

*“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 21, 2014 at 4:00 p.m. in the Council Chambers, 3<sup>rd</sup> Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to discuss and possibly act upon the matters as set forth below in this tentative agenda. (*Please silence mobile devices.*)

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

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations

### **PUBLIC HEARINGS**

1. A public hearing will be held to consider an amendment to the Red Star Yeast Urban Revitalization Area Plan to provide for future growth of its current facility located at 950 60<sup>th</sup> Avenue SW (Kirsty Sanchez).
  - a. Resolution authorizing an amendment to the Red Star Yeast Urban Revitalization Area designation to provide for future growth of its current facility at 950 60<sup>th</sup> Avenue SW; CIP/DID #OB66779
  - b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to expand the Red Star Yeast Urban Revitalization Area at 950 60<sup>th</sup> Avenue SW. CIP/DID #OB66779
2. A public hearing will be held to consider an amendment to the Acme Electric Urban Revitalization Area Plan to allow for the construction of an additional new row house for a total of six row houses (Kirsty Sanchez).
  - a. Resolution authorizing an amendment to the Acme Electric Urban Revitalization Area Plan to allow for the construction of an additional new row house for a total of six row houses; CIP/DID #OB865223
  - b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to amend the Acme Electric Urban Revitalization Area Plan to allow for the construction of an additional new row house for a total of six row houses. CIP/DID #OB865223

3. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the FY 2015 Curb Repair Project – Contract 1 project (estimated cost is \$430,000) (**Paving for Progress**) (Doug Wilson).
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the FY 2015 Curb Repair Project – Contract 1 project. CIP/DID #301998-06
4. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Prairie Valley Court SW Sidewalk Extension project (estimated cost is \$120,000) (Doug Wilson).
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Prairie Valley Court SW Sidewalk Extension project. CIP/DID #301083-06
5. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Selected J Avenue Campus 2014 Renovations project (estimated cost is \$900,000) (Steve Hershner).
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Selected J Avenue Campus 2014 Renovations project. CIP/DID #6250031-02
6. A public hearing will be held to consider the plans, specifications, form of contract and estimated cost for the Water Pollution Control Facility Roughing Filter #4 Dome Replacement and Concrete Repair project (estimated cost is \$1,925,000). (Steve Hershner)
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Water Pollution Control Facility Roughing Filter #4 Dome Replacement and Concrete Repair project. CIP/DID #615238-01
7. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Cedar River East Floodwall PepsiCo/Quaker Oats Area, Phase 1 – Transmission Main Pressure Connections and Service Line Valve Installation project (estimated cost is \$1,225,000) (Steve Hershner).
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Cedar River East Floodwall PepsiCo/Quaker Oats Area, Phase 1 – Transmission Main Pressure Connections and Service Line Valve Installation project. CIP/DID #330260-04

### **PUBLIC COMMENT**

*If you wish to address the City Council on any subject pertaining to City Council action scheduled for today, please use the sign-up sheet (next to the agendas) located on the table outside the Council Chambers. Please approach the microphone when called upon.*

## MOTION TO APPROVE AGENDA

### CONSENT AGENDA

**\*Note: These are routine items, some of which are old business and some of which are new business. They will be approved by one motion without separate discussion unless Council requests an item be removed to be considered separately.**

8. Motion to approve minutes.
9. Motions setting public hearing dates for:
  - a. November 4, 2014 – to consider the vacation and disposition of public ways and grounds described as a 16-foot wide strip of excess alley right-of-way located at 919 6<sup>th</sup> Street SW as requested by Meridian Holdings, LLC; CIP/DID #ROWV-011544-2014
  - b. November 18, 2014 – to consider an Ordinance relating to collection of tax increment within the proposed 42<sup>nd</sup> Street and Edgewood Urban Renewal Area at the intersection of 42<sup>nd</sup> Street NE and Edgewood Road NE. CIP/DID #OB1314912
10. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for November 4, 2014 and advertising for bids by publishing notice to bidders for the Alley Between C Avenue NW and D Avenue NW from 9<sup>th</sup> Street NW to 11<sup>th</sup> Street NW Sanitary Sewer Improvements project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on November 5, 2014 (estimated cost is \$240,000). CIP/DID #655941-03
11. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for November 4, 2014 and advertising for bids by publishing notice to bidders for the Hawkeye Downs Road SW Culvert Replacement project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on November 12, 2014 (estimated cost is \$125,000). CIP/DID #304393-02
12. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
  - a. Basket Bowtique, 116 3<sup>rd</sup> Avenue SE;
  - b. Cedar Rapids Galaxy 16 Cine, 5340 Council Street NE;
  - c. Cedar Rapids Jaycees, 225 5<sup>th</sup> Avenue SW (5-day permit for an event at Noelridge Park, 4900 Council Street NE, on October 26, 2014);
  - d. Chili's Southwest Grill & Bar, 1250 Collins Road NE;
  - e. Creative Croissants, 2121 Arthur Collins Parkway SW;
  - f. Daniel Arthur's, 821 3<sup>rd</sup> Avenue SE;
  - g. Eastern Iowa Arts Academy, 1841 E Avenue NE (5-day permit for an event at the Veterans Memorial Building, 50 2<sup>nd</sup> Avenue Bridge, on November 14, 2014);
  - h. Hy-Vee C-Store #5, 1440 32<sup>nd</sup> Street NE;
  - i. Hy-Vee Drugstore #4, 4825 Johnson Avenue NW;
  - j. Kum & Go #514, 1420 Mount Vernon Road SE;
  - k. Liquid Lounge Downtown, 303 2<sup>nd</sup> Avenue SE;
  - l. Metro Buffet, 448 33<sup>rd</sup> Avenue SW;
  - m. Phelan's Interiors, 728 3<sup>rd</sup> Avenue SE;
  - n. Primetime Sports Bar & Restaurant, 4001 Center Point Road NE;
  - o. Syndicate, 207 1<sup>st</sup> Avenue SE;

- p. Thai Moon Restaurant, 4362 16<sup>th</sup> Avenue SW;
- q. Vernon Bar & Grill, 3025 Mount Vernon Road SE;
- r. Za's Pizza, 1944 42<sup>nd</sup> Street NE (new – formerly office space).

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

14. Resolutions approving assessment actions:

- a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 58 properties; CIP/DID #OB1318987
- b. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – eight properties; CIP/DID #OB1303518
- c. Levy assessment – delinquent weed mowing charges – 90 properties; CIP/DID #OB1318937
- d. Levy assessment – nuisance property abatement charges – six properties. CIP/DID #OB1318939

15. Resolution setting a public hearing date for November 18, 2014 to consider the Resolution of Necessity (Proposed) for the construction of the Edgewood Road SW at Edgewood Parkway SW Traffic Signal Improvements project. CIP/DID #306163-00

16. Resolution determining the necessity and setting dates of a public hearing for November 18, 2014 and consultation with affected taxing entities, and referral to Planning Commission for a report and recommendation on the proposed Urban Renewal Plan for the 42<sup>nd</sup> Street and Edgewood Urban Renewal Area. CIP/DID #OB1314912

17. Resolution accepting Water system improvements installed in Riviera 2<sup>nd</sup> Addition – Part 2 Riviera Street and approving 2-Year Maintenance Bond submitted by Rathje Construction Co. in the amount of \$41,133. CIP/DID #2013028-02

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

- a. 2<sup>nd</sup> Street SE From 9<sup>th</sup> Avenue to the Sinclair Site Sanitary Sewer Reconstruction project, final payment in the amount of \$132,380.93 and 4-year Performance Bond submitted by Maxwell Construction, Inc. (original contract amount was \$2,733,296.24; final contract amount is \$2,647,618.58) **(FLOOD)**; CIP/DID #SSD005-02
- b. Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – Demolition & Abatement project, final payment in the amount of \$46,306.60 and 1-year Performance Bond submitted by D.W. Zinser Company (original contract amount was \$489,000; final contract amount is \$926,132) **(FLOOD)**. CIP/DID #PWE006-22

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

- a. Neighborhood Development Corporation for property at 224 9<sup>th</sup> Street NW;
- b. Neighborhood Development Corporation for property at 723 8<sup>th</sup> Avenue SW;
- c. Hope Community Development Association, Inc. for property at 928 N Street SW;
- d. Scallon Custom Homes, LLC for property at 1502 N Street SW.

20. Resolutions authorizing execution of Development Agreements for City-owned property participating in the fourth round of the Single Family New Construction Program: CIP/DID #OB540257
  - a. Premiere Developers, Inc. for property at 530 8<sup>th</sup> Street NW;
  - b. Premiere Developers, Inc. for property at 712 7<sup>th</sup> Street SW;
  - c. Premiere Developers, Inc. for property at 808 3<sup>rd</sup> Avenue SW;
  - d. Premiere Developers, Inc. for property at 815 D Avenue NW;
  - e. Premiere Developers, Inc. for property at 912 C Avenue NW.
21. Resolution waiving objection to proposed annexation of property east and west of Alburnett Road and north and south of Echo Hill Road as requested by the City of Marion. CIP/DID #ANNX-013842-2014
22. Resolution waiving objection to proposed annexation of property between Tower Terrace Road and Connection Avenue west of Winslow Road and North 10<sup>th</sup> Street as requested by the City of Marion. CIP/DID #ANNX-013847-2014
23. Resolution accepting a Warranty Deed from University of Iowa Community Credit Union for the consideration of \$1 and other valuable consideration for right-of-way for land located at 716 A Avenue NE. CIP/DID #ASDP-005742-2013
24. Resolution accepting a Warranty Deed for the consideration of \$1 and other valuable consideration for right-of-way; an Easement for Utilities and an Agreement for Private Storm Water Detention from PeekENDO, LLC for land located at 2925 Center Point Road NE. CIP/DID #ASDP-003845-2013
25. Resolution rescinding Resolution No. 0490-04-14, which established “No Parking Anytime” on the east side of 16<sup>th</sup> Street SE from the lot line between 816 and 818 16<sup>th</sup> Street SE southerly to 17<sup>th</sup> Street SE, and establishing “No Parking Anytime” on the east side of 16<sup>th</sup> Street SE from the lot line between 816 and 818 16<sup>th</sup> Street SE to the lot line between 830 and 845 16<sup>th</sup> Street SE and “No Parking Anytime” on the west side of 16<sup>th</sup> Street SE from the lot line between 851 and 857 16<sup>th</sup> Street SE southerly to 17<sup>th</sup> Street SE. CIP/DID #PARK-012022-2014
26. Resolution accepting the established fair market value in the amount of \$550 for the acquisition of a temporary grading easement for construction from property located at 1311 18<sup>th</sup> Street SW, owned by Deborah K. Tompkins, in connection with the 18<sup>th</sup> Street SW from Wilson Avenue SW to 13<sup>th</sup> Avenue SW Improvements project. CIP/DID #301500-00
27. Resolution directing the preparation of detailed plans, specifications, form of contract and notice to bidders for the 2015 Sidewalk Infill project. CIP/DID #3012074-00
28. Preliminary Resolution for the construction of curb and gutter improvements for the 35<sup>th</sup> Street Drive SE from 1<sup>st</sup> Avenue East to Elm Avenue SE Curb and Gutter Improvements project **(Paving for Progress)**. CIP/DID #301240-00
29. Resolution authorizing up to \$1,500,000 in Local Option Sales Tax Funds for the NW Recreation Center. CIP/DID #OB1318947

30. Resolution authorizing a Professional Services Agreement with Novak Design Group, PLC for an amount not to exceed \$390,000 for professional architectural and engineering design services in connection with the Northwest Recreation Center project (**FLOOD**). CIP/DID #PRE069-12
31. Resolution waiving Board of Adjustment application fees for time extension until August 2015 for properties in the Northwest Flood Mitigation Overlay District with an accessory structure and no primary structure. CIP/DID #OB1294914
32. Resolution authorizing an Iowa Task Force 1 member and Iowa City firefighter to attend Advanced Structural Collapse 5 training in College Station, Texas for a total amount of \$4,806. CIP/DID #OB1318849
33. Resolution authorizing a 4.5% wage increase for the City Manager according to the terms of his employment contract. CIP/DID #OB572668
34. Resolutions approving actions regarding Purchases/Contracts/Agreements:
  - a. Amendment No. 1 to the Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$21,000 for additional design services on the Selected J Avenue Campus 2014 Renovations project (original contract amount was \$106,500; total contract amount with this amendment is \$127,500); CIP/DID #6250031-01
  - b. Amendment No. 5 to renew Contract for Printing & High Speed Copying with Copyworks for an annual amount not to exceed \$50,000 (original contract amount was \$100,000; renewal contract amount with this amendment is \$50,000); CIP/DID #0810-043
  - c. Amendment No. 4 to renew Contract for Yard Waste Carts with Rehrig Pacific Company for the Solid Waste & Recycling Division for an annual amount not to exceed \$75,000 (original contract amount was \$75,000; renewal contract amount with this amendment is \$75,000); CIP/DID #0910-053
  - d. Amendment No. 1 to the Development Agreement with Green Development Sokol, LLC for the redevelopment of the Sokol Gymnasium property at 417 3<sup>rd</sup> Street SE , authorizing a time extension through December 1, 2014 to commence construction; CIP/DID #OB1098267
  - e. Amendment No. 2 to the Development Agreement with New Leaf Historic Properties for the redevelopment of property at 213 13<sup>th</sup> Avenue SE, authorizing a time extension through August 10, 2015 for completion of construction; CIP/DID #OB811372
  - f. Amendment No. 17 to the Disaster Recovery Housing Contract 08-DRH-208 with the Iowa Economic Development Authority (IEDA) (original contract amount is \$12,146,137; total contract amount with this amendment is \$60,286,223); CIP/DID #08-DRH-208
  - g. Amendment No. 19 to the Disaster Recovery Housing Contract 08-DRH-008 with the Iowa Economic Development Authority (IEDA) (original contract amount is \$7,085,247; total contract amount with this amendment is \$48,914,056); CIP/DID #08-DRH-008
  - h. Change Order No. 1 in the amount of \$14,453.50 with Paulson Electric Co. for the Park Cedar Rapids Five Seasons Parkade Electrical Upgrades project (original contract amount was \$37,905; total contract amount with this amendment is \$52,358.50); CIP/DID #635127-20
  - i. Change Order No. 5 in the amount of \$10,073 with Garling Construction, Inc. for the Ushers Ferry Lodge project (original contract amount was \$1,229,000; total contract amount with this amendment is \$1,262,855) (**FLOOD**); CIP/DID #PRE136-20

- j. Change Order No. 9 in the amount of \$12,272 with Miron Construction Co., Inc. for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – General Contractor project (original contract amount was \$19,185,000; total contract amount with this amendment is \$19,698,885) **(FLOOD)**; CIP/DID #PWE006-21
- k. Change Order Nos. 10 (Revised) and 11 (Revised) in the total amount of \$70,486 and revising contract completion date to September 18, 2014 with Modern Piping, Inc. for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – Mechanical & Plumbing project (original contract amount was \$4,570,000; total contract amount with this amendment is \$4,721,375) **(FLOOD)**; CIP/DID #PWE006-23
- l. Change Order No. 8 (Revised) in the amount of \$138,778.18 and revising contract completion date to September 18, 2014 with Acme Electric Company, Inc. for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – Electrical project (original contract amount was \$4,239,912; total contract amount with this amendment is \$4,418,794.18) **(FLOOD)**; CIP/DID #PWE006-24
- m. Change Order No. 6 deducting the amount of \$59,801 with Woodruff Construction, LLC for the Ground Transportation Center Renovation project (original contract amount was \$9,097,000; total contract amount with this amendment is \$9,251,988) **(FLOOD)**; CIP/DID #TRE001-20
- n. Purchase Agreement in the amount of \$1,566 and accepting an Easement for Sanitary Sewer from Kimberly Kay Ohlen for land located at 308 13<sup>th</sup> Street SW in connection with the 13<sup>th</sup> Street SW East of 7<sup>th</sup> Avenue Sanitary Sewer Replacement project; CIP/DID #6559997-00
- o. Tenant Purchase Agreement in the amount of \$50 from Wheelz, LLC, and authorizing execution of a Purchase Agreement in the amount of \$6,100 and accepting a Warranty Deed for the right-of-way from Knox Properties, L.C. from land located at 1808 16<sup>th</sup> Avenue SW in connection with the 18<sup>th</sup> Street SW from Wilson Avenue to 13<sup>th</sup> Avenue SW Improvements project; CIP/DID #301500
- p. Payment to Linn County in the amount of \$313,958.83 for the actual cost of construction of a concrete overlay per a 28E Agreement in connection with the Wright Brothers Boulevard from East of Highway 151 to East of Cherry Valley Road project; CIP/DID #3012069-00
- q. Awarding and approving contract in the amount of \$61,277.25, plus incentive up to \$2,000, bond and insurance of Dave Schmitt Construction for the Brookland Drive NE and Falbrook Drive NE Sanitary Sewer Point Repairs project (estimated cost is \$62,000); CIP/DID #6559994-01
- r. Purchase Order to Ferguson Waterworks in the amount of \$65,582 for three remote radio read data collectors for the Utilities Department – Water Division Meter Reading Section **(sole source)**; CIP/DID #OB1318996
- s. Purchase Order in the amount of \$172,922.50 to BG Brecke, Inc., for the material and labor to perform emergency repairs of the plant air compressor boosters, numbers 2 and 3 at the Water Pollution Control Facility **(sole source)**; CIP/DID #OB1318934
- t. Water Pollution Control purchase of three Automatic Shutoff Valves from Schimberg Co. in the amount of \$44,400; CIP/DID #0914-061
- u. Contract for Radio Advertising with KZIA, Inc. for the Utilities Department for an amount not to exceed \$30,240; CIP/DID #0914-071
- v. Parks and Recreation Department purchase of two pool heaters from Pool & Electrical Products, Inc. in the amount of \$33,455; CIP/DID #0914-059
- w. Fleet Services purchase of one dump body chassis and one cutaway van from Junge Center Point in the amount of \$108,335; CIP/DID #0914-054

- x. Contract for Chemical Building Floor Drain Replacement project with B.G. Brecke, Inc. for the Water Pollution Control Facility for an amount not to exceed \$35,149; CIP/DID #0914-056
- y. Contract for Digitization of Farmstead Foods Collection with Summit Envirosolutions, Inc. for the Community Development Department for an amount not to exceed \$68,285 **(FLOOD)**; CIP/DID #0614-224
- z. 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) **(FLOOD)**; CIP/DID #OB820960
- aa. Agreement to Convey Properties and Terminate Development Agreement with Skogman Homes for property located at 1118 7<sup>th</sup> Street SE **(FLOOD)**; CIP/DID #OB540257
- bb. Reimbursement up to \$227,000 to Wex, Inc. for a regional sanitary sewer lift station located within the Wexford Heights First Addition; CIP/DID #PRPT-008261-2014
- cc. Financial Exhibit to the City's Administrative Services and Financial Agreement with Delta Dental Plan of Iowa for Dental Plan Third Party Administrative Services from January 1, 2015 to December 31, 2017 for an estimated amount of \$169,243. CIP/DID #OB1318852

## **REGULAR AGENDA**

- 35. Report on bids for the 29<sup>th</sup> Street NE from West of Eastern Avenue to Staub Court Storm Sewer and Water Main Improvements project (estimated cost is \$320,000) (Dave Wallace).
  - a. Resolution awarding and approving contract in the amount of \$311,175 plus incentive up to \$10,500, bond and insurance of Vieth Construction Corp. for the 29<sup>th</sup> Street NE from West of Eastern Avenue to Staub Court Storm Sewer and Water Main Improvements project. CIP/DID #304378-01
- 36. Discussion and Motion setting a public hearing date for November 4, 2014 to consider the execution of an Underground Electric Line Easement agreement with Interstate Power and Light Company in connection with an electric upgrade and 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 (Rob Davis/Joe Mailander). CIP/DID #49-15-022
- 37. Discussion and Resolution to authorize the execution of a Substation Site Easement agreement with Interstate Power and Light Company in connection with an electric substation expansion and rebuild located on City-owned land at the southwest corner of Twin Pines Golf Course and the intersection of 42<sup>nd</sup> Street and Edgewood Road NE (Rob Davis/Joe Mailander). CIP/DID #49-15-022

## **ORDINANCES**

### **(Third Reading)**

- 38. 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

**(Second and possible Third Readings)**

- 39. 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 City of Cedar Rapids. CIP/DID #RZNE-010979-2014
- 40. Ordinance amending Ordinance No. 041-03, and granting collection of tax increment within the Council Street Urban Renewal Area. CIP/DID #OB41576
- 41. Ordinance granting collection of tax increment within the Northtowne Market Urban Renewal Area located at 1201 Blairs Ferry Road NE. CIP/DID #OB1300915
- 42. Ordinance granting collection of tax increment within the New Pioneer Urban Renewal Area located at 3338 Center Point Road NE. CIP/DID #OB1303711

**PUBLIC INPUT**

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

**CITY MANAGER COMMUNICATIONS AND DISCUSSION**

**COUNCIL COMMUNICATIONS AND DISCUSSION**

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

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

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

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



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Kirsty Sanchez  
**Email:** [k.sanchez@cedar-rapids.org](mailto:k.sanchez@cedar-rapids.org)

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

**Alternate Contact Person:** Jennifer Pratt  
**Email:** [j.pratt@cedar-rapids.org](mailto:j.pratt@cedar-rapids.org)

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

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

A public hearing will be held to consider a request by Red Star Yeast for an amendment to the Red Star Yeast Urban Revitalization Area to provide for future growth of their current facility located at 950 60<sup>th</sup> Avenue SW.

- a. Resolution authorizing an amendment to the Red Star Yeast Urban Revitalization Area designation to provide for future growth of its current facility at 950 60<sup>th</sup> Avenue SW. CIP/DID #OB66779
- b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to expand the Red Star Yeast Urban Revitalization Area at 950 60<sup>th</sup> Avenue SW. CIP/DID #OB66779

**Background:**

A request has been submitted by Red Star Yeast for an expansion of the existing Red Star Yeast Urban Revitalization Area to include property to the south to provide for future business growth. By amending the existing Urban Revitalization Plan, the area would be expanded and projects qualifying for partial property tax exemption would be defined.

Future development in the property must comply with the requirements of the amended Red Star Yeast Urban Revitalization Plan. If eligible, projects would qualify for a partial tax exemption through a ten-year, declining scale exemption, and averaging 44% per year, applied only to the increased property valuation generated by the new addition.

**Action / Recommendation:**

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

**Alternative Recommendation:**

Table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** 5 minutes

**Budget Information (if applicable):**

N/A

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

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION TO APPROVE THE EXPANSION OF THE  
EXISTING RED STAR YEAST URBAN  
REVITALIZATION AREA

WHEREAS, on March 31, 2004, the City Council approved the Red Star Yeast Urban Revitalization Plan for construction of a new facility located south of Waconia Avenue SW between Locust Road and 6<sup>th</sup> Street SW; and

WHEREAS, the proposed amendment to the Red Star Yeast Urban Revitalization Plan includes additional property for future business growth, provides incentives for commercial uses as provided under State Law; and

WHEREAS, on October 21, 2014, the City Council held the required Public Hearing in connection with the said proposed Project; and

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

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

Passed this 21<sup>st</sup> day of October, 2014.

# **Red Star Yeast (Amended) Urban Revitalization Plan**

Public Hearing: October 21, 2014

## Red Star Yeast Urban Revitalization Plan

### 1.0 INTRODUCTION

The original purpose of the formation of the Urban Revitalization Tax Exemption Area and Plan adopted on March 31, 2004, was to encourage the construction of a new Red Star Yeast facility located south of Waconia Avenue SW between Locust Road and 6<sup>th</sup> Street SW. The purpose of this amendment is to expand the original Urban Revitalization Area to provide for future business growth. As allowed by the authority of the State of Code of Iowa, Chapter 404, the incentive for economic development through business expansion is provided by exempting a portion or all of property tax valuation added through qualified improvements for specified periods of time.

### 2.0 DESCRIPTION OF THE URBAN REVITALIZATION AREA

The area to be designated within the Urban Revitalization Tax Exemption Area (see Attachment 1 – Location Map) includes:

#### 1. GPN 19084-51021-00000

##### A. Main Plant Site

Part of Parcel A Plat of Survey No. 714 and Part of the SE ¼ of Section 8, Township 82 North, Range 7 West of the 5<sup>th</sup> P.M, Cedar Rapids, Linn County, Iowa described as follows:

Beginning at the NE corner of lot 8 of Locust Hill Industrial Park First Addition, said point also being an interior corner of said Parcel A Plat of Survey No. 714; Thence S 89° 08' 29" W along the North line of said lot 8 and an interior line of said Parcel A, 93.30 feet; Thence N 0° 51' 50" W 618.07 feet; Thence N 44° 06' 15" E 70.75 feet; Thence N 1° 35' 23" W 213.98 feet to the South line of the vacated right-of-way of 55<sup>th</sup> Av SW; Thence N 89° 13' 39" E along the said South line and said South line extended 249.37 feet; Thence Southeasterly 133.94 feet along the arc of a curve concave Southwesterly having a central angel of 46° 18' 49", a radius of 165.70 feet and a chord which bears S 24° 01' 05" E for 130.32 feet; Thence S 1° 05' 45" E 7.80 feet to the North line of lot 11 Locust Hill Industrial Park Second Addition extended westerly; Thence N 88° 54' 15" E along said North line 310.27 feet to the Westerly right-of-way of the Cedar Rapids and Iowa City Railroad; Thence S 7° 34' 49" E along said right-of-way and the Easterly line of Locust Hill Industrial Park Third Addition and the Easterly line of Locust Hill Industrial Park Fifth Addition 956.96 feet; Thence S 32° 43' 51" E along the Easterly line of Parcel A and the Westerly line of Parcel B Plat of Survey No. 1107 235.27 feet to the Westerly line of said Railroad; Thence S 7° 33' 59" E along said Westerly line 179.39 feet to the North line of 60<sup>th</sup> Ave. SW; Thence S 89° 47' 03" W along said North line 176.23 feet; Thence N 7° 33' 59" W parallel with the said Westerly line of said Railroad 424.81 feet; Thence S 89° 46' 56" W 702.55 feet to the East line of lot 8 of Locust Hill Industrial Park First Addition and an interior line of said Parcel A Plat of Survey No. 714; Thence N 0° 48' 28" W along said East line and said interior line 150.00 feet to the NE corner of said lot 8 and the Point of Beginning.

## **B. Parcel A of Lot 2 (ADM Strip)**

ADM first addition in the City of Cedar Rapids, Linn County, Iowa described as follows:

Beginning at the Southwesterly corner of Lot 2, ADM First Addition in the City of Cedar Rapids, Linn County, Iowa: Thence N 0° 48' 28" W along the West line of said lot 2, 144.27 feet to the Northwest corner of said lot 2; Thence N 89° 46' 56" E along the North line of said lot 2, 702.55 feet to the northeast corner of said lot 2; Thence S 7° 33' 59" E along the East line of said lot 2, 145.46 feet; Thence S 89° 46' 56" W along a South line of said lot 2 and an easterly extension thereof, 719.67 feet to the point of beginning.

## **C. Lots 17 & 18 (Asphalt Plant Site)**

Part of the SW ¼ SE 14 Section 8-82-7, Linn County, Iowa described as follows:

Beginning at the South ¼ corner of said Sec. 8; thence S 89°51'0" East a distance of 330.02 feet along the South line of SE ¼ and Sec. 8 to the point of beginning; thence N 0°30'0" West a distance of 326.76 feet; thence S 89°51'13" East a distance of 580.14 feet; thence S 0°9'0" West a distance of 326.78 feet to a point on the South line of said SE ¼; thence N 89°51'0" West a distance of 576.43 feet to the point of beginning Except the Public Highway.

## **2. GPN 19084-51010-00000 ADM EMG Building Site**

Lot 2, ADM First Addition in the City of Cedar Rapids, Linn County, Iowa, Except Parcel A, Plat of Survey No. 1345.

## **3. GPN 19084-76023-00000 Lagoon**

Part of Parcel A, Plat of Survey No. 713 in the Southeast Quarter of Section 8, Township 82 North, Range 7 West of the Fifth Principal Meridian, in the City of Cedar Rapids, Linn County, Iowa, described as follows:

Beginning at the Southeast Corner of Parcel A, Plat of Survey No. 713 of the Southeast Quarter of Section 8, Township 82 North, Range 7 West of the Fifth Principal Meridian; thence S89°46'41"W along the north right of way of 60<sup>th</sup> Avenue S.W., 13.99 feet; thence N0°13'19"W, 28.61 feet; thence northwesterly 50.05 feet along the arc of a 56.78 foot radius curve, concave southwesterly, (chord bears N25°28'28"W, 48.45); thence N50°43'48"W, 128.61 feet; thence northwesterly 138.19 feet along the arc of a 183.85 foot radius curve, concave northeasterly (chord bears N29°11'29"W, 134.96 feet; thence N7°39'39"W, 504.46 feet; thence N82°25'11"E, 143.95 feet to the east line of said Parcel A; thence S0°04'42"E along said east line, 208.28 feet; thence S74°51'36"E along said east line, 124.43 feet; thence S0°28'03"E along said east line, 549.70 feet to a the point of beginning.

The areas described above contain a combined total of 28.51 acres.

### **3.0 OWNERSHIP AND ASSESSED VALUATION**

The Urban Revitalization Area, as specified in the legal description above, is a combination of three parcels all of which are developed and currently owned by Red Star Yeast. The 2014 total assessed valuation for this portion of land is estimated at \$654,858, with a total assessed valuation of \$16,844,457.

### **4.0 PROGRAM ACTIVITY**

#### **4.1 Land Use and Zoning**

The proposed project is located in one of the City's Industrial corridors with access to Highway 30/151 and Interstate 380. The project site and properties are zoned I-1 (Restricted Industrial) and I-2 (General Industrial) and are consistent with the City's Future Land Use Map which indicates the area as INDUSTRIAL use.

#### **4.2 City Services**

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

#### **4.3 Applicable Property**

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

### **5.0 DURATION OF THE URBAN REVITALIZATION PLAN**

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

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

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

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

## 7.0 REVENUE BONDS

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

## 8.0 TAX EXEMPTION PROGRAM

### 8.1 Procedures

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

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

### 8.2 Tax Exemption Schedules

#### 8.2.1 **Schedule 1 - Residential Exemption:**

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

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

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

<u>Year</u>	<u>Percentage of Exemption</u>
-------------	--------------------------------

1	80%
2	70%
3	60%
4	50%
5	40%
6	40%
7	30%
8	30%
9	20%
10	20%

**8.2.3 Schedule 3 - Three Year Exemptions:**

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

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

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

**8.2.5 Election of Schedule:**

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

**8.3 Definitions**

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

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

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

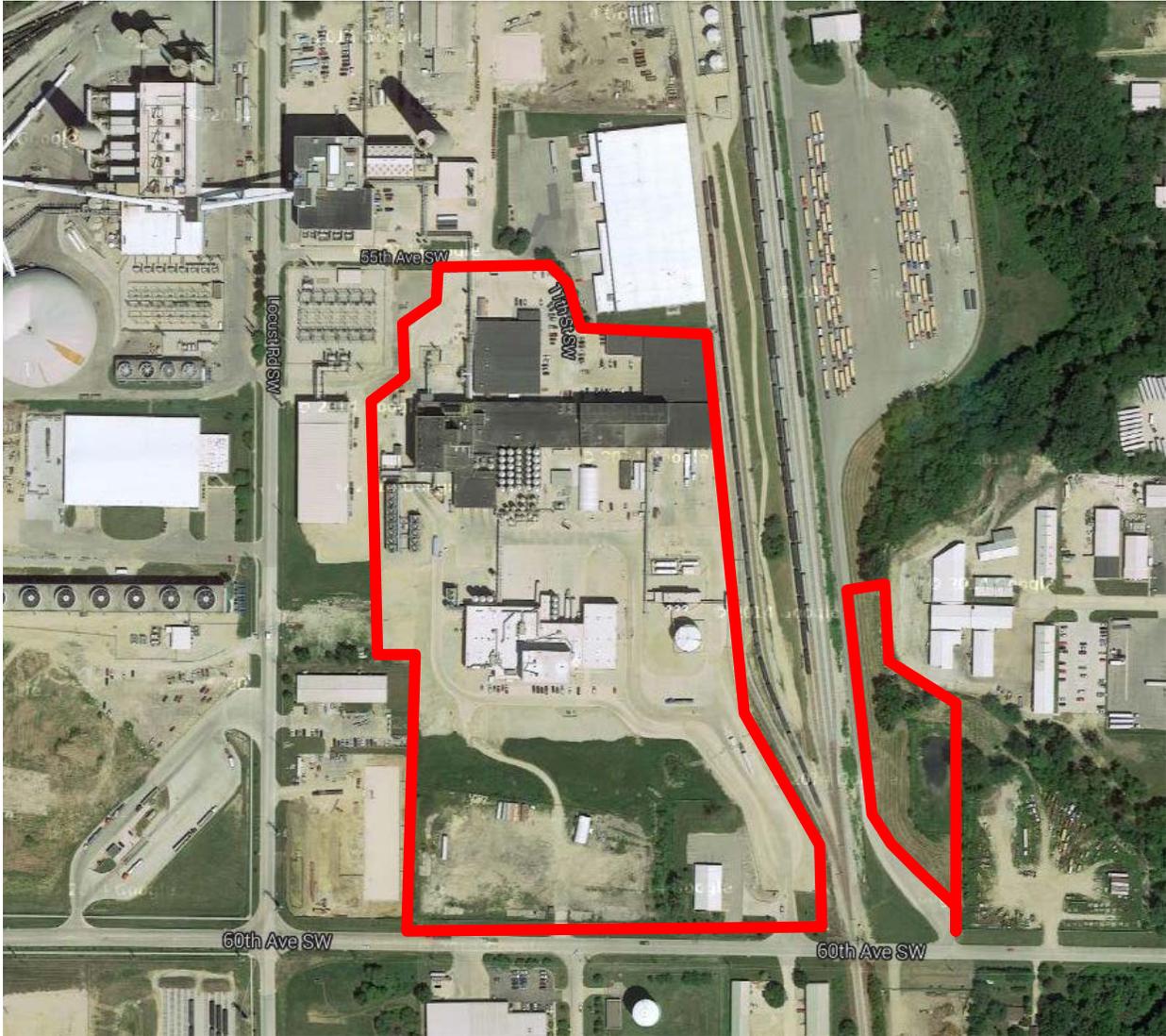
(c) “Improvements” includes rehabilitation and additions to existing structures as well as new construction on vacant land or on land with existing

structures.

## **9.0 RELOCATION**

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

**MAP 1**  
**Red Star Yeast**  
**South of Waconia Avenue SW between**  
**Locust Road and 6<sup>th</sup> Street SW**



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 88 and the addition of a new Division 52 as follows:

“Division 88. Red Star Yeast” October 21, 2014, Resolution No. \_\_\_\_-10-14

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 89 as follows:

“Division 89. (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 21<sup>st</sup> day of October, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Kirsty Sanchez  
**Email:** [k.sanchez@cedar-rapids.org](mailto:k.sanchez@cedar-rapids.org)

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

**Alternate Contact Person:** Jennifer Pratt  
**Email:** [j.pratt@cedar-rapids.org](mailto:j.pratt@cedar-rapids.org)

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

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

A public hearing will be held to consider a request by Acme Electric Company, Inc. for an amendment to the Acme Electric Urban Revitalization Area Plan to allow for the construction of six new row houses.

- a. Resolution authorizing an amendment to the Acme Electric Urban Revitalization Area Plan to allow for the construction of an additional new row house for a total of six row houses. CIP/DID #OB865223
- b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to amend the Acme Electric Urban Revitalization Area Plan to allow for the construction of an additional new row house for a total of six row houses. CIP/DID #OB865223

### **Background:**

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

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

### **Project Details:**

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

**Benefits to the Community:**

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

The partial tax exemption would be a ten-year, declining scale exemption, averaging 44% per year, applied only to the increased property valuation generated by the new additions. Based on the scope of the proposed addition, the increased assessed value for the facility is estimated at \$1,050,000. This would generate an additional \$35,700 in property tax revenue annually. Over a ten-year period, this would be an additional \$199,920 collected in tax revenues and \$157,080 deferred as tax exempt.

**Action / Recommendation:**

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

**Alternative Recommendation:**

Table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** 5 minutes

**Budget Information (if applicable):**

N/A

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

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION TO APPROVE AN AMENDMENT TO THE  
ACME ELECTRIC URBAN REVITALIZATION PLAN

WHEREAS, on March 11, 2014, the City Council approved the Acme Electric Urban Revitalization Plan for 1) the relocation of a historic structure located at 1018 2<sup>nd</sup> Street SE to the adjacent parcels as 1024 2<sup>nd</sup> Street SE and 208 11<sup>th</sup> Avenue SE, and 2) the construction of five new row houses for sale at 1008 and 1012 2<sup>nd</sup> Street SE; and

WHEREAS, the proposed amendment to the Acme Electric Urban Revitalization Plan allows for the construction of an additional new row house, for a total of six new row houses, provides incentives for commercial uses as provided under State Law; and

WHEREAS, on October 21, 2014, the City Council held the required Public Hearing in connection with the said proposed Project; and

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

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

Passed this 21<sup>st</sup> day of October, 2014.

# **Acme Electric (Amended) Urban Revitalization Plan**

Public Hearing: October 21, 2014

## Acme Electric Urban Revitalization Plan

### **1.0 INTRODUCTION**

The purpose of the formation of the Urban Revitalization Tax Exemption Area and Plan is to encourage the redevelopment of property at 1008 2<sup>nd</sup> Street SE, 1012 2<sup>nd</sup> Street SE, 1024 2<sup>nd</sup> Street SE, and 208 11<sup>th</sup> Avenue SE. As allowed by the authority of the State of Code of Iowa, Chapter 404, the incentive for economic development through business expansion is provided by exempting a portion or all of property tax valuation added through qualified improvements for specified periods of time.

### **2.0 DESCRIPTION OF THE URBAN REVITALIZATION AREA**

The area to be designated within the Urban Revitalization Tax Exemption Area (see Attachment 1 – Location Map) is approximately 0.6 acres in size and includes:

1018 2<sup>nd</sup> Street SE

Lot 4, Block 21, Carpenters Third Addition to the Town of Cedar Rapids, Linn County, Iowa

1024 2<sup>nd</sup> Street SE

SW-ly 62 Feet of Lot 5, Block 21, Carpenters Third Addition to the Town of Cedar Rapids, Linn County, Iowa

208 11<sup>th</sup> Avenue SE

The NE-ly 78 Feet of Lot 5, Block 21, Carpenters Third Addition to the Town of Cedar Rapids, Linn County, Iowa

1008 2<sup>nd</sup> Street SE

Northwesterly ½ of Lot 3, Block 21, Carpenters Third Addition to the Town of Cedar Rapids, Linn County, Iowa

1012 2<sup>nd</sup> Street SE

Southeasterly ½ of Lot 3, Block 21, Carpenters Third Addition to the Town of Cedar Rapids, Linn County, Iowa

Said parcel is subject to easements and restrictions of record.

### **3.0 OWNERSHIP AND ASSESSED VALUATION**

The Urban Revitalization Area, as specified in the legal description above, is comprised of four parcels which are currently vacant and owned by Acme Electric Company, Inc. The 2013 total assessed valuation for the vacant land was \$0.

### **4.0 PROGRAM ACTIVITY**

#### **4.1 Land Use and Zoning**

The proposed 1) relocation of a historic structure at 1018 2<sup>nd</sup> Street SE to the adjacent parcels as 1024 2<sup>nd</sup> Street SE and 208 11<sup>th</sup> Avenue SE, and 2) construction of six new row houses for sale on the remaining vacant parcels is consistent with the current RMF-2 Residential Multi-Family zoning and the Future Land Use Map in the City's Comprehensive Plan that designates the project area as COMMERCIAL/RESIDENTIAL.

## 4.2 City Services

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

## 4.3 Applicable Property

This Plan, and the tax exemption allowed herein, is applicable to 1) relocation of a historic structure at 1018 2<sup>nd</sup> Street SE to the adjacent parcels as 1024 2<sup>nd</sup> Street SE and 208 11<sup>th</sup> Avenue SE, and 2) the construction of six new row houses for sale on the remaining vacant parcels. Additional development within the property described in Section 2.0 of this Plan may be eligible for the tax exemption allowed herein, based upon the review and approval of the City of Cedar Rapids City Council. A written request by the developer must be reviewed to ensure consistency with the City Council goals of creating/retaining high quality jobs, significant increase in property valuation, and community benefits such as infill, connectivity, and mixed use development.

## **5.0 DURATION OF THE URBAN REVITALIZATION PLAN**

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

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

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

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

## **7.0 REVENUE BONDS**

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

## **8.0 TAX EXEMPTION PROGRAM**

### 8.1 Procedures

A property owner may submit a proposal for a revitalization improvement project to the

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

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

## 8.2 Tax Exemption Schedules

### 8.2.1 **Schedule 1 - Residential Exemption:**

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

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

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

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

### **8.2.3 Schedule 3 - Three Year Exemptions:**

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

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

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

### **8.2.5 Election of Schedule:**

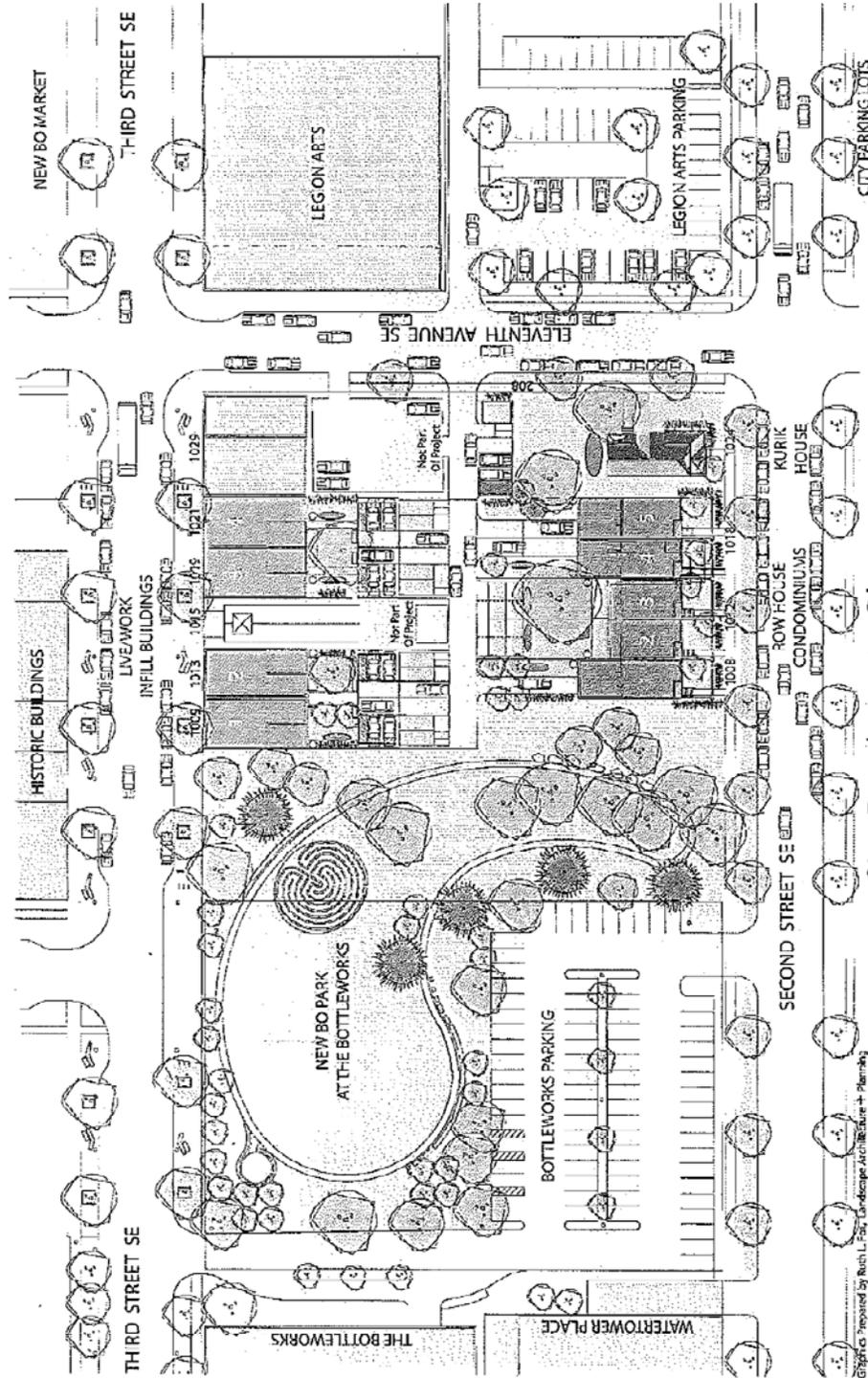
The property owner of qualified real estate eligible for an exemption shall elect to use one of the schedules identified above. Once the election of schedule has been made and the exemption granted, the property owner is not permitted to change the exemption schedule.

### **8.3 Definitions**

- (a) "Qualified Business or Other Non-Residential Tenant" shall mean the legal occupant of a building or part thereof and conducting a business, or non-residential operation which is located within the designated Revitalization Area and who has occupied the same premises continuously since one year prior to the adoption of this Plan.
- (b) "Qualified Real Estate" shall mean real property, other than land, which is located in this Revitalization Area and to which improvements have been added during the time of the area was so designated, which have increased the actual value by at least fifteen percent (15%) or at least ten percent (10%), in the case of land upon which is located more than one building (and not assessed as residential property) increased the actual value of the buildings to which the improvements have been made.  
  
"Qualified Real Estate" also means land upon which no structure existed at the start of new construction, which is located in this Revitalization Area and upon which new construction has been added during the time the area was designated as a Revitalization Area.
- (c) "Improvements" includes rehabilitation and additions to existing structures as well as new construction on vacant land or on land with existing structures.

## **9.0 RELOCATION**

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



**Site Development Plan**

For A Coordinated Infill Redevelopment Project In New Bohemia  
Acme Electric Company, Inc.  
Cedar Rapids, Iowa

Graphics prepared by Ruth L. Pitt, Landscape Architecture + Planning

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 AN AMENDMENT TO THE ACME ELECTRIC  
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 89 and the addition of a new Division 77 as follows:

“Division 89. Acme Electric” October 21, 2014 Resolution No. \_\_\_\_-10-14

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 90 as follows:

“Division 90. (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 21<sup>st</sup> day of October, 2014.



## Council Agenda Cover Sheet

### Public Hearing and Resolution

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5821

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

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the FY 2015 Curb Repair Project – Contract 1 project (estimated cost is \$430,000) (**Paving for Progress**).

Resolution adopting plans, specifications, form of contract and estimated cost for the FY 2015 Curb Repair Project – Contract 1 project. 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 resolution to adopt plans, specifications, form of contract and estimated cost for the project.

**Alternative to the Recommendation:**

If this 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:** Must be acted upon October 21st to maintain the project schedule, and which must occur ahead of the project's October 22nd bid opening.

**Resolution Date:** October 21, 2014

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

**Budget Information (if applicable):** 301998 Street LOST 7970, 3012105

**Local Preference Policy:** Applies  Exempt

**Explanation:**

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

Program objectives reviewed with the committee

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, on October 7, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the FY 2015 Curb Repair Project – Contract 1 project (Contract No. 301998-06) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

Passed this 21<sup>st</sup> day of October, 2014.



## Council Agenda Cover Sheet

### Public Hearing and Resolution

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5821

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

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Prairie Valley Court SW Sidewalk Extension project (estimated cost is \$120,000).

Resolution adopting plans, specifications, form of contract and estimated cost for the Prairie Valley Court SW Sidewalk Extension project. 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 resolution to adopt plans, specifications, form of contract and estimated cost 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:** Must be acted upon October 21st to maintain the project schedule, and which must occur ahead of the project's October 29th bid opening.

**Resolution Date:** October 21, 2014

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

**Budget Information (if applicable):** CIP No. 301083

**Local Preference Policy:** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, on October 7, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Prairie Valley Court SW Sidewalk Extension project (Contract No. 301083-06) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

Passed this 21<sup>st</sup> day of October, 2014.



PROJECT LOCATION

PRAIRIE VALLEY CT SW

EDGEWOOD ROAD SW

HIGHWAY 30

BEVERLY RD SW



PRAIRIE VALLEY COURT SW SIDEWALK EXTENSION PROJECT



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



## **PUBLIC HEARING Item Cover Sheet**

Consent Agenda       Regular Agenda

**Council Meeting Date:** October 21, 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:**

A public hearing will be held to consider the plans, specifications, form of contract and estimated cost for the Selected J Avenue Campus 2014 Renovations project (estimated cost is \$900,000). Steve Hershner

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Selected J Avenue Campus 2014 Renovations project. 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 these buildings for another 20 to 30 years,

A pre-bid meeting was held on October 20<sup>th</sup> at the Water Administration Building. Bids will be opened and publicly announced November 5, 2014.

### **Action / Recommendation:**

The Utilities Department – Water Division staff recommends approval of the resolution adopting the plans, specifications, form of contract and estimated cost for the Selected J Avenue Campus 2014 Renovations project.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 10-21-14

**Resolution Date:** 10-21-14

**Estimated Presentation Time:** 2 minutes

**Budget Information (if applicable):**

1. **Included in Current Budget Year.** Yes. The project will be funded from the FY 2014, 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: 553000-625-625000-x-x-6250031 and 553000-625-625000-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):**

RESOLUTION NO.

WHEREAS, on October 7, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Selected J Avenue Campus 2014 Renovations project (Contract No. 6250031-02) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

Passed this 21<sup>st</sup> day of October, 2014.



## **PUBLIC HEARING Item Cover Sheet**

Consent Agenda       Regular Agenda

**Council Meeting Date:** October 21, 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:**

To consider the plans, specifications, form of contract and estimated cost for the Water Pollution Control Facility Roughing Filter #4 Dome Replacement and Concrete Repair project (Estimated cost is \$1,925,000). CIP/DID #615238-01

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Water Pollution Control Facility Roughing Filter #4 Dome Replacement and Concrete Repair project. 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 was held on October 21, 2014. Bids will be opened and publicly announced on November 5, 2014.

### **Action / Recommendation:**

The Utilities Department – WPC Division staff recommends approval of the resolution adopting the plans, specifications, form of contract and estimated cost for the Water Pollution Control Facility Roughing Filter #4 Dome Replacement and Concrete Repair project.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 10-21-14

**Motion Date:** 10-21-14

**Estimated Presentation Time:** 2 minutes

**Budget Information (if applicable):**

1. **Included in Current Budget Year.** Yes. The project will be funded from the FY 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):**

RESOLUTION NO.

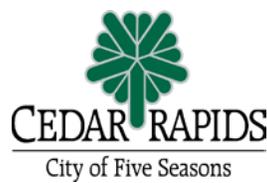
WHEREAS, on October 7, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Water Pollution Control Facility Roughing Filter #4 Dome Replacement and Concrete Repair project (Contract No. 615238-01) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

Passed this 21<sup>st</sup> day of October, 2014.



## Public Hearing Cover Sheet

**Council Meeting Date:** October 21, 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

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

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Cedar River East Floodwall PepsiCo/Quaker Oats Area, Phase 1 - Transmission Main Pressure Connections and Service Line Valve Installation project (estimated cost is \$1,225,000) (Steve Hershner).

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Cedar River East Floodwall PepsiCo/Quaker Oats Area, Phase 1 - Transmission Main Pressure Connections and Service Line Valve Installation project. 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 Utilities Department – Water Division staff recommends approval of the resolution adopting the plans, specifications, form of contract and estimated cost for the Cedar River East Floodwall PepsiCo/Quaker Oats Area, Phase 1 - Transmission Main Pressure Connections and Service Line Valve Installation project (Contract No. 330260-04).

Bids are scheduled to be opened November 5, 2014 at 11:00 AM.

### **Time Sensitivity:**

Request action during the October 21, 2014 City Council meeting in an effort to maintain the proposed project construction schedule.

**Resolution Date:** 10/21/14

**Estimated Presentation Time:** 5 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:** Local Preference does not apply to Public Bid Capital Improvement Projects.

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

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

RESOLUTION NO.

WHEREAS, on October 7, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Cedar River East Flood Wall: PepsiCo/Quaker Oats Area: Phase 1 – Transmission Main Pressure Connections and Service Line Valve Installation project (Contract No. 330260-04) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

Passed this 21<sup>st</sup> day of October, 2014.



## Council Agenda Item Cover Sheet Motion to Set Public Hearing

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5807

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

**Phone Number/Extension:** 5092

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

Motion to set a public hearing for November 4, 2014 to consider the vacation and disposition of public ways and grounds described as a 16-foot wide strip of excess alley right-of-way located at 919 6<sup>th</sup> Street SW as requested by Meridian Holdings, LLC. CIP/DID #ROWV-011544-2014

**Background:**

Meridian Holdings, LLC owns the real estate at 919 6<sup>th</sup> Street SW, and it currently consists of two parcels which are separated by vacant alley right-of-way, now known as Plat of Survey #1941. In order to support the best use of the property for redevelopment, Meridian has requested that the City vacate and dispose of this excess right-of-way; there are no utilities located within this parcel. They have paid the standard \$1,000 vacation application fee and \$5,565 for the land value and closing fees.

**Action / Recommendation:**

The Public Works Department recommends approving the vacation of said right-of-way.

**Alternative to the Recommendation:**

Deny the request and allow this to exist as two parcels separated by vacant alley right-of-way.

**Time Sensitivity:** Normal

**Resolution Date:** Proposed timeline as follows:

Public Hearing Date and possible 1<sup>st</sup> reading of Ordinance: November 4, 2014

2<sup>nd</sup> reading of Ordinance, possible 3<sup>rd</sup> reading and possible resolution passing: November 18, 2014

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

**Local Preference Policy**    Applies     Exempt

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

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

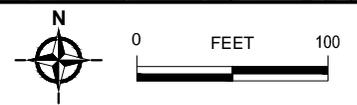
**Explanation** (if necessary):



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**ALLEY RIGHT-OF-WAY VACATION  
919 6TH STREET SW**



ROWV-011544-2014

## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 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**

Motion setting a public hearing for November 18, 2014 to consider an Ordinance relating to collection of tax increment within the proposed 42<sup>nd</sup> Street and Edgewood Urban Renewal Area at the intersection of 42<sup>nd</sup> Street NE and Edgewood Road NE. CIP/DID #OB1314912

### **Background:**

The City has received a request for Tax Increment Financing by 42<sup>nd</sup> Street and Edgewood, LLC for the property at the intersection of 42<sup>nd</sup> Street NE 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 provide walkable amenities that qualify for the Community Benefit Program.

To offset the costs of enhanced amenities and position the development to compete with communities in the region, the reimbursement of future increased property tax revenues is being requested. To utilize tax increment generated by the private investment, the City Council would need to establish an Urban Renewal Area/TIF District. The steps for establishing a 42<sup>nd</sup> Street and Edgewood Urban Renewal Area/TIF District would be as follows:

- 10/21/14 Setting the public hearing
- 11/05/14 Consultation with affected taxing agencies
- 11/13/14 City Planning Commission Review
- 11/18/14 Public hearing and introduction of First Reading
- 12/02/14 Second and possible Third Reading

In order to collect tax increment generated within the proposed 42<sup>nd</sup> Street and Edgewood Urban Renewal Area, an ordinance is necessary. If established, proposed terms of a Development Agreement will be presented to City Council for consideration at a future date.

### **Action / Recommendation:**

City staff recommends setting a public hearing.

### **Alternative Recommendation:**

City Council may table the item and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** N/A

**Budget Information (if applicable):**

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

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

**Explanation:**

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

**Explanation (if necessary):**



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

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5547

**Alternate Contact Person:** Dave Wallace, PE  
**E-mail Address:** d.wallace@cedar-rapids.org

**Phone Number/Extension:** 5814

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

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for November 4, 2014 and advertising for bids by publishing notice to bidders for the Alley Between C Avenue NW and D Avenue NW, from 9<sup>th</sup> Street NW to 11<sup>th</sup> Street NW Sanitary Sewer Improvements project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on November 5, 2014 (estimated cost is \$240,000). CIP/DID #655941-03

**Background:**

The proposed project replaces a substandard 6" sanitary sewer main that is in poor condition. Also included is the paving of a portion of the alley between 11<sup>th</sup> Street NW and 10<sup>th</sup> Street NW. The alley paving is 100% funded by an adjacent property owner (Salvation Army).

**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 November 4, 2014 and advertising for bids by publishing notice to bidders for the project.

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

**Time Sensitivity:** Normal

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

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

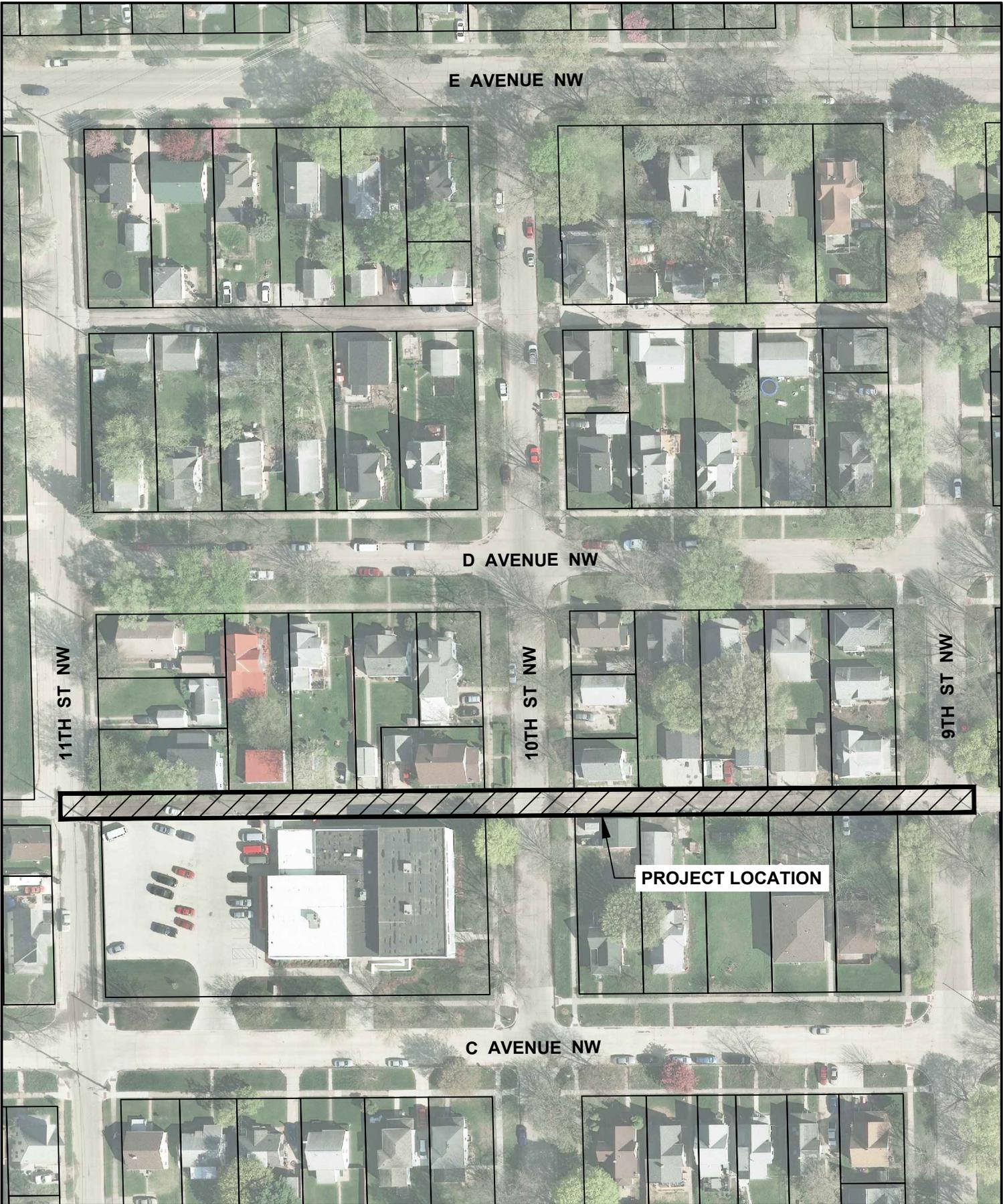
**Budget Information (if applicable):** CIP 655941: \$328,180

**Local Preference Policy:** Applies  Exempt

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

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

**Explanation** (if necessary):



E AVENUE NW

D AVENUE NW

C AVENUE NW

11TH ST NW

10TH ST NW

9TH ST NW

PROJECT LOCATION



ALLEY BETWEEN C AVENUE NW AND D AVENUE NW  
FROM 9TH STREET NW TO 11TH STREET  
SANITARY SEWER IMPROVEMENTS



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## Council Agenda Cover Sheet

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

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5814

**Alternate Contact Person:** Garrett Prestegard, PE  
**E-mail Address:** g.prestegard@cedar-rapids.org

**Phone Number/Extension:** 5115

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

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for November 4, 2014 and advertising for bids by publishing notice to bidders for the Hawkeye Downs Road SW Culvert Replacement project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on November 12, 2014 (estimated cost is \$125,000) (**FLOOD 2013**). CIP/DID #304393-02

**Background:**

During the 2013 flood event a 24-inch culvert running underneath Hawkeye Downs Road SW adjacent to 6<sup>th</sup> Avenue SW collapsed. It was determined the 24-inch culvert had an inadequate hydraulic capacity to meet the City's design standards. The existing culvert will be replaced with a 42-inch culvert. In addition, a water main running parallel to the damaged culvert will be relocated to allow room for the new culvert.

**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 November 4, 2014 and advertising for bids by publishing notice to bidders for the project.

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

**Time Sensitivity:** Normal

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

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

**Budget Information (if applicable):** CIP 304393: \$170,280 (Federal: \$127,710, State: \$17,028, City: \$25,542)

**Local Preference Policy:** Applies  Exempt

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

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

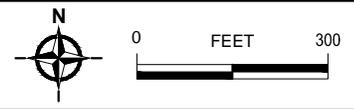
**Explanation**



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### HAWKEYE DOWNS ROAD CULVERT REPLACEMENT





## COUNCIL AGENDA ITEM COVER SHEET

**Meeting Date:** 10/21/2014

**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. Basket Bowtique, 116 3rd Avenue SE;
- b. Cedar Rapids Galaxy 16 Cine, 5340 Council Street NE;
- c. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at Noelridge Park, 4900 Council Street NE, on October 26, 2014);
- d. Chili's Southwest Grill & Bar, 1250 Collins Road NE;
- e. Creative Croissants, 2121 Arthur Collins Parkway SW;
- f. Daniel Arthur's, 821 3rd Avenue SE;
- g. Eastern Iowa Arts Academy, 1841 E Avenue NE (5-day permit for an event at the Veteran's Memorial Building, 50 2nd Avenue Bridge, on November 14, 2014.);
- h. Hy-Vee C-Store #5, 1440 32nd Street NE;
- i. Hy-Vee Drugstore #4, 4825 Johnsons Avenue NW;
- j. Kum & Go #514, 1420 Mount Vernon Road SE;
- k. Liquid Lounge Downtown, 303 2nd Avenue SE;
- l. Metro Buffet, 448 33rd Avenue SW;
- m. Phelan's Interiors, 728 3<sup>rd</sup> Avenue SE;
- n. Primetime Sports Bar & Restaurant, 4001 Center Point Road NE;
- o. Syndicate, 207 1st Avenue SE;
- p. Thai Moon Restaurant, 4362 16th Avenue SW;
- q. Vernon Bar & Grill, 3025 Mount Vernon Road SE;
- r. Za's Pizza, 1944 42nd Street NE (new-formerly office space).

### 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:** 10/21/14

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Basket Bowtique 116 3RD AVE SE	0	0	0	0
Cedar Rapids Galaxy 16 Cine 5340 COUNCIL ST NE	111	1	2	3
Cedar Rapids Jaycees 225 5TH AVE SW	0	0	0	0
Chili's Southwest Grill & Bar 1250 COLLINS RD NE	13	0	0	2
Creative Croissants 2121 ARTHUR COLLINS PKWY SW	0	0	0	0
Daniel Arthur's 821 3RD AVE SE	2	0	0	0
Eastern Iowa Arts Academy 1841 E AVE NE	0	0	0	0
Hy-Vee C-Store #5 1440 32ND ST NE	217	0	0	1
Hy-Vee Drugstore #4 4825 JOHNSON AVE NW	33	0	0	4
Kum & Go #514 1420 MT VERNON RD SE	541	0	0	29
Liquid Lounge Downtown 303 2ND AVE SE	12	0	0	2
Metro Buffet 448 33RD AVE SW	3	0	0	0
Primetime Sports Bar & Restaurant 4001 CENTER POINT RD NE	11	0	0	2

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Syndicate 207 1ST AVE SE	11	1	0	0
Thai Moon Restaurant 4362 16th AVE SW	1	0	0	0
Vernon Bar & Grill 3025 MT VERNON RD SE	3	0	0	2
Za's Pizza 1944 42ND ST NE	0	0	0	0

## RESOLUTION NO.

WHEREAS, the attached listing of bills dated October 21, 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 21<sup>st</sup> day of October, 2014.



## Council Agenda Item Cover Sheet

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

**Council Meeting Date:** October 21, 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 – 58 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:** 10/21/14

**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 2<sup>nd</sup> day of December, 2014 and notice was given by mailing to the owners of the properties, a notice of this proposed assessment, stating the amount of the assessment and the description of the property, and on what account, and that objections to said proposed assessment may be filed prior to 11:00 a.m., December 2, 2014.

Passed this 21<sup>st</sup> day of October, 2014.

**LIEN INTENTS (SPECIAL ASSESSMENTS) 10/21/14**

				<b>LIEN INTENTS 10/21/14</b>
<b>#</b>		<b>Balance Due</b>		<b>Premise Address</b>
1		\$ 214.71		50 DEVONWOOD AVE SW
2		\$ 136.80		78 22ND AVE SW
3		\$ 267.67		154 WESTVIEW DR NW
4		\$ 93.66		339 30TH ST DR SE
5		\$ 125.77		363 30TH ST DR SE #5
6		\$ 228.72		411 8TH ST NW
7		\$ 143.06		418 4TH ST SW
8		\$ 192.91		421 9TH AVE SW
9		\$ 218.53		625 2ND AVE SW
10		\$ 273.05		636 15TH AVE SW
11		\$ 225.57		727 DOWS RD SE
12		\$ 108.55		751 STONEY POINT RD SW
13		\$ 149.69		825 25TH ST NE
14		\$ 80.47		854 CENTER POINT RD NE
15		\$ 204.48		906 B AVE NW
16		\$ 216.25		995 EASTERN DR SE
17		\$ 149.87		1130 MAPLEWOOD DR NE
18		\$ 65.67		1132 I AVE NW
19		\$ 393.68		1213 3RD ST SW
20		\$ 225.44		1214 38TH ST SE
21		\$ 118.12		1305 1ST ST SW
22		\$ 202.86		1320 18TH ST SW
23		\$ 878.50		1334 C ST SW
24		\$ 95.08		1344 WILSON AVE SW
25		\$ 87.70		1407 7TH AVE SE
26		\$ 227.93		1451 COUNCIL ST NE
27		\$ 155.07		1509 1ST ST SW
28		\$ 240.44		1528 11TH ST SW
29		\$ 166.71		1528 ELMHURST DR NE
30		\$ 208.95		1555 7TH AVE SE
31		\$ 162.67		1601 K AVE NE
32		\$ 85.28		1602 12TH AVE SE
33		\$ 348.36		1605 11TH AVE SW
34		\$ 97.80		1611 6TH AVE SE
35		\$ 279.58		1730 PARK AVE SE
36		\$ 65.13		1809 6TH AVE SE
37		\$ 676.25		1823 16TH AVE SW
38		\$ 80.35		2127 WILEY BLVD SW
39		\$ 94.18		2214 10TH AVE SW
40		\$ 290.14		2232 2ND ST SW
41		\$ 106.93		2330 B AVE NE
42		\$ 192.23		2410 1ST ST SW
43		\$ 100.50		2454 C ST SW
44		\$ 158.91		2517 33RD AVE SW
45		\$ 68.16		2620 E AVE NE

<b>LIEN INTENTS 10/21/14</b>			
<b>#</b>		<b>Balance Due</b>	<b>Premise Address</b>
46	\$	86.48	2712 O AVE NW - LOWER
47	\$	50.29	2816 FRUITLAND BLVD SW
48	\$	101.23	3042 WOODLAND DR SW
49	\$	67.17	3203 O AVE NW
50	\$	123.76	3324 OAKLAND RD NE
51	\$	127.34	3735 G AVE NE
52	\$	196.23	4015 MT VERNON RD SE
53	\$	137.20	4424 SHERMAN ST NE
54	\$	196.69	4425 ADAMS CT NE
55	\$	61.05	4709 WHITE PINE DR NE
56	\$	121.00	5015 MONTCLAIR DR NW
57	\$	216.82	5601 RUHD ST SW
58	\$	175.46	5741 OHIO ST SW
	\$	<b>10,567.28</b>	<b>Grand Total</b>
		<b>58</b>	<b>Number of Properties</b>
	\$	<b>50.29</b>	<b>Balance Due - Low</b>
	\$	<b>878.50</b>	<b>Balance Due - High</b>



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 21<sup>st</sup> day of October, 2014.

**SPECIAL ASSESSMENTS (TO BE LIENED) 10/21/14**

<b>SPECIAL ASSESSMENTS 10/21/14</b>			
<b>LIEN INTENTS 9/09/14</b>			
<b>#</b>	<b>Balance Due</b>	<b>Premise Address</b>	
1	\$ 178.18	180 LENORA DR NW	
2	\$ 222.81	427 68TH AVE CT SW	
3	\$ 2,534.88	525 33RD AVE SW	
4	\$ 138.89	711 33RD ST NE	
5	\$ 180.14	1411 WASHINGTON AVE SE-LOWER	
6	\$ 173.57	1707 A AVE NE	
7	\$ 181.55	6430 CREEKSIDE DR NE #6	
8	\$ 218.38	6617 KIOWA TRACE NE	
	<b>\$ 3,828.40</b>	<b>Grand Total</b>	
	<b>8</b>	<b>Number of Properties</b>	
	<b>\$ 138.89</b>	<b>Balance Due - Low</b>	
	<b>\$ 2,534.88</b>	<b>Balance Due - High</b>	



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Finance Department

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

**Phone Number/Ext:** 5097

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

**Phone Number/Ext:** 5134

**Description of Agenda Item:**

Levy Special Assessments for delinquent weed mowing charges - 90 properties.

**Background:**

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

Between July 7, 2014 and August 8, 2014, eighty-six (86) property owners did not submit payment for invoices issued due to a violation of the City's weed ordinance. Property owners were notified by letter that if payment was not made the charges would be levied against their property and collected in the same manner as property taxes. The levied amount totals \$14,510.

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

**Action / Recommendation:**

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

**Alternative Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** 0 Minutes

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

**Local Preference Policy** Applies  Exempt

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

RESOLUTION NO.

WHEREAS, the Finance Department requests the City Council of the City of Cedar Rapids, Iowa, approve a Resolution of Special Assessment on ninety (90) properties in violation of the City's Weed Ordinance 046-12 and Municipal Code Chapter 21.13;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that there be and is hereby levied an assessment against the lots, parts of lots, and parcels of ground for a total amount of \$14,510, as shown below, and which have been invoiced and are on file with the Finance Department, and

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

#	Service Location	Name	Amount	Service Date	GPN	Invoice
1	220 5TH ST NW	220 5th Street NW Trust	145.00	7/7/2014	142911102400000	STW_000 40685
2	1623 29TH ST NE	Matt Ihns	145.00	7/7/2014	141610200300000	STW_000 40687
3	1110 15TH ST SW	James D & Theresa M Ellis	145.00	7/7/2014	142935402400000	STW_000 40691
4	2511 ILLINOIS ST SW	June A Raymer	145.00	7/8/2014	143333002600000	STW_000 40694
5	1225 20TH AVE SW	Gerald A & Marilyn K Heaverlo	145.00	7/8/2014	143215600500000	STW_000 40697
6	1800 1ST AVE NW	Dianne L & Jack W O'Connell	145.00	7/8/2014	143017602000000	STW_000 40700
7	235 27TH ST NW	George & Betty M Grubich Jr	145.00	7/8/2014	143027700600000	STW_000 40703
8	1634 14TH AVE SE	Shawn M McMurrin	173.00	7/8/2014	142715301400000	STW_000 40704
9	1954 MT VERNON RD SE	Guadalupe & Roberto Orozco	145.00	7/8/2014	142248502400000	STW_000 40705
10	1026 10TH AVE SE	Willie C & Arnie J Jones	145.00	7/8/2014	142720302600000	STW_000 40706
11	821 10TH AVE SE	Johnnie P Dickson Estate	145.00	7/8/2014	142723500200000	STW_000 40709
12	0 VACANT LAND SE	Dennis P & Michael J Flynn	301.00	7/9/2014	142530100100000	STW_000 40711
13	0 VACANT LAND SE	Dennis P & Michael J Flynn	331.00	7/9/2014	142525701100000	STW_000 40714

#	Service Location	Name	Amount	Service Date	GPN	Invoice
14	0 VACANT LAND SE	Dennis P & Michael J Flynn	427.00	7/9/2014	142532600100000	STW_000 40715
15	2525 MEADOWBROOK DR SE	Andrew J Mitchell	145.00	7/9/2014	142330900200000	STW_000 40717
16	2159 LINDEN DR SE	Robert K Miell	152.00	7/9/2014	142322900200000	STW_000 40718
17	1037 10TH ST SE	Melvin R Trotter	145.00	7/9/2014	142720602300000	STW_000 40719
18	842 17TH ST SW	Ashley E Schnoebelen	145.00	7/14/2014	142933101700000	STW_000 41397
19	5301 KESLER RD NW	Robert K Miell	145.00	7/14/2014	132618201400000	STW_000 41398
20	1120 SIOUX DR NW	Wilson Property Management LLC	145.00	7/14/2014	142033002700000	STW_000 41399
21	1015 8TH ST SE	Chris & Kathryn M Pyle	145.00	7/14/2014	142723901500000	STW_000 41401
22	7411 FOX CT NE	Fontaine Walker	166.00	7/16/2014	112748101500000	STW_000 41410
23	1707 27TH ST NW	Andrea L Minor	152.00	7/16/2014	141920100500000	STW_000 41411
24	2915 OAKLAND RD NE	Nathan D Krejci	145.00	7/16/2014	140947702400000	STW_000 41413
25	3401 H AVE NW	Doug & Carrie Oakley	152.00	7/16/2014	132447700100000	STW_000 41415
26	801 O AVE NW	Dale E & Doris May	145.00	7/16/2014	142015200100000	STW_000 41416
27	1788 MALLORY ST SW	Maxine R & Michael J Brickner	145.00	7/16/2014	143310801400000	STW_000 41418
28	1908 J ST SW	Garland D & Mary R Daugherty	145.00	7/16/2014	143327601400000	STW_000 41420
29	515 9TH ST SW	Damon A. Stowell	145.00	7/16/2014	142940200700000	STW_000 41422
30	5912 UNDERWOOD AVE SW	Lisa D Ziomek	145.00	7/17/2014	132637701000000	STW_000 41423
31	1640 11TH ST NW	Perry Lindeman	145.00	7/17/2014	142020101900000	STW_000 41425
32	1100 31ST ST NE	Nationstar Mortgage LLC	145.00	7/17/2014	141037801800000	STW_000 41426
33	1837 B AVE NE	Julie A Bowers	145.00	7/17/2014	141545601100000	STW_000 41428
34	855 12TH ST NE	Donald F & Ramona M Williams	145.00	7/17/2014	141645500800000	STW_000 41430
35	1200 6TH AVE SE	Ernest Brauch	145.00	7/17/2014	142235100300000	STW_000 41432
36	1206 6TH AVE SE	Rapid Development Corp	145.00	7/17/2014	142235100100000	STW_000 41433
37	1208 6TH AVE SE	Ernest Brauch	145.00	7/17/2014	142233401300000	STW_000 41434
38	351 17TH ST SE	Michael P & Nicole J Willis	145.00	7/17/2014	142215601800000	STW_000 41435
39	1719 BEVER AVE SE	Scott A Spering	145.00	7/17/2014	142242700500000	STW_000 41436

#	Service Location	Name	Amount	Service Date	GPN	Invoice
40	1041 19TH ST SE	Scott L & Ginger L Patterson	145.00	7/21/2014	142710401500000	STW_000 41439
41	57 18TH AVE SW	Dustin M White	145.00	7/21/2014	142848200700000	STW_000 41441
42	2204 A ST SW	Patrick A & Linda H Lang	145.00	7/21/2014	142735200200000	STW_000 41443
43	65 22ND AVE SW	David A Kalk	145.00	7/21/2014	143422600600000	STW_000 41444
44	926 M ST SW	Parry Saroya	145.00	7/22/2014	142835101600000	STW_000 41445
45	0 VACANT LAND SW	L Street Co	145.00	7/22/2014	142835101800000	STW_000 41446
46	0 VACANT LAND SW	Chicago and NW Trans Co	194.00	7/22/2014	190442600600000	STW_000 41447
47	838 3RD AVE SW	Clara Pulda Et Al	222.00	7/22/2014	142916300700000	STW_000 41448
48	0 VACANT LAND	Executive Development LLC	278.00	7/22/2014	191615400100000	STW_000 41450
49	869 18TH ST SE	Adrienna D & James Borum Jr	145.00	7/28/2014	142245801700000	STW_000 42360
50	1330 20TH AVE SW	Adam J Kraus	145.00	7/28/2014	143227701700000	STW_000 42362
51	149 14TH AVE SW	DF Jones Enterprises LLC	145.00	7/28/2014	142846000200000	STW_000 42364
52	1807 N ST SW	Fredrick J McLaud	145.00	7/28/2014	143323300600000	STW_000 42365
53	653 16TH AVE SW	Duane H & Barbara J Pratt	145.00	7/28/2014	143210701000000	STW_000 42367
54	116 6TH ST SW	Gilbert J Saldana	145.00	7/28/2014	142918001700000	STW_000 42368
55	413 5TH AVE SW	Elizabeth Jones	145.00	7/28/2014	142826000400000	STW_000 42370
56	349 6TH AVE SW	Edward W & Patricia A Edmonds	145.00	7/28/2014	142832800400000	STW_000 42373
57	1214 2ND ST SW	Jerry E & Debbie L Spores	145.00	7/28/2014	142838001500000	STW_000 42374
58	0 VACANT LAND NW	Raymond F & Lucille B King	145.00	7/29/2014	142020400900000	STW_000 42378
59	622 A AVE NW	Ronald E Douglas	145.00	7/29/2014	142911200600000	STW_000 42382
60	818 12TH ST NE	James & Tracy Merta	145.00	7/29/2014	141645600400000	STW_000 42383
61	1626 5TH AVE SE	Darlene De Los Santos Nunez	145.00	7/29/2014	142243101300000	STW_000 42387
62	226 23RD ST NW	Chase M Palmer	145.00	7/30/2014	143015401600000	STW_000 42388
63	1141 15TH AVE SW	John M Sedore	145.00	7/30/2014	143213001000000	STW_000 42393
64	1228 3RD ST SE	Jean M Vondracek Rev Trust	145.00	7/30/2014	142732701000000	STW_000 42397
65	229 18TH ST NW	Thomas A Lower	145.00	7/30/2014	142925301300000	STW_000 42399
66	2337 31ST ST SW	Herman F & Mary C Darrow	145.00	7/31/2014	143132600600000	STW_000 42401

#	Service Location	Name	Amount	Service Date	GPN	Invoice
67	944 N ST SW	Jim Beghtol & Gregory H Moore	145.00	7/31/2014	142835201300000	STW_000 42403
68	1301 19TH AVE SW	John G & Carol A Brune	145.00	7/31/2014	143227700100000	STW_000 42405
69	225 BERNITA DR NW	Dustin W Liams	145.00	7/31/2014	132527900700000	STW_000 42407
70	1325 HINKLEY AVE NW	Jann Chposky	145.00	7/31/2014	142927900700000	STW_000 42409
71	516 I AVE NW	Jaime Patten	145.00	7/31/2014	142040902000000	STW_000 42410
72	1022 10TH AVE SE	Richard D & Marilyn K Carpenter	145.00	7/31/2014	142720302400000	STW_000 42416
73	51 33RD AVE SW	Weather Shield Corp	145.00	8/4/2014	190417700600000	STW_000 42725
74	1804 L ST SW	Blake Mohasci	145.00	8/4/2014	143321200200000	STW_000 42727
75	1222 22ND AVE SW	Donna J Conner	145.00	8/4/2014	143228001000000	STW_000 42729
76	1420 9TH ST SW	Anthony C Russell Trustee	145.00	8/4/2014	143210300400000	STW_000 42731
77	1300 ACACIA DR NE	Brett J & Melissa L Stonewall	145.00	8/4/2014	112735302300000	STW_000 42733
78	601 8TH AVE SE	Martin D & Loyola D McNulty	145.00	8/4/2014	142810800100000	STW_000 42734
79	3102 BOWLING ST SW	Dale A Miersen	194.00	8/5/2014	190410102500000	STW_000 42736
80	1306 ELLIS BLVD NW	Dennis A Hill	145.00	8/5/2014	142015501200000	STW_000 42737
81	1236 DEER RUN DR NE	Matthew M Strand	145.00	8/5/2014	112737701200000	STW_000 42742
82	1524 CENTER ST NE	Brandon D Kula	201.00	8/6/2014	140940303000000	STW_000 42746
83	1528 A AVE NE	William T & Judy A Medberry	159.00	8/6/2014	142220801300000	STW_000 42747
84	507 15TH ST SE	Michael L Olson	145.00	8/7/2014	142230602400000	STW_000 42754
85	2410 HELEN CT SE	Danny R Hartman Jr	173.00	8/7/2014	143542702200000	STW_000 42757
86	1719 11TH AVE SW	Shawn J Thomas	180.00	8/7/2014	142935501400000	STW_000 42761
87	1702 13TH AVE SW	David P Murphy	180.00	8/7/2014	142935702400000	STW_000 42764
88	1210 20TH AVE SW	Gary A Earnest	145.00	8/7/2014	143215300900000	STW_000 42767
89	1372 22ND AVE SW	Sarah A Beltz	145.00	7/8/2014	143228101700000	STW_000 40695
			145.00	8/7/2014	143228101700000	STW_000 42770
90	526 7TH AVE SW	Hawkins Properties LLC	145.00	7/8/2014	142833000700000	STW_000 40699
			145.00	8/7/2014	142833000700000	STW_000 42766

Passed this 21st day of October, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Finance Department

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

**Phone Number/Ext:** 5097

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

**Phone Number/Ext:** 5134

**Description of Agenda Item:**

Levy assessment - nuisance property abatement charges – 6 properties.

**Background:**

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

The properties in question were designated Nuisance Properties, with notice issued as outlined in Chapter 22A. Founded calls for service occurred between July 11, 2014 and August 25, 2014. Costs were billed to the property owners and included notice that unpaid costs would be assessed against the properties. The levied amount totals \$2102.78.

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

**Action / Recommendation:**

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

**Alternative Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** 0 Minutes

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

**Local Preference Policy** Applies  Exempt

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

RESOLUTION NO.

WHEREAS, the Finance Department requests the City Council of the City of Cedar Rapids, Iowa, approve a Resolution of Special Assessment on six (6) properties for nuisance abatement according to Municipal Code Chapter 22A, Nuisance Properties.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that there be and is hereby levied an assessment against the lots, parts of lots, and parcels of ground for a total amount of \$2102.78, as shown below, which have been invoiced and are on file with the Finance Department, and

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

#	Service Location	Name	Amount	Service Date	GPN	Invoice
1	1289 32ND ST NE	American Home Solutions LLC	1,076.30	7/27/2014	141035101200000	PD_NA_000 40712
2	1435 5TH AVE SE	David E Hartley	68.62	8/24/2014	142230600100000	PD_NA_000 42331
			244.40	8/25/2014	142230600100000	PD_NA_000 42332
3	375 19TH ST SE	Angela K Kucharski	47.00	7/11/2014	142216002700000	PD_NA_000 40093
			47.00	8/14/2014	142216002700000	PD_NA_000 41722
4	386 16TH ST SE	Patrick Brennan Investments LLC	244.40	8/11/2014	142242800500000	PD_NA_000 41710
5	393 15TH ST SE	Mark A Bolton	93.06	8/17/2014	142230203300000	PD_NA_000 41999
			235.00	8/18/2014	142230203300000	PD_NA_000 42002
6	521 LONGWOOD DR NE	Elizabeth Vriezelaar	47.00	7/23/2014	141543202300000	PD_NA_000 40654

Passed this 21st day of October, 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 setting a public hearing date for November 18, 2014, to consider the Resolution of Necessity (Proposed) for the construction of the Edgewood Road SW at Edgewood Parkway SW Traffic Signal Improvements project. CIP/DID #306163-00

### Background:

This project proposes to build a new traffic signal installation at the intersection of Edgewood Road SW and Edgewood Parkway SW in response to increasing traffic volumes and congestion due to development in the area.

There are development agreements in place with Westdale Mall on the west side of the intersection and with Van Buren Village Addition on the east side of the intersection to pay for the traffic signal installation.

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

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

A public hearing is proposed for November 18, 2014, to receive public comments. If the Resolution of Necessity is adopted, property owners in the assessment district will receive written notices of the project, proposed preliminary assessment amounts, and public hearing date. Following the public hearing, council will consider one of the following options:

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

**Action / Recommendation:**

The Public Works Department recommends adoption of the proposed Resolution of Necessity and setting of a public hearing on November 18, 2014, to receive public comments.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** October 21, 2014

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

**Budget Information (if applicable):**

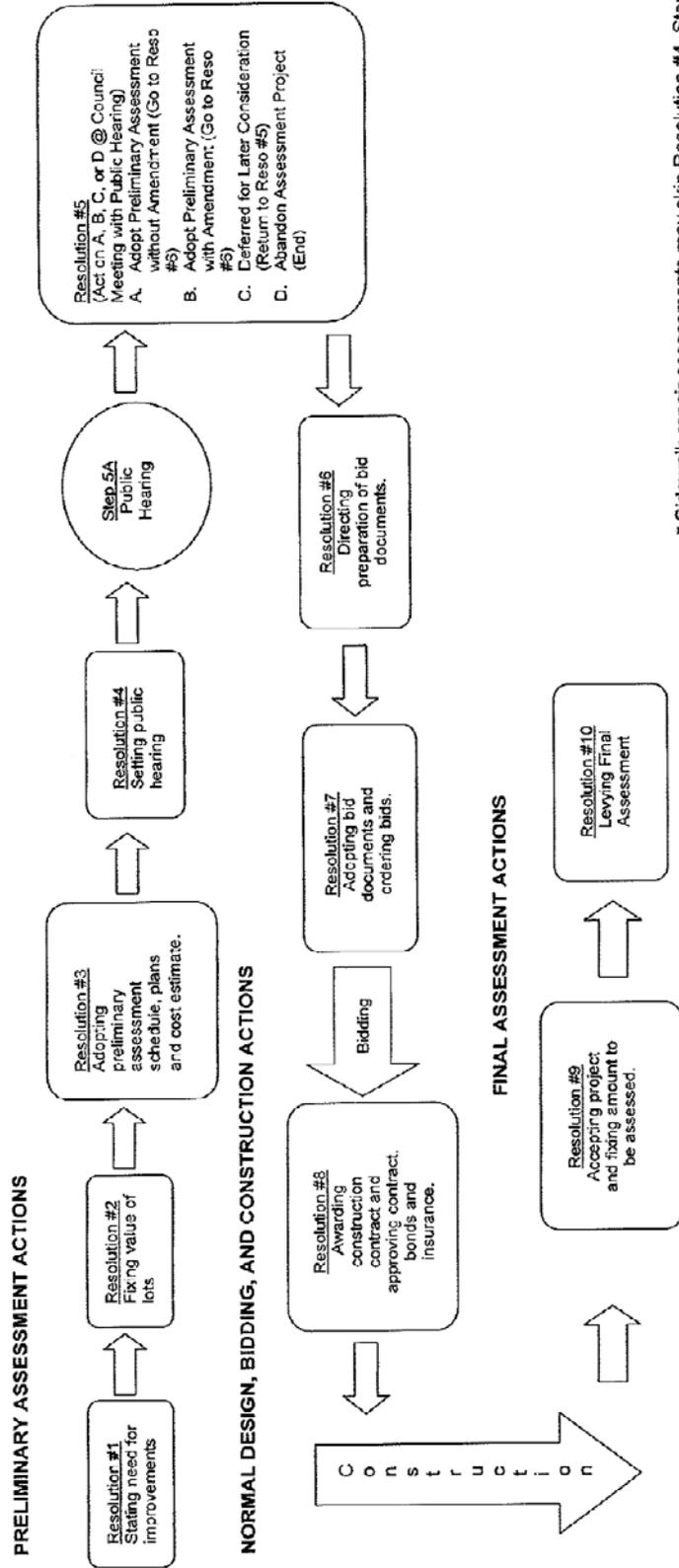
**Local Preference Policy:** Applies  Exempt

**Explanation:**

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

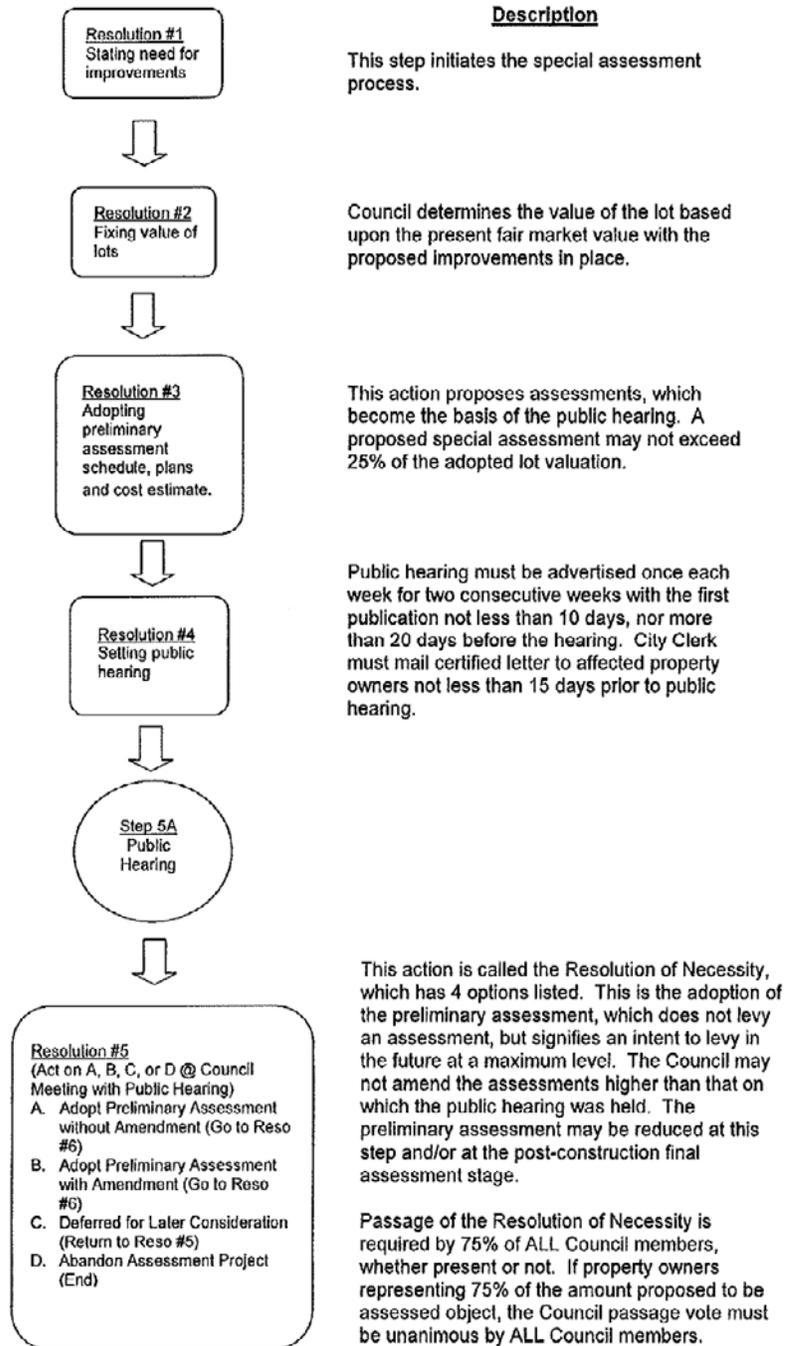
**Explanation (if necessary):**

**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 SETTING A PUBLIC HEARING DATE FOR NOVEMBER 18, 2014, TO  
CONSIDER THE RESOLUTION OF NECESSITY (PROPOSED)

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

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

That it is deemed desirable, advisable and necessary to construct as a single improvement the Edgewood Road SW at Edgewood Parkway SW Traffic Signal Improvements project in Cedar Rapids, Iowa.

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

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

The method of construction shall be by contract.

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

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

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

BE IT FURTHER RESOLVED, that the Cedar Rapids City Council meet at 4:00 p.m., on the 18<sup>th</sup> day of November, 2014, at Council Chambers, City Hall, 3<sup>rd</sup> Floor, 101 First Street SE, in the City of Cedar Rapids, Iowa, for the purpose of hearing property owners subject to assessment and interested parties for or against the improvement, its cost, the assessment, or the boundaries of the district. Unless a property owner files objections with the Clerk at the time of the hearing on this Resolution, the property owner shall be deemed to have waived all objections pertaining to the regularity of the proceedings and the legality of using special assessment procedure, and

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

NOTICE TO PROPERTY OWNERS

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

GPN & Legal Description:

133647600800000 MONTGOMERY WARD STR/LB 2	143135301700000 VAN BUREN VILLAGE 1ST STR/LB 4
133647600700000 MONTGOMERY WARD STR/LB 1	143135301600000 VAN BUREN VILLAGE 1ST STR/LB 3
133640100500000 A.P. #492 STR/LB 10	143135301500000 VAN BUREN VILLAGE 1ST STR/LB 2
133647600500000 A.P. #492 EX RD STR/LB 15	143135301400000 VAN BUREN VILLAGE 1ST STR/LB 1
133647600400000 A.P. #492 EX RD STR/LB 3	143135301200000 VAN BUREN VILLAGE 1ST LOTS 11 & STR/LB 12
143135302100000 VAN BUREN VILLAGE 1ST LOTS 6, 7 & STR/LB 8	143135302400000 VAN BUREN VILLAGE 1ST STR/LB 10
143135301800000 VAN BUREN VILLAGE 1ST STR/LB 5	143135302300000 VAN BUREN VILLAGE 1ST STR/LB 9

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

Construction of traffic signal and any necessary work such as grading, seeding, removals, and replacements to complete said construction

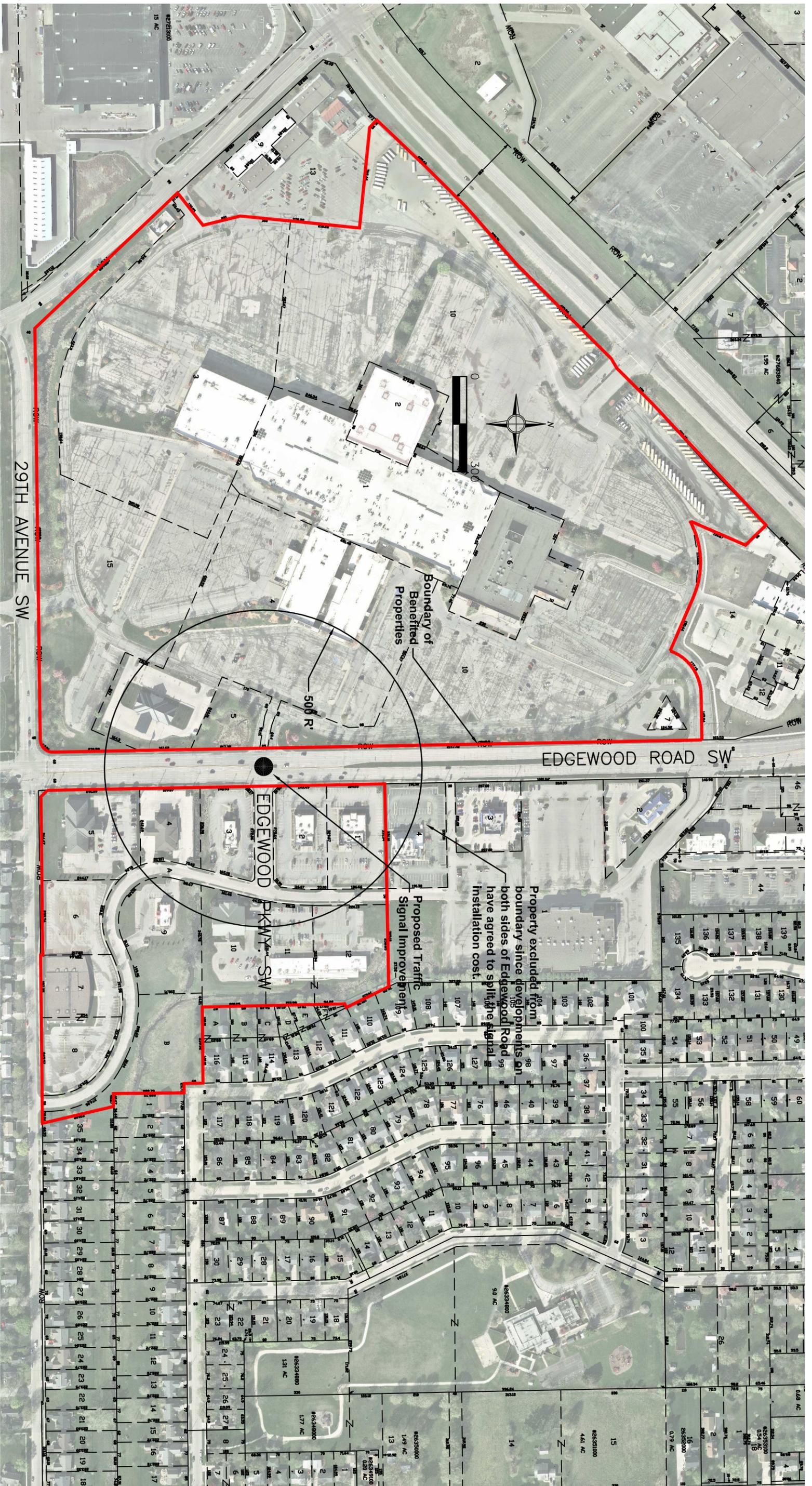
The Cedar Rapids City Council will meet at 4:00 p.m., on the 18<sup>th</sup> day of November, 2014, at the Cedar Rapids Council Chambers, 3<sup>rd</sup> floor of City Hall, 101 1<sup>st</sup> Street SE, Cedar Rapids, Iowa, at which time the owners of property subject to assessment for the proposed improvements, or any other person having an interest in the matter may appear and be heard for or against the making of the improvement, the boundaries of the District, the cost, the assessment against any lot, tract, or parcel of land, or the final adoption of a Resolution of Necessity. A property owner will be deemed to have waived all objections unless at the time of Hearing he has filed objections with the Clerk.

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

Amy Stevenson  
City Clerk, Cedar Rapids, Iowa

(END OF NOTICE)

INTRODUCED AND PROPOSED at a meeting held on the 21<sup>st</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

**Council Meeting Date:** October 21, 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**

Resolution determining the necessity and setting dates of a public hearing for November 18, 2014, and consultation with affected taxing entities, and referral to City Planning Commission for a report and recommendation on the proposed Urban Renewal Plan for the 42<sup>nd</sup> Street and Edgewood Urban Renewal Area. CIP/DID #OB1314912

### **Background:**

The City has received a request for Tax Increment Financing by 42<sup>nd</sup> Street and Edgewood, LLC for the property at the intersection of 42<sup>nd</sup> Street NE 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 qualify for the Community Benefit Program.

To offset the costs of enhanced amenities and position the development to compete with communities in the region, the reimbursement of future increased property tax revenues is being requested. To utilize tax increment generated by the private investment, the City Council would need to establish an Urban Renewal Area/TIF District. The steps for establishing a 42<sup>nd</sup> Street and Edgewood Urban Renewal Area/TIF District would be as follows:

- 10/21/14 Setting the public hearing
- 11/05/14 Consultation with affected taxing agencies
- 11/13/14 City Planning Commission Review
- 11/18/14 Public hearing and introduction of First Reading
- 12/02/14 Second and possible Third Reading

In order to collect tax increment generated within the proposed 42<sup>nd</sup> Street and Edgewood Urban Renewal Area, an ordinance is necessary. If established, proposed terms of a Development Agreement will be presented to City Council for consideration at a future date.

### **Action / Recommendation:**

City staff recommends setting a public hearing.

### **Alternative Recommendation:**

City Council may table the items and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

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

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

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A  
PUBLIC HEARING, CONSULTATION WITH AFFECTED TAXING ENTITIES, AND  
REFERRAL TO PLANNING COMMISSION FOR A REPORT AND  
RECOMMENDATION ON THE PROPOSED URBAN RENEWAL PLAN FOR THE  
42<sup>ND</sup> STREET AND EDGEWOOD 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 42<sup>nd</sup> Street and Edgewood Urban Renewal Area described therein which proposed Plan is attached hereto as Exhibit A; and

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

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

**AND**

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

**AND**

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

**AND**

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

WHEREAS, the Iowa statutes require the City Council to submit the proposed Plan for the 42<sup>nd</sup> Street and Edgewood Urban Renewal Area to the Planning Commission for review and recommendation as to its conformity with the General Plan for the development of the City as a whole prior to City Council approval of such Urban Renewal Plan, and further provides that the recommendations thereon shall be submitted to this Council within thirty (30) days of its receipt of such proposed Plan; and

WHEREAS, the Iowa statutes further require the City Council to notify all affected taxing entities of the consideration being given to the proposed Plan for the 42<sup>nd</sup> Street and Edgewood

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

WHEREAS, the Iowa statues further require the City Council to hold a Public Hearing on the proposed Plan for the 42<sup>nd</sup> Street and Edgewood Urban Renewal Area subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the Urban Renewal Area covered by the Urban Renewal Plan, and shall outline the general scope of the Urban Renewal project under consideration, with a copy of said notice also being mailed to each affected taxing entity;

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

1. That a Public Hearing shall be held on the proposed Plan for the 42<sup>nd</sup> Street and Edgewood Urban Renewal Area before City Council at its meeting which commences at 4:00 p.m. on November 18, 2014 in the Council Chambers, City Hall, 101 First Street SE, Cedar Rapids, Iowa.
2. That the City Clerk is authorized and directed to publish notice of this Public Hearing in the Cedar Rapids Gazette, once on a date not less than four (4) nor more than twenty (20) days before the date of said Public Hearing, and to mail a copy of said notice by ordinary mail to each affected taxing entity.
3. That the consultation on the proposed Plan for the 42<sup>nd</sup> Street and Edgewood Urban Renewal Area required by Section 403.5(2) of the Code of Iowa, as amended, shall be held at 10:00 a.m. on November 5, 2014 in the Kranse Conference Room at City Hall, 101 First Street SE, Cedar Rapids, Iowa, and the Development Director, or other person as designated by the Director, is hereby appointed to serve as the designated representative of the City for purposes of conducting said consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).
4. That the City Clerk is authorized and directed to cause a notice of said consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1A), along with a copy of the proposed Plan for the 42<sup>nd</sup> Street and Edgewood Urban Renewal Area.
5. That the proposed Plan for the 42<sup>nd</sup> Street and Edgewood Urban Renewal Area, attached hereto as Exhibit A, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed Plan for the 42<sup>nd</sup> Street and Edgewood Urban Renewal Area referred to in said notices for the purposes of such consultation and hearing and that a copy of said Plan shall be placed on file in the office of the City Clerk.
6. That the proposed Plan for the 42<sup>nd</sup> Street and Edgewood Urban Renewal Area be submitted to the City Planning Commission for review and recommendation as to its conformity with the General Plan for the development of the City as a whole, with such recommendation to be submitted in writing to this Council within thirty (30) days of the date hereof.

Passed this 21<sup>st</sup> day of October, 2014.



**URBAN RENEWAL PLAN**

for the

**42<sup>ND</sup> STREET AND EDGEWOOD URBAN RENEWAL AREA**

**As Approved by City Council**

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

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

## **INTRODUCTION**

This Urban Renewal Plan (the "Urban Renewal Plan") has been prepared by the City of Cedar Rapids, Iowa (the "City") to provide for the development of the 42<sup>nd</sup> Street and Edgewood Urban Renewal Area (the "Project Area") of the City, and to stimulate, through public actions, financings and commitments, private investment in the urban renewal Project Area. In order to achieve these objectives, the City shall undertake the urban renewal actions specified in this Urban Renewal Plan, pursuant to the powers granted to it under Chapters 403 and 15A of the Code of Iowa, 2011, as amended (the "Code").

### **I. URBAN RENEWAL PLAN OBJECTIVES**

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

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

### **II. DESCRIPTION OF PROJECT AREA**

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

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

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

AND

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

AND

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

AND

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

### **III. PROJECT AREA ACTIVITIES**

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

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

disposition of property;

7. To make loans or grants to private persons or businesses for economic development purposes on such terms as may be determined by the City Council;

8. To borrow money and provide security therefor;

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

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

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

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

#### **IV. SPECIAL FINANCING ACTIVITIES**

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

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

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

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

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

## **V. PROPERTY ACQUISITION**

All of the properties located within the Project Area are owned or expected to be acquired by 42<sup>nd</sup> Street and Edgewood, LLC and the City does not presently intend to acquire any land in the Project Area for purposes of private development. Areas may be identified for acquisition in the future for the following purposes:

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

## **VI. CLEARANCE AND DISPOSITION OF PROPERTY**

All of the properties located within the Project Area are owned or expected to be acquired by 42<sup>nd</sup> Street and Edgewood, LLC and the City does not presently intend to clear or dispose of property in the Project Area. If the City makes improvements in

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

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

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

## **VII. LAND USE DEVELOPMENT**

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

## **VIII. DEVELOPER REQUIREMENTS**

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

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

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

a reasonable time; and

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

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

## **IX. PROJECT AND CITY INDEBTEDNESS**

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 \$2,000,000.00 in aggregate amount during the term of this Urban Renewal Plan. Proceeds of such tax increment collections are currently expected to be used to make economic development grants to the developer and to reimburse the City for any other project-related costs incurred in connection with the development of the Project Area.

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

## **X. STATE AND LOCAL REQUIREMENTS**

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

## **XI. SEVERABILITY**

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

## **XII. AMENDMENT OF URBAN RENEWAL PLAN**

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

## **XIII. EFFECTIVE DATE**

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

**ATTACHMENT A**  
**Proposed 42<sup>nd</sup> Street and Edgewood, LLC Urban Renewal Area**



## Council Agenda Item Cover Sheet

Consent Agenda       Regular Agenda

**Council Date:** October 21, 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 Riviera 2<sup>nd</sup> Addition – Part 2 Riviera Street and approving the 2-Year Maintenance Bond (#54200251) submitted by Rathje Construction Co. in the amount of \$41,133. CIP/DID #2013028-02

**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, Morris Wood Enterprises, LLC, was granted permission by the Water Division to install 8-inch water mains, services, and appurtenances in Riviera 2<sup>nd</sup> Addition – Phase 2 (Project No. 2013028). The Contractor, Rathje Construction Co., has installed 752 feet of 8-inch DIP water main, services and appurtenances on Riviera Street SW.

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 Riviera 2<sup>nd</sup> Addition – Part 2 Riviera Street (Project No. 2013028) and the Contractor's 2-year Maintenance Bond, #54200251, in the amount of \$41,133 submitted by Rathje Construction Co.

**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:**      10/21/2014

**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  
MORRIS WOOD  
RATHJE  
2013028-02

RESOLUTION NO.

WHEREAS, the Developer, Morris Wood Enterprises, LLC, was granted permission to install 752 feet of 8" DIP water main, services and appurtenances on Riviera Street SW, all in RIVIERA 2<sup>ND</sup> ADDITION – PART 2 RIVIERA STREET (Project No. 20132028), to the City of Cedar Rapids by the Utilities Department – Water Division, and

WHEREAS, said work has now been completed and Rathje Construction Co. of Marion, Iowa, as Principal, has filed a 2-year Maintenance Bond (Bond No. 54200251) executed by United Fire & Casualty Company of Cedar Rapids, Iowa, as Surety, in the sum of \$41,133 (Forty One Thousand One Hundred Thirty 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 and appurtenances installed in RIVIERA 2<sup>ND</sup> ADDITION – PART 2 RIVIERA STREET (Project No. 2013028) be hereby accepted, and

BE IT FURTHER RESOLVED that the 2-Year Maintenance Bond filed by Rathje Construction Co., as Principal, and executed by United Fire & Casualty Company, as Surety, be hereby approved and filed with the City of Cedar Rapids Finance Director.

Passed this 21<sup>st</sup> day of October, 2014.



## Council Agenda Item Cover Sheet

### \*FLOOD\*

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

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

Resolution accepting project, authorizing final payment in the amount of \$132,380.93 and approving the 4-year Performance Bond submitted by Maxwell Construction, Inc. for the 2<sup>nd</sup> Street SE From 9<sup>th</sup> Avenue to the Sinclair Site Sanitary Sewer Reconstruction project (original contract amount was \$2,733,296.24; final contract amount is \$2,647,618.58) (**FLOOD**). CIP/DID #SSD005-02

**Background:**

Construction has been substantially completed by Maxwell Construction, Inc. for the 2<sup>nd</sup> Street SE From 9<sup>th</sup> Avenue to the Sinclair Site Sanitary Sewer Reconstruction project. This is an approved Capital Improvements Project (CIP No. SSD005-02) with a final construction contract amount of \$2,647,618.58. 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 \$132,380.93.

**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 21, 2014

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

**Budget Information (if applicable):** SSD005

**Local Preference Policy:** Applies  Exempt

**Explanation:** FEMA funded project

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

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the 2<sup>nd</sup> Street SE From 9<sup>th</sup> Avenue to the Sinclair Site Sanitary Sewer Reconstruction project (Contract No. SSD005-02), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated January 24, 2014 in the amount of \$2,733,296.24 covering said work filed by Maxwell Construction, Inc. and executed by Merchants Bonding Company (Mutual) provides a 4-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$2,733,296.24
Possible Incentive	58,200.00
Change Order No. 1	36,068.50
Change Order No. 2	65,512.67
Change Order No. 3	9,779.60
Change Order No. 4	7,122.35
Change Order No. 5	(35,774.96)
Change Order No. 6	(2,889.16)
Change Order No. 7	18,134.94
Change Order No. 8	10,875.00
Change Order No. 9	92,688.28
Change Order No. 10	21,117.84
Change Order No. 11	11,042.21
Change Order No. 12 (Final)	(352,042.43)
Removal of Original Incentive Value	<u>(25,512.50)</u>
Amended Contract Amount	\$2,647,618.58

, 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 2<sup>nd</sup> Street SE From 9<sup>th</sup> Avenue to the Sinclair Site Sanitary Sewer Reconstruction project, (Contract No. SSD005-02) 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 \$132,380.93 to Maxwell Construction, Inc. as final payment.

The final contract price is \$2,647,618.58 distributed as follows: \$4,685.83 304-304000-304284, \$76,517.82 306-306000-306226, \$116,464.34 625-625000-625884-6252011045, \$2,204,980.04 330-330240-18511-SSD005, \$244,970.55 330-330240-18511-SSD105, 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 21<sup>st</sup> day of October, 2014.



2ND STREET SE FROM 9TH AVE TO THE SINCLAIR SITE SANITARY SEWER RECONSTRUCTION  
CONTRACT NO. SSD005-02

NOT TO SCALE



## Council Agenda Item Cover Sheet

### \*FLOOD\*

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

**Presenter at meeting:** Russell F. Betts, P.E.  
**E-mail Address:** r.betts@cedar-rapids.org

**Phone Number/Extension:** 5212

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

Resolution accepting project, authorizing final payment in the amount of \$46,306.60 and approving the 1-year Performance Bond submitted by D.W. Zinser Company for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – Demolition & Abatement project (original contract amount was \$489,000; final contract amount is \$926,132) (**FLOOD**). CIP/DID #PWE006-22

**Background:**

Construction has been substantially completed by D.W. Zinser Company for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – Demolition & Abatement project. This is an approved Capital Improvements Project (CIP No. PWE006-22) with a final construction contract amount of \$926,132. 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 \$46,306.60.

**Alternative to the Recommendation:**

There is no alternative recommendation but an alternative action is to not accept the project. If the project is not accepted, the project cannot be closed out (retainage cannot be released to Contractor, one-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 21, 2014

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

**Budget Information (if applicable):** FEMA/I-Jobs/City – PWE006

**Local Preference Policy:** Applies  Exempt

**Explanation:** Capital Improvement Project

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

**Explanation (if necessary):** Project update provided at June 19, 2012 Infrastructure Committee Meeting.

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction – Demolition & Abatement project (Contract No. PWE006-22), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated October 9, 2012 in the amount of \$489,000 covering said work filed by D.W. Zinser Company and executed by North American Specialty Insurance Company provides a 1-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$489,000
Change Order No. 1	26,480
Change Order No. 2	5,604
Change Order No. 3	161,234
Change Order No. 4	227,494
Change Order No. 5	<u>16,320</u>
Amended Contract Amount	\$926,132

, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 1-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 Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction – Demolition & Abatement project, (Contract PWE006-22) 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 \$46,306.60 to D.W. Zinser Company as final payment.

The final contract price is \$926,132 distributed as follows:

, 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 21<sup>st</sup> day of October, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Erika Kubly

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

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

**Alternate Contact Person:** Paula Mitchell

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

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

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

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

- a. Neighborhood Development Corporation for property at 224 9<sup>th</sup> Street NW
- b. Neighborhood Development Corporation for property at 723 8<sup>th</sup> Avenue SW
- c. Hope Community Development Association, Inc. for property at 928 N Street SW
- d. Scallon Custom Homes, LLC for property at 1502 N Street SW

### **Background:**

The resolutions for City Council consideration provides for the execution of Development Agreements and deeds with the above listed developers and associated properties through the fourth round of the Single Family New Construction Program, known locally as the ROOTs program. The properties have been awarded through a competitive proposal process and the City and developers are ready to execute the Development Agreements and deeds to allow construction on the home to begin. To date, 44 such agreements and deeds for City property have been executed for the fourth round of the ROOTs program.

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

- a. Property is being conveyed to the qualified developer based on the investment provided by the developer in the construction of a single-family home;
- b. Developer agrees to commence construction within one year of the execution of the agreement and complete all projects prior to the end of the program in September 2015;
- c. Developer is responsible to resolve conflicts with adjacent property owners and purchasers that might result from the construction project;
- d. Developer is responsible for maintaining the property in accordance with all City and State codes;
- e. Developer shall comply with all program requirements pertaining to the sale of the property to a qualified buyer.

On October 8, 2013, by Resolution No. 1591-10-13, the City Council approved the

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

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

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

A total of 103 properties were identified by 26 developers in the current phase of property allocation for this program.

**Action / Recommendation:**

City staff recommends approval of the resolutions.

**Alternative Recommendation:**

City Council may table the items and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** N/A

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

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

**Explanation:** Federal grant funds

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

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH NEIGHBORHOOD DEVELOPMENT  
CORPORATION OF CEDAR RAPIDS, INC. FOR CITY-OWNED PROPERTY AT  
224 9<sup>TH</sup> STREET NW PARTICIPATING IN THE FOURTH ROUND OF THE SINGLE  
FAMILY NEW CONSTRUCTION PROGRAM

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

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

WHEREAS, the City purchased property at 224 9<sup>th</sup> Street NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on March 16, 2013, regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on March 26, 2013, on the possible disposition of this property in accordance with Iowa Code; and

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

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

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

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

Passed this 21<sup>st</sup> day of October, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH NEIGHBORHOOD DEVELOPMENT  
CORPORATION OF CEDAR RAPIDS, INC. FOR CITY-OWNED PROPERTY AT  
723 8<sup>TH</sup> AVENUE SW PARTICIPATING IN THE FOURTH ROUND OF THE  
SINGLE FAMILY NEW CONSTRUCTION PROGRAM

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

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

WHEREAS, the City purchased property at 723 8<sup>th</sup> Avenue SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on July 14, 2012, regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on July 24, 2012, on the possible disposition of this property in accordance with Iowa Code; and

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

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

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

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

Passed this 21<sup>st</sup> day of October, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH HOPE COMMUNITY DEVELOPMENT  
ASSOCIATION, INC. FOR CITY-OWNED PROPERTY AT 928 N STREET SW  
PARTICIPATING IN THE FOURTH ROUND OF THE SINGLE FAMILY NEW  
CONSTRUCTION PROGRAM

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

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

WHEREAS, the City purchased property at 928 N Street SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on February 15, 2014, regarding the disposition of the City-owned property in accordance with Iowa Code; and

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

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

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

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

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

Passed this 21<sup>st</sup> day of October, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH SCALLON CUSTOM HOMES, LLC FOR  
CITY-OWNED PROPERTY AT 1502 N STREET SW PARTICIPATING IN THE  
FOURTH ROUND OF THE SINGLE FAMILY NEW CONSTRUCTION PROGRAM

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

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

WHEREAS, the City purchased property at 1502 N Street SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on February 15, 2014, regarding the disposition of the City-owned property in accordance with Iowa Code; and

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

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

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

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

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

Passed this 21<sup>st</sup> day of October, 2014

## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Erika Kubly

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

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

**Alternate Contact Person:** Paula Mitchell

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

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

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

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

- a. Premiere Developers, Inc. for property at 530 8<sup>th</sup> Street NW
- b. Premiere Developers, Inc. for property at 712 7<sup>th</sup> Street SW
- c. Premiere Developers, Inc. for property at 808 3<sup>rd</sup> Avenue SW
- d. Premiere Developers, Inc. for property at 815 D Avenue NW
- e. Premiere Developers, Inc. for property at 912 C Avenue NW

### **Background:**

The resolutions for City Council consideration provides for the execution of a Development Agreements with the above listed developers and associated properties through the fourth round of the Single Family New Construction Program, known locally as the ROOTs program. The properties have been awarded through a competitive proposal process and the City and developer are ready to execute the Development Agreement to allow construction on the home to begin.

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

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

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

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

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

A total of 103 properties were identified by 26 developers in the current phase of property allocation for this program.

**Action / Recommendation:**

City staff recommends approval of the resolutions.

**Alternative Recommendation:**

City Council may table the items and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** N/A

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

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

**Explanation:** Federal grant funds

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

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
WITH PREMIERE DEVELOPERS, INC. FOR PROPERTY AT 530 8<sup>TH</sup> STREET NW  
PARTICIPATING IN THE FOURTH ROUND OF THE SINGLE FAMILY NEW  
CONSTRUCTION PROGRAM

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

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

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

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

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

Passed this 21<sup>st</sup> Day of October, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
WITH PREMIERE DEVELOPERS, INC. FOR PROPERTY AT 712 7<sup>TH</sup> STREET SW  
PARTICIPATING IN THE FOURTH ROUND OF THE SINGLE FAMILY NEW  
CONSTRUCTION PROGRAM

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

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

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

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

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

Passed this 21<sup>st</sup> Day of October, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
WITH PREMIERE DEVELOPERS, INC. FOR PROPERTY AT 808 3<sup>RD</sup> AVENUE  
SW PARTICIPATING IN THE FOURTH ROUND OF THE SINGLE FAMILY NEW  
CONSTRUCTION PROGRAM

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

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

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

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

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

Passed this 21<sup>st</sup> Day of October, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
WITH PREMIERE DEVELOPERS, INC. FOR PROPERTY AT 815 D AVENUE NW  
PARTICIPATING IN THE FOURTH ROUND OF THE SINGLE FAMILY NEW  
CONSTRUCTION PROGRAM

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

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

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

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

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

Passed this 21<sup>st</sup> Day of October, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
WITH PREMIERE DEVELOPERS, INC. FOR PROPERTY AT 912 C AVENUE NW  
PARTICIPATING IN THE FOURTH ROUND OF THE SINGLE FAMILY NEW  
CONSTRUCTION PROGRAM

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

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

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

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

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

Passed this 21<sup>st</sup> Day of October, 2014

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Development Services

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

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

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

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

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

**Description of Agenda Item:**

Resolution waiving objection to proposed annexation for property east and west of Alburnett Road and north and south of Echo Hill Road requested by the City of Marion. CIP/DID #ANNX-013842-2014

**Background:**

The City received formal notification from the City of Marion on September 24, 2014 regarding the proposed annexation of properties into the corporate limits of Marion. The properties are located east and west of Alburnett Road and north and south of Echo Hill Road. The notification is a requirement of the Iowa State Code since the properties are within two miles of the corporate limits of Cedar Rapids. The properties are in an area included in the 28E Annexation Agreement between the two Cities adopted by Cedar Rapids City Council Resolution No. 1779-11-13 and recorded in the Office of the Linn County Recorder in Book 8865, Pages 98-106. The properties under consideration for annexation is in an area both Cities agree would be annexed to Marion. City staff recommends waiving any objection to these properties being annexed to the City of Marion, subject to terms as set forth in the 28E Annexation Agreement adopted by both Cedar Rapids and Marion.

**Recommendations:**

City staff recommends approval of the resolution.

**Time Sensitivity:**

The City of Marion is holding a public hearing on this proposed annexation on November 20, 2014 and respectfully requests the City of Cedar Rapids' input prior to the public hearing.

**Resolution Date:** October 21, 2014

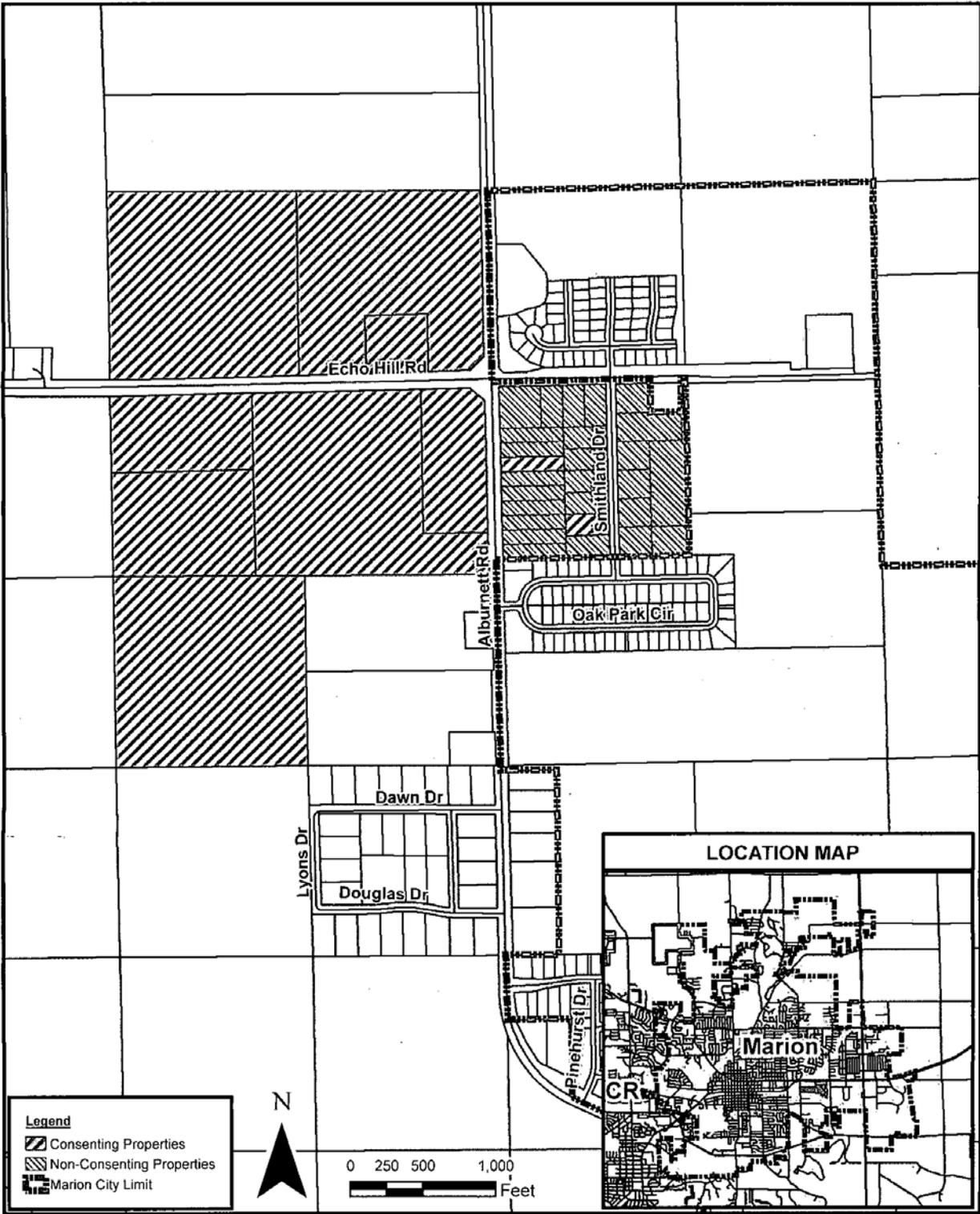
**Estimated Presentation Time:** N/A

**Budget Information (if applicable):**

N/A

**Local Preference Policy**    Applies     Exempt

# Annexation Location Map



RESOLUTION WAIVING OBJECTION TO PROPOSED  
ANNEXATION OF PROPERTY EAST AND WEST OF  
ALBURNETT ROAD AND NORTH AND SOUTH OF ECHO  
HILL ROAD AS REQUESTED BY CITY OF MARION

WHEREAS, on September 22, 2014, the City of Cedar Rapids, Iowa received an official notification from the City of Marion regarding a public hearing scheduled for the November 20, 2014 at a Marion City Council meeting to consider annexation of properties located on the east and west sides of Alburnett Road and the north and south sides of Echo Hill Road; and

WHEREAS, the notification is a requirement of the Iowa State Code since the property is within two miles of the corporate limits of Cedar Rapids; and

WHEREAS, the property is in an area included in the 28E Annexation Agreement between Cedar Rapids and Marion adopted by Resolution Nos. 1779-11-13 and 23483 and recorded in the Office of the Linn County Recorder in Book No. 8865, Pages 98-106; and

WHEREAS, based on the fact that the property under consideration for annexation is in an area both Cities agree would be annexed to Marion, the Development Services Department recommends City Council pass a resolution waiving any objection to this property being annexed to the City of Marion;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City of Cedar Rapids hereby waives any objection to the annexation of the property as described above to the City of Marion.

Passed this 21<sup>st</sup> day of October, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Development Services

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

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

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

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

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

Resolution waiving objection to proposed annexation of property between Tower Terrace Road and Connection Avenue west of Winslow Road and North 10<sup>th</sup> Street as requested by the City of Marion. CIP/DID #ANNX-013847-2014

**Background:**

The City received formal notification from the City of Marion on September 24, 2014 regarding the proposed annexation of properties into the corporate limits of Marion. The properties are located between Tower Terrace Road and Connection Avenue west of North 10<sup>th</sup> Street and Alburnett Road. The notification is a requirement of the Iowa State Code since the properties are within two miles of the corporate limits of Cedar Rapids. The properties are not in an area included in the 28E Annexation Agreement between the two Cities. The properties under consideration for annexation are surrounded on three sides by the Marion corporate limits. The Development Services Department recommends waiving any objection to these properties being annexed to the City of Marion.

**Action / Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:**

City Council may table this item and request further information.

**Time Sensitivity:**

Marion is holding a public hearing on this proposed annexation on November 20, 2014 and respectfully requests the City of Cedar Rapids' input prior to the public hearing.

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** N/A

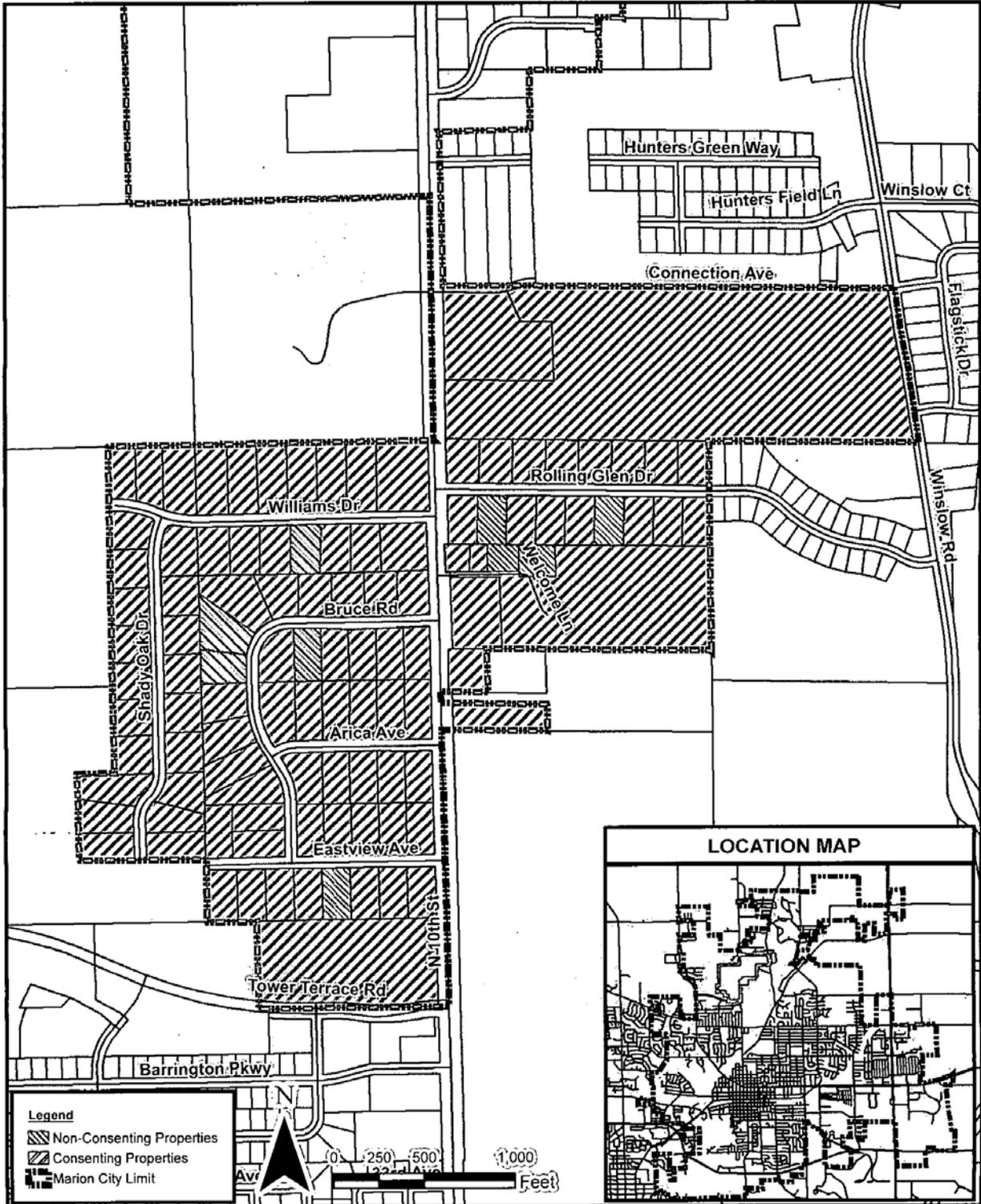
**Budget Information (if applicable):**

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

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

# LOCATION MAP

## Annexation Location Map



RESOLUTION WAIVING OBJECTION TO PROPOSED  
ANNEXATION OF PROPERTY BETWEEN TOWER  
TERRACE ROAD AND CONNECTION AVENUE WEST OF  
WINSLOW ROAD AND NORTH 10<sup>TH</sup> STREET AS  
REQUESTED BY THE CITY OF MARION

WHEREAS, on September 22, 2014, the City of Cedar Rapids, Iowa received an official notification from the City of Marion regarding a public hearing scheduled for the November 20, 2014 Marion City Council meeting to consider annexation of land located between Tower Terrace Road and Connection Avenue west of North 10<sup>th</sup> Street and Alburnett Road; and

WHEREAS, the notification is a requirement of the Iowa State Code since the property is within two miles of the corporate limits of Cedar Rapids; and

WHEREAS, the property is not in an area included in any 28E Annexation Agreement between the City of Cedar Rapids and the City of Marion; and

WHEREAS, based on the fact the property is in an area essentially surrounded by the Marion corporate limits, the Community Development Department recommends City Council pass a resolution waiving any objection to this property being annexed to the City of Marion;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City of Cedar Rapids hereby waives any objection to the annexation of the property as described above to the City of Marion.

Passed this 21<sup>st</sup> day of October, 2014.



## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services Department

**Presenter at meeting:** Chris Strecker

**Phone Number/Extension:** 319 286-5820

**E-mail Address:** [c.strecker@cedar-rapids.org](mailto:c.strecker@cedar-rapids.org)

**Alternate Contact Person:** Vern Zakostelecky

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

**E-mail Address:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

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

Resolution accepting a Warranty Deed from University of Iowa Community Credit Union for the consideration of \$1 and other valuable consideration for right-of-way for land located at 716 A Avenue NE. CIP/DID #ASDP-005742-2013

**Background:**

The developers submitted the Warranty Deed in conformance with requirements of the Administrative Site Development Plan conditions. The Development Services Department reviewed the submittal and determined it complies with applicable building permit conditions and right-of-way requirements.

**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 21, 2014

**Estimated Presentation Time:** N/A

**Budget Information (if applicable):**

**Local Preference Policy:** Applies  Exempt

**Explanation:** Policy not applicable to subdivisions.

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

**Explanation (if necessary):**

# LOCATION MAP



DSD  
ENG  
RCR  
FIN  
TED  
TRS  
ASR  
UNIVERSITY IOWA CREDIT UNION  
ASDP-005742-2013  
CRFMR #12412

RESOLUTION NO.

WHEREAS, University of Iowa Community Credit Union has submitted a Warranty Deed for property located at 716 A Avenue NE; and

WHEREAS, the Warranty Deed submitted has been reviewed by the Development Services Department and is in conformance with requirements of the Administrative Site Development Plan conditions; and

WHEREAS, the Development Services Department has determined said Warranty Deed complies with applicable building permit conditions and right-of-way requirements.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Warranty Deed, be and the same are hereby accepted and recorded in the Office of the Linn County Recorder.

Passed this 21<sup>st</sup> day of October, 2014.



## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services Department

**Presenter at meeting:** Chris Strecker, PE      **Phone Number/Extension:** 319 286-5820  
**E-mail Address:** [c.strecker@cedar-rapids.org](mailto:c.strecker@cedar-rapids.org)

**Alternate Contact Person:** Vern Zakostelecky      **Phone Number/Extension:** 319 286-5043  
**E-mail Address:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

**Description of Agenda Item:**       **Consent Agenda**       **Regular Agenda**  
 Resolution accepting a Warranty Deed for the consideration of \$1 and other valuable consideration for right-of-way; an Easement for Utilities and an Agreement for Private Storm Water Detention from PeekENDO, LLC for land located at 2925 Center Point Road NE. CIP/DID #ASDP-003845-2013

**Background:**

The developers submitted the Warranty Deed, easement and agreement in conformance with conditions of the approved Administrative Site Development Plan. The Development Services Department reviewed the submittals and determined they comply with applicable building permit conditions and right-of-way requirements.

**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 21, 2014

**Estimated Presentation Time:** N/A

**Budget Information (if applicable):**

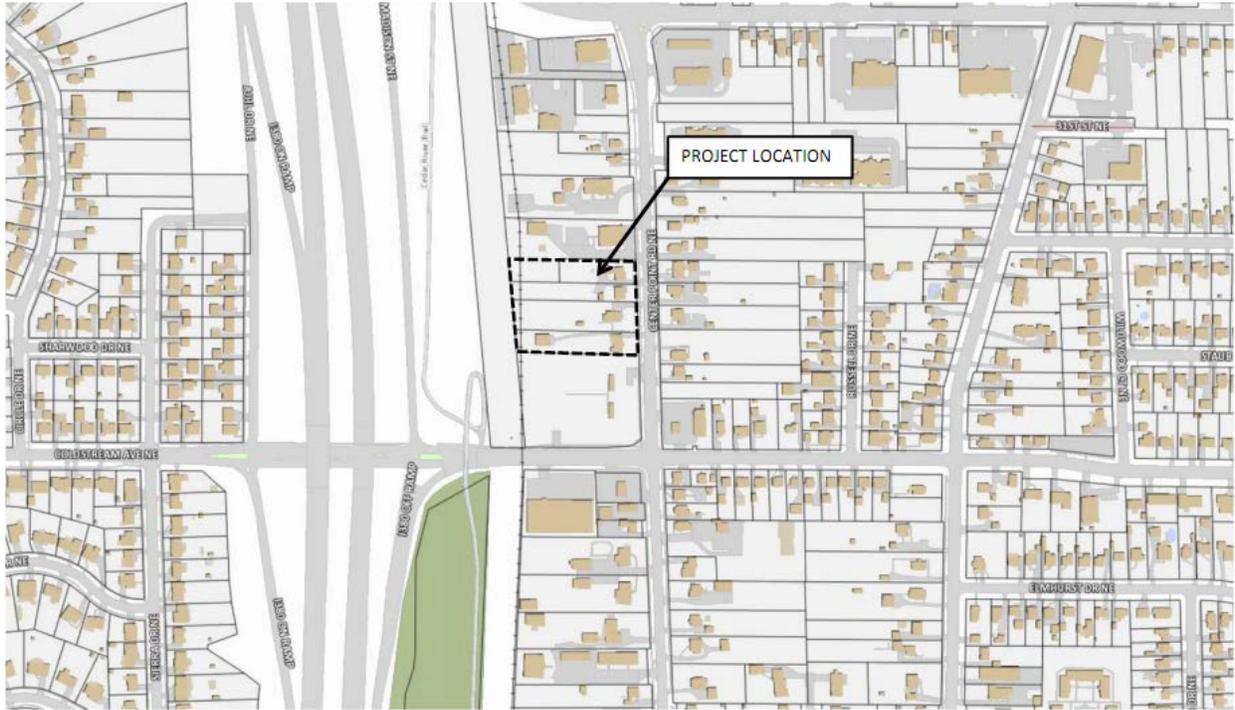
**Local Preference Policy:** Applies  Exempt

**Explanation:** Policy not applicable to Administrative Site Development Plans.

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

**Explanation (if necessary):**

# LOCATION MAP



DSD  
ENG  
RCR  
FIN  
TED  
CD  
TRS  
ASR

PeekENDO, LLC  
ASDP-003845-2013  
CRFMR #12412

RESOLUTION NO.

WHEREAS, PeekENDO, LLC has submitted a Warranty Deed, Easement for Utilities and an Agreement for Private Storm Water Detention for property located at 2925 Center Point Road NE; and

WHEREAS, the Warranty Deed has been reviewed by the Development Services Department and is in conformance with requirements of the Administrative Site Development Plan conditions; and

WHEREAS, the Development Services Department has determined said Warranty Deed complies with applicable building permit conditions and right-of-way requirements;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Warranty Deed, Easement for Utilities and Agreement for Private Storm Water Detention submitted by PeekENDO, LLC, be and the same are hereby accepted and recorded in the Office of the Linn County Recorder.

Passed this 21<sup>st</sup> 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 rescinding 0490-04-14, which established "No Parking Anytime" on the east side of 16<sup>th</sup> Street SE from the lot line between 816 and 818 16<sup>th</sup> Street SE southerly to 17<sup>th</sup> Street SE, and establishing "No Parking Anytime" on the east side of 16<sup>th</sup> Street SE from the lot line between 816 and 818 16<sup>th</sup> Street SE to the lot line between 830 & 845 16<sup>th</sup> Street SE and "No Parking Anytime" on the west side of 16<sup>th</sup> Street SE from the lot line between 851 and 857 16<sup>th</sup> Street SE southerly to 17<sup>th</sup> Street SE. CIP/DID #PARK-012022-2014.

**Background:**

The Public Works Department received a request from a citizen for relocation of the parking restriction on 16<sup>th</sup> Street SE from the east side of the street to the west side, as front yard setbacks are greater on the west side of the street providing more off-street parking options. The Traffic Engineering Division (TED) reviewed this site and confirmed the setbacks are greater on the west side of 16<sup>th</sup> Street SE south of the curve. In addition, two on-street accessible parking stalls are installed on the west side of 16<sup>th</sup> Street SE in front of 823 and 831 16<sup>th</sup> Street SE.

In order to accommodate these accessible parking stalls and the off-street parking storage south of the curve on 16<sup>th</sup> Street SE, TED is recommending removal of the parking restriction on the east side of 16<sup>th</sup> Street SE from the lot line between 830 and 848 16<sup>th</sup> Street SE southerly to 17<sup>th</sup> Street SE, and installing restricted parking on the west side of 16<sup>th</sup> Street SE from the lot line between 851 and 857 16<sup>th</sup> Street SE southerly to 17<sup>th</sup> Street SE.

**Action / Recommendation:**

The Public Works Department recommends approving the resolution.

**Alternative Recommendation:**

Should the Council determine not to approve the requested parking restriction, the parking will remain restricted on the east side of 16<sup>th</sup> Street SE from the lot line between 816 & 818 16<sup>th</sup> Street SE to 17<sup>th</sup> Street SE.

**Time Sensitivity:** Normal.

**Resolution Date:** October 21, 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, Resolution No. 0490-04-14, passed by City Council on April 22, 2014, approved restricted parking on the east side of 16<sup>th</sup> Street SE from the property line between 816 and 818 16<sup>th</sup> Street SE southerly to 17<sup>th</sup> Street SE due to the lack of street width to accommodate a parking lane on both sides of the street with a travel lane, and

WHEREAS, the Public Works Department received a request from a citizen to relocate a portion of the parking restriction on 16<sup>th</sup> Street SE from the north/east side to the west/south side due to limited off-street parking area on the north/east side of 16<sup>th</sup> Street SE as compared to the west/south side, and

WHEREAS, two on-street accessible parking stalls are installed on the west side of 16<sup>th</sup> Street SE in front of 823 and 831 16<sup>th</sup> Street SE, and

WHEREAS, the Traffic Engineering Division of the Public Works Department has recommended rescinding Resolution No. 0490-04-14 and establishing "No Parking Anytime" on the east side of 16<sup>th</sup> Street SE from the property line between 816 and 818 16<sup>th</sup> Street SE southerly to the lot line between 830 and 848 16<sup>th</sup> Street SE, and establishing "No Parking Anytime" on the west side of 16<sup>th</sup> Street SE from the lot line between 851 and 857 16<sup>th</sup> Street SE southerly to 17<sup>th</sup> Street SE, since properties on the west side of 16<sup>th</sup> Street SE from 851 16<sup>th</sup> Street SE southerly to 17<sup>th</sup> Street SE have significantly longer setbacks than properties on the north side of 16<sup>th</sup> Street SE, providing more off-street parking options, now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Resolution No. 0409-04-14, dated and passed on April 22, 2014, be and the same is hereby rescinded, and

BE IT FURTHER RESOLVED that "No Parking Anytime" be established on the east side of 16<sup>th</sup> Street SE from the property line between 816 and 818 16<sup>th</sup> Street SE southerly to the lot line between 830 and 848 16<sup>th</sup> Street SE 17<sup>th</sup> Street SE, and

BE IT FURTHER RESOLVED that "No Parking Anytime" on the west side of 16<sup>th</sup> Street SE from the lot line between 851 and 857 16<sup>th</sup> Street SE southerly to 17<sup>th</sup> Street SE, be and the same is hereby approved.

Passed this 21<sup>st</sup> day of October, 2014



**ESTABLISH "NO PARKING ANYTIME" ON THE EAST SIDE OF 16TH STREET SE FROM THE PROPERTY LINE BETWEEN 816 AND 818 SOUTHERLY TO THE LOT LINE BETWEEN 830 AND 848 AND ON THE WEST SIDE OF 16TH STREET SE FROM THE PROPERTY LINE BETWEEN 851 AND 857 SOUTHERLY TO 17TH STREET SE**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5807

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

**Phone Number/Extension:** 5141

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

Resolution accepting the established fair market value in the amount of \$550 for the acquisition of a temporary grading easement for construction from 1311 18<sup>th</sup> Street SW, owned by Deborah K. Tompkins, in connection with the 18<sup>th</sup> Street SW from Wilson Avenue SW to 13<sup>th</sup> Avenue SW Improvements project. CIP/DID #301500-00

### Background:

A temporary grading easement for construction from private property is required to accommodate the proposed 18<sup>th</sup> Street SW from Wilson Avenue SW to 13<sup>th</sup> Avenue SW Improvements project. Negotiations have come to an impasse between the City and the property owner to acquire the necessary temporary grading easement for construction.

The compensation amount offered of \$550 for the partial acquisition of a temporary grading easement for construction is based on comparisons of similar properties to the subject property provided by a qualified Iowa-certified appraiser hired by the City.

The acceptance of establishing fair market value is the first of two steps in passing a resolution to refer to the Linn County Compensation Commission in accordance with the eminent domain proceedings to allow the City to obtain title to the required property. This action is an expediency to maintain the construction schedule to protect the City's project letting. If the owner is willing, the City will remain available to negotiate to reach a mutually agreeable settlement to conclude this transaction. The City will also offer non-binding mediation to the property owner if the property owner is willing to participate. If an agreement is executed and approved by City Council prior to convening the Linn County Compensation Commission, the eminent domain proceedings will terminate.

### Action / Recommendation:

The Public Works Department recommends City Council adopt the resolution accepting the established fair market value of \$550 for the acquisition of a temporary grading easement for construction from 1311 18<sup>th</sup> Street SW that is required for the project.

### Alternative to the Recommendation:

Not proceed with acquiring the proposed temporary grading easement for construction under the eminent domain proceedings and direct City staff to abandon or reconfigure.

**Time Sensitivity:** Normal

**Resolution Date:** October 21, 2014

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

**Budget Information (if applicable):** 301/301000/301500

**Local Preference Policy:** Applies  Exempt

**Explanation:** Local Preference Policy not applicable to acquisition of land.

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

**Explanation:**

RESOLUTION NO.

WHEREAS, the Public Works Department established the fair market value in the amount of \$550 for the acquisition of a temporary grading easement for construction from property located at 1311 18<sup>th</sup> Street SW, owned by Deborah K. Tompkins as required for the 18<sup>th</sup> Street SW from Wilson Avenue SW to 13<sup>th</sup> Avenue SW Improvements project, and

WHEREAS, the Public Works Department recommends that the City Council accept the established fair market value of the above affected property as a result of the project, and

WHEREAS, the City Council has allocated Capital Improvement funds for the 18<sup>th</sup> Street SW from Wilson Avenue SW to 13<sup>th</sup> Avenue SW Improvements project, (Fund 301, Dept ID 3010000, Project 301500),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Council accept the fair market value in the amount of \$550 for the temporary grading easement for construction from land located at 1311 18<sup>th</sup> Street SW affected by the 18<sup>th</sup> Street SW from Wilson Avenue SW to 13<sup>th</sup> Avenue SW Improvements project.

Passed this 21<sup>st</sup> day of October, 2014.



13TH AVE SW

14TH AVE SW

1311

TEMPORARY  
CONSTRUCTION  
EASEMENT

18TH ST SW

16TH AVE SW

Cadd File Name: W:\PROJECTS\CIP\301301500\301500 Council Map.dwg



**TEMPORARY CONSTRUCTION EASEMENT  
18TH STREET SW EXTENSION PROJECT FROM  
WILSON AVENUE TO 13TH AVENUE SW**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Kevin Vrchoticky

**Phone Number/Extension:** 5896

**E-mail Address:** k.vrchoticky@cedar-rapids.org

**Alternate Contact Person:** Rob Davis, PE

**Phone Number/Extension:** 5808

**E-mail Address:** r.davis@cedar-rapids.org

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

Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the 2015 Sidewalk Infill Project. CIP/DID #3012074

### Background:

This is part of the special assessment process to recover a portion of the public improvement costs that benefit the private properties being served. This is Resolution #6 as shown on the attached "Flowchart for City Council Actions in Special Assessment Process".

A public hearing and resolution to adopt the preliminary assessment was completed on October 7, 2014.

This project proposes to 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.

### Action / Recommendation:

Public Works Department recommends adoption of the resolution directing preparation of detailed plans and specifications on or after October 21, 2014.

### Alternative to the Recommendation:

Do not approve the subject resolution. However, this action would conflict with the intent to proceed with the project as evidenced by adopting the preliminary assessment.

**Time Sensitivity:** Normal

**Resolution Date:** October 21, 2014

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

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

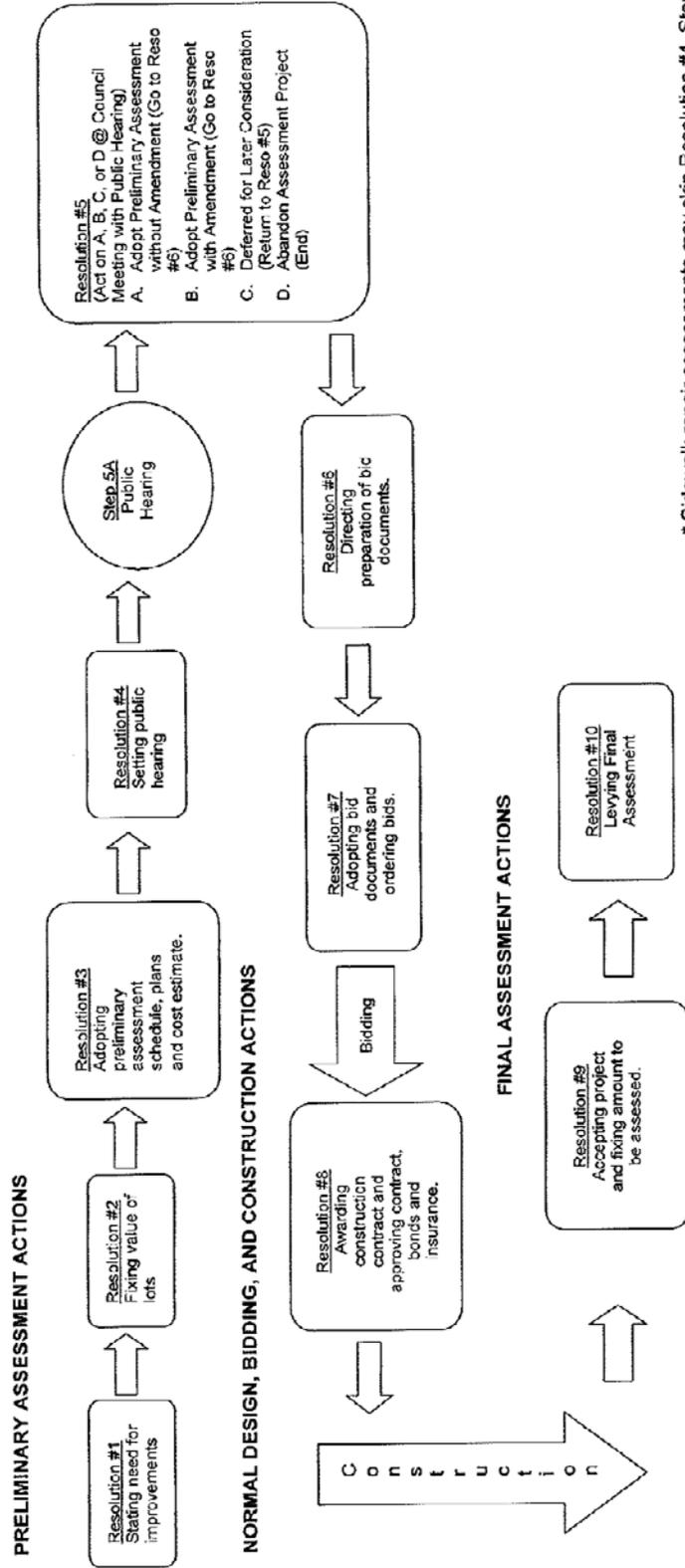
**Local Preference Policy:** Applies  Exempt

**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

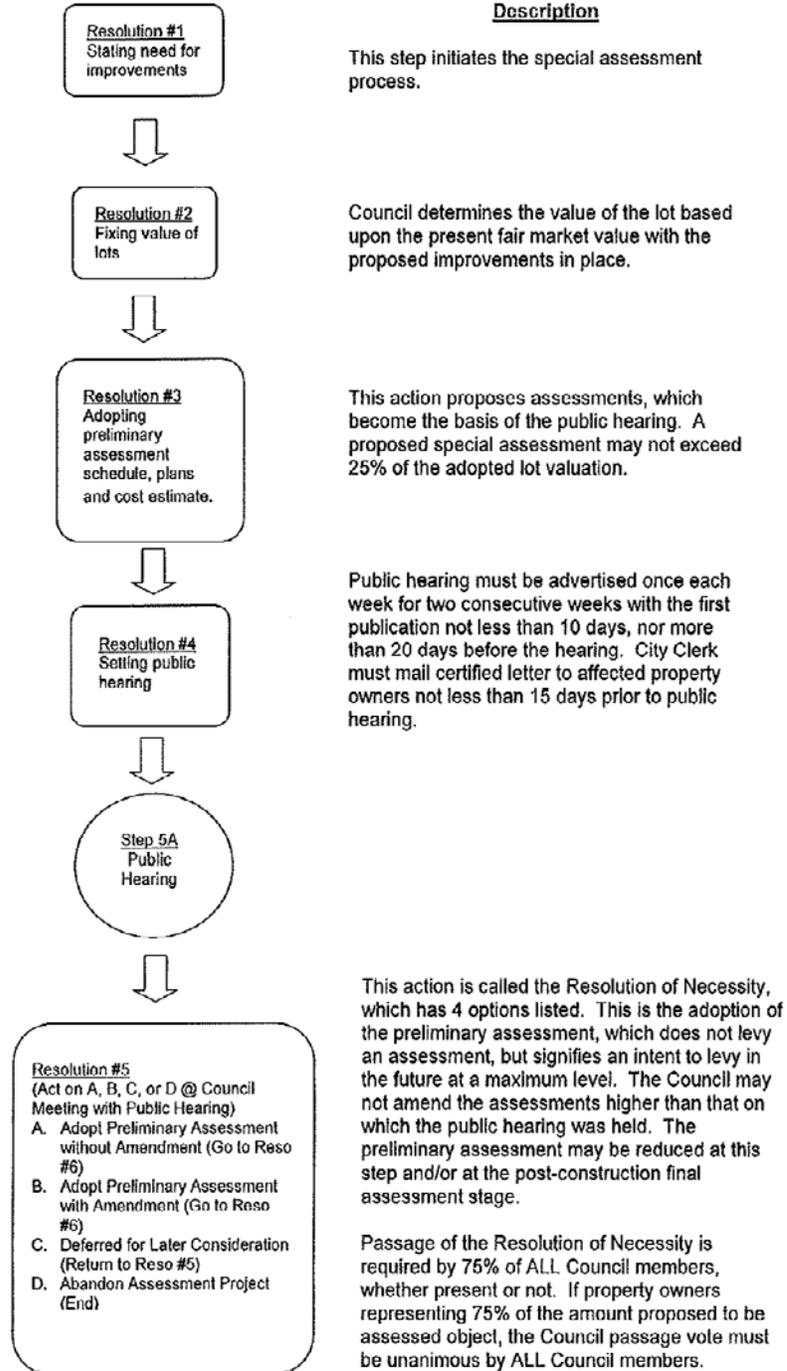
**Explanation (if necessary):**

**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

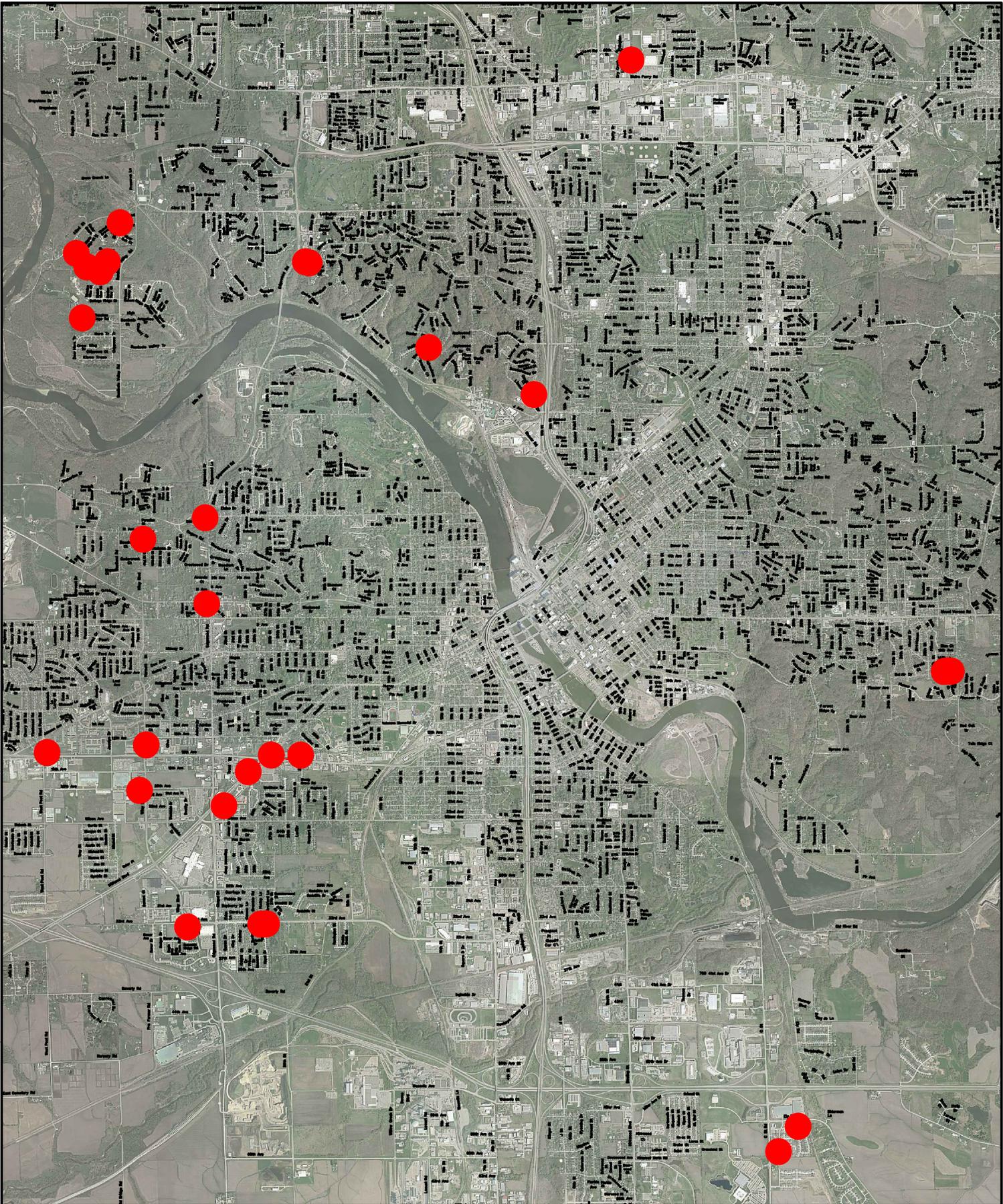
RESOLUTION NO.

RESOLUTION DIRECTING PREPARATION OF DETAILED  
PLANS AND SPECIFICATIONS, FORM OF CONTRACT AND NOTICE TO BIDDERS FOR  
THE 2015 SIDEWALK INFILL PROJECT

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

That Hall & Hall Engineers, Inc. is hereby ordered and directed to prepare and file with the Clerk detailed plans and specifications for the construction of the 2015 Sidewalk Infill Project (CIP No. 3012074).

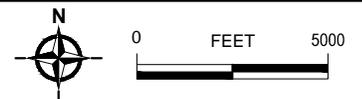
PASSED AND APPROVED, this 21<sup>st</sup> day of October, 2014.



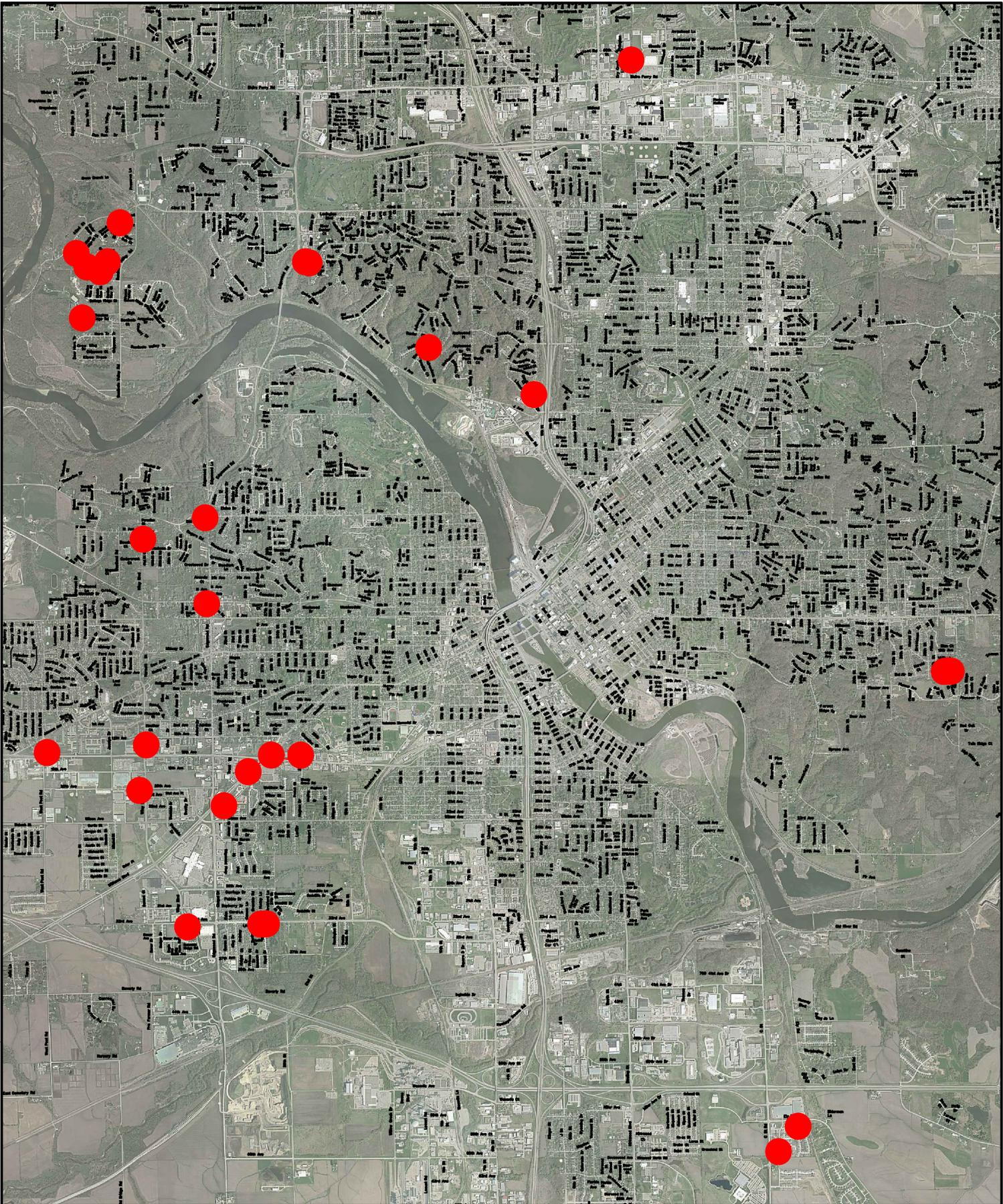
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### SIDEWALK ASSESSMENT LOCATIONS



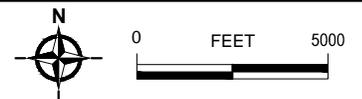
CIP No. 3012074-01



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### SIDEWALK ASSESSMENT LOCATIONS



CIP No. 3012074-01



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5153

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

**Phone Number/Extension:** 5808

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

Preliminary resolution for the construction of curb and gutter improvements in the City of Cedar Rapids, Iowa for the 35<sup>th</sup> Street Drive SE from 1<sup>st</sup> Avenue East to Elm Avenue SE Curb and Gutter Improvements (**Paving for Progress**). CIP/DID #301240-00

### Background:

This project is to construct concrete curbs and gutters along 35<sup>th</sup> Street Drive SE where none exist today, in conjunction with water, sewer, and roadway improvements associated with the 1<sup>st</sup> Avenue East project from 27<sup>th</sup> Street to 40<sup>th</sup> Street.

The proposed resolution before City Council is the initial resolution in a series of resolutions (as shown on attached flow chart), which will lead to an assessment public hearing on the project. This resolution indicates there is benefit and the City's intention to do some special assessment. Future resolutions, should the Council proceed with the process, will include property values, and specific proposed assessments. In the meantime, for order of magnitude budgetary purposes, the total cost is approximately \$120,000.

### Action / Recommendation:

Public Works Department recommends adoption of the preliminary resolution for the construction of curb and gutter improvements in the City of Cedar Rapids, Iowa for the 35<sup>th</sup> Street Drive SE from 1<sup>st</sup> Avenue East to Elm Avenue SE Curb and Gutter Improvements project.

### Alternative Recommendation (if applicable):

If resolution is not adopted, the assessment will not proceed. The project will have to be funded by General Obligation Bond funding or be abandoned.

**Time Sensitivity:** Normal

**Resolution Date:** October 21, 2014

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

**Budget Information (if applicable):** CIP No. 301240

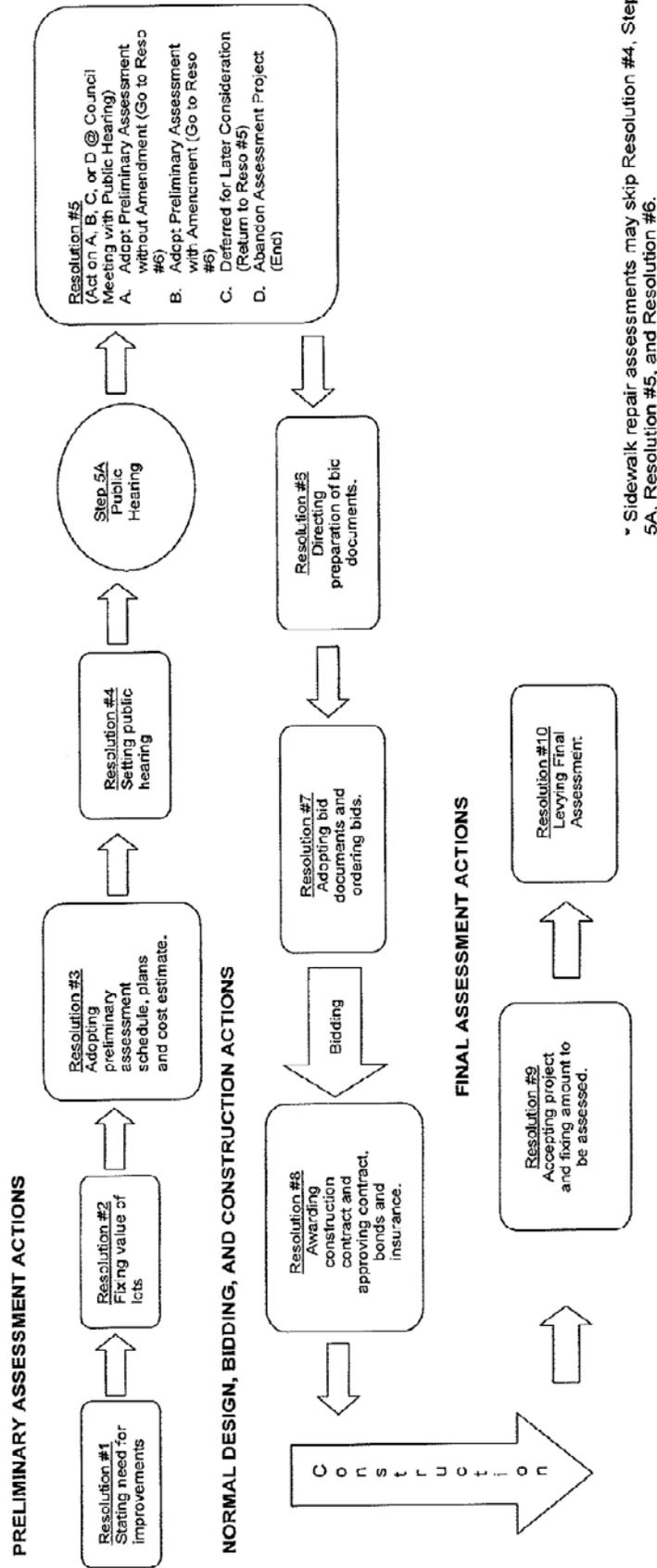
**Local Preference Policy:** Applies  Exempt

**Explanation:** Project is a roadway project. 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.

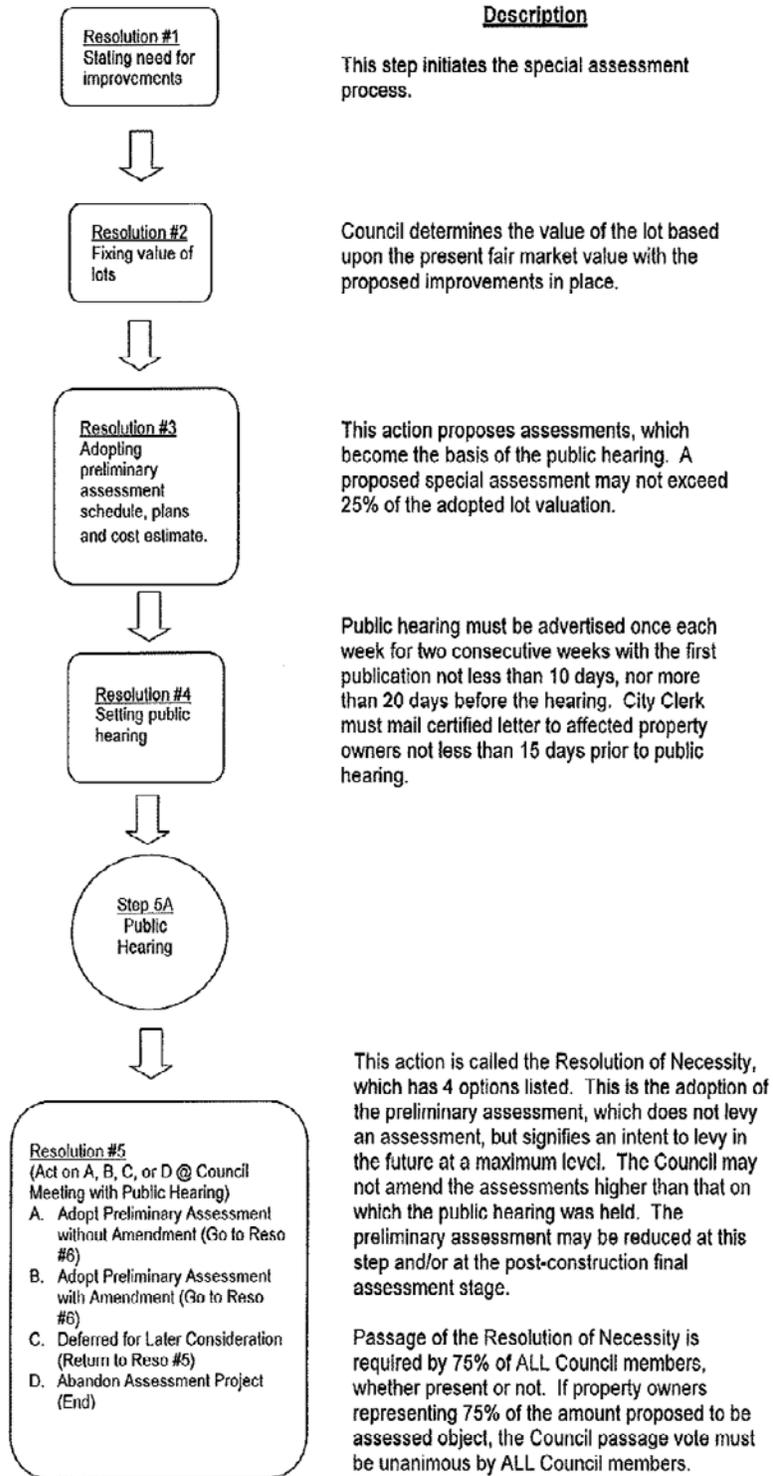
**Recommended by Council Committee:** Yes  No  N/A

**Explanation (if necessary):**

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



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



UPDATED 8.29.07

RESOLUTION NO.

PRELIMINARY RESOLUTION FOR THE CONSTRUCTION  
OF CURB AND GUTTER IMPROVEMENTS IN THE CITY OF CEDAR RAPIDS, IOWA

WHEREAS, this Council, after a study of the requirements, is of the opinion that it is necessary and desirable that Portland Cement Concrete curb and gutter be constructed within Cedar Rapids, Iowa, as hereinafter described, and

WHEREAS, it is proposed that said project be constructed as a single improvement under the authority granted by Division IV of Chapter 384 of the State Code of Iowa,

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Cedar Rapids, Iowa, construct Portland Cement Concrete curb and gutter as hereinafter described, and

BE IT FURTHER RESOLVED that the beginning and terminal points of said improvements shall be as follows:

On 35<sup>th</sup> Street Drive SE from 1<sup>st</sup> Avenue East through the intersection of Elm Avenue SE

, and

BE IT FURTHER RESOLVED that David J. Elgin, P.E., L.S. of the Public Works Department, Cedar Rapids, Iowa, having authorized a professional engineering firm to prepare estimates, plans and specifications and Anderson-Bogert Engineers & Surveyors, Inc. to prepare plats and schedules and otherwise to act in said capacity with respect to said project is hereby ordered to prepare and file with the Clerk preliminary plans and specifications and estimates of the total cost of the work and the plat and schedule of special assessments against benefited properties, and

BE IT FURTHER RESOLVED that this Council hereby determines that all property within the area hereinafter described will be specially benefited by said improvements, to-wit:

141132600100000 EAST KENWOOD PARK E 40' LOT 7 BLK 1	141132600200000 EAST KENWOOD PARK W 40' LOT 7 BLK 1
141132600400000 EAST KENWOOD PARK W 40' LOT 6 BLK 1	141127601400000 CHILD'S 1ST LOT 19
141132600300000 EAST KENWOOD PARK E 40' LOT 6 BLK 1	141125401000000 CHILD'S 1ST W 60' LOT 18
141125401100000 CHILD'S 1ST E 80' LOT 18	141125402100000 CHILD'S 1ST LOTS 1, 2 & S40' EX RD LOT 3
141132600500000 EAST KENWOOD PARK (LESS ST) LOT 1 & 2 & ALL LOT 5 BLK 1	

, and

BE IT FURTHER RESOLVED that said improvement shall be designated as “35<sup>th</sup> Street Drive SE from 1<sup>st</sup> Avenue East to Elm Avenue SE Curb and Gutter Improvements”, and such name shall be sufficient designation to refer to said improvement in all subsequent proceedings.

Passed this 21<sup>st</sup> day of October, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** City Council

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

**Phone Number/Ext:**

**Alternate Contact Person:** Casey Drew  
**Email:** c.drew@cedar-rapids.org

**Phone Number/Ext:** 5097

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

Resolution authorizing City Council to allocate up to \$1,500,000.00 in Local Option Sales Tax Funds for the NW Recreation Center (FEMA project name: Time Check Recreation Center).

### **Background:**

On February 3, 2009 the City Council passed resolution 0113-02-09 defining Local Option Sales Tax use and passed resolution 0173-02-09 on February 25, 2009 stating revenues would be used for the buyout, and the rehabilitation and replacement of flood damaged housing, as well as leveraging this revenue for matching Federal and State dollars to speed up this recovery process. The resolution language as well as the ballot language stated the City will use ninety percent (90%) of the revenues generated by this tax for the acquisition and rehabilitation of flood damage housing caused by the flooding of 2008, and matching funds for Federal dollars to assist with flood recovery or flood protection. Ten percent (10%) of the revenues will be used for property tax relief. The Local Option Sales Tax was in effect until June 30, 2014.

Since the Local Option Sales Tax has been in place the City Council has allocated funds for housing related to flood insurance premiums, acquisition of properties damaged by the flood, providing contract sellers with pre-flood value, housing rehabilitation reimbursement program, housing rental rehabilitation, personal possession replacement (homeowner and renters) and other housing programs. In addition, the City Council has used Local Option Sales Tax to match Federal and State dollars on City facilities.

In an effort to speed up the flood recovery process and lessen the financial burden to the citizens of Cedar Rapids the City Council will consider allocating up to an additional \$1,500,000.00 in Local Option Sales Tax for the NW Recreation Center (FEMA project name: Time Check Recreation Center). Adding this amount to \$700,000 in LOST Flood Funding allocated to this project by Resolution #0579-04-12 brings the total local contribution of LOST Flood Fund to this project to \$2.2 million.

Project name	Amount
Time Check Recreation Center	\$1,500,000

### **Action / Recommendation:**

City Council approve resolution.

**Alternative Recommendation:**

N/A

**Time Sensitivity:**

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids City Council authorizes to allocate up to \$1,500,000.00 in Local Option Sales Tax Funds for the NW Recreation Center (FEMA project name: Time Check Recreation Center).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa, to allocate up to \$1,500,000.00 in Local Option Sales Tax Funds to the following project.

Project name	Amount
NW Recreation Center (FEMA project name: Time Check Recreation Center)	\$ 1,500,000

Passed the 21st day of October 2014.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Gary Petersen, PE      **Phone Number/Extension:** 5153  
**E-mail Address:** g.petersen@cedar-rapids.org

**Alternate contact person:** Sven Leff      **Phone Number/Extension:** 5739  
**E-mail Address:** s.leff@cedar-rapids.org

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

Resolution authorizing execution of a Professional Services Agreement with Novak Design Group, PLC for an amount not to exceed \$390,000 for professional architectural and engineering design, and construction management services in connection with the Northwest Recreation Center project (**FLOOD**). CIP/DID #PRE069-12

**Background:**

This contract will provide architectural and engineering design, and construction management services for the flood recovery of the flood damaged Time Check Recreational Center, with a new facility adjacent to the Harrison Elementary School site. The design and construction management services associated with the flood recovery portion of this project is Federal Emergency Management Agency (FEMA) reimbursable.

April 2013 the City Council selected the site adjacent to the Harrison Elementary School site. FEMA has approved this site on the condition that certain architectural measures are incorporated to avoid negatively impacting the historic status of Harrison School. Current cost estimates will require approximately \$2.2 million local funding to complete the project. City staff is recommending the total \$2.2 million in local funding to be allocated from the Local Option Sales Tax (LOST) flood fund. There will be a separate resolution on the October 21, 2014 City Council agenda authorizing an additional \$1.5 million of LOST flood funding to be allocated to this project. In April 2012 the City Council allocated \$700,000 in LOST flood funding to this project.

**Action / Recommendation:**

Staff recommends adopting the resolution authorizing execution of a professional services agreement with Novak Design Group, PLC in an amount not to exceed \$390,000.

**Alternative Recommendation:**

1. Reject the proposal from Novak Design Group, PLC and negotiate with other design firm(s), although reimbursement from FEMA may be jeopardized.
2. Request more information before executing the Professional Services Agreement.

**Time Sensitivity:** Urgent. Request for a time extension to FEMA is required for the project.

**Resolution Date:** October 21, 2014

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

**Budget Information (if applicable): PRE069**

**Local Preference Policy:** Applies  Exempt

**Explanation:**

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

**Explanation** (if necessary):

RESOLUTION NO.

WHEREAS, the City Council has planned for the Time Check Recreation Center (PRE069) project as part of the Buildings and Facilities Master Plan, adopted in February 2009, and

WHEREAS, the Federal Emergency Management Agency (FEMA) has obligated Project Worksheets for the replacement of this facility, and

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 said project, and

WHEREAS, a selection committee made up of key stakeholders has determined Novak Design Group, PLC is qualified to provide these services, and

WHEREAS, Novak Design Group, PLC is able to perform those services in a timely manner for an amount not to exceed \$390,000 for the Northwest Recreation Center project, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. PRE069-12 with the firm noted herein,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute the contract for the services noted herein.

Passed this 21<sup>st</sup> day of October, 2014.



**PROJECT  
LOCATION**



Harrison  
Elementary  
School

HARRISON CT NW

K AVE NW

11TH STREET NW

10TH STREET NW

9TH STREET NW

8TH STREET NW

ELLIS BLVD NW

O AVENUE NW

M AVENUE NW

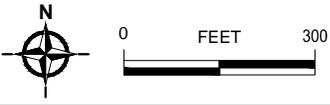
L AVENUE NW

K AVENUE NW

J AVENUE NW



**NORTHWEST RECREATION CENTER**





**Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Community Development & 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:** Seth Gunnerson **Phone Number/Ext:** 319-286-5129  
**Email:** [s.gunnerson@cedar-rapids.org](mailto:s.gunnerson@cedar-rapids.org)

**Description of Agenda Item:**  **Consent**  **Public Hearing**  **Regular Agenda**  
Resolution waiving Board of Adjustment application fees for time extension until August, 2015 for properties in the Northwest Flood Mitigation Overlay District with an accessory structure and no primary structure. CIP/DID #OB1294914

**Background:**  
This resolution would waive the fee required to apply for an extension of time variance in the Northwest Flood Mitigation Overlay area only. The establishment of this district by the City of Cedar Rapids does not allow a property owner to build a primary structure because no new construction is allowed.

Until the Northwest Flood Mitigation Boundary is re-evaluated, the only option allowable for compliance is demolition of the structure. Given the City of Cedar Rapids has implemented this overlay which allows for limited development of properties, it is recommended by staff that the Board of Adjustment Application fees related to time extensions to come into compliance for this area only, be waived until August of 2015.

At that time, a clearer picture will be known about the flood protection system and property owners will be able to make informed decisions with up to date information. At this time, all the information on final flood protection alignment is not known and demolition of structures could possibly be premature.

**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 21, 2014  
**Estimated Presentation Time:** N/A  
**Budget Information (if applicable):** N/A

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

RESOLUTION NO.

RESOLUTION WAIVING BOARD OF ADJUSTMENT APPLICATION FEES  
FOR TIME EXTENSION UNTIL AUGUST, 2015 FOR PROPERTIES IN THE  
NORTHWEST FLOOD MITIGATION OVERLAY DISTRICT WITH AN  
ACCESSORY STRUCTURE AND NO PRIMARY STRUCTURE.

WHEREAS, the Northwest Flood Mitigation Overlay does not allow for new construction or expansion of floor area to structures; and

WHEREAS, the Northwest Flood Mitigation Overlay District guidelines do not allow the existing violations to be remedied through new construction; and

WHEREAS, flood alignment plans will be more certain by August of 2015 and at such time, the Northwest Flood Mitigation District Boundary will be re-evaluated; and

WHEREAS, the Council desires to allow affected parties the opportunity to apply for a variance granting a time extension at no expense to them;

NOW THEREFORE, BE IT RESOLVED that this Council does hereby express its support in waiving the Board of Adjustment Application Fee to apply for a variance or time extension, for those properties currently in violation with no primary structure on the site of an accessory structure, and the Building Services Director is hereby authorized and directed to waive the Board of Adjustment Application fee, only under the circumstances described herein.

Passed this 21<sup>st</sup> day of October, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Fire

**Presenter at meeting:** Mark English  
**Email:** m.english@cedar-rapids.org

**Phone Number/Ext:** (319) 286-5220

**Alternate Contact Person:** Greg Smith  
**Email:** g.smith@cedar-rapids.org

**Phone Number/Ext:** (319) 286-5224

**Description of Agenda Item:**

Resolution authorizing Zach Hickman, an Iowa Task Force 1 member and Iowa City firefighter, to attend Structural Collapse Technician 5 training in College Station, TX for a total amount of \$4,806.

**Background:**

City of Cedar Rapids travel policy requires any travel expenses with a cost of \$3,000 or more to be approved by City Council. The travel costs for the Structural Collapse Technician 5 training exceeds the amount of \$3,000 and is hereby brought to City Council for their approval. The training provides necessary skills and certification to function in the event of a natural disaster, terrorist event, or other major life-saving effort. The Cedar Rapids Fire Department is a sponsoring organization of Iowa Task Force One, so the training will be paid for by grant monies received.

**Action / Recommendation:**

The Fire Department recommends approval of the training.

**Alternative Recommendation:**

If the training is not approved at this time, the Fire Department will be responsible for funding the training from other funding sources than the grant monies allocated.

**Time Sensitivity:** N/A

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** N/A

**Budget Information (if applicable):** Cost of the training is \$4,806 with funding from the Fire Department Urban Search and Rescue Homeland Security Grant Funds, Account 542102-7862-786200, Project #786213.

**Local Preference Policy** Applies  Exempt

**Explanation:** N/A

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

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Cedar Rapids Fire Department has herewith authorized Zach Hickman to attend training: Advanced Structural Collapse Technician 5 from November 17, 2014 through November 21, 2014. Funding for this travel will be Fire Department Urban Search and Rescue Homeland Security Grant Funds in the amount of \$4,806, Account # 542102-7862-786200, Project # 786213.

1. Zach Hickman - \$4,806

Passed this 21<sup>st</sup> day of October, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** 10/21/14

**Submitting Department:** HR

**Presenter at meeting:** Consent

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:**

**Phone Number/Ext:** 5019

**Email:** c.huber@cedar-rapids.org

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

Resolution authorizing pay increase of 4.5% for Jeff Pomeranz.

**Background:**

City Council conducted performance evaluation on or about October 7, 2014. City Council authorizes a salary increase of 4.5%.

**Action / Recommendation:**

Approve increase

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** 10/21/14

**Estimated Presentation Time:** na

**Budget Information (if applicable):**

**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Employment Agreement between the City of Cedar Rapids and Jeffrey Pomeranz provides for an annual salary adjustment based upon a performance evaluation, and

WHEREAS, the performance evaluation for the period from September 20, 2013 to September, 19 2014 was completed on October 7, 2014, and

WHEREAS, as a result of the evaluation, the City Council recommends a 4.5% salary increase.

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

1. The annual salary to be paid to Jeff Pomeranz shall be increased by 4.5% effective as of September 20, 2014.

2. The Mayor and City Clerk are authorized to execute any and all documents, agreements or amendments as may be reasonably necessary to implement this action.

Passed this 21<sup>st</sup> day of October, 2014.

## **Council Agenda Item Cover Sheet**

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

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Utilities – Water Division

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

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

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

Resolutions approving actions regarding Purchases/Contracts/Agreements:

- a. Amendment No. 1 to the Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$21,000 for additional design services on the Selected J Avenue Campus 2014 Renovations project (original contract amount was \$106,500; total contract amount with this amendment is \$127,500). CIP/DID #6250031-01

### **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 these buildings for another 20 to 30 years.

Additional design services were requested of HDR Engineering, Inc. during the design phase of the project. This included replacement of both the garage doors and man-doors of the building, design of a new building floor drain system, a site survey of the areas to the North and West of the building, and an additional site visit by a structural engineer to further evaluate masonry damage in the SW corner of the building.

### **Action / Recommendation:**

The Utilities Department – Water Division recommends that Amendment No. 1 to the Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$21,000 be hereby approved and that the City Manager and City Clerk be authorized to execute said Amendment.

**Alternative Recommendation:** None

**Time Sensitivity:** 10-21-14

**Resolution Date:** 10-21-14

**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: 553000-625-625000-x-x-6250031 and 553000-625-625000-x-x-6250032.
3. **Purchasing Department used or Purchasing Guidelines followed:** This project will be publicly bid as a Capital Improvements Project.

**Local Preference Policy**

**Applies**

**Exempt**

**Explanation:** Consultant evaluation form gives preference to local consultants.

**Recommend by Council Committee** Yes

No

N/A

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids – Utilities Department executed a Professional Services Agreement with HDR Engineering, Inc. on December 17, 2013 for the Selected J Avenue Campus 2014 Renovations project, and

WHEREAS, additional design services were requested of HDR Engineering, Inc. during the design phase of the project. This included replacement of both the garage doors and man-doors of the building, design of a new building floor drain system, a site survey of the areas to the North and West of the building, and an additional site visit by a structural engineer to further evaluate masonry damage in the SW corner of the building, and

WHEREAS, HDR Engineering, Inc. has proposed to provide the additional services for an amount not to exceed \$21,000, and

WHEREAS, the Utilities Department – Water Division recommends that Amendment No. 1 to the Professional Services Agreement with HDR Engineering, Inc. for the Selected J Avenue Campus 2014 Renovations project be hereby approved for an amount not to exceed \$21,000.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Amendment No. 1, to the Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$21,000 for the Selected J Avenue Campus 2014 Renovations project be hereby approved and that the City Manager and City Clerk be authorized to execute said Amendment. The project will be coded to the following CIP funds: 553000-625-625000-x-x-6250031 and 553000-625-625000-x-x-6250032. The original contract amount was \$106,500 and the total contract amount with this Amendment is \$127,500.

Passed this 21<sup>st</sup> day of October, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda Item                      **Phone Number/Ext:**  
**Email:**

**Alternate Contact Person:** Rebecca Johnson                      **Phone Number/Ext:** X5062  
**Email:** [r.johnson2@cedar-rapids.org](mailto:r.johnson2@cedar-rapids.org)

**Description of Agenda Item:**

Amendment No. 5 to renew Contract for Printing & High Speed Copying with Copyworks for an annual amount not to exceed \$50,000 (original contract amount was \$100,000; renewal contract amount is \$50,000). CIP/DID #0810-043

**Background:**

Proposals were solicited in 2010 for citywide printing and high speed copying services with responses submitted from eight suppliers. Award was made to Copyworks for the initial contract period of November 1, 2010 through October 31, 2011 with four one-year renewal options.

This amendment is to renew the agreement with Copyworks for a fifth year with no increase in price. The contract period for the renewal amendment is November 1, 2014 through October 31, 2015 with no renewal options remaining. The estimated expenditure is not to exceed \$50,000, budgeted by each department that utilizes the services provided through this Agreement.

**Action / Recommendation:**

Resolution authorizing execution of Amendment No. 5 to Agreement for Printing & High Speed Copying for a total estimated annual amount not to exceed \$50,000.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

Printing and high speed copying are budgeted by each department that utilizes the services provided in this agreement.

**Local Preference Policy**      Applies       Exempt

**Explanation:**

Local preference was applied at time of award but did not affect the outcome. Copyworks is a local vendor.

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

RESOLUTION NO.

WHEREAS, Resolution No. 1223-1010 authorized a Contract for Printing & High Speed Copying with Copyworks on an as-needed basis for the City of Cedar Rapids; and

WHEREAS, the term of the initial Contract was November 1, 2010 to October 31, 2011 with four (4) one-year renewal options available; and

WHEREAS, Amendment No. 5 is for the renewal period from November 1, 2014 through October 31, 2015 with no increase in price with no renewal options remaining; and

WHEREAS, the total annual expenditure will not exceed \$50,000, budgeted by each department that utilizes the services provided under the Contract; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and the City Clerk are hereby directed to execute Amendment No. 5 to Contract for Printing & High Speed Copying with Copyworks as described herein.

Passed this 21<sup>st</sup> day of October, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda Item                      **Phone Number/Ext:**  
**Email:**

**Alternate Contact Person:** Mark Jones                                      **Phone Number/Ext:** X4791  
**Email:** [m.jones@cedar-rapids.org](mailto:m.jones@cedar-rapids.org)

**Description of Agenda Item:**

Amendment No. 4 to renew Contract for Yard Waste Carts with Rehrig Pacific Company for the Solid Waste & Recycling Division for an annual amount not to exceed \$75,000 (original contract amount was \$75,000; renewal contract amount is \$75,000). CIP/DID #0910-053

**Background:**

Proposals were solicited in 2010 on behalf of the Solid Waste & Recycling Division for annual purchases of yard waste carts with five (5) vendors responding. Rehrig Pacific Company was awarded as the vendor to supply both 95 gallon and 65 gallon yard waste containers for an initial agreement period of November 1, 2010 through October 31, 2011, with four (4) one-year renewal options available.

Amendment No. 4 is to renew the Agreement for the period of November 1, 2014 through October 31, 2015, with no renewal options remaining. The Solid Waste & Recycling Division has agreed to the following increases in price:

Item Description	Old Price	New Price
95-Gallon Yard Waste Cart	\$47.18	\$50.24
65-Gallon Yard Waste Cart	\$42.98	\$45.46

The total annual expenditure is not anticipated to exceed \$75,000, budgeted in GL account # 531109-641-641000-64121.

**Action / Recommendation:**

Resolution authorizing execution of Amendment No. 4 to Agreement for Yard Waste Carts for a total estimated annual amount not to exceed \$75,000.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

Estimated annual total of \$75,000 budgeted in GL account # 531109-641-641000-64121.

**Local Preference Policy** Applies  Exempt

**Explanation:**

The buy local program applies to this contract; however, there were no proposals received from local vendors.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division solicited proposals for yard waste carts in 2010, on behalf of the Solid Waste & Recycling Division; and

WHEREAS, an agreement was established with Rehrig Pacific Company to provide yard waste carts on an as-needed basis; and

WHEREAS, both parties agree to a one-year renewal for the period of November 1, 2014 through October 31, 2015 with no renewal options remaining; and

WHEREAS, pricing shall be adjusted as follows:

Item Description	Old Price	New Price
95-Gallon Yard Waste Cart	\$47.18	\$50.24
65-Gallon Yard Waste Cart	\$42.98	\$45.46

AND WHEREAS, the total annual purchases are not to exceed \$75,000, budgeted in GL account # 531109-641-641000-64121; 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 Rehrig Pacific Company as described herein.

Passed this 21<sup>st</sup> day of October, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Community Development & Planning

**Presenter at meeting:** Jennifer Pratt

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

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

**Alternate Contact Person:** Caleb Mason

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

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

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

Resolution authorizing execution of a Amendment No. 1 to the Development Agreement with Green Development Sokol, LLC for the redevelopment of the Sokol Gymnasium property at 417 3<sup>rd</sup> Street SE. CIP/DID #OB1098267

### **Background:**

The Resolution amends the Development Agreement with Green Development Sokol, LLC (the "Developer") for the redevelopment of the historic Sokol Gymnasium at 417 3<sup>rd</sup> Street SE. The amendment provides additional time for the Developer to finalize its financing package for the project and commence construction. The Developer was unable to begin construction by the September 1, 2014 commencement date specified in the Agreement as a result of the historic tax credit syndication process. The Amendment provides the Developer until December 1, 2014 to begin construction on the project.

The Development Agreement authorized by the City Council on July 22, 2014 through Resolution No. 1002-07-14 provides City financial support for the renovation of the historic Sokol gymnasium by way of 10-year, 100% TIF for the housing portion of the project and 5-years, 100% TIF for the commercial portion.

As a condition of the City support the Developer agreed to terms and conditions memorialized in the Agreement, including, among others, timelines for starting and completing the project, minimum investment of \$2.5 million, and retention of the building's historic character.

### **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 21, 2014

**Estimated Presentation Time:** N/A

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

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

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO  
THE DEVELOPMENT AGREEMENT WITH GREEN DEVELOPMENT  
SOKOL, LLC FOR THE RENOVATION OF THE SOKOL GYMNASIUM  
PROPERTY AT 417 3<sup>RD</sup> STREET SE

WHEREAS, on March 25, 2014 the City Council adopted Resolution No. 0403-03-14 directed staff to pursue a Development Agreement with the Developer memorializing the proposed project and providing a partial property tax reimbursement from the City of approximately \$300,000 as follows:

- Housing – 100% reimbursement for 10 years
- Commercial – 100% reimbursement for 5 years
- 

WHEREAS, on July 22, 2014 the City Council authorized a Development Agreement (the “Agreement”) with Green Development Sokol, LLC through Resolution No. 1002-07-14; and

WHEREAS, the Agreement provides terms and conditions memorializing, among other things, dates and times of project milestones including the commencement of construction of the project; and

WHEREAS, Green Development Sokol, LLC was unable to commence construction by the specified time and was found to be in default of the Agreement; and

WHEREAS, Green Development Sokol, LLC has provided documentation that provides reasonable assurances that the default can be remedied and has requested to amend the Agreement with revised performance milestones; and

WHEREAS, the City Council has determined to exercise its ability to amend the Agreement, providing Green Development Sokol, LLC until December 1, 2014 to commence construction on the project; and

WHEREAS, Amendment No. 1 has been prepared and is now ready for execution on behalf of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute Amendment No. 1 to the Development Agreement.

Passed this 21<sup>st</sup> day of October, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Community Development

**Presenter at Meeting:** Paula Mitchell

**Phone:** 5852

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

**Alternate Contact Person:** Caleb Mason

**Phone:** 5188

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

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

**Description of Agenda Item:**

Resolution authorizing execution of Amendment No. 2 to the Development Agreement with New Leaf Historic Properties for the redevelopment of property at 213 13<sup>th</sup> Avenue SE, authorizing a time extension through August 10, 2015 for completion of construction. CIP/DID #OB811372

**Background:**

On October 2, 2014, staff received a request from New Leaf Historic Properties to amend the Development Agreement for redevelopment of the previously City-owned property located at 213 13<sup>th</sup> Avenue SE, in order to provide additional time to complete construction. The Development Agreement currently calls for construction completion by October 10, 2014. The request is due to additional engineering work that was completed prior to issuance of a building permit in order to position the project to secure a Letter of Map Amendment. When the Developer initially sought a building permit, staff brought it to the developer's attention that the elevation of the property might qualify for a Letter of Map Amendment to remove it from the 100-year flood plain. If successful, this would reduce the cost of flood-proofing measures, as well as the ongoing cost of flood insurance for the property owner. Staff is supportive of measures that enhance the feasibility of the project.

City Council approved a Development Agreement with New Leaf Historic Properties on May 14, 2013. The City has received and recorded amended deed restrictions for the property and closing occurred on January 3, 2014, when New Leaf Historic Properties purchased the property from the City for the fair market value. The Developer has provided financing commitments and escrowed demolition funds to protect the City's interest in the event the project is unable to be completed.

If the time extension is approved, the developer will have until August 10, 2015 to complete all construction. This timeline takes into account the limited construction season remaining in 2014. Staff recommends amending the Development Agreement to provide the additional time requested.

**Action/Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:**

City Council may table the resolution and request additional information.

**Time Sensitivity:**

The Developer has secured a building permit and plans to proceed with the project upon approval.

**Resolution Date:** October 21, 2015

**Estimated Presentation Time:** N/A

**Budget Information (if applicable):**

This item has no impact upon the general fund budget.

**Local Preference Policy** Applies  Exempt

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

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 2 TO  
THE DEVELOPMENT AGREEMENT WITH NEW LEAF HISTORIC  
PROPERTIES FOR THE REDEVELOPMENT OF PROPERTY AT 213  
13TH AVENUE SE AUTHORIZING A TIME EXTENSION

WHEREAS, on May 14, 2013 the City Council adopted Resolution No. 0767-05-13, authorizing the execution of a Development Agreement (the "Agreement") with New Leaf Historic Properties (the "Developer") for the redevelopment of City owned property at 213 13<sup>th</sup> Avenue SE; and

WHEREAS, the Developer has requested an extension to the performance period in order to perform its covenants and obligations contained in the Agreement; and

WHEREAS, the parties wish to further amend the Agreement as set forth in Amendment No. 2 to the Agreement which extends the time for which the Developer may perform the obligations pursuant to the Agreement by completing construction no later than August 10, 2015; and

WHEREAS, the City Council has determined that a revised timeline in the Amendment provides reasonable assurances that the covenants and obligations will be performed within the amended timeline;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute Amendment No. 2 to the Development Agreement with New Leaf Historic Properties.

Passed this 21<sup>st</sup> day of October, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Paula Mitchell

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

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

**Alternate Contact Person:** Caleb Mason

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

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

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

Resolution authorizing execution of Amendment No. 17 to the Disaster Recovery Housing Contract 08-DRH-208 with the Iowa Economic Development Authority (IEDA) (original contract amount is \$12,146,137; total contract amount with this amendment is \$60,286,223). CIP/DID #OB08-DRH-208

### **Background:**

Amendment No. 17 is a budget amendment that reduces the contract amount by \$159,282 for the Jumpstart Rental Rehabilitation Program. This program has now closed, and the City has submitted a final draw for all costs, including project delivery costs, with \$159,282 left over. This amount being returned to IEDA will be programmed for the final round of Multi-family New Construction funding, for which the City of Cedar Rapids has submitted a total of 16 applications.

In April 2009, the City entered into a contract with the Iowa Economic Development Authority (IEDA) for CDBG disaster recovery funding for a variety of housing recovery activities, including the Jumpstart Rental Rehabilitation programs and Single and Multi-Family New Construction. The contract has been amended previously from its original amount of \$12,146,137 to add funding for additional activities, extend the contract term, or modify program guidelines. At the last amendment, the total contract amount was \$60,445,505. The Jumpstart Rental Rehabilitation Program provided rehabilitation assistance to repair 469 rental units that were damaged by the 2008 flood.

### **Action / Recommendation:**

Community Development staff recommends approval of this resolution.

### **Alternative Recommendation:**

City Council may table the resolution and request additional information.

### **Time Sensitivity:**

IEDA may restrict payment requests under this contract if the Amendment is not returned, which would potentially impact other programs authorized under this contract.

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** N/A

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

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

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

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 17  
TO THE DISASTER RECOVERY HOUSING CONTRACT 08-DRH-208  
WITH THE IOWA ECONOMIC DEVELOPMENT AUTHORITY (IEDA)

WHEREAS, the City of Cedar Rapids is party to Disaster Recovery Housing Contract 08-DRH-208 with the Iowa Economic Development Authority (IEDA) for local administration of Community Development Block Grant disaster recovery housing programs; and

WHEREAS, the City Council wishes to provide for continued assistance to flood-impacted citizens and additional resources for community recovery; and

WHEREAS, IEDA has provided to the City Amendment No. 17 to Contract 08-DRH-208 amending the amount of the contract budget from \$60,445,505 to \$60,286,223 as part of the close-out of the Jumpstart Rental Rehabilitation Program,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the Mayor is authorized to execute Amendment No. 17 to Contract 08-DRH-208 with the Iowa Economic Development Authority.

Passed this 21st day of October 21, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Paula Mitchell

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

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

**Alternate Contact Person:** Caleb Mason

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

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

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

Resolution authorizing execution of Amendment No. 19 to the Disaster Recovery Housing Contract 08-DRH-008 with the Iowa Economic Development Authority (IEDA) (original contract amount is \$7,085,247; total contract amount with this amendment is \$48,914,056). CIP/DID #OB08-DRH-008

**Background:**

Amendment No. 19 is a budget amendment that reduces the contract amount by \$383,287 for the Jumpstart Housing Program. This program has now closed, and the City has submitted a final draw for all costs, including project delivery costs, with \$383,287 left over. This amount being returned to IEDA will be programmed for the final round of Multi-family New Construction funding, for which the City of Cedar Rapids has submitted a total of 16 applications.

In December 2008, the City entered into a contract with the Iowa Economic Development Authority (IEDA) for CDBG disaster recovery funding for a variety of housing recovery activities, including the Jumpstart Housing programs and Single Family New Construction. The contract has been amended previously from its original amount of \$7,085,247 to add funding for additional activities, extend the contract term, or modify program guidelines. At the last amendment, the total contract amount was \$49,297,343. The Jumpstart Housing program provided funding for housing rehabilitation, down payment assistance, and interim mortgage assistance to 1250 flood-impacted homeowners.

**Action / Recommendation:**

Community Development staff recommends approval of this resolution.

**Alternative Recommendation:**

City Council may table the resolution and request additional information.

**Time Sensitivity:**

IEDA may restrict payment requests under this contract if the Amendment is not returned, which would potentially impact other programs authorized under this contract.

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** N/A

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

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

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

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 19  
TO THE DISASTER RECOVERY HOUSING CONTRACT 08-DRH-008  
WITH THE IOWA ECONOMIC DEVELOPMENT AUTHORITY (IEDA)

WHEREAS, the City of Cedar Rapids is party to Disaster Recovery Housing Contract 08-DRH-008 with the Iowa Economic Development Authority (IEDA) for local administration of Community Development Block Grant disaster recovery housing programs; and

WHEREAS, the City Council wishes to provide for continued assistance to flood-impacted citizens and additional resources for community recovery; and

WHEREAS, IEDA has provided to the City Amendment No. 19 to Contract 08-DRH-008 amending the amount of the contract budget from \$49,297,343 to \$48,914,056 as part of the close-out of the Jumpstart Housing Program,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the Mayor is authorized to execute Amendment No. 19 to Contract 08-DRH-008 with the Iowa Economic Development Authority.

Passed this 21st day of October 21, 2014.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

**Description of Agenda Item:**  **Consent Agenda**  **Regular Agenda** **Yes/No Map**  
 Authorizing Change Order No. 1 in the amount of \$14,453.50 with Paulson Electric Co. for the Park Cedar Rapids Five Seasons Parkade Electrical Upgrades project (original contract amount was \$37,905; total contract amount with this amendment is \$52,358.50). CIP/DID #635127-20

### Back ground:

WCD #2	Furnish & Install Lights – In order to better illuminate certain areas of the parking structure, additional lights were added to the project.	\$10,224.50
WCD #3	Time & Materials to repair corroded conduits, replace 4 Exit signs, wire AC unit, extend power feeders in panels, trace old heat circuits in skywalk and check sign feed.	\$4,229.00

### Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 1 submitted by Paulson Electric Co.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** October 21, 2014

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

**Budget Information (if applicable: 635127-20 \$162,100**

**Local Preference Policy:** Applies  Exempt   
**Explanation:** Does not meet criteria.

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

ENG  
AUD FILE  
FIN  
CLK  
PAULSON  
SHIVE HATTERY  
635127-20

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 1 in the amount of \$14,453.50 with Paulson Electric Co. for the Park Cedar Rapids Five Seasons Parkade Electrical Upgrades project, Contract No. 635127-20. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$37,905.00
Change Order No. 1	<u>14,453.50</u>
Amended Contract Amount	\$52,358.50

General ledger coding for this Change Order to be as follows: \$14,453.50 635-635000-635127

Passed this 21<sup>st</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

**Alternate Contact Person:** Pat Wieneke **Phone Number/Extension:** 5848  
**E-mail Address:** p.wieneke@cedar-rapids.org

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

Authorizing Change Order No. 5 in the amount of \$10,073 with Garling Construction, Inc. for the Ushers Ferry Lodge project (original contract amount was \$1,229,000; total contract amount with this amendment is \$1,262,855) (**FLOOD**). CIP/DID #PRE136-20

**Background:**

WCD #17	Complete conversion of Air Handling Unit and Fireplace to LP for cost saving purposes	\$1,068
WCD #18	Add PIV tamper switch to meet city code	\$556
WCD #19	Build crickets and add sills over front entry to prevent water leakage into building interior	\$449
WCD #20	Add stone fireplace	\$8,000

**Action / Recommendation:**

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

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** October 21, 2014

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

**Budget Information (if applicable)**

PRE136 (Improved Project)	\$590,153
PRE124 (Sunshade)	\$136,554
PWC007B (Roads/Sidewalks)	\$119,558
PRE123 (Contents)	\$112,261
CIP (FY'14)	\$350,000
Donations/Grants	\$45,000

**Local Preference Policy:** Applies  Exempt

**Explanation:** FEMA does not allow

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

**Explanation (if necessary):**

ENG  
AUD FILE  
FIN  
CLK  
GARLING  
SOLUM LANG  
PRE136-20  
OB377545

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 5 in the amount of \$10,073 with Garling Construction, Inc. for the Ushers Ferry Lodge, Contract No. PRE136-20. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,209,000
Possible Incentive	20,000
Change Order No. 1	770
Change Order No. 2	6,626
Change Order No. 3	11,284
Change Order No. 4	5,102
Change Order No. 5	10,073
	<hr/>
Amended Contract Amount	\$1,262,855

General ledger coding for this Change Order to be as follows: \$10,073 330-330420-PRE136

Passed this 21<sup>st</sup> day of October, 2014.



## Council Agenda Item Cover Sheet

**\*\*FLOOD\*\***

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

**Alternate Contact Person:** Russell F. Betts, P.E.  
**E-mail Address:** r.betts@cedar-rapids.org

**Phone Number/Extension:** 5212

**Description of Agenda Item:**       **Consent Agenda**                       **Regular Agenda**  
Authorizing Change Order No. 9 in the amount of \$12,272 with Miron Construction Co., Inc. for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – General Contractor project (original contract amount was \$19,185,000; total contract amount with this amendment is \$19,698,885) (**FLOOD**). CIP/DID #PWE006-21

**Background:**

WCD = Work Change Directive

WCD #11	Seal masonry walls to roof deck in City Hall Storage and clarifications to mounting height for bathroom accessories.	\$1,705
	Steel Support at Stair Landing 159	\$2,009
	Change the sliding gates to swinging gates at three mezzanines for added safety.	\$898
	Fix for Angle Elevation	\$6,208
	Fence repair around fuel tanks	\$1,452

**Action / Recommendation:**

The Public Works Department recommends approval of Change Order No. 9 submitted by Miron Construction Co., Inc.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** October 21, 2014

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

**Budget Information (if applicable):** FEMA/I-Jobs/City – PWE006

**Local Preference Policy:** Applies  Exempt

**Explanation:** Capital Improvement Project

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

**Explanation (if necessary):** Project update provided at June 19, 2012 Infrastructure Committee Meeting

ENG  
AUD FILE  
FIN  
CLK  
MIRON  
NEUMANN  
PWE006-21  
OB377545

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 9 in the amount of \$12,272 with Miron Construction Co., Inc. for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – General Contractor project, Contract No. PWE006-21. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$19,185,000
Change Order No. 1 (Revised)	41,562
Change Order No. 2 (Revised)	(58,929)
Change Order No. 3	76,924
Change Order No. 4	7,479
Change Order No. 5	2,883
Change Order No. 6	117,324
Change Order No. 7	56,647
Change Order No. 8	257,723
Change Order No. 9	<u>12,272</u>
Amended Contract Amount	\$19,698,885

General ledger coding for this Change Order to be as follows:

\$12,272      330-330210-18515-PWE006-NG

Passed this 21<sup>st</sup> day of October, 2014.



8TH AVENUE SW

9TH AVENUE SW

7TH ST SW

10TH AVENUE SW

12TH AVENUE SW

CITY SERVICES CENTER

6TH STREET SW

4TH STREET SW

N ST SW

M ST SW

14TH AVENUE SW

15TH AVENUE SW

16TH AVENUE SW



CITY SERVICES CENTER



0 FEET 300



## Council Agenda Item Cover Sheet

**\*\*FLOOD\*\***

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

**Alternate Contact Person:** Russell F. Betts, P.E.  
**E-mail Address:** r.betts@cedar-rapids.org

**Phone Number/Extension:** 5212

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

Authorizing Change Order Nos. 10 (Revised) and 11 (Revised) in the total amount of \$70,486 and revising contract completion date to September 18, 2014, with Modern Piping, Inc. for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – Mechanical & Plumbing project (original contract amount was \$4,570,000; total contract amount with this amendment is \$4,721,375) (**FLOOD**). CIP/DID #PWE006-23

### Background:

WCD = Work Change Directive

WCD #10	Repair of April 13 <sup>th</sup> , 2014 Storm Damage Revised Contract Completion Date September 18, 2014	\$2,215
WCD #13	Relocate and Change Floor Drain Size Roof Safety	\$731 \$1,188
WCD #11	Provide strainer and bypass valves as well as overflow piping systems to the containment area.	\$21,654
WCD #12	Relocate Fleet equipment and associated piping excluding sprinkler modifications. Add 107 feet of 10-inch underground duct and additional trenching for Vehicle Exhaust. Re-pipe new MDF room cooling unit per IT Department request Clear obstruction from drain line Relocation of roof drains.	\$41,154 \$1,014 \$580 \$1,950

### Action / Recommendation:

The Public Works Department recommends approval of Change Order Nos. 10 and 11 submitted by Modern Piping, Inc.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** October 21, 2014

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

**Budget Information (if applicable):** FEMA/I-Jobs/City – PWE006

**Local Preference Policy:** Applies  Exempt

**Explanation:** Capital Improvement Project

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

**Explanation (if necessary):** Project update provided at June 19, 2012 Infrastructure Committee Meeting.

ENG  
AUD FILE  
FIN  
CLK  
MODERN PIPING  
NEUMANN  
PWE006-23  
OB377545

RESOLUTION NO.

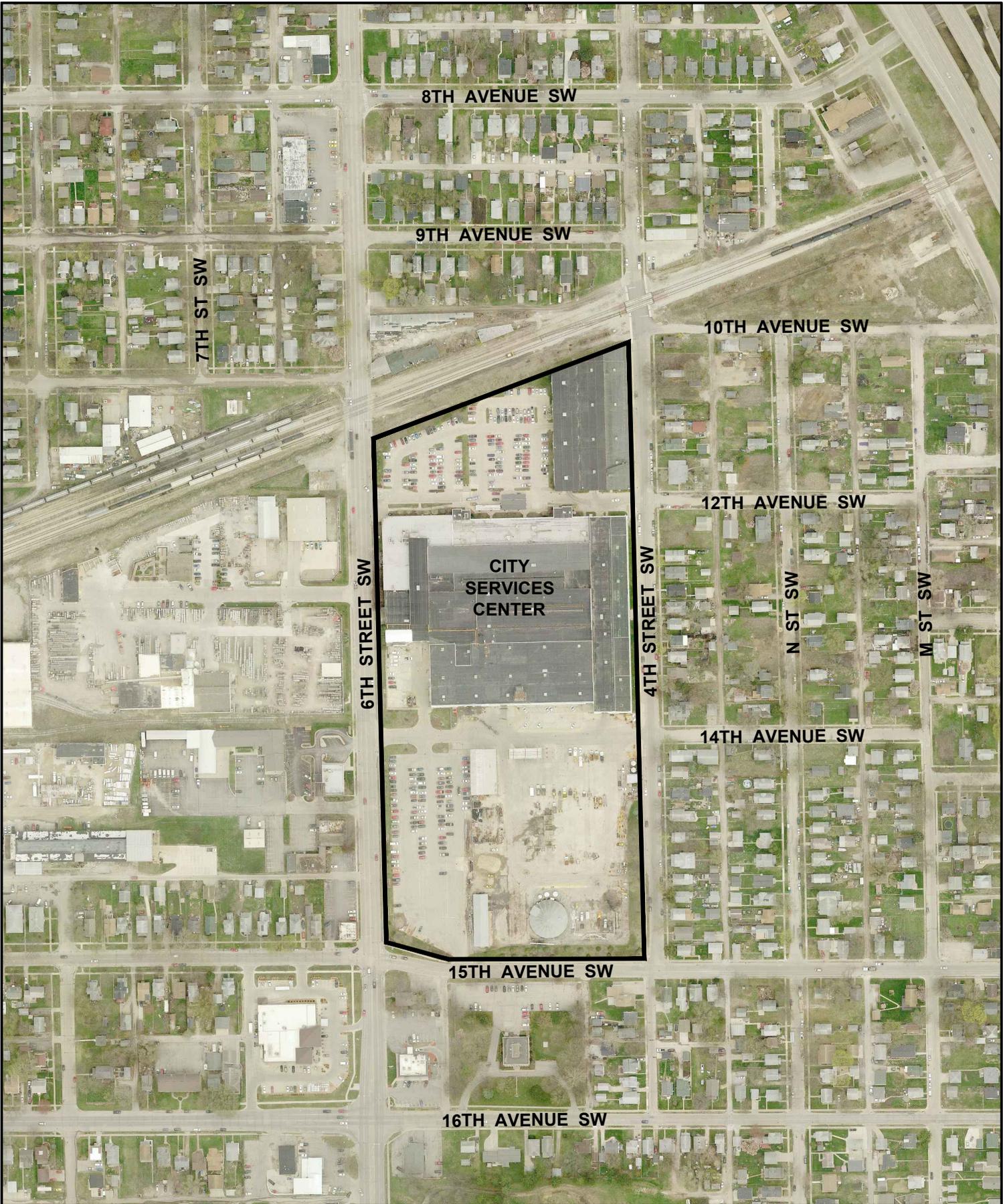
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order Nos. 10 (Revised) and 11 (Revised) in the total amount of \$70,486 and revising contract completion date to September 18, 2014, with Modern Piping, Inc. for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project - Mechanical & Plumbing project, Contract No. PWE006-23. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$4,570,000
Change Order No. 1	2,888
Change Order No. 2	(21,000)
Change Order No. 3	(21,482)
Change Order No. 4	3,070
Change Order No. 5	1,532
Change Order No. 6	17,076
Change Order No. 7	39,178
Change Order No. 8	14,994
Change Order No. 9	44,633
Change Order No. 10	4,134
Change Order No. 11	<u>66,352</u>
Amended Contract Amount	\$4,721,375

General ledger coding for this Change Order to be as follows:

\$70,486      330-330210-18515-PWE006-NG

Passed this 21<sup>st</sup> day of October, 2014.



8TH AVENUE SW

9TH AVENUE SW

7TH ST SW

10TH AVENUE SW

12TH AVENUE SW

6TH STREET SW

CITY SERVICES CENTER

4TH STREET SW

N ST SW

M ST SW

14TH AVENUE SW

15TH AVENUE SW

16TH AVENUE SW



CITY SERVICES CENTER



0 FEET 300



## Council Agenda Item Cover Sheet

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

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

**Alternate Contact Person:** Russell F. Betts, P.E.  
**E-mail Address:** r.betts@cedar-rapids.org

**Phone Number/Extension:** 5212

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

Authorizing Change Order No. 8 (Revised) in the amount of \$138,778.18 and revising contract completion date to September 18, 2014, with Acme Electric Company, Inc. for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – Electrical project (original contract amount was \$4,239,912; total contract amount with this amendment is \$4,418,794.18) (**FLOOD**). CIP/DID #PWE006-24

**Background:** WCD = Work Change Directive

WCD #8	Repair of April 13, 2014 storm damage – Electrical This work will cause a delay to the project completion Revised Contract Completion Date: September 18, 2014	\$1,803.29
WCD #9	Repair Bay Owner Furnished Lift #90 Electrical Rough-in	\$1,699
WCD #10	Additional labor to install power/data connections to furniture Data Drop Additions for West Shops Repair electrical and communication damage created by water damage Exit Sign Removal Overhead Door Operations Provide electrical service and hook-up relocated Fleet equipment	\$2,363 \$18,492 \$53,770.89 \$172 \$54,225 \$6,253

**Action / Recommendation:**

The Public Works Department recommends approval of Change Order No. 8 (Revised) submitted by Acme Electric Company, Inc.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** October 21, 2014

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

**Budget Information (if applicable):** FEMA/I-Jobs/City – PWE006

**Local Preference Policy:** Applies  Exempt  - **Explanation:** Capital Improvement Project

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

**Explanation** (if necessary): Project update provided at June 19, 2012 Infrastructure Committee Meeting.

ENG  
AUD FILE  
FIN  
CLK  
ACME  
NEUMANN  
PWE006-24  
OB377545

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 8 (Revised) in the amount of \$138,778.18 and revising contract completion date to September 18, 2014, with Acme Electric Company, Inc. for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project - Electrical project, Contract No. PWE006-24. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$4,239,912.00
Change Order No. 1	(116,457.00)
Change Order No. 2	30,646.00
Change Order No. 3	54,536.00
Change Order No. 4	9,685.00
Change Order No. 5	40,045.00
Change Order No. 6	12,332.00
Change Order No. 7	9,317.00
Change Order No. 8 (Revised)	<u>138,778.18</u>
Amended Contract Amount	\$4,418,794.18

General ledger coding for this Change Order to be as follows:

\$138,778.18 330-330210-18515-PWE006-NG

Passed this 21<sup>st</sup> day of October, 2014.



8TH AVENUE SW

9TH AVENUE SW

7TH ST SW

10TH AVENUE SW

12TH AVENUE SW

6TH STREET SW

CITY SERVICES CENTER

4TH STREET SW

N ST SW

M ST SW

14TH AVENUE SW

15TH AVENUE SW

16TH AVENUE SW



CITY SERVICES CENTER



0 FEET 300



## Council Agenda Item Cover Sheet

### \*FLOOD\*

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5204

**Alternate Contact Person:** Russell Betts  
**E-mail Address:** r.betts@cedar-rapids.org

**Phone Number/Extension:** 5212

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

Authorizing Change Order No. 6 deducting the amount of \$59,801 with Woodruff Construction, LLC for the Ground Transportation Center Renovation project (original contract amount was \$9,097,000; total contract amount with this amendment is \$9,251,988) (**FLOOD**). CIP/DID #TRE001-20

#### Background:

WCD = Work Change Directive

WCD #9	Relocation of HVAC units	\$52,695
	Provide rubber stair treads and stair landings on existing treads	\$4,061
	Remove installation of terrazzo	(\$1,193)
	Replace damaged piece of glass from storm	\$1,927
WCD #10	Install additional signage and electrical	\$32,224
	Credit for traffic signal allowance	(\$157,322)
	Install box office intercom, install frosted insulated unit, and paint 12 canopy columns.	\$7,807

#### Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 6 submitted by Woodruff Construction, LLC.

#### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** October 21, 2014

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

**Budget Information (if applicable):** Fund 330 Dept ID 330330 Project TRE001

**Local Preference Policy:** Applies  Exempt

**Explanation:** FEMA does not allow.

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

**Explanation (if necessary):**

TRE001-20/COUNCIL AGENDA ITEMS/COVER SHEET APPROVE CCO 6 TRE001-20

ENG  
AUD FILE  
FIN  
CLK  
WOODRUFF  
SOLUM LANG  
TRE001-20  
OB377545

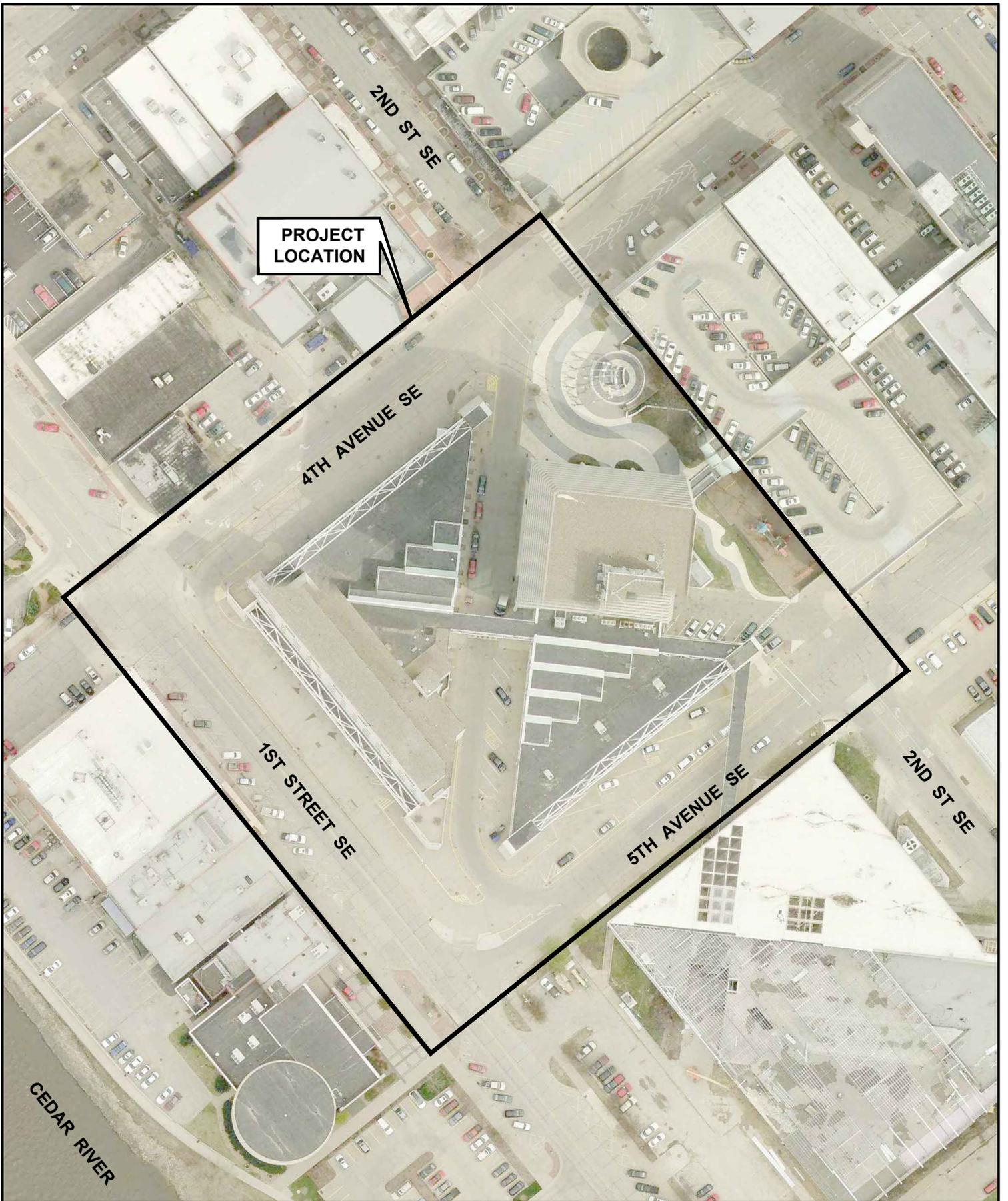
RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 6 deducting the amount of \$59,801 with Woodruff Construction, LLC for the Ground Transportation Center Renovation, Contract No. TRE001-20. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$9,097,000
Possible Incentive	65,000
Change Order No. 1	(50,643)
Change Order No. 2	103,088
Change Order No. 3	18,629
Change Order No. 4	24,078
Change Order No. 5	54,637
Change Order No.6	<u>(59,801)</u>
Amended Contract Amount	\$9,251,988

General ledger coding for this Change Order to be as follows: (\$59,801) 330-330330-18512-TRE001

Passed this 21<sup>st</sup> day of October, 2014.



**PROJECT  
LOCATION**

**4TH AVENUE SE**

**1ST STREET SE**

**5TH AVENUE SE**

**2ND ST SE**

**2ND ST SE**

**CEDAR RIVER**



**GTC RENOVATIONS**



0 FEET 100



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5875

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

**Phone Number/Extension:** 5807

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

Resolution authorizing execution of a Purchase Agreement in the amount of \$1,566 and accepting an Easement for Sanitary Sewer from Kimberly Kay Ohlen from land located at 308 13<sup>th</sup> Street SW in connection with the 13<sup>th</sup> Street SW East of 7<sup>th</sup> Avenue Sanitary Sewer Replacement project. CIP/DID #6559997-00

**Background:**

Previously, City Council approved funding towards the 13<sup>th</sup> Street SW East of 7<sup>th</sup> Avenue SW Sanitary Sewer Replacement project. This easement is required to accommodate the proposed sanitary sewer improvements, including upsizing the sanitary sewer pipe. Compensation amounts proposed are based on comparisons of similar properties to the subject property provided by a qualified appraiser hired by the City.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$1,566 and accepting an Easement for Sanitary Sewer from Kimberly Kay Ohlen.

**Alternative to the Recommendation:**

Do not proceed with acquiring the proposed easement for sanitary sewer and direct City staff to abandon or reconfigure the sanitary sewer improvements.

**Time Sensitivity:** Normal

**Resolution Date:** October 21, 2014

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

**Budget Information (if applicable):** 655/655000/6559997

**Local Preference Policy:** Applies  Exempt

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

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined the need for an easement for sanitary sewer exists in order to accommodate the proposed facilities, and

WHEREAS, Kimberly Kay Ohlen, 308 13<sup>th</sup> Street SW, Cedar Rapids, Iowa 52404, OWNER of the real property known and described as:

See Attached Sanitary Sewer Easement Exhibit

has agreed to convey the necessary easement for sanitary sewer at 308 13<sup>th</sup> Street SW to the City of Cedar Rapids for consideration as follows:

Permanent Easement	\$816
Damages	\$750
TOTAL	<u>\$1,566</u>

, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into an agreement to purchase the easement for sanitary sewer in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for the 13<sup>th</sup> Street SW East of 7<sup>th</sup> Avenue Sanitary Sewer Replacement project (Fund 655, Dept. ID 655000, Project 6559997), 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 Purchase Agreement as described herein, and

BE IT FURTHER RESOLVED that the Purchase Agreement is hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

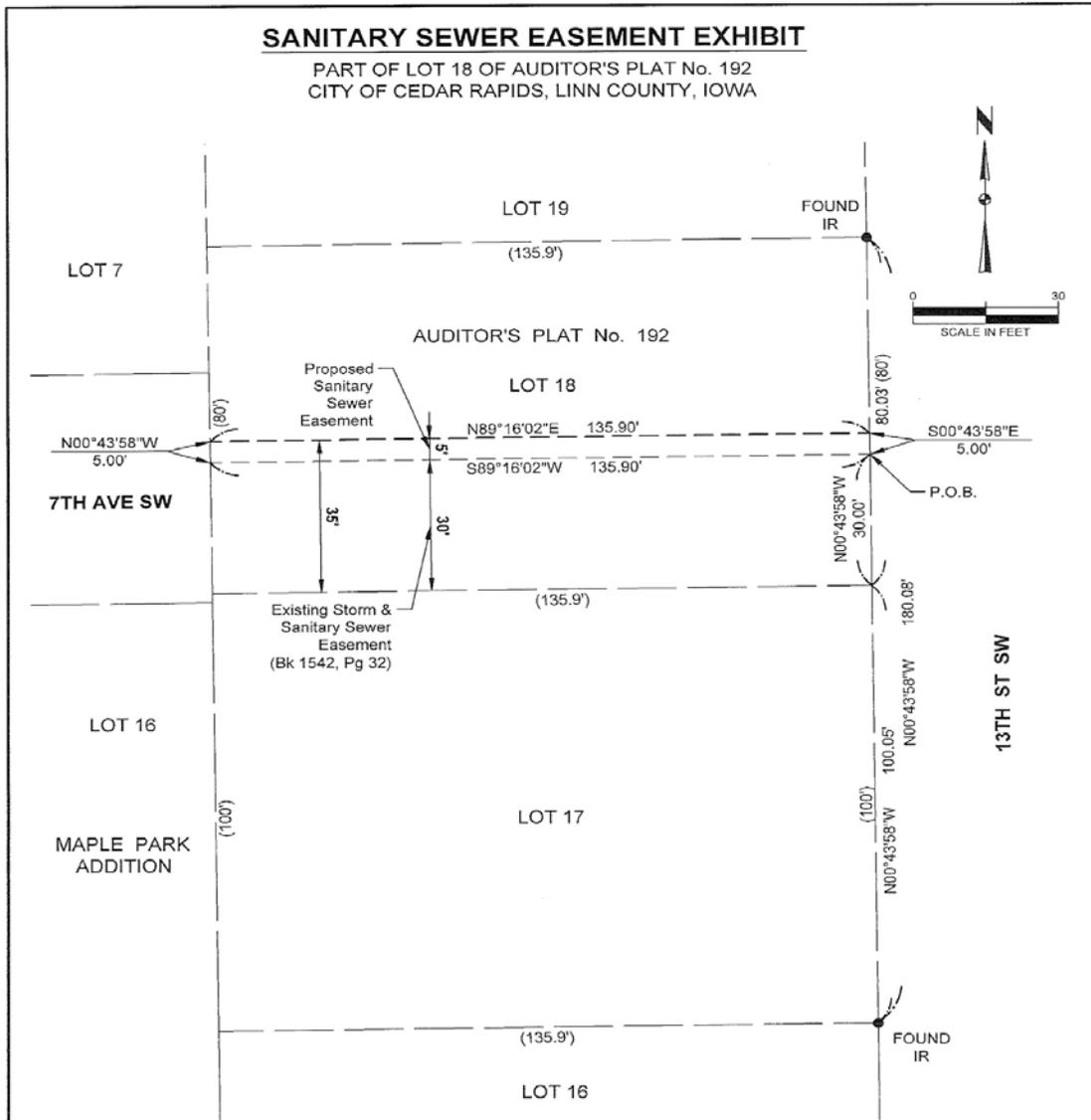
BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED, that the Easement for Sanitary Sewer be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 21<sup>st</sup> day of October, 2014.

# SANITARY SEWER EASEMENT EXHIBIT

PART OF LOT 18 OF AUDITOR'S PLAT No. 192  
CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA



**LEGAL DESCRIPTION:**  
PART OF LOT 18 OF AUDITOR'S PLAT No. 192, CITY OF CEDAR RAPIDS,  
LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 18;  
THENCE NORTH 00 DEGREES 43 MINUTES 58 SECONDS WEST ALONG  
THE EAST LINE OF SAID LOT 18, A DISTANCE OF 30.00 FEET TO A POINT  
ON AN EXISTING STORM AND SANITARY SEWER EASEMENT RECORDED  
IN BOOK 1542 AT PAGE 32 IN THE LINN COUNTY RECORDERS OFFICE,  
SAID POINT ALSO BEING THE POINT OF BEGINNING;  
THENCE SOUTH 89 DEGREES 16 MINUTES 02 SECONDS WEST ALONG  
SAID EASEMENT LINE, A DISTANCE OF 135.90 FEET TO A POINT ON THE  
WEST LINE OF SAID LOT 18;  
THENCE NORTH 00 DEGREES 43 MINUTES 58 SECONDS WEST ALONG  
SAID WEST LINE, A DISTANCE OF 5.00 FEET;  
THENCE NORTH 89 DEGREES 16 MINUTES 02 SECONDS EAST, A  
DISTANCE OF 135.90 FEET TO A POINT ON THE EAST LINE OF SAID LOT  
18;  
THENCE SOUTH 00 DEGREES 43 MINUTES 58 SECONDS EAST ALONG  
SAID EAST LINE, A DISTANCE OF 5.00 FEET TO THE POINT OF  
BEGINNING.  
SAID EASEMENT CONTAINS 680 SQUARE FEET, MORE OR LESS.

**LEGEND**

- FOUND SURVEY MONUMENT
- EXISTING R.O.W. LINE
- - - EXISTING LOT LINE
- - - PROPOSED EASEMENT LINE
- (100.00') DEED DIMENSION

**NOTES:**

1. THE EAST LINE OF LOT 18 IS ASSUMED TO BEAR N00°43'58"W

**PROPERTY ADDRESS:**  
308 13TH STREET SW  
CEDAR RAPIDS, IA

**OWNER:**  
KIMBERLY K. OHLEN

File Name: 655997.dwg  
 File Number: C:\ProgramData\Autodesk\LT2014\Users\joh\ltdwg\655997.dwg  
 File Date: 6/26/2014 11:03:44 AM  
 File Size: 10,252,000 bytes



**PREPARED BY:**  
 CITY OF CEDAR RAPIDS, PUBLIC WORKS  
 800 15TH AVENUE SW, CEDAR RAPIDS, IA 52404  
 PHONE: 319-286-5992

Date: 6-26-2014  
 Drawn By: MAM  
 Approved By:  
 CIP No: 655997

**SANITARY SEWER EASEMENT EXHIBIT**

SHEET No.  
**1**



**PERMANENT SANITARY  
SEWER EASEMENT**

308 13th St SW

Cadd File Name: W:\PROJECTS\CIP611 (655)659997 - 13th St SW East of 7th Ave SW\659997 Council Map.dwg



**13TH STREET EAST OF 7TH AVENUE SW  
SANITARY SEWER REPAIR PROJECT  
PERMANENT SANITARY SEWER EASEMENT**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5807

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

**Phone Number/Extension:** 5141

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

Resolution authorizing execution of a Tenant Purchase Agreement in the amount of \$50 from Wheelz, LLC, and authorizing execution of a Purchase Agreement in the amount of \$6,100 and accepting a Warranty Deed for the right-of-way from Knox Properties, L.C. from land located at 1808 16<sup>th</sup> Avenue SW in connection with the 18<sup>th</sup> Street SW from Wilson Avenue to 13<sup>th</sup> Avenue SW Improvements project. CIP/DID #301500-00

### Background:

The City Council has approved funding towards the 18<sup>th</sup> Street SW from Wilson Avenue 13<sup>th</sup> Avenue SW Improvements project. The right-of-way and temporary construction easement is required to accommodate the proposed project. The improvements include street and storm sewer reconstruction, and sidewalk installation. Compensation amounts proposed are based on an appraisal of the subject property, provided by a qualified appraiser and review appraiser's recommendation hired by the City.

### Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of a Tenant Purchase Agreement in the amount of \$50 from Wheelz, LC, and authorizing execution of a Purchase Agreement in the amount of \$6,100 and accepting a Warranty Deed from Knox Properties, LC.

### Alternative to the Recommendation:

Do not proceed with acquiring the proposed right-of-way and temporary construction easement and direct City staff to abandon or reconfigure the 18<sup>th</sup> Street SW Extension project.

**Time Sensitivity:** Normal

**Resolution Date:** October 21, 2014

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

**Budget Information (if applicable):** 301/301000/301500

**Local Preference Policy:** Applies  Exempt

**Explanation:** Local Preference Policy does not apply to the acquisition of right-of-way.

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

**Explanation** (if necessary):

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined the need for right-of-way and a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Knox Properties, L.C., 417 Wiley Blvd NW, Cedar Rapids, Iowa, OWNER of the real property known and described as:

See Attached Acquisition Plat

has agreed to convey the necessary right-of-way and temporary grading easement for construction at 1808 16<sup>th</sup> Avenue SW, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$400
Temporary Easement	\$5,200
Damages	\$500
TOTAL	<u>\$6,100</u>

, and

WHEREAS, Wheelz, LLC, 1808 16<sup>th</sup> Avenue SW, Cedar Rapids, Iowa, TENANT of the above described real property has agreed to convey their leasehold interest in the right-of-way and grant a temporary grading easement for construction for consideration of \$50.00, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into an agreement with the TENANT to purchase the leasehold interest in the right-of-way and purchase a temporary grading easement for construction in accordance with the terms set forth in the Tenant Purchase Agreement, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into an agreement with the OWNER to purchase the right-of-way and temporary grading easement for construction in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for 18<sup>th</sup> Street SW from Wilson Avenue to 13<sup>th</sup> Avenue SW Improvements project (Fund 301, Dept ID 301000, Project 301500), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are hereby authorized to execute the Purchase Agreement and Tenant Purchase Agreement as described herein, and

BE IT FURTHER RESOLVED that the Purchase Agreement, Tenant Purchase Agreement and the Temporary Grading Easement for Construction documents are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that the Warranty Deed and Groundwater Hazard Statement from Knox Properties, L.C. be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 21<sup>st</sup> day of October, 2014.

# ACQUISITION PLAT

18TH STREET SW EXTENSION

Prepared by R. Rodney Klien  
Anderson-Bogert Engineers & Surveyors, Inc.  
4001 River Ridge Dr. N.E. Cedar Rapids, Iowa 52402 (319) 377-4629



NOTES:  
1. DISTANCES ARE IN FEET AND DECIMALS THEREOF.  
2. BEARINGS HEREON ARE BASED UPON IOWA STATE PLANE NAD 83 NORTH ZONE.

### Legal Description

RIGHT-OF-WAY ACQUISITION OVER PART OF THE NW1/4 OF THE NW1/4 OF SECTION 32, TOWNSHIP 83 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA, FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WEST LINE OF THE NW1/4 OF THE NW1/4 OF SAID SECTION 32, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF 16TH AVENUE SW;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE 66.34 FEET ALONG A 38,140 FEET CURVE CONCAVE NORTHERLY WHOSE 66.34 FEET CHORD BEARS S87°08'05"E TO THE POINT OF BEGINNING;

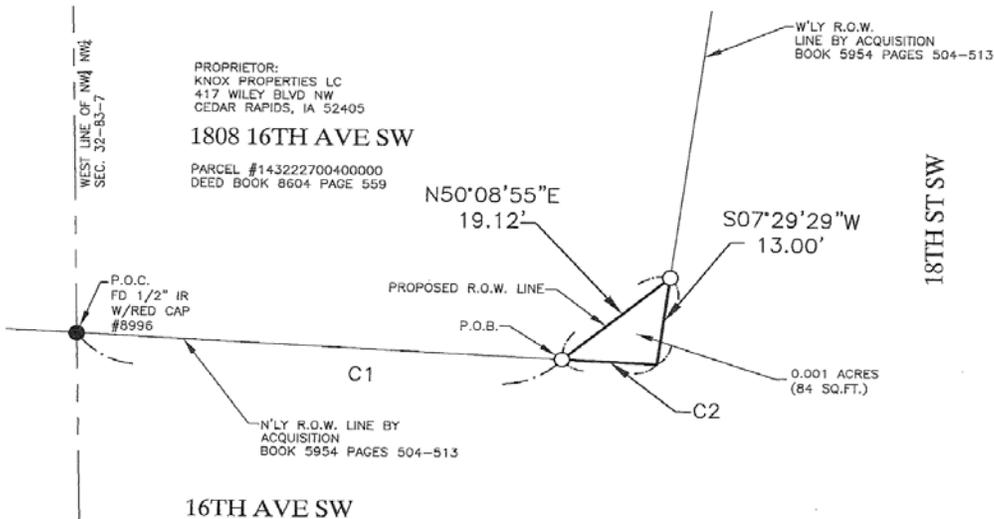
THENCE N50°08'55"E, 19.12 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF 18TH STREET SW;

THENCE S07°29'29"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 13.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF 16TH AVENUE SW;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE 13.00 FEET ALONG A 38,140 FEET RADIUS CURVE CONCAVE NORTHERLY WHOSE 13.00 FEET CHORD BEARS N87°11'40"W TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.001 ACRES (84 SQ.FT.) MORE OR LESS.

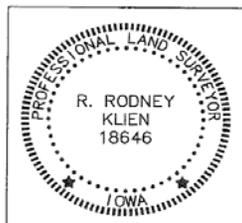
CURVE TABLE						
CURVE	DELTA	LENGTH	RADIUS	CHORD BRG	CHORD	TANGENT
C1	00°05'59"	66.34'	38140.00'	S87°08'05"E	66.34'	33.17'
C2	00°01'10"	13.00'	38140.00'	N87°11'40"W	13.00'	6.50'



PROPRIETOR:  
KNOX PROPERTIES LC  
417 WILEY BLVD NW  
CEDAR RAPIDS, IA 52405  
**1808 16TH AVE SW**  
PARCEL #143222700400000  
DEED BOOK 8604 PAGE 559

### Legend

Boundary Line	—————
Adjoining Lot Line	- - - - -
Section Line	—————
Building Setback Line	.....
Found 1/2" Iron Rod	●
Set 1/2"x30" Rebar w/Orange Cap #18646	○
Set Section/Quarter Corner	▲
Found Section/Quarter Corner	▲
Measured	(M)
Recorded	(R)



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

SIGNED: *R. Rodney Klien* DATE: 8-18-14  
R. RODNEY KLIEN IOWA REG. NO. 18646

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2015

PAGES OR SHEETS COVERED BY THIS SEAL:  
THIS SHEET

ACQUISITION PLAT

1808 16TH AVE SW  
Project Number: 209054

Drawn By: MJS Approved By: RRK  
Date: 8/18/14 Scale: 1"=20'  
Field Book #: 307

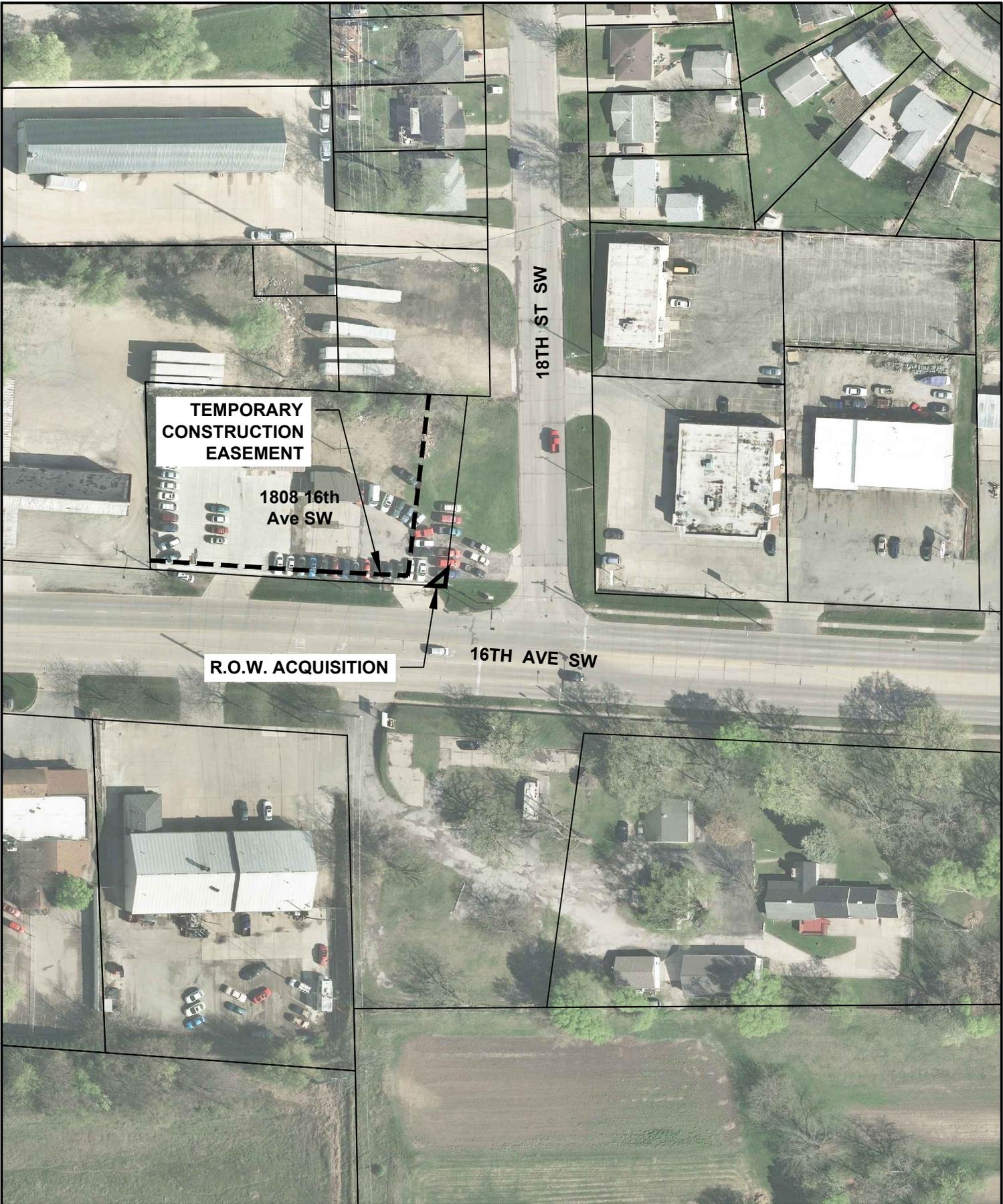
CEDAR RAPIDS  
CITY OF FIVE SEASONS

Client:

**ANDERSON-BOGERT**

Sheet No.  
1  
of  
1

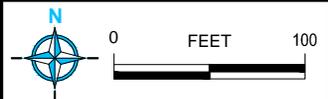
T:\ACAD\209054\dwg\Plats\1808\_16TH\_AVE.dwg 8-20-14 03:45:07 PM mls287



Cadd File Name: W:\PROJECTS\CIP\301500\301500 Council Map.dwg



**R.O.W. ACQUISITION AND TEMPORARY CONSTRUCTION EASEMENT  
18TH STREET SW EXTENSION PROJECT FROM  
WILSON AVENUE TO 13TH AVENUE SW**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5153

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

Resolution authorizing payment to Linn County in the amount of \$313,958.83 for the actual cost of construction of a concrete overlay per a 28E Agreement in connection with the Wright Brothers Boulevard from East of Highway 151 to East of Cherry Valley Road project. CIP/DID #3012069-00

### Background:

On September 24, 2013, City Council passed Resolution 1553-09-13 authorizing execution of a 28E Agreement with Linn County to participate in the cost for construction of a concrete overlay for the Wright Brothers Boulevard from East of Highway 151 to East of Cherry Valley Road project within the corporate limits. This project has been completed. The 28E Agreement states the City agrees to reimburse the County for the actual cost of the project. The original estimated cost was \$382,021.70; the final cost is \$313,958.83.

### Action / Recommendation:

The Public Works Department recommends accepting the project and authorizing payment in the amount of \$313,958.83 to Linn County for construction of a concrete overlay for the Wright Brothers Boulevard from East of Highway 151 to East of Cherry Valley Road project in accordance with the 28E Agreement.

### Alternative to Recommendation:

None

**Time Sensitivity:** Normal

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** CIP 3012069

**Local Preference Policy:** Applies  Exempt

**Explanation:** State Bidding Requirements Apply

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, Resolution 1553-09-13 authorized execution of a 28E Agreement with Linn County to participate in a project to construct concrete resurfacing on Wright Brothers Boulevard from east of Highway 151 to east of Cherry Valley Road, and

WHEREAS, the work is substantially complete and in conjunction with the executed 28E Agreement, the City will pay the actual cost of the project, and

WHEREAS, the Public Works Director /City Engineer recommends the City pay for the actual cost of the project, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that based on the Public Works Director / City Engineer's recommendation for the concrete resurfacing project on Wright Brothers Boulevard from east of Highway 151 to east of Cherry Valley Road, be and the same is hereby accepted as being substantially completed, the City of Cedar Rapids Finance Director is authorized and directed to make payment to Linn County in the amount of \$313,958.83.

The final contract price is \$313,958.83 distributed as follows:

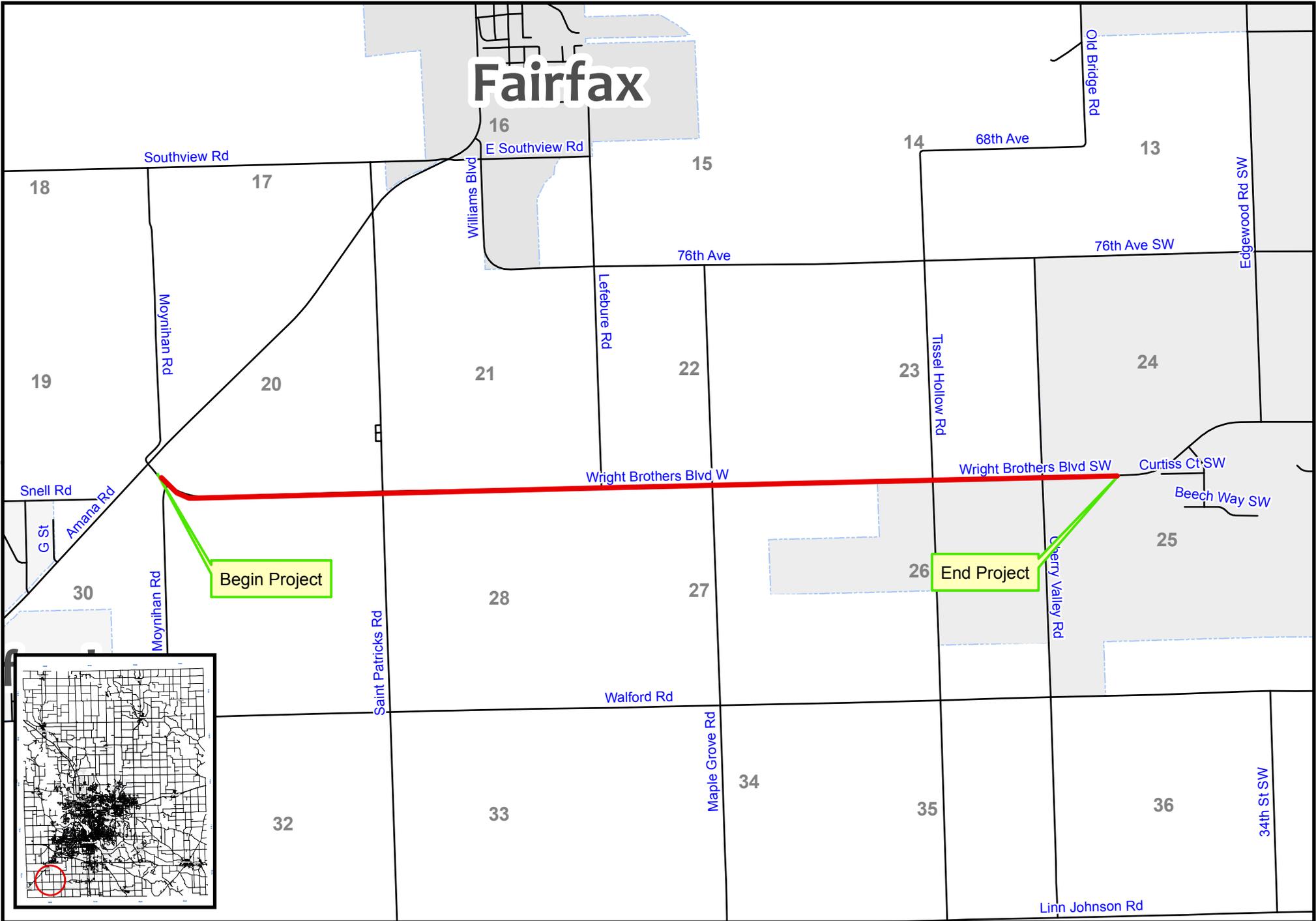
\$313,958.831                      Fund 301, Dept ID 301000 Project 3012069

Passed this 21<sup>st</sup> day of October, 2014.



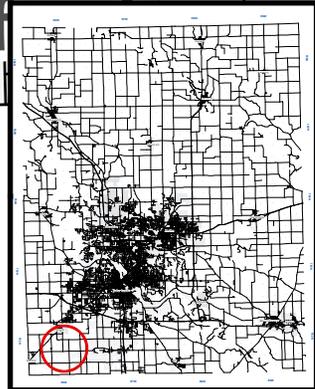
# Project Location Map

Project No: STP-S-C057(119)--5E-57  
 Wright Brothers Blvd Paving - Linn County, IA



Begin Project

End Project





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5814

**Alternate Contact Person:** Garrett Prestegard, PE  
**E-mail Address:** g.prestegard@cedar-rapids.org

**Phone Number/Extension:** 5115

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

Resolution awarding and approving contract in the amount of \$61,277.25, plus incentive up to \$2,000, bond and insurance of Dave Schmitt Construction for the Brookland Drive NE and Falbrook Drive NE Sanitary Sewer Point Repairs project (estimated cost is \$62,000). CIP/DID #6559994-01

### Background:

Dave Schmitt Construction, Cedar Rapids, IA	\$61,277.25
Incentive up to	<u>\$ 2,000.00</u>
Total	\$63,277.25
Rathje Construction Co., Marion, IA	\$64,657.50
Tschiggfrie Excavating, Dubuque, IA	\$67,880.00

Dave Schmitt Construction submitted the lowest of the competitive quotations received on October 7, 2014 for the Brookland Drive NE and Falbrook Drive NE Sanitary Sewer Point Repairs project. The competitive quotation is within the approved budget. Construction work is anticipated to begin spring 2015 and be completed within 20 working days.

### Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$61,277.25, plus incentive up to \$2,000, bond and insurance of Dave Schmitt Construction for the Brookland Drive NE and Falbrook Drive NE Sanitary Sewer Point Repairs project.

### Alternative to the Recommendation:

If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

**Time Sensitivity:** Normal.

**Resolution Date:** October 21, 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 October 7, 2014 by the City Engineer, or designee, for the Brookland Drive NE and Falbrook Drive NE Sanitary Sewer Point Repairs project (Contract No. 6559994-01):

Dave Schmitt Construction, Cedar Rapids, IA	\$61,277.25
Incentive up to	<u>\$ 2,000.00</u>
Total	\$63,277.25
Rathje Construction Co., Marion, IA	\$64,657.50
Tschiggfrie Excavating, Dubuque, IA	\$67,880.00

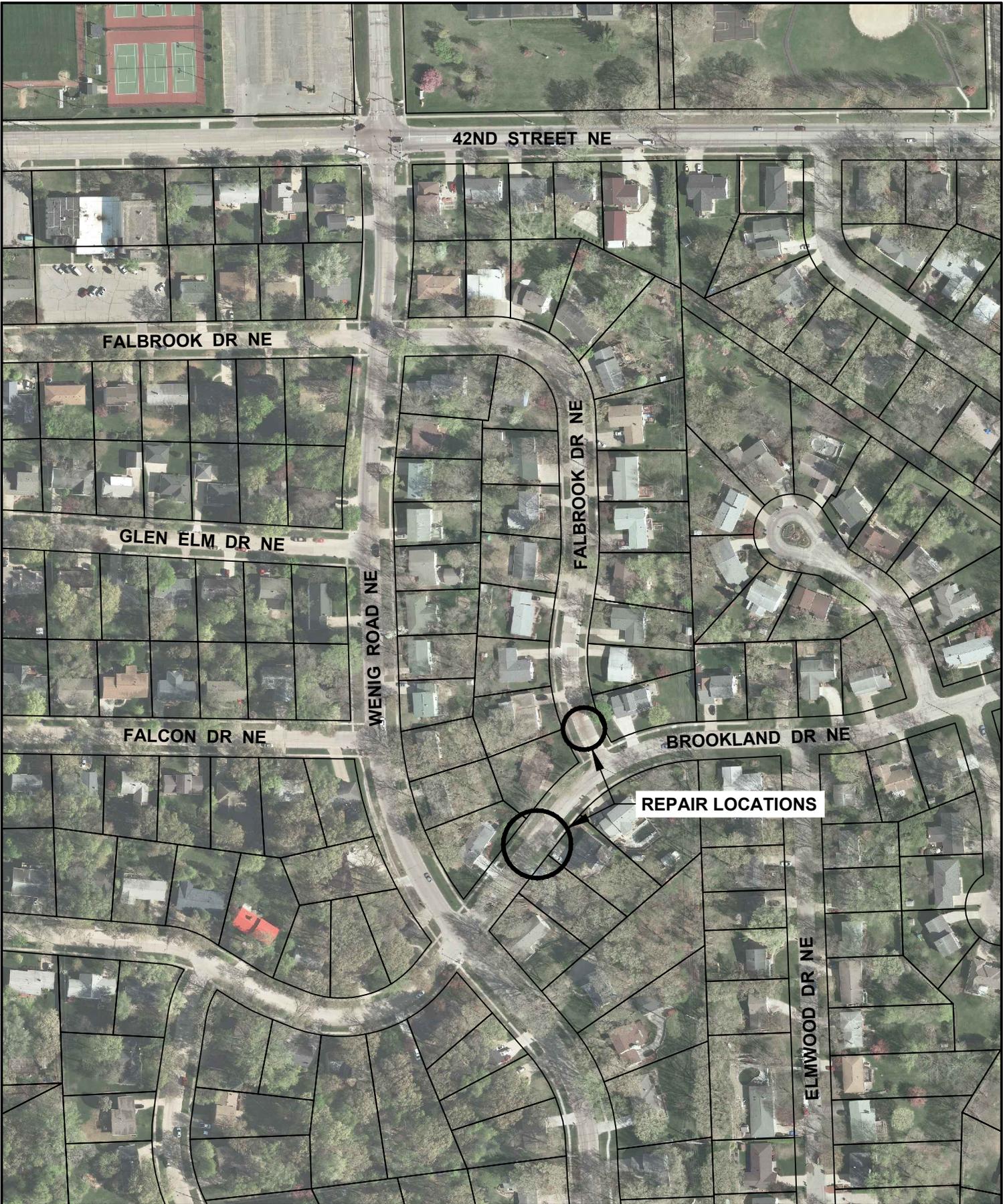
AND WHEREAS, general ledger coding for this public improvement project shall be as follows: \$63,277.25 655-655000-6559994.

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. Dave Schmitt Construction 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 Dave Schmitt Construction is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Dave Schmitt Construction.
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 21<sup>st</sup> day of October, 2014.



Cadd File Name: W:\PROJECTS\CIP\611 (655)6559994 Brookland Dr East of Wenig\6559994 Council Map.dwg



**BROOKLAND DRIVE NE AND FALBROOK DRIVE NE  
 SANITARY SEWER POINT REPAIRS**



## Council Agenda Item Cover Sheet

Consent Agenda       Regular Agenda

**Council Meeting Date:** Oct. 21, 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:** (insert same wording as used on agenda summary)

Resolution approving actions regarding Purchases/Contracts/Agreements.

- a. Purchase order to Ferguson Waterworks in the amount of \$65,582 for three remote radio read data collectors for the Utilities Department - Water Division Meter Reading Section. (sole source – see attachment) CIP/DID #OB

**Background:**

The Utilities Department - Water Division Meter Reading Section is progressing toward automated meter reading and this is the next phase of the implementation process. The Water Division has already purchased three remote radio read data collectors and this purchase would be for three additional remote radio read data collectors to expand the remote radio read program in the Utilities Department - Water Division Meter Reading Section.

Ferguson Waterworks has the bids to provide Residential and Commercial Water Meters and Accessories for the Utilities Department – Water Division. For the remote radio read data collectors to work on meters already installed in the system, the Water Division needs to order the remote radio read data collectors from the vendor that provides the meters.

**Action / Recommendation:**

The Utilities Department – Water Division Meter Service staff recommends approval of the Resolution authorizing a purchase order to Ferguson Waterworks in the amount of \$65,582.

**Alternative Recommendation:** N/A

**Time Sensitivity:** N/A

**Resolution Date:** Oct. 21, 2014

**Estimated Presentation Time:** 0 Minutes

**Budget Information (if applicable):**

Funded from fiscal year 2015 Utilities Department - Water Division Meter Reading Section services and operations budget and coded to 554000-621-621006.

**Local Preference Policy** Applies  Exempt

**Explanation:** Ferguson Waterworks has the bids for residential and commercial water meters and for the remote radio read data collectors to work on meters already installed, we need to order from the vendor that provides the meters (sole source).

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Utilities Department - Water Division Meter Reading Section is progressing toward automated meter reading and has previously purchased remote radio read data collectors, and

WHEREAS, the Utilities Department - Water Division needs to purchase three additional remote radio read data collectors to expand the remote radio read program in the Utilities Department - Water Division, and

WHEREAS, Ferguson Waterworks has the bids to provide Residential and Commercial Water Meters and Accessories for the Water Division and for the remote radio read data collectors to work on meters already installed in the system, the Water Division needs to order from the vendor (sole source) that provides the meters, and

WHEREAS, Ferguson Waterworks has submitted a quote in the amount of \$65,582 for the three remote radio read data collectors, and

WHEREAS, the Utilities Department - Water Division staff has determined that the quote submitted by Ferguson Waterworks in the amount of \$65,582 for the three remote radio read data collectors is fair and reasonable, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Utilities Department - Water Division be hereby authorized to issue a purchase order to Ferguson Waterworks in the amount of \$65,582 for three remote radio read data collectors. Funded from fiscal year 2015 Utilities Department - Water Division Meter Reading Section services and operations budget and coded to 554000-621-621006.

Passed this 21<sup>st</sup> day of October, 2014.

## SOLE SOURCE/SINGLE SOURCE PROCUREMENT JUSTIFICATION

**Sole Source:**

A type of procurement used when it is determined that there is ONLY one known source of supply for the product and/or service. The term "sole source" refers to the source of the product or service, not the product. Use of brand names and model numbers does not constitute a sole source.

**Single Source (also called Preferred Manufacturer):**

A type of procurement used when there are two or more viable suppliers that can provide the needed product and/or service but the department has determined that it is in their best interest to select a particular manufacturer/source based on valid and legitimate business reasons, therefore leaving only one supplier from which to purchase the product and/or service.

**Submitted by:** Darrell Cannon, Water Service Manager **Date:** 10-6-14  
(Employee Name & Title)

**Department Name:** Utilities / Water

1. **Name of product or service:** Data Collectors
2. **Name of product manufacturer:** Neptune Technology
3. **Name of 'sole' product supplier or service provider:** Ferguson Waterworks
4. **What other product suppliers or service providers have been evaluated to demonstrate that a good faith effort has been made in seeking other sources? (Please furnish names, addresses and other documentation.)**

The Radio Read System Was Bid 3 Years Ago and Neptune was chosen and we have been installing since then.

5. **What specifications make this particular product or service unique and unavailable from other sources?**

Proprietary and unique to Neptune Reading Equipment .

6. **How did you determine that there was only one source for the product or service?**

Regional Supplier

7. **What product supplier or service provider has your department used until now to satisfy similar requirements?**

Neptune, We are just adding on to the system.

**8. Explain the efforts that were made to conduct a noncompetitive negotiation to obtain the best possible price for the tax payers dollar:**

This equipment was bid through the purchasing department 3 years ago.

Department Director  
Signature for Approval

*Stephen K. [Signature]*

Date: 10-6-14

Purchase price less than \$1,000, complete this form and keep a copy in the department purchase file.

Purchase price is greater than or equal to \$1,000 and less than \$25,000, electronically submit this form with your Purchase Order Request Form. The AP Specialist will copy this information and insert it into the purchase order.

Purchase price is \$25,000 or greater, submit this form with your cover sheet and resolution for council approval.

In all of the above scenarios, the departmental employee is required to obtain their Department Director's signature on a hard copy of this form and keep it on file.

Purchasing Services strongly recommends that a Purchase Agreement be issued to the sole/single source vendor. The Purchase Agreement will ensure the City's terms and conditions are followed, as well as lock the pricing in place and prevent "extra" charges, i.e., delivery, fuel surcharges, etc. Contact Purchasing (286-5021) to request a Purchase Agreement for a sole source/single source purchase.

***(Attach additional sheets as necessary)***



## Council Agenda Item Cover Sheet

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

**Council Meeting Date:** October 21, 2014

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

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

**Alternate Contact:** Roy Hesemann      **Phone:** 5972    **Email:** [r.hesemann@cedar-rapids.org](mailto:r.hesemann@cedar-rapids.org)

**Description of Agenda Item:**

Purchase order in the amount of \$172,922.50 to BG Brecke, Inc., for the material and labor to perform emergency repairs of the plant air compressor boosters numbers 2 and 3 at the Water Pollution Control Facility. CIP/DID #

**Background:**

Process air compressor (PAC) boosters number 2 and 3 are in need of emergency repairs in order to place them back into service. With numbers 2 and 3 out of service, number 1 PAC booster is left to run the entire low pressure oxidation (LPO) system, a critical system for proper dewatering and disposal of secondary solids. If number 1 PAC booster is to fail, the LPO system will shut down. See emergency justification form.

BG Brecke, Inc. currently holds the city contract for this type of repair project. (See attached sole source justification form). They are utilizing Ingersoll Rand, the original manufacturer of the PAC booster units as a subcontractor to provide parts and labor to repair the two units.

The Water Pollution Control Facility requested a quote from BG Brecke, Inc. and their subcontractor, Ingersoll Rand, the manufacturer of this equipment, for the material and labor costs to provide emergency repairs to numbers 2 and 3 PAC boosters. A quote was submitted in the amount of \$172,922.50 for labor, parts, materials, and round trip freight.

**Action / Recommendation:**

The Water Pollution Control Facility staff recommends approval of the Resolution authorizing a purchase order to BG Brecke, Inc. for materials and labor to perform emergency repair of PAC boosters numbers 2 and 3 in the amount of \$172,922.50.

**Alternative Recommendation:** N/A

**Time Sensitivity:** Action needed 10-21-14

**Resolution Date:** 10-21-14

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** Funded from FY2015 services and operations budget and coded to 522105-611002-611023.

**Local Preference Policy**    Applies     Exempt

**Explanation:** N/A

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



RESOLUTION NO.

WHEREAS, process air compressor (PAC) boosters numbers 2 and 3 are in need of emergency repair in order to get them back into service to assist in running the entire low pressure oxidation system (LPO) which is a critical system for proper dewatering and disposal of secondary solids, and

WHEREAS, with numbers 2 and 3 out of service, number 1 PAC booster is left to run the entire LPO by itself, and if that is to fail, the LPO system will shut down, and

WHEREAS, the Water Pollution Control Facility requested a quote from BG Brecke, Inc, to repair PAC boosters number 2 and 3, and a quote was submitted in the amount of \$172,922.50 for labor, parts, materials, and round trip freight, and

WHEREAS, the Water Pollution Control Facility's staff recommends that a purchase order be issued in the amount of \$172,922.50 to BG Brecke, Inc. for the material and labor to perform emergency repairs of the plant air compressor boosters number 2 and 3, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Water Pollution Control Facility be hereby authorized to issue a purchase order for the material and labor to perform emergency repairs of the plant air compressor boosters number 2 and 3 at the Water Pollution Control Facility. To be funded from Water Pollution Control Facility's FY2015 services and operations budget and coded to 522105-611002-611023.

Passed this 21<sup>st</sup> day of October, 2014.

## SOLE SOURCE/SINGLE SOURCE PROCUREMENT JUSTIFICATION

**Sole Source:**

A type of procurement used when it is determined that there is ONLY one known source of supply for the product and/or service. The term "sole source" refers to the source of the product or service, not the product. Use of brand names and model numbers does not constitute a sole source.

**Single Source (also called Preferred Manufacturer):**

A type of procurement used when there are two or more viable suppliers that can provide the needed product and/or service but the department has determined that it is in their best interest to select a particular manufacturer/source based on valid and legitimate business reasons, therefore leaving only one supplier from which to purchase the product and/or service.

Submitted by: Chris Bormann Date: 09-30-14  
(Employee Name & Title)

Department Name: WPC

1. Name of product or service: Ingersoll Rand factory authorized parts and labor
2. Name of product manufacturer: Ingersoll Rand
3. Name of 'sole' product supplier or service provider: Brecke
4. What other product suppliers or service providers have been evaluated to demonstrate that a good faith effort has been made in seeking other sources? (Please furnish names, addresses and other documentation.)

Brecke currently holds the city contract for this type of repair.

5. What specifications make this particular product or service unique and unavailable from other sources?

This is a project that is covered by the cities current contract with Brecke.

6. How did you determine that there was only one source for the product or service?

See item 5.

7. What product supplier or service provider has your department used until now to satisfy similar requirements?

Brecke.

8. Explain the efforts that were made to conduct a noncompetitive negotiation to obtain the best possible price for the tax payers dollar:

NA

Department Director  
Signature for Approval



Date:

10-2-14

Purchase price less than \$1,000, complete this form and keep a copy in the department purchase file.

Purchase price is greater than or equal to \$1,000 and less than \$25,000, electronically submit this form with your Purchase Order Request Form. The AP Specialist will copy this information and insert it into the purchase order.

Purchase price is \$25,000 or greater, submit this form with your cover sheet and resolution for council approval.

In all of the above scenarios, the departmental employee is required to obtain their Department Director's signature on a hard copy of this form and keep it on file.

Purchasing Services strongly recommends that a Purchase Agreement be issued to the sole/single source vendor. The Purchase Agreement will ensure the City's terms and conditions are followed, as well as lock the pricing in place and prevent "extra" charges, i.e., delivery, fuel surcharges, etc. Contact Purchasing (286-5021) to request a Purchase Agreement for a sole source/single source purchase.

*(Attach additional sheets as necessary)*



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda Item

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Mark Potter

**Phone Number/Ext:** x5288

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

**Description of Agenda Item:**

Water Pollution Control purchase of three (3) Automatic Shutoff Valves from Schimberg Co. in the amount of \$44,400. CIP/DID #0914-061

**Background:**

Bids were solicited on behalf of the Water Pollution Control Facility for the purchase and delivery of three (3) automatic shutoff valves with one (1) bidder responding.

Award is recommended to Schimberg Co. as the only bidder for a total amount of \$44,400.

**Action / Recommendation:**

Resolution authorizing the Water Pollution Control Facility to purchase three (3) automatic shutoff valves for a total amount of \$44,400.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 533101-611-611002-611026

**Local Preference Policy** Applies  Exempt

**Explanation:**

Local preference applies but did not have any effect on the outcome because there was only one bid submitted. Schimberg Co. is a certified local business.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids on behalf of Water Pollution Control for the purchase and delivery of automatic shutoff valves; and

WHEREAS, a response was received from one vendor; and

WHEREAS, Water Pollution Control is making the following recommendation for award to Schimberg Co., who submitted the only bid; and

WHEREAS, the total purchase amount is \$44,400, budgeted in Water Pollution Control operating budget; and

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 21<sup>st</sup> day of October, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda Item

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Megan Murphy

**Phone Number/Ext:** X5162

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

**Description of Agenda Item:**

Contract for Radio Advertising with KZIA, Inc. for the Utilities Department for an amount not to exceed \$30,240. CIP/DID #0914-071

**Background:**

The Communications Coordinator for the Utilities Department has worked with KZIA, Inc. to develop a plan for Radio Advertising to air throughout the remainder of FY15. KZIA is the station with the highest number of listeners in the desired demographic to target with the radio ads. Topics will focus on a variety of City programs including fall leaf collection, holiday preparation and food waste, Christmas tree disposal, yard waste collection, plastic bags, Clean UP CR events, and others.

The term of the Contract is from October 22, 2014 through June 30, 2014. The total expenditure for the remainder of FY15 will not exceed \$30,240, funded through various program and operating budgets within the Utilities Department.

**Action / Recommendation:**

Resolution authorizing execution of Contract for Radio Advertising for the Utilities Department for a total amount not to exceed \$30,240.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** Funded by various programs and operating budgets

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

**Explanation:**

Only one vendor offers the demographics desired to get the best value from the radio ads. KZIA, Inc. is a certified local vendor.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Communications Coordinator for the Utilities Department desires to enter into a Contract with KZIA, Inc. for Radio Advertising throughout the remainder of FY15; and

WHEREAS, the term of the Contract shall be October 22, 2014 through June 30, 2015; and

WHEREAS, the total expenditure will not exceed \$30,240, funded through various Utilities programs and operating budgets; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute a Contract with KZIA, Inc. as described herein.

Passed this 21<sup>st</sup> day of October, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Jerry Kirk

**Phone Number/Ext:** 899-7588

**Email:** j.kirk@cedar-rapids.org

**Alternate Contact Person:** Heather Mell

**Phone Number/Ext:** 5117

**Email:** h.mell@cedar-rapids.org

**Description of Agenda Item:**

Parks and Recreation Department purchase of two pool heaters from Pool & Electrical Products, Inc. in the amount of \$33,455. CIP/DID #0914-059

**Background:**

Purchasing Services solicited bids on behalf of Parks and Recreation for the purchase and delivery of two pool heaters with six vendors responding. Pool & Electrical Products, Inc. was the lowest bidder with their total bid of \$33,455.

Bids were received from:

Pool & Electrical Products, Inc	Ontario, CA	\$33,455.00
Recreonics, Inc	Louisville, KY	\$37,069.37
Aquatic Technology	Augusta, ME	\$37,547.22
Modern Piping	Cedar Rapids, IA	\$44,152.00
Technology International	Lake Mary, FL	\$45,890.00
Pool Tech Midwest	Cedar Rapids, IA	\$49,661.00

**Action / Recommendation:**

Recommend council award to Pool & Electrical Products, Inc. to provide the pool heaters

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 554000-101-164097

**Local Preference Policy** Applies  Exempt

**Explanation:** Local Preference applies, but did not have an effect on award.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for two pool heaters on behalf of the City of Cedar Rapids Parks and Recreation Department; and

WHEREAS, responses were received from six vendors; and

WHEREAS, the Parks and Recreation Department is making the following recommendation for award to Pool & Electrical Products, Inc., which was the lowest responsive and responsible bidder; and

WHEREAS, the total cost is \$33,455.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted with Pool & electrical Products, Inc. as described herein.

Passed this 21<sup>st</sup> day of October, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Alternate Contact Person:** Dennis Hogan

**Phone Number/Ext:** 5860

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

**Alternate Contact Person:** Diane Rodenkirk

**Phone Number/Ext:** 5023

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

**Description of Agenda Item:**

Fleet Services purchase of one dump body chassis and one cutaway van from Junge Center Point in the amount of \$108,335. CIP/DID #0914-054

**Background:**

Purchasing Services solicited bids on behalf of Fleet Services for the purchase and delivery of one dump body chassis and one cutaway van. Junge Center Point was the only vendor who submitted a bid. Fleet Services is recommending award to Junge Center Point for both vehicles.

Company Name/Location	Dump body chassis	Cutaway van	Total
Junge Center Point	\$65,842	\$42,493	\$108,335

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

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 073-073000-073002

**Local Preference Policy** Applies  Exempt

**Explanation:** Junge Center Point 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 the purchase and delivery of one dump body chassis and one cutaway van on behalf of the City of Cedar Rapids Fleet Services Division; and

WHEREAS, one vendor submitted a bid; and

WHEREAS, Fleet Services is making the following recommendation for award to Junge Center Point for both vehicles; and

WHEREAS, the total not-to-exceed cost is \$108,335.

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 21<sup>st</sup> day of October, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Alternate Contact Person:** Matt Jensen

**Phone Number/Ext:** 5937

**Email:** m.jensen@cedar-rapids.org

**Alternate Contact Person:** Diane Rodenkirk

**Phone Number/Ext:** 5023

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

**Description of Agenda Item:**

Contract for Chemical Building Floor Drain Replacement project with B.G. Brecke, Inc. for the Water Pollution Control Facility for an amount not to exceed \$35,149. CIP/DID #0914-056

**Background:**

Purchasing Services solicited bids on behalf of the Water Pollution Control Facility for floor drain replacement in the Chemical Building. B.G. Brecke, Inc. was the only Contractor who submitted a bid. The Utilities Department desires to award the contract to B.G. Brecke, Inc. for a not-to-exceed price of \$35,149. This project will be completed by December 31, 2014.

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

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 522104-611-611002-611039

**Local Preference Policy** Applies  Exempt

**Explanation:** B.G. Brecke, 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 Chemical Building floor drain replacement on behalf of the City of Cedar Rapids Water Pollution Control Facility; and

WHEREAS, a response was received from one vendor; and

WHEREAS, the Water Pollution Control Facility is making the following recommendation for award to B.G. Brecke, Inc.; and

WHEREAS, the project will be completed by December 31, 2014; and

WHEREAS, the not-to-exceed amount is \$35,149.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute a Contract with B.G. Brecke, Inc. as described herein.

Passed this 21<sup>st</sup> day of October, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda Item

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Anne Russett

**Phone Number/Ext:** X5075

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

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

Contract for Digitization of Farmstead Foods Collection with Summit Envirosolutions, Inc. for the Community Development Department for an amount not to exceed \$68,285 (**FLOOD**). CIP/DID #0614-224

### **Background:**

Proposals were solicited on behalf of the Community Development Department for digitization of the Farmstead Foods Collection with one (1) proposal submitted.

Award is recommended to Summit Envirosolutions, Inc. the only firm who submitted a proposal. The evaluation team reviewed the proposal and unanimously agreed that this firm is extremely qualified for the digitization project. Summit was previously selected as the firm to provide consulting services to develop the project plan for the digitization and both the City and Bruce more were very pleased with the resulting plan.

A best and final offer was requested from the firm, to which they responded with an 11% decrease in their total financial proposal. The revised project total brings the financial proposal reasonably close to the estimated budget.

The term of the Contract is from the date the Contract is executed through February 28, 2015. The total expenditure will not exceed \$68,285, with funding from GL account #330-330620-18508-SWB022 to be reimbursed by FEMA.

This historic mitigation project is required by an MOA regarding the demolition of historic properties at the former T.M. Sinclair & Co. Packing House / Wilson & Co. Packing House site. The Farmstead Foods Collection is physically housed at Bruce more. Following completion of this digitization project the Collection will be available to the public for electronic viewing on a website hosted by Bruce more.

### **Action / Recommendation:**

Resolution authorizing execution of Contract for Digitization of Farmstead Foods Collection for the Community Development Department for a total amount not to exceed \$68,285.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

GL account #330-330620-18508-SWB022 to be reimbursed by FEMA

**Local Preference Policy** Applies  Exempt

**Explanation:**

Local preference does not apply due to federal funding.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited proposals on behalf of the Community Development Department for Digitization of the Farmstead Foods Collection; and

WHEREAS, a response was received from one firm; and

WHEREAS, the Community Development Department is making the following recommendation for award to Summit Envirosolutions, Inc., who submitted a responsive and responsible proposal; and

WHEREAS, the initial term of the Contract shall be the date the Contract is executed through February 28, 2015; and

WHEREAS, the total expenditure will not exceed \$68,285, to be reimbursed by FEMA; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute a Contract with Summit Envirosolutions, Inc. as described herein.

Passed this 21<sup>st</sup> day of October, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 21, 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 Development Agreement with OPC Allan Investments LLC for the disposition and redevelopment of City-owned property at 423 5th Street NW (formerly E Avenue NW Fire Station) (**FLOOD**). CIP/DID #OB820960

### **Background:**

The City and OPC Allan Investments, LLC have finalized terms of a Development Agreement for the redevelopment of the former E Avenue NW Fire Station at 423 5<sup>th</sup> Street NW. OPC will rehabilitate the existing structure on its current site while retaining its historic integrity. The first floor of the facility is to be neighborhood commercial with the second floor being converted to a residential unit. The Developer has secured Historic Preservation Tax Credits as well as Brownfield Tax Credits to aid in the development cost.

Key provisions of the Development Agreement are as follows:

- Purchase Price is to be \$1, and consideration of the private investment;
- Developer is to retain the historic integrity of building by following Secretary of Interior's Standards for historic properties;
- The City and Developer shall close on the property no later than 45 days after execution of the Development Agreement;
- The Developer's financing is a precedent condition to closing;
- The Developer is to begin construction no later than 60 days after closing, and completion within 180 days;
- The Developer will establish restrictive covenants on the property to prohibit certain uses such as liquor stores, cigarette outlet, payday lending, pawn shops, or tattoo shop among others.

The Fire Station, formerly known as Hose Co. 2, was built in 1909 and has been closed since 1985. After its use as a fire station the facility was used in various capacities by the City, most recently as office for transit operations. Subsequent to the flood, the City determined there to be no future plans for the building and has sought for the private redevelopment of the facility. The building has been determined to be eligible for listing in the National Register of Historic Places. The building is locally significant under Criterion A in the area of Community Development and Criterion C in the area of Architecture as a well preserved example of an early 20th century urban fire station.

**Action / Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 Minutes

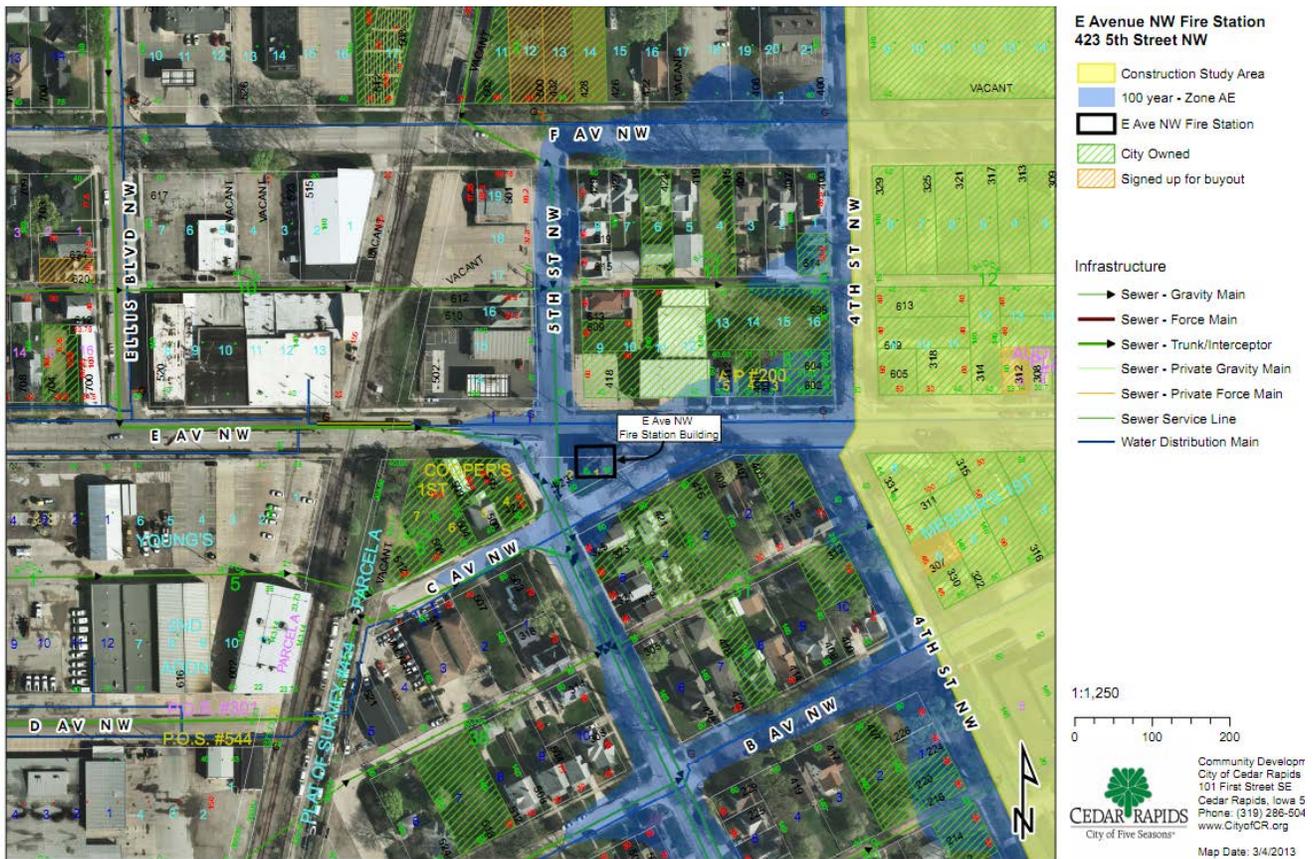
**Budget Information (if applicable):** N/A

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

**Explanation:**

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

**Explanation (if necessary):** On January 23, 2013, the Development Committee recommended disposition of the former E Ave NW Fire Station through a competitive proposal process.



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 21st day of October, 2014.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Paula Mitchell

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

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

**Alternate Contact Person:** Caleb Mason

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

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

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

Resolution authorizing execution of an Agreement to Convey Properties and Terminate Development Agreement with Skogman Homes for property at 1118 7<sup>th</sup> Street SE (**FLOOD**). CIP/DID #OB540257

### **Background:**

On June 12, 2012, City Council authorized execution of a Development Agreement and Special Warranty Deed with Skogman Homes for city-owned property located at 1118 7<sup>th</sup> Street SE, for new construction of single-family homes through the ROOTs Program. Subsequent to this action, it became apparent that this lot was not suitable for new construction through this program. The narrow size of the lot, coupled with the encroachment of adjacent houses does not allow for a standard-size home to be completed in accordance with zoning regulations. Further concerns involved the ability to complete construction without disturbing the neighboring structures.

Skogman Homes has agreed to return this lot to the City in exchange for another lot more suitable for single-family development. Staff recommends approval of the Agreement to Convey Properties and Terminate Development Agreement.

According to the terms of the proposed agreement with Skogman Homes, the City will pay for the cost of updating the abstracts and title opinion, estimated at approximately \$300 per lot, to be paid from grant funding. Skogman Homes will be responsible for providing clear title. This lot will be evaluated for possible disposition with the remaining non-conforming lots in the City's inventory.

### **Action / Recommendation:**

City staff recommends approval of the resolution, which will allow Skogman Homes to convey the properties back to the City for more compatible uses.

### **Alternative Recommendation:**

N/A

**Time Sensitivity:**

N/A

**Resolution Date:** October 21, 2014.

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

The City's costs, estimated at \$300 per lot, will be paid from grant funds.

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

**Explanation:** Federal funding.

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

**Explanation (if necessary):**

RESOLUTION NO.

AUTHORIZING EXECUTION OF AN AGREEMENT TO CONVEY PROPERTIES AND  
TERMINATE DEVELOPMENT AGREEMENT WITH SKOGMAN HOMES FOR PROPERTY  
LOCATED AT 1118 7<sup>TH</sup> STREET SE

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

WHEREAS, the City purchased property at 1118 7<sup>th</sup> Street SE through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on April 16, 2011 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on April 26, 2011 on the possible disposition of these properties, respectively, in accordance with Iowa Code; and

WHEREAS, the City Council authorized a Development Agreement with Skogman Homes on June 12, 2012, resulting in the conveyance of the subject properties; and

WHEREAS, the properties were subsequently determined to be unsuitable for Single Family New Construction based upon zoning regulations and encroachment of adjacent structures, and

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

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

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

Passed this 21<sup>st</sup> Day of October, 2014



## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services Department

**Presenter at meeting:** Joe Mailander, PE      **Phone Number/Extension:** 319 286-5822  
**E-mail Address:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

**Alternate Contact Person:** Chris Strecker, PE      **Phone Number/Extension:** 319-286-5820  
**E-mail Address:** [c.strecker@cedar-rapids.org](mailto:c.strecker@cedar-rapids.org)

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

Resolution authorizing reimbursement up to \$227,000 to Wex, Inc. for a regional sanitary sewer lift station located within the Wexford Heights First Addition. CIP/DID #PRPT-008261-2014

### Background:

A preliminary plat for Wexford Heights First Addition was reviewed and approved by the Cedar Rapids City Planning Commission on March 27, 2014. A portion of the subdivision cannot be served by the City's existing sanitary sewer system. A publicly owned sanitary sewer lift station has been proposed by the applicant, Wex, Inc. City staff has reviewed the lift station proposal and requested it be designed to meet higher level design standards and sized to provide sanitary sewer service beyond Wexford Heights First Addition.

The lift station proposed will function as a regional lift station with the ability to provide sanitary sewer service up to 258 acres beyond Wexford Heights First Addition. This regional lift station will be constructed to City approved standards to ensure reliable operation and low maintenance cost.

The total estimated construction cost of this regional lift station is \$520,000. Development Services Department recommends participation in the amount not to exceed 44 percent of the total cost to a maximum of \$227,000.

### 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 21st, 2014

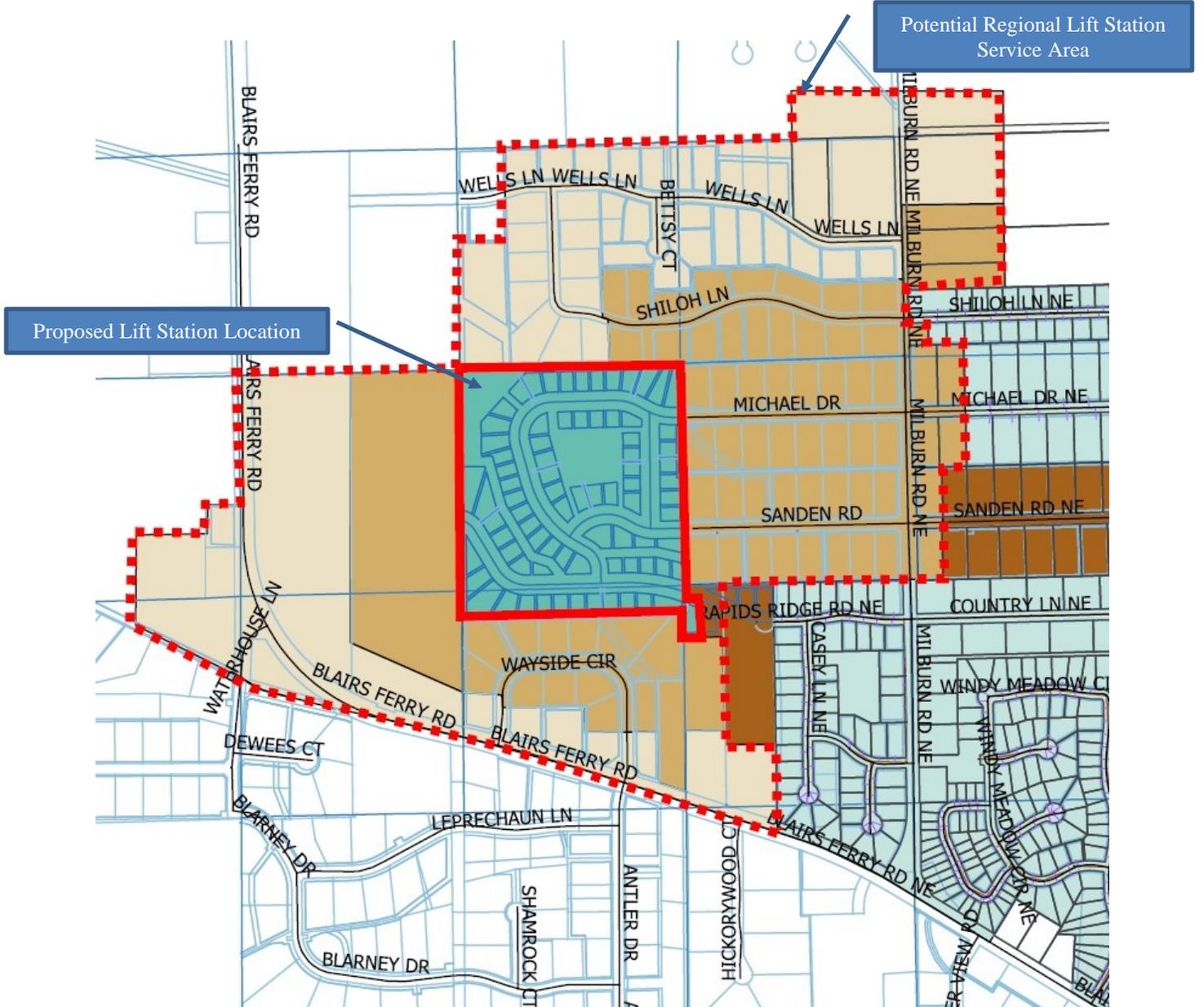
**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 655990

**Local Preference Policy:** Applies  Exempt

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

# Wexford Heights First Addition Sanitary Sewer Lift Station



RESOLUTION NO.

WHEREAS, a Preliminary Plat for the construction of Wexford Heights First Addition to Cedar Rapids, Iowa was approved by the City Planning Commission on March 27, 2014; and

WHEREAS, the developer Wex, Inc. has requested a sanitary sewer lift station be approved due to the topography of the area and the lack of existing sanitary sewer; and

WHEREAS, the City has requested that the proposed lift station be designed to meet higher level design standards and be sized to accommodate sewer flows from approximately 258 acres in addition to 46 acres of the Wexford Heights First Addition; and

WHEREAS, the cost of engineering, design and construction of a sanitary sewer lift station designed to these higher standards and able to serve a total of 304 acres is estimated at \$520,000;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Wex, Inc. be reimbursed 44 percent of the total cost of the design and construction of the sanitary sewer lift station to an amount not to exceed \$227,000 from the Sanitary Sewer Fund (Fund 655990) as the City's participation in this construction project.

Passed this 21<sup>st</sup> day of October, 2014.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** 10/21/2014

**Submitting Department:** HR

**Presenter at meeting:** NA – Consent

**Phone Number/Ext:** 5019

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

**Alternate Contact Person:** Bonnie Pisarik

**Phone Number/Ext:** 5078

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

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

Resolution authorizing the City Manager to sign the Financial Exhibit to the City's Administrative Services and Financial Agreement with Delta Dental Plan of Iowa for Dental Plan Third Party Administrative Services for a 36 month time period from January 1, 2015 to December 31, 2017. Total cost of administrative fees for this time period is estimated to be \$169,243.00.

### **Background:**

Delta Dental Plan of Iowa currently provides Third Party Administrative services for the City's Dental Plan. The City routinely bids Third Party Administrative Services for its Dental Plan. A Request for Proposal (RFP) competitive bid process for these services was conducted by the City's Benefit Consulting company, Holmes Murphy. The City's procurement process was followed. Six vendors responded to the RFP (the incumbent and five others).

Based on the procurement process, City staff are recommending renewing the contract with Delta Dental. Reasons for the recommendation include:

- Three year price guarantee on administrative fees (fixed costs) charged to the City.
- Enhanced dental benefits at no additional cost (fixed costs + expected claims).

### **Action / Recommendation:**

Pass a resolution allowing the City Manager to sign the Financial Exhibit with Delta Dental Plan of Iowa in order to renew this Agreement from January 1, 2015 to December 31, 2017.

### **Alternative Recommendation:**

Request staff complete additional research and provide additional options.

**Time Sensitivity:** Moderate

**Resolution Date:** 10/21/14

**Estimated Presentation Time:** NA - consent

**Budget Information (if applicable):** These costs are paid from the Dental Fund. Total fixed costs (administration) is estimated at \$169,243 for the three year period.

**No change**

**Local Preference Policy** Applies  Exempt

**Explanation:**

RESOLUTION NO.

WHEREAS, the renewal terms of the Administrative Services and Financial Agreement signed on January 10, 2003 state that the parties may agree to renew the Agreement for successive Contract Periods as defined in the Financial Exhibit; and

WHEREAS, the "Contract Period" is defined in the Administrative Services and Financial Agreement as "the period of time set forth in the Financial Exhibit or the most recent version to the Financial Exhibit"; and

WHEREAS, the most recent version to the Financial Exhibit with Delta Dental of Iowa is for a period of 1/1/2015 to 12/31/2017 with an estimated cost of total administrative fees of \$169,243.00; and

WHEREAS, Delta Dental has guaranteed not to increase the administrative fee that it charges the City during this three year period,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager is hereby authorized to sign the most recent version of the Financial Exhibit in order to renew the Administrative Services and Financial Agreement with Delta Dental Plan of Iowa for the period 1/1/2015 to 12/31/2017.

Passed this 21st day of October, 2014.

Voting:



## 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**

Report on bids and resolution awarding and approving contract in the amount of \$311,175 plus incentive up to \$10,500, bond and insurance of Vieth Construction Corp. for the 29<sup>th</sup> Street NE from West of Eastern Avenue to Staub Court Storm Sewer and Water Main Improvements project (estimated cost is \$320,000). CIP/DID #304378-01

### Background:

Vieth Construction Corp., Cedar Falls, IA	\$311,175.00
Possible Incentive	<u>10,500.00</u>
Total Award	\$321,675.00
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$320,075.25
Dave Schmitt Construction, Cedar Rapids, IA	\$332,011.60
Tschiggfrie Excavating, Dubuque, IA	\$336,653.00
Rathje Construction Co., Marion, IA	\$345,366.50
Pirc-Tobin Construction, Inc., Alburnett, IA	\$363,553.75
Ricklefs Excavating, Ltd., Anamosa, IA	\$522,197.00

Vieth Construction Corp. submitted the lowest of the bids received on October 8, 2014 for the 29<sup>th</sup> Street NE from West of Eastern Avenue to Staub Court Storm Sewer and Water Main Improvements project. The bid is within the approved budget. Construction work is anticipated to begin spring 2015 and be completed within 45 working days.

### Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$311,175, plus incentive up to \$10,500, bond and insurance of Vieth Construction Corp. for the 29<sup>th</sup> Street NE from West of Eastern Avenue to Staub Court Storm Sewer and Water Main Improvements project.

### Alternative to the Recommendation:

If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

**Time Sensitivity:** Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after October 21 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** October 21, 2014

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

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

**Local Preference Policy:** Applies  Exempt

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

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

**Explanation (if necessary):**



October 8, 2014

City Council  
City of Cedar Rapids

RE: Report on bids as read for the 29<sup>th</sup> Street NE from West of Eastern Avenue to Staub Court Storm Sewer and Water Main Improvements, Contract Number 304378-01

Dear City Council:

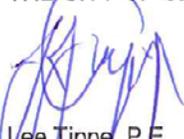
Bids were received on October 8, 2014 for the 29<sup>th</sup> Street NE from West of Eastern Avenue to Staub Court Storm Sewer and Water Main Improvements project as follows:

Vieth Construction Corp., Cedar Falls, IA	\$311,175.00
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$320,075.25
Dave Schmitt Construction, Cedar Rapids, IA	\$332,011.60
Tschiggfrie Excavating, Dubuque, IA	\$336,653.00
Rathje Construction Co., Marion, IA	\$345,366.50
Pirc-Tobin Construction, Inc., Alburnett, IA	\$363,553.75
Ricklefs Excavating, Ltd., Anamosa, IA	\$522,197.00

The engineers cost opinion for this work is \$320,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT



Lee Tippe, P.E.  
Project Engineer II

LJT/cap

cc: David J. Elgin, P.E., L.S., Public Works Director/City Engineer  
Robert A. Davis, P.E., Engineering Manager

Public Works Department

500 15th Avenue S.W. • Cedar Rapids, Iowa 52404-5837 • (319) 286-5802 • FAX (319) 774-5653

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on September 9, 2014 the City Council adopted a motion that directed the City Clerk to publish notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the 29<sup>th</sup> Street NE from West of Eastern Avenue to Staub Court Storm Sewer and Water Main Improvements (Contract No. 304378-01) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on September 13, 2014 pursuant to which a public hearing was held on September 23, 2014, and

WHEREAS, the following bids were received, opened and announced on October 8, 2014 by the City Engineer, or designee, and said officer has reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on October 21, 2014:

Vieth Construction Corp., Cedar Falls, IA	\$311,175.00
Possible Incentive	<u>10,500.00</u>
Total Award	\$321,675.00
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$320,075.25
Dave Schmitt Construction, Cedar Rapids, IA	\$332,011.60
Tschiggfrie Excavating, Dubuque, IA	\$336,653.00
Rathje Construction Co., Marion, IA	\$345,366.50
Pirc-Tobin Construction, Inc., Alburnett, IA	\$363,553.75
Ricklefs Excavating, Ltd., Anamosa, IA	\$522,197.00

WHEREAS, general ledger coding for this public improvement shall be as follows: \$222,522 304-304000-304378; \$99,153 625-625000-625884-2014065, and

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

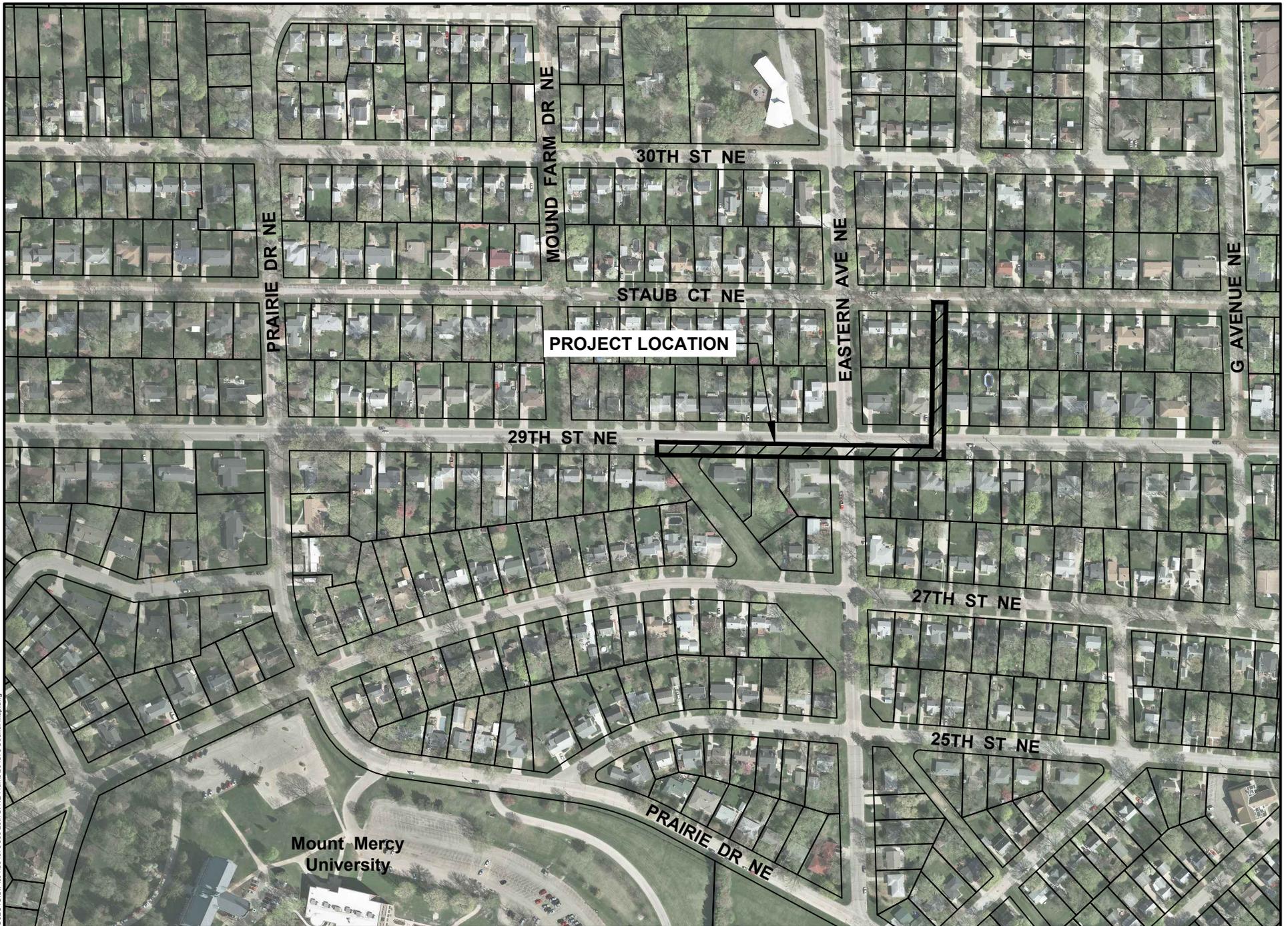
1. The previous delegation to the City Engineer, or his designee, to receive, open, and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;
2. Vieth Construction Corp. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;
3. Subject to registration with the Department of Labor, the Bid of Vieth Construction Corp. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Vieth Construction Corp.
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

Passed this 21<sup>st</sup> day of October, 2014.

Cadd File Name: W:\PROJECTS\CIP\304378\_900\_29th St NE Flume\304378 Council Map.dwg



PROJECT LOCATION



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





## Council Agenda Cover Sheet Motion Setting Public Hearing

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rob Davis  
**E-mail Address:** robd@cedar-rapids.org

**Phone Number/Extension:** 5808

**Alternate Contact Person:** Joe Mailander  
**E-mail Address:** j.mailander@cedar-rapids.org

**Phone Number/Extension:** 5822

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

Discussion and motion to set a public hearing for November 4, 2014, to consider the execution of an Underground Electric Line Easement agreement with Interstate Power and Light Company in connection with an electric upgrade, and substation expansion and rebuild located on City-owned land at the southwest corner of Twin Pines Golf Course and the intersection of 42<sup>nd</sup> Street and Edgewood Road NE. CIP/DID #49-15-022

### **Background:**

The City of Cedar Rapids has received a request from Interstate Power and Light Company (IPL) to grant a permanent 10-foot wide underground easement in connection with an electric upgrade, and 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. The City has waived the cost of the easement because the cost of the proposed underground facilities exceeds the value of the requested easement; however, IPL has paid a \$250 application fee.

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 Underground Electric Line Easement Agreement to Interstate Power and Light Company.

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

Deny the easement request and require Interstate Power and Light to revise their upgrade plans.

**Time Sensitivity:** Normal

**Resolution Date:** November 4, 2014

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

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

**Local Preference Policy:** Applies  Exempt

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

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

**Explanation (if necessary):**



HIGHWAY 100

NORTH RIVER BLVD NE

EDGEWOOD RD NE

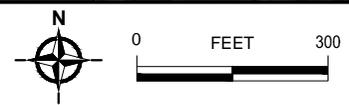
Twin Pines  
Golf Course

UNDERGROUND  
ELECTRIC LINE  
EASEMENT

42ND STREET NE



UNDERGROUND ELECTRIC LINE EASEMENT  
42ND STREET AND EDGEWOOD ROAD NE



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## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rob Davis  
**E-mail Address:** robd@cedar-rapids.org

**Phone Number/Extension:** 5808

**Alternate Contact Person:** Joe Mailander  
**E-mail Address:** j.mailander@cedar-rapids.org

**Phone Number/Extension:** 5822

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

Discussion and 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.

A public hearing was held on October 7, 2014 at which time Council requested additional information from City Staff and IPL before proceeding with granting this easement. That information was provided, and the resolution is now being placed on the Consent Agenda for approval.

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 21, 2014

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

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

**Local Preference Policy:** Applies  Exempt

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

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

**Explanation** (if necessary):

ENG  
CLK  
AUD FILE  
FIN  
TRS  
RCR  
IT  
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

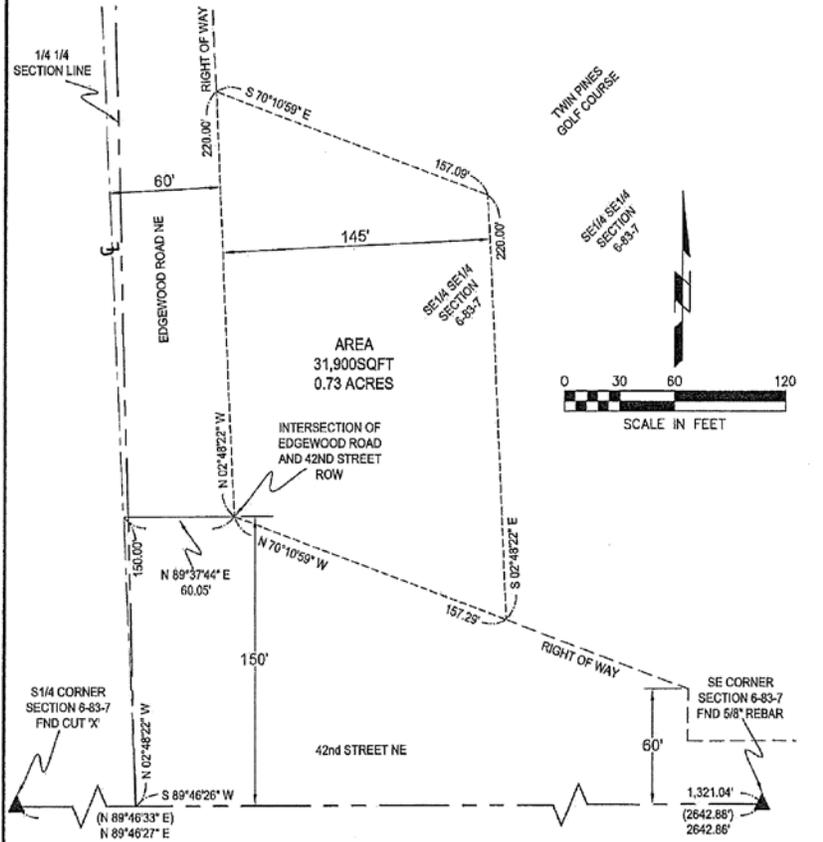
BE IT FURTHER RESOLVED, that the Substation Site Easement agreement be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 21<sup>st</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

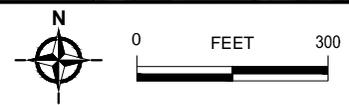
Twin Pines Golf Course

EDGEWOOD RD NE

ELECTRIC SUBSTATION SITE EASEMENT

42ND STREET NE

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



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



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 21, 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

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 Third Reading.

### **Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:**

N/A

**Resolution Date:** October 21, 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 21, 2014

**Submitting Department:** Development Services

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

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

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

Second and possible Third Reading 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 was 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 approval of the Second and possible Third Reading.

**Alternative Recommendation:**

City Council may table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 minutes

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

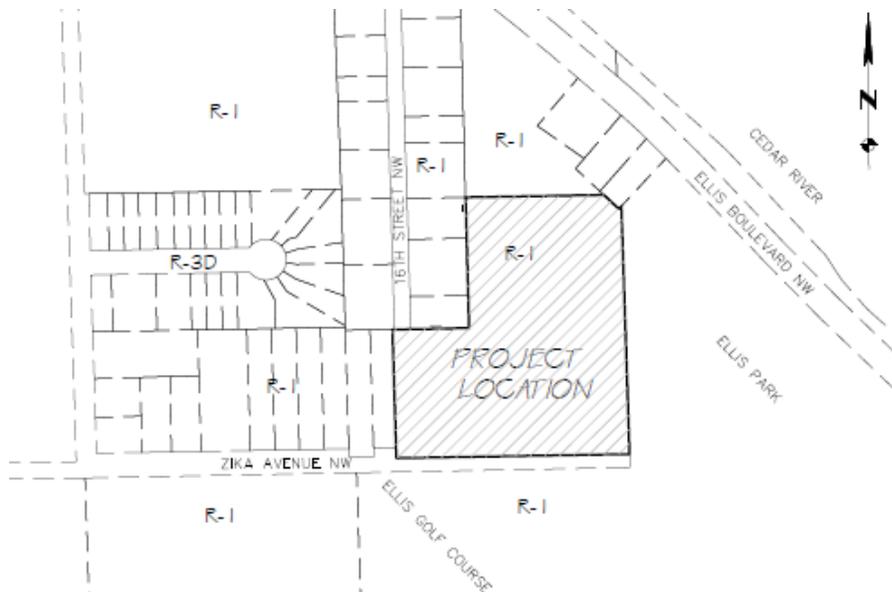
**Local Preference Policy** Applies  Exempt

**Explanation:**

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

**Explanation (if necessary):**

**Location Map**





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

**MINUTES OF  
CITY PLANNING COMMISSION MEETING,  
Thursday 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. Zakostecky stated that this would be for a public hearing before the City Council on October 7, 2014.

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

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

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

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

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

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

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

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

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

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

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

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

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

Commissioner Overland called for discussion on the motion.

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

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

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

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

The meeting was adjourned at 4:30 pm

Respectfully Submitted, Betty Sheets, Administrative Assistant, Community Development

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.

## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 21, 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**

Second and possible Third Reading amending Ordinance No. 041-03, relating to collection of tax increment 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 approval of Second and possible Third Reading.

### **Alternative Recommendation:**

City Council may table the item and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** October 21, 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):**

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 21, 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

Second and possible Third Reading to consider an Ordinance granting collection of tax increment within the 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 approval of the Second and possible Third Reading.

**Alternative Recommendation:**

City Council may table the items and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** October 21, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

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

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

**Explanation:**

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

**Explanation (if necessary):**

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, 1354-10-14 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 21, 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

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

Second and possible Third Reading to consider an Ordinance granting collection of tax increment within the 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 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 21, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

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

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

**Explanation:**

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

**Explanation (if necessary):**

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. 1355-10-14 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.