sum of \$29,446.19 covering said work, now therefore

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

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

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

RESOLUTION NO.

WHEREAS, Abode Construction, Inc. has constructed storm sewer in Crescent View First Addition – Phase IV, and

WHEREAS, said work has now been completed, and Abode Construction, Inc. has filed a 2-year Maintenance Bond, executed by Granite Re, Inc. in the sum of \$26,953.68 covering said work, now therefore

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

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

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

RESOLUTION NO.

WHEREAS, City Wide Construction Corporation has filed a Maintenance Bond executed by North American Specialty Insurance Company in the sum of \$59,287.50 for Portland Cement Concrete pavement in Crescent View First Addition – Phase IV, now therefore

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

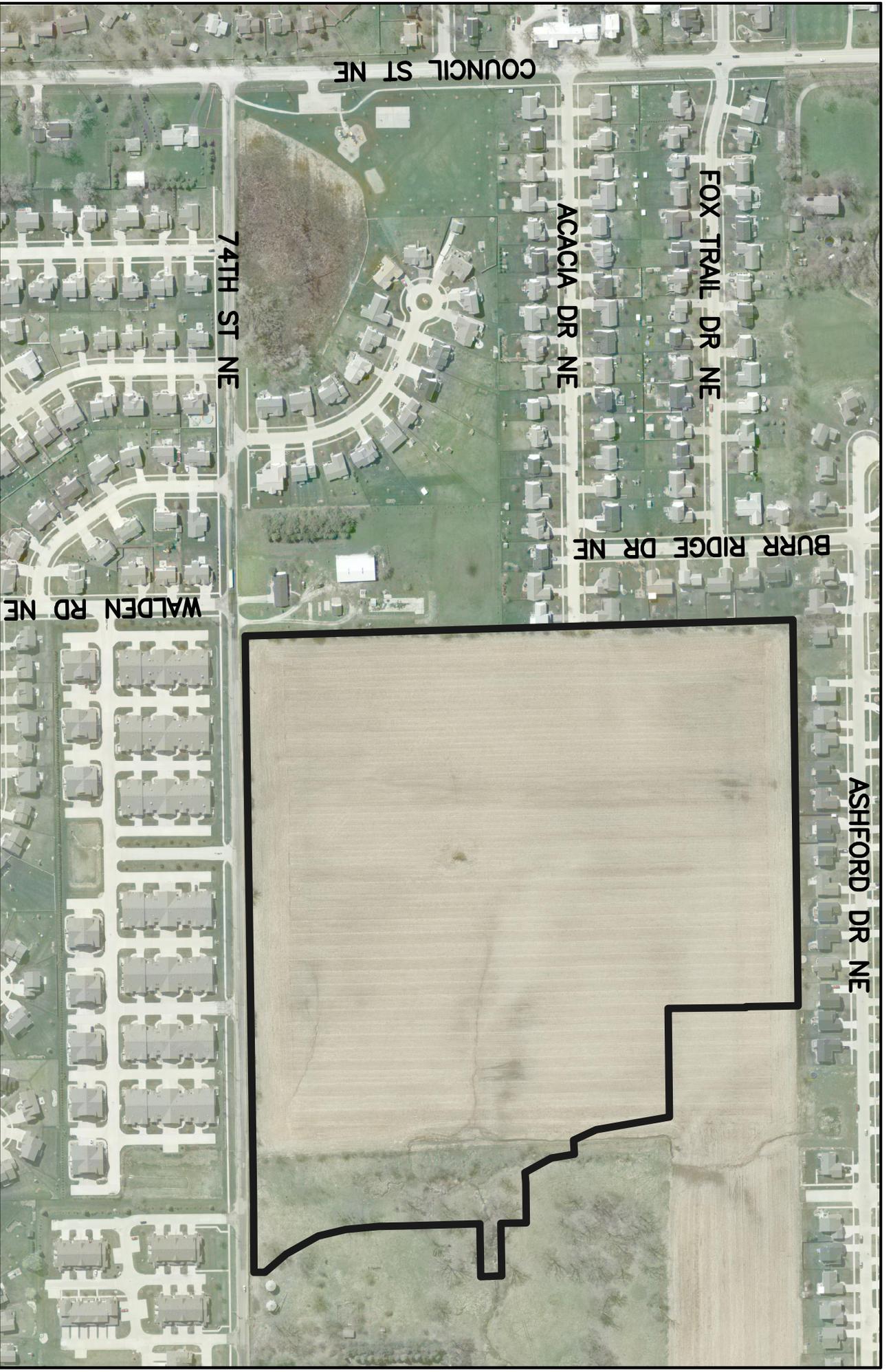
BE IT FURTHER RESOLVED that the acceptance of this street by the City of Cedar Rapids does not relieve Abode Construction, Inc. of the responsibility for:

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

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

BE IT FURTHER RESOLVED that the 4-year Maintenance Bond filed by City Wide Construction Corporation be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director.

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



SCALE: NONE

CRESCENT VIEW FIRST ADDITION  
LOCATED NORTH OF 74TH ST NE  
AND EAST OF WALDEN RD NE



CEDAR RAPIDS  
CITY OF FIVE SEASONS

4710028



## Council Agenda Item Cover Sheet

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

**Council Date:** October 7, 2014

**Submitting Department:** Utilities - Water Division

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

**Alternate Contact:** 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 Applewood Hills 11<sup>th</sup> Addition and approving the 2-Year Maintenance Bond (#54186487) in the amount of \$30,283 submitted by Dave Schmitt Construction Company, Inc. CIP/DID #2011060-01.

**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, Wilmar Development Company, was granted permission by the Water Division to install 8-inch water mains, services, and appurtenances in Applewood Hills 11<sup>th</sup> Addition (Project No. 2011060).

The Contractor, Dave Schmitt Construction Company, Inc., has installed 568 feet of 8-inch DIP water main, service stubs and appurtenances in Windfall Drive NW and Pippin Hill Drive NW.

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 Applewood Hills 11<sup>th</sup> Addition (Project No. 2011060) and the Contractor's 2-year Maintenance Bond in the amount of \$30,283 submitted by Dave Schmitt Construction Company, 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:** 10/07/2014

**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):**

WTR  
AUD FILE  
FIN  
ENG  
DAVE SCHMITT  
WILMAR  
2011060-01

RESOLUTION NO.

WHEREAS, Wilmar Development Company was granted permission by the Utilities Department – Water Division to install 568 feet of 8-inch DIP water mains, service stubs and appurtenances in Windfall Drive NW and Pippin Hill Drive NW, all in APPLEWOOD HILLS 11<sup>TH</sup> ADDITION (Project No. 2011060), to the City of Cedar Rapids, and

WHEREAS, said work has now been completed and Dave Schmitt Construction Company, Inc. of Cedar Rapids, Iowa, as Principal has filed a Maintenance Bond (Bond No. 54186487) executed by United Fire & Casualty Company, as Surety in the sum of \$30,283 (Thirty Thousand Two Hundred Eighty three Dollars and 00/100) covering said work.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the water mains, service stubs and appurtenances installed in APPLEWOOD HILLS 11<sup>TH</sup> ADDITION (Project No. 2011060), be hereby accepted, and

BE IT FURTHER RESOLVED that the 2-Year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc., as Principal and executed by United Fire & Casualty Company, as Surety be hereby approved and filed with the City Finance Director.

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



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

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

Resolution accepting project, authorizing final payment in the amount of \$402,782 and approving the 2-year Performance Bond submitted by Knutson Construction Services Midwest, Inc. for the 2<sup>nd</sup> Street SE Parking Ramp at 7<sup>th</sup> Avenue – General Construction project (original contract amount was \$7,801,500; final contract amount is \$8,055,633). CIP/DID #635120-20

### Background:

Construction has been substantially completed by Knutson Construction Services Midwest, Inc. for the 2<sup>nd</sup> Street SE Parking Ramp at 7<sup>th</sup> Avenue – General Construction project. This is an approved Capital Improvements Project (CIP No. 635120-20) with a final construction contract amount of \$8,055,633. 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 \$402,782.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** October 7, 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 2<sup>nd</sup> Street SE Parking Ramp at 7<sup>th</sup> Avenue – General Construction project (Contract No. 635120-20), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated February 1, 2013 in the amount of \$7,801,500 covering said work filed by Knutson Construction Services Midwest, Inc. and executed by Travelers Casualty and Surety Company of America provides a 2-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$7,801,500
Change Order No. 1	31,593
Change Order No. 2	23,960
Change Order No. 3	16,159
Change Order No. 4	15,216
Change Order No. 5	79,123
Change Order No. 6	<u>88,082</u>
Amended Contract Amount	\$8,055,633

, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 2-year correction period as provided by the Performance Bond commences on March 14, 2014, and

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the 2<sup>nd</sup> Street SE Parking Ramp at 7<sup>th</sup> Avenue – General Construction project, (Contract No. 635120-20) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$402,782 to Knutson Construction Services Midwest, Inc. as final payment.

The final contract price is \$8,055,633.00 distributed as follows:635-635000-635120  
, and

BE IT FURTHER RESOLVED, that sales tax was not paid on the above project and therefore there is no refund to be submitted to the State of Iowa.

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



NEW MULTILEVEL PARKING RAMP LOCATION



**7TH AVENUE SE AND 2ND STREET SE  
NEW MULTILEVEL PARKING RAMP**



0 FEET 150



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

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

Resolution accepting project, authorizing final payment in the amount of \$8,973.21 and approving the 4-year Performance Bond submitted by Rathje Construction Company for the Sun Valley Neighborhood SE Storm Sewer Installation project (original contract amount was \$170,784.95; final contract amount is \$179,464.25). CIP/DID #304224-04

**Background:**

Construction has been substantially completed by Rathje Construction Company for the Sun Valley Neighborhood SE Storm Sewer Installation project. This is an approved Capital Improvements Project (CIP No. 304224-04) with a final construction contract amount of \$179,464.25. 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 \$8,973.21.

**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:** October 7, 2014

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

**Budget Information (if applicable):** Local Option Sales Tax (FLOOD)

**Local Preference Policy:** Applies  Exempt

**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 Sun Valley Neighborhood SE Storm Sewer Installation project (Contract No. 304224-04), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated April 22, 2014 in the amount of \$165,784.95 covering said work filed by Rathje Construction Company 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	\$165,784.95
Possible Incentive	5,000.00
Change Order No. 1	10,220.26
Change Order No. 2	2,334.04
Removal of Original Incentive	<u>(3,875.00)</u>
Amended Contract Amount	\$179,464.25

, now therefore

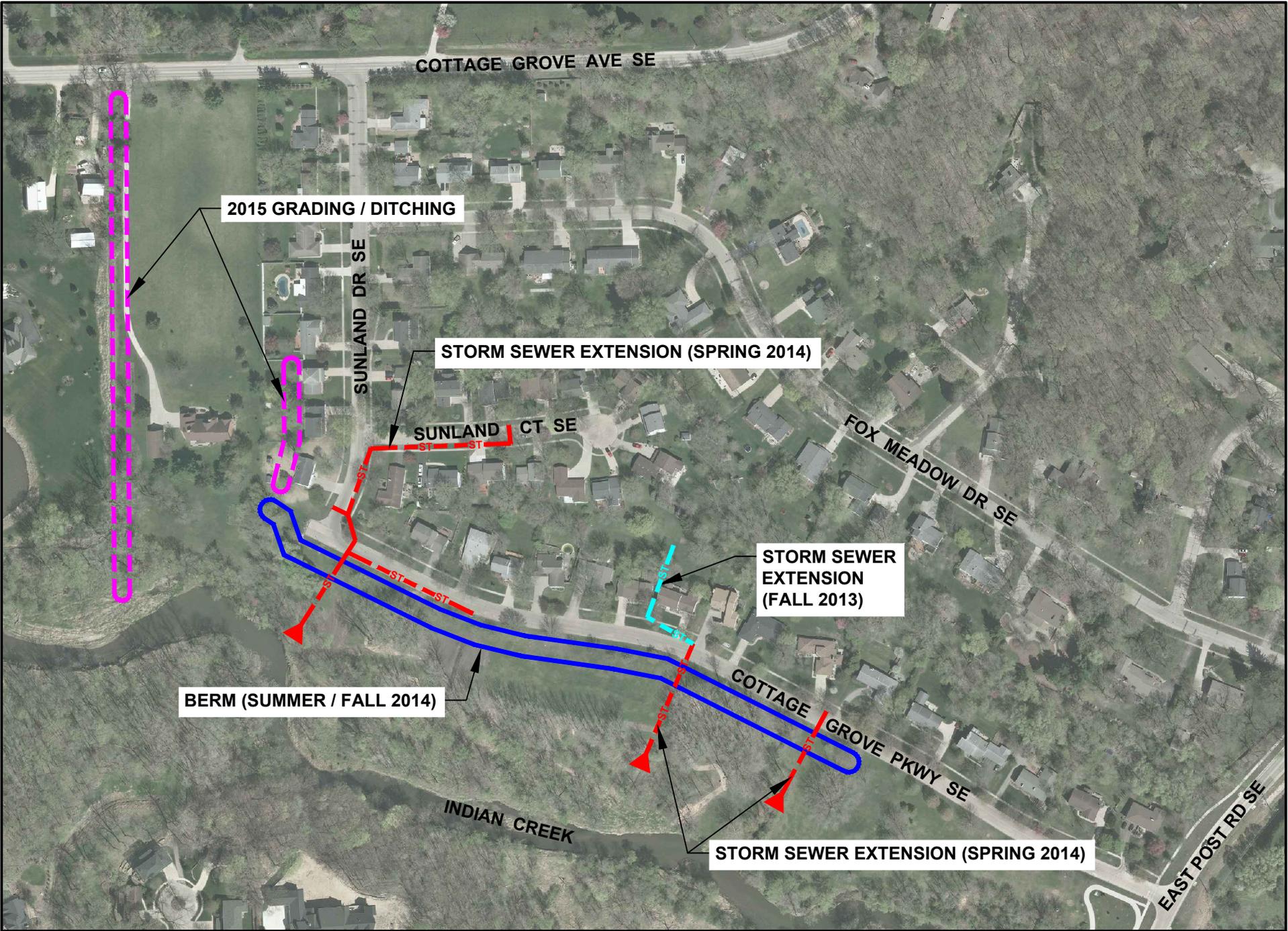
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the Sun Valley Neighborhood SE Storm Sewer Installation project, (Contract No. 304224-04) 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 \$8,973.21 to Rathje Construction Company as final payment.

The final contract price is \$179,464.25 distributed as follows: \$179,464.25 304-304000-304224, 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 7<sup>th</sup> day of October, 2014.



**COTTAGE GROVE PARKWAY  
FLOOD RISK REDUCTION PROJECT**



Cadd File Name: W:\PROJECTS\CIP\304\304224\304224 Council Map.dwg



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

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

Resolution accepting project, authorizing final payment in the amount of \$4,006.69 and approving the 4-year Performance Bond submitted by Pirc-Tobin Construction, Inc. for the Q Avenue NW at Ellis Boulevard NW Flood Protection Improvements project (original contract amount was \$86,384.40; final contract amount is \$80,133.81). CIP/DID #304285-02

### Background:

Construction has been substantially completed by Pirc-Tobin Construction, Inc. for the Q Avenue NW at Ellis Boulevard NW Flood Protection Improvements project. This is an approved Capital Improvements Project (CIP No. 304285-02) with a final construction contract amount of \$80,133.81. 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 \$4,006.69.

### 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:** October 7, 2014

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

**Budget Information (if applicable):** CIP 304285: \$213,485

**Local Preference Policy:** Applies  Exempt

**Explanation:** Does not apply to public improvement projects.

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

**Explanation** (if necessary): Infrastructure committee on September 16, 2013 and Flood Committee on September 19, 2013.

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Q Avenue NW at Ellis Boulevard NW Flood Protection Improvements project (Contract No. 304285-02), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated December 17, 2013 in the amount of \$81,384.40 covering said work filed by Pirc-Tobin Construction, Inc. and executed by Capitol Indemnity Corporation provides a 4-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$81,384.40
Possible Incentive	5,000.00
Change Order No. 1	531.60
Change Order No. 2	(6,532.19)
Removal of Original Incentive	<u>(250.00)</u>
Amended Contract Amount	\$80,133.81

, 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 Q Avenue NW at Ellis Boulevard NW Flood Protection Improvements project, (304285-02) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$4,006.69 to Pirc-Tobin Construction, Inc. as final payment.

The final contract price is \$80,133.81 distributed as follows: \$80,133.81 304-304000-304285, 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 7<sup>th</sup> day of October, 2014.



Ellis Park

CEDAR RIVER

ELLIS LN NW

8TH STREET NW

ELLIS BLVD NW

PROJECT LOCATION

Q AVE NW

9TH ST NW

8TH ST NW

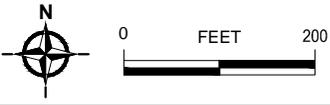
ELLIS BLVD NW

PENN AVE NW

Cadd File Name: W:\PROJECTS\CIP\304\304285\304285 Council Map.dwg



**Q AVENUE NW AT ELLIS BOULEVARD NW  
FLOOD PROTECTION IMPROVEMENTS**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

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

Resolution accepting project, authorizing final payment in the amount of \$3,796.04 and approving the 2-year Performance Bond submitted by Woodruff Construction, LLC for the Five Seasons Parkade Skywalk – Phase II Exterior Renovations project (original contract amount was \$64,700; final contract amount is \$75,920.78). CIP/DID #635125-02

### Background:

Construction has been substantially completed by Woodruff Construction, LLC for the Five Seasons Parkade Skywalk – Phase II Exterior Renovations project. This is an approved Capital Improvements Project (CIP No. 635125-02) with a final construction contract amount of \$75,920.78. Funding resources for this project were approved in FY15 and prior years and the project is completed within the approved budget.

### Action / Recommendation:

The Public Works Department recommends adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of \$3,796.04.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:**

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

**Budget Information (if applicable):**

**Local Preference Policy:** Applies  Exempt

**Explanation:** The project is funded locally and must be awarded to the lowest 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 Five Seasons Parkade Skywalk – Phase II Exterior Renovations project (Contract No. 635125-02), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated October 8, 2013 in the amount of \$64,700 covering said work filed by Woodruff Construction, LLC and executed by United Fire & Casualty Company provides a 2-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$64,700.00
Change Order No. 1	9,262.03
Change Order No. 2	1,958.75
	<hr/>
Amended Contract Amount	\$75,920.78

, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 2-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the Five Seasons Parkade Skywalk – Phase II Exterior Renovations project, (Contract No. 635125-02) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$3,796.04 to Woodruff Construction, LLC as final payment.

The final contract price is \$75,920.78 distributed as follows: \$75,920.78 635-635000-635125, 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 7<sup>th</sup> day of October, 2014.



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



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



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Veterans Memorial

**Presenter at meeting:** Consent Agenda  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Mike Jager  
**Email:** M.Jager@cedar-rapids.org

**Phone Number/Ext:** 5039

**Description of Agenda Item:**

Resolution accepting project, approving performance bond and authorizing issuance of final payment for the Veterans Memorial Phase III – Bid Package #11 – Fire Protection project, final payment in the amount of \$6,417.16 and the 2-Year Performance Bond submitted by Blackhawk Automatic Sprinklers, Inc. (original contract amount was \$128,670; final contract amount is \$128,343) (**FLOOD**); CIP/DID #VME001-06

**Background:**

Construction has been substantially completed by Blackhawk Automatic Sprinklers, Inc. for the Veterans Memorial Phase III – Bid Package #11 – Fire Protection project. This is a FEMA funded project (VME-001-06) with a final construction contract amount of \$128,343.

**Action / Recommendation:**

The Veterans Memorial Director recommends adoption of the Resolution to accept the project, the performance bond and issue final payment to the contractor in the amount of \$6,417.16.

**Alternative Recommendation:**

None

**Time Sensitivity:** Normal

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:**

**Budget Information (if applicable):** VME-001-06 (552000-330-330020-18512-VME001)

**Local Preference Policy** Applies  Exempt

**Explanation:**

VET  
FIN  
CLK  
TRS  
AUD FILE  
BLACKHAWK  
NEUMANN  
VME001-06  
OB377545

RESOLUTION NO.

WHEREAS, the Veterans Memorial Director certifies construction contract work on the Veterans Memorial Phase III – Bid Package #11 – Fire Protection project, Contract No. VME001-06, has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated January 22, 2013 in the amount of \$128,670 covering said work filed by Blackhawk Automatic Sprinklers, Inc. and executed by Merchants Bonding Company (Mutual) provides a two-year correction period for defects in materials and workmanship, now therefore

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

BE IT FURTHER RESOLVED that based on the Veterans Memorial Director's recommendation, the Veterans Memorial Phase III – Bid Package #11 – Fire Protection project, Contract No. VME001-06, be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$6,417.16 to Blackhawk Automatic Sprinklers, Inc. as final payment.

The final contract price is \$128,343 distributed as follows: 552000-330-330020-18512-VME001 and,

BE IT FURTHER RESOLVED, that sales tax was not paid on the above project and therefore there is no refund to be submitted to the State of Iowa.

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

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Veterans Memorial

**Presenter at meeting:** Consent Agenda  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Mike Jager  
**Email:** M.Jager@cedar-rapids.org

**Phone Number/Ext:** 5039

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

Resolution accepting project, approving performance bond and authorizing issuance of final payment for the Veterans Memorial Phase III – Bid Package #4 – Carpentry, Doors, Hardware and Specialties project, final payment in the amount of \$32,510.40 and the 2-Year Performance Bond submitted by Tricon General Construction, Inc. (original contract amount was \$488,000; final contract amount is \$650,207.85) (**FLOOD**); CIP/DID #VME001-06

### **Background:**

Construction has been substantially completed by Tricon General Construction, Inc. for the Veterans Memorial Phase III – Bid Package #4 – Carpentry, Doors, Hardware and Specialties project. This is a FEMA funded project (VME-001-06) with a final construction contract amount of \$650,207.85.

### **Action / Recommendation:**

The Veterans Memorial Director recommends adoption of the Resolution to accept the project, the performance bond and issue final payment to the contractor in the amount of \$6,417.16.

### **Alternative Recommendation:**

None

**Time Sensitivity:** Normal

**Resolution Date:** October 7, 2014

### **Estimated Presentation Time:**

**Budget Information (if applicable):** VME001-06 (552000-330-330020-18512-VME001)

**Local Preference Policy** Applies  Exempt

**Explanation:**

VET  
FIN  
CLK  
TRS  
AUD FILE  
TRICON  
NEUMANN  
VME001-06  
OB377545

RESOLUTION NO.

WHEREAS, the Veterans Memorial Director certifies construction contract work on the Veterans Memorial Phase III – Bid Package #4 – Carpentry, Doors, Hardware and Specialties project, Contract No. VME001-06, has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated January 22, 2013 in the amount of \$488,000 covering said work filed by Tricon General Construction, Inc. and executed by Fidelity and Deposit Company of Maryland provides a two-year correction period for defects in materials and workmanship, now therefore

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

BE IT FURTHER RESOLVED that based on the Veterans Memorial Director's recommendation, the Veterans Memorial Phase III – Bid Package #4 – Carpentry, Doors, Hardware and Specialties project, Contract No. VME001-06, be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$32,510.40 to Tricon General Construction, Inc. as final payment.

The final contract price is \$650,207.85 distributed as follows: \$522,035.90 to 552000-330-330020-18512-VME001 and \$128,171.95 to 552000-330-330020-18515-VME001-NG and,

BE IT FURTHER RESOLVED, that sales tax was not paid on the above project and therefore there is no refund to be submitted to the State of Iowa.

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



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Community Development

**Presenter at Meeting:** Paula Mitchell

**Phone:** 319 286-5852

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

**Alternate Contact Person:** Chrystal Shaver

**Phone:** 319 286-5182

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

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

**Description of Agenda Item:**

Resolution adopting funding priorities for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs for the period covering July 1, 2015 – June 30, 2016. CIP/DID #OB71743

**Background:**

On September 24, 2014, the Development Committee of City Council recommended funding priorities for the upcoming CDBG and HOME program year covering the period of July 1, 2015 through June 30, 2016. In an effort to better target the City's declining CDBG and HOME entitlement resources; an annual prioritization process was established in September 2012 to target funds towards highest priority community needs. These needs were determined using City Council's strategic goals and priorities, as well as the City's 5-year Consolidated Plan and other City planning efforts.

One requirement of the US Department of Housing and Urban Development is to assist with capacity building and funding of Community Housing Development Organizations (CHDOs). Therefore an additional priority would be set for the HOME program that would set-aside \$150,000 for CHDO organizations applying for eligible HOME program activities. This is greater than the 15% required, but would give the City flexibility in future years in the event no CHDO activities are proposed.

Recommended dollar amounts are based off of FY2014 funding levels of \$1,050,636 for CDBG and \$331,071 for HOME. Recommendations are shown in Attachment A. In general, the recommendations focus on activities that improve housing stock and promote neighborhood quality of life either through provision of services in core neighborhoods.

It is also recommended that \$150,000 of the budgeted \$331,071 for HOME program funds be prioritized for CHDO applicants.

**Action/Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:**

City Council may table the resolution and request additional information.

**Time Sensitivity:**

A pre-application workshop has been tentatively scheduled for October 30, 2014, in anticipation of the December 1, 2014 application deadline.

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** 0 minutes

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

**Local Preference Policy** Applies  Exempt

**Explanation:** No goods or services are being purchased through this action.

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

**Explanation (if necessary):**

The Development Committee of City Council reviewed on September 24, 2014 and recommended approval.

**ATTACHMENT A – Recommended Priorities**

<b>Proposed FY15 CDBG Priority Percentages</b>				
<b>City Council Goal</b>	<b>City Council Desired Outcome</b>	<b>CDBG Activity</b>	<b>CDBG Percentage Allocation</b>	<b>Budget Amount</b>
<b>Create Current and Future Financial Strength</b>	Balanced budget and long term financial plan	Admin Costs – CDBG Services provided without cost to the General Fund	20%*	\$210,127
<b>Bold moves in Economic Development</b>	Provide workforce housing options	Housing Activities, Including Owner-Occupied Rehabilitation, Rental Rehabilitation, Acquisition Rehabilitation	60%	\$630,382
<b>Strategic/ Intentional Community Planning</b>	Wide range of housing options  Targeted use of resources to maximize impact and rebuild core of city			
		Public Services Including Neighborhood Services, Youth Services, Elder Services, Homeless Services, Handicap Services, and Other Eligible Expenses	15%*	\$157,595
		Other Eligible activities as needed by the Community	Up to 5%	\$52,532

\* Allocations in this category limited by federal statute.

RESOLUTION NO.

RESOLUTION ADOPTING FUNDING PRIORITIES FOR THE  
 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME  
 INVESTMENT PARTNERSHIP PROGRAMS FOR THE PERIOD  
 COVERING JULY 1, 2015 – JUNE 30, 2016

WHEREAS, as promulgated by Federal rules and regulations of the U.S. Department of Housing and Urban Development (HUD), at 24 CFR Part 91 et al., a Citizen Participation Plan is a federally mandated pre-requisite of communities determined eligible to receive funds, in part, from the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs; and

WHEREAS, the City of Cedar Rapids, Iowa (City) is qualified as an entitlement community to annually receive funds from both the CDBG & HOME Programs, and may qualify for other HUD grant programs; and

WHEREAS, the City's annual entitlement funds have been experiencing a decline in annual funding allocations and increased competition for scarce resources; and

WHEREAS, the City desires to align funding priorities with the community's greatest priority needs;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa that the following funding priorities are hereby adopted for Federal FY2015 with final approval, and made a part of this resolution:

<b>Proposed FY15 CDBG Priority Percentages</b>				
<b>City Council Goal</b>	<b>City Council Desired Outcome</b>	<b>CDBG Activity</b>	<b>CDBG Percentage Allocation</b>	<b>Budget Amount</b>
<b>Create Current and Future Financial Strength</b>	Balanced budget and long term financial plan	Admin Costs – CDBG Services provided without cost to the General Fund	20%*	\$210,127
<b>Bold moves in Economic Development</b>	Provide workforce housing options	Housing Activities, Including Owner-Occupied Rehabilitation, Rental Rehabilitation, Acquisition Rehabilitation	60%	\$630,382
<b>Strategic/ Intentional Community Planning</b>	Wide range of housing options  Targeted use of resources to maximize impact and rebuild core of city			

		Public Services Including Neighborhood Services, Youth Services, Elder Services, Homeless Services, Handicap Services, and Other Eligible Expenses	15%*	\$157,595
		Other Eligible activities as needed by the Community	Up to 5%	\$52,532

\* Allocations in this category limited by federal statute.

BE IT FURTHER RESOLVED THAT \$150,000 from the annual HOME Investment Partnership Program allocation shall be made available for eligible activities to be carried out by a Community Development Housing Organization (CHDO), subject to funding availability.

Passed this 7th day of October, 2014.

## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Cari Pauli  
**E-mail Address:** c.pauli@cedar-rapids.org

**Phone Number/Extension:** 5157

**Alternate Contact Person:** Ron Griffith  
**E-mail Address:** r.griffith@cedar-rapids.org

**Phone Number/Extension:** 5154

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

Resolution establishing "No Parking Anytime" on the north side of Bever Avenue SE from 30<sup>th</sup> Street to 34<sup>th</sup> Street SE, and on the south side of Bever Avenue SE from Bever Circle to 34<sup>th</sup> Street SE. CIP/DID #PARK-013644-2014

### Background:

As a part of the Capital Improvement Project on Bever Avenue SE, this street was reconstructed to provide two 14-foot travel lanes to be shared by vehicles and bicyclists (shared use lanes) from 30<sup>th</sup> Street to 34<sup>th</sup> Street SE and one parking lane on the south side of Bever Avenue SE from Memorial Drive SE to Bever Circle SE. The addition of the shared use lanes aligns with the City's goal of creating more multimodal transportation options for our community.

These changes require "No Parking Anytime" be established on the north side of Bever Avenue SE from 30<sup>th</sup> Street to 34<sup>th</sup> Street SE, as parking is currently prohibited on the north side of Bever Avenue SE from Memorial Drive SE to 30<sup>th</sup> Street SE. "No Parking Anytime" has already been established on the north side of Bever Avenue SE from Memorial Drive SE to 30<sup>th</sup> Street SE. Therefore, parking must be removed on the north side of Bever Avenue SE from 30<sup>th</sup> Street to 34<sup>th</sup> Street SE. Additionally, as part of the street reconstruction parking must be removed on the south side of Bever Avenue SE from Bever Circle SE to 34<sup>th</sup> Street SE.

### Action / Recommendation:

The Traffic Engineering Division of the Public Works Department recommends removal of parking on the north side of Bever Avenue SE from 30<sup>th</sup> Street to 34<sup>th</sup> Street SE, as well as the south side of Bever Avenue SE from Bever Circle to 34<sup>th</sup> Street SE to accommodate the shared use lanes in connection with the Bever Avenue SE from Memorial Drive SE to 34<sup>th</sup> Street SE project (301696).

### Alternative Recommendation:

Should Council determine not to approve the requested parking restriction, the existing parking restrictions will remain in place and Bever Avenue SE will need to be restriped from 30<sup>th</sup> Street to 34<sup>th</sup> Street to remove the shared use lanes and install two 10-foot lanes and one 8-foot parking lane on the north side of Bever Avenue SE from 30<sup>th</sup> Street to 34<sup>th</sup> Street SE.

**Time Sensitivity:** Normal.

**Resolution Date:** October 7, 2014

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

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

**Local Preference Policy:** Applies  Exempt

**Explanation:** Local Preference Policy does not apply to parking.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, as part of the Capital Improvement Project on Bever Avenue SE from Memorial Drive SE to 34<sup>th</sup> Street SE, parking must be removed on the north side of Bever Avenue SE from 30<sup>th</sup> Street to 34<sup>th</sup> Street SE and the south side of Bever Avenue SE from Bever Circle SW to 34<sup>th</sup> Street SE, in order to accommodate two 14-foot travel lanes to be shared with bicycles (shared-use lanes) from 30<sup>th</sup> Street to 34<sup>th</sup> Street SE and one 8-foot parking lane on the south side of Bever Avenue SE from 30<sup>th</sup> Street SE to Bever Circle SE, and

WHEREAS, the Public Works Department recommends establishing “No Parking Anytime” on the north side of Bever Avenue SE from 30<sup>th</sup> Street SE to 34<sup>th</sup> Street SE, and

WHEREAS, the Public Works Department recommends establishing “No Parking Anytime” on the south side of Bever Avenue SE from Bever Circle SE to 34<sup>th</sup> Street SE, now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that “No Parking Anytime” be established on the north side of Bever Avenue SE from 30<sup>th</sup> Street to 34<sup>th</sup> Street SE, and

BE IT FURTHER RESOLVED, that the establishment of “No Parking Anytime” on the south side of Bever Avenue SE from Bever Circle SE to 34<sup>th</sup> Street SE, be and the same is hereby approved.

Passed this 7<sup>th</sup> day of October, 2014

Cadd File Name: W:\PROJECTS\CIP\301696\301696 Council Map.dwg



**"NO PARKING ANYTIME"  
NORTH SIDE BEVER AVE**

**"NO PARKING ANYTIME"  
SOUTH SIDE BEVER AVE**



**"NO PARKING ANYTIME" ON THE NORTH SIDE OF BEVER AVENUE SE  
FROM 30TH STREET SE TO 34TH STREET SE AND THE SOUTH SIDE OF  
BEVER AVENUE SE FROM BEVER CIRCLE SE TO 34TH STREET SE**



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Cari Pauli  
**E-mail Address:** c.pauli@cedar-rapids.org

**Phone Number/Extension:** 5157

**Alternate Contact Person:** Ron Griffith  
**E-mail Address:** r.griffith@cedar-rapids.org

**Phone Number/Extension:** 5154

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

Resolution rescinding Resolution Nos. 1189-7-93 and 968-5-94, which established "No Parking 8AM-4PM" on the south side of Boyson Road NE from Kent Drive NE to the easterly drive of Bowman Woods Elementary School, and establishing "No Parking Anytime" on the north and south sides of Boyson Road NE from C Avenue to the East Corporate Limits. CIP/DID #3012085/PARK-011718-2014

### Background:

City Council approved the Complete Streets Policy, which considers modes of travel, such as bicyclists, when planning, designing and improving Cedar Rapids streets. City Council also passed Resolution No. 0623-05-14, which approved the rehabilitation project for Boyson Road NE, including the installation of bike lanes on both sides of Boyson Road NE from C Avenue to the East Corporate Limits. In order to accommodate these bike lanes, on-street parking must be removed.

### Action / Recommendation:

The Traffic Engineering Division of the Public Works Department recommends removal of parking on both sides of Boyson Road NE from C Avenue to the East Corporate Limits to accommodate bike lanes in connection with the Boyson Road NE Pavement Rehabilitation Improvements project (CIP Project 3012085).

### Alternative Recommendation:

Should Council determine not to approve the requested parking restriction, the existing parking restrictions will remain in place and bike lanes will not be installed with CIP Project 3012085.

**Time Sensitivity:** Normal.

**Resolution Date:** August 12, 2014

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

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

**Local Preference Policy:** Applies  Exempt

**Explanation:** Local Preference Policy does not apply to parking.

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

**Explanation** (if necessary): At the September 16, 2014, Infrastructure Committee meeting, it was motioned to proceed with placing the resolution to establish "No Parking Anytime on both sides of Boyson Road NE from C Avenue easterly to the city limits" on the October 7, 2014, City Council agenda.

RESOLUTION NO.

WHEREAS, Resolution No. 1004-07-14, passed by City Council on July 22, 2014, approved consideration of all modes of transportation, including cyclists, when planning, designing and improving Cedar Rapids streets, and

WHEREAS, Resolution No. 0623-05-14, passed by City Council on May 27, 2014, approved Pavement Rehabilitation Improvements from C Avenue NE to East Corporate Limits including the installation of bike lanes on both sides of Boyson Road NE from C Avenue to the East Corporate Limits, and

WHEREAS, parking must be removed on both sides of Boyson Road NE from C Avenue to the East Corporate Limits in order to accommodate the installation of the bike lanes, and

WHEREAS, Resolution No. 2229-11-90, passed by City Council on November 14, 1990, established "No Parking Anytime" on the north and south sides of Boyson Road NE from Devonshire Drive NE westerly to 1,200 feet west of C Avenue NE, and

WHEREAS, Resolution No. 968-5-94, passed by City Council on May 18, 1994, established "No Parking 8AM-4PM" on the south side of Boyson Road NE between Bowman Woods Elementary School west entrance and Kent Drive NE, and

WHEREAS, Resolution No. 1189-7-93, passed by City Council on July 7, 1993, established "No Parking 8AM-4PM" on the south side of Boyson Road NE from the westerly drive at Bowman Woods Elementary School to the easterly drive, and

WHEREAS, the Public Works Department recommends rescinding Resolution No. 968-5-94 and Resolution No. 1189-7-93, and establishing "No Parking Anytime" on the north and south sides of Boyson Road NE from C Avenue NE to the East Corporate Limits, now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Resolution No. 968-5-94 dated and passed on May 18, 1994, be and the same is hereby rescinded, and

BE IT FURTHER RESOLVED that Resolution No. 1189-5-94 dated and passed on July 7, 1993, be and the same is hereby rescinded, and

BE IT FURTHER RESOLVED that "No Parking Anytime" on the north and south sides of Boyson Road NE from C Avenue NE to the East Corporate Limits, be and the same is hereby approved.

Passed this 7<sup>th</sup> day of October, 2014

Cadd File Name: W:\PROJECTS\New-CIP\2015\0215 Parking Issues & Requests\01178-2014 - Boyson Rd NE\01178-2014 Council Map.dwg



**BOYSON ROAD NE**  
**REMOVE EXISTING PARKING RESTRICTIONS AND ESTABLISH**  
**"NO PARKING ANYTIME" FROM C AVENUE TO CORPORATE LIMITS**



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Cari Pauli  
**E-mail Address:** c.pauli@cedar-rapids.org

**Phone Number/Extension:** 5157

**Alternate Contact Person:** Ron Griffith  
**E-mail Address:** r.griffith@cedar-rapids.org

**Phone Number/Extension:** 5154

**Description of Agenda Item:**       **Consent Agenda**       **Regular Agenda**  
Resolution rescinding Resolution Nos. 1253-06-04 and 1551-07-03, which established "1 Hour Parking 9AM-6PM" on the north and south sides of 3<sup>rd</sup> Avenue SW from 2<sup>nd</sup> Street to 3<sup>rd</sup> Street SW; rescinding Resolution No. 1301-9-71, which established "Loading Zone" on the north side of 3<sup>rd</sup> Avenue SW from 1<sup>st</sup> Street SW westerly for 22 feet; and establishing "2 Hour Parking" on both sides of 3<sup>rd</sup> Avenue SW from 1<sup>st</sup> Street to 3<sup>rd</sup> Street SW. CIP/DID #PARK-012827-2014

**Background:**

Fred Timko, owner of Popoli Ristorante & Sullivan's Bar, requested establishment of "2 Hour Parking" on both sides of 3<sup>rd</sup> Avenue SW from 1<sup>st</sup> Street to 3<sup>rd</sup> Street SW in order to facilitate turnover parking for businesses in the Kingston Village area. Existing resolutions currently in place established "1 Hour Parking 9AM-6PM" on the north and south sides of 3<sup>rd</sup> Avenue SW from 2<sup>nd</sup> Street to 3<sup>rd</sup> Street SW, and a Loading Zone on the north side of 3<sup>rd</sup> Avenue SW from 1<sup>st</sup> Street SW westerly for 22 feet. This resolution would rescind these resolutions and establish "2 Hour Parking" on both sides from 1<sup>st</sup> Street to 3<sup>rd</sup> Street SW. Mr. Timko submitted a petition signed by 14 of the 15 property owners adjacent to the proposed parking restriction changes.

**Action / Recommendation:**

The Public Works Department recommends approving the resolution.

**Alternative Recommendation:**

Should Council determine not to approve the requested parking restriction, the existing parking restrictions will remain in place.

**Time Sensitivity:** Normal.

**Resolution Date:** October 7, 2014

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

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

**Local Preference Policy:** Applies  Exempt

**Explanation:** Local Preference Policy does not apply to parking.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, Fred Timko, owner of Popoli Ristorante & Sullivan's Bar located at 101 3<sup>rd</sup> Avenue SW, requested the establishment of "2 Hour Parking" on both sides of 3<sup>rd</sup> Avenue SW from 1<sup>st</sup> Street to 3<sup>rd</sup> Street SW in order to better accommodate turnover parking for Kingston Village businesses, and

WHEREAS, Fred Timko submitted a petition signed by 14 of the 15 property owners adjacent to the proposed parking restriction (four of which are owned by the City of Cedar Rapids), resulting in over 90% agreement from adjacent property owners, and

WHEREAS, Resolution No. 1551-07-03, dated and passed on July 9, 2003, established "1 Hour Parking, 9:00 A.M. to 6:00 P.M." on the northerly side of 3<sup>rd</sup> Avenue SW from 2<sup>nd</sup> Street to 3<sup>rd</sup> Street SW, and

WHEREAS, Resolution No. 1253-06-04, dated and passed on June 30, 2004, established "One Hour Parking, 9:00 A.M. to 6:00 P.M." on the southerly side of 3<sup>rd</sup> Avenue SW from 2<sup>nd</sup> Street to 3<sup>rd</sup> Street SW, and

WHEREAS, Resolution No. 1301-9-71, dated and passed on September 1, 1971, established a loading zone be established on the north side of 3<sup>rd</sup> Avenue SW for a distance of 22 feet west of 1<sup>st</sup> Street SW, and

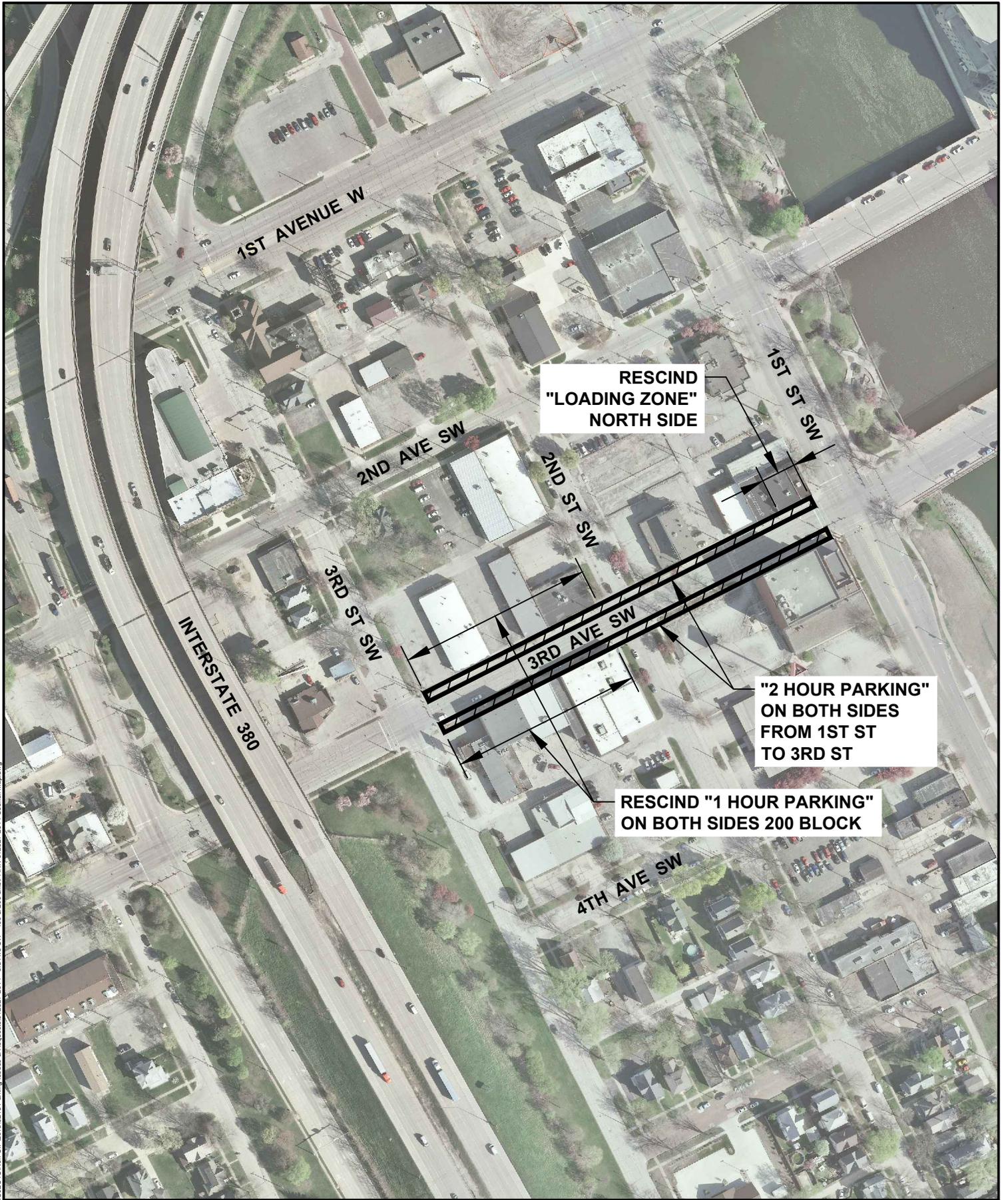
WHEREAS, the Traffic Engineering Division of the Public Works Department recommends that Resolution No. 1551-07-03, dated at passed on July 9, 2003, Resolution No. 1253-06-04, dated and passed on June 30, 2004, and Resolution No. 1301-9-71, dated and passed on September 1, 1971, all be rescinded, and

WHEREAS, the Traffic Engineering Division of the Public Works Department recommends establishing "2 Hour Parking" on both sides of 3<sup>rd</sup> Avenue SW from 1<sup>st</sup> Street to 3<sup>rd</sup> Street SW, now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Resolution No. 1551-07-03, Resolution No. 1253-06-04, and Resolution No. 1301-9-71, all be and the same are hereby rescinded, and

BE IT FURTHER RESOLVED, that establishment of "2 Hour Parking" on both sides of 3<sup>rd</sup> Avenue SW from 1<sup>st</sup> Street to 3<sup>rd</sup> Street SW, be and the same is hereby approved.

Passed this 7<sup>th</sup> day of October, 2014



**RESCIND  
"LOADING ZONE"  
NORTH SIDE**

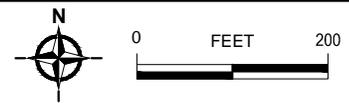
**"2 HOUR PARKING"  
ON BOTH SIDES  
FROM 1ST ST  
TO 3RD ST**

**RESCIND "1 HOUR PARKING"  
ON BOTH SIDES 200 BLOCK**

Cadd File Name: W:\PROJECTS\Non-CIP\20156215 Parking Issues & Requests\012827-2014 - 3rd Ave SW - 100 & 200 blks\156215 PARK-012827-2014 Council Map.dwg



**ESTABLISHMENT OF "2 HOUR PARKING" ON BOTH SIDES  
OF 3RD AVENUE SW FROM 1ST STREET TO 3RD STREET SW**



PARK-012827-2014



## 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 rescinding Resolution No. 0451-04-14, which authorized execution of a Permanent Easement Agreement, and acceptance of a permanent easement for the construction, operation, use and maintenance of an eastbound new roadway turn lane from Interstate 380 to 42<sup>nd</sup> Street NE from the Chicago, Central & Pacific Railroad Company; and approving and ratifying a License for Roadway agreement with the Chicago, Central & Pacific Railroad Company in connection with the 42<sup>nd</sup> Street and Interstate 380 Intersection Improvements project. CIP/DID #301614-00

### Background:

City Council previously approved executing a Permanent Easement Agreement with the Chicago, Central & Pacific Railroad Company; however, the document executed was a License for Roadway agreement. The terms, conditions and area covered by the License for Roadway agreement is identical to those included in the Permanent Easement Agreement. This resolution rescinds the resolution which authorized execution of the Permanent Easement Agreement, and approves and ratifies the License for Roadway agreement.

### Action / Recommendation:

The Public Works Department recommends adopting the resolution rescinding Resolution No. 0451-04-14, and approving and ratifying the License for Roadway agreement for the purpose of construction, operation, use and maintenance of an eastbound new roadway turn lane from Interstate 380 onto 42<sup>nd</sup> Street NE.

### Alternative to the Recommendation:

Do not proceed with approving the resolution replacing the Permanent Easement Agreement with the License for Roadway Agreement and direct City staff to abandon or reconfigure roadway improvements.

**Time Sensitivity:** Normal

**Resolution Date:** October 7, 2014

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

### Budget Information (if applicable):

**Local Preference Policy:** Applies  Exempt

**Explanation:** Local Preference Policy does not apply

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, on April 8, 2014 City Council approved Resolution No. 0451-04-14 authorizing a Permanent Easement Agreement with the Chicago, Central & Pacific Railroad Company for roadway improvements in connection with the 42<sup>nd</sup> Street and Interstate 380 Intersection Improvements project, and

WHEREAS, the agreement executed by the City Manager and City Clerk was a License for Roadway agreement and not a Permanent Easement Agreement, and

WHEREAS, the terms, conditions and area covered by the License for Roadway agreement are identical to those included in the Permanent Easement Agreement, and the real property is more specifically described as:

A part of the CHICAGO, CENTRAL & PACIFIC RAILROAD COMPANY 's One Hundred (100)-foot wide right-of way on the Cedar Rapids Subdivision right-of-way in part of the NW1/4 NE1/4 of Section 9, Township-83-North, Range-7-West of the 5th P.M., City of Cedar Rapids, Linn County, Iowa further described as follows;

Beginning at the intersection of the northeasterly right-of-way line of Interstate I-380 and the south right-of-way line of 42nd Street NE; thence South 89° 32' 14" East along said south right-of-way line of 42nd Street NE, 77.98 feet; thence South 26° 12' 54" East, 1.67 feet; thence 34.63 feet along a 92.00 feet radius curve concave southeasterly whose 34.43 feet chord bears South 57° 32' 03" West; thence South 38° 38' 48" East, 14.16 feet; thence South 51° 21' 12" West, 16.00 feet; thence South 38° 38' 48" East, 37.29 feet; thence South 66° 48' 50" East, 23.88 feet; thence South 26° 56' 14" East, 63.59 feet; thence South 63° 03' 46" West, 30.00 feet; thence North 26° 56' 14" West 78.81 feet; thence North 38° 38' 48" West, 38.46 feet; thence South 63° 03' 46" West, 7.22 feet to said northeasterly right-of-way line of Interstate I-380; thence North 26° 56' 14" West along said northeasterly right-of-way line, 59.89 feet to the point of beginning; said parcel contains 0.11 acres (4,986 sq.ft.) more or less.

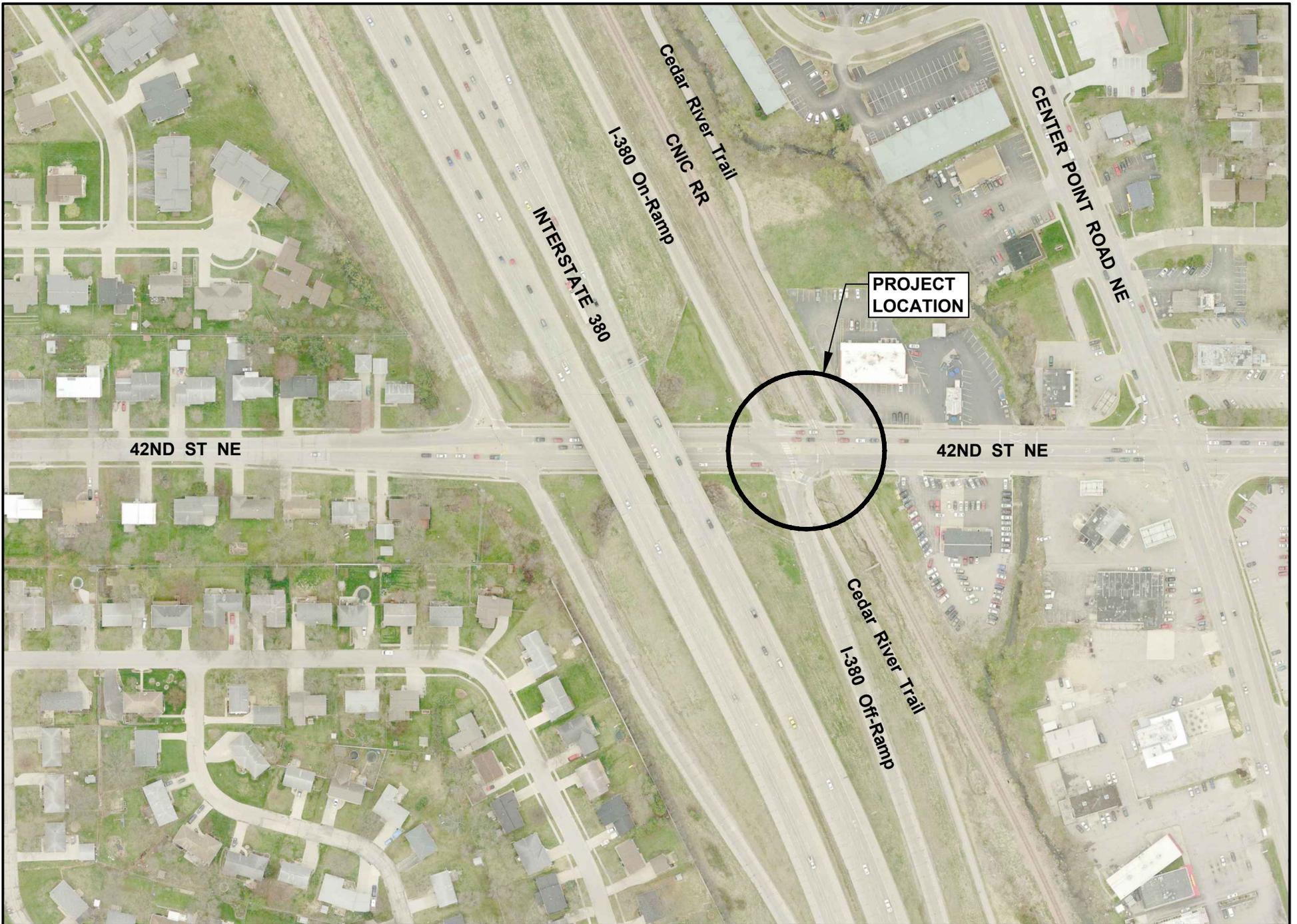
in the City of Cedar Rapids, Linn County, Iowa, and

WHEREAS, the Public Works Department recommends Resolution No. 0451-04-14 is rescinded and the License for Roadway agreement is approved and ratified,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Resolution No. 0451-04-14, dated and passed on April 8, 2014, is hereby rescinded, and

BE IT FURTHER RESOLVED that the City Manager and City Clerk hereby approve and ratify a License for Roadway agreement as described herein.

Passed this 7<sup>th</sup> day of October, 2014



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





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5153

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

Resolution rescinding Resolution No. 0452-04-14, which authorized execution of a Permanent Easement Agreement, and acceptance of a permanent easement for the construction, operation, use and maintenance of drainage culverts, pipes and structures, including erosion control, from the Chicago, Central & Pacific Railroad Company; and approving and ratifying a License for Drainage System agreement with the Chicago, Central & Pacific Railroad Company in connection with the 42<sup>nd</sup> Street and Interstate 380 Intersection Improvements project. CIP/DID #301614-00

### Background:

City Council has previously approved executing a Permanent Easement Agreement with the Chicago, Central & Pacific Railroad Company; however, the document executed was a License for Drainage System agreement. The terms, conditions and area covered by the License for Drainage System is identical to those included in the Permanent Easement Agreement. This resolution rescinds the resolution which authorized execution of the Permanent Easement Agreement, and approves and ratifies the License for Drainage.

### Action / Recommendation:

The Public Works Department recommends adopting the resolution rescinding Resolution No. 0452-04-14, and approving and ratifying the License for Drainage System Easement Agreement with the License for Drainage System for the purpose of construction, operation, use and maintenance of drainage culverts, pipes and structures, including erosion control, as part of the 42<sup>nd</sup> Street and Interstate 380 Intersection Improvements project.

### Alternative to the Recommendation:

Do not proceed with approving the resolution replacing the Permanent Easement Agreement with the License for Drainage System and direct City staff to abandon or reconfigure roadway improvements.

**Time Sensitivity:** Normal

**Resolution Date:** October 7, 2014

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

**Budget Information (if applicable):**

**Local Preference Policy:** Applies  Exempt

**Explanation:** Local Preference Policy does not apply

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, on April 8, 2014 City Council approved Resolution No. 0452-04-14 authorizing execution of a Permanent Easement Agreement with the Chicago, Central & Pacific Railroad Company in conjunction with the 42<sup>nd</sup> Street and Interstate 380 Intersection improvement project, and

WHEREAS, the agreement executed by the City Manager and City Clerk was a License for Drainage System agreement, and not a Permanent Easement Agreement, and

WHEREAS, the terms, conditions and area covered by the License for Drainage System agreement are identical to those included in the Permanent Easement Agreement, and the real property is more specification described as:

Parcel 1

A part of the CHICAGO, CENTRAL & PACIFIC RAILROAD COMPANY 's right-of way on the Cedar Rapids Subdivision right-of-way in part of the NW1/4 NE1/4 of Section 9, Township-83-North, Range-7-West of the 5th P.M., City of Cedar Rapids, Linn County, Iowa further described as follows;

Beginning at the intersection of the northeasterly right-of-way line of Interstate I-380 and the south right-of-way line of 42nd Street NE; thence South 89° 32' 14" East along said south right-of-way line of 42nd Street NE, 77.98 feet; thence South 26° 12' 54" East, 1.67 feet; thence 34.63 feet along a 92.00 feet radius curve concave southeasterly whose 34.43 feet chord bears South 57° 32' 03" West; thence South 38° 38' 48" East, 14.16 feet; thence South 51° 21' 12" West, 16.00 feet; thence South 38° 38' 48" East, 37.29 feet; thence South 66° 48' 50" East, 23.88 feet; thence South 26° 56' 14" East, 63.59 feet; thence South 63° 03' 46" West, 30.00 feet; thence North 26° 56' 14" West 78.81 feet; thence North 38° 38' 48" West, 38.46 feet; thence South 63° 03' 46" West, 7.22 feet to said northeasterly right-of-way line of Interstate I-380; thence North 26° 56' 14" West along said northeasterly right-of-way line, 59.89 feet to the point of beginning; said parcel contains 0.11 acres (4,986 sq.ft.) more or less.

Parcel 2

A part of the CHICAGO, CENTRAL & PACIFIC RAILROAD COMPANY 's right-of way on the Cedar Rapids Subdivision right-of-way in part of the SW1/4 SE1/4 of Section 4, Township-83-North, Range-7-West of the 5th P.M., City of Cedar Rapids, Linn County, Iowa further described as follows;

Beginning at the intersection of the easterly right-of-way line of Interstate I-380 and the north right-of-way line of 42nd Street NE; thence North 26° 56' 14" West along said easterly right-of-way line, 44.69 feet; thence North 63° 03' 46" East, 30.00 feet; thence South 26° 56' 14" East, 60.24 feet to said north right-of-way line of 42nd Street NE; thence North 89° 32' 14" West along said north right-of-way line, 33.79 feet to the point of beginning; said parcel contains 0.04 acres (1,574 sq.ft.) more or less.

Parcel 3

A part of the CHICAGO, CENTRAL & PACIFIC RAILROAD COMPANY 's right-of way on the Cedar Rapids Subdivision right-of-way in part of the SW1/4 SE1/4 of Section 4, Township-83-North, Range-7-West of the 5th P.M., City of Cedar Rapids, Linn County, Iowa further described as follows;

Beginning at the southwest corner of Parcel A, plat of survey #896; thence North 89° 32' 14" West along the north right-of-way line of 42nd Street NE, 11.26 feet; thence North 26° 56'14" West, 103.81 feet; thence North 63° 03' 46" East, 10.00 feet to the southwesterly line of said Parcel A; thence South 26° 56' 14" East along said southwesterly line, 108.99 feet to the point of beginning; said parcel contains 0.02 acres (1,064 sq.ft.) more or less.

Parcel 4

A part of the CHICAGO, CENTRAL & PACIFIC RAILROAD COMPANY 's right-of way on the Cedar Rapids Subdivision right-of-way in part of the NW1/4 NE1/4 of Section 9, Township-83-North, Range-7-West of the 5th P.M., City of Cedar Rapids, Linn County, Iowa further described as follows;

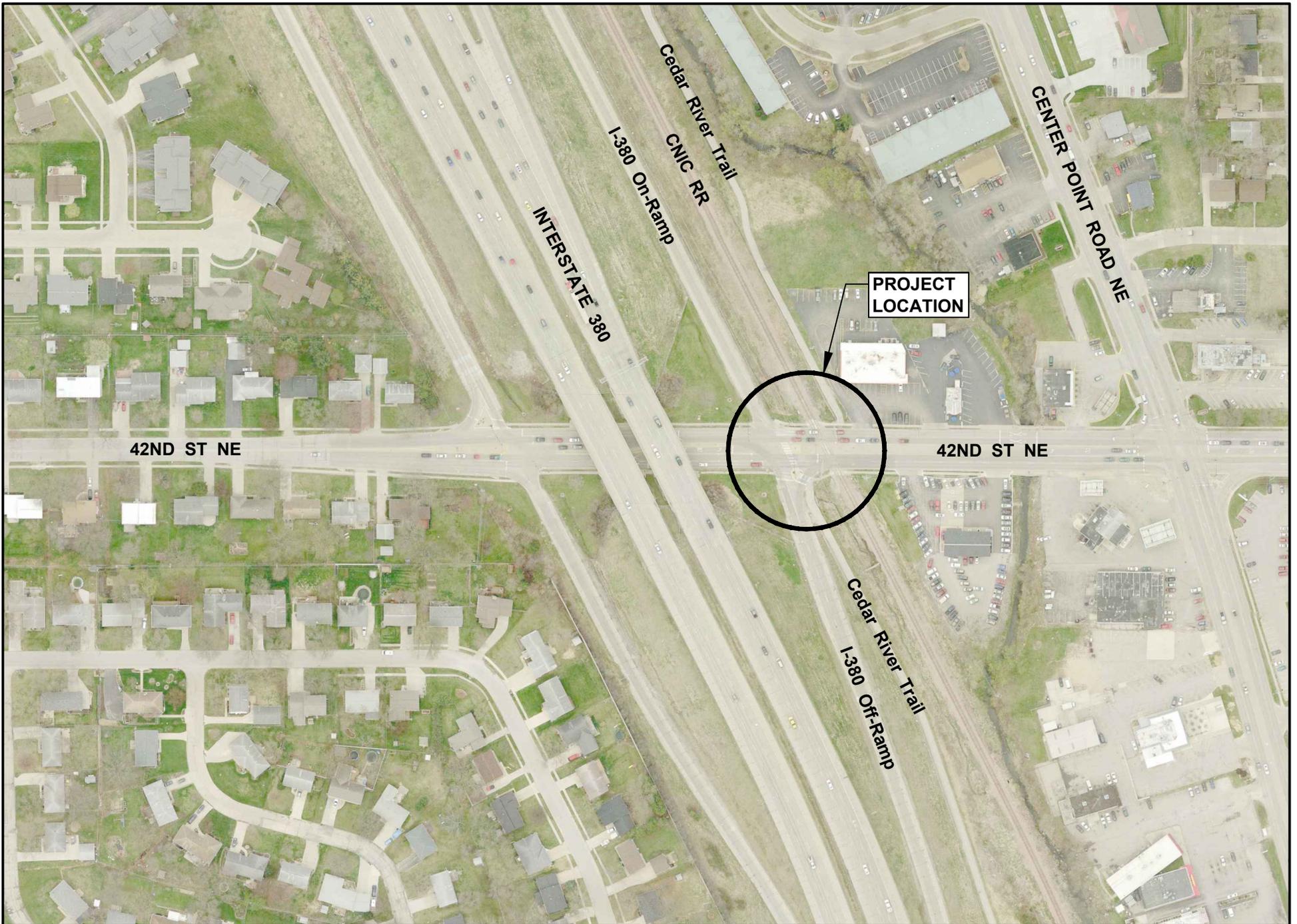
Beginning at the intersection of the northeasterly right-of-way line of Interstate I-380 and the south right-of-way line of 42nd Street NE; thence South 89° 32' 14" East along said south right-of-way line of 42nd Street NE, 77.98 feet to the point of beginning; thence continuing South 89° 32' 14" East along said south right-of-way line, 11.19 feet; thence South 26° 12' 54" East, 75.26 feet; thence South 63° 47' 06" West, 10.00 feet; thence North 26° 12' 54" West, 80.29 feet to the point of beginning; said parcel contains 0.02 acres (778 sq.ft.) more or less.

in the City of Cedar Rapids, Linn County, Iowa.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Resolution No. 0452-04-14, dated and passed on April 18, 2014, is hereby rescinded, and

BE IT FURTHER RESOLVED that the City Manager and City Clerk hereby approve and ratify the License for Drainage System agreement as described herein.

Passed this 7<sup>th</sup> day of October, 2014



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



## Council Agenda Item Cover Sheet

Consent Agenda       Regular Agenda

**Council Date:** October 7, 2014

**Submitting Department:** Utilities Department - Water Division

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

Resolution accepting the Replacement of Fire Hydrants and Blow Off Completes FY14 project, approving the 2-Year Maintenance Bond and authorizing final (retainage) payment in the amount of \$232.13 to B. G. Brecke, Inc. (original contract amount was \$53,340; the final contract amount is \$5,642.50). CIP/DID #2014037-01

**Note:** The term of the contract for this work was for the period of March 31, 2014 through June 30, 2014 and there were 19 project locations to be included in this trial project. Two of the original 19 project locations were completed prior to the end of fiscal year 2014. Additional hydrant and valve repairs were identified with Paving for Progress projects; and the remaining project locations were transferred to the fiscal year 2015 Contract with B. G. Brecke, Inc.

**Background:**

B.G. Brecke, Inc. was awarded a contract in March 2014 for the remainder of fiscal year 2014 for repair of fire hydrants, valves, and blow off completes within the Cedar Rapids water distribution system. The work consisted of removing and/or replacing blow off completes, replacing existing fire hydrants, valves, and tees, and replacing blow off completes with fire hydrants located within the public right-of-way. The Contractor also performed the appurtenant work necessary to make a complete job, consisting of: pavement removal; excavation; sheet, brace, and support the adjoining ground or structures where necessary; handle all drainage or ground water; provide barricades, guards, and warning lights; flush and test the replacement; repair sewer and drain lines disturbed by the replacement; backfill and compact the excavation; restore the surface; remove and dispose of surplus excavated material; and perform final clean-up of the work site.

19 project locations that were scheduled for fire hydrant or blow off replacement were chosen to be included in this trial project. Two of the original 19 project locations were completed prior to the end of fiscal year 2014; additional hydrant & valve repairs were identified with Paving for Progress projects, with the remaining locations transferred to the fiscal year 2015 Contract.

The work for FY 2014 contract has been completed to the Water Division's satisfaction.

**Action / Recommendation:**

The Utilities Department – Water Division recommends that the City Council accept the project, the 2-Year maintenance bond submitted by B. G. Brecke in the amount of \$5,642.50, and authorize the release of retainage in the amount of \$232.13, thirty days after acceptance in accordance with Iowa Code to close out this contract.

**Alternative 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 and the 2-year maintenance bond period cannot begin and the City could be subject to claims since the Contractor has fulfilled the terms of the construction contract.

**Time Sensitivity:** None, routine item

**Resolution Date:** October 7, 2014

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

**Budget Information (if applicable):**

1. **Included in Current Budget Year.** This project will be funded from the FY 14 Utilities Department–Water Division CIP budget and coded to 625-625000-625884-6252014037.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The FY14 Water CIP budget includes \$1,500,000 for engineering and construction of water main replacement projects under CIP number 625884. The budget for construction will be established pursuant to the completion of the initial evaluation by the Engineer.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, purchasing guidelines are being followed for Public Improvement Projects.

**Local Preference Policy** Applies  Exempt

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

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

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

RESOLUTION NO.

WHEREAS, Resolution No. 0139-01-14 passed by City Council on January 28, 2014 awarded and approved the contract for the Replacement of Fire Hydrants and Blow Off Completes FY14 project (Contract No. 2014037-01), and

WHEREAS, two of the original 19 project locations were completed prior to the end of fiscal year 2014, and

WHEREAS, the Paving for Progress and Complete Streets policies were passed by the City Council during the design phase of this project. Additional hydrant and valve repairs were identified with Paving for Progress projects and the remaining locations were transferred to the fiscal year 2015 Contract with B. G. Brecke, Inc., and

WHEREAS, the Utilities Department – Water Division staff recommends that the work completed under this Contract be hereby accepted.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that that the work completed under this Contract be hereby accepted, and the 2-Year Maintenance Bond in the amount of \$5,642.50 (Five Thousand Six Hundred Forty Two Dollars and 50/100), submitted by B. G. Brecke, Inc., as Principal, and executed by United Fire and Casualty Company, as Surety, be hereby approved and filed with the City Finance Director, and

BE IT FURTHER RESOLVED that the City Finance Director is hereby directed to make final payment for retainage in the amount of \$232.13 to B. G. Brecke, Inc. thirty days after acceptance by City Council in accord with Iowa State Code. The original contract amount was \$53,340 and the final contract amount is \$5,642.50.

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

## **Council Agenda Item Cover Sheet Resolution Accepting Bid**

**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**  
Resolution accepting a bid in the amount of \$280,000 from Jeffrey D. Wilkin and Debra J. Wilkin and approving a Quit Claim Deed for the disposition of excess City-owned property located at 3601 42<sup>nd</sup> Street NE. CIP/DID #52-14-006

**Background:**

On February 25, 2014, City Council passed a resolution to dispose of excess City-owned property located at 3601 42<sup>nd</sup> Street NE. The property was offered to the public by sealed bid for a period of 120 days for \$440,000, which was the value determined by a licensed real estate appraiser. During this time, the property was advertised in the Cedar Rapids Gazette, on the City's website and by placing a "For Sale" sign on the property.

At the end of the 120-day period, one bid of \$160,000 was received and rejected because it was too low. The City has now received a bid from Jeffrey D. Wilkin and Debra J. Wilkin for \$280,000 which is recommended for approval.

The property is currently zoned PUD (Public Use), and the new owner will be required to rezone this property to O-S (Office/Service).

**Action / Recommendation:**

The Public Works Department recommends accepting the bid of \$280,000 and proceeding with the sale of this excess City-owned parcel to Jeffrey D. Wilkin and Debra J. Wilkin.

**Alternative to the Recommendation:**

If the Council does not accept this bid, the alternative is to continue to hold and maintain the property while advertising for a higher bid.

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

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City Council desires to dispose of the real property located at 3601 42<sup>nd</sup> Street NE Cedar Rapids, Iowa, and legally described as:

North 240 feet, East 230 Feet, NW ¼ NW ¼, Section 8-83-7, Linn County Iowa

, and

WHEREAS, the City Council previously authorized the disposal of this City-owned property by sealed bid to the public, and

WHEREAS, the City of Cedar Rapids received no acceptable offers by sealed bid between February 25, 2014, when City Council approved the Resolution to Continue the Disposition and June 27, 2014, which was the deadline for receipt of sealed bids for the purchase of the property located at 3601 42<sup>nd</sup> Street NE, and

WHEREAS, the City of Cedar Rapids continued to publicly offer 3601 42<sup>nd</sup> Street NE for sale, advertised the property on the City's website and continued to display For Sale signs on the property, and

WHEREAS, the City of Cedar Rapids has now received a bid from Jeffrey D. Wilkin and Debra J. Wilkin (2850 Wild Flower Road, Cedar Rapids, Iowa 52411) in the amount of \$280,000 for 3601 42<sup>nd</sup> Street NE, and

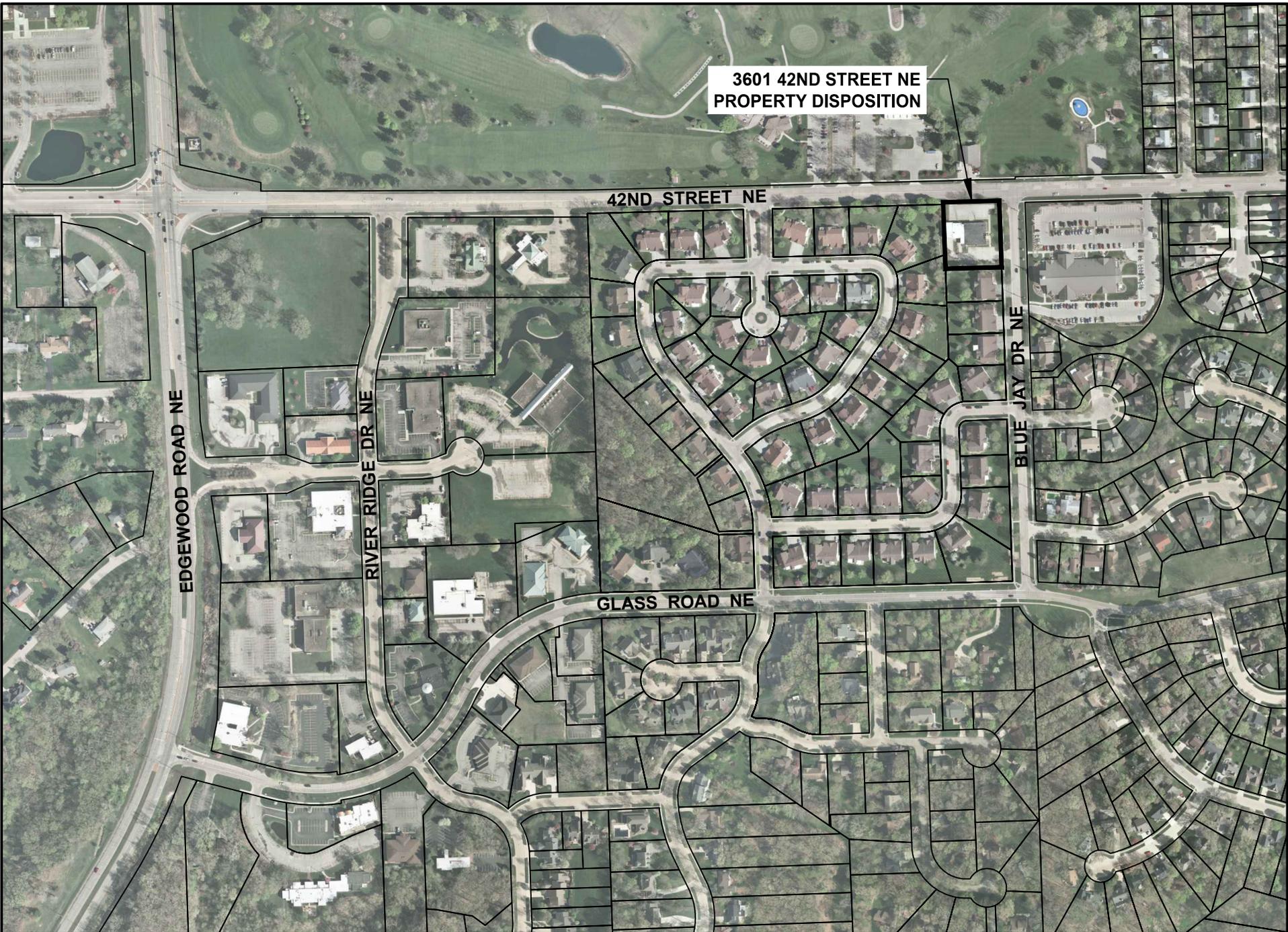
WHEREAS, the Cedar Rapids Public Works Department recommends the City Council accept the offer received from Jeffrey D. Wilkin and Debra J. Wilkin for the property,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the consideration to be paid by Jeffrey D. Wilkin and Debra J. Wilkin for the property to be conveyed is good, adequate, fair and valuable, and

BE IT FURTHER RESOLVED that the bid shall be accepted for the property and that a Quit Claim Deed from the City of Cedar Rapids, Iowa to Jeffrey D. Wilkin and Debra J. Wilkin shall be executed by the City Manager and City Clerk and be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

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

Cadd File Name: W:\PROJECTS\Non-CIP\2014\52-14-006 42nd St NE (3601) Disposition\52-14-006 Council Map.dwg



3601 42ND STREET NE  
PROPERTY DISPOSITION



3601 42ND STREET NE  
PROPERTY DISPOSITION





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5153

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

Resolution adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Edgewood Road SW and Edgewood Parkway SW Traffic Signal Improvements project. CIP/DID #306163-00

### Background:

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

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

The proposed resolution before City Council is the third resolution in a series of resolutions, as shown in the attached flow chart, which will lead to an assessment public hearing on this project. This resolution is in accordance with Iowa Code Section 384 for special assessments. City Council passed the first, preliminary resolution for the construction of traffic signal improvements on August 26, 2014, and the resolution fixing value of lots on September 9, 2014. The next resolution, should the Council proceed with the process, will notify affected property owners and set a public hearing date. The total cost is approximately \$510,300.

The assessments for the traffic signal improvements are prepared using the City Traffic Signal Assessment Policy and existing development agreements.

### Action / Recommendation:

The Public Works Department recommends adoption of the resolution adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Edgewood Road SW and Edgewood Parkway SW Traffic Signal Improvements project.

### Alternative Recommendation (if applicable):

If resolution is not adopted, the assessment will not proceed. The project will then require funding by general obligation funds, or the project abandoned.

**Time Sensitivity:** Normal

**Resolution Date:** October 7, 2014

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

**Budget Information (if applicable):**

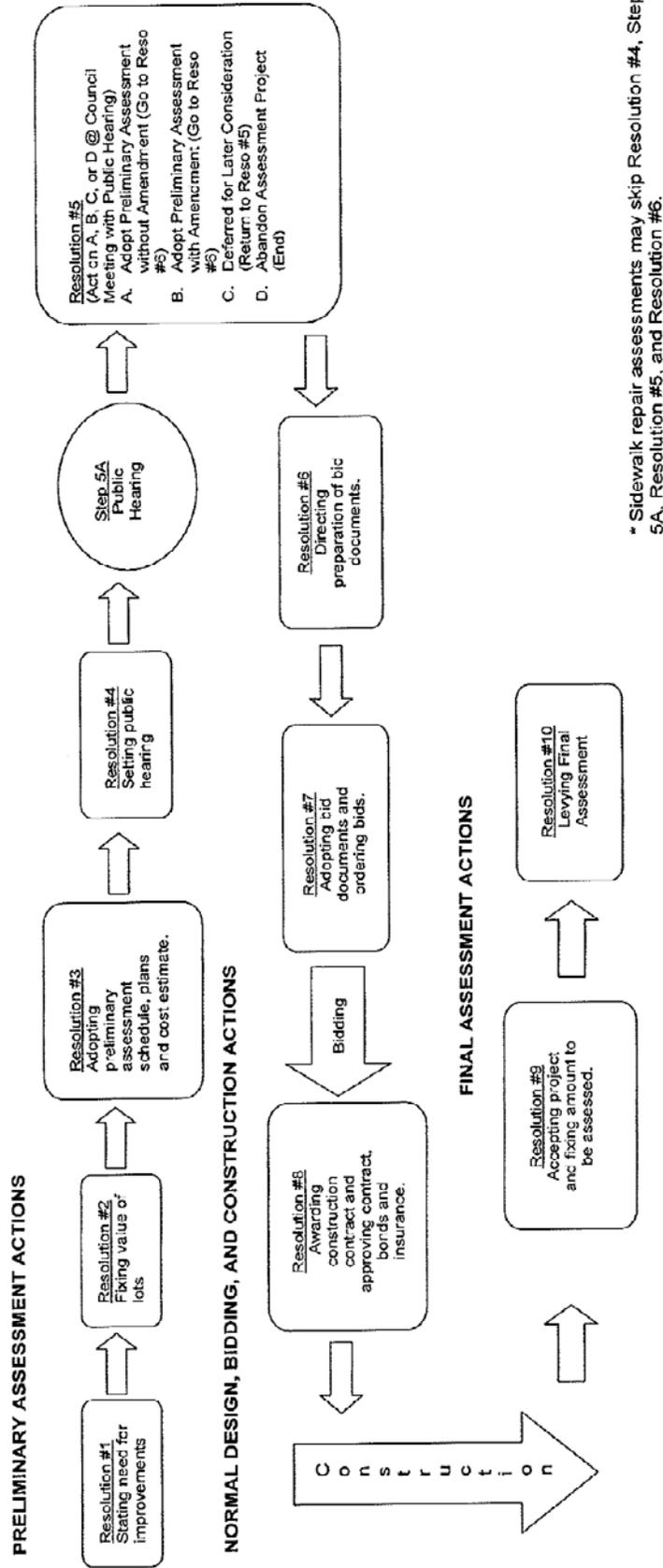
**Local Preference Policy:** Applies  Exempt

**Explanation:**

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

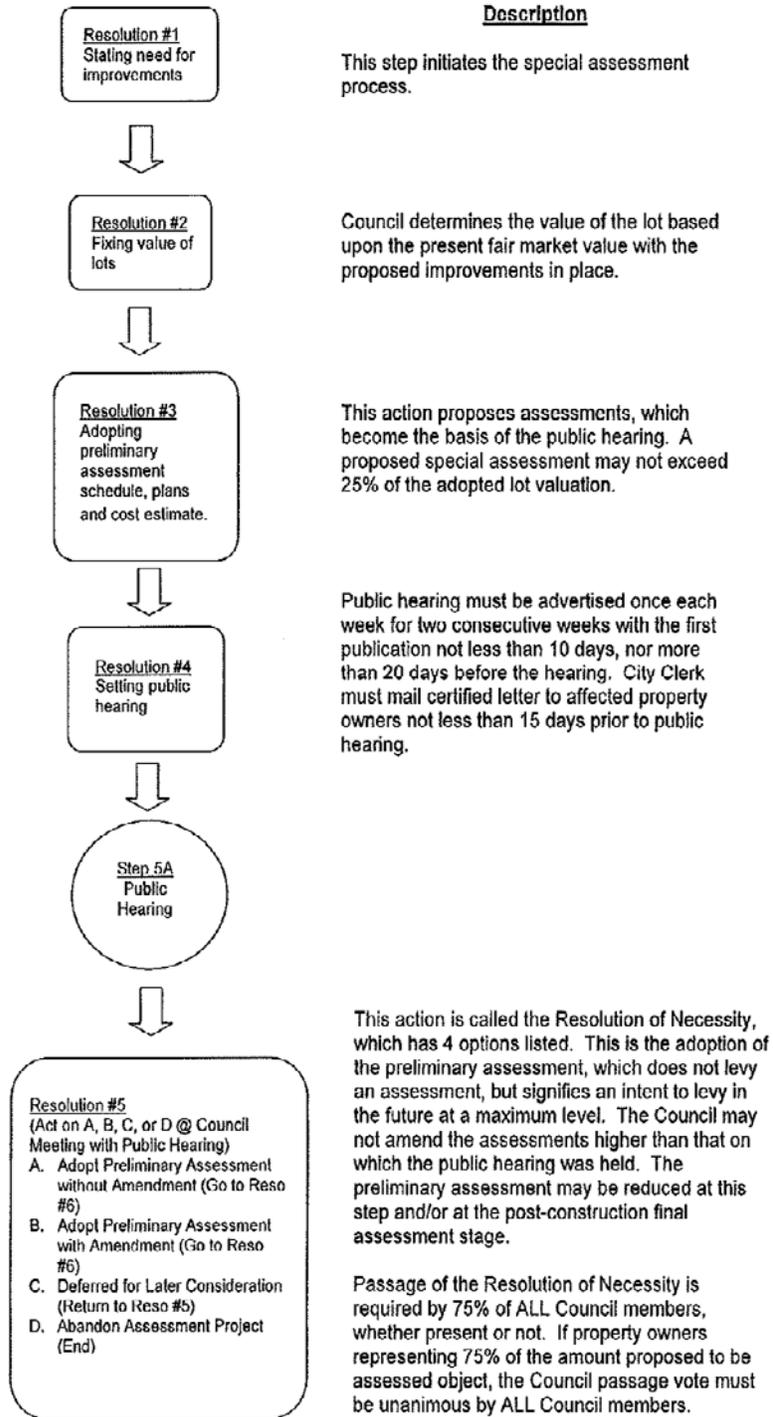
**Explanation (if necessary):**

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



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

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



UPDATED 8.29.07

RESOLUTION NO.

RESOLUTION ADOPTING PRELIMINARY PLAT AND SCHEDULE, ESTIMATE OF COST  
AND PROPOSED PRELIMINARY PLANS AND SPECIFICATIONS FOR THE  
CONSTRUCTION OF THE  
EDGEWOOD ROAD SW AND EDGEWOOD PARKWAY SW  
TRAFFIC SIGNAL IMPROVEMENTS PROJECT  
(CIP No. 306163-00)

WHEREAS, this Council has caused to be prepared preliminary plat, schedule and estimate of cost, together with preliminary plans and specifications, for the construction of the Edgewood Road SW and Edgewood Parkway SW Traffic Signal Improvements project and this Council has fixed the valuations of the property proposed to be assessed as shown therein, and

WHEREAS, the Council finds that each lot separately assessed in the schedule of assessments meets the definition of a lot as described in Iowa Code Section 384.37(5) or in the case of lots consisting of multiple parcels that the parcels have been assembled into a single unit for the purpose of use or development, and

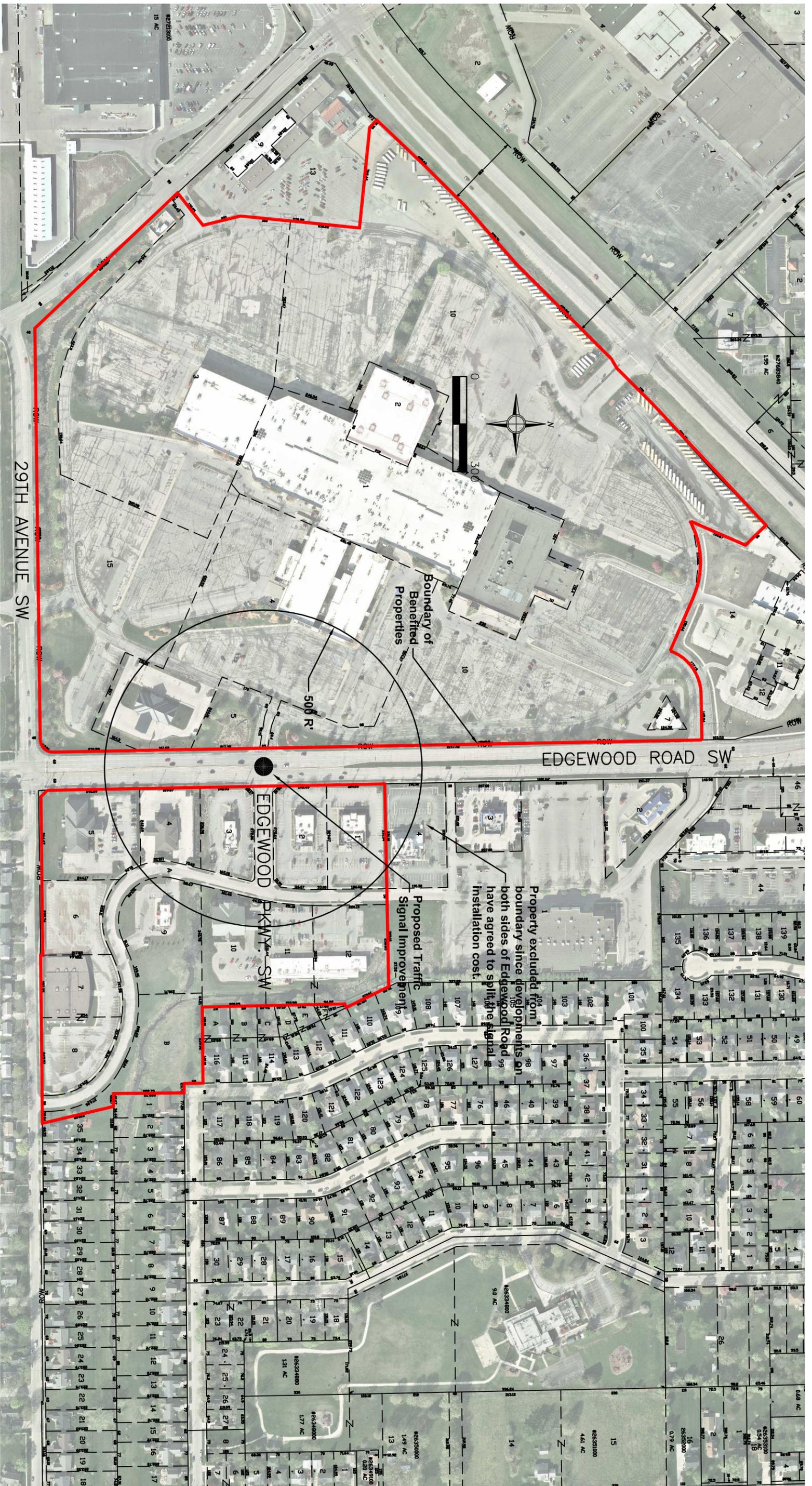
WHEREAS, said plat and schedule, estimate of cost, and preliminary plans and specifications appear to be proper for the purpose intended, and

WHEREAS, said improvements will be constructed according to the Cedar Rapids Metropolitan Area Standard Specifications for Public Improvements,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that said plat and schedule, estimate of cost, and preliminary plans and specifications be and the same are hereby adopted as the proposed plat, schedule, estimate of cost, and preliminary plans and specifications for said improvements and are hereby ordered placed on file with the Clerk for public inspection, and

BE IT FURTHER RESOLVED, that the boundaries of the District for the making of said improvements, as shown in the Engineer plat, be and the same are hereby fixed as the boundaries of said Edgewood Road SW and Edgewood Parkway SW Traffic Signal Improvements project.

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



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

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

NO.	REVISION DESCRIPTION	APPROVED	DATE



Edgewood Rd and Edgewood Pkwy  
Traffic Signal Assessment

EXHIBIT B  
Map of Benefitted Properties

SHEET NO.  
1 of 1

## **Council Agenda Item Cover Sheet**

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

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Utilities – Water

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

**Alternate Contact:** Justin Koller            **Phone:** 5994    **E-mail:** [j.koller@cedar-rapids.org](mailto:j.koller@cedar-rapids.org)

**Description of Agenda Item:**

Resolutions approving actions regarding Purchases/Contracts/Agreements:

- a. Amendment No. 4 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors specifying an increased amount not to exceed \$107,196 for the Chandler St, 20<sup>th</sup> St, 18<sup>th</sup> St and 16<sup>th</sup> Ave SW Water Main Replacement project (original contract amount was \$126,521, total contract amount with this amendment is \$244,761). CIP/DID #2011061-01

**Amendment Background:**

**Amendment No. 4 is requested to cover the additional scope and fee for services required to complete additional design work for:**

- **pavement rehabilitation,**
- **sidewalk design, and**
- **sanitary sewer assessment and design**

**These additions will make this a comprehensive project in compliance with Complete Streets and Paving for Progress.**

**Original Background:**

The Utilities department intends to replace approximately 4,200 feet of water main upsizing it from 6-inch to 8-inch water main to handle current and future water demand, improve hydraulic characteristics and increase the reliability of the water distribution system.

This project includes three (3) different areas combined into one project due to their proximity. The first two areas are Chandler St SW from the south west intersection of 20<sup>th</sup> and Chandler St SW to 18<sup>th</sup> St SW and the second location is 20<sup>th</sup> St SW from Chandler St SW to Chandler St SW. The water main for this area was installed from 1946 to 1951 and has a history of multiple breaks. The third area is located on 18<sup>th</sup> St SW from Williams Blvd SW to 8<sup>th</sup> Ave SW. The water main is 8-inch Leadite (lead joints) and was installed in 1946. The 8-inch water main will be abandoned in place and its services will be transferred to the 20-inch water main that does not have a history of breaks or leaks in or near the project location.

**Action / Recommendation:**

The Utilities Department – Water Division recommends that Amendment No. 4 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors be hereby approved and that the City Manager and Deputy City Clerk be authorized to execute the Amendment. Our schedule proposes to have plans ready for the project bid by February 11, 2015 and completed by November 2015

**Alternative Recommendation:**

Should City Council decide not to approve the Professional Services Agreement, the design of the improvements will remain as water main improvements only and no street, sanitary sewer or sidewalk design will be completed.

**Time Sensitivity:** Request action during the October 7, 2014 City Council meeting in an effort to maintain the proposed design and construction schedule.

**Resolution Date:** October 7, 2014

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

**Budget Information (if applicable):**

1. **Included in Current Year Budget.** Funded in FY15 and FY16 CIP budgets for Water Main Replacement and the general ledger coding is 553000-625-625000-625884-2011061.

Street and sidewalk repair/improvements are budgeted in FY15 as follows

Fund 301 Dept ID 301000 Project 3012089

Fund 301 Dept ID 301000 Project 3012090

Sanitary Sewer Assessment and Design is budgeted in FY 15 as follows

Fund 655 Dept ID 655000 Project 655990

2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The FY15 and FY16 CIP budgets for water includes \$1,510,000 for engineering and construction of replacement type projects under CIP number 625884. The budget for construction will be established pursuant to the completion of the initial evaluation by the Engineer.
3. **Purchasing Department used or Purchasing Guidelines followed:** Purchasing guidelines are being followed for Public Improvement Projects.

**Local Preference Policy**                      **Applies**     **Exempt**

**Explanation:** N/A

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

**Explanation (if necessary):** None

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids – Utilities Department executed a Professional Services Agreement with Anderson-Bogert Engineers & Surveyors on October 8, 2013 for the Chandler St, 20<sup>th</sup> St, 18<sup>th</sup> St and 16<sup>th</sup> Ave SW Water Main Replacement project (Contract No. 2011061-01), and

WHEREAS, Paving for Progress and Complete Streets policies were passed by the City Council during the design phase of this project, and

WHEREAS, Amendment No. 4 is to amend the scope of services to include Sidewalk Design, Roadway Overlay, and Sanitary Sewer Assessment and Design in an effort to comply with Complete Streets Policy and Paving for Progress, and

WHEREAS, Anderson-Bogert Engineers & Surveyors has proposed to provide the additional services for an amount not to exceed \$107,196, and

WHEREAS, the Utilities Department – Water Division recommends that Amendment No. 4 to the Professional Services Agreement for the additional design services with Anderson-Bogert Engineers & Surveyors be hereby approved for an amount not to exceed \$107,196.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Amendment No. 4 to the Professional Services Agreement, for an amount not to exceed \$107,196, with Anderson-Bogert Engineers & Surveyors for the Chandler St, 20<sup>th</sup> St, 18<sup>th</sup> St and 16<sup>th</sup> Ave SW Water Main Replacement project be hereby approved and that the City Manager and Deputy City Clerk be authorized to execute said Amendment.

To be funded from:

Utilities – Water Division FY15 and FY16 CIP budgets for Water Main Replacement and coded to: 553000-625-625000-625884-2011061.

Street and sidewalk repair/improvements are budgeted in FY15 as follows: Fund 301 Dept ID 301000 Project 3012089 and Fund 301 Dept ID 301000 Project 3012090

Sanitary Sewer Assessment and Design is budgeted in FY15 as follows: Fund 655 Dept ID 655000 Project 655990

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

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** 10-07-14

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

**Presenter at meeting:** consent **Phone Number/Ext:**  
**Email:**

**Alternate Contact Person:** John Riggs **Phone Number/Ext:** x5981  
**Email:** [j.riggs@cedar-rapids.org](mailto:j.riggs@cedar-rapids.org)

**Description of Agenda Item:**

Amendment No. 1 to the Contract for the Environmental Assessment for Nuisance Structures project with Tetra Tech, Inc. to extend contract term and identify additional structures for an amount not to exceed \$3,242 (original contract amount was \$22,362; total contract amount with this amendment is \$25,604). CIP/DID #0911-060

**Background:**

This Contract is for Environmental Assessment Services for Nuisance Structures that are slated for demolition. The Services include (1) Initial Assessment and Testing of Structure (2) Pre-Abatement Visual Inspection and (3) Post-Abatement Visual Inspection.

Summary of contract:

Original Contract	\$ 22,362	Signed by the Acting City Manager on 10-28-11 To extend term, identify additional parcels and closeout contract
Amendment No. 1	\$ 3,242	
Total	\$ 25,604	

**Action / Recommendation:**

That the above recommendation be approved and that the City Manager and the City Clerk be authorized to sign Amendment No. 1 with Tetra Tech, Inc.

**Alternative Recommendation:** None

**Time Sensitivity:**

**Resolution Date:** 10-07-14

**Estimated Presentation Time:** consent

**Budget Information (if applicable):** 138000-101-521108

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

Yes

No

N/A

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids, Iowa and Tetra Tech, Inc. are parties to a Contract for Environmental Assessment Services for Nuisance Structures, signed by the Acting City Manager on October 28, 2011; and

WHEREAS, the City and Tetra Tech are desirous of amending the Contract to identify additional parcels and to extend the term of the Contract through February 12, 2014; and

WHEREAS, the services have been substantially completed on the Environmental Assessment Services for Nuisance Structures (Contract No. 0911-060) in accordance with the approved specifications; and

WHEREAS, the final cost of this project is \$25,604 and a summary of the Contract is as follows:

Original Contract	\$ 22,362	Signed by the Acting City Manager on 10-28-11
Amendment No. 1	<u>\$ 3,242</u>	To extend term, identify additional parcels and closeout contract
Total	\$ 25,604	Total Project Cost

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above is accepted and the City Manager and the City Clerk are authorized to execute Amendment No. 1 with Tetra Tech, Inc.

Passed this 7th day of October 2014.



### Council Agenda Item Cover Sheet

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Alternate Contact Person:** Tariq Baloch

**Phone Number/Ext:** 5283

**Email:** t.baloch@cedar-rapids.org

**Alternate Contact Person:** Diane Rodenkirk

**Phone Number/Ext:** 5023

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

**Description of Agenda Item:**

Amendment No. 4 to the Contract for Lime Sludge Removal and Disposal - Northwest Water Treatment Plant Lagoons with Mike McMurrin Trucking, Inc. to reflect the additional cost for 4,665 tons of additional sludge for an amount not to exceed \$33,035 (original contract amount was \$354,000; total contract amount with this amendment is \$500,315. CIP/DID # 0513-256

**Background:**

Lime sludge is a byproduct of the lime softening process. It is pumped into 1 of 3 lagoons at the Northwest Water Treatment Plant. When the lagoons are full, the lime sludge needs to be removed.

Services are required to haul larger amounts of sludge than originally anticipated. The estimated amount of sludge 4,665 tons. The firm fixed unit price of \$7.08 per ton remains unchanged.

**Contract summary:**

Original Contract	\$354,000	Resolution No. 1242-07-13
Amendment No. 1	\$0	To extend term of Contract
Amendment No. 2	\$0	To extend term of Contract
Amendment No. 3	\$113,280	Additional sludge removal
Amendment No. 4	\$33,035	Additional sludge removal, not-to-exceed
Total	\$500,315	Not to exceed, except by written amendment

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

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 621-621001-521108

**Local Preference Policy** Applies  Exempt

**Explanation:** McMurrin Trucking, Inc. is a certified local vendor

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Utilities Department and McMurrin Trucking, Inc. are parties to a Contract for lime sludge removal at the Northwest Water Treatment Plant, authorized by Resolution No. 1242-07-13; and

WHEREAS, the Contract will be Amended to include approximately 4,665 additional tons of lime sludge to be removed; and

WHEREAS, a cost summary of the Contract changes for this project is as follows:

Original Contract	\$354,000	Resolution No. 1242-07-13
Amendment No. 1	\$0	To extend term of Contract
Amendment No. 2	\$0	To extend term of Contract
Amendment No. 3	\$113,280	Additional sludge removal
Amendment No. 4	\$33,035	Additional sludge removal, not-to-exceed
Total	\$500,315	Not to exceed, except by written amendment

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute Amendment No. 4 with McMurrin Trucking, Inc. as described herein.

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



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Alternate Contact Person:** Rob Davis

**Phone Number/Ext:** 5808

**Email:** robd@cedar-rapids.org

**Alternate Contact Person:** Diane Rodenkirk

**Phone Number/Ext:** 5023

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

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

Amendment No. 11 to the Contract for City Services Center Furniture, Fixtures and Equipment (FF&E) Packages with Triplett Interior Solutions to move additional items for Fleet Services for a not-to-exceed \$895 and to extend the completion date of the project (original contract amount was \$299,520.80; total contract amount with this amendment is \$376,451.13) (**FLOOD**).  
CIP/DID #0113-154

### **Background:**

City Council awarded the Contract to Triplett Interior Solutions for Packages 1 and 10 of the City Services Center Furniture, Fixtures and Equipment (FF&E) project through Resolution No. 0504-03-13 for \$299,520.80. The City Manager signed Amendment No. 1 to the Contract on July 5, 2013 for the addition of glass stackers on aisle panels for \$22,527.11. City Council approved Amendment No. 2 to the Contract through Resolution No. 1199-07-13 for additional furniture such as pedestal and lateral files, tackboards, upper storage, task lighting, corner brackets and panel power for \$18,433.26. City Council approved Amendment No. 3 to the Contract through Resolution No. 1462-09-13 for glass panels in open office 131 and additional furnishings for the Assessor's Office for \$3,187.95. City Council approved Amendment No. 4 to the Contract through Resolution No. 1535-09-13 for forklift rental for two days for \$1,031.78. Amendment No. 5 was for additional Package 1 furnishings and painting of three file cabinets for \$7,458.15 through Resolution No. 1666-10-13. Amendment No. 6 is for additional panels, overhead storage units and new work stations for Solid Waste and Dispatch and Building Services for a not-to-exceed \$11,845.16, approved through Resolution No. 1802-11-13. Amendment No. 7 is for additional work stations, guest chairs and table, and electrical and data wire management for the Information Technology Department for a not-to-exceed \$7,992.80, approved through Resolution No. 1983-12-13. Amendment No. 8 is for additional glass and fabric panels for the Solid Waste offices for \$1,373.12 approved through Resolution No. 0234-02-14. Amendment No. 9 is for conference room coat racks approved through Resolution No. 0439-04-14 for \$1,786. Amendment No. 10 is to move three workstations for Traffic Engineering approved through Resolution No. 0660-05-14 for \$400.

Amendment No. 11 is to move additional furniture for Fleet Services and to extend the completion date of the project through October 31, 2014. The Public Works Department – Engineering Division recommends this change.

**Contract summary:**

Original Contract Amount	\$299,520.80	Resolution No. 0504-03-13
Amendment No. 1	\$ 22,527.11	Signed by the City Manager 07/05/13
Amendment No. 2	\$ 18,433.26	Resolution No. 1199-07-13
Amendment No. 3	\$ 3,187.95	Resolution No. 1462-09-13
Amendment No. 4	\$ 1,031.78	Resolution No. 1535-09-13
Amendment No. 5	\$ 7,458.15	Resolution No. 1666-10-13
Amendment No. 6	\$ 11,845.16	Resolution No. 1802-11-13
Amendment No. 7	\$ 7,992.80	Resolution No. 1983-12-13
Amendment No. 8	\$ 1,373.12	Resolution No. 0234-02-14
Amendment No. 9	\$ 1,786.00	Resolution No. 0439-04-14
Amendment No. 10	\$ 400.00	Resolution No. 0660-05-14
Amendment No. 11	<u>\$ 895.00</u>	Not-to-exceed
Amended Contract Amount	\$376,451.13	

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

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** PWE006

**Local Preference Policy** Applies  Exempt

**Explanation:** FEMA funded project

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Public Works Department – Engineering Division and Triplett Interior Solutions are parties to a Contract for the purchase and installation of furniture at the City Services Center, authorized by Resolution No. 0504-03-13 for \$299,520.80; and

WHEREAS, the City Manager signed Amendment No. 1 to the Contract to add glass stackers to the workstation panels on all aisles on July 5, 2013 for \$22,527.11; and

WHEREAS, Council approved Amendment No. 2 to the Contract through Resolution No. 1199-07-13 for additional furniture such as pedestal and lateral files, tackboards, upper storage, task lighting, corner brackets and panel power for an additional \$18,433.26; and

WHEREAS, Council approved Amendment No. 3 to the Contract through Resolution No. 1462-09-13 to add glass panels in open office 131 and additional furnishings in the Assessor's Office for \$3,187.95; and

WHEREAS, Council approved Amendment No. 4 to the Contract through Resolution No. 1535-09-13 to add forklift rental for two days due to the elevators not being operational for \$1,031.78; and

WHEREAS, Council approved Amendment No. 5 to the Contract through Resolution No. 1666-10-13 for additional Package 1 furnishings and painting of three additional file cabinets for \$7,458.15; and

WHEREAS, Council approved Amendment No. 6 through Resolution No. 1802-11-13 for additional panels, overhead storage units and new work stations for Solid Waste and Dispatch and Building Services for \$11,845.16; and

WHEREAS, Council approved Amendment No. 7 through Resolution No. 1983-12-13 for additional work stations, guest chairs and table and electrical and data wire management for the Information Technology Department for a not-to-exceed \$7,992.80; and

WHEREAS, Council approved Amendment No. 8 through Resolution No. 0234-02-14 for additional glass and fabric panels for the Solid Waste office for a not-to-exceed \$1,373.12; and

WHEREAS, Council approved Amendment No. 9 through Resolution No. 0439-04-14 for the purchase and installation of coat racks in various conference rooms for a not-to-exceed \$1,786; and

WHEREAS, Council approved Amendment No. 10 through Resolution No. 0660-05-14 to move three workstations for Traffic Engineering that were not included on the original specifications for a not-to-exceed \$400; and

WHEREAS, Amendment No. 11 is to move additional furniture for Fleet Services for a not-to-exceed \$895; and

WHEREAS, the Contract period is being extended to October 31, 2014; and

WHEREAS, the Public Works Department – Engineering Division recommends this change; and

WHEREAS, a cost summary of the Contract changes for this project is as follows:

Original Contract Amount	\$299,520.80	Resolution No. 0504-03-13
Amendment No. 1	\$ 22,527.11	Signed by the City Manager 07/05/13
Amendment No. 2	\$ 18,433.26	Resolution No. 1199-07-13
Amendment No. 3	\$ 3,187.95	Resolution No. 1462-09-13
Amendment No. 4	\$ 1,031.78	Resolution No. 1535-09-13
Amendment No. 5	\$ 7,458.15	Resolution No. 1666-10-13
Amendment No. 6	\$ 11,845.16	Resolution No. 1802-11-13
Amendment No. 7	\$ 7,992.80	Resolution No. 1983-12-13
Amendment No. 8	\$ 1,373.12	Resolution No. 0234-02-14
Amendment No. 9	\$ 1,786.00	Resolution No. 0439-04-14
Amendment No. 10	\$ 400.00	Resolution No. 0660-05-14
Amendment No. 11	<u>\$ 895.00</u>	Not-to-exceed
Amended Contract Amount	\$376,451.13	

WHEREAS, this project is federally funded through FEMA.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute Amendment No. 11 with Triplett Interior Solutions as described herein.

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

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda Item                      **Phone Number/Ext:**  
**Email:**

**Alternate Contact Person:** Doug Wilson                              **Phone Number/Ext:** X5141  
**Email:** [d.wilson@cedar-rapids.org](mailto:d.wilson@cedar-rapids.org)

**Description of Agenda Item:**

Amendment No. 3 to renew Contract for Electronic Plan Room Services with Rapids Reproductions Inc. for the Engineering Division for a total annual amount not to exceed \$75,000 (original contract amount was \$148,214.51; renewal contract amount is \$75,000) **(FLOOD)**.  
CIP/DID #0811-027

**Background:**

Proposals were solicited in 2011 on behalf of the Engineering Division for Electronic Plan Room Services with two (2) proposals submitted. The contract was awarded to Rapids Reproductions Inc. as the proposer who offered the best value for the City. The term of the initial Contract was September 14, 2011 through September 30, 2012

Amendment No. 3 renews the Contract through September 30, 2015 with additional renewal options available in one-year increments by mutual agreement. The total estimated annual expenditure for the renewal period will not exceed \$75,000. Funding sources will vary with expenditures allocated to each individual project. This contract includes both flood and non-flood related projects.

The City has agreed to a price increase of 4% as indicated below. The increase is due to the cost of additional equipment purchased to service the Contract and the rising cost of paper.

<b>Pricing Summary</b>	<b>Current Pricing</b>	<b>Pricing Effective 10/1/2013</b>
Upload of PDF Files from City to Plan Room		
Price per page, Project Manuals:	\$ 0.00	\$ 0.00
Price per page/drawing, Plans – any size:	\$10.50 to \$15.76 (based on volume)	\$10.92 to \$16.39 (based on volume)
Printed Project Manuals / Plan Sets		
Project manuals, 8½ x 11, dbl-side, per page:	\$ 0.059	\$ 0.061
Back/front cover w/ comb binding:	\$ 2.20	\$ 2.29
11x17, single-sided, price per page:	\$ 0.064	\$ 0.067
12x18, single-sided, price per page:	\$ 0.17	\$ 0.177
15x21, single-sided, price per page:	\$ 0.25	\$ 0.26
24x36, single-sided, price per page:	\$ 0.50	\$ 0.52
30x42, single-sided, price per page:	\$ 0.76	\$ 0.79
36x48, single-sided, price per page:	\$ 1.01	\$ 1.05
Project Closeout CD	\$25.75	\$26.78

The Engineering Division uses Electronic Plan Room Services because of the extreme increase in the size of City projects due to rebuilding. Some projects have more drawings than what Public Works administrative staff should be expected to physically handle. By using an electronic plan room, the contractor takes care of all plan distribution, both electronic and hard copy, including addenda. Providing the plans electronically allows contractors to download and review the drawings on-line, limiting the number of printed copies to only those who seriously intend to bid. Sub-contractors can review the drawings and request printed copies for only the portions of the project applicable to their discipline.

The City pays for up to two (2) printed plan sets per contractor, including shipping (with no markup) when needed.

**Action / Recommendation:**

Resolution authorizing execution of Amendment No. 3 to Contract for Plan Room Services for a total amount not to exceed \$75,000.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

Funding sources will vary with expenditures allocated to each individual project. This contract includes both flood and non-flood related projects.

**Local Preference Policy** Applies  Exempt

**Explanation:**

Local preference does not apply because much of the funding will come from state and federal sources; however, the contracted vendor is local.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division solicited proposals in 2011 for Electronic Plan Room Services on behalf of the City of Cedar Rapids Engineering Division; and

WHEREAS, responses were received from two (2) suppliers; and

WHEREAS, the Contract was awarded to Rapids Reproductions, Inc. for the initial term of September 14, 2011 to September 30, 2012; and

WHEREAS, Amendment No. 3 renews the Agreement through September 30, 2015, with the option to extend in one-year increments by written mutual agreement; and

WHEREAS, the total annual expenditure will not exceed \$75,000, to be allocated to each individual project for which services are used; and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute Amendment No. 3 to the Agreement for Electronic Plan Room Services with Rapids Reproductions, Inc. as described herein.

Passed this 7<sup>th</sup> day of September, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Parks & Recreation – Golf Operations

**Presenter at meeting:** Lisa Miller

**Phone Number/Ext:** 5544

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

**Alternate Contact Person:** Sven Leff

**Phone Number/Ext:** 5739

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

### **Description of Agenda Item**

Amending Resolution No. 0070-01-14 for a purchase increase of \$20,000 to be added to the not to exceed amount of \$25,000 to obtain merchandise for resale from Ping during the 2014 season. Total revised amount not to exceed is \$45,000.

### **Background:**

The majority of the expenditures from Ping are the result of special orders from club fitting services at the golf courses. The demand for such services has increased greatly during the 2014 season and it was necessary to increase inventory. This sole source vendor, Ping, offers incentive terms/pricing for orders paid for within term dates.

### **Action / Recommendation:**

Authorize amendment of Reso. 0070-01-14 for a purchase increase of \$20,000 to the not to exceed amount of \$25,000 to purchase Ping merchandise for resale for the 2014 season for a total not to exceed \$45,000.

### **Alternative Recommendation:**

Do not meet needs of golfers in the community by not providing merchandise for resale. This would result in a decrease of revenue for Golf Operations and would lower customer satisfaction levels.

**Time Sensitivity:** High – Delay could prevent timely payment options of Ping invoices.

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** 0

**Budget Information (if applicable):** Merchandise will be coded to appropriate cost center under 531113-691-

**Local Preference Policy** Applies  Exempt

**Explanation:** This is a sole source vendor.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, Resolution 0070-01-14 authorized merchandise orders for retail at the city operated golf clubhouses in an amount not to exceed \$25,000 from Ping Golf merchandise supplier, and

WHEREAS, due to this season's large demand of Ping merchandise by the public, the actual amount of sales has exceeded the original not to exceed \$25,000 amount. Due to this increase in sales, Resolution No. 0070-01-14 for the not to exceed amount of \$25,000 needs to be amended with an increase of \$20,000. With this increase, the total amount not to exceed is \$45,000 to Ping for the 2014 season,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Cedar Rapids Parks and Recreation Department – Golf Operations is hereby authorized to amend Resolution No. 0070-01-14 for an increase of \$20,000 to the original not to exceed amount of \$25,000 for a total not to exceed amount of \$45,000 to Ping.

Passed this 7th day of October, 2014.



### Council Agenda Item Cover Sheet

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Jennifer Pratt  
**Email:** [j.pratt@cedar-rapids.org](mailto:j.pratt@cedar-rapids.org)

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

**Alternate Contact Person:** Casey Drew  
**Email:** [c.drew@cedar-rapids.org](mailto:c.drew@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5097

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

Resolution authorizing execution of Third Amendment to \$650,000 Promissory Note and \$101,044 Promissory Note with SA Investment LLC and Sherman Associates, Inc. respectively for renovation of the Roosevelt Building. CIP/DID #OB346228

**Background:**

The Third Amendment for both promissory notes to extend the repayment date from July 31, 2014 to December 31, 2014.

The original agreement based the two promissory note repayments on the capital contribution being received, but due to the 2008 flood, the required occupancy's required for the capital contribution payment to be made, has been delayed. Now those occupancy requirements have been reached and the payment of the capital contribution is expected no later than December 31, 2014.

**Action / Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** 0 minutes

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

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

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

RESOLUTION NO.

RESOLUTION APPROVING THIRD AMENDMENT TO \$650,000  
PROMISSORY NOTE AND \$101,044 PROMISSORY NOTE WITH SA  
INVESTMENT LLC AND SHERMAN ASSOCIATES, INC. RESPECTIVELY  
FOR RENOVATION OF THE ROOSEVELT BUILDING

WHEREAS, on July 8, 2009 said City Council approved City participation for SA Investment, LLC (the "Developer") related to renovation of the historic Roosevelt Building located at 200 First Avenue NE that will create and maintain 96 mixed-income rental units within the downtown; and

WHEREAS, on September 30, 2009 City executed one (1) promissory note in the amount of \$101,044 and on October 2, 2009 City executed one (1) promissory note in the amount of \$650,000; and

WHEREAS, repayment of both promissory notes was originally to be January 31, 2012, however occupancy rates were impacted by the 2008 flood, resulting in delay of the capital contributions for this project;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF CEDAR RAPIDS, IOWA, approving a Third Amendment to the \$650,000 Promissory Note and \$101,044 Promissory Note for repayment of principle and interest by no later than December 31, 2014.

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



**Council Agenda Item Cover Sheet**

**Council Meeting Date:** 10/6/14

**Submitting Department:** City Manager

**Presenter at meeting:** James Flitz  
**Email:** j.flitz@cedar-rapids.org

**Phone Number/Ext:** 5025

**Alternate Contact Person:** Sandi Fowler  
**Email:** s.fowler@cedar-rapids.org

**Phone Number/Ext:** 5077

**Description of Agenda Item:** (insert same wording as used on agenda summary)  
Resolution authorizing execution of First Amendment to Memorandum of Understanding with Linn County Gaming Association, Inc. and Cedar Rapids Development Group, LLC.

**Background:** The Resolution approves and authorizes execution of a First Amendment to Memorandum of Understanding between the City of Cedar Rapids, Cedar Rapids Development Group, LLC and Linn County Gaming Association, Inc. The Amendment extends the term of the original agreement until October 9, 2019. In other respects the Memorandum of Understanding remains unchanged and in effect.

**Action / Recommendation:**  
It is being requested that the City Council consider a resolution approving of the Amendment and authorizing its execution by the City Manager and City Clerk.

**Alternative Recommendation:**  
None

**Time Sensitivity:** Unknown

**Resolution Date:** 10/6/14

**Estimated Presentation Time:** 0 minutes

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

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

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

ATT  
CNC  
CLK  
CM  
AUD FILE  
OB838346  
OB792557

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING WITH LINN COUNTY GAMING ASSOCIATION, INC.

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS that the First Amendment to Memorandum of Understanding by and between the City of Cedar Rapids, Cedar Rapids Development Group, LLC, and Linn County Gaming Association, Inc. with respect to the support of a license for Linn County Gaming Association, Inc. to obtain a license to conduct gambling games in Linn County, Iowa is hereby approved and the City Manager and City Clerk are authorized to execute said First Amendment to Memorandum of Understanding on behalf of the City of Cedar Rapids, Iowa.

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



**Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** Chris Strecker  
**Email:** c.strecker@cedar-rapids.org

**Phone Number/Ext:** 319 286-5820

**Alternate Contact Person:** Dave Houg  
**Email:** DaveH@cedar-rapids.org

**Phone Number/Ext:** 319 286-5168

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

Resolution rescinding Resolution No. 514-3-98 which accepted the Agreement for Private Storm Water Detention for property located at 2010 Sylvia Avenue NE. CIP/DID ASDP-013710-2013

**Background:**

The owner previously submitted the Agreement for Private Storm Water Detention to meet conditions of the building site plan review. The owner has requested to build a wooden elevated deck over a portion of the detention basin. The deck will leave adequate access to maintain the detention area. The owner has submitted a new agreement to modify Condition No. 2 of the agreement to permit the deck supports to be located within the detention area.

**Action / Recommendation:**

City staff recommends approving the resolution.

**Alternative Recommendation:**

City Council may table this item and request further information

**Time Sensitivity:** Normal

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** 0 minutes

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

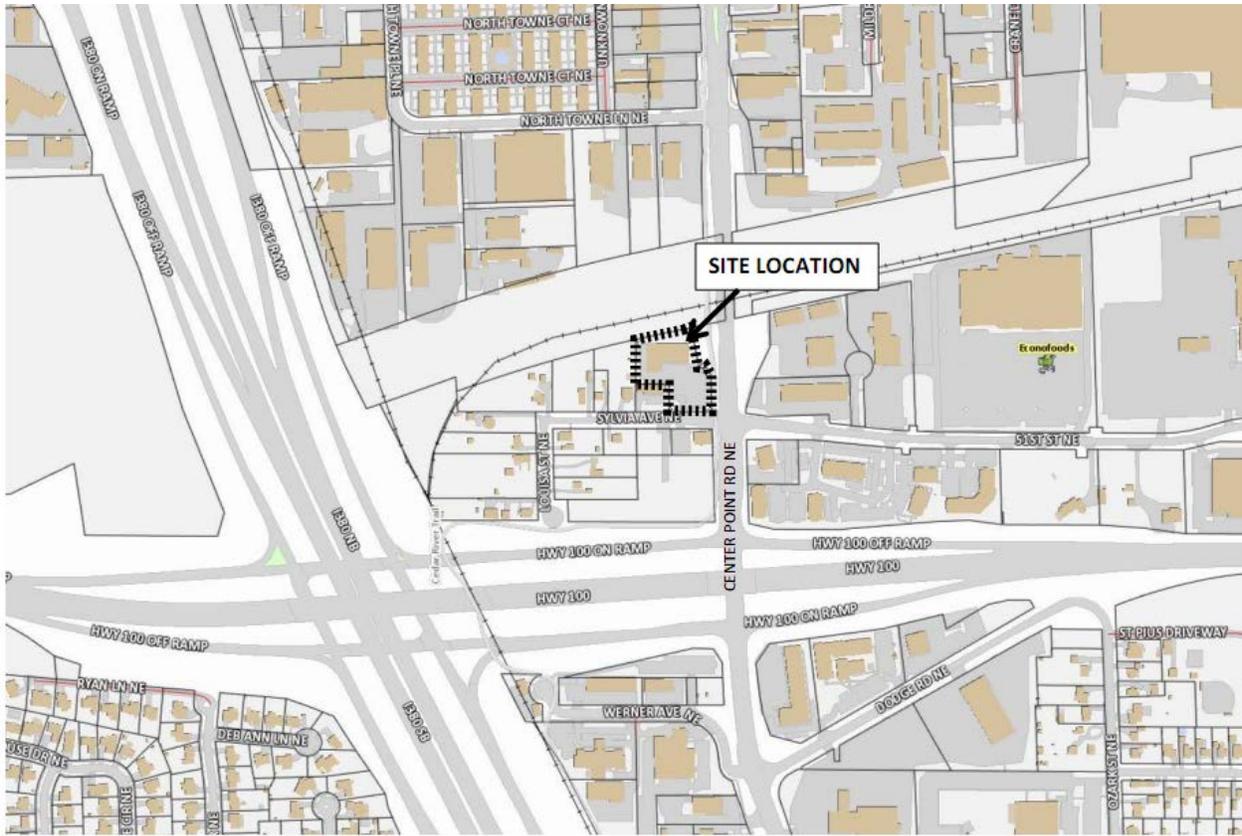
**Local Preference Policy** Applies  Exempt  N/A

**Explanation:**

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

**Explanation (if necessary):**

LOCATION MAP



2010 Sylvia Avenue NE

RESOLUTION NO.

WHEREAS, Resolution No. 514-3-98 accepted an Agreement for Private Storm Water Detention for property located at 2010 Sylvia Avenue NE; and

WHEREAS, D & S Building Company, Inc. has requested to modify the agreement to allow construction of an elevated deck within a portion of the detention area; and

WHEREAS, D & S Building Company, Inc. has submitted a new Agreement for Private Storm Water Detention which provides for the encroachment of the proposed deck into a portion of the detention area; and

WHEREAS, said agreement as submitted meets the approval of the City Development Services Department;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the original Agreement for Private Storm Water Detention is rescinded, and this Resolution along with the new Agreement for Private Storm Water Detention shall be recorded in the Office of the Linn County Recorder.

Passed this 7th day of October, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** 10-07-14

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** John Riggs                      **Phone Number/Ext:** 5981  
**Email:** [j.riggs@cedar-rapids.org](mailto:j.riggs@cedar-rapids.org)

**Alternate Contact Person:** Rita Rasmussen                      **Phone Number/Ext:** 5807  
**Email:**

**Description of Agenda Item:**

Contract for Environmental Remediation and Demolition Services project with BWC Excavating, LC for the Public Works Department - Engineering Division for an amount not to exceed \$57,400. CIP/DID #0814-052

**Background:**

This project is to provide the environmental remediation services (abatement of asbestos and hazardous material) and complete demolition services for five (5) parcels consisting of three (3) residential house structures, two (2) residential foundations and three (3) accessory structures along with complete parcel clean up.

The Cedar Rapids Public Works Department (City) in conjunction with the Department of Transportation (IDOT) is in the process of redesigning the intersection of Old Marion Road and C Avenue NE. In anticipation of the future C Ave NE Improvement Project, the properties listed below were approved by the IDOT to be acquired by the City in advance of the Project. The City successfully sold the structures at 4514 and 4530 C Avenue NE and they were removed from the property.

GPN	Address	House	Accessory Structure	Description: List may not be all-inclusive
14023-26007-00000	4519 C Ave NE	1	1 garage	House, garage, fence, deck, driveway, sidewalk, misc debris – entire parcel to be cleaned up – <b>Leave retaining wall on south side of driveway, backfill to support</b>
14023-26006-00000	4523 C Ave NE	1	1 garage	House, garage, fence, rear retaining wall, deck, driveway, sidewalk, misc debris – entire parcel to be cleaned up
14034-04013-00000	4524 C Ave NE	1	n/a	House, garden fence, retaining wall, driveway, sidewalk, misc debris – entire parcel to be cleaned up.
14034-04014-00000	4530 C Ave NE	Foundation	1 garage	Foundation, sunroom, garage, misc debris, driveway, sidewalk, garden fence – entire parcel to be cleaned up.
14034-04012-00000	4514 C Ave NE	Foundation	n/a	Foundation, misc debris, driveway, sidewalk, <b>fence-only back to neighbor's yard</b> and total parcel clean up.

Two (2) bids were received on September 24, 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 BWC Excavating, LC. The cost of this demolition project is \$57,400

BWC Excavating. LC	Solon, IA	\$57,400
Rathje Construction Co	Marion, IA	\$80,131

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 BWC Excavating, LC for the amount not to exceed \$57,400 for the Environmental Remediation and Demolition Services, #0814-052.

**Alternative Recommendation:** None

**Time Sensitivity:** Time Sensitive. A delay in the project will impact neighborhood

**Resolution Date:** 10-07-14

**Estimated Presentation Time:** 2 minutes

**Budget Information (if applicable):**

**Local Preference Policy** Applies  Exempt

**Explanation:** Public Improvement

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

**Explanation (if necessary):**



PUR  
 FIN  
 BSD  
 ENG  
 BWC  
 AUD FILE  
 0814-052

RESOLUTION NO.

WHEREAS, The City of Cedar Rapids requested bids from qualified Contractors to provide Environmental Remediation and Demolition Services on five parcels as listed below:

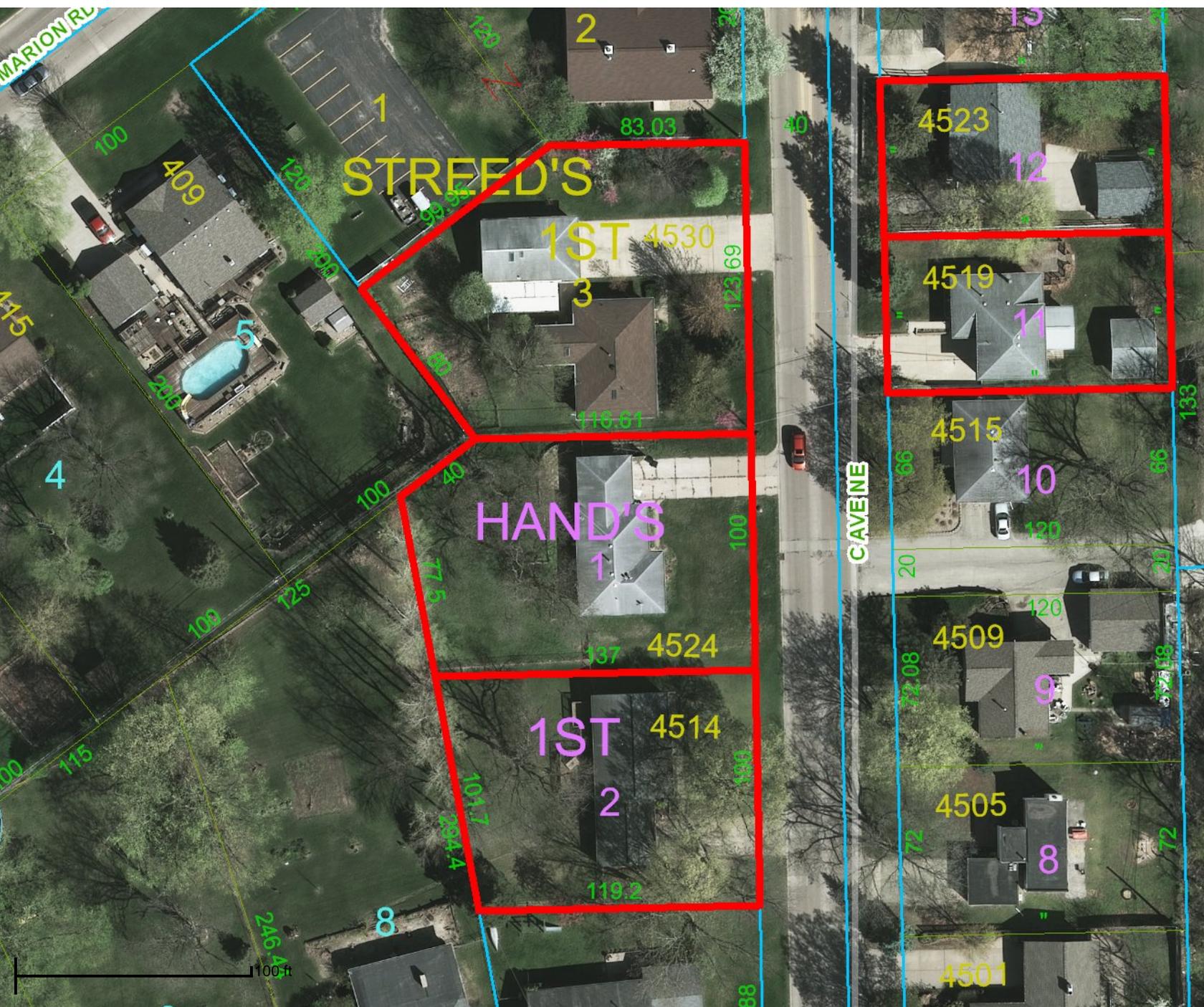
GPN	Address	House	Accessory Structure	Description: List may not be all-inclusive
14023-26007-00000	4519 C Ave NE	1	1 garage	House, garage, fence, deck, driveway, sidewalk, misc debris – entire parcel to be cleaned up – <b>Leave retaining wall on south side of driveway, backfill to support</b>
14023-26006-00000	4523 C Ave NE	1	1 garage	House, garage, fence, rear retaining wall, deck, driveway, sidewalk, misc debris – entire parcel to be cleaned up
14034-04013-00000	4524 C Ave NE	1	n/a	House, garden fence, retaining wall, driveway, sidewalk, misc debris – entire parcel to be cleaned up.
14034-04014-00000	4530 C Ave NE	Foundation	1 garage	Foundation, sunroom, garage, misc debris, driveway, sidewalk, garden fence – entire parcel to be cleaned up.
14034-04012-00000	4514 C Ave NE	Foundation	n/a	Foundation, misc debris, driveway, sidewalk, <b>fence-only back to neighbor's yard and total parcel clean up.</b>

AND WHEREAS, bids were received from two Contractors:

BWC Excavating. LC	Solon, IA	\$57,400
Rathje Construction Co	Marion, IA	\$80,131

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that BWC Excavating, LC is the lowest responsive, responsible bidder on said work and it is recommended that the City accept its Bid and award the contract to BWC Excavating, LC for an amount not to exceed \$57,400 and that the City Manager and the City Clerk are hereby authorized to execute Contract No. 0814-052 for the environmental remediation and demolition services as described above.

Passed this 7<sup>th</sup> day of October 2014.



LEGEND

- Street Names**
- Cartographic Symbols**
  - Block Symbol, 0
  - Block Symbol, 1
  - Block Symbol, 4
  - Block Symbol, 5
  - Block Symbol, 6
  - Chord, 2
  - Dimension Arrow, 2
  - Land Hook, 3
  - Legal Arrow, 1
  - Legal Arrow, 4
  - Legal Arrow, 5
  - Legal Arrow, 6
  - Split Dimension Arrow, 3
- Parcel Boundary**
  - Corporate Boundary
  - Lot Line
  - Parcel
  - Parcel Split
  - Private Road
  - Quarter Quarter Line
  - Right of Way
  - Subdivision Boundary
  - Water
- Parcel Polygons**
- Street Centerlines**
  - <all other values>
  - Interstate
  - Ramp
  - Highway
  - Unknown
  - Surface
- Unrecorded\_Final\_Plats\_**
  - <all other values>
  - Corporate Boundary
  - Lot Line
  - Parcel
  - Parcel Split
  - Private Road
  - Quarter Quarter Line
  - Right of Way
  - Subdivision Boundary
  - Water
- Unrecorded\_Final\_Plats\_**
  - <all other values>
  - Dimension Arrow, 2
- Political**
  - Alburnett
  - Bertram
  - Cedar Rapids
  - Center Point
  - Central City
  - Coggon
  - Ely
  - Fairfax
  - Hiawatha
  - Lisbon
  - Marion
  - MT Vernon
  - Palo
  - Prairieburg
  - Robins
  - Springville
  - Walford
  - Walker
- Cedar River**
- Creeks**
- Image**
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3
- IALINNO14002.sid**
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3
- IALINNO23002.sid**
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3
- lc\_elevation.sid**
  - High: 1088.746826
- lc\_hillshade.sid**
  - Low: 670.812256
  - High: 196
- lc\_elevation.sid**
  - Low: 162



**DISCLAIMER :** This is a product of the City of Cedar Rapids GIS Department. The data depicted here has been developed by the City of Cedar Rapids for city purposes. Any use is at the sole risk and responsibility of the User. There are no warranties, expressed or implied, associated with the use of this map.



**PROPRIETARY INFORMATION:** Any resale of this information is prohibited, except in accordance with a use agreement with the City of Cedar Rapids.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 7, 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:**

Contract for Vehicle Glass Replacement and Repair Services with Safelite Fulfillment, Inc. for an amount not to exceed \$30,000 for the two-year Contract period. CIP/DID #0814-024

**Background:**

Purchasing Services solicited bids for vehicle glass replacement and repair services. This Contract is utilized by Fleet Services, The Eastern Iowa airport and the U.S. Cellular Center.

Two bids were received. Fleet Services is recommending award to Safelite Fulfillment, Inc. as the lowest responsive and responsible bidder.

The contract period will be October 1, 2014 through September 30, 2016. There are two additional two-year renewal options. The estimated amount of this contract is \$15,000 annually, or \$30,000 for the two-year Contract period.

Bids received:

VENDORS		Safelite Fulfillment, Inc.	Wiston LLC - Novus Auto Glass
Vendor Location		Cedar Rapids	Cedar Rapids
Line Item	Description		
1	Labor rate, M-F, 8 am-5 pm	\$22.00	\$85.00
2	Labor rate, M-F, 5 pm-8 am	\$22.00	\$85.00
3	Labor rate, Saturday	\$22.00	\$85.00
4	Labor rate, Sunday	\$22.00	\$85.00
5	Labor rate, Holidays	\$22.00	\$85.00
6	Installation kit, windshield	\$0.00	Cost
7	Installation kit, tempered	\$0.00	Cost
8	Windshield repair, first crack/chip	\$49.95	\$35.00
9	Windshield repair, second crack/chip	\$0.00	\$10.00
10	Leaky windshield repair	\$50.00	\$100.00
11	Domestic windshield, % off NAGS	50%	85%
12	Foreign windshield, % off NAGS	50%	85%

13	Domestic curved tempered, % off NAGS	50%	85%
14	Foreign curved tempered, % off NAGS	50%	85%
15	Flat laminated, % off NAGS	50%	85%
16	Flat tempered, % off NAGS	50%	85%

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

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** Various budgets

**Local Preference Policy** Applies  Exempt

**Explanation:** Safelite Fulfillment, Inc. is a certified local vendor

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for vehicle glass replacement and repair services on behalf of the City of Cedar Rapids Fleet Services, The Eastern Iowa Airport and U.S. Cellular Center; and

WHEREAS, responses were received from two vendors; and

WHEREAS, Fleet Services is making the following recommendation for award to Safelite Fulfillment, 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 annual expenditure is \$15,000 for a total two-year Contract amount of \$30,000.

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 Safelite Fulfillment, Inc. as described herein.

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

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Alternate Contact Person:** Keith Nuehring

**Phone Number/Ext:** 5622

**Email:** k.nuehring@cedar-rapids.org

**Alternate Contact Person:** Diane Rodenkirk

**Phone Number/Ext:** 5023

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

**Description of Agenda Item:**

Information Technology Department purchase of Hardened Control Switches from Erb's Technology Solutions in the amount of \$173,776.50. CIP/DID #0814-044

**Background:**

Purchasing Services solicited bids on behalf of the Information Technology Department for Hardened Control Switches. Seven bids were received and by applying the local preference, Erb's Technology Solutions is being recommended for awarded as the lowest responsible and responsive bidder.

Bids received:

Company Name	Location	Price
Erb's Technology Solutions	Cedar Rapids	\$173,776.50
GBS Systems Integrators, LLC	Rock Island	\$166,609.36
General Traffic Controls, Inc.	Spencer	\$169,579.00
Brown Traffic Products, Inc.	Davenport	\$173,740.00
Van Meter, Inc.	Cedar Rapids	\$174,032.00
Traffic Control Corporation	Ankeny	\$183,227.08
Kaman Industrial Technologies	Cedar Rapids	\$201,060.98

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

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 554000-306-306000-306265

**Local Preference Policy** Applies  Exempt

**Explanation:** Erb's Technology Solutions 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 Hardened Control Switches on behalf of the City of Cedar Rapids Information Technology Department; and

WHEREAS, responses were received from seven vendors; and

WHEREAS, the IT Department is making the following recommendation for award to Erb's Technology Solutions, which when the buy local preference was applied was the lowest responsive and responsible bidder; and

WHEREAS, the total cost is \$173,776.50

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

## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 7 , 2014

**Submitting Department:** Information Technology

**Presenter at meeting:** Consent Agenda  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Nic Roberts  
**Email:** n.roberts@cedar-rapids.org

**Phone Number/Ext:** 286-5088

**Description of Agenda Item:** Renewal of Fleet Focus Software Maintenance Agreement with AssetWorks LLC., (original contract amount was \$24,570; renewal contract amount is \$25,798.50). CIP/DID #OB386344

**Background:**

Assetworks, Inc. is the sole provider of the Fleet Focus/Infocenter software application. This is the software renewal to cover the time period of October 1, 2014 through September 30, 2015. The funding will come from the Fleet Division's Operating Budget 522102-071-071100.

**Action / Recommendation:** The Information Technology recommends approval of this purchase.

**Alternative Recommendation:** The City would elect not to have maintenance and receive support on technical issues.

**Time Sensitivity:** Normal

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** 0 Minutes

**Budget Information (if applicable):** 522102-071-071100

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Information Technology Department and Fleet Services Division desires to renew the Fleet Focus Software Agreement with Assetworks, LLC for annual maintenance support and updates; and

WHEREAS, the maintenance period will be October 1, 2014 through September 30, 2015 with the funding coming from the Finance – Fleet Services Operating Budget (522102-071-071100); now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Fleet Services Division is hereby authorized to purchase Fleet Focus Software Maintenance from AssetWorks, LLC, PO Box 202525, Dallas, TX 75320-2525 in the amount of \$25,798.50.

Passed this 7<sup>th</sup> day of October 2014



### Council Agenda Item Cover Sheet

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** John Reasoner

**Phone Number/Ext:** 319 286-5806

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

**Alternate Contact Person:** Chris Strecker

**Phone Number/Ext:** 319 286-5820

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

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

Resolution accepting a Warranty Deed, Public Utility, Storm Sewer and Drainage Easement Agreement and a Concrete Sidewalk Petition and Assessment Agreement for property at 3011 Woodland Drive SW. CIP/DID #PLSV-012170-2014

**Background:**

The property owner, Dixie Lee Stumpff, submitted the Warranty Deed for dedication of right-of-way along Woodland Drive SW; a Public Utility, Storm Sewer and Drainage Easement agreement for existing storm sewer, drain tile and drainage along Woodland Drive SE; and a Concrete Sidewalk Petition and Assessment Agreement for future sidewalk improvements along Woodland Drive SW. The deed and agreements are being submitted as a result of Plat of Survey submittal to the City for division of the property at 3011 Woodland Drive SW. Development Services Department staff have reviewed the submittals and determined they comply with applicable Plat of Survey requirements.

**Action / Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:**

City Council may table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** 0 Minutes

**Budget Information (if applicable):**

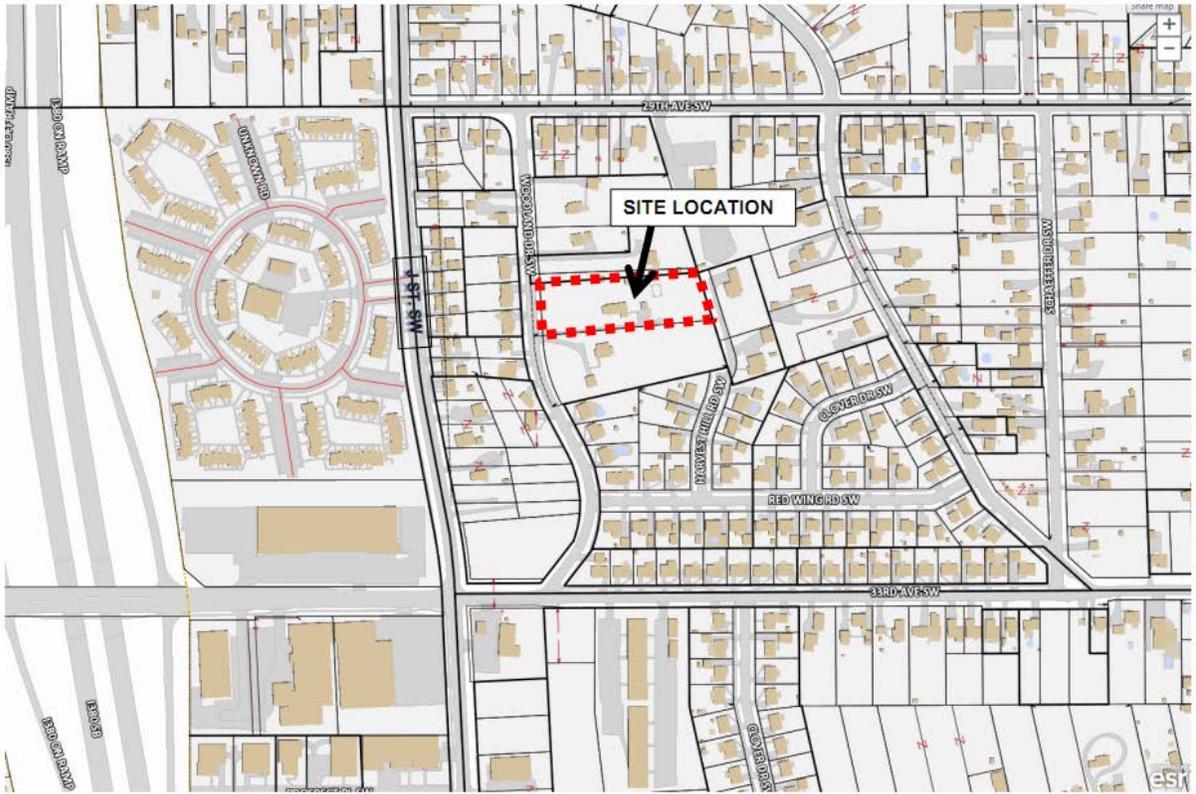
**Local Preference Policy**    Applies     Exempt     N/A

**Explanation:**

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

**Explanation (if necessary):**

LOCATION MAP



DSD  
ENG  
RCR  
FIN  
ASR  
TED  
TRS  
DIXIE STUMPPF  
PLSV-012170-2014

RESOLUTION NO.

WHEREAS, on behalf of Dixie Lee Stumpff, owner of property at 3011 Woodland Drive SW submitted to the City a request to prepare Plat of Survey No. 1946 for division of said property; and

WHEREAS, as part of the requirements for review of Plat of Survey No. 1946, Dixie Lee Stumpff has submitted the following executed documents:

1. Warranty Deed for street right-of-way along the east side of Woodland Drive SW
2. Public Utility, Storm Sewer and Drainage Easement
3. Concrete Sidewalk Petition and Assessment Agreement

and

WHEREAS, the Warranty Deed and agreement(s) as submitted are recommended for approval by the Development Services Department Program Manager; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the Warranty Deed; Public Utility, Storm Sewer and Drainage Easement Agreement, and Concrete Sidewalk Petition and Assessment Agreement for property at 3011 Woodland Drive SW are hereby accepted and recorded in the Office of the Linn County Recorder.

Passed this 7th day of October, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Community Development

**Presenter at Meeting:** Adam Lindenlaub

**Phone:** 319 286-5064

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

**Alternate Contact Person:** Melissa Kopf

**Phone:** 319 286-5855

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

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

**Description of Agenda Item:**

Resolution authorizing adoption of Linn County Multi-Jurisdictional Hazard Mitigation Plan 2014 – 2019 as required by FEMA. NEW

**Background:**

Linn County is using a Hazard Mitigation Assistance grant to contract with the East Central Iowa Council of Governments (ECICOG) to develop a county-wide hazard mitigation plan required by FEMA. Inclusion in and adoption of the plan makes Cedar Rapids eligible to apply for Hazard Mitigation Assistance (HMA) funding from the Pre-Disaster Mitigation, Flood Mitigation Assistance, and Hazard Mitigation Grant programs. This draft has been reviewed and approved by the State, subject to a public comment period from August 8 through September 18, 2014 and currently under review by FEMA. The document may be viewed by clicking on the link below to ECICOG's website:

[http://www.ecicog.org/uploads/2/6/9/0/26907680/linn\\_county\\_hazmit\\_plan\\_2014\\_draft.pdf](http://www.ecicog.org/uploads/2/6/9/0/26907680/linn_county_hazmit_plan_2014_draft.pdf)

**Cedar Rapids specific highlights:**

- Hazard Mitigation Planning Goals (page 47)
  - Minimize injuries and loss of life.
  - Reduce or eliminate damages due to hazards.
  - Manage operations with or without county, state, and federal assistance.
  - Return to pre-hazard event conditions in a timely and planned manner.
- Mitigation Strategy (page 234)
  - 30 mitigation actions identified to address 10 different types of hazards such as flooding, tornado and windstorms, thunderstorms, lightning, and hail.
- Action Plan (page 283)
  - Prioritize the mitigation actions, identifies the responsible lead and potential funding sources

**Action/Recommendation:**

City staff recommends adoption of the resolution.

**Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:**

Plan must be adopted by local jurisdictions before close out of the grant on November 7th.

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** 0 minutes

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

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION ADOPTING THE LINN COUNTY MULTI-JURSDICTIONAL  
HAZARD MITIGATION PLAN 2014 - 2019

WHEREAS, the Linn County Board of Supervisors has heretofore deemed it necessary and desirable to have a Hazard Mitigation Plan that identifies potential hazards and the actions that need to be taken to reduce or eliminate the long term risks to human life and property from those hazards for the citizens of Cedar Rapids; and

WHEREAS, a Regional Mitigation Plan, as defined in 44 CFR Section 201.6 is required for local jurisdictions that elect to participate in FEMA hazard mitigation programs as an applicant; and

WHEREAS, the Linn County Multi-Jurisdictional Hazard Mitigation Plan 2014 – 2019 was funded by an HMGP planning grant; and

WHEREAS, the East Central Iowa Council of Governments (ECICOG) with the help of the Hazard Mitigation Planning Committee has prepared the hazard mitigation plan;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa adopts the Linn County Multi-Jurisdictional Hazard Mitigation Plan 2014 – 2019.

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



**Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Caleb Mason **Phone Number/Ext:** 319 286-5188  
**Email:** [c.mason@cedar-rapids.org](mailto:c.mason@cedar-rapids.org)

**Alternate Contact Person:** Jennifer Pratt **Phone Number/Ext:** 319 286-5047  
**Email:** [j.pratt@cedar-rapids.org](mailto:j.pratt@cedar-rapids.org)

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

Resolution authorizing execution of a Special Warranty Deed conveying City-owned property at 1020 and 1028 3rd Street SE with New Bohemia Station, LLC (**FLOOD**). CIP/DID #OB803603

**Background:**

The Resolution authorizes the transfer of title to New Bohemia Station, LLC (NBS). NBS has provided satisfactory financial commitments for the project and is ready to receive possession of the property to begin site preparation this fall. The property is being sold for \$47,175 which is the post-flood fair market value of the property. The sale proceeds are returned to the federally funded acquisition program.

On August 26, 2014, the City Council adopted Resolution No. 1204-08-14, which amended the Development Agreement providing for the following terms:

Term	Amended Development Agreement
Minimum Investment	\$4.0 Million
Job Creation/Retention	12 FTE
Minimum Improvements	4-story mixed use building - 1st floor retail - 2 <sup>nd</sup> floor office - Market rate housing (3 <sup>rd</sup> & 4 <sup>th</sup> Floors)
City Participation	10-years, 100% TIF Annual reimbursement
Flood Mitigation	First floor elevated 1' above BFE
Construction Timeline	Commencement: November 1, 2014 Completion: December 31, 2015

**Action / Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** 0 Minutes

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

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

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A SPECIAL WARRANTY DEED  
CONVEYING CITY-OWNED PROPERTY AT 1020 AND 1028 3<sup>RD</sup> STREET SE  
TO NEW BOHEMIA STATION, LLC

WHEREAS, the City acquired property located at 1020 and 1028 3<sup>rd</sup> Street SE (the "Property") through the Voluntary Property Acquisition Program; and

WHEREAS, on October 24, 2012 the City Council's Development Committee recommended inviting proposals for the acquisition and private redevelopment of the Property; and

WHEREAS, on November 13, 2012 the City Council adopted a motion to conduct a public hearing and publish a notice of said hearing on November 17, 2012; and

WHEREAS, on November 27, 2012 the City Council held a public hearing on the possible disposition of the Property in accordance with Iowa law; and

WHEREAS, the City received two (2) proposals to purchase and redevelop the Property which were reviewed by an evaluation committee consisting of City staff and representatives of: the Oak Hill/Jackson Neighborhood Association, New Bohemia Group, Inc., Main Street, Southside Investment Board, Design Review Technical Advisory Committee and a representative of a private development firm and recommended the proposal submitted by New Bohemia Station, LLC; and

WHEREAS, on April 9, 2013 the City Council adopted Resolution No. 0578-04-13 authorizing negotiation of a Development Agreement with New Bohemia Station, LLC for the redevelopment of the Property; and

WHEREAS, on January 28, 2014 the City Council adopted Resolution No. 0140-01-14 which authorized execution of a Development Agreement (the "Agreement") with New Bohemia Station, LLC; and

WHEREAS, on August 26, 2014 the City Council adopted Resolution No. 1204-08-14 authorizing Amendment No. 1 to the Agreement;

WHEREAS, New Bohemia Station, LLC is now ready to receive title to the Property in accordance with the terms of the amended Agreement;

WHEREAS, a Special Warranty Deed has been prepared 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, as follows:

1. The City Manager and City Clerk are authorized to execute a Special Warranty Deed and associated documents effectuating the conveyance of property at 1020 and 1028 3<sup>rd</sup> Street SE to New Bohemia Station, LLC.
2. The Resolution and Special Warranty Deed are to be recorded in the Office of the Linn County, Iowa Recorder.

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

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT  
AGREEMENT WITH OPC ALLAN INVESTMENTS LLC FOR THE DISPOSITION  
AND REDEVELOPMENT OF CITY-OWNED PROPERTY AT 423 5<sup>TH</sup> STREET  
NW (FORMERLY E AVENUE NW FIRE STATION)

WHEREAS, the City has owned and operated the facility located at 423 5<sup>th</sup> Street NW (the "Property") as a Fire Station and other City functions since 1906; and

WHEREAS, subsequent to the flooding in 2008, the facility was evaluated by the City and determined to be no longer needed for City operations; and

WHEREAS, on January 23, 2013 the City Council's Development Committee recommended inviting proposals for the redevelopment and reuse of the Property; and

WHEREAS, on February 12, 2013 the City Council passed a motion to conduct a public hearing and publish notice on February 16, 2013, and the public hearing was held on February 26, 2013 on the possible disposition of this property in accordance with Iowa law;

WHEREAS, the City received one (1) proposal from OPC Allan Investments LLC for the redevelopment of the Property; and

WHEREAS a review panel of stakeholders representing the Neighborhood Development Corporation, Northwest Neighbors Neighborhood Association, Historic Preservation Commission and a private development firm reviewed the proposal and recommended acceptance of the proposal to the City Council; and

WHEREAS, on May 28, 2013 the City Council adopted Resolution 0899-05-13 authorizing negotiation of a Development Agreement with OPC Allan Investments LLC; and

WHEREAS, the City and OPC Allan Investments LLC have come to mutual agreement as to the terms and conditions of the Development Agreement which has been prepared 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 to execute a Development Agreement with OPC Allan Investments LLC for the redevelopment of City-owned property at 423 5<sup>th</sup> Street NW.

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



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5814

**Alternate contact person:** Garrett Prestegard, PE  
**E-mail Address:** g.prestegard@cedar-rapids.org

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

Resolution authorizing execution of a Professional Services Agreement with HR Green, Inc. for an amount not to exceed \$211,673 for design services in connection with the Waconia Avenue Sanitary Sewer Improvements. CIP/DID #655026-03

**Background:** The sanitary sewer at Waconia Avenue SW west of Locust Road SW is operating near capacity. HR Green, Inc. will provide design services to increase the capacity of the sanitary sewer and to improve the condition of Waconia Avenue SW.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with HR Green, 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:** October 7, 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

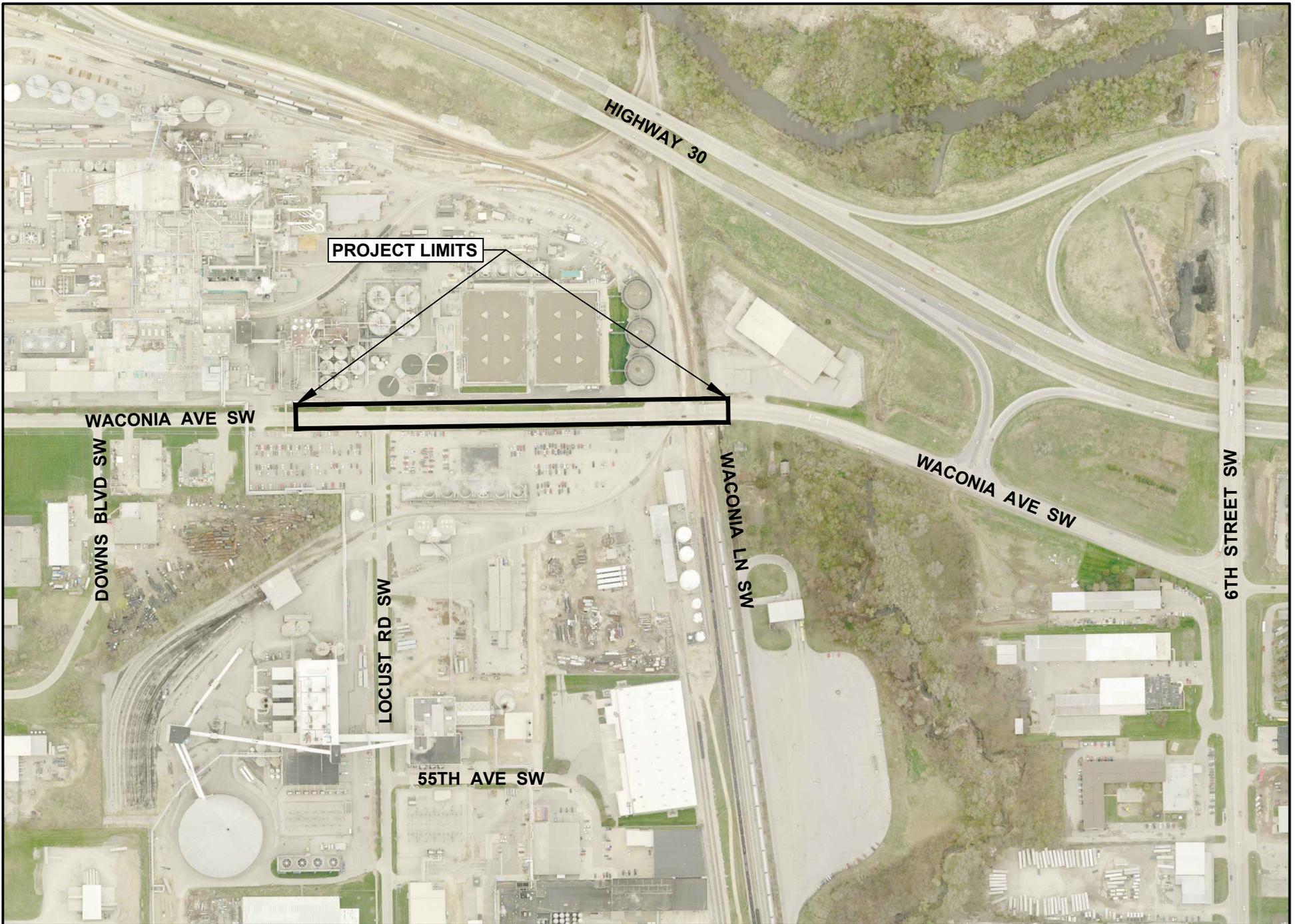
WHEREAS, the Public Works Director / City Engineer has determined HR Green, Inc. is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$211,673 and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 655026-03 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for the Waconia Avenue SW Sanitary Sewer Improvements project (Fund 655, Dept ID 655000, Project 655026),

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



**WACONIA AVENUE SW FROM WACONIA LANE TO LOCUST ROAD  
SANITARY SEWER CAPACITY IMPROVEMENTS**





## 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 authorizing execution of a Professional Services Agreement with Anderson-Bogert Engineers and Surveyors, Inc. for an amount not to exceed \$142,120 for design services in connection with the Collins Road NE, Williams Boulevard SW and 1st Avenue SW Roadway Improvements project. CIP/DID #301872-06

### Background:

The professional services provided in this agreement include the preliminary and final design of the maintenance and beautification improvements on Collins Road NE, Williams Boulevard SW, and 1<sup>st</sup> Avenue SW between L Street and 3<sup>rd</sup> Street.

Estimated construction budget for the project is \$1,685,000 and will be bond funded. The project will be bid by the Iowa Department of Transportation (IDOT) and administered by the City. The IDOT will bid the project in the spring of 2015 and construction is expected to begin in early summer 2015. The IDOT will participate in cost-sharing for eligible items. The City has the framework for an agreement with the IDOT to cover approximately \$842,500 or 50% of the total construction costs.

### Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Anderson-Bogert Engineers and Surveyors, 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 to delay this project until City Staff has the resources available to proceed with design.

**Time Sensitivity:** Normal

**Resolution Date:** October 7, 2014

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

**Budget Information (if applicable):** CIP 301872 \$142,120 (Construction \$842,500 FY 2015, \$842,500 Iowa DOT)

**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 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 \$142,120, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 301872-06 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for maintenance and beautification improvements in connection with the Collins Road NE, Williams Boulevard SW and 1<sup>st</sup> Avenue SW Roadway Improvements project (Fund 301, Dept ID 301000, Project 301872-06),

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.

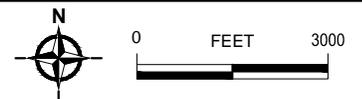
Passed this 7<sup>th</sup> day of October, 2014.



Cadd File Name: W:\PROJECTS\CI\301301872\301872 Council Map.dwg



**COLLINS ROAD, WILLIAMS BOULEVARD  
AND 1ST AVENUE ROADWAY IMPROVEMENTS**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Craig Hanson, PE  
**E-mail Address:** c.hanson@cedar-rapids.org

**Phone Number/Extension:** 5867

**Alternate Contact Person:** Mike Duffy  
**E-mail Address:** m.duffy@cedar-rapids.org

**Phone Number/Extension:** 5873

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

Resolution authorizing the Public Works – Streets Division purchase of traffic marking paint beads from Potters Industries, LLC in an amount not to exceed \$30,000 to be used for roadway markings. CIP/DID #80-15-007

**Background:**

Beginning in 2004, the City has participated in the Iowa Department of Transportation (IDOT) program of paint purchases. The paint beads are purchased in 2,000 pound totes to be compatible with the City's line striping truck and State painting requirements, at a cost of \$0.33/pound.

This is the same price as 2013. The participation in the IDOT bid process was placed in early December 2013.

**Action / Recommendation:**

The Public Works Department recommends approval of the Resolution authorizing the purchase of traffic marking paint beads from Potters Industries, LLC in an amount not to exceed \$30,000.

**Alternative Recommendation:** Re-bid. This may cause a cost increase and it will have termination issues with the purchase via the IDOT bid.

**Time Sensitivity:** Normal

**Resolution Date:** 7<sup>th</sup> October, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** Item was budgeted for FY14 and FY15 for Paint Supplies. Department 124201 account 53117 approved for \$68,550 in FY14 and the same amount in FY15. The purchase will be split into the two years and bought as usage is performed. There is over \$45,000 remaining in FY15 budget for this item. State contract #6169.

**Local Preference Policy:** Applies  Exempt

Explanation: Verbal quotes received from local vendors were more than 5% higher than the State bid.

**Local Option Sales Tax** Yes  No  **GRI** Yes  No

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

**Explanation (if necessary):** Not a policy issue. Over 10 years of following State Bid.

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Public Works Department has participated in the Iowa Department of Transportation (IDOT) program of traffic marking paint purchases, and

WHEREAS, Potters Industries, LLC guarantees they will provide the traffic paint beads that is compliant with Iowa Department of Transportation bid specifications for traffic marking, and

WHEREAS, Potters Industries, LLC will provide 88,000 pounds of marking beads in an amount not to exceed \$30,000, and

WHEREAS, funds are available in the FY 2014 and FY 2015 Street Operating Fund (Fund 101, Dept ID 124000) to purchase the paint beads, and

WHEREAS, the Public Works Director / City Engineer recommends the purchase of the required goods and services from Potters Industries, LLC.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA the Public Works Department is authorized to purchase yellow and white traffic marking paint from Potter Industries, LLC Inc. in an amount not to exceed \$30,000.

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



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5814

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

**Phone Number/Extension:** 5547

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

Resolution awarding and approving contract in the amount of \$69,028.80 plus incentive up to \$1,000, bond and insurance of Ken-Way Excavating Services, Inc. for the 6805 Brentwood Drive NE Sanitary Sewer Replacement project (estimated cost is \$55,000). CIP/DID #6559995-01

**Background:**

Ken-Way Excavating Services, Inc., Walford, IA	\$69,028.80
Possible Incentive	<u>\$ 1,000.00</u>
Total Award	\$70,028.80

Ken-Way Excavating Services, Inc. submitted the only bid received on September 23, 2014 for the 6805 Brentwood Drive NE Sanitary Sewer Replacement project. Construction work is anticipated to begin this fall and be completed by May 1, 2015.

**Action / Recommendation:**

Due to the condition of the existing sanitary sewer designated for replacement, the Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$69,028.80 plus incentive up to \$1,000, bond and insurance of Ken-Way Excavating Services, Inc. for the 6805 Brentwood Drive NE Sanitary Sewer Replacement project.

**Alternative to the Recommendation:**

If Council chooses not to award the contract for said project, the project may not go forward as proposed unless the bidding process is repeated.

**Time Sensitivity:** Normal.

**Resolution Date:** October 7, 2014

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

**Budget Information (if applicable):**

**Local Preference Policy:** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, the following competitive quotations were received, opened, and announced on September 23, 2014 by the City Engineer, or designee, for the 6805 Brentwood Drive NE Sanitary Sewer Replacement project (Contract No. 6559995-01).

Ken-Way Excavating Services, Inc.	\$69,028.80
Incentive up to	<u>\$ 1,000.00</u>
Total	\$70,028.80

AND WHEREAS, general ledger coding for this public improvement project shall be as follows: \$70,028.80 655-655000-6559995

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

1. The previous delegation to the City Engineer, or his designee, to receive, open, and publicly announce the competitive quotations, is hereby ratified and approved;
2. Ken-Way Excavating 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 competitive quotation and award the contract to it;
3. Subject to registration with the Department of Labor, the Competitive Quotation of Ken-Way Excavating Services, Inc. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Ken-Way Excavating 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 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 7<sup>th</sup> day of October, 2014.



**PROJECT  
LOCATION**



Cadd File Name: W:\PROJECTS\CIP\611 (655)6559995 6805 Brentwood Dr NE\6559995 Council Map.dwg



**6805 BRENTWOOD DRIVE NE  
SANITARY SEWER REPLACEMENT PROJECT**



## Cover Sheet for City Council

Consent Agenda       Regular Agenda

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Utilities Department Water Division

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

**Alternate Contact:** Tariq Baloch      **Phone No.:** 5283    **E-mail:** [t.baloch@cedar-rapids.org](mailto:t.baloch@cedar-rapids.org)

### Description of Agenda Item:

Resolutions approving actions regarding Purchases/Contracts/Agreements:

- a. Joint Funding Agreement with the U.S. Department of Interior, Geological Survey (USGS) for the continuing "Assessment of Ground-Water Flow and Quality for the Cedar Rapids Alluvium" for the period of October 1, 2014 through September 30, 2015 for a project cost of \$219,735 (project cost to be shared on a 38/62 basis with the City's share being \$135,735). CIPDID #625044-15

### Background:

Since 1992, the Utilities Department Water Division and the USGS have conducted an ongoing cooperative study to evaluate the hydrogeology and water quality of the alluvial aquifer that supplies all of our drinking water wells and the Cedar River, which is the ultimate source of 95% or more of the recharge to these wells.

The initial focus of the cooperative study was on the City's wells and their hydraulic connection to the Cedar River. The general goals were to develop an understanding of the aquifer, including how water flows through the aquifer and the factors that affect the quantity and quality of our water supplies. This research has been an essential component of the development and implementation of best management practices and source water protection programs for our wells.

The study has confirmed that the Cedar River is the primary influence on both the quantity and quality of our ground-water resource. Elevated nutrients (e.g. nitrate) and other contaminants (e.g. pesticides and microbial organisms such as Cryptosporidium) in the river can potentially threaten the quality of our drinking water supplies. Consequently, in 2001 the USGS and the City expanded the study to include the Cedar River watershed. For example, research is now being done on the source, transport and fate of potential contaminants in the watershed. Similarly, we are researching strategies to mitigate these potential threats to include optimization of riverbank filtration and the use of wetlands to reduce nutrient levels. The study also includes investigation of the potential presence and mitigation strategies for viruses and emerging contaminants such as personal and protective care products (e.g. pharmaceuticals) and nitrosamine compounds (e.g. NDMA).

The USGS has the expertise to properly sample for and evaluate waterborne viruses and will be a valuable asset in documenting source water levels of virus in order to fine tune the operation of the UV units.

It is imperative that the City continue to research, develop and implement strategies to protect its water supplies and that these efforts encompass the entire Cedar River watershed. It is unfortunate, but the reality is that no other agency will take the lead in doing so.

### Recommended Action:

The Utilities Department Water Division recommends the City Council approve the USGS Funding Agreement and authorize the City Manager to execute said agreement.

**Alternative Recommendation (if applicable):**

If the Agreement is not approved by City Council, there would be a reduction or elimination of the on-going research relative to the Utilities Department Water Division well fields, wetlands and major portions of research pertaining to the Cedar River watershed.

**Time Sensitivity:** Not Applicable

**Resolution Date:** 10/07/14

**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: The respective cost share amounts have not changed from FY 2014 with the U.S. Department of Interior – U.S. Geological Survey. The City's cost remains the same.
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):**

RESOLUTION NO.

WHEREAS, the U.S. Geological Survey, U.S. Department of the Interior, (USGS) has submitted the Joint Funding Agreement for the continuing "Assessment of Ground Water Flow and Quality for the Cedar Rapids Alluvium" for the period of October 1, 2014 through September 30, 2015. The project costs of \$219,735 will be funded on a 38/62 percent basis (USGS/City) with the City's share being \$135,735. There is no change in the City's share from last year's project cost, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Joint Funding Agreement between the U.S. Department of Interior, Geological Survey (USGS) and the City of Cedar Rapids for the period beginning October 1, 2014 through September 30, 2015 be hereby approved and that City Manager be hereby authorized to execute the Joint Funding Agreement committing the City to reimburse the U.S. Department of the Interior, Geological Survey (USGS) \$135,735 for the City's share of the cost for fiscal year 2015. To be funded from the Utilities Department – Water Division FY15 operations and maintenance budget and coded to 521104-621-621011.

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



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Community Development & Planning

**Presenter at meeting:** Kirsty Sanchez

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

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

**Alternate Contact Person:** Jennifer Pratt

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

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

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

Discussion and Resolution in support of the proposed mixed use development at 42<sup>nd</sup> Street NE and Edgewood Road NE and direction to negotiate a Development Agreement with the Developer. NEW

### **Background:**

On October 1, 2014, City staff received a request from 42<sup>nd</sup> Street and Edgewood, LLC for City financial participation to facilitate the construction of a mixed-use development at the corner of 42<sup>nd</sup> Street and Edgewood Road NE.

The proposed development is roughly 67,000 square feet and will include Class A office space, commercial services, retail, and restaurant space. The anchor office tenant is Berthel Fisher which is bringing high quality jobs that qualify for the Targeted Development Program. The additional commercial services and retail in the development create the mixed-use, walkable amenities that are consistent with City Council goals. Staff is recommending that the additional commercial services and retail qualify for the Community Benefit Program, based on the mixed-use concept.

The project characteristics of the proposed development, as detailed below, combine to establish the public purpose and overall benefit to the community.

- Mixed-use development is consistent with City Council goals of creating a vibrant community.
- Infill development is consistent with City Council goals of creating cost-effective provision of existing infrastructure and City services.
- High quality jobs are critical to attracting and retaining a skilled workforce.
- Corporate headquarters is an investment that helps secure the presence of a business in the City.

Key details regarding the proposed project include:

- Minimum investment \$12 million
- Commitment of 85 full-time employees

- Construction beginning in October 2014

The total construction cost is estimated at \$12 million. The standard City participation is requested as a 5-year, 100% property tax reimbursement. This will amount to a reimbursement of approximately \$1,596,000 over the five-year period. Projecting out over the next 15 years, the project will generate approximately in additional property taxes \$4,788,000.

The proposed tax reimbursement requires the establishment of a new Urban Renewal Area. The negotiated Development Agreement will also be presented to City Council for consideration at a later date.

**Action / Recommendation:**

City staff recommends approval of the Resolution.

**Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** 0 minutes

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

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

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION IN SUPPORT OF PROPOSED MIXED-USE DEVELOPMENT AT  
THE CORNER OF 42<sup>ND</sup> STREET NE AND EDGEWOOD ROAD NE AND  
DIRECTION TO NEGOTIATE A DEVELOPMENT AGREEMENT WITH THE  
DEVELOPER

WHEREAS, the Community Development Director has advised this City Council of a development proposal submitted by 42<sup>nd</sup> Street and Edgewood, LLC (the "Developer") with respect to the proposed development at the corner of 42<sup>nd</sup> Street NE and Edgewood Road NE; and

WHEREAS, the proposal includes construction of approximately 67,000 square feet of Class A office space, commercial services, retail space, and restaurant space; and

WHEREAS, the estimated construction cost is \$12 million; and

WHEREAS, the Developer is requesting a standard level of City participation in the form of a five-year, 100% reimbursement of the increased property tax generated by the improvements; and

WHEREAS, the anchor office tenant, Berthel Fisher, is providing high quality jobs that quality for the City's Target Development Program; and

WHEREAS, the remainder of the project includes commercial service and retail that creates a mixed-use development with walkable amenities which is consistent with City Council goals, along with the following project characteristics that combine to establish the public purpose and overall benefit to the community:

- Mixed-use development is consistent with City Council goals of creating a vibrant community.
- Infill development is consistent with City Council goals of creating cost-effective provision of existing infrastructure and City services.
- High quality jobs are critical to attracting and retained a skilled workforce.
- Corporate headquarters is an investment that helps secure the presence of a business in the City.

WHEREAS, the City Council desires to express its support for the Developer's proposal;

NOW, THEREFORE, BE IT RESOLVED that this City Council does hereby express its support for the 42<sup>nd</sup> Street and Edgewood project proposed by the Developer, as described herein, and the City Manager, or his designee, are hereby authorized and directed to negotiate with the Developer in an effort to reach a mutually acceptable development agreement containing the foregoing elements and such other provisions and assurances that they may consider necessary or appropriate under the circumstances.

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



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 7, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Kirsty Sanchez

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

**Email:** k.sanchez@cedar-rapids.org

**Alternate Contact Person:** Jennifer Pratt

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

**Email:** j.pratt@cedar-rapids.org

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

Second and possible Third Reading amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the 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 City's Economic Development Program based on demolition and site prep costs.

### **Project Details:**

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

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 approval of the Second and possible Third Reading.

### **Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:**

N/A

**Resolution Date:** October 7, 2014

**Estimated Presentation Time:** 0 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):**

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. 1263-09-14

Section 2. That Subsection 17A.06 of the Municipal Code, City of Cedar Rapids, Iowa is hereby amended by the addition of a new Division 88 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:** October 7, 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  Ordinance  Regular Agenda

Second and possible Third Reading 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 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 Second and possible Third Reading.

**Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

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.