

*“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, November 4, 2014 at 12:00 noon in the Council Chambers, 3rd Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to discuss and possibly act upon the matters as set forth below in this tentative agenda. (*Please silence mobile devices.*)

A G E N D A

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations:
 - ❖ Proclamation – Iowa Veterans’ Welcome Center Day (Roger Weist)
 - ❖ Proclamation – Linn County Sleep-Out for the Homeless Awareness Weekend (Don Tyne)
 - ❖ Proclamation – My Brother’s Keeper Day (Al O’Bannon)

PUBLIC HEARINGS

1. A public hearing will be held 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 6th Street SW as requested by Meridian Holdings, LLC (Rita Rasmussen).
 - a. First Reading: Ordinance vacating public ways and grounds described as a 16-foot wide strip of excess alley right-of-way located at 919 6th Street SW as requested by Meridian Holdings, LLC. CIP/DID #ROWV-011544-2014
2. A public hearing will be held to consider 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 42nd Street and Edgewood Road NE (Rita Rasmussen).
 - a. Resolution authorizing 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 42nd Street and Edgewood Road NE. CIP/DID #49-15-022

3. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Alley Between C Avenue NW and D Avenue NW from 9th Street NW to 11th Street NW Sanitary Sewer Improvements project (estimated cost is \$240,000) (Doug Wilson).
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Alley Between C Avenue NW and D Avenue NW from 9th Street NW to 11th Street NW Sanitary Sewer Improvements project. CIP/DID #655941-03
4. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Hawkeye Downs Road SW Culvert Replacement project (estimated cost is \$125,000) (Doug Wilson).
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Hawkeye Downs Road SW Culvert Replacement project. CIP/DID #304393-02

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.**

5. Motion to approve minutes.
6. Motions setting public hearing dates for:
 - a. November 18, 2014 – to consider the disposition of a 2.16-acre parcel of excess City-owned land located northerly of and adjacent to 300 50th Avenue Court SW as requested by Croell Redi-Mix, Inc.; CIP/DID #PRD-010822-2014

- b. November 18, 2014 – to consider amending Chapter 18 of the Municipal Code, Historic Preservation, amending Section 18.03, Cedar Rapids Historic Preservation Commission, allowing up to two commission members to reside outside corporate limits; CIP/DID #OB1325801
 - c. November 18, 2014 – to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, modifying citywide parking standards, eliminating commercial setbacks and establishing site design expectations for new construction as an interim measure prior to the adoption of a new zoning ordinance; CIP/DID #OB1325802
 - d. November 18, 2014 – to consider renaming 14th Avenue SE to 16th Avenue SE, from the Cedar River to 4th Street SE; naming future 16th Avenue SE from 4th Street SE to 5th Street SE; and renaming 15th Avenue SE to 17th Avenue SE from the Cedar River to 2nd Street SE as requested by the Community Development Department; CIP/DID #STREET-013292-2014
 - e. December 16, 2014 – to consider a request by Kingston Lofts, LLC for an Urban Revitalization Area Designation for property located at 200, 210 and 213 3rd Avenue SW. CIP/DID #OB1058251
7. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for November 18, 2014 and advertising for bids by publishing notice to bidders for the C Avenue NE from Collins Road to Blairs Ferry Road Phase 1 – Utility Improvements project and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on November 19, 2014 (estimated cost is \$545,000). CIP/DID #301612-03
8. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
- a. 101 Gastropub, 3707 1st Avenue SE;
 - b. Aldi #61, 5425 Blairs Forest Boulevard NE;
 - c. Aldi #62, 1860 Edgewood Road SW;
 - d. Casey's General Store #3382, 560 33rd Avenue SW (new – formerly Sonic);
 - e. The Cooler, 4920 Johnson Avenue NW;
 - f. Cranky Hank's Pizza, 4444 1st Avenue NE, Suite 454 (5-day permit for an event at 50 2nd Avenue Bridge (Veterans Memorial Building), on November 15, 2014);
 - g. Fareway Store #963, 4220 16th Avenue SW;
 - h. Granite City Food & Brewery, 4755 1st Avenue SE;
 - i. Hy-Vee Food Store #1, 1843 Johnson Avenue NW;
 - j. Hy-Vee Food Store #2, 279 Collins Road NE;
 - k. Java Creek Café, 588 Boyson Road NE (5-day permit for an event at 606 A Avenue NE (Scottish Rite Masonic Center), on November 13-16, 2014);
 - l. Mahoney's, 1602 E Avenue NE;
 - m. Smoke 'N' Pipe, 3221 1st Avenue SE;
 - n. Stadium Lounge Bar & Grill, 957 Rockford Road SW;
 - o. Tornado's Grub & Pub, 315 14th Avenue SE;
 - p. Vito's on 42nd, 4100 River Ridge Drive NE;
 - q. Willy Woodburn's Café, 232 16th Avenue SW.
9. Resolutions approving payment of bills, payroll and funds: CIP/DID #OB1143566
- a. Bills;
 - b. Payroll;
 - c. Transfer of Funds.
10. Resolution thanking Barbara Gay for serving on the Civil Rights Commission. CIP/DID #OB629963

11. Resolution approving special event application for the Cedar Rapids Metro Economic Alliance Fire and Ice Holiday Delight Parade on December 6, 2014 (includes road closure). CIP/DID #SPEC-027641-2014
12. Resolutions approving assessment actions:
 - a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 61 properties; CIP/DID #OB1325595
 - b. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 21 properties. CIP/DID #OB1307041
13. Resolutions accepting projects, approving Performance Bonds and authorizing issuance of final payments:
 - a. Cedar Rapids Animal Care & Control Building project, final payment in the amount of \$21,635.25 and 2-year Performance Bond submitted by Portzen Construction, Inc. (original contract amount was \$3,815,500; final contract amount is \$3,927,074) (**FLOOD**); CIP/DID #PDE001-20
 - b. D Avenue NW at Cherry Park Drive Storm Sewer Extension project, and 4-year Performance Bond submitted by Cedar Rapids Thunder, Inc. (original contract amount was \$15,038.70; final contract amount is \$15,544.98); CIP/DID #304394-01
 - c. Naoma Drive SW Sanitary and Storm Sewer Improvements project, final payment in the amount of \$22,848.27 and 4-year Performance Bond submitted by Pirc-Tobin Construction, Inc. (original contract amount was \$475,600; final contract amount is \$456,965.48). CIP/DID #655938-02
14. Resolutions authorizing execution of Development Agreements for property participating in the fourth round of the Single Family New Construction Program: CIP/DID #OB540257
 - a. Skogman Construction Company of Iowa for property at 619 Moose Drive NW;
 - b. Skogman Construction Company of Iowa for property at 624 Moose Drive NW;
 - c. Skogman Construction Company of Iowa for property at 625 Moose Drive NW;
 - d. Skogman Construction Company of Iowa for property at 631 Moose Drive NW.
15. Resolution accepting Water system improvements installed in Red Rock 1st Addition – Phase 2 and approving 2-Year Maintenance Bond in the amount of \$94,915 submitted by Zinser Grading and Excavating LLC. CIP/DID #2014077-01
16. Resolution approving the Final Plat of Westdale First Addition located at 2550 Edgewood Road SW. CIP/DID #FLPT-006886-2013
17. Resolution approving the Final Plat of Gee First Addition to Linn County located at 2203 Wright Brothers Boulevard SW. CIP/DID #FLPT-013884-2014
18. Resolution approving the Final Plat of Westdale Second Addition located at 2550 Edgewood Road SW. CIP/DID #FLPT-014329-2014
19. Resolution referring to the Linn County Compensation Commission (in accordance with eminent domain proceedings) the partial acquisition of a temporary grading easement for construction from property located at 1311 18th Street SW, owned by Deborah K. Tompkins, in connection with the 18th Street SW from Wilson Avenue SW to 13th Avenue SW Improvements project. CIP/DID #301500-00

20. Resolution fixing value of lots for the construction of the 35th Street Drive SE from 1st Avenue East to Elm Avenue SE Curb and Gutter Improvements project (**Paving for Progress**). CIP/DID #301240-00
21. Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the 18th Street SW from Wilson Avenue SW to 16th Avenue SW Improvements project. CIP/DID #301500-00
22. Resolution accepting work and fixing amount to be assessed for the Alley between F Avenue and G Avenue NW from 9th Street to 8th Street Portland Cement Concrete Pavement project. CIP/DID #3012104-00
23. Resolution authorizing execution of a letter of engagement with Kutak Rock, LLP for federal lobbying services for an additional amount not to exceed \$50,000. CIP/DID OB1326044
24. Resolution adopting the 2014 Cedar Rapids City Council Goals. CIP/DID #OB901982
25. Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects. CIP/DID #OB1145993
26. Resolution authorizing the addition of 1.0 FTE in the Building Services Department for the classification of Housing & Nuisance Manager. CIP/DID #OB1325573
27. Resolution eliminating the Flood Recovery Program Manager position. CIP/DID #OB1325584
28. Resolutions approving actions regarding Purchases/Contracts/Agreements:
 - a. Amendment No. 5 to the Contract for Utility Disconnect Services with BWC Excavating LC to extend the term and estimate future work for an amount not to exceed \$19,000 (original contract amount was \$23,105.56; total amount with this amendment is \$56,605.56); CIP/DID #1011-070
 - b. Amendment No. 4 to the Professional Services Agreement with Brown and Caldwell specifying an increased amount not to exceed \$135,341 for engineering services in connection with the Cedar River Sanitary Sewer Crossing Improvements project (original contract amount was \$923,000; total contract amount with this amendment is \$1,172,341); CIP/DID #655080-02
 - c. Amendment No. 1 to the Professional Services Agreement with Shive-Hattery, Inc. specifying an increased amount not to exceed \$6,900 for engineering services in connection with the 27th Street SW Culvert Replacement project (original contract amount was \$38,977.50; total contract amount with this amendment is \$45,877.50); CIP/DID #304396-01
 - d. Amending Resolution No. 1044-08-14, which authorized payment of an Annual Economic Development Grant, where the grant payment has been recalculated and Highway Equipment, Inc. is entitled to \$23,371.50; CIP/DID #OB275999
 - e. Amending Resolution No. 1045-08-14, which authorized payment of an Annual Economic Development Grant, where the grant payment has been recalculated and The Pointe at Cedar Rapids, LLC is entitled to \$245,688.05; CIP/DID #OB328256
 - f. Amending Resolution No. 1046-08-14, which authorized payment of an Annual Economic Development Grant, where the grant payment has been recalculated and J Rettenmaier USA LP is entitled to \$74,874.50; CIP/DID #OB401618

- g. Amending Resolution No. 1047-08-14, which authorized payment of an Annual Economic Development Grant, where the grant payment has been recalculated and 500First is entitled to \$154,235.17; CIP/DID #OB559007
- h. Amending Resolution No. 1048-08-14, which authorized payment of an Annual Economic Development Grant, where the grant payment has been recalculated and TrueNorth is entitled to \$123,820.80; CIP/DID #OB1298825
- i. Change Order No. 10 in the amount of \$61,967 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 \$19,760.852) **(FLOOD)**; CIP/DID #PWE006-21
- j. Change Order No. 2 in the amount of \$30,100 with Municipal Pipe Tool Co., LLC for the Sanitary Sewers Quadrant Flood Repairs Lining Package #5 – 2013 project (original contract amount was \$848,344; total contract amount with this amendment is \$880,944) **(FLOOD)**; CIP/DID #SSD104-04
- k. Change Order No. 6 in the amount of \$22,610.59 with Ricklefs Excavating, Ltd. for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (original contract amount was \$1,765,654.20; total contract amount with this amendment is \$1,792,515.77) **(FLOOD)**; CIP/DID #SSD103-11
- l. Change Order No. 1 in the amount of \$53,888.60 with L.L. Pelling Company, Inc. for the 19th Street SE, Bever Avenue SE and Garden Drive SE Pavement Rehabilitation Improvements project (original contract amount was \$1,922,103; total contract amount with this amendment is \$1,975,991.60) **(Paving for Progress)**; CIP/DID #3012081-02
- m. Change Order No. 3 in the amount of \$8,884.61, plus an additional one-half working day, with Pirc-Tobin Construction, Inc. for the Oakland Road NE from E Avenue NE to H Avenue NE Pavement Rehabilitation project (original contract amount was \$645,700; total contract amount with this amendment is \$681,491.96) **(Paving for Progress)**; CIP/DID #301374-02
- n. Change Order No. 3 (Final) in the amount of \$12,818.66 with Eastern Iowa Excavating & Concrete, LLC for the Cedar River Amphitheater Trail Connection Between Amphitheater and Festival Grounds project (original contract amount was \$111,962.65; total contract amount with this amendment is \$127,113.21); CIP/DID #307218-07
- o. Change Order No. 12 (Final) deducting the amount of \$664,182.68 with S.M. Hentges & Sons, Inc. for the Cedar River Sanitary Sewer Crossing Improvements project (original contract amount was \$5,394,964; total contract amount with this amendment is \$4,925,413.56); CIP/DID #655080-03
- p. Change Order No. 2 in the amount of \$167,946 with Peterson Contractors, Inc. for the Cedar River Bridges Miscellaneous Repairs project (original contract amount was \$1,275,800; total contract amount with this amendment is \$1,610,347.75); CIP/DID #305127-03
- q. Change Order No. 6 in the amount of \$11,531.24 with Pirc-Tobin Construction, Inc. for the 76th Avenue SW Improvements – from Edgewood Road SW to East of the Cedar Rapids and Iowa City (CRANDIC) Railroad Crossing project (original contract amount was \$3,692,021.84; total contract amount with this amendment is \$3,736,472.13); CIP/DID #301208-02
- r. Change Order No. 6 in the amount of \$1,154.72 with BWC Excavating, LC for the 76th Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements with Kirkwood Boulevard SW Intersection Improvements project (original contract amount was \$1,408,890.70; total contract amount with this amendment is \$1,495,145.41); CIP/DID #3012049-03

- s. Change Order No. 4 (Final) deducting the amount of \$7,159.60 with Ricklefs Excavating, Ltd. for the Montclair Drive NW from Owen Street to Jacolyn Drive Storm Sewer and Intersection Improvements project (original contract amount was \$171,800; total contract amount with this amendment is \$203,278.95); CIP/DID #301847-01
- t. Change Order No. 2 (Final) in the amount of \$56,304.17; accepting the Repair of Water Service Lines FY14 project and 2-Year Maintenance Bond and authorizing final (retainage) payment in the amount of \$17,906.10 to B. G. Brecke, Inc. (original contract amount was \$238,140 ; the final contract amount is \$390,444.17); CIP/DID #521108-14
- u. Professional Services Agreement with Ulteig Engineers for an amount not to exceed \$80,000 for the Water Pollution Control Facility Arc Flash & Coordination Study project; CIP/DID #615237-01
- v. Fire Department purchase of radio equipment from Motorola Solutions, Inc. for an amount not to exceed \$50,000 through December 31, 2015; CIP/DID #OB1325578
- w. Agreement For Use, Release and Indemnification Contract on behalf of the Cedar Rapids Fire Department to use privately-owned structure at 330 G Avenue NW for Non-Burn training exercises; CIP/DID #OB1325582
- x. Offer to purchase property and the execution of a Total Acquisition Purchase Agreement in the amount of \$112,000, plus an amount estimated to be \$19,500 in relocation benefits, to Cheryl G. Hart-Lloyd and Dennis Lloyd for property located at 4531 C Avenue NE in connection with the Iowa 100 (Collins Road) from Council Street NE to 1st Avenue project; CIP/DID #301446-00
- y. Easement Crossing Consent and Agreement for Multi-Use Trail in the amount of \$1 from ITC Midwest LLC for property located at 902 17th Street NE in connection with the CEMAR Trail project; CIP/DID #325012-00
- z. Easement for Recreational Trail and a Temporary Grading Easement for Construction in the amount of \$1 from Mount Mercy University for property located at 902 17th Street NE in connection with the CEMAR Trail project; CIP/DID #325012-00
- aa. Purchase Agreement in the amount of \$3,145 and accepting an Easement for Sanitary Sewer from King's Material, Inc. for land located at 1008 6th Street SW in connection with the Sanitary Sewers Quadrant Flood Repair Lining Package #4 – 2013 project (**FLOOD**); CIP/DID #SSD103-00
- bb. Warranty Deed from the Cedar Rapids Development Group, LLC for land located at 201 1st Avenue SW; CIP/DID #4914039-00
- cc. Joint Funding Agreement with the U.S. Department of Interior, Geological Survey (USGS) for Water Resources Investigations for the period of November 4, 2014 through September 30, 2017 in the amount of \$291,132; CIP/DID #6250038
- dd. Purchase Order to Van Meter, Inc. in the amount of \$30,550 for the Utilities Department – Water Plant Operations purchase of Rockwell Automation SCADA server software (sole source); CIP/DID #OB1325606
- ee. Contract for Firearms Range Lead Reclamation project with Metals Treatment Technologies, LLC dba MT2 LLC for the Public Works Department – Engineering Division for an amount not to exceed \$38,800. CIP/DID #0914-066

REGULAR AGENDA

29. Report on bids for the FY 2015 Curb Repair Project – Contract 1 project (estimated cost is \$430,000) (**Paving for Progress**) (Doug Wilson).
 - a. Resolution awarding and approving contract in the amount of \$439,670 plus incentive up to \$4,500, bond and insurance of Ti-Zack Concrete, Inc. for the FY 2015 Curb Repair Project – Contract 1 project. CIP/DID #301998-06
30. Report on bids for the Prairie Valley Court SW Sidewalk Extension project (estimated cost is \$120,000) (Doug Wilson). CIP/DID #301083-06
31. Discussion and Resolution adopting the Greene Square Park Revitalization Design Plan (Sven Leff). CIP/DID #0514-195

ORDINANCES

(Second and possible Third Readings)

32. Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to expand the Red Star Yeast Urban Revitalization Area at 950 60th Avenue SW. CIP/DID #OB66779
33. 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

PUBLIC INPUT

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

CITY MANAGER COMMUNICATIONS AND DISCUSSION

COUNCIL COMMUNICATIONS AND DISCUSSION

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

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

***** The City Council will meet immediately following the City Council Regular Session for the annual performance reviews of the City Attorney and City Clerk. This meeting may be closed pursuant to Iowa Code Section 21.5(1)(i)(2014).**

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

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

Council Agenda Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5807

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

Phone Number/Extension: 5092

Description of Agenda Item: Consent Agenda Regular Agenda Map

A public hearing will be held 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 6th Street SW as requested by Meridian Holdings, LLC.

First Reading: Ordinance vacating public ways and grounds described as a 16-foot wide strip of excess alley right-of-way located at 919 6th Street SW as requested by Meridian Holdings, LLC. CIP/DID #ROWV-011544-2014

Background:

Meridian Holdings, LLC owns the real estate at 919 6th 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 the City vacate and dispose of this excess right-of-way, in which there are no utilities located within the 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 1st reading of Ordinance: November 4, 2014
2nd reading of Ordinance, possible 3rd reading and possible resolution passing: November 18, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

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

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

ORDINANCE NO. _____

AN ORDINANCE VACATING PUBLIC WAYS AND GROUNDS REGARDING PROPERTY MORE PARTICULARLY DESCRIBED IN SECTION 1 HEREOF.

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

Section 1. That the public ways and grounds in and to the property hereafter described is permanently vacated:

A 16-foot wide strip of excess alley right-of-way located at 919 6th Street SW (also known as Plat of Survey #1941 Parcel A as shown in Book 9053, Page 106 and recorded on September 4, 2014 at the Office of the Linn County Recorder)

Section 2. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 4th day of November, 2014.

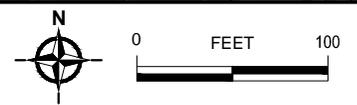
Passed this 18th day of November, 2014.



Cadd File Name: W:\PROJECTS\Non-CIP\2014\114 Right-of-Way Mgmt\VACATIONS 2014 - ENERGY\ROWV-011544-2014 919 6th St SW Alley Vac\ROWV-011544-2014 Council Map.dwg



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



ROWV-011544-2014



Council Agenda Item Cover Sheet Public Hearing and Resolution

Submitting Department: Public Works Department

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

Phone Number/Extension: 5807

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

Phone Number/Extension: 5092

Description of Agenda Item: Consent Agenda Regular Agenda Map

A public hearing will be held to consider the execution of 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 located at the southwest corner of Twin Pines Golf Course and the intersection of 42nd Street and Edgewood Road NE.

Resolution authorizing 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 42nd 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 a 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. 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 the \$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 IPL to revise their upgrade plans.

Time Sensitivity: Normal

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt

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

Recommended by Council Committee: Yes No N/A

RESOLUTION NO.

WHEREAS, Interstate Power and Light Company (IPL), an Iowa Corporation, is requesting a permanent underground easement from City-owned land in connection with an electric upgrade, and a 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 42nd Street and Edgewood Road NE and known and described as:

See Attached Exhibit "A"

has agreed to convey to IPL the necessary easement on City-owned land at this location for the consideration of a \$250 application fee, and publication and recording fees, and

WHEREAS, the City of Cedar Rapids held a Public Hearing on November 4, 2014, in which no objections were presented or heard, now therefore

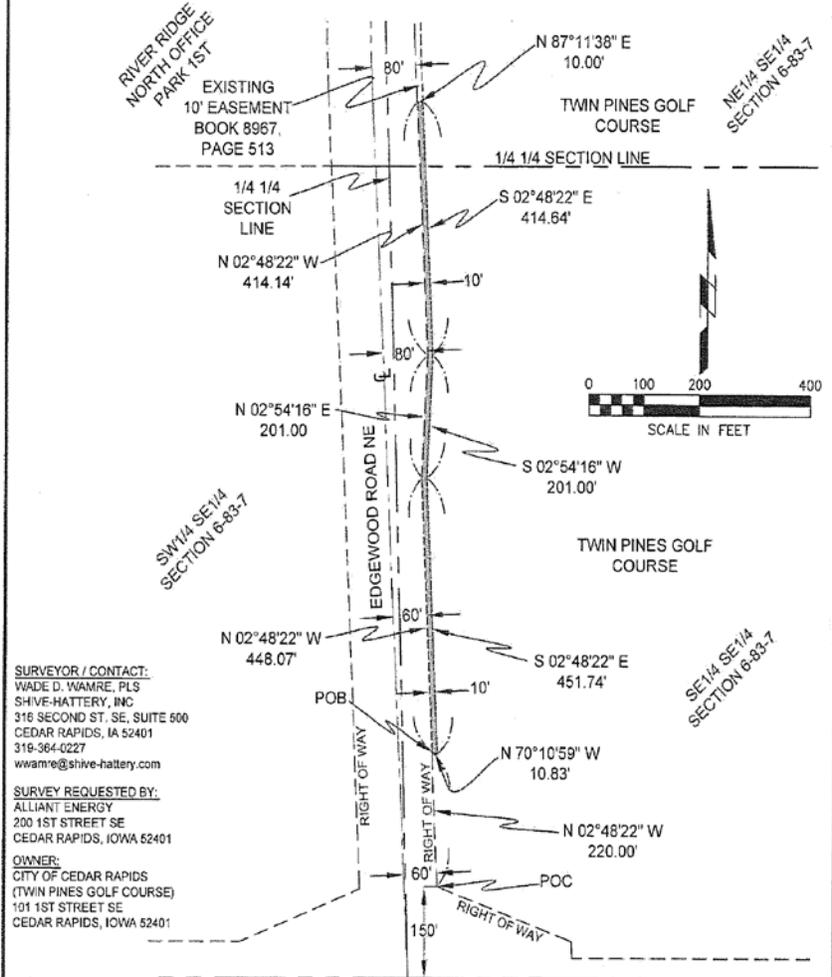
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the associated Purchase Agreement and Underground Electric Line Easement agreement be accepted and that the City Manager and City Clerk are hereby authorized to execute said agreement, and

BE IT FURTHER RESOLVED, that the Underground Electric Line 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 4th day of November, 2014

EXHIBIT 'A'

10' UNDERGROUND ELECTRIC LINE EASEMENT
PART OF THE SOUTHEAST QUARTER IN
SECTION 6, TOWNSHIP 83 NORTH, RANGE 7 WEST
IN THE CITY OF 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

10' UNDERGROUND ELECTRIC LINE EASEMENT:

Part of the Southeast Quarter of Section 6, Township 83 North, Range 7 West of the 5th Principal Meridian, Cedar Rapids, Linn county, Iowa, more particularly described as follows:

Commencing at a point that is on the East Right of Way of Edgewood Road NE and 150 feet North of the Centerline of 42nd Street NE; Thence N 02°48'22" W along said East Right of Way to the Point of Beginning a distance of 220.00 feet; Thence continuing N 02°48'22" W along said East Right of Way a distance of 448.07 feet; Thence N 02°54'16" E along said East Right of Way a distance of 201.00 feet; Thence N 02°48'22" W along said East Right of Way to the Southwest corner of an Existing 10' Easement a distance of 414.14 feet; Thence N 87°11'38" E and perpendicular to said East Right of Way along the south line of said Existing 10' Easement to the Southeast corner of said Existing 10' Easement a distance of 10.00 feet; Thence S 02°48'22" E and 10' parallel with said East Right of Way a distance of 414.64 feet; Thence S 02°54'16" W and 10' parallel with said East Right of Way a distance of 201.00 feet; Thence S 02°48'22" E and 10' parallel with said East Right of Way a distance of 451.74 feet; Thence N 70°10'59" W to said East Right of Way and Point of Beginning a distance of 10.83 feet.

EASEMENT AREA:
10,653 SQ. FT.
0.24 ACRES

SURVEY WORK PERFORMED:
7-18-2014

SURVEY LEGEND

POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
---	1/4 1/4 SECTION LINE
---	ADJOINING PROPERTY
---	EASEMENT

Said easement contains 10,653sq.ft., 0.24 acres, subject to easements and restrictions of record.

SHIVEHATTERY
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EXHIBIT 'A'
10' UNDERGROUND ELECTRIC LINE EASEMENT
CEDAR RAPIDS, LINN COUNTY, IOWA

DATE 9-16-2014 SCALE 1" = 200'
DRAWN pen FIELD BOOK
APPROVED [Signature] REVISION
REFERENCE DRAWING

PROJECT NO.
2142430
ISSUED FOR

1 OF 1



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



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



Council Agenda Cover Sheet Public Hearing and Resolution

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

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**

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Alley Between C Avenue NW and D Avenue NW from 9th Street NW to 11th Street NW Sanitary Sewer Improvements project (estimated cost is \$240,000).

Resolution adopting plans, specifications, form of contract and estimated cost for the Alley Between C Avenue NW and D Avenue NW from 9th Street NW to 11th Street NW Sanitary Sewer Improvements project. 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 11th Street NW and 10th 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 resolution to adopt plans, specifications, form of contract and estimated cost for the project.

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

Time Sensitivity: Must be acted upon November 4, 2014 to maintain the project schedule, and which must occur ahead of the project's November 5, 2014 bid opening.

Resolution Date: November 4, 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):

RESOLUTION NO.

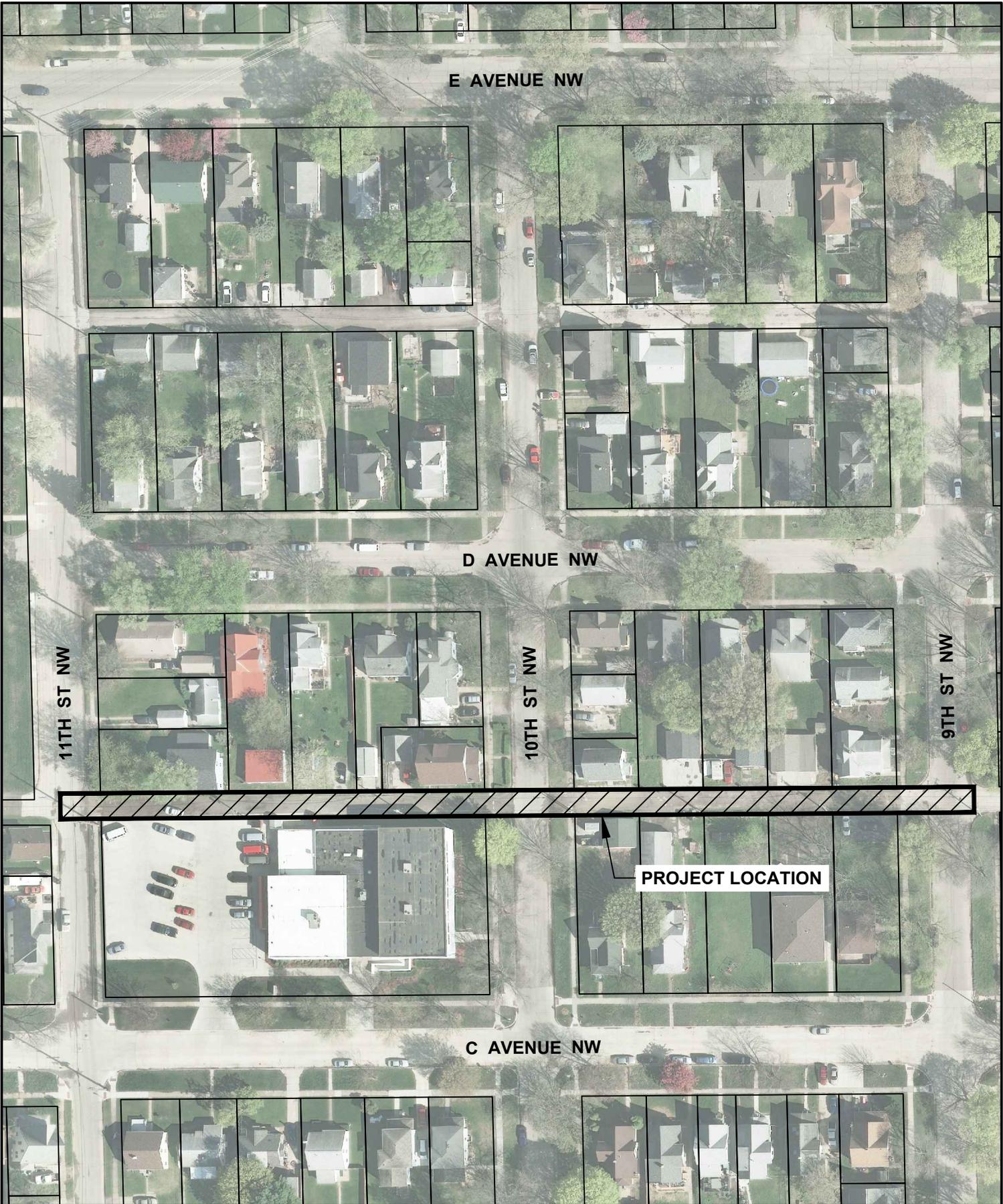
WHEREAS, on October 21, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Alley Between C Avenue NW and D Avenue NW from 9th Street NW to 11th Street NW Sanitary Sewer Improvements project (Contract No. 655941-03) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

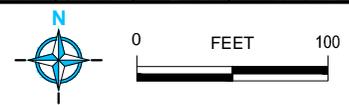
WHEREAS, no comments or objections to the plans, specifications, form of contract and estimated cost have been heard, now therefore

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 4th day of November, 2014.



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





Council Agenda Cover Sheet Public Hearing and Resolution

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

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

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Hawkeye Downs Road SW Culvert Replacement project (estimated cost is \$125,000) (**FLOOD 2013**).

Resolution adopting plans, specifications, form of contract and estimated cost for the Hawkeye Downs Road SW Culvert Replacement project. CIP/DID #304393-02

Background:

During the 2013 flood event, a 24-inch culvert running underneath Hawkeye Downs Road SW adjacent to 6th 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 resolution to adopt plans, specifications, form of contract and estimated cost for the project.

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

Time Sensitivity: Must be acted upon November 4, 2014 to maintain the project schedule, and which must occur ahead of the project's November 12, 2014 bid opening.

Resolution Date: November 4, 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

RESOLUTION NO.

WHEREAS, on October 21, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Hawkeye Downs Road SW Culvert Replacement project (Contract No. 304393-02) 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.

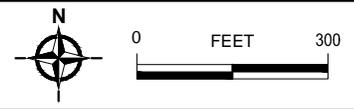
Passed this 4th day of November, 2014.



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HAWKEYE DOWNS ROAD CULVERT REPLACEMENT



Council Agenda Cover Sheet Motion Setting Public Hearing

Submitting Department: Public Works Department

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

Phone Number/Extension: 5807

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

Phone Number/Extension: 5092

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **Yes Map**
Motion setting public hearing for November 18, 2014 to consider the disposition of a 2.16 acre parcel of excess City-owned land located northerly of and adjacent to 300 50th Avenue Court SW as requested by Croell Redi-Mix, Inc. CIP/DID PRD-010822-2014

Background:

In 1971, the City of Cedar Rapids purchased approximately 21 acres of vacant land from All Iowa Agricultural Association, Inc. Croell Redi-Mix has requested the disposition of a small 2.16 acre portion of this land for use in the expansion and future growth of their facilities at this location.

Action / Recommendation:

The Public Works Department recommends adoption of the resolution approving the disposition of this land to Croell Redi-Mix, Inc.

Alternative Recommendation:

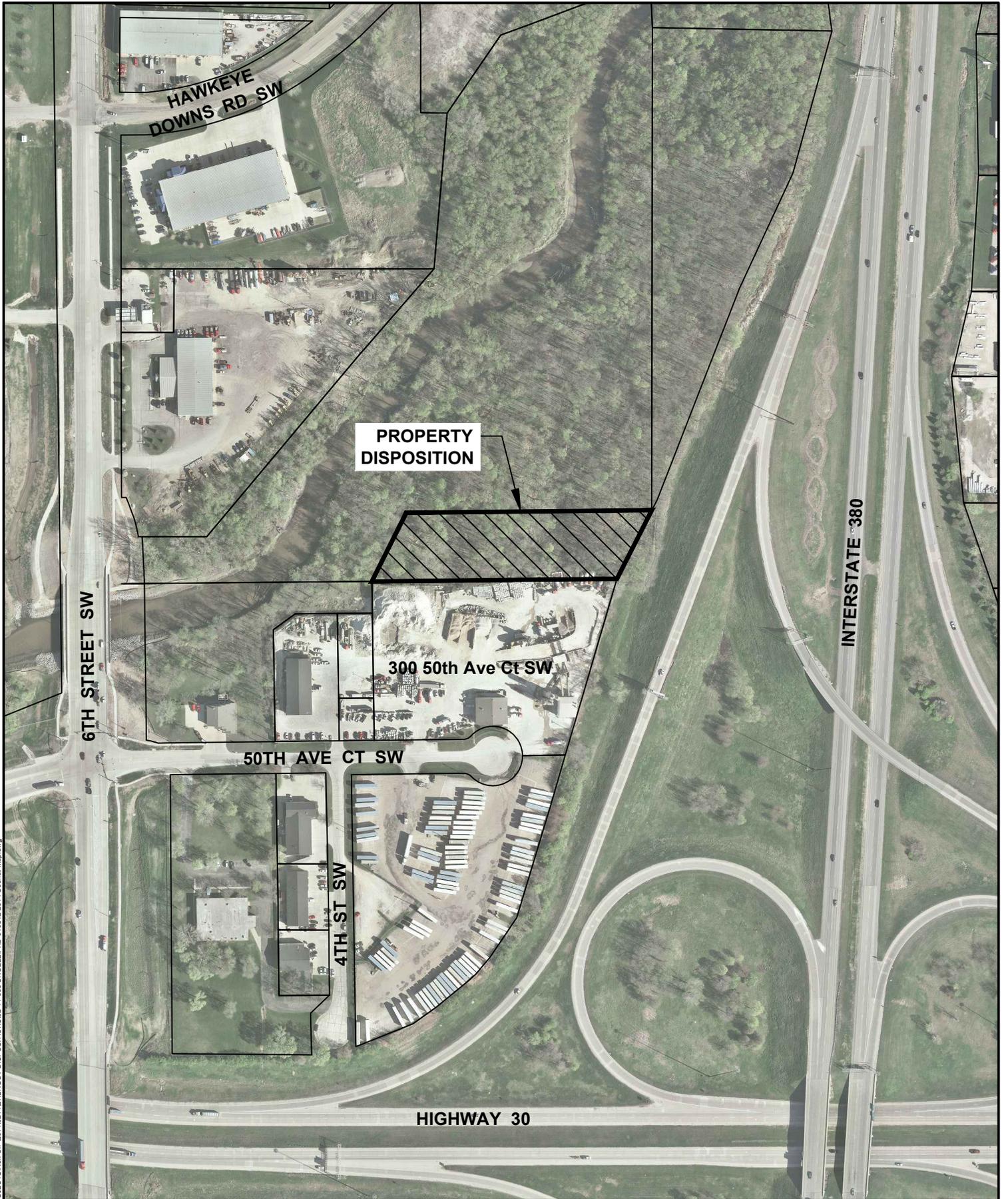
Require Croell Redi-Mix to revise their plans to expand at this location.

Time Sensitivity: Normal

Resolution Date: November 18, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): NA



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DISPOSITION OF CITY OWNED PARCEL





Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Jeff Hintz

Phone Number/Ext: 319 286-5781

Email: j.hintz@cedar-rapids.org

Alternate Contact Person: Anne Russett

Phone Number/Ext: 319 286-5075

Email: a.russett@cedar-rapids.org

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

Motion setting a public hearing for November 18, 2014 to consider amending Chapter 18 of the Municipal Code, Historic Preservation, specifically amending Section 18.03 Cedar Rapids Historic Preservation Commission, allowing for up to two (2) commission members to reside outside corporate limits. NEW

Background:

The ordinance would be amended to allow no more than two members of the 11 person Commission to reside outside the corporate limits of the City of Cedar Rapids. These two members would have to do business related to Historic Preservation within the City limits throughout their term. Historic Preservation interests are not exclusive to the city limits of Cedar Rapids and this amendment would allow for a higher possibility of work background, professional experience, and diversity of the commission members.

This proposed amendment addresses a previous issue which has arisen on several occasions in which otherwise qualified applicants with interests in Cedar Rapids were not eligible to be appointed. Qualified applicants interested and passionate in the field of preservation do exist throughout the creative corridor; those with business and professional interests within Cedar Rapids would be eligible to serve on the commission with this change. The proposed amendment was previewed with the Historic Preservation Commission at the October 23, 2014 meeting as a staff update item.

Action / Recommendation:

City staff recommends setting the public hearing.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity: N/A
N/A

Resolution Date:

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:

Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Community Development and Planning

Presenter at Meeting: Seth Gunnerson

Phone: 319 286-5129

Email: s.gunnerson@cedar-rapids.org

Alternate Contact Person: Jeff Hintz

Phone: 319 286-5781

Email: j.hintz@cedar-rapids.org

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

Motion setting a public hearing for November 18, 2014 to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, modifying citywide parking standards, eliminating commercial setbacks and establishing site design expectations for new construction as an interim measure prior to the adoption of a new zoning ordinance. NEW

Background:

As part of the adoption of EnvisionCR, the City anticipates starting a process to re-write the zoning ordinance in 2015. The City is looking to complete an interim update which will bring the existing zoning ordinance into alignment with the goals of the Comprehensive Plan. The Development Committee directed staff to proceed with an ordinance at its October 15, 2014 Meeting which would:

1. Eliminate front yard setbacks in commercial districts.
2. Expand core area parking standards
3. Set site design expectations to guide development prior to a full update of the zoning code

Eliminate front yard setbacks in commercial districts.

- Eliminate the 25 foot front yard setback for all commercial and office zone districts
- Allow buildings with pedestrian orientation to encroach into required front yard landscaping.

Expand core area parking standards

- Expand Establishing parking maximums
 - 110-150% of minimum, based on required parking lot size
 - Additional spaces over the maximum must be pervious pavement
 - Master planned sites may be separately considered as a PUD
- Allowing reductions in minimum parking requirements based on:
 - Available on-street parking
 - Providing bicycle parking
 - Providing motorcycle parking
 - Location near bus route
 - Location near pedestrian trail
 - Shared parking agreement

- Allow approval of tandem parking for existing one and two-family homes

Set site design expectations to guide development prior to a full update of the zoning code
 The following standards would be established within the zoning code for new non-single family residential construction. They would provide a guide for the development of site plans. While the recommended language will not list specific site design standards, it will list expectations that new development will be expected to follow. This will be a priority in commercial corridors identified within EnvisionCR.

- Building orientation which addresses the street through a combination of:
 - Main façade which faces the street
 - Windows and entrances visible from the street
 - Buildings should not exceed the historic contextual setback
 - Building placement near the corner of major intersections is heavily encouraged.
 - Large Commercial development should, at a minimum, plan for future outlot development along the street.
- Site design should interface with pedestrian transportation networks
 - The required pedestrian circulation provision shall be provided by a clearly identified path from the public sidewalk to any public entrances on the site. It is preferred that this path is a separated pedestrian sidewalk.
 - To the extent feasible the main entrance should be located close to the sidewalk
 - Bicycle parking is encouraged for all new development
 - Connection to existing or planned trail networks should be considered.
 - For master planned sites, pedestrian connectivity throughout the site should be provided.
- Site design should limit parking between the primary façade and the street.
 - Parking is encouraged to be located behind buildings to the extent feasible.
 - Parking located to the side of the building is a preferred alternative
 - Sites which do provide a majority of the parking between the primary façade and the street should provide enhanced pedestrian amenities, such as:
 - Separated and protected pedestrian path to the sidewalk
 - Lighting
 - Outdoor amenities such as seating, landscaping and decorative paving.

Action/Recommendation:

Staff recommends setting the public hearing.

Alternative Recommendation:

City Council may table the motion and request more information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: N/A

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

Recommended by City Council Development Committee on October 15, 2014.
 City Planning Commission Review will occur on November 13, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Development Services

Presenter at meeting: Joe Mailander

Phone Number/Ext: 319-286-5822

Email: j.mailander@cedar-rapids.org

Alternate Contact Person: John Reasoner

Phone Number/Ext: 319-286-5806

Email: j.reasoner@cedar-rapids.org

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

Motion setting a public hearing for November 18, 2014 to consider renaming 14th Avenue SE to 16th Avenue SE, from the Cedar River to 4th Street SE; naming future 16th Avenue SE from 4th Street SE to 5th Street SE; and renaming 15th Avenue SE to 17th Avenue SE from the Cedar River to 2nd Street SE as requested by the Community Development Department. CIP/DID #STREET-013292-2014

Background:

On September 4, 2014, the Community Development Department submitted to the Public Works Department an application for a street name change for 14th Avenue SE to 16th Avenue SE for that portion of 14th Avenue SE from the Cedar River to 4th Street SE, a distance of approximately 1,100 feet; and for a future 16th Avenue SE extension from 4th Street SE to 5th Street SE, a distance of approximately 500 feet. It was determined as part of the renaming of 14th Avenue SE as noted, the existing 15th Avenue SE right-of-way (SE/o 14th Avenue SE) from the Cedar River to 2nd Street SE, a distance of approximately 370 feet, should be renamed 17th Avenue SE.

Per the requirements of City Ordinance No. 073-02, Section 33D.07 3. (c) of the Municipal Code (Procedures for Renaming Existing Streets), a public hearing will be held at City Council after receipt of the petition to rename a street. Per Section 33D.07 3. (d), the application, including any written or public comment from the public hearing, will then be forwarded to the City Staff Review Committee (now known as the Development Services Department) for review and comment.

The proposed name of 16th Avenue SE was chosen due to the location of the existing street right-of-way and future extension northeasterly to existing 5th Street SE and 16th Avenue SE.

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

Ordinance Date:

Proposed Timeline:

1. Public Hearing Date: November 18, 2014; after which Public comment should be sent to Development Services Department
2. Development Services Department review by November 28, 2014
3. Schedule for readings of an Ordinance to be determined after review by Development Services Department.

Estimated Presentation Time: N/A

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt N/A

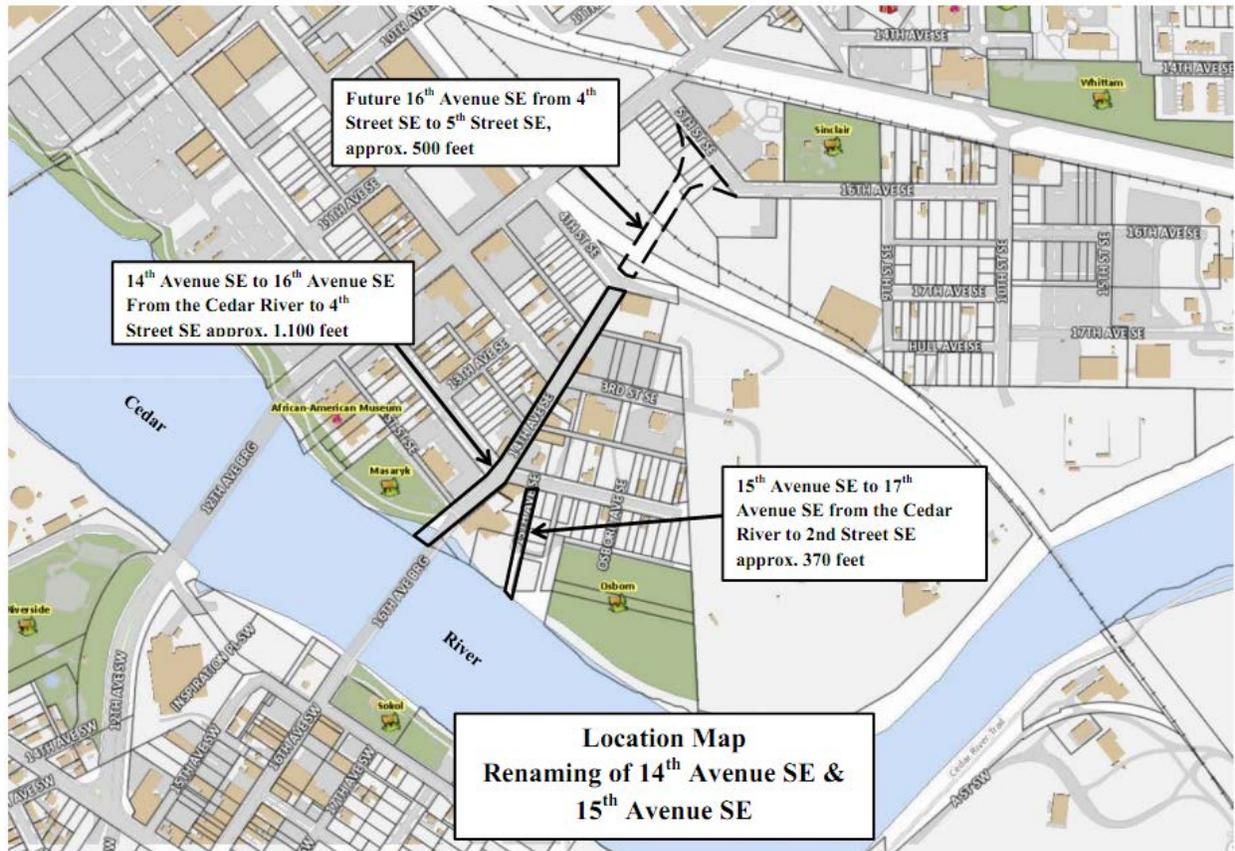
Explanation: This does not fit the criteria outlined in the policy and therefore, does not apply.

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

Seth Gunnerson with the Department of Community Development presented the proposal to rename 14th Avenue SE to the Development Services City Council subcommittee at their meeting on May 21, 2014. The Development Services Committee supported the street name change as proposed.

LOCATION MAP





Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Community Development

Presenter at meeting: Kirsty Sanchez

Phone Number/Ext: 319 286-5428

Email: k.sanchez@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

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

Motion setting a public hearing for December 16, 2014 to consider a request by Kingston Lofts, LLC for an Urban Revitalization Area Designation for property at 200, 210, and 213 3rd Avenue SW. CIP/DID #OB1058251

Background:

A request has been submitted by Kingston Lofts LLC for an Urban Revitalization Area Designation for the proposed construction of a twenty-three unit apartment complex located at 200, 210, and 212 3rd Avenue SW. This project applied for and has been approved for Iowa Economic Development Authority Enterprise Zone Benefits. Under the Enterprise Zone Benefits Program, the project is eligible to receive a 100% refund of the sales, service and use taxes paid for eligible costs during the construction phase of the project and an investment tax credit equal to 10% of the new investment directly related to the housing project. Based on the project details, the estimated sales, service and use tax refund is projected to be \$87,854.00 and the estimated investment tax credit is projected to be \$317,658.00.

Project Details:

- Apartment Building – 43,807 square feet
- Project cost –\$4.1 Million

Benefits to the Community:

- Centrally located infill development project with a mix of market-rate rental and owner occupied units

The project qualifies for the Downtown Housing Program which would provide a 100%, ten-year exemption. Based on the scope of the proposed construction, the annual property tax would be \$109,060. Over a ten-year period, this would be \$1,090,600 deferred as tax exempt.

Action / Recommendation:

City staff recommends setting the public hearing.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

N/A

Resolution Date: N/A

Estimated Presentation Time: N/A

Budget Information (if applicable):

Local Preference Policy Applies Exempt N/A

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):



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

Submitting Department: Public Works Department

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

Phone Number/Extension: 5153

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

Phone Number/Extension: 5141

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

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for November 18, 2014 and advertising for bids by publishing notice to bidders for the C Avenue NE from Collins Road to Blairs Ferry Road Phase 1 - Utility Improvements project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on November 19, 2014 (estimated cost is \$545,000). CIP/DID #301612-03

Background:

The Collins Road NE (Highway 100) Environmental Assessment document had identified traffic lane improvements for the intersection of Collins Road and C Avenue NE that extended northerly on C Avenue NE from Collins Road to Blairs Ferry Road. In addition, the Corridor Metropolitan Planning Organization (CMPO) has approved \$2,904,000 of Surface Transportation Program (STP) funding in the FY14 – FY17 Transportation Improvement Program (TIP) for the C Avenue NE from Collins Road to Blairs Ferry Road project. City Council has approved the STP Agreement, the Right-of-Way Acquisition Agreement for Rockwell Collins, and an Agreement with Rockwell Collins for funding of public improvements and access modifications on C Avenue NE adjacent to 400 Collins Road NE.

The improvements for the Phase 1 portion of this project is for installation of the storm sewer intakes, storm sewer trunklines, and cathodic protection for the existing 24-inch water main. These public utility improvements are proposed for construction in 2015 in advance of the roadway improvements, which are scheduled for a bid opening in the fall of 2015. Construction of the Phase 1 utility improvements will reduce the construction time for the roadway improvements that are scheduled for the 2016 construction season.

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 18, 2014 and advertising for bids by publishing notice to bidders for the project.

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

Time Sensitivity: Normal

Resolution Date Adopting Plans and Specs: November 18, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

CIP No. 301612 (streets) - \$478,400

CIP No. 2012021 (water) - \$144,300

Total Construction Budget - \$622,700

Local Preference Policy: Applies Exempt

Explanation: Chapter 26 of the Code of Iowa requires construction of public improvements to be awarded to the lowest responsive, responsible bidder

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

BLAIRS FERRY ROAD NE

PROJECT LOCATION

C AVENUE NE

COLLINS ROAD NE

C AVENUE NE FROM COLLINS ROAD TO BLAIRS FERRY ROAD PROJECT





COUNCIL AGENDA ITEM COVER SHEET

Meeting Date: 11/4/2014

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. 101 Gastropub, 3707 1st Avenue SE;
- b. Aldi #61, 5425 Blairs Forest Boulevard NE;
- c. Aldi #62, 1860 Edgewood Road SW;
- d. Casey's General Store #3382, 560 33rd Avenue SW (new-formerly Sonic);
- e. The Cooler, 4920 Johnson Avenue NW;
- f. Cranky Hank's Pizza, 4444 1st Avenue NE, Suite 454 (5-day permit for an event at 50 2nd Avenue Bridge (Veteran's Memorial Building), on November 15, 2014);
- g. Fareway Store #963, 4220 16th Avenue SW;
- h. Granite City Food & Brewery, 4755 1st Avenue SE;
- i. Hy-Vee Food Store #1, 1843 Johnson Avenue NW;
- j. Hy-Vee Food Store #2, 279 Collins Road NE;
- k. Java Creek Café, 588 Boyson Road NE (5-day permit for an event at 606 A Avenue NE (Scottish Rite Masonic Center), on November 13-16, 2014);
- l. Mahoney's, 1602 E Avenue NE;
- m. Smoke 'N' Pipe, 3221 1st Avenue SE;
- n. Stadium Lounge Bar & Grill, 957 Rockford Road SW;
- o. Tornado's Grub & Pub, 315 14th Avenue SE;
- p. Vito's on 42nd, 4100 River Ridge Drive NE;
- q. Willy Woodburn's Café, 232 16th Avenue SW.

Background:

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

Alternative Recommendation:

Time Sensitivity:

Resolution Date: N/A

Estimated Presentation Time: N/A

Budget Information (if applicable): N/A

Local Preference Policy:	Applies	Exempt	X
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Explanation:

Recommended by Council Committee:	Yes	No	N/A
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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: 11/4/14

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
101 Gastropub 3707 1ST AVE SE	33	0	0	3
Aldi #61 5425 BLAIRS FOREST BLVD NE	18	0	0	0
Aldi #62 1860 EDGEWOOD RD SW	20	0	0	2
Casey's General Store #3382 560 33RD AVE SW	0	0	0	0
Cooler, The 4920 JOHNSON AVE NW	2	0	0	0
Cranky Hank's Pizza 4444 1ST AVE NE	12	1	0	2
Fareway Store #963 4220 16TH AVE SW	28	0	0	1
Granite City Food & Brewery 4755 1ST AVE SE	17	0	0	1
Hy-Vee Food Store #1 1843 JOHNSON AVE NW	379	0	1	15
Hy-Vee Food Store #2 279 COLLINS RD NE	91	0	0	7
Java Creek Cafe 588 BOYSON RD NE	0	0	0	0
Mahoney's 1602 E AVE NE	22	1	0	6
Smoke 'N' Pipe 3221 1ST AVE SE	9	0	0	1

Stadium Lounge Bar & Grill 957 ROCKFORD RD SW	12	0	0	4
Tornado's Grub & Pub 315 14TH AVE SE	104	1	0	13
Vito's on 42nd 4100 RIVER RIDGE DR NE	13	0	0	1
Willy Woodburns Cafe 232 16TH AVE SW	11	0	0	1

Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Finance

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

Phone Number/Ext: 286-5097

Alternate Contact Person:
Email:

Phone Number/Ext:

Description of Agenda Item:

Resolution authorizing the Finance Department to issue payments to vendors for the various amounts and the payments to vendors is hereby appropriated from the different funds. CIP/DID #OB1143566

Background:

The bi-weekly listing of bills have been examined and approved by the proper departments.

Action / Recommendation:

Authorize the Finance department to issue payments.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 minute(s)

Budget Information (if applicable):

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the attached listing of bills dated November 4, 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 4th day of November, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Finance/General Accounting Division

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

Phone Number/Ext: 286-5097

Alternate Contact Person:
Email:

Phone Number/Ext:

Description of Agenda Item:

Resolution authorizing the Finance Department to issue payroll checks. CIP/DID #OB1143566

Background:

The bi-weekly listing of Payrolls have been examined and approved by the proper departments.

Action / Recommendation:

Authorize the Finance department to issue payroll checks and appropriated from the different funds.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: November 4, 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):

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

OB1143566

RESOLUTION NO.

TRANSFER OF FUNDS

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

Passed this 4th day of November, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: City Clerk's Office

Presenter at meeting: Amy Stevenson

Phone Number/Ext: 319-286-5061

Email: AmyS@cedar-rapids.org

Alternate Contact Person: Bridget McMenemy

Phone Number/Ext: 319-286-5272

Email: b.mcmenemy@cedar-rapids.org

Description of Agenda Item:

Resolution thanking the following individual:

- a. Vote of thanks to Barbara Gay for serving on the Civil Rights Commission; CIP/DID #OB629963

Background:

This agenda includes a vote of thanks for a member that recently submitted a letter of resignation.

Action / Recommendation:

Approve resolutions as presented.

Alternative Recommendation:

Time Sensitivity: None

Resolution Date: November 4, 2014

Estimated Presentation Time: N/A

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, Barbara Gay has devoted considerable time and effort as a member of the Civil Rights Commission,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CEDAR RAPIDS, IOWA, that a vote of thanks and appreciation be and is hereby provided to Barbara Gay for serving as a member of the Civil Rights Commission.

Passed this 4th day of November, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: City Manager's Office

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

Phone Number/Ext: 319-286-5090

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

Phone Number/Ext: 319-286-5083

Description of Agenda Item:

Resolution approving the Cedar Rapids Metro Economic Alliance Fire and Ice Holiday Delight Parade on December 6, 2014 (includes road closure); CIP/DID #SPEC-027641-2014

Background:

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

Action / Recommendation:

Approve motion for this event.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: November 4, 2014

Estimated Presentation Time: N/A

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt X

Explanation:

Recommended by Council Committee Yes No N/A X

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, Jill Wilkins, on behalf of the Cedar Rapids Metro Economic Alliance, has requested permission to hold the Fire and Ice Holiday DeLight Parade on city streets starting at 6 PM on Saturday, December 6, 2014 with parade staging also on city streets beginning at 4 PM, and

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

1. Parade Staging Area:
 - 4th Avenue SE - 500, 600 and 700 blocks
 - 6th Street SE - 300 and 400 blocks
 - 7th Street SE - 300 and 400 blocks
2. Parade Route:
 - Start at 3rd Avenue and 6th Street SE
 - proceed north on 6th Street SE to 2nd Avenue SE
 - proceed west on 2nd Avenue SE to 2nd Street SE
 - proceed south on 2nd Street SE to 3rd Avenue SE
 - proceed east on 3rd Avenue SE to 5th Street SE
 - proceed south on 5th Street SE to 4th Avenue SE adjacent to Greene Square Park and disband.
3. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.
4. The Public Works Department will provide barricades for the Police Department's placement, and any other traffic control deemed necessary by the City to maintain the flow and safety of vehicular and pedestrian traffic.
5. Applicant shall clean up the entire parade route and staging area; and reimburse the City for any damage done to public property.
6. Applicant shall work with the Cedar Rapids Metro Economic Alliance office to facilitate parking removal along the parade route in the manner prescribed by the City as follows:
 - a. Applicant shall obtain temporary "No Parking" signs meeting requirements of the City including text, size and material. Sign text shall state "Emergency No Parking -- Tow Away Zone beginning 4:00 PM on 12/6/14 per Municipal Code Sections 61.094 & 61.094A". Date and time on the temporary signs shall be stick-on and removable to facilitate use of the signs for other parades.
 - b. Applicant shall arrange installation of signs in the method, location and timing required by the City.
 - c. Applicant shall arrange removal of all signs immediately following completion of the parade.

- d. Applicant is responsible for notification of all affected property and business owners adjacent to areas of parking removal. Such notification shall occur a minimum of 48 hours prior to the parade. A copy of the notification shall be provided to the City Manager's Office prior to the event.
- e. Applicant's approval for temporary "No Parking" signs is only for this event.
7. Applicant shall contact the Union Pacific Railroad Company to assure that no conflicts will occur during the parade at any of the 4th Street railroad grade crossings.
 8. Applicant shall contact Park CR (319-365-7275) to arrange for reserved parking spaces as necessary for loading and unloading of materials and equipment necessary for use of the parade judge's tent.
 9. Any pavement markings required for this event shall be done with prior approval of the Traffic Engineering Division. No permanent markings of any type will be permitted.
 10. Applicant and participants shall not throw candy or other items from the parade units. Any items intended to be distributed to parade attendees must be handed out.
 11. Applicant shall provide adequate adult volunteers at all intersections and other locations as required by the Police Department to assist with event instructions and event participant safety.
 12. Applicant shall limit the number of parade entries to no more than 100 entries.
 13. Applicant shall provide written notification regarding street closures to all property owners adjacent to the staging area and parade route. Written notification shall include the location of the staging area and parade route, event date and time required for staging area and parade route use, and the name and telephone number of the applicant's contact person. A copy of the notification shall be provided to the City Manager's Office prior to the event.
 14. Applicant shall contact the Sgt. Mark Andries of the Police Department (319-286-5438) at least 30 days before the event, to hire off-duty police officers to provide traffic control deemed necessary by the City to maintain the flow and safety of vehicular and pedestrian traffic.
 15. Applicant will be required to hire 14 off-duty officers and 1 commander as follows (estimated):

Five (5) officers (staging)	= \$980
Nine (9) officers (route barricade)	= \$1,323
One (1) commander	= \$216
	\$2,519
- Estimated cost of off-duty officers is \$2,519 (however is dependent upon final determination at event time).
16. Applicant agrees to defend, indemnify and save the City of Cedar Rapids harmless from all liability and place on file a liability insurance policy in limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

Passed this 4th day of November 2014.

Council Agenda Item Cover Sheet

Consent Agenda **Regular Agenda**

Council Meeting Date: November 4, 2014

Submitting Department: Utilities – Water Division

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

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

Description of Agenda Item:

Resolutions approving assessment actions:

- a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 61 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: 11/04/14

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 16th 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 3:00 p.m., December 16, 2014.

Passed this 4th day of November, 2014.

LIEN INTENTS (SPECIAL ASSESSMENTS) 11/09/14

LIEN INTENTS 11/04/14			
#	Balance Due	Premise Address	
1	\$ 115.47	127 WEST POST RD SW	
2	\$ 153.64	160 WEST POST RD NW	
3	\$ 100.83	293 14TH AVE SW	
4	\$ 162.70	315 31ST ST NE	
5	\$ 165.60	348 17TH ST SE	
6	\$ 99.68	420 15TH ST SE	
7	\$ 76.10	527 GWENDOLYN DR NE	
8	\$ 149.44	646 35TH ST NE	
9	\$ 35.98	707 73RD ST NE	
10	\$ 269.74	800 3RD AVE SW	
11	\$ 168.10	807 ELLIS BLVD NW	
12	\$ 152.14	828 10TH ST SW	
13	\$ 210.85	861 19TH ST SE	
14	\$ 196.36	913 SUMMIT AVE SW	
15	\$ 264.17	1012 30TH ST SE	
16	\$ 215.88	1053 12TH ST NE	
17	\$ 250.74	1105 15TH AVE SW	
18	\$ 114.32	1114 2ND AVE SW	
19	\$ 148.74	1212 20TH AVE SW	
20	\$ 40.16	1215 CHEYENNE RD NW	
21	\$ 85.86	1248 29TH ST NE	
22	\$ 83.68	1271 16TH AVE SW	
23	\$ 36.05	1287 35TH ST NE	
24	\$ 59.81	1347 22ND AVE SW	
25	\$ 174.64	1378 J AVE NE	
26	\$ 150.67	1431 BEVER AVE SE	
27	\$ 90.08	1506 6TH AVE SE	
28	\$ 53.75	1601 K AVE NE	
29	\$ 146.46	1603 WOODCREST ST NE	
30	\$ 171.64	1617 WILDWOOD DR NE	
31	\$ 63.16	1625 MIDLAND CT NE #1	
32	\$ 107.59	1642 ARIZONA AVE NE	
33	\$ 162.20	1658 9TH ST NW	
34	\$ 163.74	1740 LINMAR DR NE	
35	\$ 302.26	1815 5TH AVE SE	
36	\$ 46.56	2005 ROCKFORD RD SW #9	
37	\$ 66.94	2043 SUGAR CREEK DR NW	
38	\$ 91.94	2045 PARK AVE SE	
39	\$ 148.56	2103 F AVE NE	
40	\$ 147.14	2205 D AVE NE	
41	\$ 214.85	2313 LORI DR SW	
42	\$ 129.51	2407 B AVE NE	
43	\$ 112.57	2416 4TH AVE SE	
44	\$ 97.08	2500 WISCONSIN ST SW	
45	\$ 133.16	2612 O AVE NW	

LIEN INTENTS 11/04/14			
#		Balance Due	Premise Address
46		\$ 68.80	2725 TERESA DR SW
47		\$ 154.13	3000 SIDNEY ST SE
48		\$ 126.47	3040 SAMUEL CT SW #B
49		\$ 106.80	3106 33RD AVE SW
50		\$ 72.83	3131 D AVE NE
51		\$ 130.20	3305 DUNHAM DR SW
52		\$ 187.64	3339 HENDERSON AVE SE
53		\$ 151.81	3541 REDBUD RD NE
54		\$ 148.82	3741 H AVE NE
55		\$ 163.99	3809 ELMWOOD DR NE
56		\$ 63.86	3817 MT VERNON RD SE
57		\$ 151.71	3911 MT VERNON RD SE
58		\$ 139.16	5705 MUIRFIELD DR SW #3
59		\$ 29.71	6103 OAKWOOD AVE NE
60		\$ 64.29	6816 SURREY DR NE
61		\$ 275.96	7008 WATER VIEW DR SW
		\$ 8,166.72	Grand Total
		61	Number of Properties
		\$ 29.71	Balance Due - Low
		\$ 302.26	Balance Due - High

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 4th day of November, 2014.

SPECIAL ASSESSMENTS (TO BE LIENED) 11/04/14

SPECIAL ASSESSMENTS 11/04/14			
LIEN INTENTS 9/23/14			
#	Balance Due	Premise Address	
1	\$ 264.27	126 37TH ST NE	
2	\$ 385.45	157 15TH AVE SW	
3	\$ 140.36	164 WEST POST RD NW	
4	\$ 120.95	222 15TH ST NE	
5	\$ 67.05	336 17TH ST SE	
6	\$ 109.60	604 ELLIS BLVD NW	
7	\$ 81.97	615 MEADOWDALE DR NW	
8	\$ 301.84	810 44TH ST SE	
9	\$ 173.79	1114 15TH ST SE	
10	\$ 244.06	1132 18TH AVE SW	
11	\$ 205.99	1421 8TH AVE SE	
12	\$ 248.97	1432 MEMORIAL DR SE	
13	\$ 169.65	1530 8TH AVE SE	
14	\$ 137.64	1600 1ST AVE NE	
15	\$ 296.64	1627 WASHINGTON AVE SE	
16	\$ 208.28	1719 KEITH DR NE	
17	\$ 113.76	1744 MT VERNON RD SE	
18	\$ 264.81	1826 J AVE NE - LOWER	
19	\$ 209.05	1923 MT VERNON RD SE	
20	\$ 254.29	3810 HART CT NE	
21	\$ 87.98	7414 WORCESTER RD, PALO	
	\$ 4,086.40	Grand Total	
	21	Number of Properties	
	\$ 67.05	Balance Due - Low	
	\$ 385.45	Balance Due - High	



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 \$21,635.25 and approving the 2-year Performance Bond submitted by Portzen Construction, Inc. for the Cedar Rapids Animal Care & Control Building project (original contract amount was \$3,815,500; final contract amount is \$3,927,074) (**FLOOD**). CIP/DID #PDE001-20

Background:

Construction has been substantially completed by Portzen Construction, Inc. for the Cedar Rapids Animal Care & Control Building project. This is an approved Capital Improvements Project (CIP No. PDE001-20) with a final construction contract amount of \$3,927,074. 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 \$21,635.25.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): FEMA and LOST – PDE001.

Local Preference Policy: Applies Exempt

Explanation: Capital Improvement Project

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Cedar Rapids Animal Care & Control Building project (Contract No. PDE001-20), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated October 23, 2012 in the amount of \$3,815,500 covering said work filed by Portzen Construction, Inc. and executed by United Fire & Casualty Company provides a 2-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$3,815,500
Change Order No. 1	12,165
Change Order No. 2	28,019
Change Order No. 3	30,098
Change Order No. 4	26,011
Change Order No. 5	<u>15,281</u>
Amended Contract Amount	\$3,927,074

, now therefore

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

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the Cedar Rapids Animal Care & Control Building project, (Contract PDE001-20) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$21,635.25 to Portzen Construction, Inc. as final payment.

The final contract price is \$3,927,074 distributed as follows: \$1,518,158.00 552000-330-330720-18512-PDE001, \$2,408,916.00 552000-330-330720-18515-PDE001-EN

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 4th day of November, 2014.





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5804

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

Phone Number/Extension: 5848

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

Resolution accepting project and approving the 4-year Performance Bond submitted by Cedar Rapids Thunder, Inc. for the D Avenue NW at Cherry Park Drive Storm Sewer Extension project (original contract amount was \$15,038.70; final contract amount is \$15,544.98). CIP/DID #304394-01

Background:

Construction has been substantially completed by Cedar Rapids Thunder, Inc. for the D Avenue at Cherry Park Drive Storm Sewer Extension project. This is an approved Capital Improvements Project (CIP No. 304394-01) with a final construction contract amount of \$15,544.98. Funding resources for this project were approved in FY15 and prior years and the project is completed within the approved budget.

Action / Recommendation:

The Public Works Department recommends adoption of the Resolution to accept the project and performance bond from Cedar Rapids Thunder, Inc.

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 (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: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt

Explanation: This project is a Public Improvement Project and as such per State Code the City is required to award the construction contract to the lowest responsive, responsible bidder. The Buy Local Policy does not apply in this situation.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the D Avenue NW at Cherry Park Drive Storm Sewer Extension project (Contract No. 304394-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated April 30, 2014 in the amount of \$14,538.70 covering said work filed by Cedar Rapids Thunder, Inc. and executed by North American Specialty Insurance Company provides a 4-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$14,538.70
Possible Incentive	500.00
Change Order No. 1	1,006.28
Removal of Original Incentive	<u>(500.00)</u>
Amended Contract Amount	\$15,544.98

, now therefore

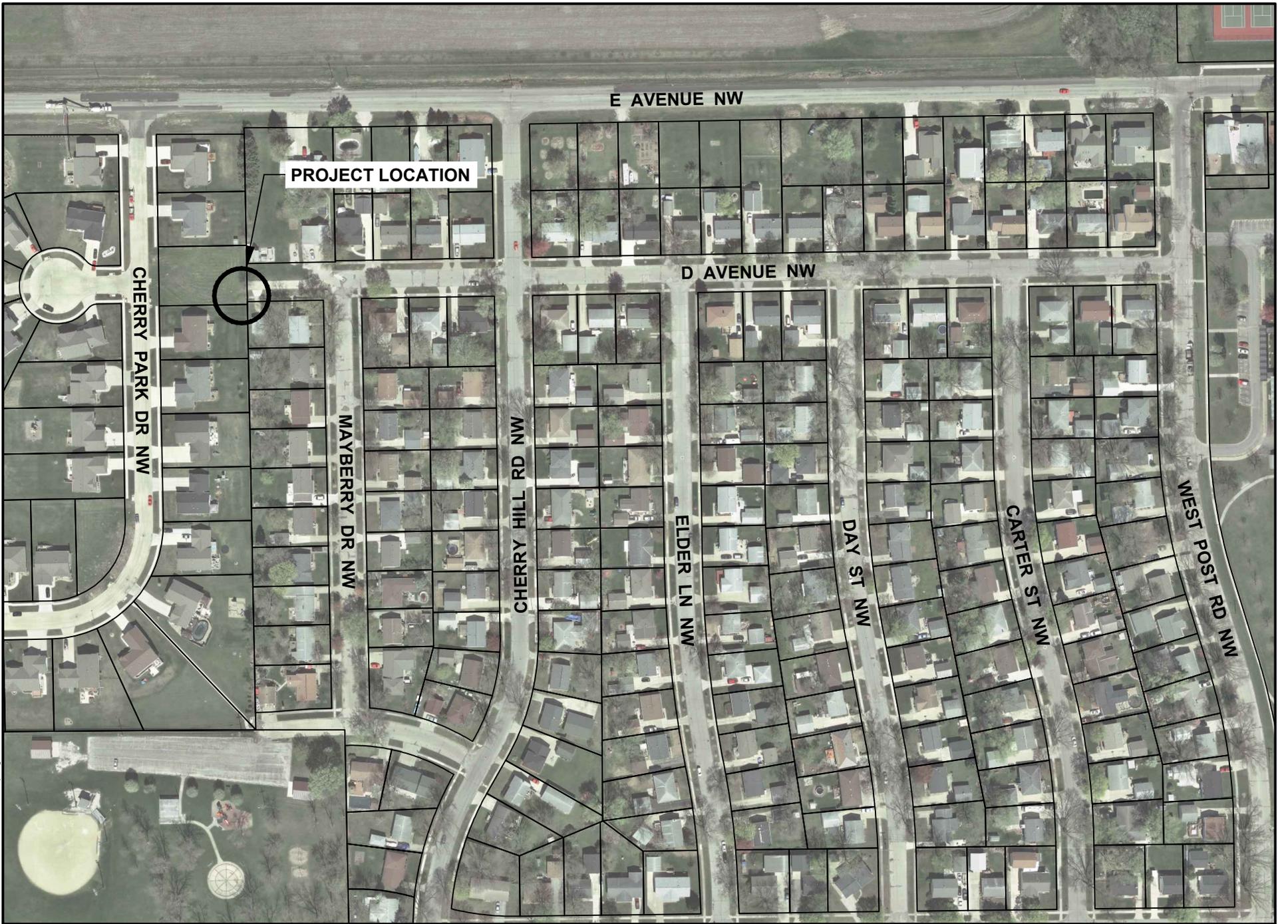
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the D Avenue NW at Cherry Park Drive Storm Sewer Extension project, (Contract No. 304394-01) be and the same is hereby accepted as being substantially completed.

The final contract price is \$15,544.98 distributed as follows: \$15,544.98 304-304000-304394, 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 4th day of November, 2014.



PROJECT LOCATION

CHERRY PARK DR NW

MAYBERRY DR NW

CHERRY HILL RD NW

ELDER LN NW

DAY ST NW

CARTER ST NW

WEST POST RD NW

E AVENUE NW

D AVENUE NW

Cadd File Name: W:\PROJECTS\CIP\304394\304394\304394 Council Map.dwg



**D AVENUE NW AT CHERRY PARK DRIVE
STORM SEWER EXTENSION**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5804

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

Phone Number/Extension: 5848

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

Resolution accepting project, authorizing final payment in the amount of \$22,848.27 and approving the 4-year Performance Bond submitted by Pirc-Tobin Construction, Inc. for the Naoma Drive SW Sanitary and Storm Sewer Improvements project (original contract amount was \$475,600; final contract amount is \$456,965.48). CIP/DID #655938-02

Background:

Construction has been substantially completed by Pirc-Tobin Construction, Inc. for the Naoma Drive SW Sanitary and Storm Sewer Improvements project. This is an approved Capital Improvements Project (CIP No. 655938-02) with a final construction contract amount of \$456,965.48. 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 \$22,848.27.

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 the City could be subject to claims since the Contractor has fulfilled the terms of the construction contract.

Time Sensitivity: Normal

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP 655938: \$364,377 (Revenue bonds & cash on hand), CIP 304373: \$178,016 (Cash on hand), CIP 301515: \$83,775 (Cash on hand)

Local Preference Policy: Applies Exempt

Recommended by Council Committee: Yes No N/A

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Naoma Drive SW Sanitary and Storm Sewer Improvements project (Contract No. 655938-02), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated August 27, 2013 in the amount of \$462,600 covering said work filed by Pirc-Tobin Construction, Inc. and executed by Capitol Indemnity Corporation provides a 4-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$462,600.00
Possible Incentive	13,000.00
Change Order No. 1	329.32
Change Order No. 2	18,552.02
Change Order No. 3	1,904.73
Change Order No. 4	751.76
Change Order No. 5	2,092.62
Change Order No. 6 Final Revised	(34,514.97)
Removal of Original Incentive	<u>(7,750.00)</u>
Amended Contract Amount	\$456,965.48

, 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 Naoma Drive SW Sanitary and Storm Sewer Improvements project, (Contract No. 655938-02) 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 \$22,848.27 to Pirc-Tobin Construction, Inc. as final payment.

The final contract price is \$456,965.48 distributed as follows: \$42,963.99 301-301000-301515, \$113,578.71 304-304000-304373, \$300,422.78 655-655000-655938, 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 4th day of November, 2014.



PROJECT LOCATION

BURDETTE DR SW

JOHNSON AVE SW

WEST POST RD SW

16TH AVENUE SW

WESTERN DR

NAOMA DR SW



NAOMA DRIVE SW SANITARY AND STORM SEWER IMPROVEMENTS



Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Erika Kubly

Phone Number/Ext: 319 286-5406

Email: e.kubly@cedar-rapids.org

Alternate Contact Person: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

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

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

- a. Skogman Construction Company of Iowa for property at 619 Moose Drive NW
- b. Skogman Construction Company of Iowa for property at 624 Moose Drive NW
- c. Skogman Construction Company of Iowa for property at 625 Moose Drive NW
- d. Skogman Construction Company of Iowa for property at 631 Moose Drive 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 units 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 August 12, 2014, by Resolution No. 1056-08-14, the City Council approved an amended Administrative Plan for the Single Family New Construction (SFNC) Program. The modifications in the administrative plan allow for building outside of Tier 1 under limited circumstances:

- Builders are eligible for a maximum of 1 unit outside Tier 1 for every unit they construct

inside Tier 1 in Round 4. Actual allocation outside Tier 1 is subject to substantial completion of Tier 1 units, application review, and funding availability.

- The order of priority for allocation, all other review factors being comparable, will be lots in Tier 1, followed by lots outside of Tier 1 that are located in the Cedar Rapids Community School District.

Through a competitive proposal process, developers submitted applications for the program which listed “preference sites” outside of Tier 1 on privately-owned property. A team of City staff, neighborhood representatives and members of the building community 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 140 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: November 4, 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 SKOGMAN CONSTRUCTION COMPANY OF IOWA FOR PROPERTY AT
619 MOOSE DRIVE 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, on August 12, 2014, the City Council passed Resolution 1056-08-14 which modified the administrative plan and local program guidelines to allow for development outside of the Tier 1 boundary area under very limited circumstances; 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 Skogman Construction Company of Iowa.

Passed this 4th Day of November, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
WITH SKOGMAN CONSTRUCTION COMPANY OF IOWA FOR PROPERTY AT
624 MOOSE DRIVE 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, on August 12, 2014, the City Council passed Resolution 1056-08-14 which modified the administrative plan and local program guidelines to allow for development outside of the Tier 1 boundary area under very limited circumstances; 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 Skogman Construction Company of Iowa.

Passed this 4th Day of November, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
WITH SKOGMAN CONSTRUCTION COMPANY OF IOWA FOR PROPERTY AT
625 MOOSE DRIVE 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, on August 12, 2014, the City Council passed Resolution 1056-08-14 which modified the administrative plan and local program guidelines to allow for development outside of the Tier 1 boundary area under very limited circumstances; 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 Skogman Construction Company of Iowa.

Passed this 4th Day of November, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
WITH SKOGMAN CONSTRUCTION COMPANY OF IOWA FOR PROPERTY AT
631 MOOSE DRIVE 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, on August 12, 2014, the City Council passed Resolution 1056-08-14 which modified the administrative plan and local program guidelines to allow for development outside of the Tier 1 boundary area under very limited circumstances; 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 Skogman Construction Company of Iowa.

Passed this 4th Day of November, 2014

Council Agenda Item Cover Sheet

Consent Agenda **Regular Agenda**

Council Date: November 4, 2014

Submitting Department: Utilities - Water Division

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

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

Description of Agenda Item:

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

- a. Water system improvements installed in Red Rock 1st Addition – Phase 2 and approving the 2-Year Maintenance Bond (#2189476), submitted by Zinser Grading & Excavating LLC, in the amount of \$94,915. CIP/DID #2014077-01

Background:

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

The Developer, Red Rock Developing, LLC, was granted permission by the Water Division to install 8-inch water mains, services, and appurtenances in Red Rock 1st Addition (Project No. 2014077). The Contractor, Zinser Grading and Excavating LLC, has installed 1,357 feet of 8-inch DIP water main, services and appurtenances on Deer Stone Court, Deer Stone Drive, Stone Ridge Drive and Red Rock Drive 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 Red Rock 1st Addition – Phase 2 (Project No. 2014077) and the Contractor’s 2-year Maintenance Bond (#2489476) in the amount of \$97,915 submitted by Zinser Grading and Excavating LLC.

Alternative Recommendation:

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

Time Sensitivity: None, routine item

Resolution Date: 11/04/14

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
ENG
FIN
RED ROCK
ZINSER
2014077-01

RESOLUTION NO.

WHEREAS, the Developer, Red Rock Developing, LLC, was granted permission by the Utilities Department – Water Division to install 1,357 feet of 8-inch DIP water main, services and appurtenances on Deer Stone Court, Deer Stone Drive, Stone Ridge Drive and Red Rock Drive SW all in RED ROCK 1ST ADDITION – PHASE 2 (Project No. 2014077) to the City of Cedar Rapids, and

WHEREAS, said work has now been completed and Zinser Grading & Excavating LLC of Walford, Iowa, as Principal, has submitted a 2-Year Maintenance Bond executed by North American Specialty Insurance Company, as Surety, in the sum of \$94,915 (Ninety Four Thousand Nine Hundred Fifteen Dollars and 00/100) covering said work.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the water mains, services and appurtenances installed in RED ROCK 1ST ADDITION – PHASE 2 (Project No. 2014077) be hereby accepted, and

BE IT FURTHER RESOLVED that the 2-Year Maintenance Bond filed by Zinser Grading & Excavating LLC, as Principal, and executed by North American Specialty Insurance Company, as Surety, be hereby approved and filed with the City of Cedar Rapids Finance Director.

Passed this 4th day of November, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Development Services

Presenter at meeting: John Reasoner
Email: j.reasoner@cedar-rapids.org

Phone Number/Ext: 319-286-5806

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

Phone Number/Ext: 319-286-5822

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

Resolution approving the Final Plat of Westdale First Addition located at 2550 Edgewood Road SW. CIP/DID #FLPT-006886-2013

Background:

Westdale First Addition was approved by City Council Resolution No. 1947-12-13, dated December 17, 2013, but was not recorded at the Office of the Linn County Recorder. The property owner and developer have revised the lot layout for Westdale First Addition and resubmitted the new final plat to the City for approval. If passed, the Resolution Approving Plat will rescind Resolution No. 1947-12-13 and approve the new final plat documents as submitted.

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

The final plat contains eight (8) lots and a total plat area of 8.84 acres.

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: November 4, 2014

Estimated Presentation Time: N/A

Budget Information (if applicable): NA

Local Preference Policy Applies Exempt N/A

Explanation: Policy not applicable to final platting subdivisions.

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

LOCATION MAP



DSD
ENG
SEW
SWM
BSD
PD
FIR
WTR
STR
IT
LC SHERIFF
AMBULANCE
POST OFFICE
SHAPIRO, LLC
FLPT-006886-2013

RESOLUTION NO.

RESOLUTION APPROVING THE FINAL PLAT OF WESTDALE FIRST
ADDITION LOCATED AT 2550 EDGEWOOD ROAD SW

WHEREAS, the Final Plat of Westdale First Addition to the City of Cedar Rapids, Iowa was approved by the City Council of the City of Cedar Rapids, Iowa by Resolution No. 1947-12-13 on December 17, 2013; and

WHEREAS, the Final Plat of Westdale First Addition approved by Resolution No. 1947-12-13 has not been recorded to date at the Office of the Linn County Recorder per the requirements of Section 31.05 (c) of the Municipal Code (aka the City Subdivision Ordinance); and

WHEREAS, A REVISED FINAL PLAT OF WESTDALE FIRST ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA containing seven (7) lots, Numbered 1-7, all inclusive, and lettered Lot A, has been filed with the City Clerk and after consideration of the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities; and

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

1. Easement Dedication Certificate;
2. Maintenance Agreement;
3. Agreement for Private Sanitary Sewer Facilities;
4. Agreement for Private Water Main Facilities,

and

WHEREAS, the agreement(s) as submitted are recommended for approval by the Development Services Department;

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

1. City Council approval of Westdale First Addition by Resolution No. 1947-12-13 on December 17, 2013 and Resolution No. 1947-12-13 are hereby rescinded.
2. The City Council concurs with the recommendation of the City Development Services Department, and specifically finds that the revised Final Plat of Westdale First Addition is in accordance with the provisions of the laws of the State of Iowa, and the ordinances of

the City of Cedar Rapids, in relation to Plats and Addition to Cities, and also specifically Cedar Rapids Municipal Code Chapter 31, the Subdivision Ordinance.

- 3. The Mayor and City Council hereby accept the executed agreement(s), as noted above.
- 4. Said plat and dedication of said Westdale First Addition to the City of Cedar Rapids, Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Cedar Rapids, Iowa, and the dedication of: (a) public access and public utility easements to Lot A (Westdale Parkway SW) which will remain a privately owned and maintained street area and (b) the public utility easements as shown on the final plat is hereby approved and accepted. The City Clerk is hereby directed to certify this resolution of approval and affix the same to said plat as by law provided.

Passed this 4th day of November, 2014.

_____ Mayor

Attest:

_____ City Clerk

STATE OF IOWA)
) ss.
 COUNTY OF LINN)

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

_____ City Clerk



Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Development Services

Presenter at meeting: John Reasoner
Email: j.reasoner@cedar-rapids.org

Phone Number/Ext: 319-286-5806

Alternate Contact Person: Chris Strecker, P.E.
Email: c.strecker@cedar-rapids.org

Phone Number/Ext: 319-286-5820

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

Resolution approving the Final Plat of Gee First Addition to Linn County located at 2203 Wright Brothers Boulevard SW. CIP/DID #FLPT-013884-2014

Background:

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

This plat contains two (2) lots and a total plat area of 4.09 acres.

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: November 4, 2014

Estimated Presentation Time: N/A

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt N/A

Explanation: Policy not applicable to final platting subdivisions.

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

LOCATION MAP



Location Map
GEE 1ST ADDITION

DSD ENG
ASR CLK
BSD SWM
FIR PD
STR WTR
SEW IT
 LC SHERIFF
 AMBULANCE
 POST OFFICE
 DANIEL D. GEE
 BELINDA G. GEE
 FLPT-013884-2014

RESOLUTION NO.

RESOLUTION APPROVING THE FINAL PLAT OF WESTDALE SECOND
ADDITION LOCATED AT 2550 EDGEWOOD ROAD SW

WHEREAS, A PLAT OF GEE FIRST ADDITION TO LINN COUNTY, IOWA containing (2) lots, Numbered 1 and lettered Lot A, both inclusive, has been filed with the City Clerk and after consideration of the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities; and

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

1. Agreement to Connect to City Sanitary Sewer Facilities City of Cedar Rapids, Iowa;
2. Sanitary Sewer Petition and Assessment Agreement;
3. Concrete Pavement and Concrete Sidewalk Petition and Assessment Agreement;
4. Agreement to Annex, and

WHEREAS, the agreement(s) as submitted are recommended for approval by the City Engineer;

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

1. The City Council concurs with the recommendation of the City Engineer, and specifically finds that the proposed plat is in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and also specifically Cedar Rapids Municipal Code Chapter 31, the Subdivision Ordinance.
2. The Mayor and City Council hereby accept the executed agreement(s), as noted above.
3. Said plat and dedication of said Gee First Addition to Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Cedar Rapids, Iowa, and the dedication to the public of all lands within the plat that are designated for streets, more specifically Lot A (Wright Brothers Boulevard SW) is hereby approved and accepted, and the dedication of the public easements for the purposes shown on the final plat is hereby approved and accepted, and the City Clerk is hereby directed to certify this resolution of approval and affix the same to said plat as by law provided.

Passed this 4th day of November, 2014

_____ Mayor

Attest:

_____ City Clerk

STATE OF IOWA)
) ss.
COUNTY OF LINN)

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

_____ City Clerk



Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Development Services

Presenter at meeting: John Reasoner
Email: j.reasoner@cedar-rapids.org

Phone Number/Ext: 319-286-5806

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

Phone Number/Ext: 319-286-5822

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

Resolution approving the Final Plat of Westdale Second Addition located at 2550 Edgewood Road SW. CIP/DID #FLPT-014329-2014

Background:

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

This plat contains two (2) lots and a total plat area of 0.77 acres.

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: November 4, 2014

Estimated Presentation Time: N/A

Budget Information (if applicable): NA

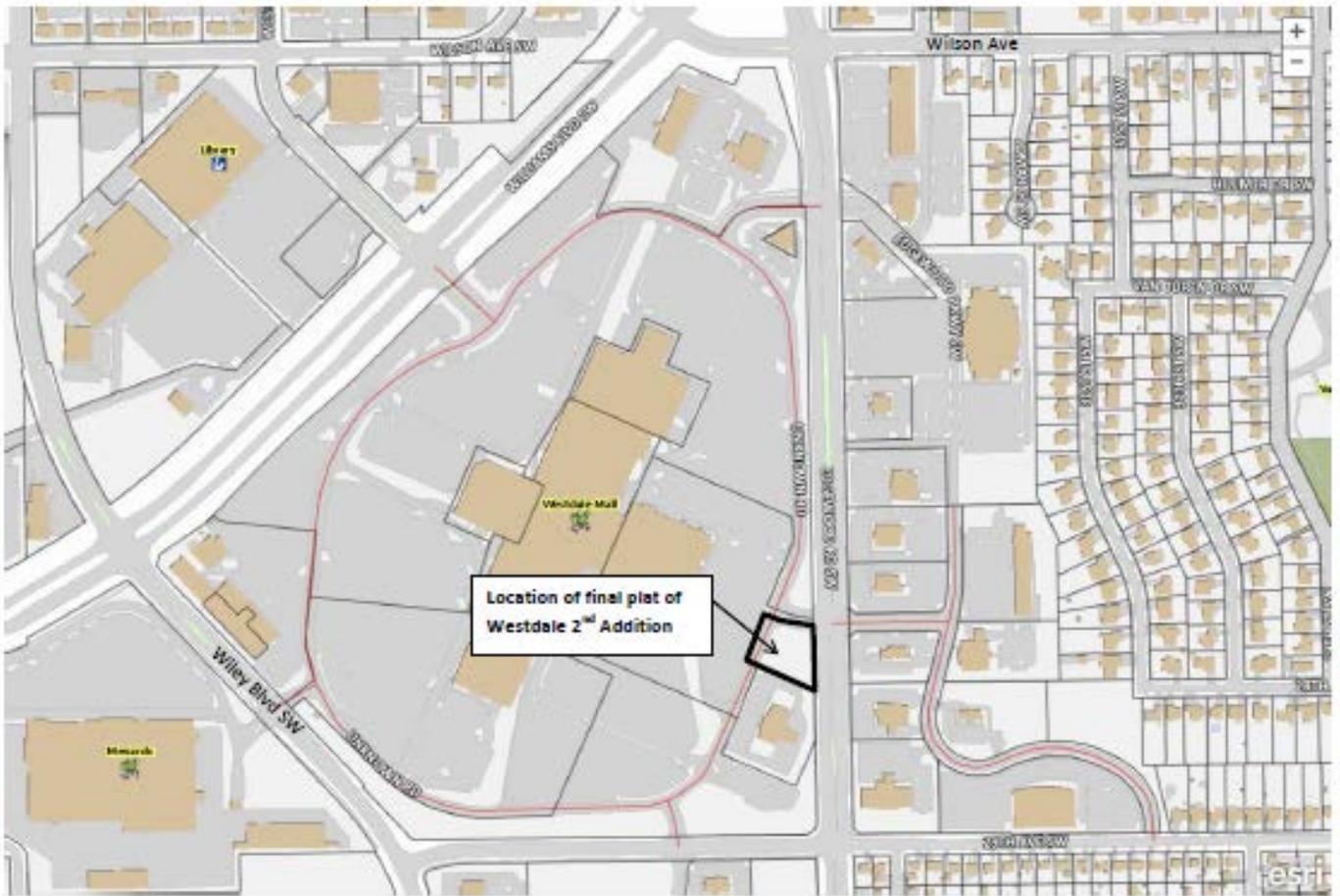
Local Preference Policy Applies Exempt N/A

Explanation: Policy not applicable to final platting subdivisions.

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

LOCATION MAP



DSD
ENG
ASR
SWM
SEW
BSD
PD
FIR
WTR
STR
IT
LC SHERIFF
AMBULANCE
POST OFFICE
A. SHAPIRO, LLC
FLPT-014329-2014

RESOLUTION NO.

RESOLUTION APPROVING FINAL PLAT OF WESTDALE SECOND ADDITION
LOCATED AT 2550 EDGEWOOD ROAD SW

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

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

1. Maintenance Agreement;
2. Agreement for Private Sanitary Sewer Facilities;
3. Agreement for Private Water Main Facilities, and

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

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

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

Passed this 4th day of November, 2014.

_____ Mayor

Attest:

_____ City Clerk

STATE OF IOWA)
) ss.
COUNTY OF LINN)

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

_____ City Clerk



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 referring to the Linn County Compensation Commission (in accordance with eminent domain proceedings) the partial acquisition of a temporary grading easement for construction from 1311 18th Street SW, owned by Deborah K. Tompkins, in connection with the 18th Street SW from Wilson Avenue SW to 13th Avenue SW Improvements project. CIP/DID #301500-00

Background:

A temporary grading easement for construction from private property is required to accommodate the proposed 18th Street SW from Wilson Avenue SW to 13th Avenue SW Improvements project. Negotiations are proceeding between the City and the property owner; however, in order to protect the City's project letting, the City will file an application for eminent domain proceedings if the City and the property owner come to an impasse with negotiations. Until the compensation commission hearing, negotiations will continue between both parties to reach a mutually agreeable settlement to conclude this transaction.

Referring this matter to the Linn County Compensation Commission is 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. The City will offer mediation to the property owner if the City and the property owner come to an impasse with negotiations.

Action / Recommendation:

The Public Works Department recommends that the City Council approve the referral to the Linn County Compensation Commission to obtain the required partial acquisition from 1311 18th Street SW, owned by Deborah K. Tompkins.

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 facilitate redesign of the roadway alignment.

Time Sensitivity: Normal

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 301/3010000/301500

Local Preference Policy: Applies Exempt

Explanation: Local Preference Policy does not apply to the acquisition of temporary construction 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 a temporary grading easement for construction is necessary for the 18th Street SW from Wilson Avenue SW to 13th Avenue SW Improvements project, (CIP No. 301500-00), and

WHEREAS, the additional temporary grading easement for construction that is required is located on the property at 1311 18th Street SW, and the owner of said property is Deborah K. Tompkins, and

WHEREAS, the City has initiated negotiations with Deborah K. Tompkins for the acquisition and has made a good faith effort to acquire the required temporary grading easement for construction, and

WHEREAS, the Public Works Director / City Engineer has determined it is in the best interest of the City to refer this matter to the Linn County Compensation Commission to establish the fair value for the City to acquire title to the temporary grading easement for construction, and

WHEREAS, the City Council has allocated Capital Improvement funds for the 18th Street SW from Wilson Avenue SW to 13th 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, the City Attorney is hereby authorized and directed to refer this property owned by Deborah K. Tompkins for the temporary grading easement for construction acquisition matter to the Linn County Compensation Commission to determine the fair compensation value and allow the property to be acquired with the following description:

See attached Temporary Construction Easement Exhibit

BE IT FURTHER RESOLVED, the City of Cedar Rapids Finance Director is hereby authorized and directed to issue payment in accord with the Compensation Commission award.

Passed this 4th day of November, 2014.

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT

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

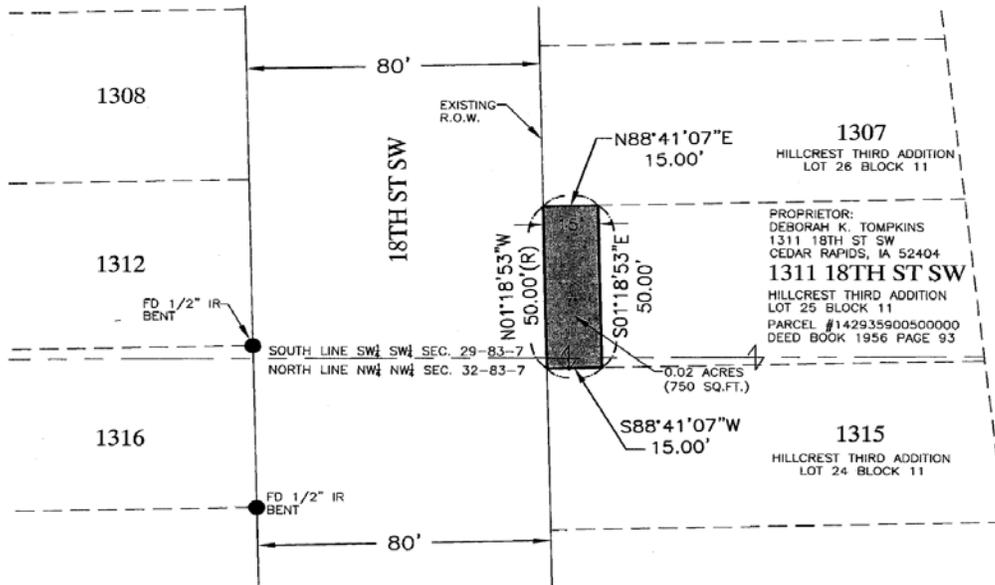


NOTES:

1. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. BEARINGS HEREON ARE BASED UPON IOWA STATE PLANE NAD 83 NORTH ZONE.
3. TEMPORARY EASEMENT WILL EXPIRE UPON COMPLETION OF CONSTRUCTION AND ACCEPTANCE OF THE CITY OF CEDAR RAPIDS.

Legal Description

TEMPORARY CONSTRUCTION EASEMENT OVER THE WEST 15.00 FEET OF LOT 25, BLOCK 11, HILLCREST THIRD ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA. PARCEL CONTAINS 0.02 ACRES (750 SQ.FT.) MORE OR LESS.



Legend

- Boundary Line
- Adjoining Lot Line
- Section Line
- Building Setback Line
- Found 1/2" Iron Rod
- Set 1/4"x30" Rebar w/Orange Cap #18646
- Set Section/Quarter Corner
- Found Section/Quarter Corner
- Measured (M)
- Recorded (R)
- Temporary Construction

TEMPORARY CONSTRUCTION
EASEMENT EXHIBIT

1311 18TH ST SW
Project Number: 209054

Drawn By: MLS Approved By: RRK
Date: 8/18/14 Scale: 1"=40'
Field Book #: 307



Client:
ANDERSON-BOGERT

Sheet No.
1
Of
1

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13TH AVE SW

14TH AVE SW

1311

TEMPORARY
CONSTRUCTION
EASEMENT

18TH ST SW

16TH AVE SW

**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: Gary Petersen, PE

Phone Number/Extension: 5153

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

Alternate Contact Person: Doug Wilson, PE

Phone Number/Extension: 5141

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

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

Resolution fixing value of lots for the construction of the 35th Street Drive SE from 1st Avenue East to Elm Avenue SE Curb and Gutter Improvements project (**Paving for Progress**). CIP/DID #301240-00

Background:

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

When infrastructure construction by the City has benefited undeveloped land, it has been the City's practice to charge adjacent lands for benefit they receive, via special assessment. If not assessed, the City is essentially financing development construction and increasing property value at the cost of taxpayers. City Council passed the first, preliminary resolution for the construction of improvements on October 21, 2014.

The proposed resolution before City Council is the second resolution in a series of resolutions (as shown on attached spreadsheet), which will lead to an assessment public hearing on this project. This resolution establishes the lot valuations as shown on the attached schedule under the column "Council Valuations". Per Iowa Code, a special assessment levied cannot exceed 25 percent of the lot valuation. A valuation must be the present fair market value of the property with the proposed public improvement completed. Developed Parcels 1 – 4 and 6 – 9 shown on the attached schedule are recommended to use the City Assessor property value. Non-taxed Parcel 5 on the schedule has a recommended valuation of \$42 per square foot, based on similar developments in the vicinity. The next resolution, should the Council proceed with the process, will adopt the preliminary assessment plat and schedule.

Action / Recommendation:

The Public Works Department recommends adoption of the Resolution Fixing Value of Lots for the Construction of the 35th Street Drive SE from 1st Avenue East to Elm Avenue SE Curb and Gutter Improvements.

Alternative Recommendation (if applicable):

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

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

Time Sensitivity: Normal

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt

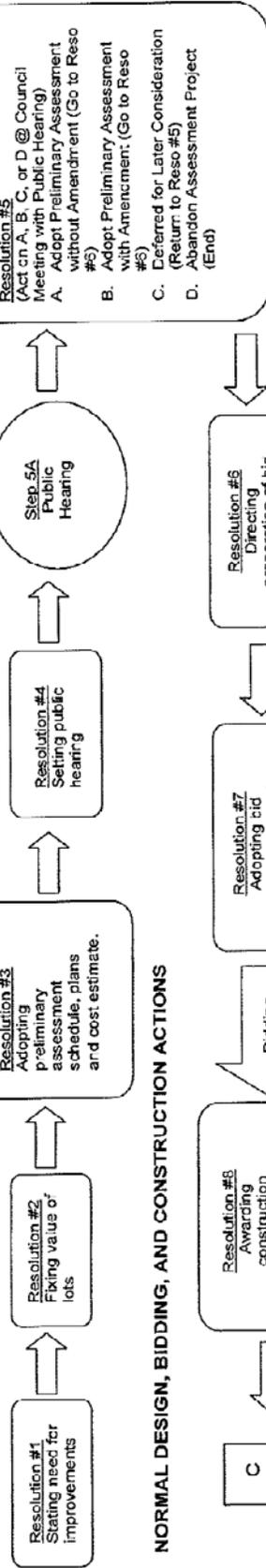
Explanation:

Recommended by Council Committee: Yes No N/A

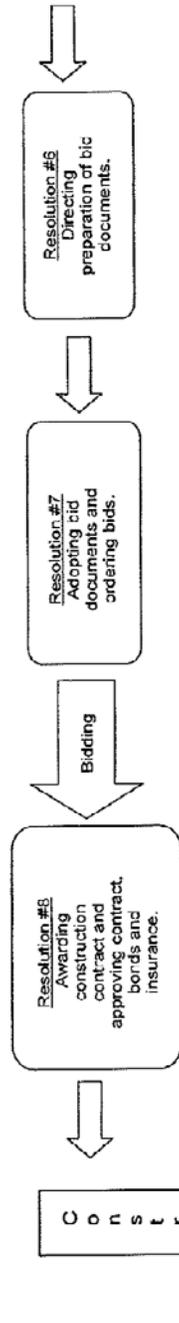
Explanation (if necessary):

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

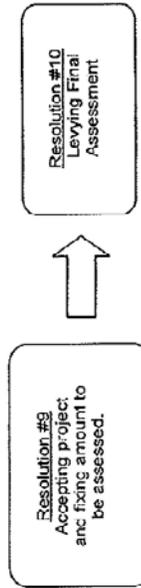
PRELIMINARY ASSESSMENT ACTIONS



NORMAL DESIGN, BIDDING, AND CONSTRUCTION ACTIONS



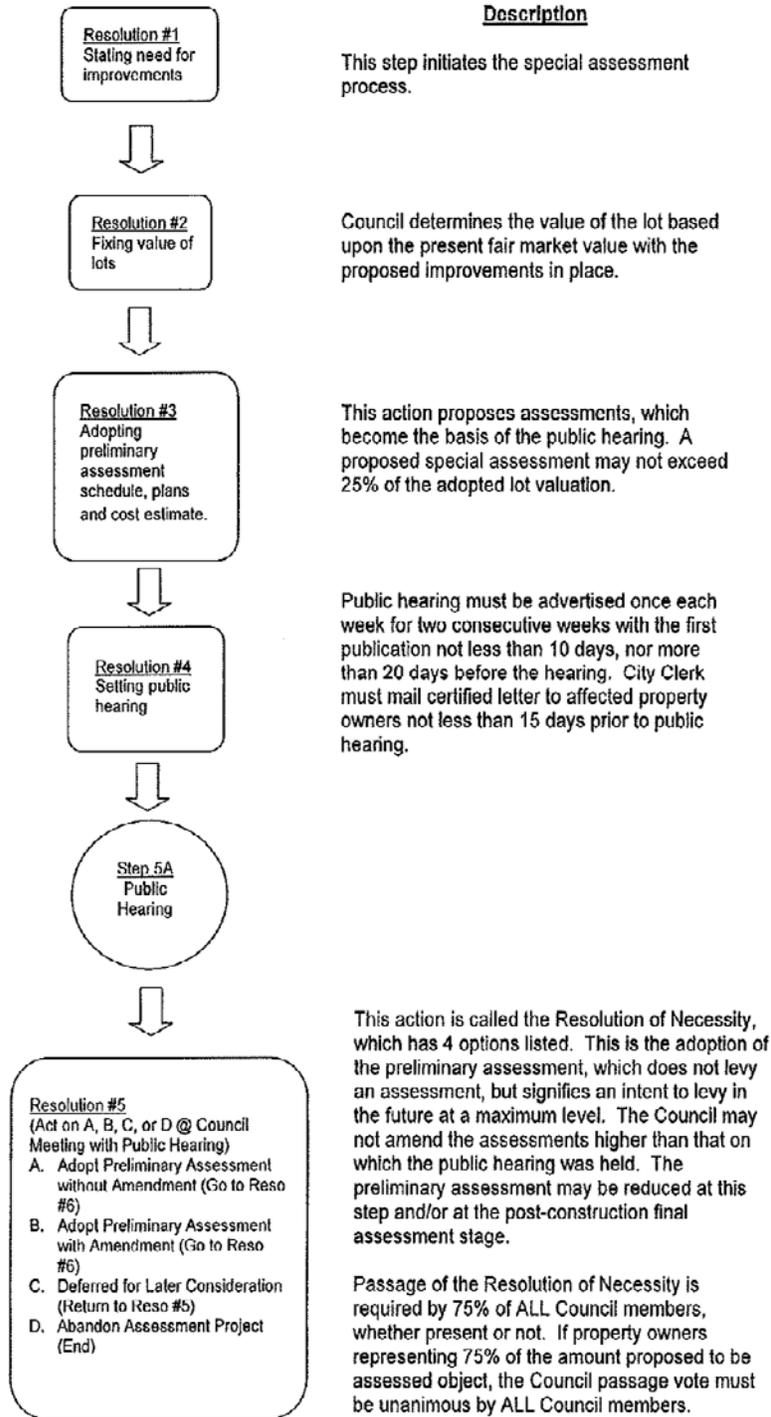
FINAL ASSESSMENT ACTIONS



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

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



Description

This step initiates the special assessment process.

Council determines the value of the lot based upon the present fair market value with the proposed improvements in place.

This action proposes assessments, which become the basis of the public hearing. A proposed special assessment may not exceed 25% of the adopted lot valuation.

Public hearing must be advertised once each week for two consecutive weeks with the first publication not less than 10 days, nor more than 20 days before the hearing. City Clerk must mail certified letter to affected property owners not less than 15 days prior to public hearing.

This action is called the Resolution of Necessity, which has 4 options listed. This is the adoption of the preliminary assessment, which does not levy an assessment, but signifies an intent to levy in the future at a maximum level. The Council may not amend the assessments higher than that on which the public hearing was held. The preliminary assessment may be reduced at this step and/or at the post-construction final assessment stage.

Passage of the Resolution of Necessity is required by 75% of ALL Council members, whether present or not. If property owners representing 75% of the amount proposed to be assessed object, the Council passage vote must be unanimous by ALL Council members.

ENG
CLK
ANDERSON BOGERT
301240-00
7970

RESOLUTION NO.

RESOLUTION FIXING VALUES OF LOTS FOR THE CONSTRUCTION OF
35TH STREET DRIVE SE FROM 1ST AVENUE EAST TO ELM AVENUE SE
CURB AND GUTTER IMPROVEMENTS (CIP NO. 301240)

WHEREAS, this Council after full investigation has arrived at a determination of the value of each lot located within the 35th Street Drive SE from 1st Avenue East to Elm Avenue SE Curb and Gutter Improvements project, said valuation being set forth in the attached preliminary schedule entitled "Preliminary Assessment Schedule", under the column therein headed "Property Valuation":

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

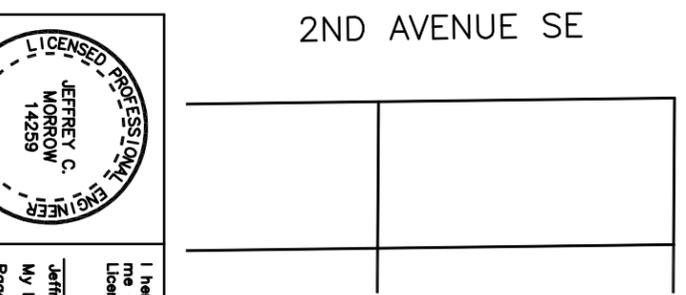
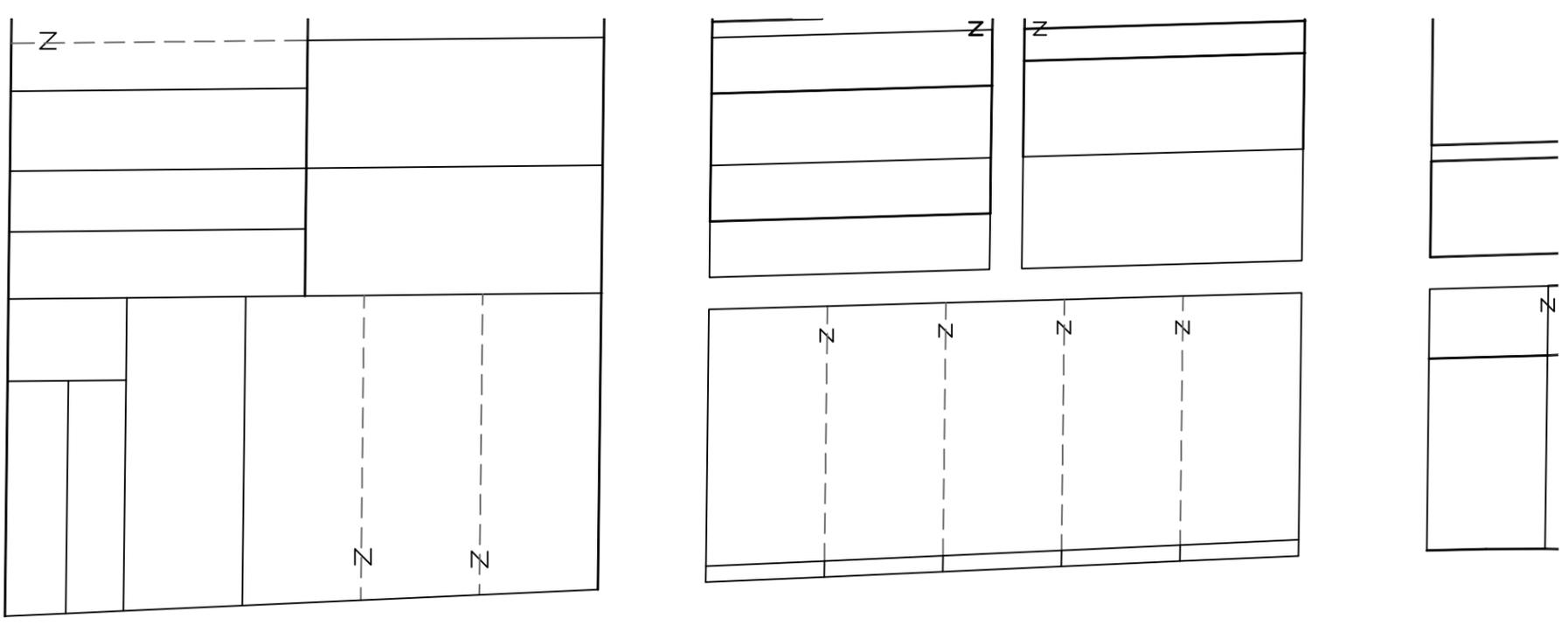
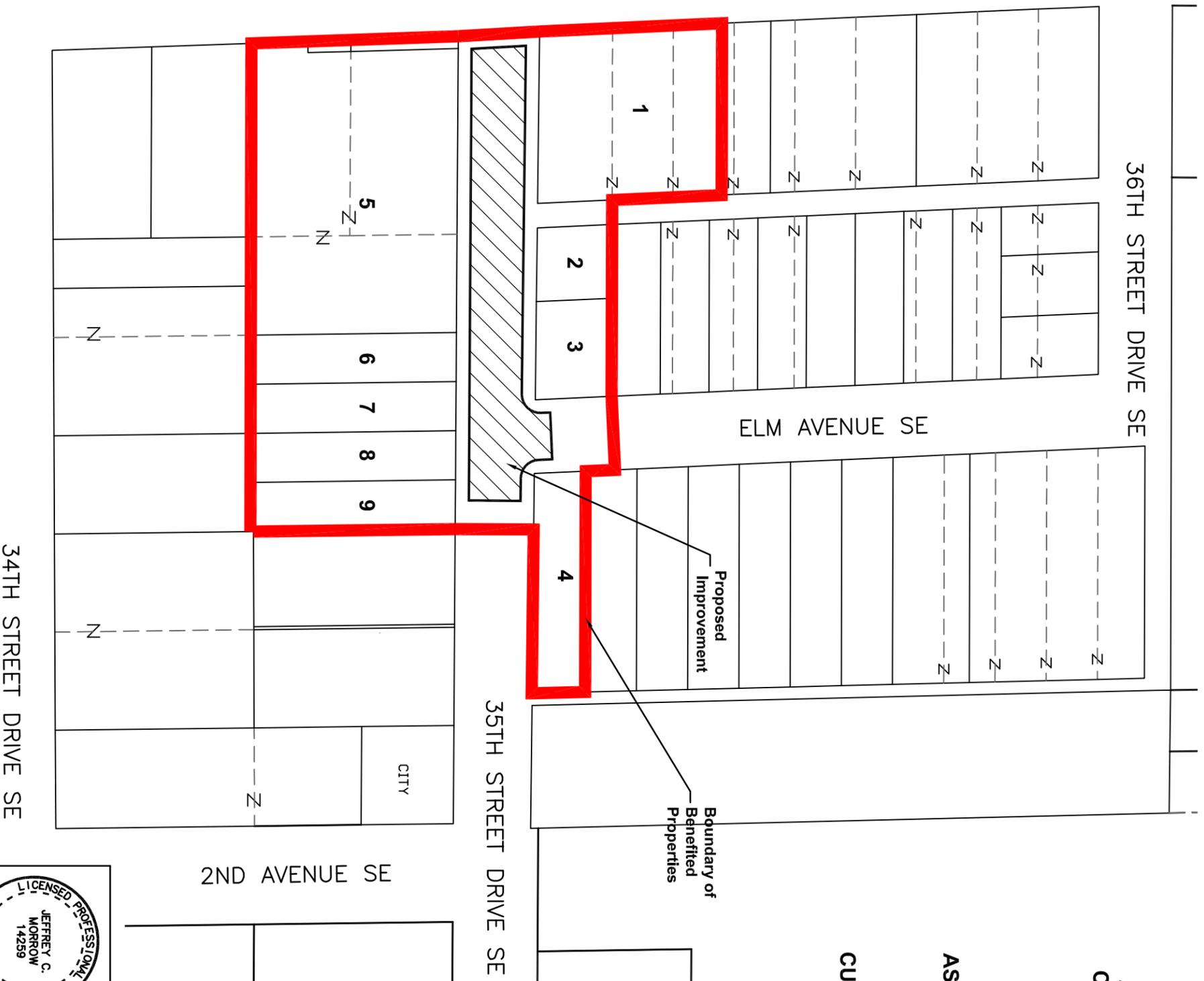
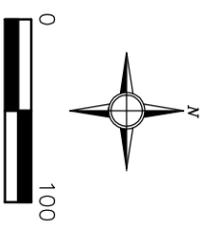
That said schedule of values, hereinabove referred to, be and the same is adopted as the valuations of the lots, with the proposed public improvements completed, within the boundaries of said improvements and the Clerk is hereby directed to deliver the same to Anderson Bogert Engineers & Surveyors, Inc.,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

Passed this 4th of November, 2014.

**PRELIMINARY ASSESSMENT PLAT
35TH STREET DRIVE SE FROM 1ST
AVENUE EAST TO ELM AVENUE SE
CURB AND GUTTER IMPROVEMENTS
CIP 301240**

LEGEND

- ASSESSMENT BOUNDARY** 
- PARCEL NUMBER** 4
- CURBING IMPROVEMENTS** 





I hereby certify that this Engineering document was prepared by me or under my direct personal supervision and that I am a duly Licensed Engineer under the laws of the State of Iowa.

Jeffrey C. Morrow Iowa Reg No. 14259
My License renewal date is December 31, 2015
Pages covered by this seal: ALL



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 directing preparation of detailed plans, specifications, form of contract and notice to bidders for the 18th Street SW from Wilson Avenue SW to 16th Avenue SW Improvements project. CIP/DID #301500-00

Background:

This project is part of the 18th Street SW extension project, which will connect Wilson Avenue to 13th Avenue SW. The extension will provide access to property available for infill development and improved access to current development properties. The extension will also provide a shorter route between Wilson Avenue and 16th Avenue, reducing travel time and improving the efficiency of the existing transportation network.

The addition of sidewalks and bike lanes along the entire project corridor will provide an alternative travel choice for pedestrians, especially for those attending Jefferson High School. Sidewalks will allow pedestrians to utilize a safer route, outside the travel lanes of the roadway. This sidewalk improvement is included in the first phase of the project. Currently no continuous sidewalk exists on this segment of 18th Street SW.

This action continues the proposed improvement project and the related special assessment process. A public hearing was held on October 7, 2014 and a resolution to adopt the preliminary assessment was approved.

Action / Recommendation:

Public Works Department recommends adoption of the resolution directing preparation of detailed plans and specifications on or after November 5, 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: November 5, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP 301500

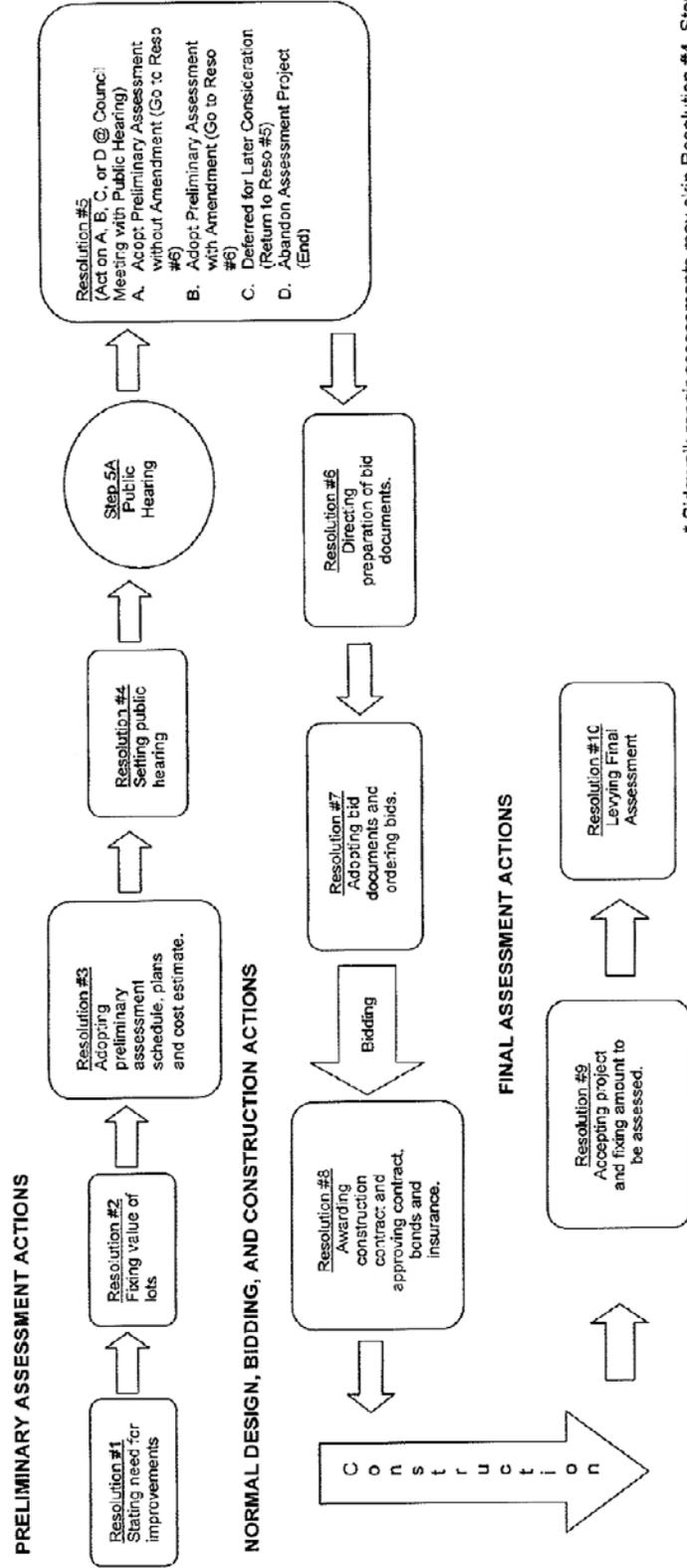
Local Preference Policy: Applies Exempt

Explanation:

Recommended by Council Committee: Yes No N/A

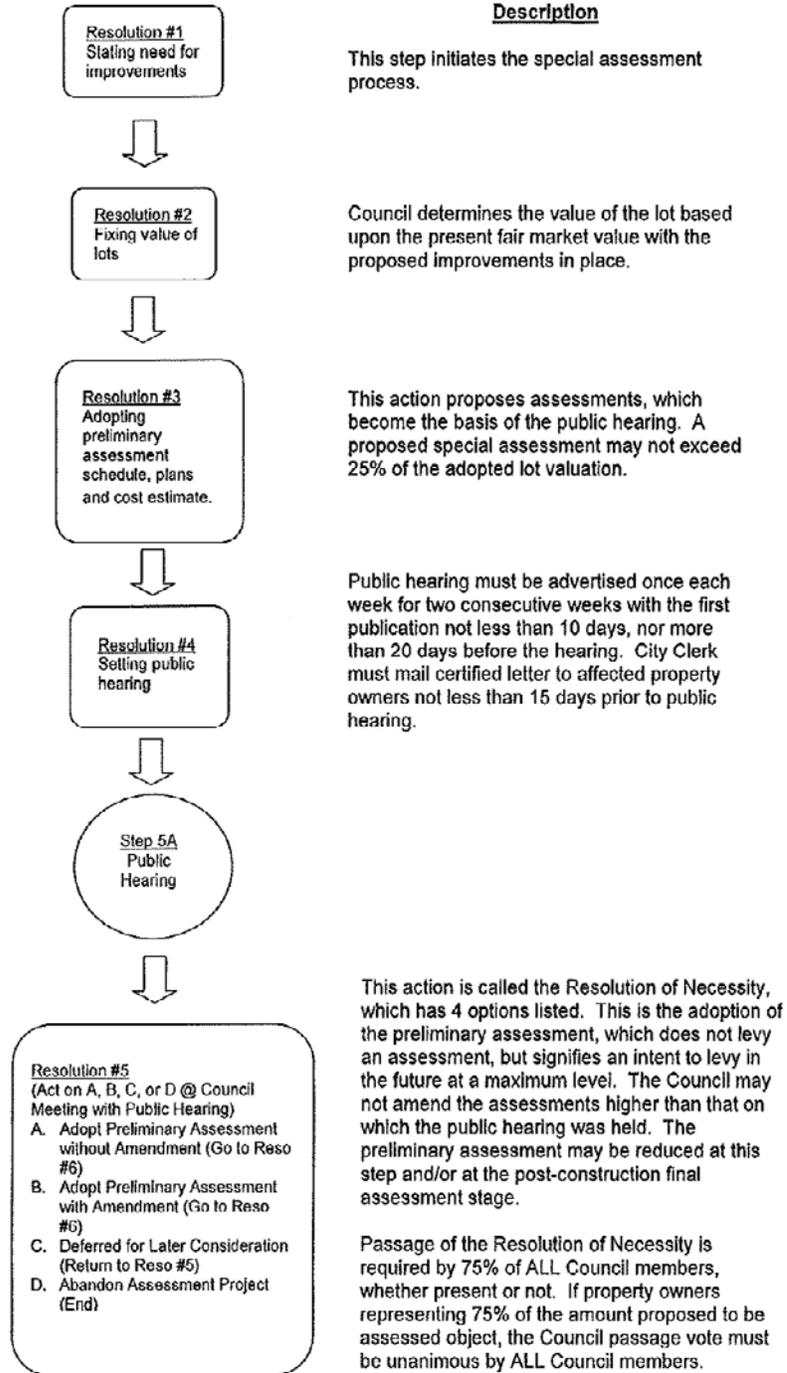
Explanation (if necessary):

**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

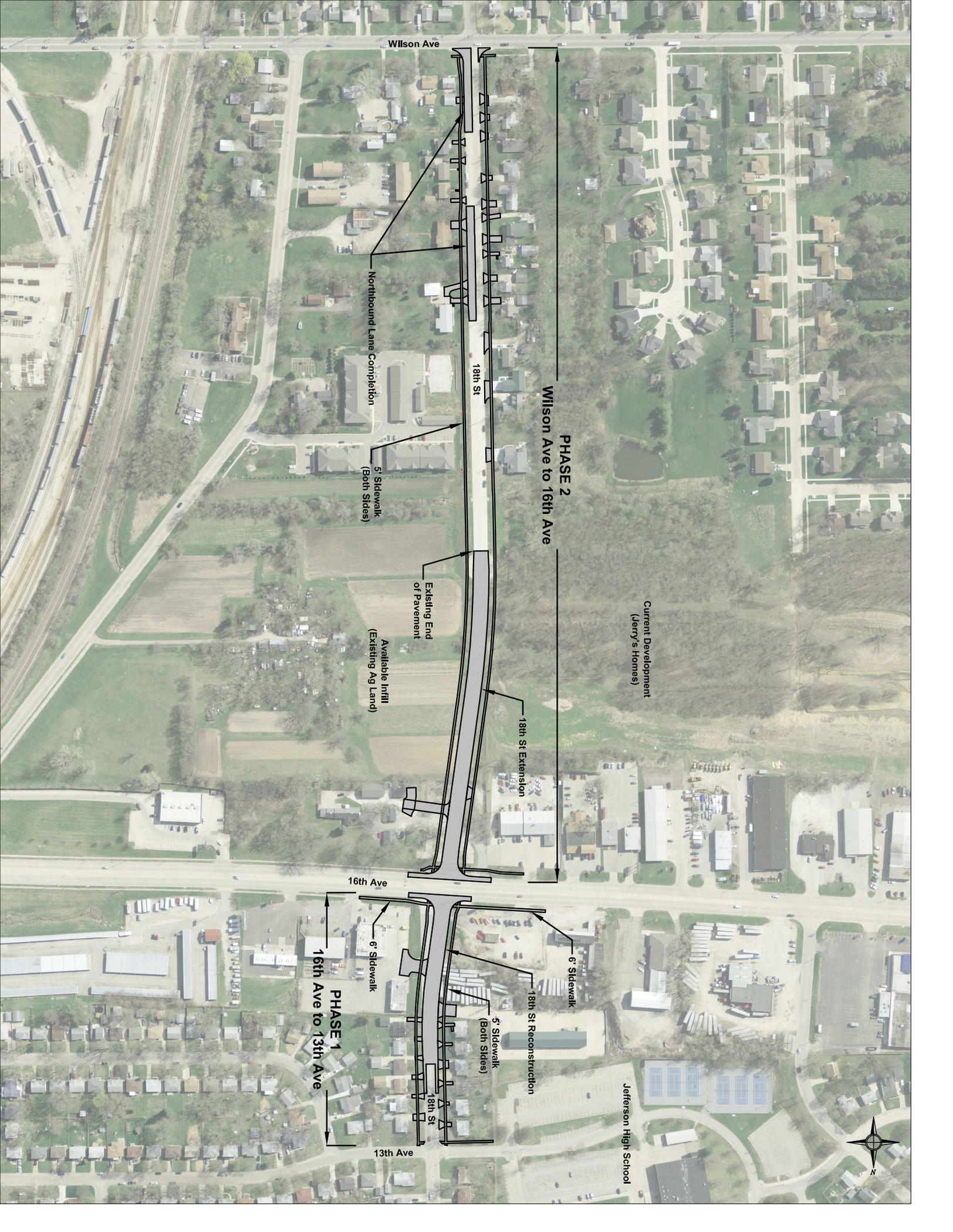
RESOLUTION NO.

RESOLUTION DIRECTING PREPARATION OF DETAILED
PLANS, SPECIFICATIONS, FORM OF CONTRACT AND NOTICE TO BIDDERS FOR THE
18TH STREET SW FROM WILSON AVENUE TO 16TH AVENUE SW IMPROVEMENTS
PROJECT (CIP NO. 301500)

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

That Anderson Bogert Engineers & Surveyors, Inc. is hereby ordered and directed to prepare and file with the Clerk detailed plans and specifications for the construction of the 18th Street SW from Wilson Avenue SW to 16th Avenue SW Improvements project (CIP No.301500).

PASSED AND APPROVED, this 4th day of November 2014.



Wilson Ave

Northbound Lane Completion

5' Sidewalk
(Both Sides)

18th St

PHASE 2
Wilson Ave to 16th Ave

Existing End
of Pavement

Available Infill
(Existing Ag Land)

18th St Extension

Current Development
(Jerry's Homes)

16th Ave

PHASE 1
16th Ave to 13th Ave

6' Sidewalk

18th St

13th Ave

5' Sidewalk
(Both Sides)

18th St Reconstruction

6' Sidewalk

Jefferson High School





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Doug Wilson, PE

Phone Number/Extension: 5141

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

Alternate Contact Person: Glenn Vosatka, PE

Phone Number/Extension: 5821

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

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **Yes** **No** **MAP**

Resolution accepting work and fixing amount to be assessed for the Alley between F Avenue and G Avenue NW from 9th Street to 8th Street Portland Cement Concrete Pavement project. CIP/DID #3012104-00

Background:

Construction has been completed by Rathje Construction Company for the subject project. This is a previously approved Capital Improvements Project (CIP No. 3012104) with a final construction amount of \$42,926.42. Final amount proposed to be assessed to the benefited properties is \$42,890. The preliminary assessment amount of \$43,650 was approved by City Council on July 22, 2014. The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements.

Action / Recommendation:

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

Alternative to the Recommendation:

Revise the current policy from a 100% property owner contribution program to something with a higher City contribution, and in turn lower the assessments. The FY 2015 budget does not include additional funds for contributions, so funding source would have to be identified if the Council wants to pursue.

Time Sensitivity: Must be acted on by November 4, 2014 due to assessment schedule per State code timeline.

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 3012104

Local Preference Policy: Applies Exempt

Explanation:

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

RESOLUTION ACCEPTING WORK AND FIXING AMOUNT TO BE ASSESSED

WHEREAS, on August 12, 2014, the City of Cedar Rapids, Iowa, entered into a contract with Rathje Construction Company of Marion, Iowa, for the construction of the Alley between F Avenue and G Avenue NW from 9th Street to 8th Street Portland Cement Concrete Pavement (CIP No. 3012104-00) project within the City, as therein described; and

WHEREAS, said contractor has substantially completed the construction of said improvements, known as the Alley between F Avenue and G Avenue NW from 9th Street to 8th Street Portland Cement Concrete Pavement (CIP No. 3012104-00) project in accordance with the terms and conditions of said contract and plans and specifications, as shown by the certificate of the Engineer filed with the Clerk on October 29, 2014:

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

Section 1. That said report of the Engineer be and the same is hereby approved and adopted and said improvements are hereby accepted as having been substantially completed in accordance with the said plans, specifications and contract. The total construction contract cost of the improvements payable under said contract is hereby determined to be \$42,926.42.

Section 2. The total cost of improvements including construction, engineering, legal and administrative costs are determined to be \$42,926.42.

BE IT FURTHER RESOLVED, that the Engineer is hereby instructed to prepare a final plat and schedule showing the separate lots or parcels of ground subject to assessment for the cost of the Alley between F Avenue and G Avenue NW from 9th Street to 8th Street Portland Cement Concrete Pavement (CIP No. 3012104-00) project together with the names of the owners thereof, so far as practicable, and the amount assessable by law against each lot or parcel of ground so assessable, and against any railway or street railway legally assessable therefor, and \$42,890 of the whole amount of the cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

PASSED AND APPROVED this 4th day of November, 2014.



**ASSESSMENT
BOUNDARY**

PROJECT LOCATION

9TH ST NW

8TH STREET NW

G AVENUE NW

F AVENUE NW

LEGEND



Project Location



**Property Owner Who Signed
A Response Card In Favor
Of The Assessment Project**



**ALLEY BETWEEN F AVENUE AND G AVENUE NW FROM
9TH STREET TO 8TH STREET PORTLAND CEMENT CONCRETE PAVEMENT**



Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: City Council

Presenter at meeting: Angie Charipar

Phone Number/Ext: 286-5090

Email: a.charipar@cedar-rapids.org

Alternate Contact Person:

Phone Number/Ext:

Email:

Description of Agenda Item:

Resolution authorizing execution of a letter of engagement with Kutak Rock, LLP for federal lobbying services for an additional amount not to exceed \$50,000. CIP/DID NEW#

Background:

On May 12, 2014 the City Manager authorized a Letter of Engagement with Kutak Rock, LLP. The Letter of Engagement was for a not to exceed amount of \$24,500 for federal lobbying services regarding the securing of federal project authorization and funding for the Cedar Rapids Flood Risk Management Project (Project) authorization and funding for the Project through the federal Water Resources Development Act of 2013, and subsequently, the necessary federal appropriations to fund the Project along with assistance in addressing any issues related thereto.

Since the execution of the Letter of Engagement, Kutak Rock, LLP has provided background research regarding Water Resources Development Act, organized several meetings with Members of Congress, organize and written letters from the Iowa delegation, met with senior staff of relevant House and Senate Committees, along with many other efforts.

Additional services are desired, which may include research, negotiations, arranging and participating in meetings in Iowa and Washington, D.C. and providing governmental relations counsel and strategic guidance as requested. Further, a part of the Letter of Engagement may involve assisting the City in securing federal and, if necessary, state or Army Corps of Engineers approvals as the City may identify and request during the Engagement period.

Action / Recommendation:

Approval

Alternative Recommendation:

Deny

Time Sensitivity: High

Resolution Date: 11/04/14

Estimated Presentation Time: 0

Budget Information (if applicable):
General Fund City Council budget

FY15 and FY16

Local Preference Policy Applies Exempt X

Explanation:

RESOLUTION NO.

WHEREAS, on May 12, 2014 the City Manager authorized a Letter of Engagement with Kutak Rock, LLP for a not to exceed amount of \$24,500 to represent and provide governmental relations counsel, consulting and if necessary, federal lobbying services to the City of Cedar Rapids and its municipal leadership regarding the securing of federal project authorization and funding for the Cedar Rapids Flood Risk Management Project (the "Project") through the federal Water Resources Development Act of 2013, and subsequently, the necessary federal appropriations to fund the Project along with assistance in addressing any issues related thereto; and

WHEREAS, Kutak Rock, LLP has provided background research regarding Water Resources Development Act, organized and attended several meetings with Members of Congress, organized support for and drafted correspondence on behalf of the Iowa delegation, met with senior staff of relevant House and Senate Committees, coordinated many other efforts; and

WHEREAS, The City of Cedar Rapids wishes to enter into an agreement for professional services through a Letter of Engagement to assist the City with respect to the Engagement which may include research, negotiations, governmental relations counsel and strategic guidance as requested for an additional not to exceed amount of \$50,000 for the period of November 4, 2014 through November 4, 2015.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager is authorized to execute a Letter of Engagement with Kutak Rock, LLP.

Passed this 4th day of November, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: City Manager's Office

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

Phone Number/Ext: 319 286-5090

Alternate Contact Person:
Email:

Phone Number/Ext:

Description of Agenda Item: **Consent** **Public Hearing** **Regular Agenda**
Resolution adopting the 2014 Cedar Rapids City Council Goals. CIP/DID #OB901982

Background:

On September 2, 2014, the Cedar Rapids City Council met to review the 2013 City Council Goals and propose revisions for 2014.

The Resolution adopts the following 2014 City Council Goals. City staff will provide quarterly updates to the City Council regarding the status of initiatives that support these goals.

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: November 4, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Local Preference Policy Applies Exempt N/A

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION

WHEREAS, on September 2, 2014, the Cedar Rapids City Council reviewed the 2013 Goals that were revised on June 11, 2013 and finalized on July 9, 2013 and developed on January 19, 2012 and finalized on May 2, 2012; and

WHEREAS, City Council members requested revisions be made to those goals; and

WHEREAS, the City of Cedar Rapids City Council set the following goals:

STRENGTHEN CR - MAKE BOLD MOVES IN COMMUNITY PLANNING TO RETAIN THE CHARACTER OF NEIGHBORHOODS AND CORRIDORS.

- Build upon disaster recovery success; rebuild as a sustainable community
- Focus on the visual appeal of the community
- Ensure workforce housing options
- Develop urban renewal districts where needed
- Increase overall feeling of living in a safe neighborhood by addressing quality of life issues
- Integrate schools into City planning

GROW CR - MAKE BOLD MOVES IN FUTURE PLANNING TO ENCOURAGE SUSTAINABLE CONNECTIONS OF GROWTH AREAS TO EXISTING NEIGHBORHOODS.

- Dispose of excess city owned property
- Increase retail development

CONNECT CR - CREATE A CULTURE THAT ENHANCES TRANSPORTATION OPTIONS FOR PEDESTRIANS AND CYCLISTS THROUGH COMPLETE STREETS, TRAILS, AND PUBLIC TRANSPORTATION. MAKE CEDAR RAPIDS A PREMIER CONNECTED CITY IN THE INFORMATION AGE.

- Streets/Infrastructure/Capital Improvement Projects
- Find alternate funding sources
- Wireless

GREEN CR - BUFFER AND CONNECT EXISTING PARKS, TRAILS, AND STREAMS TO BUILD A NATURAL NETWORK IN ADDITION TO REGIONAL COLLABORATIONS AND INDIVIDUAL EFFORTS TO IMPROVE STORMWATER MANAGEMENT, WATER QUALITY, WILDLIFE HABITAT, AND OUTDOOR RECREATION.

- Make Cedar Rapids a place people want to work and live by creating livable neighborhoods with:
 - Mixed-use developments
 - Connectivity
 - Complete streets for pedestrians, bicycles, & cars
 - Vibrant Centers
 - Housing options, including downtown & workforce housing
 - Parks as active places for families

INVEST CR - MAKE CEDAR RAPIDS A DESIRABLE PLACE FOR BUSINESSES TO START, MOVE, AND GROW BY LEVERAGING RESOURCES TO INVEST IN BUSINESS DISTRICTS AND AMENITIES THAT KEEP AND ATTRACT A SKILLED WORKFORCE.

- Targeted use of resources to maximize impact and rebuild core of city and second tier of neighborhoods surrounding the core
- Maintain and enhance existing funding sources
- Balanced budget
- Long-term financial plan
- Increase number of high-quality jobs
- Maximize property tax revenue
- Create an environment for private investment budget
- Attract workers with quality of life amenities
- Diversify economic base
- Retain and expand existing businesses; attract new and startup businesses
- Share the burden of large and regional projects and initiatives
- Require accountability of City funds provided to organizations

PROTECT CR - PROVIDE QUALITY SERVICES TO INCREASE NEIGHBORHOOD SAFETY AND KEEP MOVING FORWARD WITH THE FLOOD MITIGATION SYSTEM.

- Finance flood protection
- Efficiency of services delivered
- Cost known prior to beginning projects capital and operating
- Determine levels of service
- Fees for services
- Match to cost of services
- Improved Flood Protection protecting reinvestment
- Reduce crime, revitalize neighborhoods, drawing the community together
- Increase satisfaction with the delivery of police services
- Provide lasting collaboration between police and community to identify and solve problems
- Identify crime trends, issues, and problems while establishing methods to manage or reduce them

PROMOTE CR - LEAD REGIONALLY, THINK CEDAR RAPIDS FIRST BY TELLING OUR STORY STRATEGICALLY, EMPHASIZING INTERGOVERNMENTAL RELATIONS, AND BRANDING AND MARKETING THE CITY OF CEDAR RAPIDS.

- Provide for ease & continuity in the development process
- Draw on best practices and creatively apply
- Maximize national and regional media opportunities to set Cedar Rapids apart and differentiate
- Increase marketing/branding of Cedar Rapids
- Clarify relationships with other economic development organizations
- Build and implement a strategic communications plan
- Celebrate our progress in recovery
- Address negative force- use strategic positive messaging
- Cultivate and encourage public participation in government

- Continue to build confidence in the City's communication channels as accurate, informative, and trustworthy sources for City news
- Leverage every opportunity to listen, educate and engage with citizens
- Disseminate facts
- Promote active participation and involvement from everyone

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the following 2014 City Council Goals be adopted:

Passed this 4th day of November, 2014

Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Treasury Operations

Presenter at meeting: Casey Drew

Phone Number/Ext: 5097

Email: c.drew@cedar-rapids.org

Alternate Contact Person: Michele Tamerius

Phone Number/Ext: 5113

Email: m.tamerius@cedar-rapids.org

Description of Agenda Item:

Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects, CIP/DID #OB1145993.

Background:

The City shall issue a State Revolving Fund Loan in 2015. The project covered by this issue has been budgeted and the work has been scheduled to start. This resolution will allow for the reimbursement of City funds used (such as cash on hand and/or reserves) to cover any expenses of budgeted project paid prior to the issuance of the loan.

Action / Recommendation:

Recommend that Council approve the resolution of reimbursement.

Alternative Recommendation:

None

Time Sensitivity:

High

Resolution Date: November 4, 2014

Estimated Presentation Time: Consent Agenda

Budget Information (if applicable):

No effect on the FY 2015 Budget.

Local Preference Policy Applies Exempt

Explanation: N/A

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of the City of Cedar Rapids, State of Iowa.
Date of Meeting: November 4, 2014.
Time of Meeting: _____ o'clock ____M.
Place of Meeting: Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for the meeting is as follows:

- Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified Projects.

Such additional matters as are set forth on the additional _____ page(s) attached hereto.
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.

Amy Stevenson, City Clerk, City of
Cedar Rapids, State of Iowa

November 4, 2014

The City Council of the City of Cedar Rapids, State of Iowa, met in _____ session, in the Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa at _____ o'clock ____M., on the above date. There were present Mayor Ron Corbett, in the chair, and the following named Council Members:

Absent: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE CITY FOR CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH SPECIFIED PROJECTS" and moved that it be adopted. Council Member _____ seconded the motion to adopt, and the roll being called thereon, the vote was as follows:

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the Resolution duly adopted as follows:

RESOLUTION DECLARING AN OFFICIAL INTENT
UNDERTREASURY REGULATION 1.150-2 TO ISSUE DEBT TO
REIMBURSE THE CITY FOR CERTAIN ORIGINAL
EXPENDITURES PAID IN CONNECTION WITH SPECIFIED
PROJECTS

WHEREAS, the City anticipates making cash expenditures for one or more capital improvement projects generally described below (each of which shall hereinafter be referred to as a "Project"); and

WHEREAS, the City reasonably expects to issue debt to reimburse the costs of a Project; and

WHEREAS, the Council believes it is consistent with the City's budgetary and financial circumstances to issue this declaration of official intent.

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

Section 1. That this Resolution be and does hereby serve as a declaration of official intent under Treasury Regulation 1.150-2.

Section 2. That it is reasonably expected that capital expenditures will be made in respect of the following Project, from time to time and in such amounts as this Council determines to be necessary or desirable under the circumstances then and there existing.

Section 3. That the City reasonably expects to reimburse all or a portion of the following expenditures with the proceeds of bonds, notes or other indebtedness to be issued or incurred by the City in the future.

Section 4. That the total estimated costs of the Project, the maximum principal amount of the bonds, notes or other indebtedness to be issued for the foregoing Project and the estimated dates of completion of the Project is reasonably expected to be as follows:

<u>Project</u>	<u>Fund from which original expenditures are to be Advanced</u>	<u>Total Estimated Cost</u>	<u>Amount of Borrowing Anticipated</u>	<u>Estimated Date of Completion</u>
WPCF Roughing Filter #4 Dome Replacement and Concrete Repair	Sewer Revenue Fund (Engineering--615177-01) (Construction--615238-01)	\$475,000 (\$ 20,000) (\$455,000)		

Section 5. That the City reasonably expects to reimburse the above-mentioned Project costs not later than the later of eighteen months after the capital expenditures are paid or eighteen months after the property is placed in service.

Section 6. That this Resolution be maintained by the City Clerk in an Official Intent File maintained in the office of the Clerk and available at all times for public inspection, subject to such revisions as may be necessary.

PASSED AND APPROVED this 4th day of November, 2014.

Ron Corbett, Mayor

ATTEST:

Amy Stevenson, City Clerk

Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Building Services

Presenter at Meeting: Kevin Ciabatti

Phone: x5841

Email: k.ciabatti@cedar-rapids.org

Alternate Contact Person:

Phone:

Email:

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

Resolution authorizing the addition of 1.0 FTE in the Building Services Department for the classification of Housing & Nuisance Manager.

Background:

Manager level classification to administer the Housing and Nuisance programs within the Building Services Department. This management position would manage the Housing and Nuisance Divisions of the Building Services Department. This would include the management of the investigation, documentation and abatement of violations of the Nuisance Code, up to and including demolition. This position will also include the process management as it relates to the Housing Inspection Program, including the rental training requirements of the City of Cedar Rapids Housing Code.

Action/Recommendation:

Authorize the addition of 1.0 FTE for the Building Services Department for the classification of Housing & Nuisance Manager.

Alternative Recommendation:

N/A

Time Sensitivity: Immediate

Resolution Date: November 4, 2014

Estimated Presentation Time: 5 minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Building Services Department's scope of responsibility includes Housing and Nuisance programs, and

WHEREAS, the Building Services Department requests a manager level classification to provide program administration to each program for which the classification of Housing & Nuisance Manager has been established, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager hereby authorizes the addition of 1.0 FTE in the Building Services Department for the classification of Housing & Nuisance Manager.

Passed this 4th day of November, 2014

Council Agenda Item Cover Sheet

Submitting Department: Human Resources

Presenter at meeting: Conni Huber
E-mail Address: c.huber@cedar-rapids.org

Phone Number/Extension: 5019

Alternate Contact Person: Heath Halverson
E-mail Address: h.halverson@cedar-rapids.org

Phone Number/Extension: 5110

Description of Agenda Item: Elimination of Flood Recovery Program Manager.

Background: CDBG funding for the Flood Recovery Program Manager is scheduled to expire on November 30, 2014; therefore, the position of Flood Recovery Program Manager will be eliminated, effective November 30, 2014. The elimination of this positions does not result in severance, as the positions are not covered under Iowa Code, Chapter 400 and are subject to a term of employment consistent with the demolition process and funding.

Action / Recommendation: Approve elimination of the Flood Recovery Program Manager.

Alternative Recommendation (if applicable): N/A

Time Sensitivity: Immediate

Resolution Date: November 4, 2014

Estimated Presentation Time: 5 minutes

Budget Information (if applicable): N/A

RESOLUTION NO.

WHEREAS, CDBG funding for the Flood Recovery Program Manager position is scheduled to expire November 30, 2014, and

WHEREAS, the Building Services Department will eliminate the positions classified as Flood Recovery Program Manager effective November 30, 2014, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is hereby authorized to eliminate the position of Flood Recovery Program Manager effective November 30, 2014.

Passed this 4th day of November, 2014



Council Agenda Item Cover Sheet

Council Meeting Date: 11-04-14

Submitting Department: Finance-Purchasing Services

Presenter at meeting: consent **Phone Number/Ext:**
Email:

Alternate Contact Person: John Riggs **Phone** 5981
 Kevin Ciabatti **Number/Ext:** 5841
Email: j.riggs@cedar-rapids.org or k.ciabatti@cedar-rapids.org

Description of Agenda Item:

Amendment No. 5 to the Contract for Utility Disconnect Services with BWC Excavating LC to extend the term and estimate future Work for an amount not to exceed \$19,0000 (original contract amount was \$23,105.56; total amount with this amendment is \$56,605.56). CIP/DID #1011-070

Background:

This project is for disconnect services of water and sanitary sewer service lines for residential and commercial nuisance structures that are scheduled for demolition.

The pricing is based upon firm fixed unit prices for actual quantities. The City and the Contractor are recommending an extension to the Contract through June 30, 2015. The quantities have exceeded the original estimates. To reflect the actual quantities to date and to estimate the services for properties yet to be acquired and available, the not to exceed amount of this Contract shall increase by \$19,000 as shown below.

#1011-070-Nuisance		
Original Contract	23,105.56	Resolution No. 1600-12-11
Amendment No. 1	10,000.00	Resolution No. 1274-08-12
Amendment No. 2	4,500.00	Resolution No. 0065-01-13
Amendment No. 3	0	To extend term of contract
Amendment No. 4	0	To extend term of contract
Amendment No. 5	19,000.00	To extend term and to reflect increase in volume of work
Total	\$ 56,605.56	Not to exceed, except by written amendment

Action / Recommendation:

That the above recommendation be approved and that the City Manager and the City Clerk be authorized to sign Amendment No. 5 with BWC Excavating LC as described above.

Alternative Recommendation: none

Time Sensitivity: Sensitive as this service needs to be completed prior to demolition.

Resolution Date: 11-04-14

Estimated Presentation Time: consent

Budget Information (if applicable): Code Enforcement funds 101-131505-3550002

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

PUR
FIN
BSD
WTR
ENG
BWC
AUD FILE
1011-070

RESOLUTION NO.

WHEREAS, the City and BWC Excavating, LC are parties to a Contract for disconnect services of water and sanitary sewer service lines for residential and commercial nuisance structures that are scheduled for demolition; and

WHEREAS, the services were solicited in November 2011 by a Request for Bid process (RFB #1011-070); and

WHEREAS, upon award of the bid, three separate Contracts resulted due to funding sources; and

WHEREAS, the City and BWC Excavating, LC desire to amend the Contract for Utility Disconnect Services for Nuisance Structures authorized by Resolution No. 1600-12-11 to extend the term of the Contract through June 30, 2015 and to estimate the services for the properties yet to be available; and

WHEREAS, a summary of the Contract is listed below:

#1011-070 - Nuisance		
Original Contract	23,105.56	Resolution No. 1600-12-11
Amendment No. 1	10,000.00	Resolution No. 1274-08-12
Amendment No. 2	4,500.00	Resolution No. 0065-01-13
Amendment No. 3	0	To extend term of contract
Amendment No. 4	0	To extend term of contract
Amendment No. 5	19,000.00	To extend term and to reflect increase in volume of work
Total	\$ 56,605.56	Not to exceed, except by written amendment

AND WHEREAS, the funding source for this project shall be 101-131505-3550002 for the nuisance properties.

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 Amendment No. 5 for Work as described herein for the amount not to exceed \$19,000.

Passed this 4th of November 2014.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5814

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

Phone Number/Extension: 5547

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

Resolution authorizing execution of Amendment No. 4 to the Professional Services Agreement with Brown and Caldwell specifying an increased amount not to exceed \$135,341 for engineering services in connection with the Cedar River Sanitary Sewer Crossing Improvements project (original contract amount was \$923,000; total contract amount with this amendment is \$1,172,341). CIP/DID# 655080-02

Background:

The City received a grant in the amount of \$7,370,000 through the Iowa Economic Development Authority (IEDA) Community Development Block Grant (CDBG) Program for Disaster Recovery Infrastructure. The original scope of the work included replacement of two 30-inch sanitary sewer pipes that cross under the Cedar River and the inlet and outlet structures at each end. The costs for this original scope of work came in under budget leaving approximately \$1,000,000 of excess funds.

On the north side of the river, an existing 24-inch/27-inch sanitary sewer extends from the new inlet structure through the former Sinclair site into 2nd Street SE. This 24-inch/27-inch sanitary sewer will be in conflict with future flood mitigation improvements and will eventually need to be relocated. This relocation was outside of the original scope of work with the grant. Upon request by City, the grant administering agency has approved amending the scope of work under the grant to use the excess funds for relocating the 24-inch/27-inch sanitary sewer in the former Sinclair site.

Additional engineering services are required to design, bid and construct the sanitary sewer relocation.

Action / Recommendation:

The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 4 of the Professional Services Agreement with Brown and Caldwell specifying an increased amount not to exceed \$135,341.

Alternative Recommendation: Alternatives include not proceeding with the amendment and the relocation of the sanitary sewer.

Time Sensitivity: Normal

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 655080: \$135,341 (Grant – CDBG)

Local Preference Policy: Applies Exempt

Explanation: Federally funded (CDBG) project.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids (CITY) received a grant in the amount of \$7,370,000 through the Iowa Department of Economic Development (IDED) Community Development Block Grant (CDBG) Program for Disaster Recovery Infrastructure, and

WHEREAS, the scope of the work with the grant included replacement of two 30-inch sanitary sewer pipes that cross under the Cedar River and the inlet and outlet structures at each end, and

WHEREAS, on the north side of the river, an existing 24-inch/27-inch sanitary sewer extends from the new inlet structure through the former Sinclair site into 2nd Street SE, and

WHEREAS, the 24-inch/27-inch sanitary sewer will be in conflict with future flood mitigation improvements and will need to be relocated. This relocation was outside of the original scope of work with the grant, and

WHEREAS, the costs for the original scope of work which is complete came in under budget leaving approximately \$1,000,000 of excess funds, and

WHEREAS, upon request by CITY, the grant administering agency has approved amending the scope of work under the grant to use the excess funds for relocating the 24-inch/27-inch sanitary sewer in the former Sinclair site, and

WHEREAS, additional engineering services are required to design, bid and construct the sanitary sewer relocation,

WHEREAS, the Public Works Director / City Engineer recommends the authorization for Brown and Caldwell to perform said additional services for \$135,341 (655080-02), NOW THEREFORE,

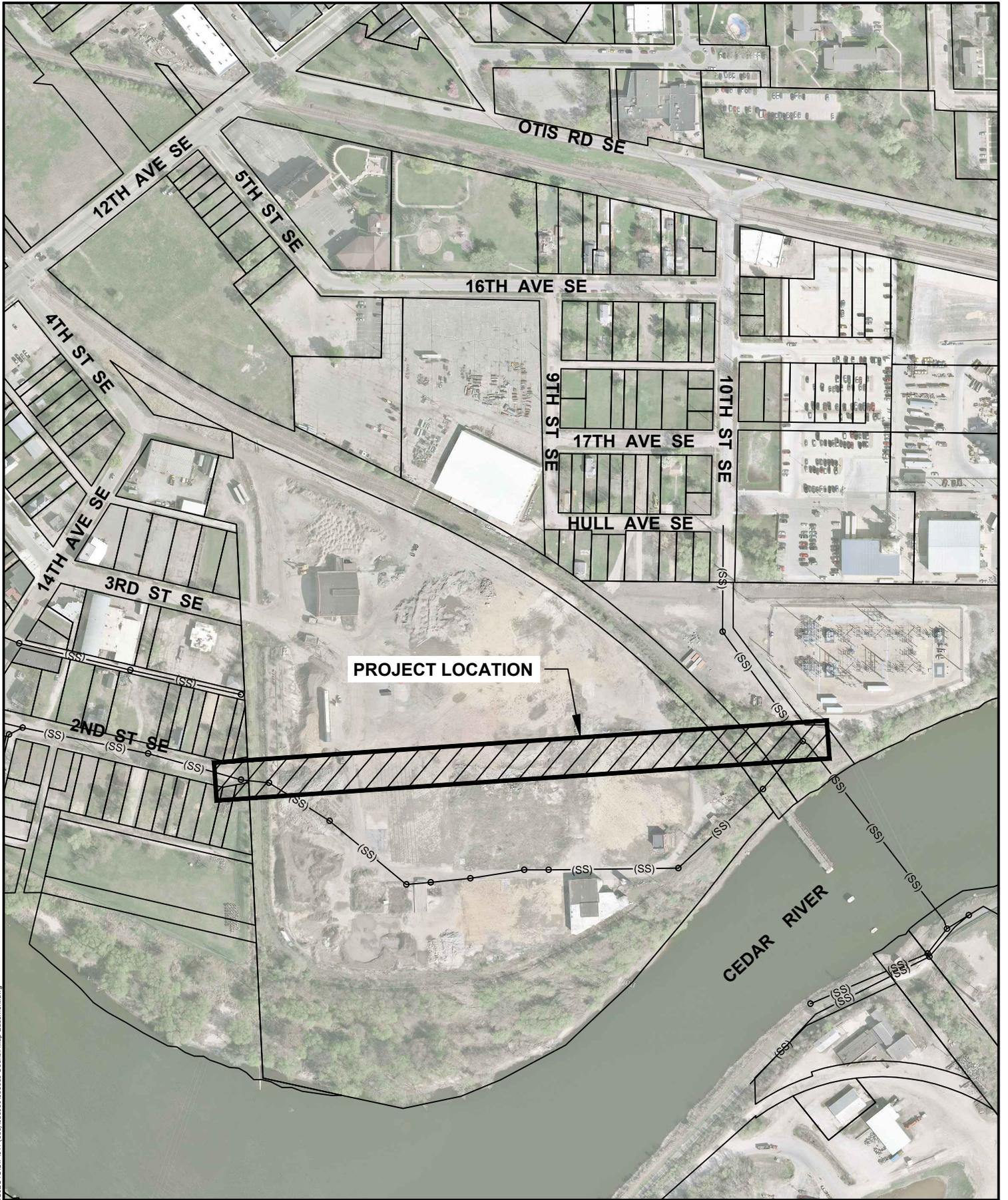
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 4 to the Professional Services Agreement with Brown and Caldwell for the Cedar River Sanitary Sewer Crossing Improvements Contract No. 655080-02 in the amount of \$135,341 (CIP 655080). A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$923,000
Amendment No. 1 (CIP 615229)	\$44,566
Amendment No. 2 (CIP 655080)	\$69,724
Amendment No. 3	\$0
Amendment No. 4	<u>\$135,341</u>
Amended Contract Amount	\$1,172,631

General ledger coding for this amendment to be as follows:

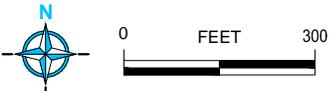
Fund 655, Dept ID 655000 Project 655080	\$135,341
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Passed this 4th day of November, 2014



PROJECT LOCATION

**CEDAR RIVER SANITARY SEWER
CROSSING IMPROVEMENTS**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Garrett Prestegard, PE
E-mail Address: g.prestegard@cedar-rapids.org

Phone Number/Extension: 5115

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

Phone Number/Extension: 5814

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

Resolution authorizing execution of Amendment No. 1 to the Professional Services Agreement with Shive-Hattery, Inc. specifying an increased amount not to exceed \$6,900 for engineering services in connection with the 27th Street SW Culvert Replacement project (original contract amount was \$38,977.50; total contract amount with this amendment is \$45,877.50). CIP/DID #304396-01

Background:

A culvert under 27th Street SW between 28th Avenue and 29th Avenue has shown signs of significant deterioration. The original Professional Services Agreement provides design services for removing and replacing the existing culvert. 27th Street SW was recently closed due to the poor condition of the culvert and the professional services provided under Amendment No. 1 will look at options to allow 27th Street SW to be reopened until the culvert is replaced.

Action / Recommendation:

The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 1 of the Professional Services Agreement with Shive-Hattery, Inc., specifying an increased amount not to exceed \$6,900.

Alternative Recommendation:

Alternatives include not proceeding with the proposed amendment or revising the scope and fee.

Time Sensitivity: Normal

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP 304396 (\$45,877.50)

Local Preference Policy: Applies Exempt

Explanation:

Recommended by Council Committee: Yes No N/A

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids entered into a Professional Services Agreement with Shive-Hattery, Inc. to provide engineering design services for the 27th Street SW Culvert Replacement project (Contract No. 304396-01), and

WHEREAS, the poor condition of the 27th Street SW culvert between 28th Avenue and 29th Avenue has caused the closure of 27th Street SW,

WHEREAS, additional design services are necessary to temporarily repair the culvert to allow 27th Street SW to be reopened prior to replacing the culvert,

WHEREAS, the Public Works Director / City Engineer recommends amending the scope of services to provide the additional design services,

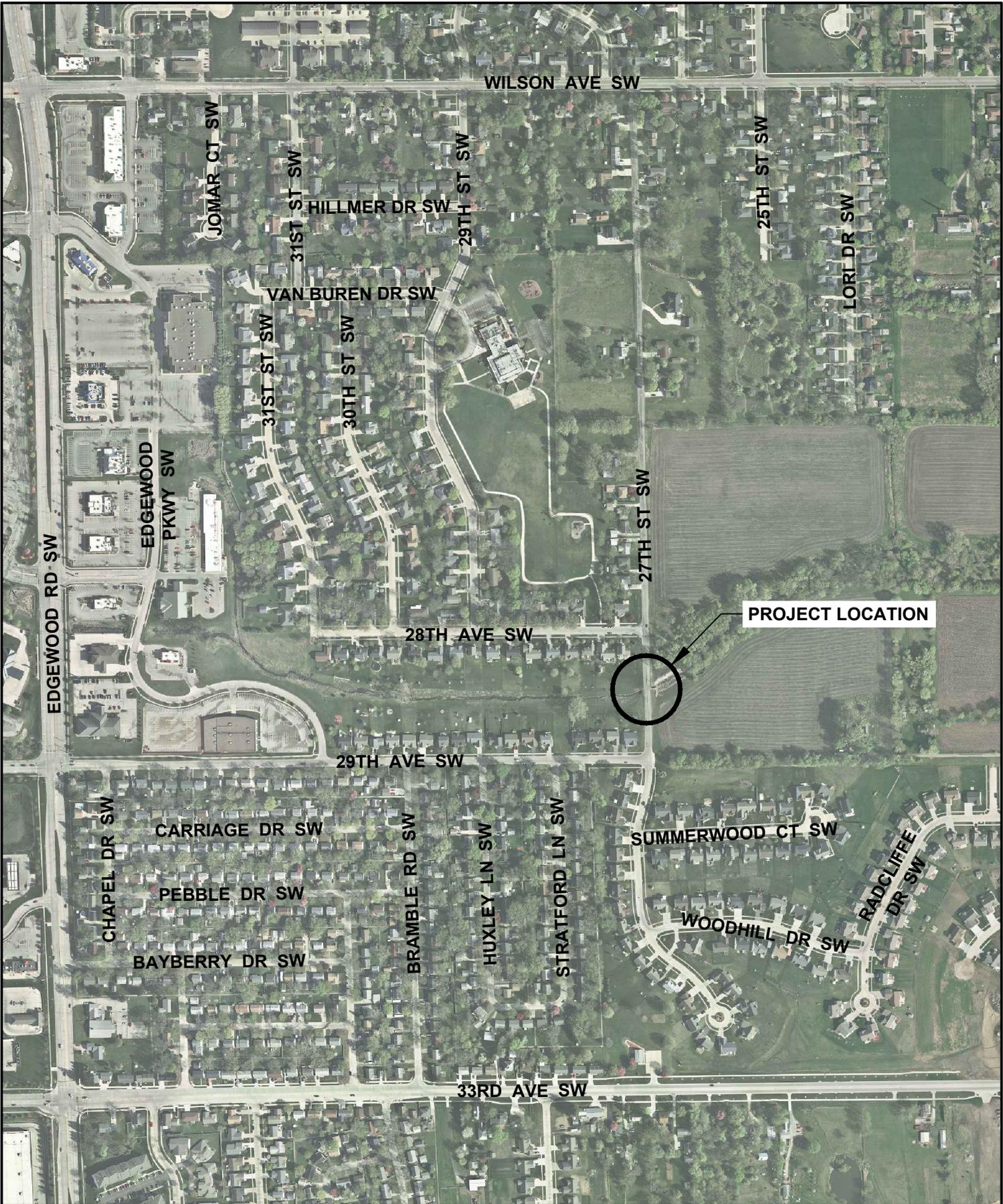
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 1 to the Professional Services Agreement with Shive-Hattery, Inc. in the amount of \$6,900 for the 27th Street SW Culvert Replacement project (Contract No. 304396-01). A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$38,977.50
Amendment No. 1	\$6,900.00
Amended Contract Amount	<u>\$45,877.50</u>

General ledger coding for this amendment to be as follows:

Fund 304, Dept ID 304000 Project 304396	\$6,900
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Passed this 4th day of November, 2014



Cadd File Name: W:\PROJECTS\CI\304304388\27th St SW Culvert Repair\304388_Council_Map.dwg



27TH STREET SW CULVERT REPLACEMENT PROJECT



Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Kirsty Sanchez

Phone Number/Ext: 319 286-5428

Email: k.sanchez@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

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

Resolution amending Resolution No. 1044-08-14 which authorized payment of an Annual Economic Development Grant, where the grant payment has been recalculated and Highway Equipment, Inc. is entitled to \$23,371.50. CIP/DID #OB275999

On August 12, 2014, City Council approved Resolution 1044-08-14 which authorized payment of an Annual Economic Development Grant to Highway Equipment, Inc. Staff discovered that the grant payment had been miscalculated and is correcting this error by amending the Resolution.

The grant payment is contingent upon the completion of minimum improvements and employment commitment specified in the Agreement for Private Redevelopment with the City. The grant amount is based upon the actual amount of increased property tax paid to the City in Fiscal Year 2013/14 for the January 1, 2012 assessed valuation. The business submitted an Annual Employment Certification to the City for the reporting period of November 1, 2012 through October 1, 2013 to establish that the required employee creation and/or retention level was met or exceeded.

The Economic Development Agreement was approved prior to the City Council's Economic Development Policy adopted in May 2008. However, the project supports the objectives of the current policy. Please refer to the table below for specifics on the minimum investment, employment commitment, and annual payroll figures, as well as the corresponding grant payment amount. This data demonstrates the value added to the community through significant increase to the tax base and job creation.

<u>Business</u>	<u>Minimum Investment</u>	<u>Jobs Committed</u>	<u>Jobs Provided</u>	<u>Payroll</u>	<u>ED Grant</u>	<u>Date</u>
Highway Equipment	\$4,800,000	115	158	\$20,215,631	\$23,371.50	3/21/2001

Action / Recommendation:

City staff recommends approval of the resolutions.

Alternative Recommendation:

City Council may table this item at this time and request additional information.

Time Sensitivity:

Annual payments due per each individual Agreement for Private Redevelopment.

Resolution Date: November 4, 2014

Estimated Presentation Time: N/A

Budget Information (if applicable):

The Annual Economic Development Grant Payments are generated through the increased property valuation of each individual project. The payments are budgeted and paid solely from the respective Tax Increment Financing Fund Account.

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

RESOLUTION AMENDING RESOLUTION NO. 1044-08-14 WHICH
AUTHORIZED PAYMENT OF AN ANNUAL ECONOMIC DEVELOPMENT
GRANT TO HIGHWAY EQUIPMENT, INC.

WHEREAS, the City of Cedar Rapids and Highway Equipment, Inc. have entered into *Agreement for Private Redevelopment* (the "Agreement") dated March 21, 2001 which set forth redevelopment and employment requirements of Highway Equipment, Inc. and further provided for City payment of annual Economic Development Grants based on the creation of new jobs; and

WHEREAS, the redevelopment improvements specified in the Agreement are entirely within the Southwest Urban Renewal Area as established by the City Council through Resolution No. 924-05-99 on May 12, 1999; and

WHEREAS, on August 12, 2014 City Council approved Resolution No. 1044-08-14 authorizing the annual economic development grant payment to Highway Equipment, Inc. for meeting their job creation and retention commitments. Staff discovered that the grant payment had been miscalculated; and

WHEREAS, the grant payment has been recalculated and Highway Equipment, Inc. is entitled to an Economic Development Grant as provided under Section 7.3 (Economic Development Grants) of the Agreement for the reporting period that totals \$23,371.50;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa that the City Auditor and City Treasurer are hereby authorized to make an amended Economic Development Grant payment to Highway Equipment, Inc. in the amount of \$23,371.50 to be paid from the Southwest Tax Increment Financing fund (Acct. #7508-750804-750804).

Passed this 4th day of November, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Kirsty Sanchez **Phone Number/Ext:** 319 286-5428
Email: k.sanchez@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt **Phone Number/Ext:** 319 286-5047
Email: j.pratt@cedar-rapids.org

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

Resolution amending Resolution No. 1045-08-14 which authorized payment of an Annual Economic Development Grant, where the grant payment has been recalculated and The Pointe at Cedar Rapids, LLC is entitled to \$245,688.05. CIP/DID #OB328256

On August 12, 2014, City Council approved Resolution 1045-08-14 which authorized payment of an Annual Economic Development Grant to The Point at Cedar Rapids, LLC. Staff discovered that the grant payment had been miscalculated and is correcting this error by amending the Resolution.

The grant payment is contingent upon the completion of minimum improvements and employment commitment specified in the Agreement for Private Redevelopment with the City. The grant amount is based upon the actual amount of increased property tax paid to the City in Fiscal Year 2013/14 for the January 1, 2012 assessed valuation. The business submitted an Annual Employment Certification to the City for the reporting period of November 1, 2012 through October 1, 2013 to establish that the required employee creation and/or retention level was met or exceeded.

The Economic Development Agreement was approved prior to the City Council's Economic Development Policy adopted in May 2008. However, the project supports the objectives of the current policy. Please refer to the table below for specifics on the minimum investment, employment commitment, and annual payroll figures, as well as the corresponding grant payment amount. This data demonstrates the value added to the community through significant increase to the tax base and job creation.

<u>Business</u>	<u>Minimum Investment</u>	<u>Jobs Committed</u>	<u>Jobs Provided</u>	<u>Payroll</u>	<u>ED Grant</u>	<u>Date</u>
The Pointe at Cedar Rapids, LLC	\$10,000,000	7	11	\$305,929	\$245,688.05	5/28/2008

Action / Recommendation:

City staff recommends approval of the resolutions.

Alternative Recommendation:

City Council may table this item at this time and request additional information.

Time Sensitivity:

Annual payments due per each individual Agreement for Private Redevelopment.

Resolution Date: November 4, 2014

Estimated Presentation Time: N/A

Budget Information (if applicable):

The Annual Economic Development Grant Payments are generated through the increased property valuation of each individual project. The payments are budgeted and paid solely from the respective Tax Increment Financing Fund Account.

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

RESOLUTION AMENDING RESOLUTION NO. 1045-08-14 WHICH
AUTHORIZED PAYMENT OF AN ANNUAL ECONOMIC DEVELOPMENT
GRANT TO THE POINTE AT CEDAR RAPIDS, LLC

WHEREAS, the City of Cedar Rapids and The Pointe at Cedar Rapids, LLC (herein referred to as The Pointe). have entered into *Agreement for Private Redevelopment* (the "Agreement") dated May 28, 2008 which set forth redevelopment and employment requirements of The Pointe at Cedar Rapids, LLC and further provided for City payment of annual Economic Development Grants based on the creation of new jobs; and

WHEREAS, the redevelopment improvements specified in the Agreement are entirely within the Pointe Urban Renewal Area as established by the City Council through Resolution No. 0895-10-07 on October 24, 2007; and

WHEREAS, on August 12, 2014 City Council approved Resolution No. 1045-08-14 authorizing the annual economic development grant payment to The Pointe for meeting their job creation and retention commitments. Staff discovered that the grant payment had been miscalculated;

WHEREAS, the grant payment has been recalculated and The Pointe is entitled to an Economic Development Grant as provided under Section 7.3 (Economic Development Grants) of the Agreement for the reporting period that totals \$245,688.05;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa that the City Auditor and City Treasurer are hereby authorized to make an Economic Development Grant payment to The Pointe at Cedar Rapids, LLC in the amount of \$245,688.05 to be paid from the Pointe Tax Increment Financing fund (Acct. #7530-753001-753001).

Passed this 4th day of November 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Kirsty Sanchez

Phone Number/Ext: 319 286-5428

Email: k.sanchez@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

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

Resolution amending Resolution No. 1046-08-14 which authorized payment of an Annual Economic Development Grant, where the grant payment has been recalculated and J Rettenmaier USA LP is entitled to \$74,874.50. CIP/DID #OB401618

On August 12, 2014, City Council approved Resolution 1046-08-14 which authorized payment of an Annual Economic Development Grant to J Rettenmaier USA LP. Staff discovered that the grant payment had been miscalculated and is correcting this error by amending the Resolution.

The grant payment is contingent upon the completion of minimum improvements and employment commitment specified in the Agreement for Private Redevelopment with the City. The grant amount is based upon the actual amount of increased property tax paid to the City in Fiscal Year 2013/14 for the January 1, 2012 assessed valuation. The business submitted an Annual Employment Certification to the City for the reporting period of November 1, 2012 through October 1, 2013 to establish that the required employee creation and/or retention level was met or exceeded.

The Economic Development Agreement was approved prior to the City Council's Economic Development Policy adopted in May 2008. However, the project supports the objectives of the current policy. Please refer to the table below for specifics on the minimum investment, employment commitment, and annual payroll figures, as well as the corresponding grant payment amount. This data demonstrates the value added to the community through significant increase to the tax base and job creation.

<u>Business</u>	<u>Minimum Investment</u>	<u>Jobs Committed</u>	<u>Jobs Provided</u>	<u>Payroll</u>	<u>ED Grant</u>	<u>Date</u>
J Rettenmaier	\$11,000,000	67	83	\$4,827,288	\$74,874.50	11/13/2008

Action / Recommendation:

City staff recommends approval of the resolutions.

Alternative Recommendation:

City Council may table this item at this time and request additional information.

Time Sensitivity:

Annual payments due per each individual Agreement for Private Redevelopment.

Resolution Date: November 4, 2014

Estimated Presentation Time: N/A

Budget Information (if applicable):

The Annual Economic Development Grant Payments are generated through the increased property valuation of each individual project. The payments are budgeted and paid solely from the respective Tax Increment Financing Fund Account.

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION

RESOLUTION AMENDING RESOLUTION NO. 1046-08-14 WHICH
AUTHORIZED PAYMENT OF AN ANNUAL ECONOMIC DEVELOPMENT
GRANT TO J RETTENMAIER USA LP

WHEREAS, the City of Cedar Rapids and J Rettenmaier USA LP entered into *Agreement for Private Redevelopment* (the "Agreement") dated November 13, 2008 which set forth redevelopment and employment requirements of J Rettenmaier USA LP and further provided for City payment of annual Economic Development Grants based on the creation of new jobs; and

WHEREAS, the redevelopment improvements specified in the Agreement are entirely within the JRS subarea of the Technology Park Urban Renewal Area as established by the City Council through Resolution No. 1995-09-00 on September 27, 2000; and

WHEREAS, on August 12, 2014 City Council approved Resolution No. 1046-08-14 authorizing the annual economic development grant payment to J Rettenmaier for meeting their job creation and retention commitments. Staff discovered that the grant payment had been miscalculated;

WHEREAS, the grant payment has been recalculated and J Rettenmaier is entitled to an Economic Development Grant as provided under Section 7.3 (Economic Development Grants) of the Agreement for the reporting period that totals \$78,874.50;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa that the City Auditor and City Treasurer are hereby authorized to make an Economic Development Grant payment to J Rettenmaier USA LP in the amount of \$74,874.50 to be paid from the JRS sub area of the Technology Park Tax Increment Financing fund (Acct. #7527-752701-752701).

Passed this 4th day of November, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Kirsty Sanchez

Phone Number/Ext: 319 286-5428

Email: k.sanchez@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

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

Resolution amending Resolution No. 1047-08-14 which authorized payment of an Annual Economic Development Grant, where the grant payment has been recalculated and 500First is entitled to \$154,235.17. CIP/DID #OB559007

Background:

On August 12, 2014, City Council approved Resolution 1047-08-14 which authorized payment of an Annual Economic Development Grant to 500First. Staff discovered that the grant payment had been miscalculated and is correcting this error by amending the Resolution.

The grant payment is contingent upon the completion of minimum improvements and employment commitment specified in the Agreement for Private Redevelopment with the City. The grant amount is based upon the actual amount of increased property tax paid to the City in Fiscal Year 2013/14 for the January 1, 2012 assessed valuation. The business submitted an Annual Employment Certification to the City for the reporting period of November 1, 2012 through October 1, 2013 to establish that the required employee creation and/or retention level was met or exceeded.

The Economic Development Agreement was approved prior to the City Council's Economic Development Policy adopted in May 2008. However, the project supports the objectives of the current policy. Please refer to the table below for specifics on the minimum investment, employment commitment, and annual payroll figures, as well as the corresponding grant payment amount. This data demonstrates the value added to the community through significant increase to the tax base and job creation.

<u>Business</u>	<u>Minimum Investment</u>	<u>Jobs Committed</u>	<u>Jobs Provided</u>	<u>Payroll</u>	<u>ED Grant</u>	<u>Date</u>
500 First	\$4,400,000	30	69	\$5,824,725	\$154,235.17	11/19/2003

Action / Recommendation:

City staff recommends approval of the resolutions.

Alternative Recommendation:

City Council may table this item at this time and request additional information.

Time Sensitivity:

Annual payments due per each individual Agreement for Private Redevelopment.

Resolution Date: November 4, 2014

Estimated Presentation Time: N/A

Budget Information (if applicable):

The Annual Economic Development Grant Payment is generated through the increased property valuation of each individual project. The payments are budgeted and paid solely from the respective Tax Increment Financing Fund Account.

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

RESOLUTION AMENDING RESOLUTION NO. 1047-08-14 AUTHORIZING
PAYMENT OF AN AMENDED ANNUAL ECONOMIC DEVELOPMENT GRANT
PAYMENT TO 500FIRST LLC

WHEREAS, the City of Cedar Rapids and 500First, LLC have entered into *Agreement for Private Redevelopment* (the "Agreement") dated November 19, 2003 which set forth redevelopment and employment requirements of 500First, LLC and further provided for City payment of annual Economic Development Grants based on the creation of new jobs; and

WHEREAS, the redevelopment improvements specified in the Agreement are entirely within the Midtown Urban Renewal Area as established by the City Council through Resolution No. 2099-09-03 on September 13, 2003; and

WHEREAS, on August 12, 2014 City Council approved Resolution No. 1047-08-14 authorizing the annual economic development grant payment to 500First for meeting their job creation and retention commitments. Staff discovered that the grant payment had been miscalculated; and

WHEREAS, the grant payment has been recalculated and 500First is entitled to an Economic Development Grant as provided under Section 7.3 (Economic Development Grants) of the Agreement for the reporting period that totals \$154,235.17;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa that the City Auditor and City Treasurer are hereby authorized to make an Economic Development Grant payment to 500First, LLC in the amount of \$154,235.17 to be paid from the Mid-Town Tax Increment Financing fund (Acct. #7525-752590-752590).

Passed this 4th day of November, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Kirsty Sanchez

Phone Number/Ext: 319 286-5428

Email: k.sanchez@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

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

Resolution amending Resolution No. 1048-08-14 which authorized payment of an Annual Economic Development Grant, where the grant payment has been recalculated and TrueNorth is entitled to \$123,820.80. CIP/DID #OB1298825

On August 12, 2014, City Council approved Resolution 1048-08-14 which authorized payment of an Annual Economic Development Grant to TrueNorth. Staff discovered that the grant payment had been miscalculated and is correcting this error by amending the Resolution.

The grant payment is contingent upon the completion of minimum improvements and employment commitment specified in the Agreement for Private Redevelopment with the City. The grant amount is based upon the actual amount of increased property tax paid to the City in Fiscal Year 2013/14 for the January 1, 2012 assessed valuation. The business submitted an Annual Employment Certification to the City for the reporting period of November 1, 2012 through October 1, 2013 to establish that the required employee creation and/or retention level was met or exceeded.

The Economic Development Agreement was approved prior to the City Council's Economic Development Policy adopted in May 2008. However, the project supports the objectives of the current policy. Please refer to the table below for specifics on the minimum investment, employment commitment, and annual payroll figures, as well as the corresponding grant payment amount. This data demonstrates the value added to the community through significant increase to the tax base and job creation.

<u>Business</u>	<u>Minimum Investment</u>	<u>Jobs Committed</u>	<u>Jobs Provided</u>	<u>Payroll</u>	<u>ED Grant</u>	<u>Date</u>
TrueNorth	\$10,000,000	170	170	\$11,502,508	\$123,820.80	9/28/2010

Action / Recommendation:

City staff recommends approval of the resolutions.

Alternative Recommendation:

City Council may table this item at this time and request additional information.

Time Sensitivity:

Annual payments due per each individual Agreement for Private Redevelopment.

Resolution Date: November 4, 2014

Estimated Presentation Time: N/A

Budget Information (if applicable):

The Annual Economic Development Grant Payments are generated through the increased property valuation of each individual project. The payments are budgeted and paid solely from the respective Tax Increment Financing Fund Account.

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION

RESOLUTION AMENDING RESOLUTION NO. 1048-08-14 AUTHORIZING
PAYMENT OF AN AMENDED ANNUAL ECONOMIC DEVELOPMENT GRANT
TO TRUENORTH

WHEREAS, the City of Cedar Rapids and TrueNorth entered into *Agreement for Private Redevelopment* (the "Agreement") dated September 28, 2010 which set forth redevelopment and employment requirements of TrueNorth and further provided for City payment of annual Economic Development Grants based on the creation of new jobs; and

WHEREAS, the redevelopment improvements specified in the Agreement are entirely within the Central Business Urban Renewal Area as established by the City Council through Resolution No. 41-1-97 on January 8, 1997; and

WHEREAS, on August 12, 2014 City Council approved Resolution No. 1048-08-14 authorizing the annual economic development grant payment to TrueNorth for meeting their job creation and retention commitments. Staff discovered that the grant payment had been miscalculated;

WHEREAS, the grant payment has been recalculated and TrueNorth is entitled to an Economic Development Grant as provided under Section 7.3 (Economic Development Grants) of the Agreement for the reporting period that totals \$123,820.80;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa that the City Auditor and City Treasurer are hereby authorized to make an Economic Development Grant payment to TrueNorth in the amount of \$123,820.80 to be paid from the Central Business Tax Increment Financing fund (Acct. #7501-750107-750107).

Passed this 4th day of November, 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. 10 in the amount of \$61,967 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 \$19,760,852) (**FLOOD**). CIP/DID #PWE006-21

Background:

WCD = Work Change Directive

Material Changes, Wall above Door 302B	\$983
Landscape Revisions	\$1,154
Stainless Steel Sills in Parts Room	\$3,428
Wash Bay Footing	\$1,835
Roof Parapet Changes	\$3,896
Block Wall	(\$1,940)
Gate Changes	\$6,905
Curb Deletion	(\$2,757)
Changes to Mezzanine Chain Link Fence	\$1,564
Monument Sign Corner of 6 th St and 15 th Ave	\$46,899

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 10 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: November 4, 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

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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. 10 in the amount of \$61,967 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	12,272
Change Order No. 10	<u>61,967</u>
Amended Contract Amount	\$19,760,852

General ledger coding for this Change Order to be as follows:

\$61,967 330-330210-18515-PWE006-NG

Passed this 4th day of November, 2014.



CITY SERVICES CENTER





Council Agenda Item Cover Sheet *FLOOD*

Submitting Department: Public Works Department

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

Phone Number/Extension: 5804

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

Phone Number/Extension: 5848

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

Authorizing Change Order No. 2 in the amount of \$30,100, with Municipal Pipe Tool Co., LLC for the Sanitary Sewers Quadrant Flood Repairs Lining Package #5 - 2013 project (original contract amount was \$848,344; total contract amount with this amendment is \$880,944) (**FLOOD**). CIP/DID #SSD104-04

Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Additional 15-inch sanitary sewer was found in poor condition and needed lined.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 2 submitted by Municipal Pipe Tool Co., 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: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): FEMA PW #SSD104

Local Preference Policy: Applies Exempt
Explanation: FEMA funded project

Recommended by Council Committee: Yes No N/A

ENG
AUD FILE
FIN
CLK
MUNICIPAL PIPE
ANDERSON BOGERT
SSD104-04
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. 2 in the amount of \$30,100 with Municipal Pipe Tool Co., LLC for the Sanitary Sewers Quadrant Flood Repairs Lining Package #5 - 2013 project, Contract No. SSD104-04. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$833,344.00
Possible Incentive	15,000.00
Change Order No. 1	2,500.00
Change Order No. 2	30,100.00
	<hr/>
Amended Contract Amount	\$880,944.00

General ledger coding for this Change Order to be as follows: \$30,100 330-33210-18511-SSD104

Passed this 4th day of November, 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

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

Phone Number/Extension: 5848

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

Authorizing Change Order No. 6 in the amount of \$22,610.59 with Ricklefs Excavating, Ltd. for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (original contract amount was \$1,765,564.20; total contract amount with this amendment is \$1,792,515.77) (**FLOOD**).
CIP/DID #SSD103-11

Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. The alley paving was in poor condition requiring additional pavement removal and replacement. This work left the alley in good condition for use.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 6 submitted by Ricklefs Excavating, Ltd.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Recommended by Council Committee: Yes No N/A

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CLK
RICKLEFS
SNYDER
SSD103-11
OB377545

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 6 in the amount of \$22,610.59 with Ricklefs Excavating, Ltd. for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2, Contract No. SSD103-11. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,765,564.20
Possible Incentive	50,000.00
Change Order No. 1	31,968.10
Change Order No. 2	4,527.17
Change Order No. 3	3,708.77
Change Order No. 4	2,758.80
Change Order No. 5	7,378.14
Change Order No. 6	22,610.59
Disincentive/Liquidated Damages	<u>(96,000.00)</u>
Amended Contract Amount	\$1,792,515.77

General ledger coding for this Change Order to be as follows: \$22,610.59 330-330210-18511-SSD103

Passed this 4th day of November, 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 \$53,888.60 with L.L. Pelling Company, Inc. for the 19th Street SE, Bever Avenue SE, and Garden Drive SE Pavement Rehabilitation Improvements project (original contract amount was \$1,922,103; total contract amount with this amendment is \$1,975,991.60) (**Paving for Progress**). CIP/DID #3012081-02

Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Due to citizen concern over the condition of the curb and gutter, the design engineer directed replacement of the south curb in the 1500 Block of Bever Avenue SE.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 1 submitted by L.L. Pelling 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: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP's 3012081 (Streets), 304996 (Storm Sewer)

Local Preference Policy: Applies Exempt

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

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

ENG
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LL PELLING
SNYDER
3012081-02

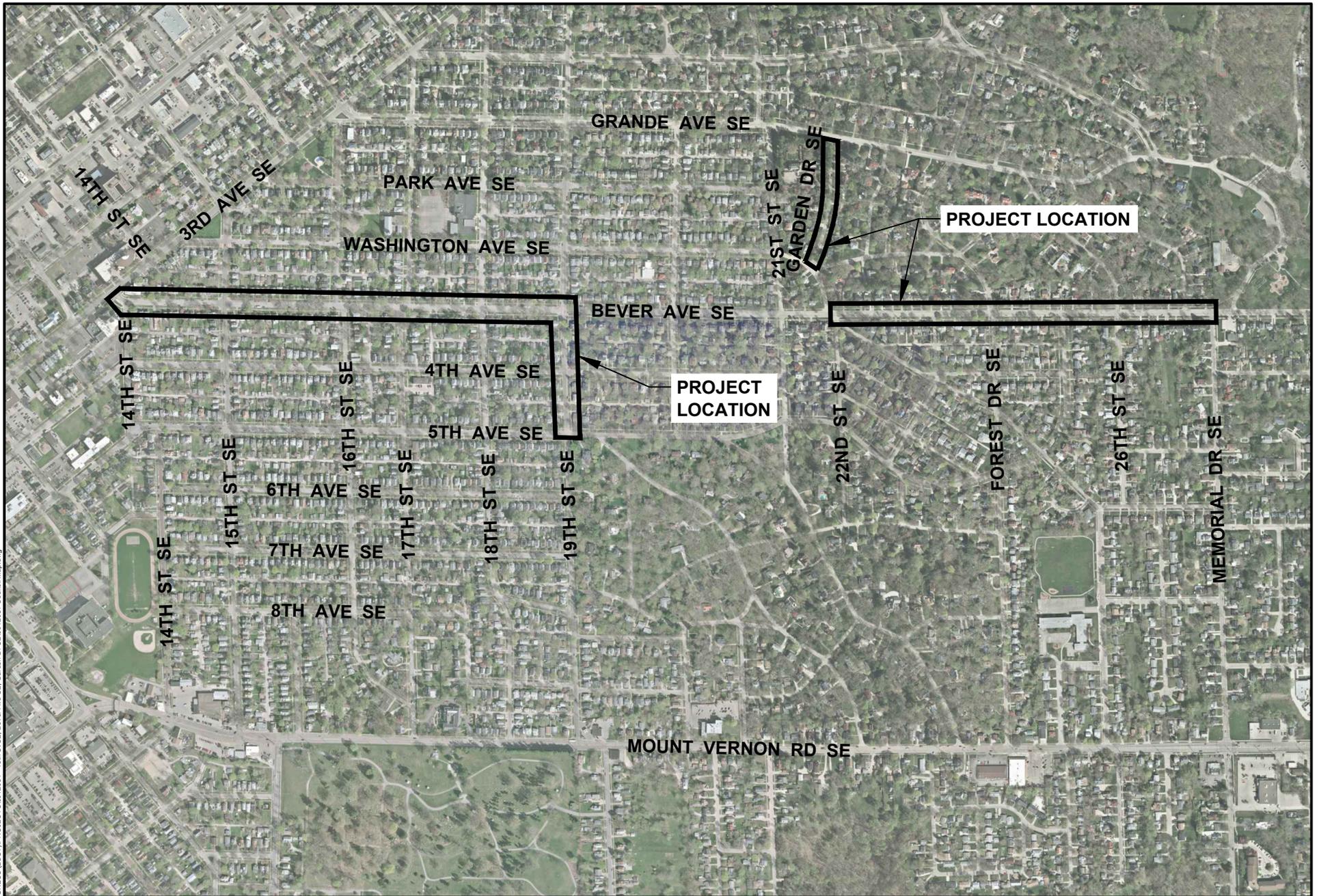
RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 1 in the amount of \$53,888.60 with L.L. Pelling Company, Inc. for the 19th Street SE, Bever Avenue SE, and Garden Drive SE Pavement Rehabilitation Improvements project, Contract No. 3012081-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,874,603.00
Possible Incentive	47,500.00
Change Order No. 1	53,888.60
	<hr/>
Amended Contract Amount	\$1,975,991.60

General ledger coding for this Change Order to be as follows: \$53,888.60 301-301000-7970-3012081

Passed this 4th day of November, 2014.



**BEVER AVENUE SE FROM MEMORIAL DRIVE TO 22ND STREET
AND FROM 19TH STREET TO 14TH STREET,
19TH STREET FROM 5TH AVENUE TO BEVER AVENUE AND
GARDEN DRIVE SE FROM WASHINGTON AVENUE TO GRANDE AVENUE
IMPROVEMENTS PROJECT**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5804

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

Phone Number/Extension: 5848

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

Authorizing Change Order No. 3 in the amount of \$8,884.61, plus an additional one-half working day, with Pirc-Tobin Construction, Inc. for the Oakland Road NE From E Avenue NE to H Avenue NE Pavement Rehabilitation project (original contract amount was \$645,700; total contract amount with this amendment is \$681,491.96) **(Paving for Progress)**. CIP/DID #301374-02

Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. The tree needed to be removed to allow for installation of proposed sub-drain and curb and gutter. The steps were for address 600 Oakland Road. These were in place of the sidewalk that was originally drawn on the plans. The work required an additional half day. The castings were for sanitary manholes that are remaining, but got new castings and infiltration barrier.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 3 submitted by Pirc-Tobin Construction, Inc.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

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

Local Preference Policy: Applies Exempt

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

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

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PIRC-TOBIN
SHOEMAKER
301374-02
7970

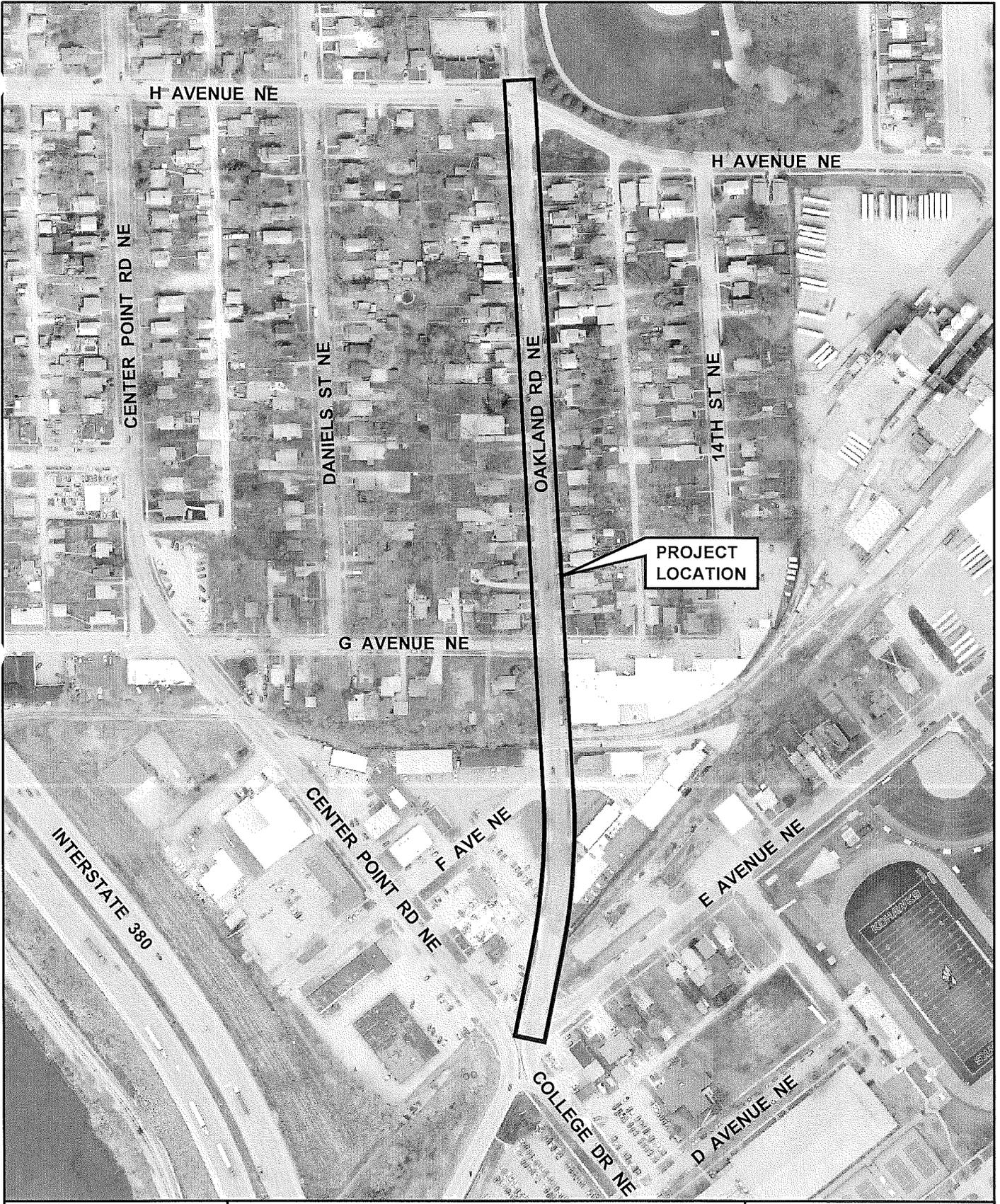
RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 3 in the amount of \$8,884.61, plus an additional one-half working day, with Pirc-Tobin Construction, Inc. for the Oakland Road NE From E Avenue NE to H Avenue NE Pavement Rehabilitation, Contract No. 301374-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$632,100.00
Possible Incentive	13,600.00
Change Order No. 1	225.07
Change Order No. 2	26,682.28
Change Order No. 3	<u>8,884.61</u>
Amended Contract Amount	\$681,491.96

General ledger coding for this Change Order to be as follows: \$8,260.31 301-301000-30185-301374, \$624.30 655-655000-65585-655998

Passed this 4th day of November, 2014.



OAKLAND ROAD NE FROM E AVENUE TO H AVENUE
REHABILITATION PROJECT





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5804

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

Phone Number/Extension: 5848

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

Authorizing Change Order No. 3 (Final) in the amount of \$12,818.66 with Eastern Iowa Excavating & Concrete, LLC for the Cedar River Amphitheater Trail Connection Between Amphitheater and Festival Grounds project (original contract amount was \$111,962.65; total contract amount with this amendment is \$127,113.21). CIP/DID #307218-07

Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. The existing shut-off valve and manhole for the outlet to the river were in the middle of the proposed trail. This work covers moving the valve from the trail location to the end of the pipe by the river. Per the request of Parks personnel additional rip rap was added in the area where it would be difficult to maintain turf or plants.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 3 (Final) submitted by Eastern Iowa Excavating & Concrete, 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: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP 307218

Local Preference Policy: Applies Exempt
Explanation: Does not fit the criteria.

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

ENG
AUD FILE
FIN
CLK
EASTERN IA
ANDERSON BOGERT
307218-07

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 3 (Final) in the amount of \$12,818.66 with Eastern Iowa Excavating & Concrete, LLC for the Cedar River Amphitheater Trail Connection Between Amphitheater and Festival Grounds project, Contract No. 307218-07. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$99,962.65
Possible Incentive	12,000.00
Change Order No. 1	2,121.90
Change Order No. 2	210.00
Change Order No. 3	12,818.66
	<hr/>
Amended Contract Amount	\$127,113.21

General ledger coding for this Change Order to be as follows: \$12,818.66 307-307000-307218

Passed this 4th day of November, 2014.



Cadd File Name: W:\PROJECTS\CI\307218\307218-07 Council Map.dwg



**CEDAR RIVER AMPHITHEATER TRAIL
CONNECTION BETWEEN AMPHITHEATER
AND FESTIVAL GROUNDS**



0 FEET 300



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5804

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

Phone Number/Extension: 5848

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

Authorizing Change Order No. 12 (Final) deducting the amount of \$664,182.68 with S.M. Hentges & Sons, Inc. for the Cedar River Sanitary Sewer Crossing Improvements project (original contract amount was \$5,394,964; total contract amount with this amendment is \$4,925,413.56). CIP/DID #655080-03

Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Additional contaminated soil testing was needed to complete the project. The June flood removed all seeding and matting done by the contractor and destroyed the new gravel access road. The contractor was asked to repair all seeding and matting. The destroyed road was repaired and 4-inches of asphalt placed over the road to eliminate future flooding problems.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 12 (Final) submitted by S.M. Hentges & Sons, Inc.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 655080: \$7,370,000 (CDBG) and \$1,000,000 (Revenue bonds), 615229: \$271,500 (Revenue bonds)

Local Preference Policy: Applies Exempt

Explanation: Grant-funded project.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary): Project was discussed at September 20, 2011 Infrastructure Committee meeting.

ENG
AUD FILE
FIN
CLK
SM HENTGES
ANDERSON BOGRET
655080-03

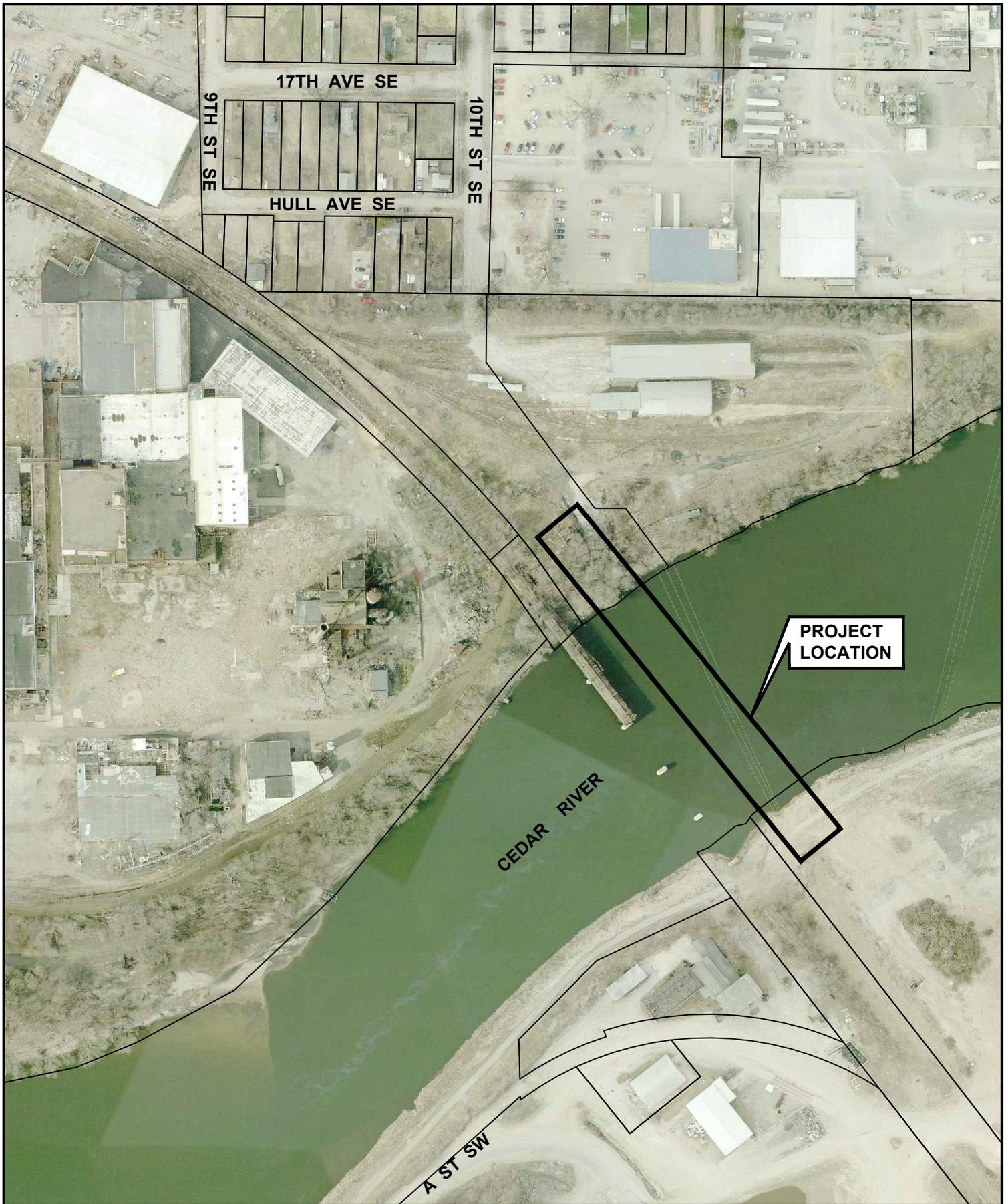
RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 12 (Final) deducting the amount of \$664,182.68 with S.M. Hentges & Sons, Inc. for the Cedar River Sanitary Sewer Crossing Improvements project, Contract No. 655080-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$5,370,464.00
Possible Incentive	24,500.00
Change Order No. 1	1,186.81
Change Order No. 2	9,105.14
Change Order No. 3	4,804.16
Change Order No. 4	7,628.19
Change Order No. 5	20,094.74
Change Order No. 6	16,804.72
Change Order No. 7	753.49
Change Order No. 8	47,700.00
Change Order No. 9	36,224.13
Change Order No. 10	60,232.82
Change Order No. 11	14,598.04
Change Order No. 12	(664,182.68)
Removal of Original Incentive Value	<u>(24,500.00)</u>
Amended Contract Amount	\$4,925,413.56

General ledger coding for this Change Order to be as follows: (\$664,182.68) 655-655000-655080

Passed this 4th day of November, 2014.



**CEDAR RIVER SANITARY SEWER
CROSSING IMPROVEMENTS**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5804

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

Phone Number/Extension: 5848

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

Authorizing Change Order No. 2 in the amount of \$167,946 with Peterson Contractors, Inc. for the Cedar River Bridges Miscellaneous Repairs project (original contract amount was \$1,275,800; total contract amount with this amendment is \$1,610,347.75). CIP/DID #305127-03

Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. The additional work is structural repairs necessary to maintain structural integrity. Additional areas of repairs have been found while performing the contract work items. These repairs have been added to the contract to minimize future repair costs associated with the bridge structures. These areas of added concrete repair were not identified in the project plans. These repairs are primarily on the Edgewood Road Bridge over the Cedar River.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 2 submitted by Peterson Contractors, Inc.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 305127

Local Preference Policy: Applies Exempt

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

Recommended by Council Committee: Yes No N/A

ENG
AUD FILE
FIN
CLK
PETERSON
SHOEMAKER HAALAND
305127-03

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 2 in the amount of \$167,946 with Peterson Contractors, Inc. for the Cedar River Bridges Miscellaneous Repairs project, Contract No. 305127-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,250,800.00
Possible Incentive	25,000.00
Change Order No. 1	166,601.75
Change Order No. 2	<u>167,946.00</u>
Amended Contract Amount	\$1,610,347.75

General ledger coding for this Change Order to be as follows: \$167,946 305-305000-30585-305127

Passed this 4th day of November, 2014.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5804

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

Phone Number/Extension: 5848

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **Map**
Authorizing Change Order No. 6 in the amount of \$11,531.24 with Pirc-Tobin Construction, Inc. for the 76th Avenue SW Improvements – from Edgewood Road SW to East of the Cedar Rapids and Iowa City (CRANDIC) Railroad Crossing project (original contract amount was \$3,692,021.84; total contract amount with this amendment is \$3,736,472.13). CIP/DID #301208-02

Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Additional wood excelsior matting was placed to minimize erosion potential on the earth slope and additional aggregate surfacing was necessary to provide a stable roadway surface on 26th Street SW.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 6 submitted by Pirc-Tobin Construction, Inc.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

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

Local Preference Policy: Applies Exempt

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

Recommended by Council Committee: Yes No N/A

Explanation (if necessary): Infrastructure Committee and Finance Committee

ENG
AUD FILE
FIN
CLK
PIRC TOBIN
AMENT
301208-02

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 6 in the amount of \$11,531.24 with Pirc-Tobin Construction Inc. for the 76th Avenue SW Improvements – from Edgewood Road SW to East of the Cedar Rapids and Iowa City (CRANDIC) Railroad Crossing, Contract No. 301208-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$3,545,021.84
Possible Incentive	147,000.00
Change Order No. 1	3,573.55
Change Order No. 2	7,665.51
Change Order No. 3	867.70
Change Order No. 4	6,230.10
Change Order No. 5	14,582.19
Change Order No. 6	<u>11,531.24</u>
Amended Contract Amount	\$3,736,472.13

General ledger coding for this Change Order to be as follows: \$11,531.24 301-301000-30185-301208

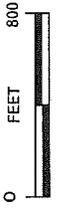
Passed this 4th day of November, 2014.



76TH AVENUE SW IMPROVEMENTS



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





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5804

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

Phone Number/Extension: 5848

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **Map**
Authorizing Change Order No. 6 in the amount of \$1,154.72 with BWC Excavating, LC for the 76th Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements and Kirkwood Boulevard SW Intersection Improvements project (original contract amount was \$1,408,890.70; total contract amount with this amendment is \$1,495,145.41). CIP/DID #3012049-03

Background:

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

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 6 submitted by BWC Excavating, LC.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP No. 3012049

Local Preference Policy: Applies Exempt

Explanation: Not Applicable

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

Recommended by College Community School District School Board: Yes

Explanation: At November 18, 2013 Board meeting

ENG
AUD FILE
FIN
CLK
BWC
HALL & HALL
3012049-03

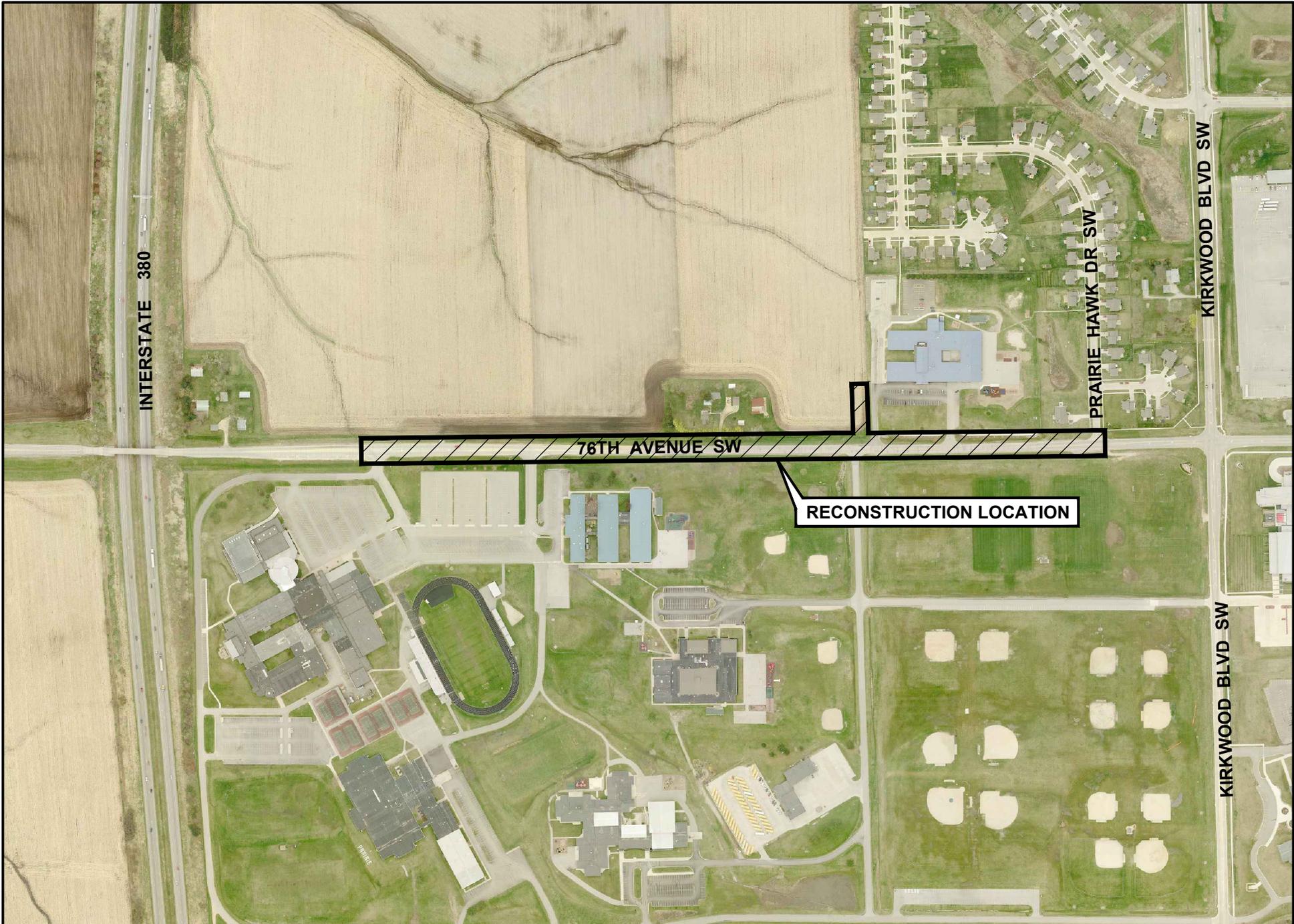
RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 6 in the amount of \$1,154.72 with BWC Excavating, LC for the 76th Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements and Kirkwood Boulevard SW Intersection Improvements, Contract No. 3012049-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,315,990.70
Possible Incentive	92,900.00
Change Order No. 1	200.00
Change Order No. 2	79.09
Change Order No. 3	9,378.70
Change Order No. 4	13,848.79
Change Order No. 5	61,593.41
Change Order No. 6	<u>1,154.72</u>
Amended Contract Amount	\$1,495,145.41

General ledger coding for this Change Order to be as follows: \$1,154.72 301-301000-30185-3012049

Passed this 4th day of November, 2014.



INTERSTATE 380

76TH AVENUE SW

RECONSTRUCTION LOCATION

PRAIRIE HAWK DR SW

KIRKWOOD BLVD SW

KIRKWOOD BLVD SW



**RECONSTRUCTION OF
76TH AVENUE SW FROM PRAIRIE HAWK DR TO EAST OF INTERSTATE 380**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5804

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

Phone Number/Extension: 5848

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

Authorizing Change Order No. 4 (Final) deducting the amount of \$7,159.60 with Ricklefs Excavating, Ltd. for the Montclair Drive NW from Owen Street to Jacolyn Drive Storm Sewer and Intersection Improvements project (original contract amount was \$171,800; total contract amount with this amendment is \$203,278.95). CIP/DID #301847-01

Background:

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

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 4 (Final) submitted by Ricklefs Excavating, Ltd.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 301847

Local Preference Policy: Applies Exempt

Explanation:

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

ENG
AUD FILE
FIN
CLK
RICKLEFS
301847-01

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 4 (Final) deducting the amount of \$7,159.60 with Ricklefs Excavating, Ltd. for the Montclair Drive NW from Owen Street to Jacolyn Drive Storm Sewer and Intersection Improvements project, Contract No. 301847-01. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$162,800.00
Incentive up to	9,000.00
Change Order No. 1	324.50
Change Order No. 2	5,541.70
Change Order No. 3	41,772.35
Change Order No. 4	(7,159.60)
Removal of Original Incentive	<u>(9,000.00)</u>
Amended Contract Amount	\$203,278.95

General ledger coding for this Change Order to be as follows: (\$1,609.60) 301-301000-301847, (\$5,550.00) 625-625884-6252012073

Passed this 4th day of November, 2014.



PROJECT LOCATION

HARVEST DR NW

MONTCLAIR DR NW

OWEN STREET NW

JACOLYN DR NW

E AVENUE NW

**MONCLAIR DRIVE NW FROM OWEN STREET TO
JACOLYN DRIVE STORM SEWER AND
INTERSECTION IMPROVEMENTS PROJECT**



Council Agenda Item Cover Sheet

Consent Agenda **Regular Agenda**

Council Meeting Date: November 4, 2014

Submitting Department: Utilities – Water

Presenter at meeting: Steve Hershner **Phone:** 5281 **E-mail:** s.hershner@cedar-rapids.org

Alternate Contact: Ken Russell **Phone:** 5926 **E-mail:** k.russell@cedar-rapids.org

Description of Agenda Item:

Resolution approving Change Order No. 2 (final) in the amount of \$56,304.17; accepting the Repair of Water Service Lines FY14 project and 2-Year Maintenance Bond; and authorizing final (retainage) payment in the amount of \$17,906.10 to B. G. Brecke, Inc. (original contract amount was \$238,140.00; the final contract amount is \$390,444.17). CIP/DID #521108-14

Note: Change Order No. 2, in the amount of \$56,304.17, is to adjust the contract to the final quantities for work completed on the Repair of Water Service Lines FY14 project that ended on June 30, 2014. The original contract amount was \$238,140.00, Change Order No.1 added \$96,000, and Change Order No. 2 added \$56,304.17, for a total contract amount of \$390,444.17.

Background:

B. G. Brecke, Inc. was awarded the contract for fiscal year 2014 for the repair of City-owned water service lines serving homes and businesses within Cedar Rapids. The work consists of repairing service lines, corporation stops, and resetting or relocating curb boxes within the public right-of-way. The contractor also performs the appurtenant work necessary to make a complete job, consisting of: pavement removal, excavation, sheet, brace and support the adjoining ground or structures where necessary, handle all drainage of groundwater; provide barricades, guards, and warning lights, flush and test the repair, repair sewer and drain lines disturbed by the repair, backfill and compact the excavation, restore the surface, remove and dispose of surplus excavated material, and perform final clean-up of the work site. The term of this contract was for the period of July 1, 2013 through June 30, 2014.

Each year we estimate the amount of service work that will be needed for the coming year. The estimates are based on a review and analysis of recent years' costs. Due to the nature of this type of work, it is difficult to anticipate the work that will be needed. Each work request is in response to unanticipated failures in equipment or materials, e.g. leaking service lines or broken stop boxes.

The work on this contract has been completed to the Water Division's satisfaction.

Action / Recommendation:

The Utilities Department – Water Division recommends that the City Council approve Change Order No. 2 in the amount of \$56,304.17 and authorize the City Manager and City Clerk to execute said Change Order; accept the Repair of Water Service Lines FY14 project and 2-Year Maintenance Bond; and authorize final (retainage) payment in the amount of \$17,906.10 to B. G. Brecke, Inc. thirty days after acceptance in accordance with Iowa Code.

Alternative Recommendation:

There is no alternative recommendation but an alternative action is to not accept the project. If the project 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 fulfilled the terms of the construction contract.

Time Sensitivity: None, routine item

Resolution Date: 11/04/14

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

1. **Included in Current Year Budget.** Funded from FY14 Meter Shop operations budget and the general ledger coding is 521108-621-621005-62151.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The FY14 budget included \$235,000 and the actual total amount expended for this work is \$390,444.17.
3. **Purchasing Department used or Purchasing Guidelines followed:** Purchasing guidelines are being followed for Public Improvement Projects.

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

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

RESOLUTION NO.

WHEREAS, B. G. Brecke, Inc. has completed the contract work for the Repair of Water Service Lines FY14 project (Contract No. 521108-14), and

WHEREAS, Change Order No. 2, specifies a net increase in the amount of \$56,304.17 to adjust the unit price bid items to reflect the actual completed work under this contract, and

WHEREAS, the Utilities Department – Water Division recommends that Change Order No. 2 be hereby approved and that the work completed under this contract by hereby accepted, and

WHEREAS, B. G. Brecke, Inc., of Cedar Rapids, Iowa, as Principal has filed a Maintenance Bond (Bond No. 54195645) executed by United Fire & Casualty Company, as Surety in the amount of \$390,444.17 (Three Hundred Ninety Thousand, Four Hundred Forty Four Dollars and Seventeen Cents) covering said work.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Change Order No. 2 for a net increase of \$56,304.17 be hereby approved and that the City Manager and City Clerk be hereby authorized to execute said Change Order; that the work completed under this Contract be hereby accepted; and the 2-Year Maintenance Bond in the amount of \$390,444.17 be hereby approved and filed with the City Finance Director, and

BE IT FURTHER RESOLVED that the City Finance Director is hereby directed to issue a warrant in the sum of \$17,906.10 for final retainage payment to B. G. Brecke, Inc. thirty days after acceptance in accord with Iowa State Code. The original contract amount was \$238,140.00; final contract amount is \$390,444.17.

Passed this 4th day of November, 2014.

Council Agenda Item Cover Sheet

Consent Agenda **Regular Agenda**

Council Meeting Date: November 4, 2014

Submitting Department: Utilities – WPC Division

Presenter at meeting: Steve Hershner **Phone:** 5281 **E-mail:** s.hershner@cedar-rapids.org

Alternate Contact: Matt Jensen **Phone:** 5937 **E-mail:** m.jensen@cedar-rapids.org

Description of Agenda Item:

Resolutions approving actions regarding Purchases/Contracts/Agreements:

- a. Professional Services Agreement with Ulteig Engineers for an amount not to exceed \$80,000 for the Water Pollution Control Facility Arc Flash & Coordination Study project. CIP/DID #615237-01

Background:

The Water Pollution Control Facility Arc Flash & Coordination Study project will include Arc Flash Studies which are analyses of electrical systems to identify potential hazards to maintenance electricians who perform work while equipment is energized. The NFPA (National Fire Protection Association) 70E code requires that arc flash studies be performed every five years to identify hazardous working conditions for electricians. The last arc flash study for the Water Pollution Control Facility was performed in 2004; as such, a new study needs to be performed to update the list of hazardous electrical areas that affect plant electricians.

Coordination studies analyze the existing circuit breakers, fuses, and other electrical protection devices to ensure that they operate in a sequential manner that minimizes the equipment affected by an electrical fault. The coordination study will also include recommendations on changing any fuses, circuit breakers, or other devices that do not properly coordinate with the surrounding protective devices. A full coordination study for the plant has never been performed; only piecemeal coordination studies, coordinating devices within specific areas of the plant, have been completed.

Five engineering firms were originally contacted for Statements of Qualifications to perform the study. The five firms were: Stanley Consultants, Inc., Ulteig Engineers, PRVN Consultants, Strand Associates, and Brown & Caldwell. Packets detailing the experience of the firm and the proposed schedule for the project were received from PRVN Consultants, Ulteig Engineers, and Brown & Caldwell. The Utilities Department staff evaluated the qualifications of the responding firms and determined that the technical resources that Ulteig Engineers could bring to the project best met the needs of the Utilities Department. Ulteig Engineers satisfactorily completed the Coordination and Arc Flash study for the NW Water Treatment Plant, J Avenue Water Treatment Plant, and the well fields supplying raw water to the City of Cedar Rapids. Since this study involves identical work, Ulteig Engineers was chosen again as the most qualified firm.

Action / Recommendation:

The Utilities Department – WPC Division recommends approval of the Professional Services Agreement with Ulteig Engineers for the Water Pollution Control Facility Arc Flash & Coordination Study project and authorizing the City Manager and City Clerk to execute said Agreement.

Alternative Recommendation: None

Time Sensitivity: Action needed 11-4-14

Resolution Date: 11-4-14

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable):

1. **Included in Current Budget Year.** The project will be funded from the FY2015 Utilities Department – WPC Division CIP budget and coded to 553000-615-615000-x-x-615237.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The WPC Division FY2015 budget includes \$250,000 for Engineering Design Services for the Water Pollution Control Facility Arc Flash & Coordination Study.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, statements of qualifications were requested from multiple engineering firms and evaluated by Utilities Department staff using objective criteria.

Local Preference Policy

Applies

Exempt

Explanation: Consultant Evaluation form gives preference to local consultants.

Recommend by Council Committee Yes

No

N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the last arc flash study for the Water Pollution Control Facility was performed in 2004; as such, a new study needs to be performed to update the list of hazardous electrical areas that affect plant electricians, and

WHEREAS, this project will include Arc Flash Studies which are analyses of electrical systems to identify potential hazards to maintenance electricians who perform work while equipment is energized, and

WHEREAS, these studies will analyze the existing circuit breakers, fuses, and other electrical protection devices to ensure that they operate in a sequential manner that minimizes the equipment affected by an electrical fault, and

WHEREAS, five engineering firms were contacted for Statements of Qualifications and packets detailing the experience of the firm and proposed schedule for the project, and three were received from PRVN Consultants, Ulteig Engineers, and Brown & Caldwell, and

WHEREAS, the Utilities Department staff evaluated the qualifications of the responding firms and determined that the previous work and technical resources that Ulteig Engineers could bring to the project best met the needs of the department, and

WHEREAS, the Utilities Department – Water Pollution Control Division recommends approval of the Professional Services Agreement with Ulteig Engineers for the Water Pollution Control Facility Arc Flash & Coordination Study project and authorizing the City Manager and City Clerk to execute said Agreement, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Water Pollution Control Facility be hereby authorized to enter into a Professional Services Agreement with Ulteig Engineers for the Water Pollution Control Facility Arc Flash & Coordination Study project for an amount not to exceed \$80,000 be hereby approved and the City Manager and City Clerk authorized to execute. To be funded from the FY2015 Utilities Department – WPC Division CIP budget and coded to 553000-615-615000-x-x-615237.

Passed this 4th day of November, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Fire

Presenter at Meeting: Curtis Walser

Phone: 319-310-4930

Email: c.walser@cedar-rapids.org

Alternate Contact Person: Mark English

Phone: 319-286-5220

Email: m.english@cedar-rapids.org

Description of Agenda Item:

Resolution authorizing the Fire Department to purchase radio equipment from Motorola Solutions, Inc. in an amount not to exceed \$50,000 through December 31, 2015. (Curtis Walser)

Background:

The Cedar Rapids Fire Department has been authorized to procure a new fire apparatus (Resolution# 1104-08-14). Part of the equipment compliment that is added to a new apparatus are portable radios, one for each of the five seats. Our recently implemented, county-wide public safety radios system, utilizes a platform that allows us to select equipment from multiple manufacturers based on our application and best value for the taxpayer's dollar. Radio equipment from Motorola Solutions, Inc. will be procured from State of Iowa Purchasing Contract#3807-10.

Action/Recommendation:

The Fire Department recommends approval of the radio equipment.

Alternative Recommendation:

If the equipment is not approved at this time, the Fire Department will not be able to deploy the new apparatus with a complete set of equipment.

Time Sensitivity: N/A

Resolution Date: November 4, 2014

Estimated Presentation Time: N/A

Budget Information (if applicable): Cost of radio equipment will not exceed \$50,000.00.
Funding will be from Account 554000-308-308000-NA
CIP Project# 308151

Local Preference Policy Applies Exempt

Explanation: In order to receive state contract pricing, all equipment must be ordered directly from Motorola Solutions, Inc. based in Illinois.

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

RESOLUTION NO.

WHEREAS, the Cedar Rapids Fire Department utilizes a regular, prescribed replacement schedule for fire apparatus; and

WHEREAS, a compliment of equipment including portable and mobile radios are deployed with a new apparatus; and

WHEREAS, funding for the purchase is from Capital Improvement Project, Account #554000-308-308000-NA, Project #308151; now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Fire Department is hereby authorized to purchase radio equipment from State of Iowa Purchasing Contract 3807-10, with Motorola Solutions, Inc., 1307 E. Algonquin Road, Schaumburg, IL, 60196, in an amount not to exceed \$50,000 through December 31, 2015.

Passed this 4th day of November, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: November 4th, 2014

Submitting Department: Fire

Presenter at Meeting: Michael Fredericks

Phone: 319-286-5228

Email: m.fredericks@cedar-rapids.org

Alternate Contact Person: Mark English

Phone: 319-286-5220

Email: m.english@cedar-rapids.org

Description of Agenda Item:

Resolution authorizing the City Manager to execute the Agreement For Use, Release, and Indemnification Contract on behalf of the Cedar Rapids Fire Department to use privately-owned structure at 330 G Avenue NW for Non-Burn training exercises.

Background:

The Cedar Rapids Fire Department requires suitable structures for realistic training exercises in fireground tasks and techniques. A private citizen, Dane Bingenheimer, has offered to the Fire Department a vacant structure at 330 G Avenue NW for such training exercises. This house is slated for demolition yet this year. It has been prepared for demolition through the abatement of all asbestos materials and elimination of city utilities.

Action/Recommendation:

The Fire Department recommends approval of the execution of the present Agreement.

Alternative Recommendation:

If the resolution is not approved at this time, the Fire Department will lose the opportunity to conduct the Non-Burn training exercises in November due to onset of winter weather conditions.

Time Sensitivity: These types of training exercises are best conducted in weather that is suitable for our apparatus to operate in above-freezing conditions.

Resolution Date: November 4th, 2014

Estimated Presentation Time: N/A

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): N/A

RESOLUTION NO.

WHEREAS, The Cedar Rapids Fire Department requires suitable structures for field exercises to properly train and instruct its public safety employees in fireground tasks and techniques other than the extinguishment of actual live fires (No-Burn Training Exercises), and

WHEREAS, Dane (Simon) Bingenheimer (hereinafter referred to as the OWNER), 2105 8th Avenue SW, Cedar Rapids, IA 52404 is the legal titleholder of the real estate property known and described as: Lot 9 Block 6 of "Brown's Second Addition" with a local address of 330 G Avenue NW, Cedar Rapids, IA 52405, (hereinafter referred to as "the Property"), and

WHEREAS, the OWNER is desirous of having the structure on the Property dismantled, destroyed, or otherwise demolished and has entered into a signed Agreement For Use, Release, and Indemnification Contract with the City for Fire Department use of the structure for No-Burn Training Exercises, and

WHEREAS, the abovementioned Property has been properly prepared for destruction or demolition, including identification and removal of all asbestos-containing materials according to the requirements of the Iowa Department of Natural Resources, elimination of all utilities, including water, natural gas, electrical service, and communication services.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager be authorized to execute the Agreement For Use, Release, and Indemnification Contract on behalf of the Cedar Rapids Fire Department.

Passed this 4th day of November, 2014.

AGREEMENT FOR USE, RELEASE AND INDEMNIFICATION
RE: NO-BURN TRAINING EXERCISES at:
330 G Avenue NW Cedar Rapids IA

This **AGREEMENT** is made and entered into as of the 21st day of October, 2014 by and between the undersigned parties, namely Dane (Simon) Bingenheimer, (hereinafter referred to as the "Owner"), and the City of Cedar Rapids Fire Department (hereinafter referred to as "the City" and "CRFD" as the context requires).

WITNESSETH:

WHEREAS, the Owner is the legal titleholder to the real property described as:

Lot 9 Block 6 of "Brown's Second Addition"

with a local address of 330 G Avenue NW, Cedar Rapids IA 52405, on which improvements and/or structures are located (hereinafter referred to collectively as "the Property"); and

WHEREAS the Owner is desirous of having structures on the Property dismantled, destroyed or otherwise demolished; and

WHEREAS CRFD requires suitable structures for field exercises to properly train and instruct public employees in methods other than fighting fires ("No-Burn Training Exercises"); and

WHEREAS the Parties acknowledge the suitability of the Property for No-Burn Training Exercises including the dismantling, destruction or demolition that will result CRFD from said exercises; and

NOW, THEREFORE, in consideration of the foregoing, the parties hereto agree as follows:

1. Owner grants permission to CRFD to enter onto and use the Property between October 21st and November 30th, 2014, for purposes of CRFD conducting No-Burn Training Exercises and all related activity, including the dismantling, destruction or demolition, in whole or in part, of the Structures by any means other than burning; provided, however, that the aforementioned dates shall be subject to change by CRFD should weather or other conditions make it inadvisable to conduct said exercises on said dates.

2. Owner shall release and fully defend CRFD and the City of Cedar Rapids and its agents and employees, and, further, hold them harmless from and indemnify them against, any and all claims of any nature which arise out of or in connection with CRFD's activities undertaken pursuant to this Agreement, excluding, however those claims described in item 3. of this Agreement. This paragraph is intended to prohibit and shall be construed as prohibiting Owner from making any claims against any applicable policy of insurance or indemnity benefits of any type for damage or injury of any nature occurring as a result of this Agreement, and, further, shall entitle the City to indemnification should the Owner make any such claims.
3. CRFD and the City shall release and fully defend Owner and, further, hold Owner harmless from and indemnify Owner against, any and all claims of any nature asserted by or on behalf of CRFD or the City, or any of their employees which arise out of or in connection with CRFD's activities undertaken pursuant to this Agreement.
4. This Agreement shall be binding on the parties' successors and assigns.
5. This Agreement shall be governed by the laws of the State of Iowa, and the parties consent to Linn County as proper venue.

OWNER: 

STATE OF IOWA)
) ss
 COUNTY OF LINN)

This instrument was acknowledged before me on this 23 day of October,
 2014 by Molly Knock.


 NOTARY PUBLIC, STATE OF IOWA



CITY OF CEDAR RAPIDS, IOWA

by _____
Jeffrey A. Pomeranz
City Manager

Attest:

Amy Stevenson
City Clerk

STATE OF IOWA)
) ss
COUNTY OF LINN)

On this _____ day of _____, 2014, before me, _____, a Notary Public in and for the State of Iowa, personally appeared Jeffrey A. Pomeranz and Amy Stevenson, to me personally known, and, who, being by me duly sworn, did say that they are the City Manager and City Clerk, respectively, of the City of Cedar Rapids, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Resolution No. _____ adopted by the City Council on the _____ day of _____, 20__, and that Jeffrey A. Pomeranz and Amy Stevenson acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

In Witness Whereof, I have hereunto signed my name and affixed my Notarial Seal the day and year last above written.

NOTARY PUBLIC, STATE OF IOWA



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5807

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

Phone Number/Extension: 5153

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

Resolution authorizing offer to purchase property and the execution of a Total Acquisition Purchase Agreement in the amount of \$112,000, plus an amount estimated to be \$19,500 in relocation benefits to Cheryl G. Hart-Lloyd and Dennis Lloyd for property located at 4531 C Avenue NE in connection with the Iowa 100 (Collins Road) from Council Street NE to 1st Avenue project. CIP/DID #301446-00

Background:

In 1999, the City Council adopted the Collins Road Corridor Study. This document has become the basis for:

- 1) Phase I improvements currently under construction on 1st Avenue East from 40th Street to Tama Street and Collins Road NE from Twixt Town Road NE to Commerce Way SE.
- 2) Environmental Assessment (EA) for the Phase I segment, plus Collins Road from Center Point Road to Twixt Town Road. The Environmental Assessment included improvements to C Avenue NE from Collins Road to Nilsen Road (south of Old Marion Road) and the Environmental Assessment was approved by the Federal Highway Administration in December 2009.
- 3) Adjacent coordination of development/redevelopment of adjoining parcels.
- 4) Grant funding applications and approval of Agreements.
- 5) Revenue funding in multiple fiscal year Capital Improvement Program budgets since completion of Collins Road Corridor Study in 1999.

This purchase is needed to accommodate the proposed Iowa 100 (Collins Road) roadway improvements, including the installation of sidewalks, street paving, and utility extensions, including the improvements along C Avenue NE from Collins Road to Nilsen Road. Compensation amounts proposed are based on an appraisal of the subject property, provided by a qualified appraiser and/or a review appraiser's recommendation hired by the City. The relocation benefits are based on a replacement housing payment of \$17,500 plus moving and incidental expenses estimated to be \$2,000 as required per the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Public Law 91-646).

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing the offer to purchase and the execution of a Total Acquisition Purchase Agreement from Cheryl G. Hart-Lloyd and Dennis Lloyd in the amount of \$112,000, plus an amount estimated to be \$19,500 in relocation benefits.

Alternative to the Recommendation:

Alternative to the recommendation would be to redesign the Iowa 100 (Collins Road) from Council Street NE to 1st Avenue project to avoid the property located at 4519 C Avenue NE. However, this will increase project costs and grant funds may expire.

Time Sensitivity: Normal

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 301/301000/301446

Local Preference Policy: Applies Exempt

Explanation: Local Preference Policy does not apply to 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 to acquire the property at 4531 C Avenue NE, Cedar Rapids, Iowa 52402 in the amount of \$112,000 from Cheryl G. Hart-Lloyd and Dennis Lloyd, OWNERS, in association with the Iowa 100 (Collins Road) from Council Street NE to 1st Avenue project, and

WHEREAS, the OWNERS have agreed to convey the property at 4531 C Avenue NE by a Warranty Deed to the City of Cedar Rapids for consideration of \$112,000, and

WHEREAS, the Public Works Department has recommended Relocation Assistance to the OWNER in an amount estimated to be \$19,500, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into an agreement to purchase the property and provide relocation assistance in accordance with the terms set forth in the Total Acquisition Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for Iowa 100 (Collins Road) from Council Street NE to 1st Avenue project (Fund 301, Dept ID 301000, Project 301446-00),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are hereby authorized to execute the Total Acquisition Purchase Agreement as described herein, and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Attorney is authorized to review the abstract of title and upon approval by the City Attorney, the Public Works Department shall finalize the transaction and the City of Cedar Rapids Finance Director be authorized to issue payment(s) necessary in the amount of \$112,000, plus relocation benefits to Cheryl G. Hart-Lloyd and Dennis Lloyd, Linn County Treasurer and lien holders, if applicable.

BE IT FURTHER RESOLVED that upon receipt, the Warranty Deed from Cheryl G. Hart-Lloyd and Dennis Lloyd 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 4th day of November, 2014.



Cadd File Name: W:\PROJECTS\CIP\3013011446\301446 Council Map.dwg



**4531 C Ave NE - TOTAL ACQUISITION PURCHASE AGREEMENT
HIGHWAY 100 (COLLINS ROAD) FROM
COUNCIL STREET NE TO 1ST AVENUE PROJECT**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5807

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

Phone Number/Extension: 5153

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **YES Map**
 Resolution accepting an Easement Crossing Consent and Agreement for a Multi-Use Trail in the amount of \$1 from ITC Midwest LLC located at 902 17th Street NE in connection with the CEMAR Trail project. CIP/DID #325012-00

Background:

The CEMAR Trail has been a priority trail segment for a number of years, with the goal to connect the Cedar Lake Loop Trail to the City of Marion. Funding has been previously provided through Federal earmarks, Iowa DOT Transportation Enhancement funds, State Recreational Trail funds, and City General Obligation Bonds. In addition, the Corridor Metropolitan Planning Organization (CMPO) has Surface Transportation Program (STP) funds approved for the CEMAR Trail Project. Phase 2 of the trail, from 20th Street NE to 29th Street NE, has been completed. This recreation trail easement is needed as part of acquisition for Phase 1 of the trail, which is still in process.

An Easement Crossing Consent and Agreement with ITC Midwest LLC was required because an electric easement was granted by Mount Mercy University to ITC Midwest LLC within the same location as the recreational trail and prior to granting the City an easement for a recreational trail. The City was therefore required to seek approval from ITC Midwest LLC. The Easement Crossing Consent and Agreement with ITC Midwest LLC is at no cost to the City.

Action / Recommendation:

The Public Works Department recommends adopting the resolution to accept the Easement Crossing Consent and Agreement from ITC Midwest LLC.

Alternative to the Recommendation:

This trail alignment has been vetted by public information meetings and stakeholder recommendations. If not approved, the City will be need to reevaluate alternative routes for the trail and could lose Federal and State funding allocated to the project

Time Sensitivity: Normal

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 325/325000/325012

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 crossing consent and agreement exists in order to accommodate the proposed facilities, and

WHEREAS, ITC Midwest LLC, 27175 Energy Way, Novi, MI 48377, EASEMENT OWNER of the real property known and described as:

See Attached Exhibit "A"

consents and agrees to the City's multi-use trail on the easement crossing area located at 902 17th Street NE for \$1 and other valuable consideration, and

WHEREAS, the Public Works Director / City Engineer recommends the City accept the easement crossing consent and agreement, and

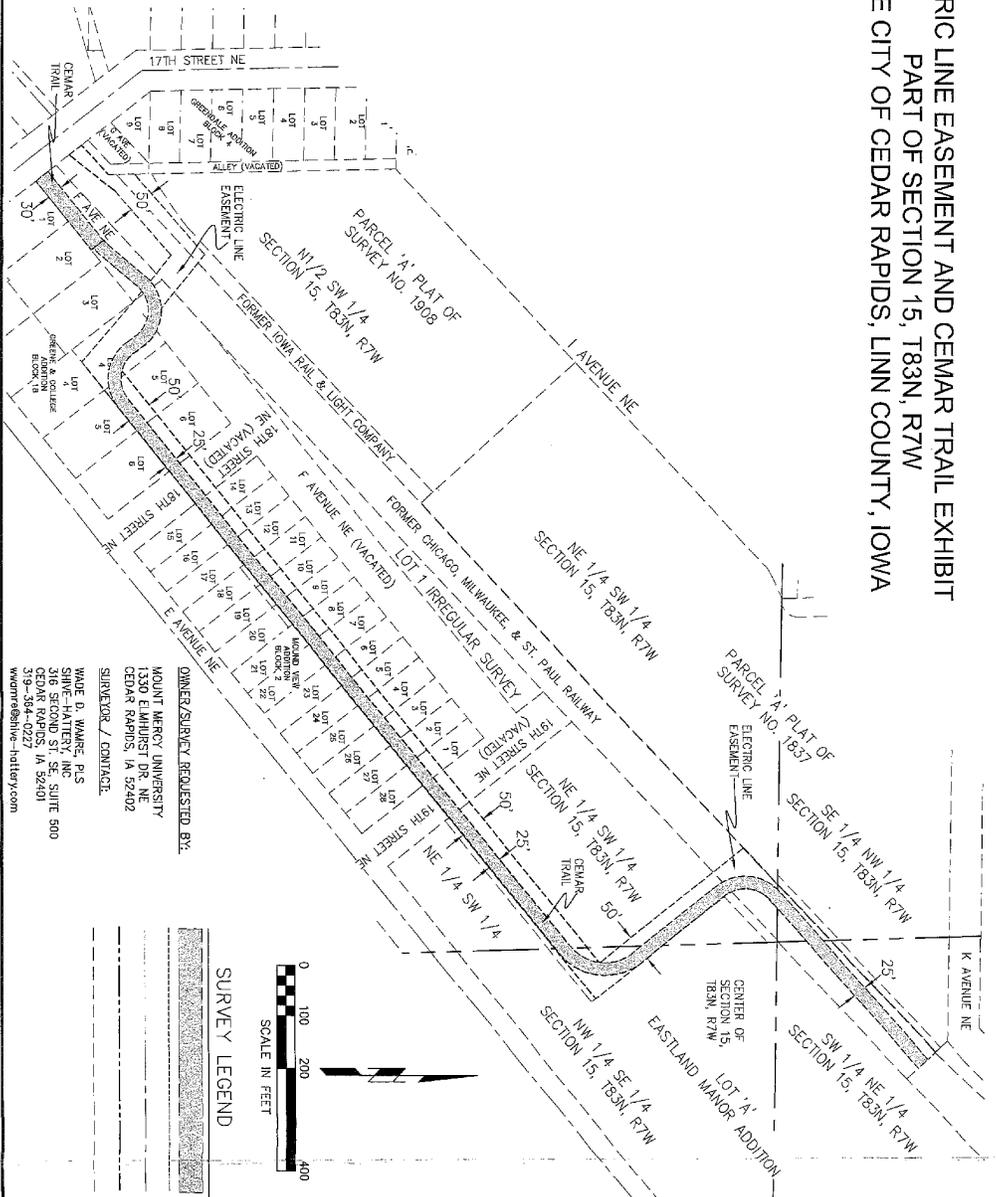
WHEREAS, the City Council has allocated Capital Improvement funds for the CEMAR Trail project (Fund 325, Dept. ID 325000, Project 325012), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Easement Crossing Consent and Agreement for a multi-use trail 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 4th day of November, 2014.

ELECTRIC LINE EASEMENT AND CEMAR TRAIL EXHIBIT
PART OF SECTION 15, T83N, R7W
IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA

EXHIBIT 'A'



OWNER/SURVEY REQUESTED BY:
 IOWA STATE UNIVERSITY
 1300 EAST AVE
 CEDAR RAPIDS, IA 52402
 SURVEYOR / CONTRACTOR:
 SHIVE HATTERY, P.C.
 316 SECOND ST. SE, SUITE 800
 CEDAR RAPIDS, IA 52401
 319-384-0227
 www.shivehattery.com

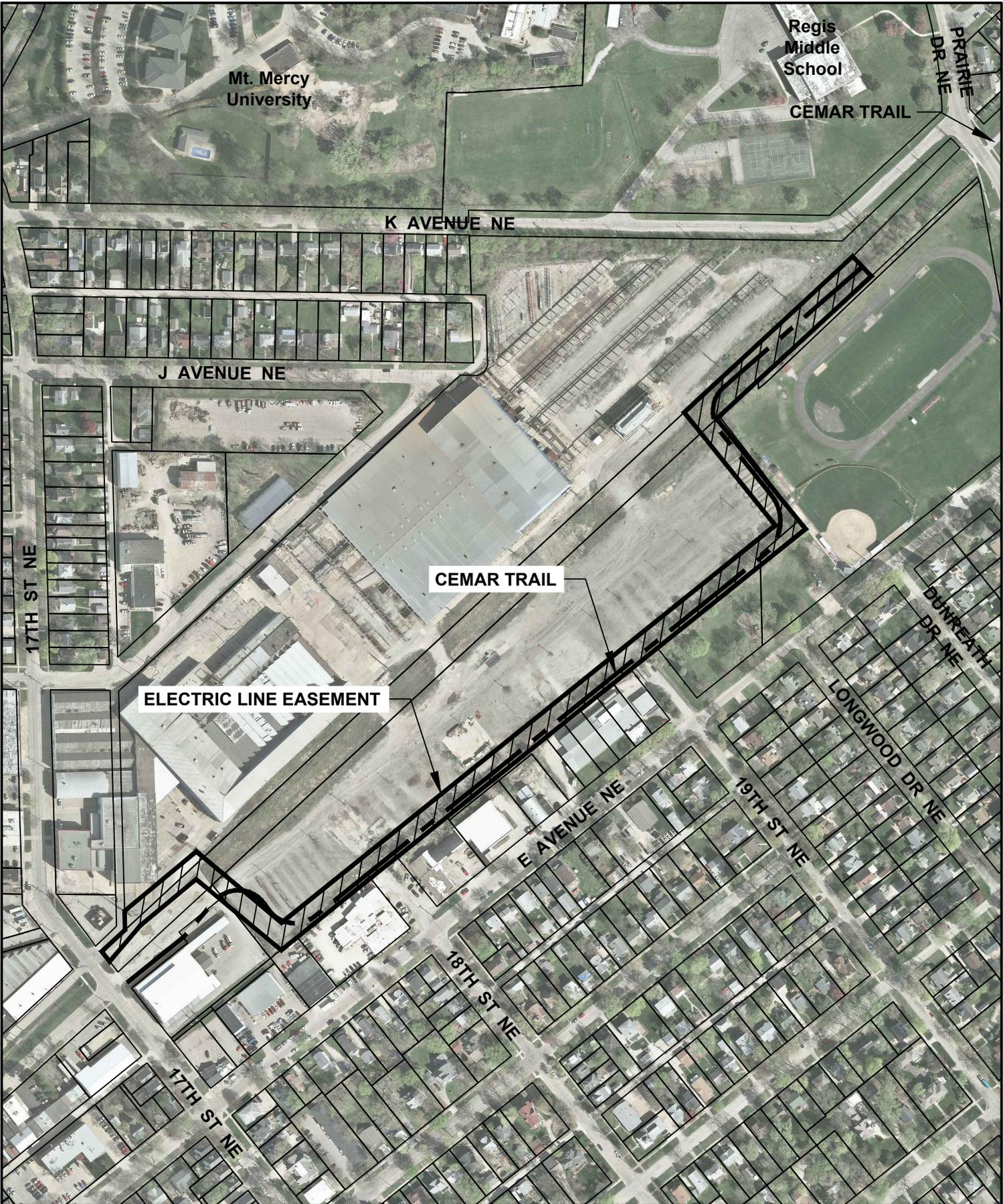
SURVEY LEGEND

- CEMAR TRAIL
- EASEMENT LINE
- CENTERLINE ROAD
- SECTION LINE
- EXISTING LOT LINE

ELECTRIC LINE EASEMENT AND CEMAR TRAIL EXHIBIT PART OF SECTION 15, T83N, R7W IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA			
DATE	8-25-2014	SCALE	1"=200'
DRAWN	cm	FIELD BOOK	1177
APPROVED		REVISION	

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SHEET NO.
1 of 1



Mt. Mercy University

Regis Middle School

K AVENUE NE

J AVENUE NE

CEMAR TRAIL

ELECTRIC LINE EASEMENT

E AVENUE NE

19TH ST NE

18TH ST NE

17TH ST NE

LONGWOOD DR NE

DUNREATH DR NE

PRAIRIE DR NE

CEMAR TRAIL



**ELECTRIC LINE EASEMENT
CEMAR TRAIL PROJECT**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5807

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

Phone Number/Extension: 5153

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **YES Map**
 Resolution accepting an Easement for Recreational Trail and a Temporary Grading Easement for Construction in the amount of \$1 from Mount Mercy University located at 902 17th Street NE in connection with the CEMAR Trail project. CIP/DID #325012-00

Background:

The CEMAR Trail has been a priority trail segment for a number of years, with the goal to connect the Cedar Lake Loop Trail to the City of Marion. Funding has been previously provided through Federal earmarks, Iowa DOT Transportation Enhancement funds, State Recreational Trail funds, and City General Obligation Bonds. In addition, the Corridor Metropolitan Planning Organization (CMPO) has Surface Transportation Program (STP) funds approved for the CEMAR Trail Project. Phase 2 of the trail, from 20th Street NE to 29th Street NE, has been completed. This recreation trail easement is needed as part of acquisition for Phase 1 of the trail, which is still in process.

Mount Mercy University is granting the Easement for Recreational Trail and a Temporary Grading Easement for Construction at no cost to the City, as part of the Site Development Plan approval for the Mount Mercy Athletic Complex at 902 17th Street NE.

Action / Recommendation:

The Public Works Department recommends adopting the resolution to accept the Easement for Recreational Trail and a Temporary Grading Easement for Construction from Mount Mercy University.

Alternative to the Recommendation:

This trail alignment has been vetted by public information meetings and stakeholder recommendations. If not approved, the City will be need to reevaluate alternative routes for the trail and could lose Federal and State funding allocated to the project

Time Sensitivity: Normal

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 325/325000/325012

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 recreational trail and a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Mounty Mercy University, 1330 Elmhurst Drive NE, Cedar Rapids, Iowa 52402, OWNER of the real property known and described as:

See Attached Exhibit "A" and Exhibit "B"

has agreed to convey the necessary easement for recreational trail and a temporary grading easement for construction at land located at 902 17th Street NE to the City of Cedar Rapids for \$1 and other valuable consideration, and

WHEREAS, the Public Works Director / City Engineer recommends the City accept the easement for recreational trail and temporary grading easement for construction, and

WHEREAS, the City Council has allocated Capital Improvement funds for the CEMAR Trail project (Fund 325, Dept. ID 325000, Project 325012), now therefore

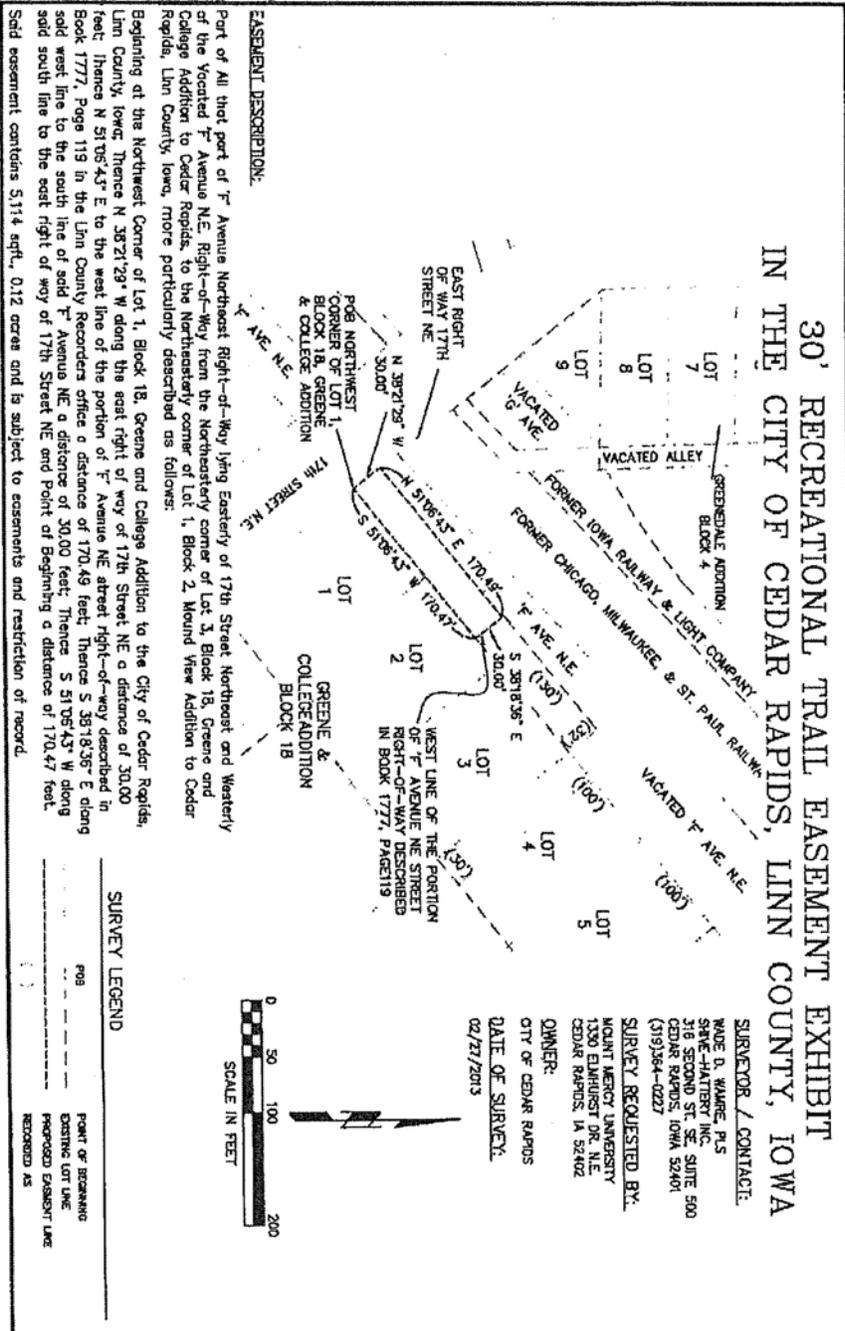
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Temporary Grading Easement for Construction is hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED, that the Easement for Recreational Trail 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 4th day of November, 2014.

EXHIBIT 'B'

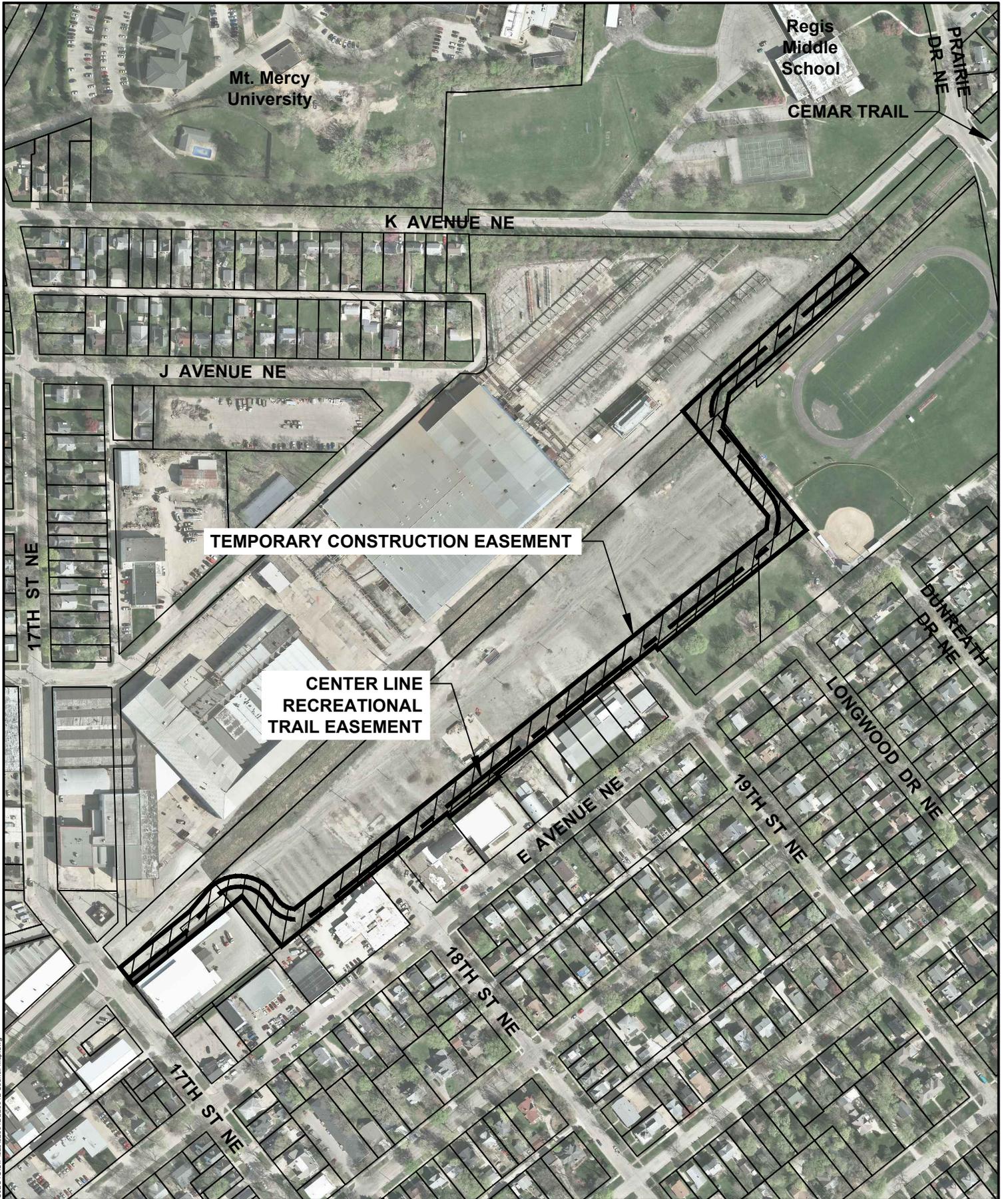
30' RECREATIONAL TRAIL EASEMENT EXHIBIT
IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA



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Iowa | Illinois | Indiana | Missouri <http://www.shivehattery.com>

30' RECREATIONAL TRAIL EASEMENT EXHIBIT IN THE CITY OF CEDAR RAPIDS, IOWA		PROJECT NO. 2112710
DATE	01-14-2014	SCALE
DRAWN	oak	FIELD BOOK
APPROVED		REVISION
REFERENCE DRAWING		1 OF 1



Mt. Mercy University

Regis Middle School

CEMAR TRAIL

K AVENUE NE

J AVENUE NE

TEMPORARY CONSTRUCTION EASEMENT

CENTER LINE RECREATIONAL TRAIL EASEMENT

17TH ST NE

E AVENUE NE

19TH ST NE

18TH ST NE

17TH ST NE

PRAIRIE DR NE

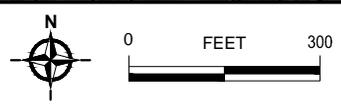
DUNREATH DR NE

LONGWOOD DR NE

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**RECREATIONAL TRAIL EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENT
CEMAR TRAIL PROJECT**





Council Agenda Item Cover Sheet

FLOOD ITEM

Submitting Department: Public Works Department

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

Phone Number/Extension: 5875

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

Phone Number/Extension: 5807

Description of Agenda Item: **Consent Agenda** **Regular Agenda** **Yes Map**
 Resolution authorizing execution of a Purchase Agreement in the amount of \$3,145 and accepting an Easement for Sanitary Sewer from King's Material, Inc. from land located at 1008 6th Street SW in connection with the Sanitary Sewers Quadrant Flood Repair Lining Package #4 – 2013 project (**FLOOD**). CIP/DID #SSD103-00

Background:

In previous fiscal years, the City Council approved funding in connection with the Sanitary Sewers Quadrant Flood Repair Lining Package #4 – 2013 project.

This easement is required to accommodate the proposed improvements, including lining the existing sanitary sewer pipe. Compensation amount proposed is based on the square footage as paid to acquire.

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$3,145 and accepting an Easement for Sanitary Sewer from King's Material, Inc.

Alternative to the Recommendation:

Do not proceed with acquiring the proposed easement for sanitary sewer and direct City staff to abandon or reconfigure sanitary sewer lining.

Time Sensitivity: Normal

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

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

Local Preference Policy: Applies Exempt

Explanation: Local Preference Policy does not apply to 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, King's Material, Inc., P.O. Box 368, Cedar Rapids, Iowa 52406, 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 1008 6th Street SW to the City of Cedar Rapids for \$3,145, 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 Sanitary Sewers Quadrant Flood Repair Lining Package #4 – 2013 project (Fund SSD, Dept. ID SSD000, Project SSD103), 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

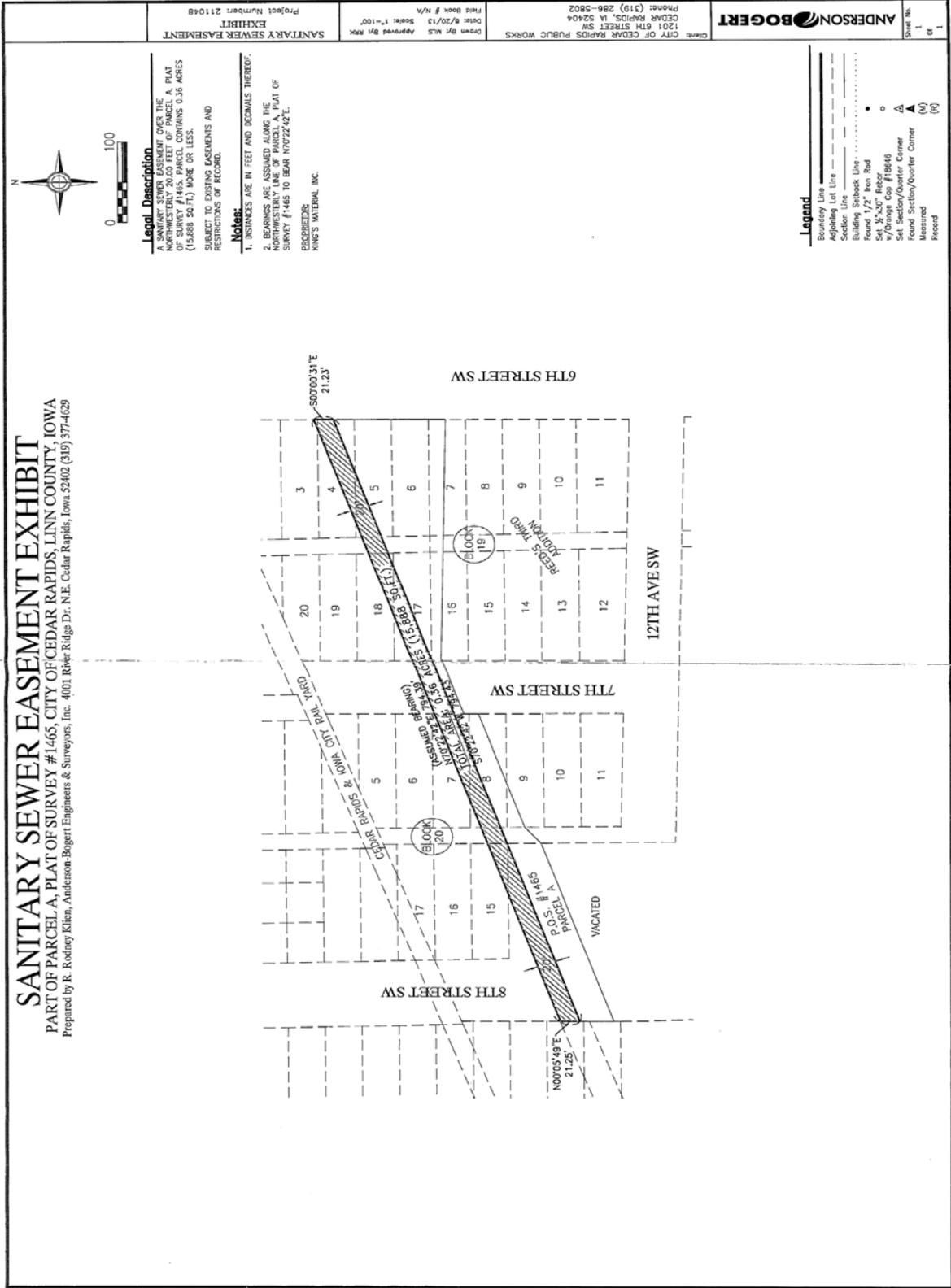
BE IT FURTHER RESOLVED that the Purchase Agreement is hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

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 4th day of November, 2014.

T:\ACAD\211048\dwg\ACAD-EASEMENT PLATS.dwg 8-20-13 09:10:23 AM mls287



<p>City of Cedar Rapids Public Works 1201 6th Street SW Cedar Rapids, IA 52404 Phone: (319) 286-5802</p>	<p>Drawn By: M.S. Approved By: M.S. Date: 8/20/13 Scale: 1"=100' Title Book # N/A</p>	<p>Anderson-Bogert Project Number: 211048 SANITARY SEWER EASEMENT EXHIBIT</p>
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**SANITARY SEWER SOUTHWEST QUADRANT
FLOOD REPAIR LINING PACKAGE No. 4 - 2013
SANITARY SEWER EASEMENT**



SSD103-08



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: David Elgin
E-mail Address: d.eglin@cedar-rapids.org

Phone Number/Extension: 5803

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

Resolution authorizing execution of an Offer to Buy Real Estate and Acceptance and Addendum to the Offer to Buy Real Estate and Acceptance in the amount of \$166,000 and accepting a warranty deed from the Cedar Rapids Development Group, LLC for land located at 201 1ST Avenue SW. CIP/DID #4914039-00

Background:

The land is being acquired to assemble with land owned by the City between 2nd Street SW and 3rd Street SW and 1st Avenue W and 2nd Avenue SW.

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of an Offer to Buy Real Estate and Acceptance and Addendum to the Offer to Buy Real Estate and Acceptance in the amount of \$166,000 and accepting a warranty deed from the Cedar Rapids Development Group LLC and all other documents required to clear title interests.

Alternative to the Recommendation:

Do not proceed with acquiring the proposed acquisition and direct City staff to abandon acquisition.

Time Sensitivity: Normal

Resolution Date: June 22, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies Exempt

Explanation: Local Preference Policy does not apply to the acquisition of right-of-way.

Recommended by Council Committee: Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City has determined the need for to acquire the real property located at 201 1st Avenue SW, and

WHEREAS, Cedar Rapids Development Group, LLC, 625 1st Street SE, Cedar Rapids, Iowa, OWNER, of the real property known and described as:

The Front ½ of Lot 1, all of Lot 2 and Lot 3, Block 6, West Cedar Rapids, formerly Village or Town of Kingston, Linn County, Iowa, excepting the SW-ly 29.6 feet of Lot 3, Block 6, Kingston (now Cedar Rapids), Iowa

have agreed to convey the necessary real property at 201 1st Avenue SW, to the City of Cedar Rapids for consideration of \$166,000, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into an agreement to purchase the real property in accordance with the terms set forth in the Offer to Buy Real Estate and Acceptance and Addendum to the Offer to Buy Real Estate and Acceptance, and

WHEREAS, the City Council has allocated funds for real property purchase (Fund 7957-795700), 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 Offer to Buy Real Estate and Acceptance and Addendum to the Offer to Buy Real Estate and Acceptance as described herein, and

BE IT FURTHER RESOLVED that the Offer to Buy Real Estate and Acceptance and Addendum to the Offer to Buy Real Estate and Acceptance are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

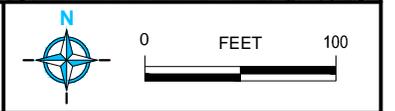
BE IT FURTHER RESOLVED that the City Attorney is authorized to review the abstract of title and upon approval by the City Attorney, the City Attorney or designee (the Real Estate Services Manager, City Engineer or the Engineering Manager) shall finalize the transaction and authorize the City of Cedar Rapids Finance Director to issue payment(s) necessary per the terms of the Offer to Buy Real Estate and Acceptance to the Cedar Rapids Development Group, LLC, Linn County Treasurer and lien holders, if applicable per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that upon receipt of the Warranty Deed, Groundwater Hazard Statement from Cedar Rapids Development Group, LLC and all other documents required to clear title from legal interests 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 22nd day of June, 2014.



PROPERTY ACQUISITION
201 1ST AVENUE SW





Cover Sheet for City Council

Consent Agenda Regular Agenda

Council Meeting Date: November 4, 2014

Submitting Department: Utilities Department Water Division

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

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

Description of Agenda Item:

Execution of a Joint Funding Agreement with the U.S. Department of Interior, Geological Survey (USGS) for Water Resources Investigations (development and maintenance of a Cedar River alluvial aquifer model) for the period of November 4, 2014 through September 30, 2017. The project costs of \$485,220 will be funded on a 40/60 percent basis (USGS/City) with the City's share being \$291,132. CIP/DID #6250038

Background:

The drought of 2012-2013 demonstrated that the capacity of the alluvial aquifer along and beneath the Cedar River to supply water for Cedar Rapids is dependent on several factors. Extended drought conditions and hydrologic phenomena such as silting of the river bed can reduce the available capacity of the aquifer.

The USGS, in cooperation with the Cedar Rapids Water Division, will commence work on a third-generation Cedar River alluvial aquifer model with a completion date set for Sept 30, 2017. The purpose of the model will be to provide the City of Cedar Rapids with the ability to evaluate changes in aquifer capacity in planning to meet future municipal water supply needs. The model will build on knowledge gained from surface-water and groundwater data collected during the previous two decades, and in the wake of the 2012 drought, and will be augmented with new geo-hydrologic data and analysis. The aim is to better understand the effects of increased stress from high-capacity pumping on flow between the Cedar River and the underlying alluvial and carbonate aquifers in response to drought.

Program tasks will include developing a refined conceptual model building on knowledge gained through previous investigations, model calibration using the latest version of MODFLOW, and submission of the model to regional specialists for review and approval. The model will then be used to 1) quantify the interaction between the Cedar River, the alluvial aquifer, and the underlying bedrock aquifer during optimum conditions and periods of prolonged drought; 2) quantify pumping capacities under optimum conditions and periods of prolonged drought; 3) evaluate water availability for future development scenarios; and 4) provide water managers with environmental indicators for implementing drought-stage contingencies.

This investigation will help the City better plan, develop, and implement strategies to mitigate the effects of prolonged drought on ground-water availability. Specifically, it will provide the City with a better understanding of changes in the water-bearing capacity of the aquifer relative to climate variability. Anticipated annual cost shares for this modeling effort between City and USGS are:

Federal FY15 - Cedar Rapids cost \$131,077

Federal FY16 - Cedar Rapids cost \$106,139

Federal FY17 - Cedar Rapids cost \$53,916

The USGS has the expertise to properly measure, analyze, and model the behavior of the alluvial aquifer the City relies on for a water supply. It is imperative that the City continues to research, develop and implement strategies for future water supplies and that these efforts be based in sound science.

Recommended Action:

The Utilities Department Water Division recommends the City Council approve the USGS Joint Funding Agreement For Water Resources Investigations and authorize the City Manager and City Clerk to execute said agreement.

Alternative Recommendation (if applicable):

If the Agreement is not approved by City Council, understanding of the alluvial aquifer and its capacity to provide future water supply in drought conditions will be compromised. An understanding of the behavior and capacity of the aquifer will be crucial to future water supply infrastructure investments.

Time Sensitivity: The USGS would like to begin field work yet this Fall.

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget and Purchase Process Information:

1. Included in Current Budget Year: Yes. To be funded from FY15 Utilities Department - Water capital improvements budget and coded to 625-625000-521104-6250038.
2. Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison: The FY15 CIP budget can be adjusted to accommodate FY15 expenditures for this effort. Expenditures for FY16 through FY18 will be included in future CIP budgets.
3. Purchasing Department used or Purchasing Guidelines followed: N/A

Local Preference Policy Applies Exempt

Explanation: N/A

Recommend by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the U.S. Geological Survey, U.S. Department of the Interior, (USGS) has submitted the Joint Funding Agreement for the development and maintenance of a Cedar River alluvial aquifer model for the period of November 4, 2014 through September 30, 2017. The project costs of \$485,220 will be funded on a 40/60 percent basis (USGS/City) with the City's share being \$291,132 divided over four City of Cedar Rapids fiscal years.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Joint Funding Agreement between the U.S. Department of Interior, Geological Survey (USGS) and the City of Cedar Rapids For Water Resources Investigations for the period beginning November 4, 2014 through September 30, 2017 be hereby approved and that City Manager and City Clerk be hereby authorized to execute the Joint Funding Agreement committing the City to reimburse the U.S. Department of the Interior, Geological Survey (USGS) \$291,132 for the City's share of the cost through fiscal year 2018. To be funded from the Utilities Department – Water Division capital improvements fiscal year 2015–2018 budgets and coded to 625-625000-521104-6250038.

Passed this 4th day of November, 2014.

Council Agenda Item Cover Sheet

Consent Agenda **Regular Agenda**

Council Meeting Date: November 4, 2014

Submitting Department: Utilities Department – Water Plant Operations

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

Alternate Contact: Tariq Baloch **Phone No.:** 5283 **E-mail:** t.baloch@cedar-rapids.org

Description of Agenda Item:

Resolution approving actions regarding Purchases/Contracts/Agreements.

- a. Purchase order to Van Meter, Inc. (sole source – see attachment) in the amount of \$30,550 for the Utilities Department – Water Plant Operations purchase of Rockwell Automation SCADA server software. CIP/DID #OB

Background:

The Utilities Department – Water Plant Operations relies on a process automation system to monitor and control Plant and Distribution systems. The automation system also serves to collect and store data as required by regulatory agencies. Water Plant Supervisory Control, and Data Acquisition (SCADA) server hardware and software were last updated in 2008. Server hardware and software installed at that time has now reached the end of its useful life. Technical support will soon expire for the version currently installed with no option for updates. Compatibility issues also exist as new technology is integrated with legacy programming.

New server software must be compatible with existing equipment and hardware and meet the needs of future installations. Van Meter, Inc. has provided the existing SCADA equipment and is knowledgeable regarding our SCADA equipment needs.

The Utilities Department – Water Plant Operations received a quote from Van Meter, Inc. (sole source provider) and the local distributor for Rockwell Automation SCADA server software (FactoryTalk Historian SE v3.0, FactoryTalk Vantage Point, and PlantPax Software System) in the amount of \$30,550 for the new equipment.

The Utilities Department - Water Plant Operations staff has determined that the quote submitted by Van Meter, Inc. for the Rockwell Automation SCADA server software is fair and reasonable.

Action / Recommendation:

The Utilities Department – Water Plant Operations recommends approval of the Resolution authorizing a purchase order in the amount of \$30,550 to Van Meter, Inc. for the Rockwell Automation SCADA server software.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable):

To be funded from the Utilities Department – Water Plant Operations fiscal year 2015 budget and coded to 522101-621-621001.

Local Preference Policy Applies Exempt

Explanation: Van Meter, Inc. is the sole source provider and local distributor for this software.

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Utilities Department – Water Plant Operations needs to update process automation equipment and software that has reached the end of designed life span and must be replaced with new automation equipment and software, and

WHEREAS, the Utilities Department – Water Plant Operations relies on process automation to monitor and control Plant and Distribution systems. The automation system also serves to collect and store data as required by regulatory agencies. The Water Plant Supervisory Control and Data Acquisition (SCADA) server hardware and software were last updated in 2008 and has now reached the end of its useful life, and

WHEREAS, Van Meter, Inc., is the sole source provider and the local distributor for Rockwell Automation SCADA server software (FactoryTalk Historian SE v3.0, FactoryTalk Vantage Point, and PlantPAx Software System) and has submitted a quote in the amount of \$30,550.

WHEREAS, the Utilities Department - Water Plant Operations staff has determined that the quote submitted by Van Meter, Inc. for the Rockwell Automation SCADA server software 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 Plant Operations be authorized to issue a purchase order in the amount of \$30,550 to Van Meter, Inc. for Rockwell Automation SCADA server software. To be funded from the Utilities Department – Water Plant Operations fiscal year 2015 budget and coded to 522101-621-621001.

Passed this 4th day of November, 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: Dustin Elin – Process Control Specialist **Date:** 10/21/2014
(Employee Name & Title)

Department Name: Utilities – Water

1. **Name of product or service:** Rockwell Software
2. **Name of product manufacturer:** Rockwell Software
3. **Name of 'sole' product supplier or service provider:** Van Meter Inc.
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.)**

Van Meter Inc. is the Rockwell Software authorized supplier for this region.

5. **What specifications make this particular product or service unique and unavailable from other sources?**

Our PLC Controllers are Allen Bradley. Rockwell Software is made to function hand in hand with these products.

6. **How did you determine that there was only one source for the product or service?**

Van Meter is the local provider of Rockwell Software. Rockwell points us to them as the sole provider.

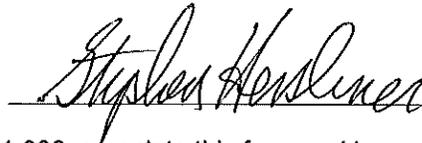
7. **What product supplier or service provider has your department used until now to satisfy similar requirements?**

Van Meter Inc.

8. **Explain the efforts that were made to conduct a noncompetitive negotiation to obtain the best possible price for the tax payers dollar:**

We are under service contract with this software and we are obtaining the lowest price.

Department Director
Signature for Approval



Date: 10/29/14

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. The department manager approval for both the PO and Sole Source Form will be electronic.

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 manager'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: November 4, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda **Phone Number/Ext:**

Alternate Contact Person: Captain Bernard Walther **Phone Number/Ext:** 5470
Email: b.walther@cedar-rapids.org

Alternate Contact Person: Rob Davis **Phone Number/Ext:** 5808
Email: robd@cedar-rapids.org

Description of Agenda Item:

Contract for Firearms Range Lead Reclamation project with Metals Treatment Technologies, LLC dba MT2 LLC for the Public Works Department - Engineering Division for an amount not to exceed \$38,800. CIP/DID #0914-066

Background:

Purchasing Services solicited bids on behalf of the Public Works Department - Engineering Division for lead reclamation at the Police firearms range. One bid was received. The Engineering Division recommends award to Metals Treatment Technologies, LLC dba MT2 LLC, whose bid submittal was deemed to be acceptable and within the budget set for this project. The project will be completed by November 28, 2014.

Bid Received:

Company Name	Location	Price
Metals Treatment Technologies, LLC dba MT2 LLC	Arvada, CO	\$38,800

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): 552000-310-310000-310333

Local Preference Policy Applies Exempt

Explanation: No local company submitted a bid

Recommended by Council Committee Yes No N/A

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for firearms range lead reclamation on behalf of the City of Cedar Rapids Public Works Department - Engineering Division; and

WHEREAS, responses were received from one vendor; and

WHEREAS, the Engineering Division is making the following recommendation for award to Metals Treatment Technologies, LLC dba MT2 LLC, whose bid submittal was deemed to be acceptable and within the budget set for this project; and

WHEREAS, the project will be completed by November 28, 2014; and

WHEREAS, the not-to-exceed amount is \$38,800.

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 Metals Treatment Technologies, LLC dba MT2 LLC as described herein.

Passed this 4th day of November, 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: 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

Report on bids and resolution awarding and approving contract in the amount of \$439,670 plus incentive up to \$4,500, bond and insurance of Ti-Zack Concrete, Inc. for the FY 2015 Curb Repair Project – Contract 1 (estimated cost is \$430,000) (**Paving for Progress**). CIP/DID #301998-06

Background:

Ti-Zack Concrete, Inc. (LeCenter, MN)	\$439,670
Incentive up to	\$ 4,500
Total	\$444,170

Ti-Zack Concrete, Inc. submitted the only bid received on October 28, 2014 for the FY 2015 Curb Repair Project – Contract 1. 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 \$439,670 plus incentive up to \$4,500, bond and insurance of Ti-Zack Concrete, Inc. for the FY 2015 Curb Repair Project – Contract 1.

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 November 4, 2014 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: November 4, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 301998 Street LOST 7970

Local Preference Policy: Applies Exempt

Recommended by Council Committee: Yes No N/A

Program objectives reviewed with the committee.



October 22, 2014

City Council
City of Cedar Rapids

RE: Report on bids as read for the FY 2015 Curb Repair Project – Contract 1, Contract Number 301998-06

Dear City Council:

Bids were received on October 22, 2014 2014 for the FY 2015 Curb Repair Project – Contract 1 project as follows:

Ti-Zack Concrete, Inc., LeCenter, MN	\$439,670.00
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The engineers cost opinion for this work is \$430,000. It is recommended the bids be reviewed by City staff and an action to award or not will be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in cursive script that reads "Glenn Vosatka".

Glenn Vosatka, P.E.
Project Engineer I

GV/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 October 7, 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 FY 2015 Curb Repair Project – Contract 1 (Contract No. 301998-06) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on October 11, 2014 pursuant to which a public hearing was held on October 21, 2014, and

WHEREAS, the following bids were received, opened and announced on October 22, 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 November 4, 2014:

Ti-Zack Concrete, Inc. (LeCenter, MN)	\$439,670
Incentive up to	<u>\$ 4,500</u>
Total	\$444,170

WHEREAS, general ledger coding for this public improvement shall be as follows: \$439,059 301-301000-7970-301998; \$5,111 301-301000-3012105; 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. Ti-Zack Concrete, Inc. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;
3. Subject to registration with the Department of Labor, the Bid of Ti-Zack Concrete, Inc. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Ti-Zack Concrete, Inc.
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

Passed this 4th day of November, 2014.

FY 2015 Curb Repair Project - Contract 1
CONTRACT NO. 301998-06
CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT
10/22/2014

ITEM NO.	DESCRIPTION	EST. QTY.	UNIT	ENGINEER ESTIMATE		Ti-Zack Concrete, Inc. LeCenter, MN		Bid Average	
				UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT
1.	Mobilization	1	LS	\$35,000.00	\$35,000.00	\$15,000.00	\$15,000.00	15,000.00	\$15,000.00
2.	Traffic Control	1	LS	8,000.00	\$8,000.00	4,400.00	\$4,400.00	4,400.00	\$4,400.00
3.	Removal of Existing Sidewalk and Driveway	700	SF	3.70	\$2,590.00	3.00	\$2,100.00	3.00	\$2,100.00
4.	Subgrade Stabilization with Crushed Rock Material, if needed	120	TN	33.00	\$3,960.00	15.00	\$1,800.00	15.00	\$1,800.00
5.	PCC Pavement Repair, 7"	140	SY	83.00	\$11,620.00	140.00	\$19,600.00	140.00	\$19,600.00
6.	PCC Curb Repair, Type A	7,000	LF	40.00	\$280,000.00	41.00	\$287,000.00	41.00	\$287,000.00
7.	PCC Curb Repair, Type B	380	LF	48.00	\$18,240.00	43.00	\$16,340.00	43.00	\$16,340.00
8.	PCC Sidewalk, 4" Thick	550	SF	6.00	\$3,300.00	6.50	\$3,575.00	6.50	\$3,575.00
9.	PCC Sidewalk Ramp	50	SF	17.00	\$850.00	15.00	\$750.00	15.00	\$750.00
10.	PCC Ramp Curb Cut, 18" - 30"	7	LF	45.00	\$315.00	15.00	\$105.00	15.00	\$105.00
11.	HMA Pavement Repair	300	TN	200.00	\$60,000.00	280.00	\$84,000.00	280.00	\$84,000.00
12.	Imported Topsoil, if needed	60	CY	45.00	\$2,700.00	50.00	\$3,000.00	50.00	\$3,000.00
13.	Watering	10	EA	550.00	\$5,500.00	200.00	\$2,000.00	200.00	\$2,000.00
					\$432,075.00	\$439,670.00		\$439,670.00	



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: 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**
REPORT ON BIDS:

Bids were received on October 29, 2014 for the Prairie Valley Court SW Sidewalk Extension project (estimated cost is \$120,000). A report of bids received from the City officer conducting the bid opening is attached. CIP/DID #301083-06

Action / Recommendation:
 Noted on attached bid report.

Alternative Recommendation: None

Time Sensitivity: None

Resolution Date: None

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):



October 29, 2014

City Council
City of Cedar Rapids

RE: Report on bids as read for the Prairie Valley Court SW Sidewalk Extension
Contract Number 301083-06

Dear City Council:

Bids were received on October 29, 2014 for the Prairie Valley Court SW Sidewalk Extension project as follows:

Precision Concrete, Inc., Brooklyn, IA	\$79,616.90
Vieth Construction Corp., Cedar Falls, IA	\$83,260.00
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$84,055.00
Pirc-Tobin Construction, Inc., Alburnett, IA	\$92,177.00
BWC Excavating, I.C, Solon, IA	\$101,653.56
Rathje Construction Co., Marion, IA	\$109,950.00
Tschiggfrie Excavating, Dubuque, IA	\$113,095.30
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	\$114,095.00
Ti-Zack Concrete, Inc., LeCenter, MN	\$137,310.00

The engineers cost opinion for this work is \$120,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in blue ink that reads "Glenn Vosalka".

Glenn Vosalka, P.E.
Project Engineer I

GV/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



PROJECT LOCATION

EDGEWOOD ROAD SW

HIGHWAY 30

BEVERLY RD SW

PRAIRIE VALLEY CT SW

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



PRAIRIE VALLEY COURT SW SIDEWALK EXTENSION PROJECT



Prairie Valley Court SW Sidewalk Extension
CONTRACT NO. 301083-06
CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT
10/29/2014

ITEM NO.	DESCRIPTION	EST. QTY.	UNIT	ENGINEER ESTIMATE		Precision Concrete, Inc. Brooklyn, IA		Eastern Iowa Excavating & Concrete, LLC Cascade, IA		Vieth Construction Corp. Cedar Falls, IA		Pirc-Tobin Construction, Inc. Alburnett, IA		BWC Excavating, LC Solon, IA	
				UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT
1.	Mobilization	1	LS	\$11,000.00	\$11,000.00	\$4,011.00	\$4,011.00	\$12,500.00	\$12,500.00	\$15,000.00	\$15,000.00	\$8,500.00	\$8,500.00	\$6,500.00	\$6,500.00
2.	Construction Survey	1	LS	3,000.00	\$3,000.00	590.00	\$590.00	2,400.00	\$2,400.00	2,000.00	\$2,000.00	827.00	\$827.00	3,000.00	\$3,000.00
3.	Traffic Control	1	LS	2,000.00	\$2,000.00	590.00	\$590.00	1,735.00	\$1,735.00	1,500.00	\$1,500.00	1,400.00	\$1,400.00	2,500.00	\$2,500.00
4.	Clearing and Grubbing	1	LS	600.00	\$600.00	708.00	\$708.00	385.00	\$385.00	550.00	\$550.00	500.00	\$500.00	4,150.66	\$4,150.66
5.	Unclassified Excavation	280	CY	55.00	\$15,400.00	27.14	\$7,599.20	58.00	\$16,240.00	40.00	\$11,200.00	45.00	\$12,600.00	22.24	\$6,227.20
6.	PCC Pavement Repair, 9"	330	SY	85.00	\$28,050.00	84.59	\$27,914.70	49.50	\$16,335.00	64.00	\$21,120.00	80.00	\$26,400.00	91.33	\$30,138.90
7.	PCC Sidewalk, 4"	10,300	SF	5.50	\$56,650.00	3.48	\$35,844.00	3.20	\$32,960.00	3.80	\$39,140.00	4.00	\$41,200.00	4.24	\$43,672.00
8.	Watering, per application	10	EA	350.00	\$3,500.00	236.00	\$2,360.00	150.00	\$1,500.00	25.00	\$250.00	75.00	\$750.00	546.48	\$5,464.80
					\$120,200.00		\$79,616.90		\$84,055.00		\$90,760.00		\$92,177.00		\$101,653.56

Rathje Construction Co. Marion, IA		Tschiggfrie Excavating Dubuque, IA		Dave Schmitt Construction Co., Inc. Cedar Rapids, IA		Ti-Zack Concrete, Inc. LeCenter, MN		Bid Average	
UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT
\$20,000.00	\$20,000.00	\$19,398.80	\$19,398.80	\$43,035.00	\$43,035.00	\$8,000.00	\$8,000.00	15,216.09	\$15,216.09
2,000.00	\$2,000.00	2,090.00	\$2,090.00	970.00	\$970.00	4,000.00	\$4,000.00	1,986.33	\$1,986.33
2,000.00	\$2,000.00	550.00	\$550.00	1,135.00	\$1,135.00	4,000.00	\$4,000.00	1,712.22	\$1,712.22
500.00	\$500.00	455.00	\$455.00	225.00	\$225.00	2,500.00	\$2,500.00	1,108.18	\$1,108.18
30.00	\$8,400.00	17.05	\$4,774.00	39.00	\$10,920.00	37.00	\$10,360.00	35.05	\$9,813.38
90.00	\$29,700.00	61.25	\$20,212.50	54.00	\$17,820.00	95.00	\$31,350.00	74.41	\$24,554.57
4.50	\$46,350.00	6.05	\$62,315.00	3.30	\$33,990.00	7.00	\$72,100.00	4.40	\$45,285.67
100.00	\$1,000.00	330.00	\$3,300.00	600.00	\$6,000.00	500.00	\$5,000.00	284.72	\$2,847.20
	\$109,950.00		\$113,095.30		\$114,095.00		\$137,310.00		\$102,523.64

Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Parks & Recreation

Presenter at meeting: Sven Leff

Phone Number/Ext: 5739

Email: s.leff@cedar-rapids.org

Alternate Contact Person: Steve Krug

Phone Number/Ext: 5740

Email: s.krug@cedar-rapids.org

Description of Agenda Item:

Discussion and Resolution adopting the Greene Square Park Revitalization Design Plan (Sven Leff). CIP/DID #0514-195

Background:

A contract was awarded to OPN Architects, Inc.(Resolution No. 1003-07-14) for the design of Greene Square Park Revitalization. Staff and OPN Architects, Inc. have worked with the stakeholders team which included holding public input sessions to come up with a vibrant park design based on the information gathered.

Action / Recommendation:

Adopt park design and recommend OPN and staff proceed with preparing final plan sets and bid documents for bid letting.

Alternative Recommendation:

Recommend revisions to the park design and request staff return to the Development Committee with revisions.

Time Sensitivity: With approval of the plan, construction is estimated to begin in the spring of 2015 and completed in the summer.

Resolution Date: November 4, 2014

Estimated Presentation Time: 10 minutes

Budget Information (if applicable):

Local Preference Policy Applies Exempt

Explanation:

Recommended by Council Committee Yes No N/A

Explanation (if necessary): Approved by Development Committee at its 10/15/14 meeting

RESOLUTION NO.

WHEREAS, the Purchasing Services Division solicited proposals for Design-Services for Greene Square Park Revitalization on behalf of the Parks & Recreation Department; and

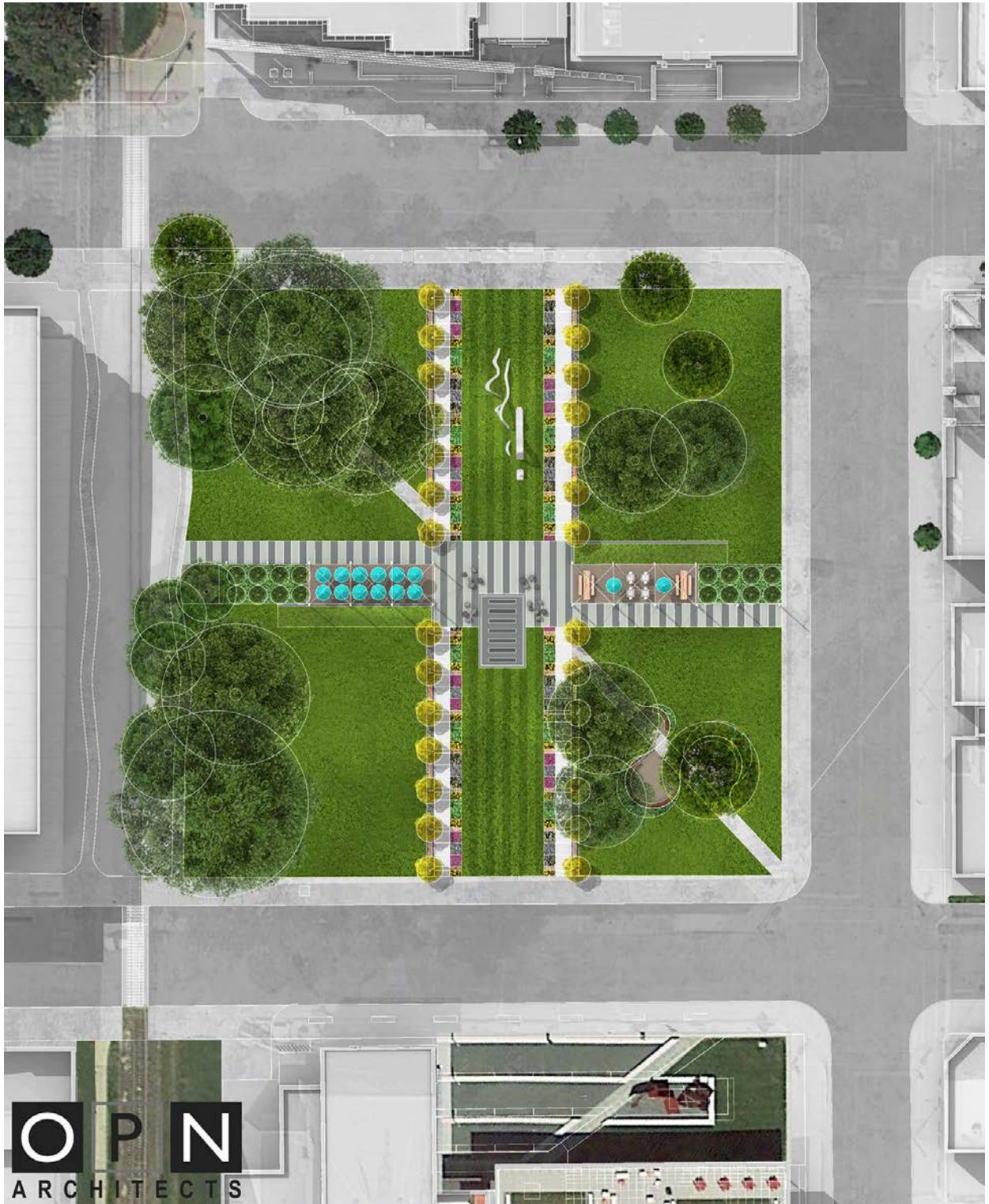
WHEREAS, the contract was awarded to OPN Architects, Inc. (Resolution No. 1003-07-14), and

WHEREAS, OPN Architects, Inc. engaged the community and gathered input during public input sessions and worked with a stakeholders team to complete the design plan for the Greene Square Park Revitalization project as shown on Exhibit A attached,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Greene Square Park Revitalization Plan presented by OPN Architects, Inc. be adopted and that the City Manager, City Staff and OPN Architects, Inc. are to proceed with preparing documents for bid letting.

Passed this 4th day of November, 2014.

Exhibit A







Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Kirsty Sanchez
Email: k.sanchez@cedar-rapids.org

Phone Number/Ext: 319 286-5428

Alternate Contact Person: Jennifer Pratt
Email: j.pratt@cedar-rapids.org

Phone Number/Ext: 319 286-5047

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

Second and possible Third Reading of an Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to expand the Red Star Yeast Urban Revitalization Area at 950 60th 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 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: 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):

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. 1406-10-14

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 21st day of October, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: November 4, 2014

Submitting Department: Community Development

Presenter at meeting: Kirsty Sanchez
Email: k.sanchez@cedar-rapids.org

Phone Number/Ext: 319 286-5428

Alternate Contact Person: Jennifer Pratt
Email: j.pratt@cedar-rapids.org

Phone Number/Ext: 319 286-5047

Description of Agenda Item: Consent Ordinance Regular Agenda

Second and possible Third Reading of an 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 2nd Street SE to the adjacent parcels as 1024 2nd Street SE and 208 11th Avenue SE, and 2) the construction of five new row houses for sale at 1008 and 1012 2nd Street SE.

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

Project Details:

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

Benefits to the Community:

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

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

Action / Recommendation:

City staff recommends approval of Second and possible Third Reading.

Alternative Recommendation:

City Council may table this item and request further information.

Time Sensitivity: N/A

Resolution Date: 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):

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. 1407-10-14

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 21st day of October, 2014.