

*“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, July 14, 2015 at 12:00 PM 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**

- Pledge of Allegiance
- Proclamations/Presentations:
  - ❖ Proclamation – Sisters of Mercy Day (Karen Vander Sanden)
  - ❖ Proclamation – Tournament of Drums Day (Cindy Hadish)
  - ❖ Proclamation – Asian Heritage Day (Sarika Bhatka)

## **PUBLIC HEARINGS**

1. A public hearing will be held to consider the disposition of excess City-owned property described as a 2.16-acre parcel of land located northerly of and adjacent to 300 50th Avenue Court SW as requested by Croell Redi-Mix, Inc. (Rita Rasmussen). CIP/DID #PRD-010822-2014
  - a. Resolution authorizing the disposition of excess City-owned property described as 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.
2. A public hearing will be held to consider the vacation and disposition of public ways and grounds in and to the property described as a 2,132-square-foot parcel of excess City-owned right-of-way and a 2,287-square-foot parcel of excess City-owned right-of-way located southwesterly of 6006 Rapids Ridge Road NE as requested by DX4 Investments, LLC and Calvary Chapel Iowa (Rita Rasmussen). CIP/DID #ROWV-016383-2015
  - a. First Reading: Ordinance vacating public ways and grounds in and to the property described as a 2,132-square-foot parcel of excess City-owned right-of-way and a 2,287-square-foot parcel of excess City-owned right-of-way located southwesterly of 6006 Rapids Ridge Road NE as requested by DX4 Investments, LLC and Calvary Chapel Iowa.

3. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 20th Avenue SW East of 13th Street Culvert Replacement project (estimated cost is \$273,000) (Dave Wallace). CIP/DID #304423-02
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for 20th Avenue SW East of 13th Street Culvert Replacement project.
4. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Prairie Creek From J Street SW to Cedar River Sanitary Sewer Reconstruction, Phase 2 project (estimated cost is \$4,120,000) (Dave Wallace). **(Flood)** CIP/DID #SSD011-04
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Prairie Creek From J Street SW to Cedar River Sanitary Sewer Reconstruction, Phase 2 project.
5. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Council Street NE from North City Limit to Woodcrest Street Hot Mix Asphalt Overlay project (estimated cost is \$200,000) (Doug Wilson). **(Paving for Progress)** CIP/DID #3012132-01
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Council Street NE from North City Limit to Woodcrest Street Hot Mix Asphalt Overlay project.
6. A public hearing will be held to consider a request by MidAmerican Aerospace, Ltd. for an Urban Revitalization Area designation for the renovation of property at 2727 16th Avenue SW (former Kmart West building) (Jennifer Pratt). CIP/DID #URTE-0001-2015
  - a. Resolution authorizing an Urban Revitalization Area designation for the renovation of property at 2727 16th Avenue SW.
  - b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the MidAmerican Aerospace Urban Revitalization Area designation at 2727 16th Avenue SW.
7. A public hearing will be held to consider a change of zone for property at 1225 13th Street NW from R-3, Single Family Residence Zone District to RMF-2, Multiple Family Residence Zone District as requested by The Meth-Wick Community, Inc. (Vern Zakostelecky). CIP/DID #RZNE-017699-2015
  - a. First Reading: Ordinance granting a change of zone for property at 1225 13th Street NW from R-3, Single Family Residence Zone District to RMF-2, Multiple Family Residence Zone District as requested by The Meth-Wick Community, Inc.

## **PUBLIC COMMENT**

*This is an opportunity for the public to address the City Council on any subject pertaining to Council action scheduled for today. If you wish to speak, place your name on the sign-up sheet on the table outside the Council Chambers and approach the microphone when called upon.*

## **MOTION TO APPROVE AGENDA**

### **CONSENT AGENDA**

*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 individual discussion unless Council requests that an item be removed for separate consideration.*

8. Motion to approve minutes.
9. Resolution committing to provide local matching funds and 20-year maintenance for the CEMAR Trail Phase 4 – Lindale Connector from the Marion city limits north to Highway 100 and Lindale Mall Shopping Center project. CIP/DID #325050-00
10. Resolution extending the competitive proposal deadline from June 25, 2015 to July 23, 2015 for the disposition and redevelopment of City-owned property at 1203 and 1205 7th Street SE and vacant land on the 600 block of 12th Avenue SE. **(Flood)** CIP/DID #DISP-0002-2015
11. Resolution referring to the Linn County Compensation Commission (in accordance with eminent domain proceedings) the partial acquisition of a temporary grading easement for construction for land located at 2025 18th Street SW, owned by Virginia E. Roths, in connection with the 18th Street SW from Wilson Avenue SW to 13th Avenue SW Improvements project. **(Paving for Progress)** CIP/DID #301500-00
12. Resolution adopting the final schedule and levying of assessments and providing for the payment thereof for the FY 2015 Curb Repair Project – Contract 1 project. CIP/DID #301998-00
13. Motion authorizing publication of a public notice that on July 28, 2015 a Resolution will be considered to execute a Lease Agreement in the amount of \$650 per month with Noleshawk Investments LLC for office space at 205 2nd Avenue SE. CIP/DID #OB697034
14. Motions setting public hearing dates for:
  - a. July 28, 2015 – to consider the vacation and disposition of public ways and grounds in and to the property described as an 8,469-square-foot parcel of excess City-owned right-of-way located southeasterly of and adjacent to the intersection of Edgewood Road and 42nd Street NE as requested by 42nd and Edgewood, LLC. CIP/DID #ROWV-017414-2015

- b. July 28, 2015 – to consider the vacation of a 20-foot-wide drainage easement located at 5328, 5322 and 5316 Ruhd Street SW as requested by Thomas Dostal Developers, Inc., Hinton Construction, Inc., and Cheryl and Larry Davenport. CIP/DID #EASE-018193-2015
15. Motions setting public hearing dates, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by publishing notice to bidders, and authorizing City officials or designees to receive and open bids and publicly announce the results for:
- a. July 28, 2015 – Edgewood Road Water Main Replacement project, with bid opening August 12, 2015 (estimated cost is \$1,400,000). CIP/DID #2014052-02
  - b. July 28, 2015 – Horizontal Collector Well No. 5 Caisson & Laterals project, with bid opening August 12, 2015 (estimated cost is \$1,950,000). CIP/DID #625863-05
16. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
- a. Big Discount Liquor, 5427 Center Point Road NE.
  - b. Bistro on the River, 411 1st Street SE.
  - c. BP On 1st, 2824 1st Avenue NE.
  - d. The Broken Spoke, 2010 Sylvia Avenue NE (5-day permit for a an event at 2010 Sylvia Avenue NE (parking lot) on July 22-26, 2015).
  - e. Casey’s General Store #2767, 3434 1st Avenue NE.
  - f. Cedar Rapids Jaycees, 475 1st Street SW (5-day permit for an event at the McGrath Amphitheatre, 475 1st Street SW, on July 31, 2015).
  - g. Cedar Rapids Jaycees, 475 1st Street SW (5-day permit for an event at the McGrath Amphitheatre, 475 1st Street SW, on August 14, 2015).
  - h. Cedar Rapids Jaycees, 475 1st Street SW (5-day permit for an event at the McGrath Amphitheatre, 475 1st Street SW, on August 7, 2015).
  - i. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on July 24-26, 2015).
  - j. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on August 14-16, 2015).
  - k. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on August 7-9, 2015).
  - l. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on July 31-August 2, 2015).
  - m. Cenex Gas Station, 502 E Avenue NW.
  - n. Chipotle Mexican Grill, 4444 1st Avenue NE.
  - o. Emil’s Hideaway, 222 Glenbrook Drive SE (5-day permit for an event at McGrath Powersports, 4645 Center Point Road NE, on July 30, 2015).
  - p. Hy-Vee #3 C-Store, 2300 Bowling Street SW.
  - q. The Lost Cuban, 209 3rd Street SE (new license).
  - r. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on July 25-29, 2015).
  - s. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on August 1-5, 2015).
  - t. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on July 18-22, 2015).
  - u. NewBo Ale House & Sushi, 1201 3rd Street SE (outdoor service for an event on July 24-26, 2015).
  - v. Papa Juan’s Mexican Restaurant, 5505 Center Point Road NE (outdoor service area for an event on July 22-26, 2015).

- w. Point Liquor & Tobacco, 4107 Center Point Road NE (new ownership).
  - x. Red Lobster, 163 Collins Road NE.
  - y. Rumors, 400 F Avenue NW (outdoor service for an event on August 21-23, 2015).
  - z. Rumors, 400 F Avenue NW (outdoor service for an event on July 24-26, 2015).
  - aa. Rumors, 400 F Avenue NW (outdoor service for an event on August 7-9, 2015).
  - ab. Siamville Thai Cuisine, 3635 1st Avenue SE.
  - ac. Starlite Room, 3300 1st Avenue NE.
  - ad. Super Burrito Lupita's Bakery, 3300 Johnson Avenue NW.
  - ae. Vineria Wine Shop, 264 Blairs Ferry Road NE.
17. Resolutions approving:
- a. Payment of bills. CIP/DID #FIN2015-01
  - b. Payroll. CIP/DID #FIN2015-02
18. Resolution reappointing the following individual:
- a. Reappointing Gary Grant (effective through June 30, 2018) to the Veterans Memorial Commission. CIP/DID #OB572854
19. Resolutions approving the special event applications for:
- a. Cedar Rapids Fire Department Fill the Boot for MDA events July 17, August 14 and September 2-4 with rain date of September 5, 2015. CIP/DID #SPEC-036423-2015
  - b. HADSA's Step Up for Down Syndrome Walk (includes road closures) on September 27, 2015. CIP/DID #SPEC-035446-2015
20. Resolutions approving assessment actions:
- a. Intent to assess – Water Division – delinquent municipal utility bills – 60 properties. CIP/DID #WTR0714-001
  - b. Levy assessment – Water Division – delinquent municipal utility bills – 21 properties. CIP/DID #WTR0526-001
  - c. Levy assessment – Water Division – delinquent municipal utility bills – three properties. CIP/DID #WTR0609-001
21. Resolutions accepting subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:
- a. Storm sewer in Red Rock Addition – Phase III and 2-year Maintenance Bond submitted by Rathje Construction Company in the amount of \$33,140.50. CIP/DID #47-12-016
  - b. Sanitary sewer in Red Rock Addition – Phase III and 2-year Maintenance Bond submitted by Rathje Construction Company in the amount of \$12,362.50. CIP/DID #47-12-016
  - c. Portland Cement Concrete pavement in Red Rock Addition – Phase III and 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$40,000. CIP/DID #47-12-016
22. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
- a. Prairie Drive NE from 29th Street to Franklin Avenue Portland Cement Concrete (PCC) Sidewalk project and final payment in the amount of \$4,029.86 to Vieth Construction Corporation (original contract amount was \$139,741; final contract amount is \$134,328.69). CIP/DID #301385-01

- b. 1st Avenue (IA 922/US BUS 151) Marion Boulevard & Collins Road, PCC (Portland Cement Concrete) Pavement Widening with HMA (Hot Mix Asphalt) Resurfacing project and approving Change Order No. 17 (Final) in the amount of \$337,278.29 with Peterson Contractors, Inc. (original contract amount was \$7,661,700.36; final contract amount is \$9,297,653.46). CIP/DID #301447-02
  - c. Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – Mechanical & Plumbing project and release of partial final payment in the amount of \$239,638.68 to Modern Piping, Inc. (original contract amount was \$4,570,000; final contract amount is \$4,792,773). **(Flood)** CIP/DID #PWE006-23
  - d. Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction – General Contractor project and release of partial final payment in the amount of \$425,210.56 to Miron Construction Company, Inc. (original contract amount was \$19,185,000; final contract amount is \$20,190,763.10). **(Flood)** CIP/DID #PWE006-21
  - e. Veterans Memorial Phase I project and approving Change Order No. 17 in the amount of \$428, final payment in the amount of \$311,012.60 and 2-year Performance Bond submitted by Rinderknecht Associates, Inc. (original contract amount was \$5,540,000; final contract amount is \$6,220,252). **(Flood)** CIP/DID #VME001-03
  - f. Veterans Memorial Phase II project and approving Change Order No. 16 (Final) in the amount of \$37,557, final payment in the amount of \$261,314.40 and 2-year Performance Bond submitted by Rinderknecht Associates, Inc. (original contract amount was \$4,687,000; total contract amount with this amendment is \$5,226,288). **(Flood)** CIP/DID #VME001-04
23. Resolutions authorizing execution of Development Agreements for properties participating in the fourth round of the Single Family New Construction Program: **(Flood)** CIP/DID #OB540257
- a. Thomas Dostal Developers, Inc. for property at 5309 Dostal Drive SW.
  - b. Thomas Dostal Developers, Inc. for property at 5311 Dostal Drive SW.
  - c. Thomas Dostal Developers, Inc. for property at 5411 Dostal Drive SW.
  - d. Thomas Dostal Developers, Inc. for property at 5413 Dostal Drive SW.
  - e. Johannes Brothers Construction, Inc. for property at 1616 34th Street SE.
  - f. Johannes Brothers Construction, Inc. for property at 1718 34th Street SE.
  - g. Johannes Brothers Construction, Inc. for property at 1620 34th Street SE.
  - h. Johannes Brothers Construction, Inc. for property at 1622 34th Street SE.
  - i. Johannes Brothers Construction, Inc. for property at 1624 34th Street SE.
  - j. Johannes Brothers Construction, Inc. for property at 1626 34th Street SE.
24. Resolutions authorizing execution of Development Agreements and Special Warranty Deeds for City-owned properties participating in the fourth round of the Single Family New Construction Program: **(Flood)** CIP/DID #OB540257
- a. S & J Homes, LLC for property at 451 9th Avenue SW.
  - b. Hope Community Development Association, Inc. for property at 619 9th Avenue SW.
  - c. Hope Community Development Association, Inc. for property at 621 9th Avenue SW.
  - d. Scallon Custom Homes, LLC for property at 933 4th Street SW.

25. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Amendment No. 1 to the Professional Services Agreement with Dixon Engineering, Inc. specifying an increased amount not to exceed \$17,600 for the 2015 Cleaning, Repairing, and Painting of 2,000,000 Gallon Hydropillar – C ST Water Tower project (original contract amount was \$52,900; total contract amount with this amendment is \$70,500). CIP/DID #6250013-01
  - b. Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$150,000 for the Water Division Electric Metering Upgrade project. CIP/DID #6250043-01
  - c. Professional Services Agreement with McClure Engineering Co. for an amount not to exceed \$53,944 for the Raw Water Main Relocation project. CIP/DID #6250044-01
  - d. Amendment No. 1 to the Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$25,000 for additional work to the Water Pollution Control Anaerobic Pretreatment Heat Exchanger Replacement project (original contract amount was \$300,000; total contract amount with this amendment is \$325,000). CIP/DID #615164-03
  - e. Amendment No. 2 to the Professional Services Agreement with McClure Engineering Co. specifying an increased amount not to exceed \$8,580 for design services in connection with the Edgewood Road NW Multiuse Pathway from O Avenue NW to Ellis Road NW project (original contract amount was \$78,590; total contract amount with this amendment is \$122,185). CIP/DID #325008-01
  - f. Professional Services Agreement with Terracon Consultants, Inc. for an amount not to exceed \$32,805 for construction testing and inspection services in connection with the Northwest Recreation Center project. **(Flood)** CIP/DID #PRE069-14
  - g. Supplemental Agreement No. 3 to the Professional Services Agreement with HR Green, Inc. specifying an increased amount not to exceed \$66,048 for design services in connection with the Collins Road NE (IA 100) from Twixt Town Road to F Avenue and Northland Avenue from South of Collins Road to 1,100 Feet North of Collins Road project (original contract amount was \$1,353,577; total contract amount with this amendment is \$1,549,277). CIP/DID #301446-02
  - h. Supplemental Agreement No. 1 to the Professional Services Agreement with Foth Infrastructure & Environment, LLC specifying an increased amount not to exceed \$219,175 for design services in connection with the C Avenue NE from Collins Road to Blairs Ferry Road project and the Collins Road NE from C Avenue to Twixt Town Road widening project (original contract amount was \$345,100; total contract amount with this amendment is \$564,275). CIP/DID #301612-01
  - i. Professional Services Agreement with Shive-Hattery, Inc. for an amount not to exceed \$89,061.20 for design services in connection with the Five Seasons Parkade Structural Repairs project. CIP/DID #635132-01
  - j. Amendment No. 1 to the Professional Services Agreement with Hall & Hall Engineers, Inc. specifying an increased amount not to exceed \$7,290 for design services in connection with the 16th Avenue & Williams Parkway SW Traffic Signal Upgrading project (original contract amount was \$16,810; total contract amount with this amendment is \$24,100). CIP/DID #306267-01
  - k. Amendment No. 7 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$10,066 for design services in connection with the CEMAR Trail Phase 1 and 2 project (original contract amount was \$134,000; total contract amount with this amendment is \$466,298). CIP/DID #325012-02

- l. Rescinding Resolution No. 0507-04-15, which authorized execution of Amendment No. 3 to the Professional Services Agreement for geotechnical evaluation services in connection with the Public Library in error; and authorizing execution of Amendment No. 1 to the Professional Services Agreement for this project with Braun Intertec Corporation specifying an increased amount not to exceed \$11,995 (original contract amount was \$17,367; total contract amount with this amendment is \$29,362). **(Flood)** CIP/DID #PLE001-19
- m. Change Order No. 10 in the amount of \$15,941 with Woodruff Construction, LLC for the Ground Transportation Center Renovation project (original contract amount was \$9,162,000; total contract amount with this amendment is \$9,306,773). **(Flood)** CIP/DID #TRE001-20
- n. Change Order No. 8 in the amount of \$738 with Curtis Contracting Corp. for the FY 2014 Sidewalk and Ramp Repair Program – Contract No. 1 project (original contract amount was \$126,147; total contract amount with this amendment is \$144,805.67). CIP/DID #3017014-01
- o. Support Agreement and software license for a three-year agreement with Vermont Systems, Inc. in the amount of \$38,689.89 for the RecTrac and GolfTrac reservation systems used for recreation and golf registration and reservations. CIP/DID #REC003-15
- p. Preconstruction Agreement for Primary Road Project with the Iowa Department of Transportation (IDOT) in the amount of \$369,000 for sanitary sewer and water main improvements to be incorporated into the Highway 100 from North of E Avenue Interchange Northerly to Covington Road (County Road W36) including Bridges over Silver Creek project. CIP/DID #301207-00
- q. Amendment No. 2 to the Agreement for Private Redevelopment with NewBo City Market at 1100 3rd Street SE. **(Flood)** CIP/DID #OB281736
- r. Agreement to Convey Properties and Terminate Development Agreement with Cedar Ridge Homes for City-owned property at 718 2nd Street SW acquired through the Voluntary Property Acquisition Program. **(Flood)** CIP/DID #OB540257
- s. Agreement to Convey Properties and terminate Development Agreement with Skogman Construction Company of Iowa for City-owned property at 623 3rd Avenue SW acquired through the Voluntary Property Acquisition Program. **(Flood)** CIP/DID #OB540257
- t. Lease Agreement for three years with Gatto, LLC to lease City-owned property at 214 1st Street SW for parking. **(Flood)** CIP/DID #CD-0005-2015
- u. Memorandum of Agreement with the Iowa Startup Accelerator and funding in the amount of \$50,000 for July 1, 2015 to June 30, 2016. CIP/DID #OB1301120
- v. Memorandum of Agreement with the Entrepreneurial Development Center and funding in the amount of \$100,000 for July 1, 2015 to June 30, 2016. CIP/DID #OB487471
- w. Memorandum of Agreement with Diversity Focus and funding in the amount of \$40,000 for July 1, 2015 to June 30, 2016. CIP/DID #OB1357504
- x. Special Warranty Deed with The Depot Development, LLC for City-owned property at 400 12th Avenue SE. **(Flood)** CIP/DID #IB675513
- y. Traffic Signal Easement from Target Corporation for land located at 1030 Blairs Ferry Road NE in connection with the Northtowne Market Development project. CIP/DID #FLPT-018821-2015
- z. Traffic Signal & Sidewalk Easement Agreement from Hunter Companies LLC for land located at 1103 Blairs Ferry Road NE in connection with the Northtowne Market Development project. CIP/DID #FLPT-018821-2015

- aa. Traffic Signal & Sidewalk Easement Agreement from Hunter Companies, LLC for land located at 1201 and 1103 Blairs Ferry Road NE in connection with the Northtowne Market Development project. CIP/DID #FLPT-018821-2015
- ab. Payment of an Economic Development Grant of \$7,499 to satisfy the 3rd Street SE Streetscape Reinvestment Project assessment for Jelinek Companies, LLC for property located at 1121 and 1125 3rd Street SE and 216 12th Avenue SE. CIP/DID #321526-02
- ac. Amendment No. 24 to the Contract Agreement with the Iowa Economic Development Authority (IEDA) reducing the grant award by an amount of \$381,730 for the voluntary property acquisition and demolition project funded under the Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program (original contract price was \$95,474,137; total contract amount with this amendment is \$125,012,813). CIP/DID #3302500001-2
- ad. Certification of Local Government Approval for Non-Profit Organizations Receiving Statewide Emergency Solutions Grant Funds for Shelter through the Iowa Finance Authority, as requested by Area Substance Abuse Council, Catherine McAuley Center, Hawkeye Area Community Action Program, Inc., Waypoint Services for Women, Children and Families and Willis Dady Emergency Shelter. CIP/DID #CD-0006-2015
- ae. Grant application for \$138,000 to the U.S. Department of Housing and Urban Development for two Housing and Family Self-Sufficiency (FSS) Program Coordinators. CIP/DID #OB375326
- af. Non-Franchise Utility License Agreement with Southwestco Wireless, LP d/b/a Verizon Wireless, for right-of-way encroachment located throughout Cedar Rapids. CIP/DID #41-15-008
- ag. Agreement with Heartland Strategies, LLC for a one-year period of July 1, 2015 to June 30, 2016 for an amount not to exceed \$60,000 to assist the City in developing a clear, achievable legislative strategy. CIP/DID #OB259069
- ah. Amendment No. 4 to the contract for concrete products with King's Material, Inc. to reflect the additional cost of concrete products used for an amount not to exceed \$300,000 (original contract amount was \$15,000; total contract amount with this amendment is \$315,000). CIP/DID #0213-183
- ai. Contract with the University of Iowa – State Hygienic Laboratory for state hygienic laboratory testing and analysis for Fiscal Year 2016 for an amount not to exceed \$33,539. CIP/DID #621003-01-2015
- aj. Renewal agreement for the annual software license and technical support with Oracle for the Water Division's Customer Care and Billing Solution System in the amount of \$59,909.28 for Fiscal Year 2016 (original contract amount was \$58,164.34; renewal contract amount is \$59,909.28). CIP/DID #OB887428
- ak. Renewal of the annual database software license and technical support services with Oracle in the amount of \$32,893.57 for Fiscal Year 2016 (original contract amount was \$31,935.50; renewal contract amount is \$32,893.57). CIP/DID #OB88075-01
- al. Amendment No. 3 to the contract for residential water meters for the Water Division with Ferguson Waterworks to reflect corrected dates for the renewal period for an annual amount not to exceed \$225,000 (original contract amount was \$134,000; renewal contract amount is \$225,000). CIP/DID #0413-224
- am. Amendment No. 1 to the contract for liquid carbon dioxide with Continental Carbonic Products, Inc. for the Water Division to reflect the additional cost of chemical purchases for an amount not to exceed \$130,000 (original contract amount was \$120,000; total contract amount with this amendment is \$250,000). CIP/DID #1214-134

- an. Amendment No. 6 to the contract for commercial water meters with Ferguson Waterworks for the Water Division for an additional amount of \$55,667.99 (original contract amount was \$80,000; total contract amount with this amendment is \$490,667.99). CIP/DID #0511-242
- ao. Amendment No. 2 to the contract for boiler and cooling water chemicals with Nalco Company for the Water Pollution Control Facility to reflect the additional cost of chemical purchases for an amount not to exceed \$15,000 (original contract amount was \$60,000; total contract amount with this amendment is \$75,000). CIP/DID #1013-065
- ap. Amendment No. 2 to renew contract for tire services with Bauer Built Tire for Fleet Services Division for an annual amount not to exceed \$200,000 (original contract amount was \$200,000; renewal contract amount is \$200,000). CIP/DID #0413-226
- aq. Amendment No. 2 to renew contract with Mi-Tech Services, Inc. for televising of sanitary service lines for the Engineering Division for an annual amount not to exceed \$55,000 (original contract amount was \$75,000; renewal contract amount is \$55,000). CIP/DID #0514-188
- ar. Contract with Griggs Environmental Strategies Inc. for wetland maintenance services for the Edgewood Road over Prairie Creek mitigation site for the Sewer Maintenance Division for an amount not to exceed \$31,200. CIP/DID #0515-226
- as. Amendment No. 1 to renew contract for criminal background check services with Fidelis Screening Solutions, LLC for the Police Department to charge fees related to police staff time to be reimbursed by Cedar Rapids landlords. CIP/DID #1212-134
- at. Amendment No. 4 to renew contract with Carpenter Uniform Company for ballistic duty vests for the Police Department for an annual amount not to exceed \$31,920 (original contract amount was \$18,150; renewal contract amount is \$31,920). CIP/DID #0412-215
- au. Police Department purchase of two ballistic blankets from Instant Armor in the amount of \$44,984.25. CIP/DID #PUR0615-249
- av. Rescinding Resolution No. 0994-07-14, which authorized a contract for urgent care for work related injuries with UnityPoint Clinic for the Human Resources Department which was never executed. CIP/DID #0714-005
- aw. FY16 contract with Horizons in the amount of \$408,000 to provide after-hours transit service when regularly scheduled fixed-route bus service is not in operation. CIP/DID #OB557035

## REGULAR AGENDA

- 26. Report on bids for the East Side Sanitary Sewer Interceptor Repairs Bid Package 1 project (estimated cost is \$490,000) (Dave Wallace). **(Flood)** CIP/DID #SSD013-03
  - a. Resolution rejecting all bids for the East Side Sanitary Sewer Interceptor Repairs Bid Package 1 project.
- 27. Report on bids for the 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 4 project (estimated cost is \$2,466,000) (Dave Wallace). **(Flood)** CIP/DID #SSD103-14
  - a. Resolution awarding and approving contract in the amount of \$2,242,374.75 plus incentive up to \$60,000, bond and insurance of Rathje Construction Company for the 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 4 project.

28. Report on bids for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 4 project (estimated cost is \$1,080,000) (Dave Wallace). **(Flood)** CIP/DID #SSD104-08
  - a. Resolution awarding and approving contract in the amount of \$744,242 plus incentive up to \$8,500, bond and insurance of Pirc-Tobin Construction, Inc. for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 4 project.
29. Discussion and Resolution authorizing the total acquisition of a 4264 Cottage Grove Parkway SE through FEMA’s Hazard Mitigation Program, and amending Resolution No. 0846-05-13 to authorize the local match through the use of Local Option Sales Tax (LOST) funding for a total acquisition of this property (Rob Davis). CIP/DID #331106-00

## **ORDINANCES**

### **Second and possible Third Readings**

30. Ordinance repealing Chapter 29 of the Municipal Code, Housing Code, and enacting and adopting in lieu thereof a new Housing Code and the 2015 edition of the International Property Maintenance Code including Appendix A with modifications. CIP/DID #BSD005-15
31. Ordinance repealing Chapter 33 of the Municipal Code, Building Code, and enacting and adopting in lieu thereof a new Building Code and the 2015 editions of the International Building Code and International Residential Code with modifications. CIP/DID #BSD001-15
32. Ordinance repealing Chapter 34 of the Municipal Code, Electrical Code, and enacting and adopting in lieu thereof a new Electrical Code and the 2014 edition of the National Electrical Code with modifications. CIP/DID #BSD003-15
33. Ordinance repealing Chapter 35 of the Municipal Code, Plumbing Code, and enacting and adopting in lieu thereof a new Plumbing Code and the 2015 edition of the Uniform Plumbing Code with modifications. CIP/DID #BSD004-15
34. Ordinance repealing Chapter 36 of the Municipal Code, Mechanical Code, and enacting and adopting in lieu thereof a new Mechanical Code and the 2015 edition of the International Mechanical Code with modifications. CIP/DID #BSD002-15
35. Ordinance repealing Chapter 37 of the Municipal Code, Fire Code, and enacting and adopting in lieu thereof a new Fire Code and the 2015 edition of the International Fire Code with modifications. CIP/DID #BSD006-15
36. Ordinance vacating public ways and grounds described as 4th Street SE between 10th Avenue and 12th Avenue SE as requested by The Depot Development, LLC. CIP/DID #ROWV-016485-2015
  - a. Resolution authorizing the disposition of 4th Street SE between 10th Avenue and 12th Avenue SE as requested by The Depot Development, LLC.

## **PUBLIC INPUT**

*This is an opportunity for the public to address the City Council on any subject pertaining to Council business. If you wish to speak, place your name on the sign-up sheet on the table outside the Council Chambers and approach the microphone when called upon.*

## **CITY MANAGER COMMUNICATIONS AND DISCUSSIONS**

### **COUNCIL COMMUNICATIONS AND DISCUSSION**

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

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

*It is the policy of the City of Cedar Rapids that all 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 Americans with Disabilities Act, 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*

*Agendas and minutes for Cedar Rapids City Council meetings can be viewed at [www.cedar-rapids.org](http://www.cedar-rapids.org)*



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Ext.:** 5807

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

**Phone Number/Ext.:** 5092

**Description of Agenda Item:** PUBLIC HEARINGS

Public Hearing to consider the disposition of excess City-owned property described as a 2.16 acre parcel of excess City-owned land located northerly of and adjacent to 300 50<sup>th</sup> Avenue Court SW as requested by Croell Redi-Mix, Inc.

Resolution authorizing the disposition of excess City-owned property described as a 2.16 acre parcel of excess City-owned land located northerly of and adjacent to 300 50<sup>th</sup> Avenue Court SW as requested by Croell Redi-Mix, Inc.

CIP/DID #PRD-010822-2014

**EnvisionCR Element/Goal:** InvestCR Goal 1: Expand economic development efforts to support business and workforce growth, market Cedar Rapids, and engage regional partners.

**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. Croell Redi-Mix has paid a \$1,000 application fee, plus \$5,103 for land value and closing costs.

By disposing of this parcel, the City will no longer be responsible for the maintenance of the property, and will attain the goal of placing this property back on the tax roll.

**Action/Recommendation:**

**Alternative Recommendation:**

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** NA

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, a notice has been given and a public hearing held as required by law, and

WHEREAS, the public use has been vacated by ordinance for the following described City property:

A 2.16 acre parcel of excess City-owned land located northerly of and adjacent to 300 50<sup>th</sup> Avenue Court SW (also known as Plat of Survey #1918 Parcel A as shown in Book 9083, Page 426 and recorded on October 13, 2014 at the Office of the Linn County Recorder)

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

1. The City Manager and City Clerk shall execute a Quit Claim Deed conveying the property hereafter described to Croell Redi-Mix, Inc., 2010 Kenwood Avenue, New Hampton, Iowa 50659:

Plat of Survey #1918 Parcel A as shown in Book 9083, Page 426 and recorded on October 13, 2014 at the Office of the Linn County Recorder.

2. The Council determines the fair consideration required for the aforescribed conveyance to be \$4,860, plus a standard 5% closing fee of \$243.
3. This conveyance is subject to the following conditions which shall be agreed to and accepted in writing by the grantee and be binding upon the grantee, successors, and assigns as follows:
  - a. Grantee shall save the City of Cedar Rapids harmless from damage or injury or loss of access or diminishing of the value of improved property, under Section 364.15 of the Iowa Code as the result of the vacation and the disposition of said property hereinbefore described to said grantee.
4. The grantee, Croell Redi-Mix, Inc., shall be required to submit a combined tax statement to the City Assessor's Office so as to constitute a single zoning lot and tax parcel,
5. The grantee, Croell Redi-Mix, Inc., shall pay the City Clerk all costs connected with this matter, including all publication and recording fees.

BE IT FURTHER RESOLVED, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute a Quit Claim Deed effectuating this conveyance and that the same is hereby approved and accepted, and that it shall be recorded

in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



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**DISPOSITION OF CITY OWNED PARCEL**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5807

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

**Phone Number/Extension:** 5092

**Description of Agenda Item:** PUBLIC HEARINGS

A public hearing will be held to consider the vacation and disposition of public ways and grounds in and to the property described as a 2,132 square-foot parcel of excess City-owned right-of-way and a 2,287 square-foot parcel of excess City-owned right-of-way located southwesterly of 6006 Rapids Ridge Road NE as requested by DX4 Investments, LLC and Calvary Chapel Iowa.

First Reading: Ordinance vacating public ways and grounds in and to the property described as a 2,132 square-foot parcel of excess City-owned right-of-way and a 2,287 square-foot parcel of excess City-owned right-of-way located southwesterly of 6006 Rapids Ridge Road NE as requested by DX4 Investments, LLC and Calvary Chapel Iowa.  
 CIP/DID #ROWV-016383-2015

**EnvisionCR Element/Goal:** ConnectCR Goal 2: Build a complete network of connected streets.

**Background:** DX4 Investments, LLC and Calvary Chapel Iowa have requested the City vacate the northerly and southerly portions of the cul-de-sac located southwesterly of 6006 Rapids Ridge Road NE. The cul-de-sac is being removed in order to extend Rapids Ridge Road to the west into the new Wexford Heights Addition. There are no utilities located in the parcels to be vacated, and because this land was previously dedicated to the City by the applicant, the City is vacating the parcels at no cost to the applicant other than the \$1,000 application fee and closing costs of \$696.

**Action/Recommendation:** If there are no objections during the public hearing, the Public Works Department recommends holding the first reading of the ordinance.

**Alternative Recommendation:** Continue to hold and maintain these nonpurposeful parcels of excess City-owned right-of-way.

**Time Sensitivity:** Normal

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

Public Hearing Date and 1<sup>st</sup> reading of Ordinance: July 14, 2015

2<sup>nd</sup> reading of Ordinance, possible 3<sup>rd</sup> reading and possible resolution passing: July 28, 2015

**Budget Information:** NA

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

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ROWV-016383-2015

ORDINANCE NO. LEG\_NUM\_TAG

**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 2,132 square-foot parcel of excess City-owned right-of-way (also known as Plat of  
Survey No. 1975 Parcel A as shown in Book 9206, Page 268 and recorded on March 30,  
2015 at the Office of the Linn County Recorder) and a 2,287 square-foot parcel of  
excess City-owned right-of-way (also known as Plat of Survey No. 1997 Parcel A as  
shown in Book 9264 Page 682 and recorded on June 4, 2015 at the office of the Linn  
County Recorder), located southwesterly of 6006 Rapids Ridge Road NE

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            day of            ,            .

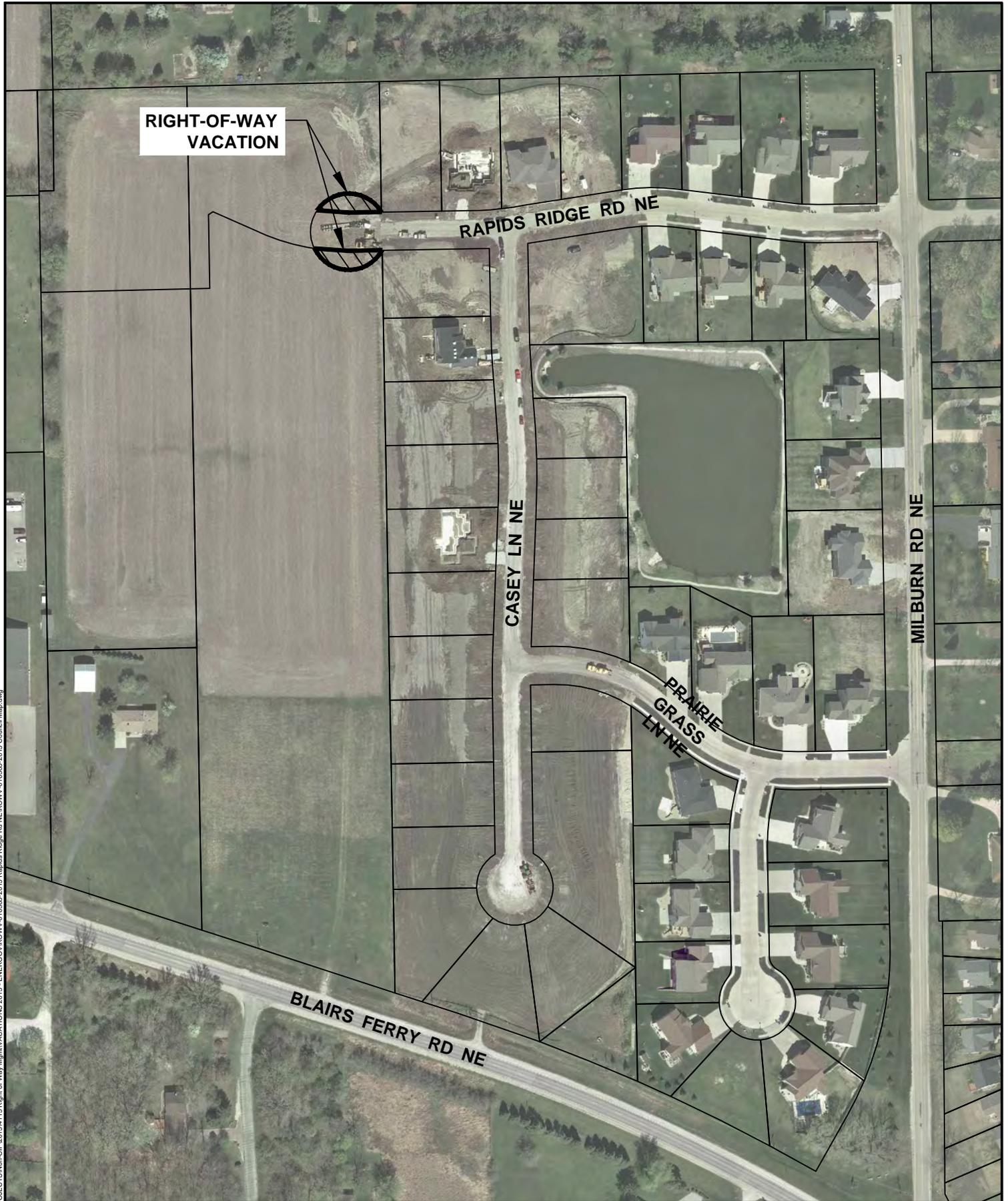
PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:  
ClerkSignature

LEG\_TABLED\_TAG



**RIGHT-OF-WAY  
VACATION**

**RAPIDS RIDGE RD NE**

**CASEY LN NE**

**PRAIRIE  
GRASS  
LN NE**

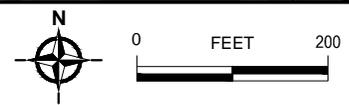
**MILBURN RD NE**

**BLAIRS FERRY RD NE**

Cadd File Name: W:\PROJECTS\Non-CIP\2015\4115 Right of Way Mgmt\VACATIONS 2015 - ENERGO\ROWV-016383-2015 - Rapids Ridge Rd NE\ROWV-016383-2015 Council Map.dwg



**RAPIDS RIDGE ROAD NE  
RIGHT-OF-WAY VACATION**



ROWV-016383-2015



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Extension:** 5814

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

**Phone Number/Extension:** 5115

**Description of Agenda Item:** PUBLIC HEARINGS

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 20th Avenue SW East of 13th Street Culvert Replacement project (estimated cost is \$273,000).

Resolution adopting plans, specifications, form of contract and estimated cost for 20th Avenue SW East of 13th Street Culvert Replacement project.  
 CIP/DID #304423-02

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:** A culvert located at 20th Avenue SW east of 13th Street has failed, resulting in the closure of 20th Avenue SW. This project will replace the existing culvert, increasing the size and length to improve capacity. Upon completion of the project, the closed portion of 20th Avenue SW will be reopened.

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

**Time Sensitivity:** Must be acted upon July 14, 2015 to maintain the project schedule, and which must occur ahead of the project's July 15, 2015 bid opening

**Resolution Date:** July 14, 2015

**Budget Information:** CIP 304000 304434 NA: \$369,407

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on June 23, 2015 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the 20<sup>th</sup> Avenue SW East of 13<sup>th</sup> Street Culvert Replacement project (Contract No. 304423-02) 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\_DAY\_TAG

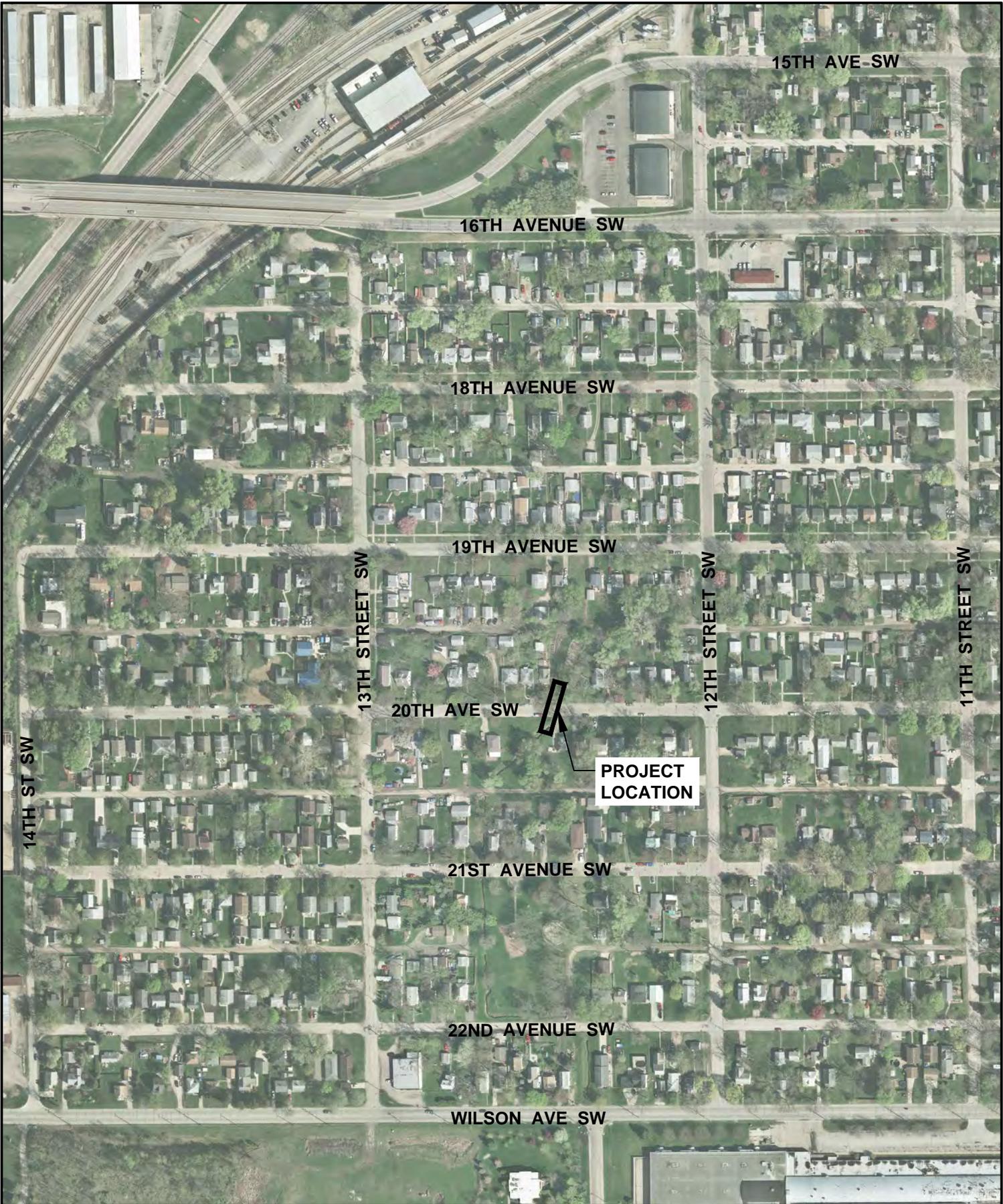
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MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



15TH AVE SW

16TH AVENUE SW

18TH AVENUE SW

19TH AVENUE SW

20TH AVE SW

21ST AVENUE SW

22ND AVENUE SW

WILSON AVE SW

13TH STREET SW

12TH STREET SW

11TH STREET SW

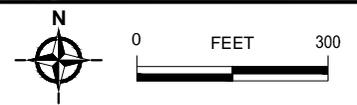
14TH ST SW

PROJECT LOCATION

Cadd File Name: W:\PROJECTS\CIP\304\3044423\20th Ave E of 13th St SW\3044423 Council Map.dwg



**20TH AVENUE EAST OF 13TH STREET SW  
CULVERT REPLACEMENT PROJECT**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Extension:** 5814

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

**Phone Number/Extension:** 5115

**Description of Agenda Item:** PUBLIC HEARINGS

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Prairie Creek From J Street SW to Cedar River Sanitary Sewer Reconstruction, Phase 2 project (estimated cost is \$4,120,000) **(Flood)**.

Resolution adopting plans, specifications, form of contract and estimated cost for the Prairie Creek From J Street SW to Cedar River Sanitary Sewer Reconstruction, Phase 2 project.  
 CIP/DID #SSD011-04

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:**

This is the second of three phases to reconstruct the 2008 flood-impacted Prairie Creek Sanitary Sewer from J Street SW to the Cedar River. Phase 2 limits are from J Street SW to Bowling Street SW. In addition to restoring the flood-impacted sanitary sewer, the propose of this project is also to increase capacity for future industrial growth within the SW Quadrant of the City. The available funding for this activity is \$5,016,830 (Flood) and subject to receipt of acceptable bids, construction is scheduled to begin in September 2015 and is expected to be completed by June 2016.

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

**Time Sensitivity:** Must be acted upon June ly 14, 2015 to maintain the project schedule, and which must occur ahead of the project's July 22, 2015 bid opening

**Resolution Date:** July 14, 2015

**Budget Information:** FEMA PW #SSD011 FLOOD

**Local Preference Policy:** NA

**Recommended by Council Committee:** NA



RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on June 23, 2015 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction, Phase 2 project (Contract No. SSD011-04 FLOOD) 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\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

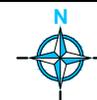
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**PRAIRIE CREEK FROM J STREET SW TO CEDAR RIVER,  
SANITARY SEWER RECONSTRUCTION PHASE 2**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**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:** PUBLIC HEARINGS

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Council Street NE from North City Limit to Woodcrest Street Hot Mix Asphalt Overlay project (estimated cost is \$200,000) **(Paving for Progress)**.

Resolution adopting plans, specifications, form of contract and estimated cost for the Council Street NE from North City Limits to Woodcrest Street Hot Mix Asphalt Overlay project.  
 CIP/DID #3012132-01

**EnvisionCR Element/Goal:** StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

**Background:**

Paving for Progress revenue shall be utilized to extend the service life of the street and provide a smoother ride. Subject to receipt of acceptable bids, construction is scheduled to begin in the summer/fall of 2015 and be completed within 8 working days.

**Action/Recommendation:** The Public Works Department recommends approval of the resolution to adopt plans, specifications, form of contract and estimated cost for the project.

**Alternative Recommendation:** If the resolution is not adopted the project would be delayed, resulting in further deterioration to the street, or the funds for this project could be applied to a different one.

**Time Sensitivity:** Must be acted upon July 14th to maintain the project schedule, and which must occur ahead of the project's July 15th bid opening

**Resolution Date:** July 14, 2015

**Budget Information:** Dept ID 301000, Project 3012132, Street SLOST 7970

**Local Preference Policy:** No  
**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on June 23, 2015 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Council Street NE from North City Limits to Woodcrest Street Hot Mix Asphalt Overlay project (Contract No. 3012132-01 SLOST) 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\_DAY\_TAG

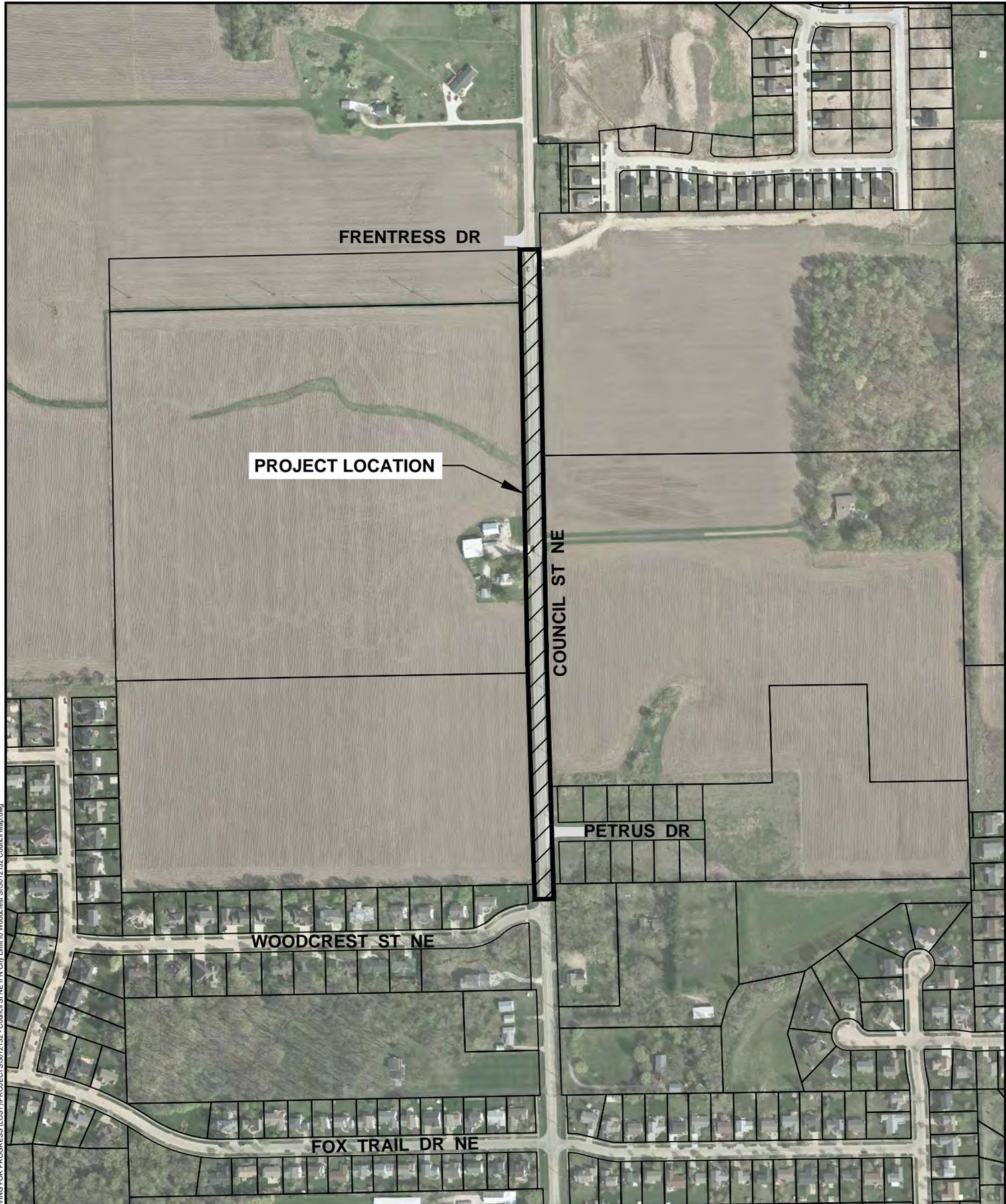
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MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



Cadd File Name: W:\PAVING FOR PROGRESS (LOST)\PROJECT\3012132 - Council St NE (N City Limit to Woodcrest St)\3012132 Council Map.dwg



**COUNCIL STREET NE FROM  
 NORTH CITY LIMIT TO WOODCREST STREET  
 HOT MIX ASPHALT OVERLAY**





## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development

**Presenter at Meeting:** Jennifer Pratt  
**E-mail Address:** [j.pratt@cedar-rapids.org](mailto:j.pratt@cedar-rapids.org)

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

**Alternate Contact Person:** Kirsty Sanchez  
**E-mail Address:** [k.sanchez@cedar-rapids.org](mailto:k.sanchez@cedar-rapids.org)

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

**Description of Agenda Item:** PUBLIC HEARINGS

A public hearing will be held to consider a request by MidAmerican Aerospace, Ltd for an Urban Revitalization Area designation for the renovation of property at 2727 16<sup>th</sup> Avenue SW. (former Kmart West building) (Jennifer Pratt).

CIP/DID #URTE-0001-2015

- a. Resolution authorizing an Urban Revitalization Area designation for the renovation of property at 2727 16<sup>th</sup> Avenue SW. CIP/DID #URTE-0001-2015
- b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the MidAmerican Aerospace Urban Revitalization Area designation at 2727 16<sup>th</sup> Avenue SW. CIP/DID #URTE=0001-2015

**EnvisionCR Element/Goal:** GrowCR Goal 1: Encourage mixed-use and infill development.

**Background:**

A request has been submitted by MidAmerican Aerospace, Ltd for an Urban Revitalization Property Tax Exemption designation for the proposed renovation of the former Kmart West building at 2727 16<sup>th</sup> Avenue SW. The project qualifies for the City's Commercial Reinvestment Program.

**Project Details:**

- 120,000 square feet
  - 10,000 square feet for office uses
  - 6,000 square feet for a fitness area
  - Remainder of building to be used for processing, imaging, climate controlled room for avionics and other sensitive equipment
- Project cost - \$5,000,000
- Building will be used as the new headquarters for MidAmerican Aerospace, Ltd

**Benefits to the Community:**

- Infill redevelopment project
- Renovation and reuse of an existing commercial property

The partial tax exemption would be a ten-year, declining scale exemption averaging 44% per year, applied only to the increased property valuation. The 2015 assessed value for the property is \$2,602,100. Based on the scope of the proposed project, the increased assessed value for

the facility is estimated at \$3,500,000. This would generate an additional \$133,000 in property tax revenue annually. Over a ten-year period, this would be \$744,800 collected in tax revenues and \$585,200 deferred as tax exempt.

**Action/Recommendation:** City staff recommends holding the public hearing and approval of a resolution and possible First Reading.

**Alternative Recommendation:** City Council may table and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** July 14, 2015

**Budget Information:** Based on a projected increased taxable value of \$3,500,000 generated by the tenant improvements, the estimated total over the ten-year period is \$585,200 deferred as tax exempt and \$744,800 of new property tax generated.

**Local Preference Policy:** NA

**Explanation:**

**Recommended by Council Committee:** NA

**Explanation:**

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the proposed Urban Revitalization Plan for the renovation of the former Kmart West building at 2727 16<sup>th</sup> Avenue SW, provides commercial infill development as provided under State Law; and

WHEREAS, on July 14, 2015, the City Council held the required Public Hearing in connection with the said proposed Project; and

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that said Plan for the MidAmerican Aerospace Urban Revitalization Area, as attached hereto as Exhibit A, and by reference herewith is made a part of this Resolution, is hereby approved and adopted.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

# **MidAmerican Aerospace Urban Revitalization Plan**

Public Hearing: July 14, 2015

## **MidAmerican Aerospace Urban Revitalization Plan**

### **1.0 INTRODUCTION**

The purpose of the formation of the Urban Revitalization Tax Exemption Area and Plan is to encourage the renovation of the former Kmart West building located at 2727 16<sup>th</sup> Avenue SW to be used as the new headquarters facility for MidAmerican Aerospace, Ltd. As allowed by the authority of the State of Code of Iowa, Chapter 404, the incentive for economic development through business expansion is provided by exempting a portion or all of property tax valuation added through qualified improvements for specified periods of time.

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

The area to be designated within the Urban Revitalization Tax Exemption Area (see Attachment 1 – Location Map) is approximately 16.3 acres in size and includes:

Parcel B, Plat of Survey #999 as recorded in Book 5012 Page 85 of the records of Linn County, Iowa  
Recorder on January 28, 2003, being part of the NE ¼ of Section 31-83-7, Linn County, Iowa

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

The Urban Revitalization Area, as specified in the legal description above, is a single parcel which is currently developed and owned by Hanrahan Investment Company. The 2015 land value is \$1,822,500 and the total assessed valuation is \$2,602,100.

### **4.0 PROGRAM ACTIVITY**

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

The proposed construction of a new commercial building is consistent with the current C-3 Regional Commercial zoning and the Future Land Use Map in the City's Comprehensive Plan that designates the project area as Urban High Intensity.

#### **4.2 City Services**

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

#### **4.3 Applicable Property**

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

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

The Urban Revitalization Project shall remain so designated for a period of no less than one year from the date of this first approval by the City Council of the City of Cedar Rapids, Iowa. When, in the opinion of the City Council, the desired level of revitalization has been attained or economic conditions are such that the continuation of the exemption granted by the Urban Revitalization Act would cease to be of benefit to the City, the City Council may repeal the

Ordinance establishing the Revitalization Area. In such an event, all existing tax exemptions shall continue until their expiration pursuant to the Urban Revitalization Act.

## 6.0 PROCEDURES FOR CHANGES IN THE APPROVED PLAN

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

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

## 7.0 REVENUE BONDS

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

## 8.0 TAX EXEMPTION PROGRAM

### 8.1 Procedures

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

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

### 8.2 Tax Exemption Schedules

#### 8.2.1 Schedule 1 - Residential Exemption:

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

actual value of the qualified real estate being reduced below the actual value on which the homestead credit is computed under § 425.1.

8.2.2 Schedule 2 - Ten Year Declining Exemption:

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

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

8.2.3 Schedule 3 - Three Year Exemptions:

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

8.2.4 Schedule 4 - 10-Year Qualified Residential Exemption:

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

8.2.5 Election of Schedule:

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

8.3 Definitions

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

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

"Qualified Real Estate" also means land upon which no structure existed at the start of new construction, which is located in this

Revitalization Area and upon which new construction has been added during the time the area was designated as a Revitalization Area.

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

## **9.0 RELOCATION**

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



ORDINANCE NO. LEG\_NUM\_TAG

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 100 and the addition of a new Division 100 as follows:

“Division 100. MidAmerican Aerospace.” July 14, 2015 Resolution No. \_\_\_\_\_

Section 2. That Subsection 17A.06 of the Municipal Code, City of Cedar Rapids, Iowa is hereby amended by the addition of a new Division 101 as follows:

“Division 101. (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            day of            ,            .

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG





## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services

**Presenter at Meeting:** Vern Zakostelecky  
**E-mail Address:** v.zakostelecky@cedar-rapids.org

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

**Alternate Contact Person:** Joe Mailander  
**E-mail Address:** j.mailander@cedar-rapids.org

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

**Description of Agenda Item:** PUBLIC HEARINGS

A public hearing will be held to consider a change of zone for property at 1225 13<sup>th</sup> Street NW from R-3, Single Family Residence Zone District to RMF-2, Multiple Family Residence Zone District as requested by The Meth-Wick Community, Inc.  
 CIP/DID # RZNE-017699-2015

**EnvisionCR Element/Goal:** GrowCR Goal 1: Encourage mixed-use and infill development.

**Background:**

The request for rezoning of this property was reviewed by the City Planning Commission on June 11, 2015 and recommended unanimously to approve on a 6 to 0 vote.

This is a request to rezone a portion of 1.605 acres to the RMF-2 Zoning District. The bulk of the property is already zoned RMF-2. The rezoning and site plan application is to allow for development of a four-story residential structure on the Meth-Wick Community Campus. The property is vacant land with the exception of the parcel proposed for rezoning, which has a single-family home. The home would be demolished if the rezoning and site plan are approved. The proposed structure will have parking, storage units and a lobby on the ground floor and 18 residential units on the other three levels. The site plan as submitted includes the following proposed improvements:

- Total site areas-1.605 acres.
- Total covered area-.648 acres.
- Total open space-.957 acres-.248 acres useable open space (15.5% of total site area).
- Total parking-18 spaces on the ground floor & 19 surface spaces-total spaces 37.
- One access from 13<sup>th</sup> Street NW & emergency access from Harrison Court NW.
- Solid vinyl 6' fencing.
- Storm water detention basin provided along north and south property line.

**Action/Recommendation:** City staff recommends holding the public hearing and approval of a possible First Reading.

**Alternative Recommendation:** City Council may table the item and request further information.

**Time Sensitivity:** NA

**Resolution Date:** NA

Budget Information: NA  
Local Preference Policy: NA

Explanation:

Recommended by Council Committee: NA

Explanation:

### Location Map



WTR           DSD  
                  BSD  
ENG           STR  
                  TED  
FIR           PKS  
                  RCR  
CLK  
«CASE\_TYPE\_NUMBER»

ORDINANCE NO. LEG\_NUM\_TAG

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

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

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

Lot 4, Vavra's First Addition to Cedar Rapids, Iowa

and located at 1225 13th Street NW, now zoned R-3, Single Family Residence Zone District, and as shown on the "District Map," be rezoned and changed to RMF-2, Multiple Family Residence Zone District, and that the property be used for such purposes as outlined in the RMF-2, Multiple Family Residence Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. Said lots are to be combined so as to constitute a single zoning lot and tax parcel.
2. All lighting shall be of a type, design and placement, and also be shielded in a manner to minimize impact on residential properties or uses adjacent to or immediately across the street.
3. A fence within the front yard setback cannot be more than 3' in height without approval of a variance by the City's Board of Adjustment.
4. A separate building permit must be obtained for any retaining wall that exceeds 48" in height.
5. The site and building design will need to comply with the Zoning Ordinance Multi-Family Residential Design Standards, Subsection 32.05.030.D. (see attached).
6. Landscaping and buffering/screening shall be provided per the Zoning Ordinance, Subsection 32.05.030.A.
7. Historic Preservation Commission review for structures 50-years old or older proposed for demolition is required subject to Chapter 18 of the City's Municipal Code, Subsection 18.10.
8. The existing structures must be removed under appropriate permit and inspections conducted and approved.
9. The site will need to be developed providing useable open space as required by the Zoning Ordinance, Subsection 32.05.01.B.4. and Table 32.05-1.

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

Introduced this 14<sup>th</sup> day of July, 2015.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

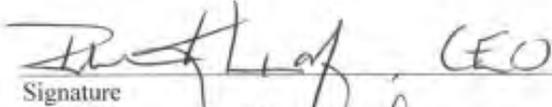
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**ACCEPTANCE OF CONDITIONS OF REZONING  
ORDINANCE NO.**

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

Dated this 12 day of June, 2015.

**THE METH-WICK COMMUNITY**

 CEO  
Signature

Robin K. Mixdorf  
Printed name

CEO  
Printed title



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**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

Resolution committing to provide local matching funds and twenty year maintenance for the CeMar Trail Phase 4 – Lindale Connector from the Marion city limits north to Highway 100 and Lindale Mall Shopping Center project.

CIP/DID # 325050-00

**EnvisionCR Element/Goal:** ConnectCR Goal 5: Support the development of an effective, regional, multimodal transportation system.

**Background:**

The Corridor Metropolitan Planning Organization has approved \$1,036,000 of Surface Transportation Program (STP) funding for the CeMar Trail Phase 4 – Lindale Connector from Marion city limits north to Highway 100 and Lindale Mall Shopping Center project. The 20% local match is \$259,000 for this project. Final design and construction of the project is intended to be concurrent with the CeMar Trail project in Marion from Hwy 100 south to the Cedar Rapids city limits.

The Iowa Department of Transportation, Office of Systems Planning, requires by policy, local jurisdictions to approve a City Council Resolution to provide for local matching funds and twenty year maintenance period for any project with federal Surface Transportation Program (STP) or Transportation Alternatives Program (TAP) funding that is administered by the Office of Systems Planning. The City Council Resolution is required for the project to proceed through the federal-aid Project Development process and receive federal-aid reimbursement.

**Action/Recommendation:** Subject to the City Council committing to future General Obligation Bond funding, the Public Works Department recommends approving the resolution committing to provide local matching funds and twenty year maintenance for the CeMar Trail Phase 4 – Lindale Connector from the Marion city limits north to Highway 100 and the Lindale Mall Shopping Center project..

**Alternative Recommendation:** If the City Council decides not to approve this Resolution there are two alternative recommendations:

1. Finance the project with local funding. This action would require \$1,295,000 of General Obligation Bond funds or other revenues in the future Capital Improvement Program.
2. Discontinue the project, remove it from the Tails Master Plan, and return the STP funding to the CMPO for reprogramming.

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** CIP No. 325050, NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Corridor Metropolitan Planning Organization (CMPO) has approved federal Surface Transportation Program (STP) funding for the CeMar Trail Phase 4 - Lindale Connector from Marion City Limits north to Highway 100 and Lindale Mall Shopping Center project , and

WHEREAS, the CMPO Transportation Improvement Program (TIP) has programmed \$1,036,000 of STP funding for this project, and

WHEREAS, the City of Cedar Rapids has legal jurisdiction and authority to construct, finance, operate and maintain the proposed trail within the City of Cedar Rapids for a minimum of twenty years,

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

1. That the City of Cedar Rapids agrees to conform with the regulations, statutes, terms, and conditions described in the application process for the Corridor Metropolitan Organization.
2. Comply with the conditions of accepting transportation funding from the Corridor Metropolitan Planning Organization.
3. That the City commits to provide the matching funds of \$259,000 local match for the project.
4. That the local matching funds will be included the future Capital Improvements Program, and the City will adequately maintain the project for its intended public use for a minimum of twenty years following completion of the project.

PASSED\_DAY\_TAG

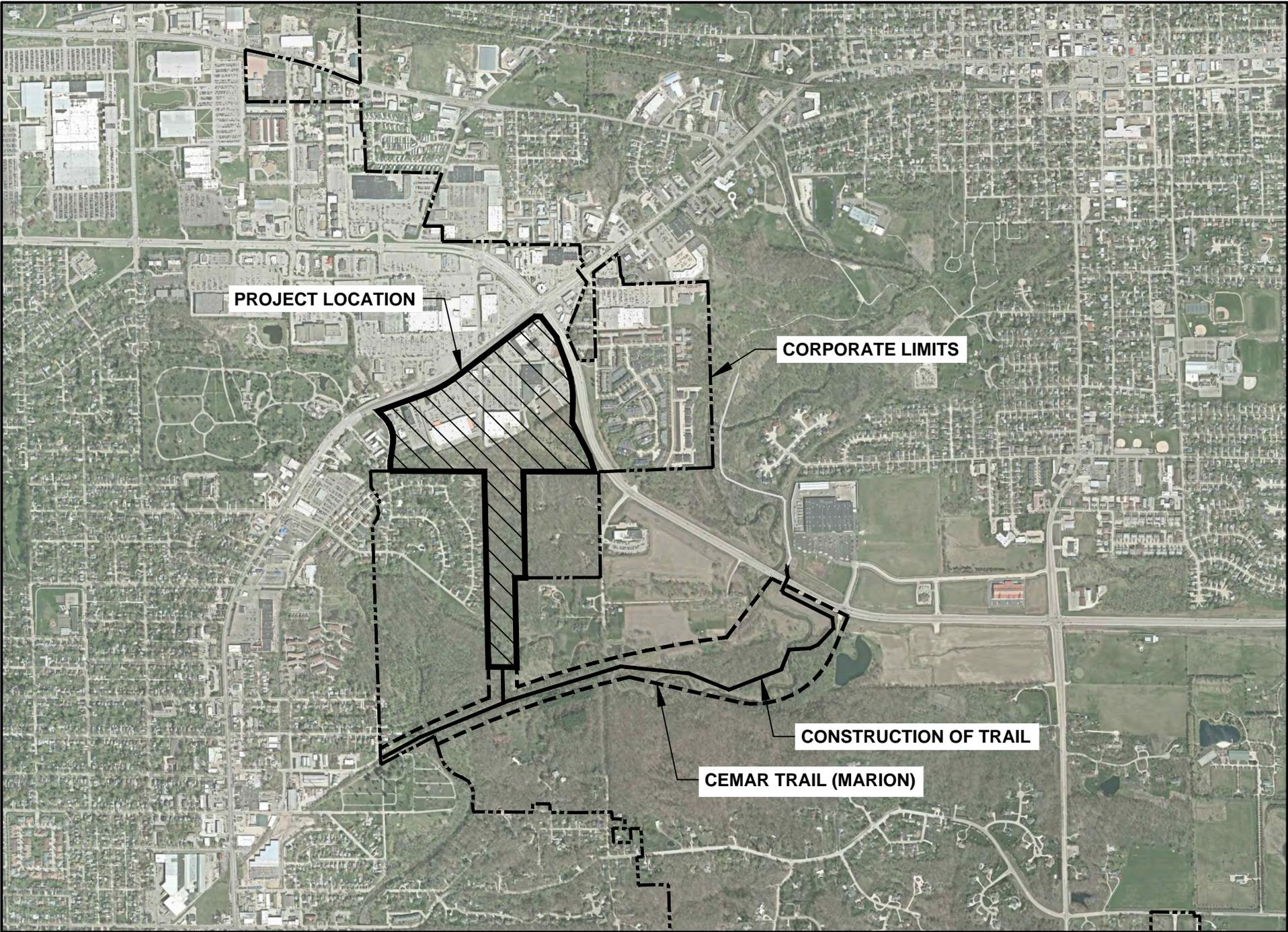
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MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



**CEMAR TRAIL  
LINDALE CONNECTOR PROJECT**



Cadd File Name: W:\PROJECTS\CIP\325050\325050 Council Map.dwg



## Council Agenda Item Cover Sheet

### Submitting Department:

**Presenter at Meeting:** Seth Gunnerson  
**E-mail Address:** [s.gunnerson@cedar-rapids.org](mailto:s.gunnerson@cedar-rapids.org)

**Phone Number/Ext.:** 319 286-5129

**Alternate Contact Person:** Caleb Mason  
**E-mail Address:** [c.mason@cedar-rapids.org](mailto:c.mason@cedar-rapids.org)

**Phone Number/Ext.:** 319 286-5188

### Description of Agenda Item: Public Hearing

Resolution extending the competitive proposal deadline from June 25, 2015 to July 23, 2015 for the disposition and redevelopment of city-owned property at 1203 7th Street SE, 1205 7th Street SE and vacant land on the 600 block of 12th Avenue SE (**FLOOD**).  
 CIP/DID #DISP-0002-2015

**EnvisionCR Element/Goal:** StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

**Background:** This resolution will extend the deadline for competitive proposals for the disposition of property adjacent to Poet's Park until July 23, 2015. On May 26 the City Council held a public hearing to initiate the Request for Proposal (RFP) process for City-owned property at 1203 7<sup>th</sup> Street SE, 1205 7<sup>th</sup> Street SE and vacant land on the 600 block of 12<sup>th</sup> Avenue SE. The area, which is shown on the attached Location Map, is adjacent to Poet's Park and a restaurant at 629 12<sup>th</sup> Avenue SE. The City has received formal interest in extending the deadline to allow more time to prepare a proposal for the redevelopment of the property. The City received no proposals at the initial June 25 deadline.

Inviting competitive proposals for disposition and redevelopment of the parcels meets Goal 2 in StrengthenCR: Improve the quality and identity of neighborhoods and key corridors. The RFP process allows the City to ensure that the disposition and development is of high quality and is an improvement to the surrounding neighborhood.

The property is zoned O-S and is located on a triangular shape block bounded by 12<sup>th</sup> Avenue SE, 7<sup>th</sup> Street SE and Otis Road SE. The remainder of the block, besides the restaurant owned by Green Development at 629 12<sup>th</sup> Avenue, is occupied by Poets Park. Across 7<sup>th</sup> Street SE is Metro High School. The properties were affected by the 2008 Flood, but are not located in the 100 or 500 year flood plains.

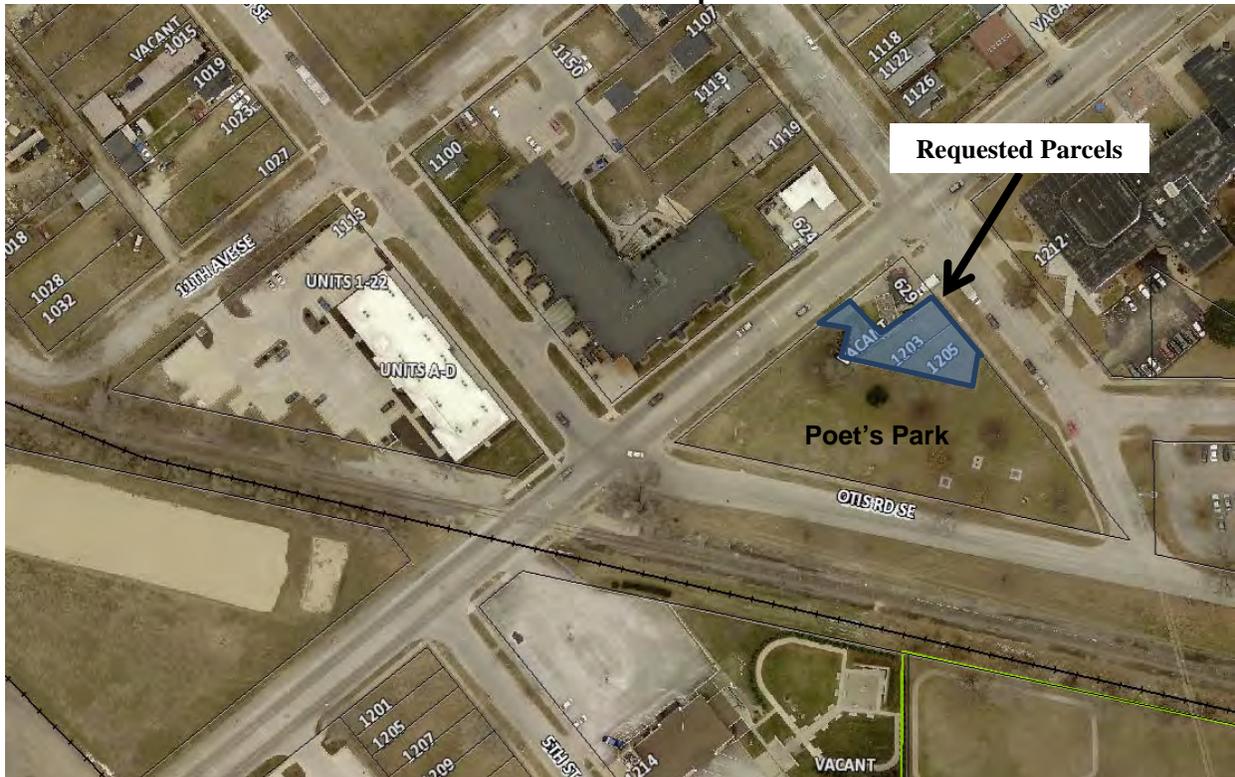
The combined parcels would create an irregular shaped lot of approximately 9,114 sq. ft. Staff believes that the properties are unlikely to be developed as a use permitted in the O-S zone district, and the City has not received any interest for the parcels as part of the ROOTs program.

The proposed use of the property is to provide additional parking for the restaurant's at 624 and 629 12<sup>th</sup> Avenue SE, along with an outdoor seating area for 629 12<sup>th</sup> Avenue. The restaurant at 629 12<sup>th</sup> Avenue SE is 704 sq ft in size. The restaurant across the street at 624 12<sup>th</sup> Avenue is

813 sq ft. While no additional parking was required for the renovation of existing buildings in the core, the Zoning Ordinance would normally require 16 parking spaces for the combined 1,517 sq ft of restaurant space. Maximum parking lot requirements adopted by the City would prohibit construction of a parking lot greater than 24 cars for the combined businesses. Currently the two restaurants have on-site parking for approximately 6 cars.

Any development on the site would be required to meet the City's Zoning Ordinance, including landscaping and buffering requirements. If the property is developed in conjunction with the restaurant at 629 12<sup>th</sup> Avenue staff is requesting that a garbage enclosure be provided as part of the site plan.

**Location Map:**



**Action/Recommendation:** City staff recommends adoption of the ordinance.

**Alternative Recommendation:** City Council may table and request additional information.

**Time Sensitivity:** Delay may push redevelopment into 2016

**Resolution Date:** 7/14/2015

**Budget Information:** NA

**Local Preference Policy:** NA

**Explanation:**

**Recommended by Council Committee:** Yes

**Explanation:** Recommended by the Development Committee on April 15, 2015

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City acquired property at 1203 7th Street SE, 1205 7th Street SE and vacant land on the 600 block of 12th Avenue SE through the Voluntary Property Acquisition Program; and

WHEREAS, on April 15, 2015 the City Council Development Committee recommended competitive proposals be sought for redevelopment of said property; and

WHEREAS, on May 12, 2015 City Council made a motion to conduct a public hearing, a notice was published on May 16, 2015, and the public hearing was held on May 26, 2015 on the possible disposition of this property; and

WHEREAS, the deadline for proposals was set for 11:00 a.m. on June 25, 2015, with no proposals submitted; and

WHEREAS, on July 5, 2015, the City received a written request for an extension of the proposal submission deadline; and

WHEREAS, the City Council has determined that it is in the best interest of the City to extend the submission deadline to July 23, 2015; and

WHEREAS, public notice will be given that the City Council of Cedar Rapids, Iowa, is extending the deadline to consider the disposition of City-owned property at 1203 7th Street SE, 1205 7th Street SE and vacant land on the 600 block of 12th Avenue SE to July 23, 2015;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City will accept competitive proposals for the redevelopment of City-owned property at 1203 7th Street SE, 1205 7th Street SE and vacant land on the 600 block of 12th Avenue SE until 11:00 a.m. on July 23, 2015. .

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## 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

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 land located at 2025 18<sup>th</sup> Street SW, owned by Virginia E. Roths, in connection with the 18th Street SW from Wilson Avenue SW to 13th Avenue SW Improvements project (**Paving for Progress**).

CIP/DID #301500-00

**EnvisionCR Element/Goal:** ConnectCR Goal 2: Build a complete network of connected streets.

**Background:** The temporary grading easement for construction 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 2025 18th Street SW owned by Virginia E. Roths.

**Alternative Recommendation:** Not refer this matter to the Linn County Compensation Commission to obtain the required temporary grading easement for construction from 2025 18th Street SW, owned by Virginia E. Roths, for the 18th Street SW from Wilson Avenue SW to 13th Avenue SW Improvements project and direct City staff to abandon or reconfigure project.

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** 301/301000/301500 (SLOST)

**Local Preference Policy:** NA

**Explanation:** Local Preference Policy does not apply to the acquisition of a temporary grading easements for construction.

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Public Works Director 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), and

WHEREAS, the additional temporary grading easement for construction that is required is located on the property at 2025 18<sup>th</sup> Street SW, Cedar Rapids, Iowa 52404, and the owner of said property is Virginia E. Roths, and

WHEREAS, the City has initiated negotiations with Virginia E. Roths for the acquisition and has made good faith effort to acquire the required temporary grading easement for construction, and

WHEREAS, the Public Works Director 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 SLOST),

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 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\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

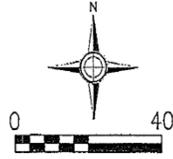
Attest:

ClerkSignature

LEG\_TABLED\_TAG

# TEMPORARY CONSTRUCTION EASEMENT EXHIBIT

18TH STREET SW EXTENSION  
Prepared by R. Rodney Kliën  
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 PART OF LOT 1, IRREGULAR SURVEY OF THE SW1/4 OF THE NW1/4 OF SECTION 32, TOWNSHIP 83 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA, FURTHER DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH LINE OF THE NORTH 175.21 FEET OF THE SOUTH 358.03 FEET OF SAID LOT 1, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF 18TH STREET SW;

THENCE N01°10'00"W ALONG THE EAST RIGHT-OF-WAY LINE OF 18TH STREET SW, 175.46 FEET TO THE NORTH LINE OF THE SOUTH 358.03 FEET OF SAID LOT 1;

THENCE N89°08'30"E ALONG SAID NORTH LINE, 15.00 FEET;

THENCE S01°10'00"E, 99.71 FEET;

THENCE N88°50'00"E, 6.00 FEET;

THENCE S01°10'00"E, 7.97 FEET;

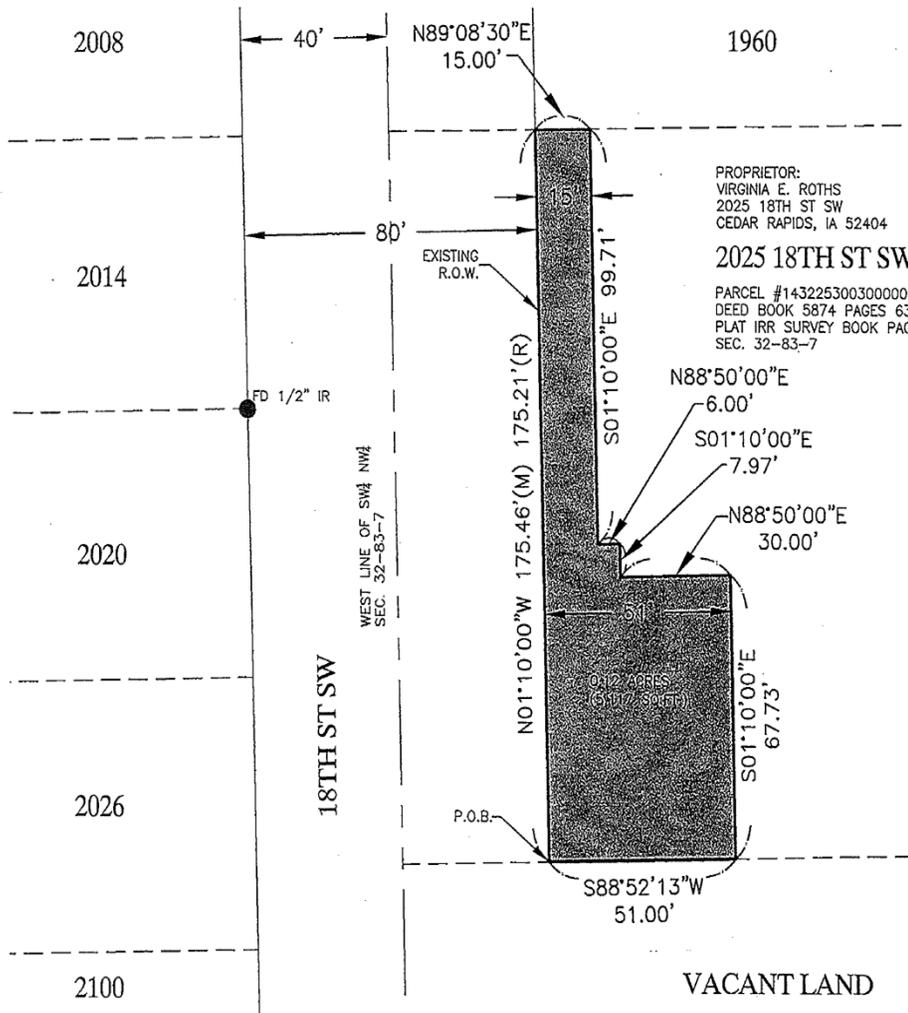
THENCE N88°50'00"E, 30.00 FEET;

THENCE S01°10'00"E, 67.73 FEET TO THE SOUTH LINE OF SAID NORTH 175.21 FEET;

THENCE S88°52'13"W ALONG SAID SOUTH LINE, 51.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.12 ACRES (5,117 SQ.FT.) MORE OR LESS.

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**Legend**

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

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT

2025 18TH ST SW  
Project Number: 209054

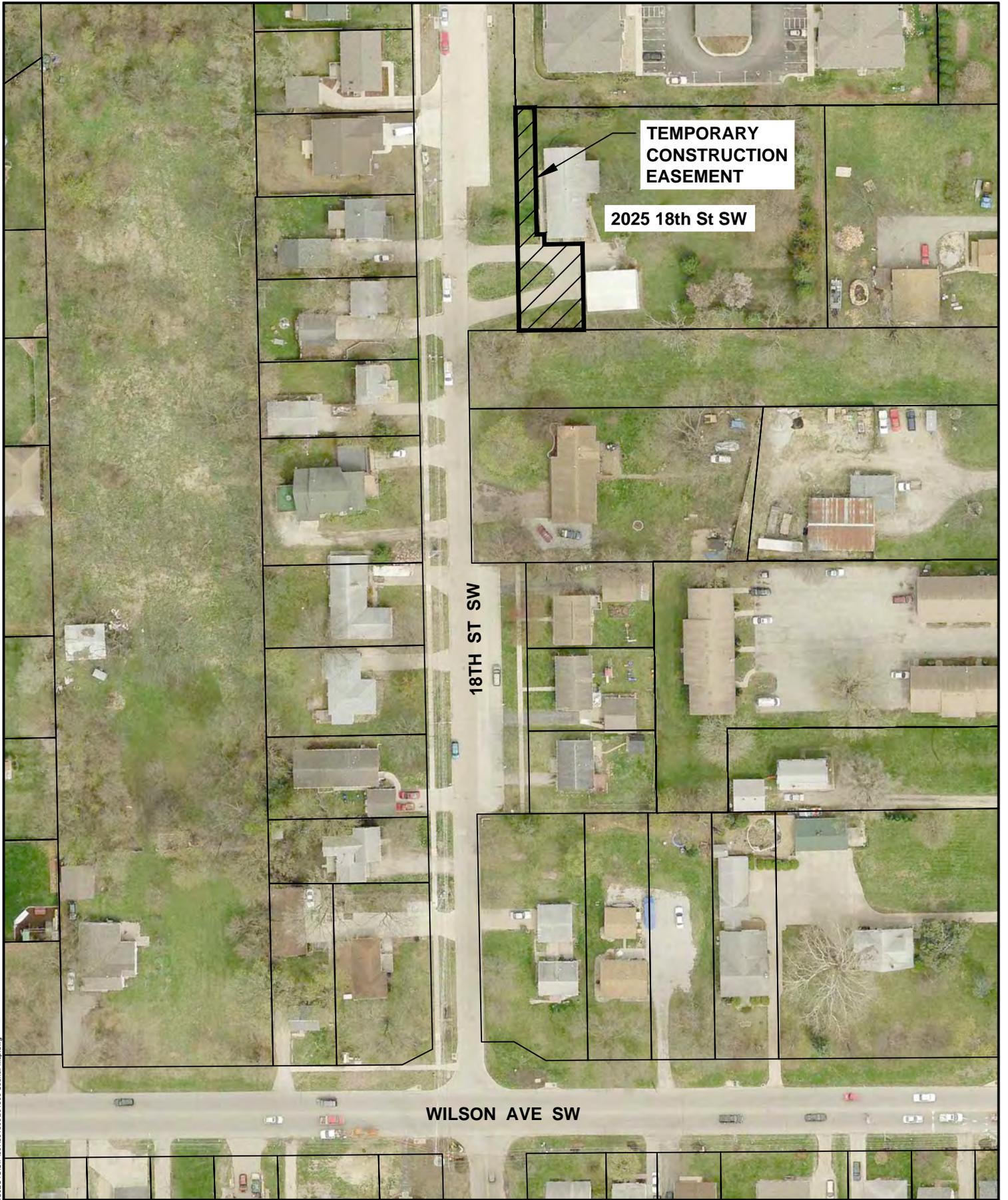
Drawn By: MLS  
Date: 8/18/14  
Field Book #: 307

Approved By: RRR  
Scale: 1"=40'

Client:  
**CEDAR RAPIDS**  
City of Fire Services

**ANDERSON BOGERT**

Sheet No.  
1  
Of  
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**18TH STREET SW EXTENSION FROM  
WILSON AVENUE TO 13TH AVENUE**





## 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

Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the FY 2015 Curb Repair Project – Contract 1 project.  
 CIP/DID #301998-00

**EnvisionCR Element/Goal:** StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

**Background:** Construction has been substantially completed by Ti-Zack Concrete, Inc. for the subject project. This is a previously approved Capital Improvements Project (CIP No. 301998-06) with a total cost of completed work to date of \$497,151.10. Amount proposed to be assessed to 1 benefiting property is \$3,170. The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements. In conformance with the provisions of the Iowa Code for special assessment (Chapter 384) proposes a resolution to levy the final assessment.

**Action/Recommendation:** The Public Works Department recommends adoption of the resolution.

**Alternative Recommendation:** If the resolution to adopt and levy is not adopted, the assessments will not be enforceable.

**Time Sensitivity:** Must be acted on by July 14, 2015 due to assessment schedule per State code timeline.

**Resolution Date:** July 14, 2015

**Budget Information:** Dept ID 301000, Project 3012105, NA

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

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

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

That after full consideration of the final schedule of assessments and accompanying plat showing the assessments proposed to be made for the construction of the FY 2015 Curb Repair Project – Contract 1 project, within the City, under contract with Ti-Zack Concrete, Inc. of LeCenter, MN, which final plat and schedule was filed in the office of the Clerk on the 8th day of July said assessments are hereby corrected by making the following changes and reductions:

NAME OF PROPERTY OWNER AND CONDITIONAL DESCRIPTION OF PROPERTY ANY _____	PROPOSED ASSESSMENT	PROPOSED CONDITIONAL DEFICIENCY, IF ANY _____	FINAL ASSESSMENT	CORRECTED FINAL CORRECTED DEFICIENCY, IF
--	------------------------	--	---------------------	--

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

BE IT FURTHER RESOLVED, that said assessments of an amount subject to the provisions of Section 384.60, Code of Iowa, shall be payable in ten (10) equal annual installments and shall bear interest at the rate of 9 percent per annum, the maximum rate permitted by law, from the date of the acceptance of the improvements; the first installment of each assessment, or total amount thereof, if it be less than the amount subject to the provisions of Section 384.60 Code of Iowa, with interest on the whole assessment from date of acceptance of the work by the Council, shall become due and payable on July 1, 2016; succeeding annual installments, with interest on the whole unpaid amount, shall respectively become due on July 1<sup>st</sup> annually thereafter, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. Said assessments shall be payable at the office of the City Treasurer, in full or in part and without interest within thirty days after the date of the first

publication of the notice of the filing of the final plat and schedule of assessments to the County Treasurer of Linn County, Iowa.

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

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

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** City Manager

**Presenter at Meeting:** Angie Charipar  
**E-mail Address:** a.charipar@cedar-rapids.org

**Phone Number/Ext.:** 5090

**Description of Agenda Item:** CONSENT AGENDA

Motion authorizing publication of a public notice that on July 28, 2015 a Resolution will be considered to execute a Lease Agreement in the amount of \$650 per month with Noleshawk Investments LLC for the lease of office space at 205 2<sup>nd</sup> Avenue SE.  
 CIP/DID #OB697034

<p><b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply</p>
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**Background:** In support of the community commitment to the Blue Zones Project – Cedar Rapids demonstration site, beginning July 1, 2014, the City of Cedar Rapids has provided office space to support the project. The lease with Noleshawk Investments LLC expired on June 30, 2015. The project steering committee recommends renewing the lease of office space in the Dows Building in downtown Cedar Rapids, at 205 2<sup>nd</sup> Street SE, through January 31, 2016. The proposed lease rate of this property is \$650 per month.

On July 14, 2015, the City Council is asked to publish notice that a lease will be considered for this property at the July 28, 2015, City Council meeting.

**Action/Recommendation:** City staff recommends approval of the resolution.

**Alternative Recommendation:** City Council may table and request further information.

**Time Sensitivity:** Immediate

**Resolution Date:** July 28, 2015

**Budget Information:** NA

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5807

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

**Phone Number/Extension:** 5092

**Description of Agenda Item:** Motions setting public hearings  
 Motion to set a public hearing for July 28, 2015 to consider the vacation and disposition of public ways and grounds in and to the property described as an 8,469 square-foot parcel of excess City-owned right-of-way located southeasterly of and adjacent to the intersection of Edgewood Road and 42<sup>nd</sup> Street NE as requested by 42<sup>nd</sup> and Edgewood LLC.  
 CIP/DID #ROWV-017414-2015

**EnvisionCR Element/Goal:** InvestCR Goal 1: Expand economic development efforts to support business and workforce growth, market Cedar Rapids, and engage regional partners.

**Background:** 42<sup>nd</sup> and Edgewood LLC has requested the vacation and disposition of this parcel in order to more efficiently develop the site for the new Berthel Fisher facilities. They plan to construct a monument sign and parking lot at the location, and they are granting a utility easement over the vacated right-of-way to accommodate the existing utilities.

**Action/Recommendation:** If there are no objections during the public hearing, the Public Works Department recommends holding the first reading of the ordinance to vacate this parcel of excess City-owned right-of-way.

**Alternative Recommendation:** If the Council does not vote to vacate this excess City-owned right-of-way, the alternative is to require 42<sup>nd</sup> and Edgewood LLC to revise their site plans.

**Time Sensitivity:** Normal

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

Public Hearing Date July 28, 2015

1<sup>st</sup> reading of Ordinance: July 28, 2015

2<sup>nd</sup> reading of Ordinance, possible 3<sup>rd</sup> reading and possible resolution passing: August 11, 2015

**Budget Information:** NA

**Local Preference Policy:** NA

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

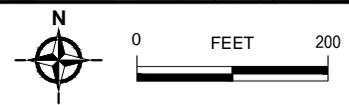
**Recommended by Council Committee: NA**  
**Explanation: NA**



Cadd File Name: W:\PROJECTS\Non-CIP\20154115 Right of Way Mgmt\VACATIONS 2015 - ENERGO\ROWV-017414-2015\_4101 River Ridge Dr NE\ROWV-017414-2015 Council Map.dwg



**RIGHT-OF-WAY VACATION  
AND PROPOSED UTILITY EASEMENT  
4101 RIVER RIDGE DRIVE NE**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5807

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

**Phone Number/Extension:** 5092

**Description of Agenda Item:** Motions setting public hearings  
 Motion to set a public hearing for July 28, 2015 to consider the vacation of a 20-foot wide drainage easement located at 5328, 5322 and 5316 Ruhd Street SW as requested by Thomas Dostal Developers, Inc., Hinton Construction, Inc., and Cheryl and Larry Davenport.  
 CIP/DID #EASE-018193-2015

**EnvisionCR Element/Goal:** ProtectCR Goal 2: Manage growth and development to balance costs and serviceability to neighborhoods.

**Background:** Thomas Dostal Developers, Inc., Hinton Construction, Inc., and Cheryl and Larry Davenport have requested the vacation of a non-purposeful 20-foot wide drainage easement located at 5328, 5322 and 5316 Ruhd Street SW. The drainage easement is not needed at this location, and there are no other utilities located within the easement.

**Action/Recommendation:** If there are no objections during the public hearing, the Public Works Department recommends approving the vacation of this drainage easement.

**Alternative Recommendation:** If the Council does not vote to vacate this drainage easement, the alternative is continue to encumber these three lots with a non-purposeful easement.

**Time Sensitivity:** Normal

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

July 28, 2015 – Public Hearing

July 28, 2015 – If no objections, recommend passing the resolution on same date as public hearing.

**Budget Information:** NA

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** (Click here to select)

**Explanation:** NA



**DRAINAGE  
EASEMENT  
VACATION**

**RUHD ST SW**

**MAYFAIR ST SW**

**DOSTAL DR SW**

**WEST POST RD SW**

**JAMES PKWY SW**

**HIGHWAY 30**

**WILLIAMS BLVD SW**

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**DRAINAGE EASEMENT VACATION  
RUHD STREET SW**



EASE-018193-2015



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Bruce Jacobs  
**E-mail Address:** b.jacobs@cedar-rapids.org

**Phone Number/Ext.:** 5913

**Alternate Contact Person:** Jonathan Mouw  
**E-mail Address:** j.mouw@cedar-rapids.org

**Phone Number/Ext.:** 5296

**Description of Agenda Item:** Motions filing plans and specifications  
 Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for July 28, 2015 and advertising for bids by publishing notice to bidders for the Edgewood Road Water Main Replacement project and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on August 12, 2015 (estimated cost is \$1,400,000).

CIP/DID #2014052-02

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:** The Utilities Department intends to replace approximately 5,700 lineal feet of water main. Approximately 3,900 lineal feet will be downsized from 16-inch to 12-inch water main to reflect the current and anticipated future water demands in this section of the water distribution system. The project includes water main along Edgewood Road from Ellis Blvd. to 42<sup>nd</sup> St. NE that was originally installed between 1976 and 1979. The section has a history of multiple breaks and service disruptions. Due to the large number of breaks, approximately 3,600 lineal feet of the water main included in the project, was isolated from the distribution system in 2013 and taken out of service. This portion of Edgewood Road has not been identified for improvements or reconstruction under the Paving for Progress 10-year plan.

**Action/Recommendation:** The Utilities Department Water Division staff recommends that the plans and specifications be filed with the City Clerk's Office on July 14, 2015, and a Notice of Hearing and Letting be published on July 18, 2015. A Public Hearing scheduled for July 28, 2015 and bids opened on August 12, 2015.

**Alternative Recommendation:** None

**Time Sensitivity:** 7-14-15

**Resolution Date:**

**Budget Information:**

1. **Included in Current Budget Year.** Yes. The funding for the project is included in the FY2015, FY2016 and FY2017 Water Division Capital Improvement Projects budget. The project will be coded to the following CIP fund: 553000-625-625000-x-x-625884.

2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$200,000 budgeted in the FY2015 CIP budget, \$500,000 in the FY2016 CIP budget, and \$500,000 in the projected FY2017 CIP budget for the construction of the Edgewood Road Water Main Replacement project. Additional funds are available by adjusting other items in the CIP budget or from reserves.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project is being publicly bid as a Capital Improvement Project.

**Local Preference Policy:** No

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

**Recommended by Council Committee:** NA

**Explanation:** NA



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Bruce Jacobs  
**E-mail Address:** b.jacobs@cedar-rapids.org

**Phone Number/Ext.:** 5913

**Alternate Contact Person:** Jim Flamming, PE  
**E-mail Address:** j.flamming@cedar-rapids.org

**Phone Number/Ext.:** 5968

**Description of Agenda Item:** Motions filing plans and specifications

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for July 28, 2015 and advertising for bids by publishing notice to bidders for the Horizontal Collector Well No. 5 Caisson & Laterals project and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on August 12, 2015 (estimated cost is \$1,950,000).

CIP/DID #625863-05

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

### Background:

This project involves construction of the Horizontal Collector Well No.5 caisson, including the concrete caisson, lateral projections, well development, pump testing and all appurtenant work. The facility is located in Seminole Valley Park. The pump house portion of the collector well will be bid later as a separate project.

The City of Cedar Rapids obtains its raw water from the alluvium along the Cedar River. Currently, 45 vertical wells and five horizontal collector wells (HCWs) draw water from the aquifer to meet average demands of 38 million gallons per day. Additional collector wells are being constructed to increase the reliability and capacity of raw water supply as existing vertical wells continue to age and lose capacity. The new collector wells will also be built to a higher elevation for increased flood protection.

The project was originally submitted to the Iowa Department of Natural Resources for permitting in May of 2008 and was postponed and modified due to the flooding of the Cedar River in June 2008. The original design has been modified to raise the floor slab elevation of the pump house by eight feet.

A pre-bid meeting will be held on July 28, 2015 at the Water Department Administration Building at 10:00 a.m. Bids will be opened and publicly announced on August 12, 2015.

### Action/Recommendation:

The Utilities Department – Water Division staff recommend that the plans and specifications be filed with the City Clerk on July 14, 2015 and a Notice of Hearing and Letting be published on July 18, 2015. A Public Hearing is scheduled for July 28, 2015 and bids will be opened on August 12, 2015.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 7/14/2015

**Resolution Date:**

**Budget Information:**

1. **Included in Current Budget Year.** The Water Division will be funded from the FY2015 and FY2016 Budgets Utilities Department – Water Division CIP budget and coded to 553000-625-625000-X-X-625863.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The Water FY2015, FY2016, FY2017, and FY2018 CIP budgets include \$4,200,000 for the Horizontal Collector Well No. 5 project.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project is being publicly bid as a Capital Improvement Project.

**Local Preference Policy:** NA

**Explanation:** Capital Improvement Projects are not subject to Local Preference Policy.

**Recommended by Council Committee:** NA

**Explanation:** NA



## Council Agenda Item Cover Sheet

**Submitting Department:** City Clerk

**Presenter at Meeting:** Chief Jerman  
**E-mail Address:** w.jerman@cedar-rapids.org

**Phone Number/Ext.:** 5374

**Alternate Contact Person:** Wanda Miller  
**E-mail Address:** wandam@cedar-rapids.org

**Phone Number/Ext.:** 5274

**Description of Agenda Item:** Alcohol licenses

- a. Big Discount Liquor, 5427 Center Point Road NE.
- b. Bistro on the River, 411 1<sup>st</sup> Street SE.
- c. BP On 1st, 2824 1<sup>st</sup> Avenue NE.
- d. The Broken Spoke, 2010 Sylvia Avenue NE (5-day permit for a an event at 2010 Sylvia Avenue NE (parking lot) on July 22-26, 2015).
- e. Casey's General Store #2767, 3434 1<sup>st</sup> Avenue NE.
- f. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre, 475 1st Street SW, on July 31, 2015).
- g. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre, 475 1st Street SW, on August 7, 2015).
- h. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre, 475 1st Street SW, on August 14, 2015).
- i. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on July 24-26, 2015).
- j. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on July 31-August 2, 2015).
- k. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on August 7-9, 2015).
- l. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on August 14-16, 2015).
- m. Cenex Gas Station, 502 E Avenue NW.
- n. Chipotle Mexican Grill, 4444 1<sup>st</sup> Avenue NE.
- o. Emil's Hideaway, 222 Glenbrook Drive SE (5-day permit for an event at McGrath Powersports, 4645 Center Point Road NE, on July 30, 2015).
- p. Hy-Vee #3 C-Store, 2300 Bowling Street SW.
- q. The Lost Cuban, 209 3<sup>rd</sup> Street SE (new license).
- r. McGrath Amphitheatre Cedar Rapids, 475 1<sup>st</sup> Street SW (5-day permit for an event on July 18-22, 2015)
- s. McGrath Amphitheatre Cedar Rapids, 475 1<sup>st</sup> Street SW (5-day permit for an event on July 25-29, 2015).
- t. McGrath Amphitheatre Cedar Rapids, 475 1<sup>st</sup> Street SW (5-day permit for an event on August 1-5, 2015).
- u. NewBo Ale House & Sushi, 1201 3<sup>rd</sup> Street SE (outdoor service for an event on July 24-26, 2015).

- v. Papa Juan's Mexican Restaurant, 5505 Center Point Road NE (outdoor service area for an event on July 22-26, 2015).
- w. Point Liquor & Tobacco, 4107 Center Point Road NE (new ownership).
- x. Red Lobster, 163 Collins Road NE.
- y. Rumors, 400 F Avenue NW (outdoor service for an event on July 24-26, 2015).
- z. Rumors, 400 F Avenue NW (outdoor service for an event on August 7-9, 2015).
- aa. Rumors, 400 F Avenue NW (outdoor service for an event on August 21-23, 2015).
- bb. Siamville Thai Cuisine, 3635 1<sup>ST</sup> Avenue SE.
- cc. Starlite Room, 3300 1<sup>ST</sup> Avenue NE;
- dd. Super Burrito Lupita's Bakery, 3300 Johnson Avenue NW.
- ee. Vineria Wine Shop, 264 Blairs Ferry Road NE.

CIP/DID # OB1145716

<p><b>EnvisionCR Element/Goal:</b> ProtectCR Goal 3: Maintain and provide quality services to the community.</p>
--

**Background:** Per State Code, the local authority must provide approval prior to the State issuing the alcohol licenses to the applicants.

**Action/Recommendation:** Approve applications as submitted.

**Alternative Recommendation:** NA

**Time Sensitivity:** Normal

**Resolution Date:** NA

**Budget Information:** NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

# Cedar Rapids Police Department Memorandum

To: Chief Jerman  
 From: Lt. Walter Deeds  
 Subject: Beer/Liquor License Applications Calls for Service Summary  
 Date: July 8, 2015

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Big Discount Liquor 5427 CENTER POINT RD NE	13	0	0	2
Bistro on the River 411 1ST ST SE	4	0	0	0
BP On 1st 2824 1ST AVE NE	15	0	1	3
Broken Spoke, The 2010 SYLVIA AVE NE	0	0	0	0
Casey's General Store #2767 3434 1ST AVE NE	211	0	2	8
Cedar Rapids Jaycees 475 1ST ST SW	19	0	0	2
Cedar Rapids Jaycees 475 1ST ST SW	19	0	0	2
Cedar Rapids Jaycees 475 1ST ST SW	19	0	0	2
Cedar River Landing 301 F AVE NW	52	0	1	4
Cedar River Landing 301 F AVE NW	52	0	1	4
Cedar River Landing 301 F AVE NW	52	0	1	4
Cedar River Landing 301 F AVE NW	52	0	1	4
Cenex Gas Station 502 E AVE NW	33	0	0	4
Chipotle Mexican Grill 4444 1ST AVE NE	0	0	0	0

Emil's Hideaway 222 GLENBROOK DR SE	3	0	0	0
Hy-Vee #3 C-Store 2300 BOWLING ST SW	144	0	3	3
Lost Cuban, The 209 3RD ST SE	0	0	0	0
McGrath Amphitheatre Cedar Rapids 475 1st ST SW	19	0	0	2
McGrath Amphitheatre Cedar Rapids 475 1st ST SW	19	0	0	2
McGrath Amphitheatre Cedar Rapids 475 1st ST SW	19	0	0	2
NewBo Ale House & Sushi 1201 3RD ST SE	15	0	0	1
Papa Juan's Mexican Restaurant 5505 CENTER POINT RD NE	25	0	0	9
Point Liquor & Tobacco 4107 CENTER POINT RD NE	0	0	0	0
Red Lobster 163 COLLINS RD NE	15	0	0	1
Rumors 400 F AVE NW	61	0	1	13
Rumors 400 F AVE NW	61	0	1	13
Rumors 400 F AVE NW	61	0	1	13
Siamville Thai Cuisine 3635 1ST AVE SE	0	0	0	0
Starlite Room 3300 1ST AVE NE	2	0	0	0
Super Burrito Lupita's Bakery 3300 JOHNSON AVE NW	6	0	0	1
Vineria Wine Shop 264 BLAIRS FERRY RD NE	3	0	0	0



## Council Agenda Item Cover Sheet

**Submitting Department:** Finance

**Presenter at Meeting:** Casey Drew  
**E-mail Address:** c.drew@cedar-rapids.org

**Phone Number/Ext.:** 5097

**Alternate Contact Person:** Vicky Grover  
**E-mail Address:** v.grover@cedar-rapids.org

**Phone Number/Ext.:** 5007

**Description of Agenda Item:** Bills, payroll and funds  
 Resolutions approving:  
 a. Payment of bills. CIP/DID #FIN2015-01  
 b. Payroll. CIP/DID #FIN2015-02

<p><b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply</p>
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**Background:** The bi-weekly listings of bills and payrolls have been examined and approved by the proper departments.

**Action/Recommendation:** Authorize the Finance Department to issue payments and payroll checks as per the Resolution listings.

**Alternative Recommendation:** NA

**Time Sensitivity:** Normal

**Resolution Date:** 7-14-15

**Budget Information:** NA

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

## RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the following payrolls have 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 Finance Director be and is hereby authorized and directed to issue checks in favor of the holders thereof and for various amounts and that the money necessary for payment of the same is hereby appropriated from the different funds.

<b>Department</b>	<b>Total</b>
Animal Control	\$ 20,654.58
Aquatics Operation	\$ 159,996.02
Attorney	\$ 21,641.01
Building Services Division	\$ 66,104.39
CD – Federal Programs	\$ 35,221.65
Cedar Rapids Public Library	\$ 111,410.98
City Band	\$ 29,242.00
City Manager	\$ 35,518.49
Civil Rights	\$ 15,539.59
Clerk	\$ 11,477.02
Community Development – DOD	\$ 26,290.39
Council	\$ 6,520.27
Development Services	\$ 39,790.71
Facilities Maintenance Service	\$ 48,968.71
Finance	\$ 13,837.60
Finance – Analysts	\$ 13,969.48
Financial Operations	\$ 41,860.75
Fire	\$ 419,689.40
Five Seasons Parking	\$ 7,523.20
Fleet Maintenance	\$ 78,216.23
Golf Operations	\$ 82,751.48
Human Resources	\$ 31,651.57
Information Technology	\$ 84,244.35
Joint Communications	\$ 60,035.03
Library Grants	\$ 7,466.60
Parks Operations	\$ 198,997.27
Police	\$ 672,882.64
Public Works	\$ 22,222.47
Public Works – Engineering	\$ 89,318.60
Purchasing Service	\$ 11,079.80
Recreation	\$ 58,795.64
Sewer Operations	\$ 58,266.42
Street Operations	\$ 144,136.10
Traffic Engineering	\$ 45,678.42
Transit	\$ 105,352.75
Treasury Operations	\$ 11,589.22
Utilities	\$ 12,594.80
Utilities – Solid Waste	\$ 90,876.03
Veterans Memorial	\$ 17,436.56
Water Operations	\$ 258,085.29
Water Pollution Control	\$ 176,756.70
Grand Total:	\$ 3,443,690.21

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** City Clerk

**Presenter at Meeting:** Amy Stevenson  
**E-mail Address:** AmyS@cedar-rapids.org

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

**Alternate Contact Person:** Bridget McMenomy  
**E-mail Address:** b.mcmenomy@cedar-rapids.org

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

**Description of Agenda Item:** Boards and commissions  
 Resolution reappointing Gary Grant (effective through June 30, 2018) to the Veterans Memorial Commission.  
 CIP/DID #OB572854

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:** Many board and commission terms expire on June 30, 2015. This agenda includes a reappointment for the Veterans Memorial Commission.

**Action/Recommendation:** Approve resolution as presented

**Alternative Recommendation:**

**Time Sensitivity:** None

**Resolution Date:** July 14, 2015

**Budget Information:** NA

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

A P P O I N T M E N T

I, Ron Corbett, Mayor of the City of Cedar Rapids, in accordance with Section 2.06 of the Home Rule Charter, and subject to the advice and consent of the Cedar Rapids City Council hereby reappoint the following individual to serve on the Veterans Memorial Commission for the term as indicated or until a successor is appointed and qualified:

Commissioner  
Gary Grant

Term Beginning  
07/01/2015

Term Expiration  
06/30/2018

RESOLUTION NO. LEG\_NUM\_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the advice and consent of the City Council to the Mayor's reappointment of Gary Grant to the Veterans Memorial Commission for the term indicated above is hereby given.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** City Manager

**Presenter at Meeting:** Angie Charipar  
**E-mail Address:** a.charipar@cedar-rapids.org

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

**Alternate Contact Person:**  
**E-mail Address:**

**Phone Number/Ext.:**

**Description of Agenda Item:** Special events  
 Resolution approving the special event application for Cedar Rapids Fire Department Fill the Boot for MDA events on July 17, August 14 and September 2-4, 2015 with a rain date of September 5, 2015. CIP/DID #SPEC-036423-2015

**EnvisionCR Element/Goal:** InvestCR Goal 4: Grow a sustainable, diverse economy by supporting businesses, fostering entrepreneurship, and targeting industry-specific growth.

**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 resolution.

**Action/Recommendation:** Approve resolution for the event.

**Alternative Recommendation:**

**Time Sensitivity:** .

**Resolution Date:** 07/09/15

**Budget Information:**

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Paul Bagby, on behalf of the Cedar Rapids Fire Department and the Muscular Dystrophy Association of Eastern Iowa, have requested approval to conduct the annual "Fill the Boot" events to solicit donations from motorists in Cedar Rapids on six separate dates Friday, July 17, Friday, August 14, Wednesday, September 2, Thursday, September 3, Friday, September 4 and Saturday, September 5, 2015 (rain date), and,

WHEREAS, two of the events (Friday, July 17, 2015 and Friday, August 14, 2015) request three hours total each date (3 PM to 6 PM) utilizing only off-duty fire department personnel and Local #11 personnel at the intersection of C Avenue NE and 35<sup>th</sup> Street NE, the intersection of Wiley Blvd NW and E Avenue NW, and on private property at the Lindale Hy-Vee located at 279 Collins Rd NE, and

WHEREAS, three of the events (Wednesday, September 2, Thursday, September 3, and Friday, September 4, 2015), request three hours total each date (3 PM to 6 PM) and for one event (Saturday, September 5, 2015 rain date), the request is for five hours total (10 AM to 3 PM) utilizing on-duty Fire Department personnel at the following locations:

Locations:	Station 1	F Avenue & 3rd Street NW
	Station 2	J St & 33rd Ave SW
	Station 3	Oakland Rd & H Ave NE
	Station 4	Wal-Mart East
	Station 5	Wilson Ave & Bowling St SW
	Station 6	Bever Ave & 34th St SE
	Station 7	Forest Dr & Cottage Grove SE
	Station 8	Wiley Blvd & E Ave NE
	Station 9	Golf St and 42nd St NE
	Off Duty Site	C Ave & 35th St NE

WHEREAS, three of the events (Wednesday, September 2, Thursday, September 3, and Friday, September 4, 2015) request three hours total each date (3 PM to 6 PM) and for one event (Saturday, September 5, 2015 rain date, request five hours total (10 AM to 3 PM) utilizing only off duty personnel for the following locations:

Locations:	C Ave & 35th St NE
	Wiley Blvd & E Ave NW
	Lindale Hy-Vee

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

1. Solicitation sites shall be staffed with personnel wearing safety vests or similar attire.
2. 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.

3. Applicant agrees to defend, indemnify, and save the City of Cedar Rapids harmless from all liability and place on file at the City Clerk's Office, a certificate of liability insurance with policy 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.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that this request is approved.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** City Manager

**Presenter at Meeting:** Angie Charipar  
**E-mail Address:** a.charipar@cedar-rapids.org

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

**Alternate Contact Person:**  
**E-mail Address:**

**Phone Number/Ext.:**

**Description of Agenda Item:** Special events  
 Resolution approving the special event application for HADSA's Step Up for Down Syndrome Walk event (includes road closures) on September 27, 2015. CIP/DID #SPEC-035446-2015

**EnvisionCR Element/Goal:** InvestCR Goal 4: Grow a sustainable, diverse economy by supporting businesses, fostering entrepreneurship, and targeting industry-specific growth.

**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 resolution.

**Action/Recommendation:** Approve resolution for the event.

**Alternative Recommendation:**

**Time Sensitivity:** .

**Resolution Date:** 07/09/15

**Budget Information:**

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Cindy Lee, on behalf of the Hawkeye Area Down Syndrome Association, has requested approval to conduct the HADSA'S Step Up for Down Syndrome Walk fundraiser event (includes road closures) on Sunday, September 27, 2015 , and,

WHEREAS, applicant is requesting the following streets closed for the event from 11 AM until 1 PM:

3rd Street SE from 12th Avenue SE to 16th Avenue SE  
16th Avenue from 3rd Street SE to C Street SW  
C Street SW from 15th Avenue SW to 16th Avenue SW  
A Street SW from 15th Avenue SW to 16th Avenue SW

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

1. The one mile walk will begin at 3rd Street SE and 12th Avenue SE, go southeast on 3rd street SE to 16th Avenue SE, turn southwest on 16th Avenue SE continuing on to the 16th Avenue SW bridge (the bridge of Lions) and then onto 16th Avenue SW to C Street SW, turn northwest on C street SW to 15th Avenue SW, turn northeast on 15th Avenue SW to A Street SW, turn southeast on A Street SW to 16th Avenue SW turn northeast on 16th Avenue SW continuing to the 16th Avenue bridge (Bridge of Lions) and then onto 16th Avenue SE to 3rd Street SE, turn northwest on 3rd Street to the finish at 12th Avenue SE
2. Applicant shall provide written notification, a minimum of 48 hours before the event, to all affected property owners adjoining the barricaded street closures and/or temporary no parking, (to help minimize traffic conflicts between motorists and race participants). Written notification shall include information on the event including event route, event date, start and finish times, and the name and telephone number of the Applicant's contact person. A copy of this written notification shall be provided to the City Manager's Office.
3. Applicant's insured traffic control contractor shall provide all barricades/traffic controls required by the City for the temporary street closure. All barricades/traffic controls must conform to the requirements of the Manual on Uniform Traffic Control Devices. Applicant shall provide the name and phone number of the company providing the barricades/traffic controls to the Police Department and Traffic Engineering a minimum of one week prior to the event.
4. Applicant shall provide adequate adult volunteers at all intersections and other locations to assist with walk event instructions, event monitoring, and event participant safety. Volunteers are NOT authorized to direct vehicular traffic at any time.
5. Applicant agrees that any signage required for this event will be done with prior approval of the City Building Services Division and any required permits will be obtained.

6. Applicant shall be responsible for receiving from each participant in the run/walk an individual signed Waiver of Liabilities of the City of Cedar Rapids.
7. If applicant alters the above route or intends to use a different route, a separate event application approval may be required with the new route detailed.
8. Applicant agrees that any pavement markings or signage required for this event will be done with prior approval of the City Traffic Engineering Division, and no permanent markings of any type will be permitted. Any signage and/or markings used must be removed immediately following the event.
  - a. Sidewalk chalk is acceptable for chalk art on public sidewalks OTHER THAN sidewalks in and adjacent to City parks.
  - b. Chalk paint shall not be applied to any city street or sidewalk.
9. Applicant will supply trash bags and receptacles and is responsible for removing all associated trash from city property. Any cost associated with clean up done by the City will be billed to the applicant.
10. Applicant shall contact the Cedar Rapids Police Department at least 15 to 30 days prior to the event to hire off-duty police officers, as required by the Police Department to attend barricades at street closures, to assist with traffic control at designated intersections, and for event security. Contact Sgt. Mark Andries (319-286-5438) to arrange officers. Officer needs to be determined upon phone call request.
11. 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.
12. Applicant agrees to defend, indemnify, and save the City of Cedar Rapids harmless from all liability and place on file at the City Clerk's Office, a certificate of liability insurance with policy 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.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that this request is approved.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Bruce Jacobs  
**E-mail Address:** b.jacobs@cedar-rapids.org

**Phone Number/Ext.:** 5913

**Alternate Contact Person:** Kevin Kirchner  
**E-mail Address:** k.kirchner@cedar-rapids.org

**Phone Number/Ext.:** 5902

**Description of Agenda Item:** Intent and levy assessments  
 Intent to Assess – Utilities – Water Division – delinquent municipal utility bills – 60 properties.  
 CIP/DID #WTR0714-001

<b>Routine business - EnvisionCR Does not apply</b>
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**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 lien delinquent municipal utility bills.

**Time Sensitivity:** Normal

**Resolution Date:** 7/14/15

**Budget Information:** N/A

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

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 25<sup>th</sup> day of August, 2015 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., August 25, 2015.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

**LIEN INTENTS (SPECIAL ASSESSMENTS) 7/14/15**

				<b>LIEN INTENTS 7/14/15</b>	
<b>#</b>		<b>Balance Due</b>		<b>Premise Address</b>	
1		\$ 266.30		13 GLENBROOK DR SE	
2		\$ 155.83		113 RED WING RD SW	
3		\$ 102.76		155 19TH ST NW	
4		\$ 278.86		199 13TH AVE SW	
5		\$ 200.67		220 NORWICK RD SW	
6		\$ 83.33		350 WOODLAND DR SE	
7		\$ 85.52		402 25TH ST SE	
8		\$ 71.23		412 14TH ST SE	
9		\$ 111.74		433 8TH AVE SW #B	
10		\$ 81.16		517 M AVE NW	
11		\$ 81.20		524 4TH ST SW #D	
12		\$ 74.41		524 12TH ST SE	
13		\$ 70.06		556 VERNON DR SE	
14		\$ 145.85		612 4TH ST SW - UPPER	
15		\$ 170.89		617 BARTLETT CT NW	
16		\$ 81.94		730 G AVE NW	
17		\$ 453.12		820 19TH ST SE	
18		\$ 167.95		821 7TH ST SW	
19		\$ 202.79		854 CENTER POINT RD NE	
20		\$ 276.53		916 10TH AVE SW	
21		\$ 142.83		945 OAKLAND RD NE	
22		\$ 43.14		1017 DANIELS ST NE	
23		\$ 292.29		1035 MEMORIAL DR SE	
24		\$ 217.22		1125 19TH AVE SW	
25		\$ 95.41		1132 29TH ST NE	
26		\$ 68.80		1132 I AVE NW	
27		\$ 96.39		1145 20TH AVE SW	
28		\$ 39.38		1226 MIAMI CT NE	
29		\$ 196.89		1228 1ST ST SW	
30		\$ 105.89		1228 O AVENUE PL NE	
31		\$ 238.81		1284 34TH ST NE	
32		\$ 74.31		1305 22ND AVE SW	
33		\$ 171.32		1311 18TH AVE SW	
34		\$ 208.20		1312 21ST AVE SW	
35		\$ 136.55		1316 L AVE NE	
36		\$ 63.44		1342 5TH ST NW	
37		\$ 165.95		1506 8TH ST NW	
38		\$ 166.20		1521 10TH ST NW	
39		\$ 196.13		1533 7TH AVE SE	
40		\$ 194.41		1537 34TH ST NE	
41		\$ 85.15		1655 29TH ST NE	
42		\$ 157.79		1712 ARIZONA AVE NE	
43		\$ 74.04		1718 O AVE NW	
44		\$ 56.83		1731 APACHE TRL NW	
45		\$ 96.53		1841 8TH AVE SW	

<b>LIEN INTENTS 7/14/15</b>			
<b>#</b>		<b>Balance Due</b>	<b>Premise Address</b>
46	\$	84.36	1929 9TH ST SW
47	\$	79.65	2134 C ST SW
48	\$	123.20	2159 29TH ST NW #3
49	\$	61.99	2205 C ST SW #4
50	\$	98.57	2319 THOMPSON ST SE
51	\$	196.73	2617 O AVE NW
52	\$	125.41	2627 GLEN ELM DR NE
53	\$	109.87	2827 WILSON AVE SW
54	\$	242.42	3226 MOUND AVE SE
55	\$	38.60	3310 DUNHAM RD SW
56	\$	64.81	3808 REDBUD RD NE
57	\$	49.69	4224 E AVE NW
58	\$	75.21	4524 RUSHMORE DR NE
59	\$	174.80	6310 1ST AVE NW
60	\$	55.74	6812 ARBOR LN NE
	\$	<b>8,127.09</b>	<b>Grand Total</b>
		<b>60</b>	<b>Number of Properties</b>
	\$	<b>38.60</b>	<b>Balance Due - Low</b>
	\$	<b>453.12</b>	<b>Balance Due - High</b>



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Bruce Jacobs  
**E-mail Address:** b.jacobs@cedar-rapids.org

**Phone Number/Ext.:** 5913

**Alternate Contact Person:** Kevin Kirchner  
**E-mail Address:** k.kirchner@cedar-rapids.org

**Phone Number/Ext.:** 5902

**Description of Agenda Item:** Intent and levy assessments  
 Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 21 properties.  
 CIP/DID #WTR0526-001

**EnvisionCR Element/Goal:** Routine business - EnvisionCR does not apply

### Background:

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

Below are the steps taken in typical situations:

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

The Notice of Intent to Assess the properties was approved by City Council Resolution No. 0744-05-15 on May 26, 2015.

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

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

**Alternative Recommendation (if applicable):** The City Council could decide not to lien delinquent municipal utility bills.

**Time Sensitivity:** Normal

**Resolution Date:** 7/14/15

**Budget Information:** N/A

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

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\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

**SPECIAL ASSESSMENTS (TO BE LIENED) 7/14/15**

<b>SPECIAL ASSESSMENTS 7/14/15</b>			
<b>LIEN INTENTS 5/26/15</b>			
<b>#</b>	<b>Balance Due</b>	<b>Premise Address</b>	
1	\$ 46.44	77 FLORIDA AVE SW	
2	\$ 150.74	114 18TH AVE SW	
3	\$ 120.84	238 11TH ST NW	
4	\$ 94.90	316 17TH ST NE	
5	\$ 211.14	363 20TH ST SE	
6	\$ 204.09	510 DEER RUN DR NE	
7	\$ 141.49	518 39TH ST NE	
8	\$ 175.92	522 33RD ST NE	
9	\$ 54.44	602 18TH AVE SW	
10	\$ 113.92	1117 1ST AVE SW	
11	\$ 105.24	1216 L ST SW	
12	\$ 341.41	1237 ELLIS BLVD	
13	\$ 173.97	1409 K ST SW	
14	\$ 134.70	1501 34TH ST NE	
15	\$ 356.54	1546 5TH AVE SE	
16	\$ 190.15	1615 C AVE NE	
17	\$ 230.56	1811 5TH AVE SE	
18	\$ 1,679.77	1912 BLAKE BLVD SE	
19	\$ 213.92	2009 MEMORIAL DR SE	
20	\$ 197.31	3310 DUNHAM DR SW	
21	\$ 59.87	6500 CREEKSIDE DR NE #11	
	<b>\$ 4,997.36</b>	<b>Grand Total</b>	
	<b>21</b>	<b>Number of Properties</b>	
	<b>\$ 46.44</b>	<b>Balance Due - Low</b>	
	<b>\$ 1,679.77</b>	<b>Balance Due - High</b>	



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Bruce Jacobs  
**E-mail Address:** b.jacobs@cedar-rapids.org

**Phone Number/Ext.:** 5913

**Alternate Contact Person:** Kevin Kirchner  
**E-mail Address:** k.kirchner@cedar-rapids.org

**Phone Number/Ext.:** 5902

**Description of Agenda Item:** Intent and levy assessments  
 Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 3 properties.  
 CIP/DID #WTR0609-001

**EnvisionCR Element/Goal:** Routine business - EnvisionCR does not apply

### Background:

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

Below are the steps taken in typical situations:

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

The Notice of Intent to Assess the properties was approved by City Council Resolution No. 0828-06-15 on June 9, 2015.

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

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

**Alternative Recommendation (if applicable):** The City Council could decide not to lien delinquent municipal utility bills.

**Time Sensitivity:** Normal

**Resolution Date:** 7/14/15

**Budget Information:** N/A

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

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\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

## SPECIAL ASSESSMENTS (TO BE LIENED) 7/14/15

SPECIAL ASSESSMENTS 7/14/15			
LIEN INTENTS 6/09/15			
#	Balance Due	Premise Address	
1	\$ 218.62	229 27TH ST NW	
2	\$ 189.51	312 16TH ST NE	
3	\$ 202.36	2022 LINN BLVD SE	
	<b>\$ 610.49</b>	<b>Grand Total</b>	
	<b>3</b>	<b>Number of Properties</b>	
	<b>\$ 189.51</b>	<b>Balance Due - Low</b>	
	<b>\$ 218.62</b>	<b>Balance Due - High</b>	



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Extension:** 5848

**Alternate Contact Person:** Loren Snell, PE  
**E-mail Address:** l.snell@cedar-rapids.org

**Phone Number/Extension:** 5804

**Description of Agenda Item:** Maintenance bonds

Resolution accepting Portland Cement Concrete pavement in Red Rock Addition – Phase III and approving 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$40,000.

CIP/DID #47-12-016

**EnvisionCR Element/Goal:** StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

**Background:** Construction work in Red Rock Addition – Phase III has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bond provided represents the construction value of the infrastructure improvements based on the developer's contract price for the infrastructure improvements.

**Action/Recommendation:** The Public Works Department recommends adoption of the Resolution to accept the maintenance bond as submitted by E & F Paving Company, LLC.

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

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** Private

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Rathje Construction Company has constructed storm sewer in Red Rock Addition – Phase III, and

WHEREAS, said work has now been completed, and Rathje Construction Company has filed a 2-year Maintenance Bond, executed by United Fire & Casualty Company in the sum of \$33,140.50 covering said work, now therefore

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

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Extension:** 5848

**Alternate Contact Person:** Loren Snell, PE  
**E-mail Address:** l.snell@cedar-rapids.org

**Phone Number/Extension:** 5804

**Description of Agenda Item:** Maintenance bonds

Resolution accepting Portland Cement Concrete pavement in Red Rock Addition – Phase III and approving 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$40,000.

CIP/DID #47-12-016

**EnvisionCR Element/Goal:** StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

**Background:** Construction work in Red Rock Addition – Phase III has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bond provided represents the construction value of the infrastructure improvements based on the developer's contract price for the infrastructure improvements.

**Action/Recommendation:** The Public Works Department recommends adoption of the Resolution to accept the maintenance bond as submitted by E & F Paving Company, LLC.

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

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** Private

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Rathje Construction Company has constructed sanitary sewer in Red Rock Addition – Phase III, and

WHEREAS, said work has now been completed, and Rathje Construction Company has filed a 2-year Maintenance Bond, executed by United Fire & Casualty Company in the sum of \$12,362.50 covering said work, now therefore

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

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Extension:** 5848

**Alternate Contact Person:** Loren Snell, PE  
**E-mail Address:** l.snell@cedar-rapids.org

**Phone Number/Extension:** 5804

**Description of Agenda Item:** Maintenance bonds

Resolution accepting Portland Cement Concrete pavement in Red Rock Addition – Phase III and approving 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$40,000.

CIP/DID #47-12-016

**EnvisionCR Element/Goal:** StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

**Background:** Construction work in Red Rock Addition – Phase III has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bond provided represents the construction value of the infrastructure improvements based on the developer's contract price for the infrastructure improvements.

**Action/Recommendation:** The Public Works Department recommends adoption of the Resolution to accept the maintenance bond as submitted by E & F Paving Company, LLC.

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

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** Private

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, E & F Paving Company, LLC has filed a Maintenance Bond executed by United Fire & Casualty Company in the sum of \$40,000 for Portland Cement Concrete pavement in Red Rock Addition - Phase III, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year Maintenance Bond filed by E & F Paving Company, LLC be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the acceptance of this street by the City of Cedar Rapids does not relieve Red Rock Development of the responsibility for:

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

The above items shall remain the responsibility of Red Rock Development until such time as all the adjacent area has been developed and proper erosion control measures have been accomplished, and

BE IT FURTHER RESOLVED that the 4-year Maintenance Bond filed by E & F Paving Company, LLC be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Extension:** 5848

**Alternate Contact Person:** Loren Snell, PE  
**E-mail Address:** l.snell@cedar-rapids.org

**Phone Number/Extension:** 5804

**Description of Agenda Item:** Accept projects

Resolution accepting project and authorizing final payment in the amount of \$4,029.86 to Vieth Construction Corporation for the Prairie Drive NE from 29<sup>th</sup> Street to Franklin Avenue Portland Cement Concrete (PCC) Sidewalk project (original contract amount was \$139,741; final contract amount is \$134,328.69).

CIP/DID #301385-01

**EnvisionCR Element/Goal:** ConnectCR Goal 4: Improve the function and appearance of our key corridors.

**Background:** Construction has been substantially completed by Vieth Construction Corporation for the Prairie Drive NE from 29<sup>th</sup> Street to Franklin Avenue Portland Cement Concrete (PCC) Sidewalk. This is an approved Capital Improvements Project (CIP No. 301385-01) (IDOT No. SRTS-U-1187(760)—8U-57) with a final construction contract amount of \$134,328.69. 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 issue final payment to the contractor in the amount of \$4,029.86.

**Alternative Recommendation:** There is no alternative recommendation but an alternative action is to not accept the project. If the project is not accepted, the project cannot be closed out (retainage cannot be released to Contractor) and City could be subject to claims since Contractor has fulfilled the terms of the construction contract.

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** 301385 SRTS

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee: Yes**

**Explanation:** On May 21, 2013, the Infrastructure Committee recommended abandoning assessments for this Prairie Drive NE Sidewalk project and proceeding with the addition to the project of sidewalk on the east side of Prairie Drive between 29<sup>th</sup> Street and 27<sup>th</sup> Street. Subsequently, the City Council passed Resolution No. 0845-05-13, abandoning the Resolution of Necessity in regard to the assessments.

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City Engineer certifies construction contract work on the Prairie Drive NE from 29<sup>th</sup> Street to Franklin Avenue Portland Cement Concrete (PCC) Sidewalk project (Contract No. 301385-01) (IDOT No. SRTS-U-1187(760)—8U-57), has been substantially completed in accordance with the approved plans and specifications, and

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

Original Contract Amount	\$139,741.00
Change Order No. 1	4,486.72
Change Order No. 2	5,659.08
Change Order No. 3	<u>(15,558.11)</u>
Amended Contract Amount	\$134,328.69

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that based on the City Engineer's recommendation, the Prairie Drive NE from 29<sup>th</sup> Street to Franklin Avenue Portland Cement Concrete (PCC) Sidewalk project, (Contract No. 301385-01) (IDOT No. SRTS-U-1187(760)—8U-57) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$4,029.86 to Vieth Construction Corp. as final payment.

The final contract price is \$134,328.69 distributed as follows: \$134,328.69 301-301000-301385, 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\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG





**PRAIRIE DRIVE NE  
FROM 29TH STREET TO FRANKLIN AVENUE  
SIDEWALK PROJECT**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Extension:** 5848

**Alternate Contact Person:** Loren Snell, PE  
**E-mail Address:** l.snell@cedar-rapids.org

**Phone Number/Extension:** 5804

**Description of Agenda Item:** Accept projects

Resolution approving Change Order No. 17 (Final) in the amount of \$337,278.29 and accepting project with Peterson Contractors, Inc. for the 1<sup>st</sup> Avenue (IA 922/US BUS 151) Marion Boulevard & Collins Road, PCC (Portland Cement Concrete) Pavement Widening with HMA (Hot Mix Asphalt) Resurfacing project (original contract amount was \$7,661,700.36; final contract amount is \$9,297,653.46).

CIP/DID #301447-02

**EnvisionCR Element/Goal:** ConnectCR Goal 4: Improve the function and appearance of our key corridors.

**Background:** Per terms of this agreement, contract modifications are to be processed through IDOT's Field Manager system. Signatures are required for each included Contract Modification. This change order provides a summary of current and previous changes to this contract. This represents the final field-measured quantities necessary to perform the approved work. Final quantities were provided by IDOT on Pay Estimate 42.

Construction has been substantially completed by Peterson Contractors, Inc. for the 1<sup>st</sup> Avenue (IA 922/US BUS 151) Marion Boulevard & Collins Road, PCC (Portland Cement Concrete) Pavement Widening with HMA (Hot Mix Asphalt) Resurfacing project. This is an approved Capital Improvements Project (CIP No. 301447-02) with a final construction contract amount of \$9,297,653.46. 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 approval of Change Order No. 17 (Final) and adoption of the Resolution to accept the project with Peterson Contractors, Inc.

**Alternative Recommendation:** There is no alternative recommendation but an alternative action is to not accept the project. If the project is not accepted the City could be subject to claims since Contractor has fulfilled the terms of the construction contract.

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** Change order costs are within the planned and approved construction contingency allowance for the project

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** Yes  
**Explanation:** Reviewed by the Infrastructure Committee on June 19, 2012

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Public Works Director / City Engineer certifies that the work on the 1<sup>st</sup> Avenue (IA 922/US BUS 151) Marion Boulevard & Collins Road, PCC (Portland Cement Concrete) Pavement Widening with HMA (Hot Mix Asphalt) Resurfacing project (Contract No. 301447-02), has been substantially completed in accordance with the plans and specifications.

NOW THEREFORE, 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. 17 (Final) in the amount of \$337,278.29 with Peterson Contractors, Inc. for the 1<sup>st</sup> Avenue (IA 922/US BUS 151) Marion Boulevard & Collins Road, PCC (Portland Cement Concrete) Pavement Widening with HMA (Hot Mix Asphalt) Resurfacing, Contract No. 301447-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$7,457,200.36
Possible Incentive	204,500.00
Change Order No. 1	209,225.15
Change Order No. 2	137,712.72
Change Order No. 3	74,846.20
Change Order No. 4	30,868.36
Change Order No. 5	155,399.82
Change Order No. 6	40,090.40
Change Order No. 7	22,548.13
Change Order No. 8	78,696.15
Change Order No. 9	355,437.77
Change Order No. 10	56,752.15
Change Order No. 11	5,225.00
Change Order No. 12	(36,542.33)
Change Order No. 13	8,466.76
Change Order No. 14	3,445.75
Change Order No. 15	291,466.15
Change Order No. 16	46,536.63
Change Order No. 17 (Final)	337,278.29
Removal of Original Incentive	<u>(181,500.00)</u>
Amended Contract Amount	<u>\$9,297,653.46</u>

General ledger coding for this Change Order to be as follows: \$155,778.29

(\$181,522.15)	301-301000-30185-301447
\$135,976.72	301-301000-30186-301447
\$27,193.19	301-301000-30187-301447
\$2,265.76	301-301000-30188-301447
\$84,286.70	301-301000-30189-301447
(\$22,769.15)	306-306000-30685-306183
(\$10,055.36)	306-306000-30686-306183
\$625.00	354-354000-35486-354004
\$44,740.14	655-655000-65585-655932
\$75,037.44	625-625000-6252009081-625884

BE IT FURTHER RESOLVED that the 1<sup>st</sup> Avenue (IA 922/US BUS 151) Marion Boulevard & Collins Road, PCC (Portland Cement Concrete) Pavement Widening with HMA (Hot Mix Asphalt) Resurfacing, (Contract No. 301447-06) be and the same is hereby accepted by the City Public Works Department.

The final contract price is \$9,297,653.46 distributed as follows:

\$273,663.10	301-301000-30185-301447
\$2,888,021.12	301-301000-30186-301447
\$1,134,114.91	301-301000-30187-301447
\$41,135.76	301-301000-30188-301447
\$3,840,154.28	301-301000-30189-301447
\$4,235.00	306-306000-30685-306183
\$298,291.77	306-306000-30686-306183
\$15,947.80	354-354000-35486-354004
\$146,064.06	655-655000-65585-655932
\$656,025.66	625-625000-6252009081-625884

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\_DAY\_TAG

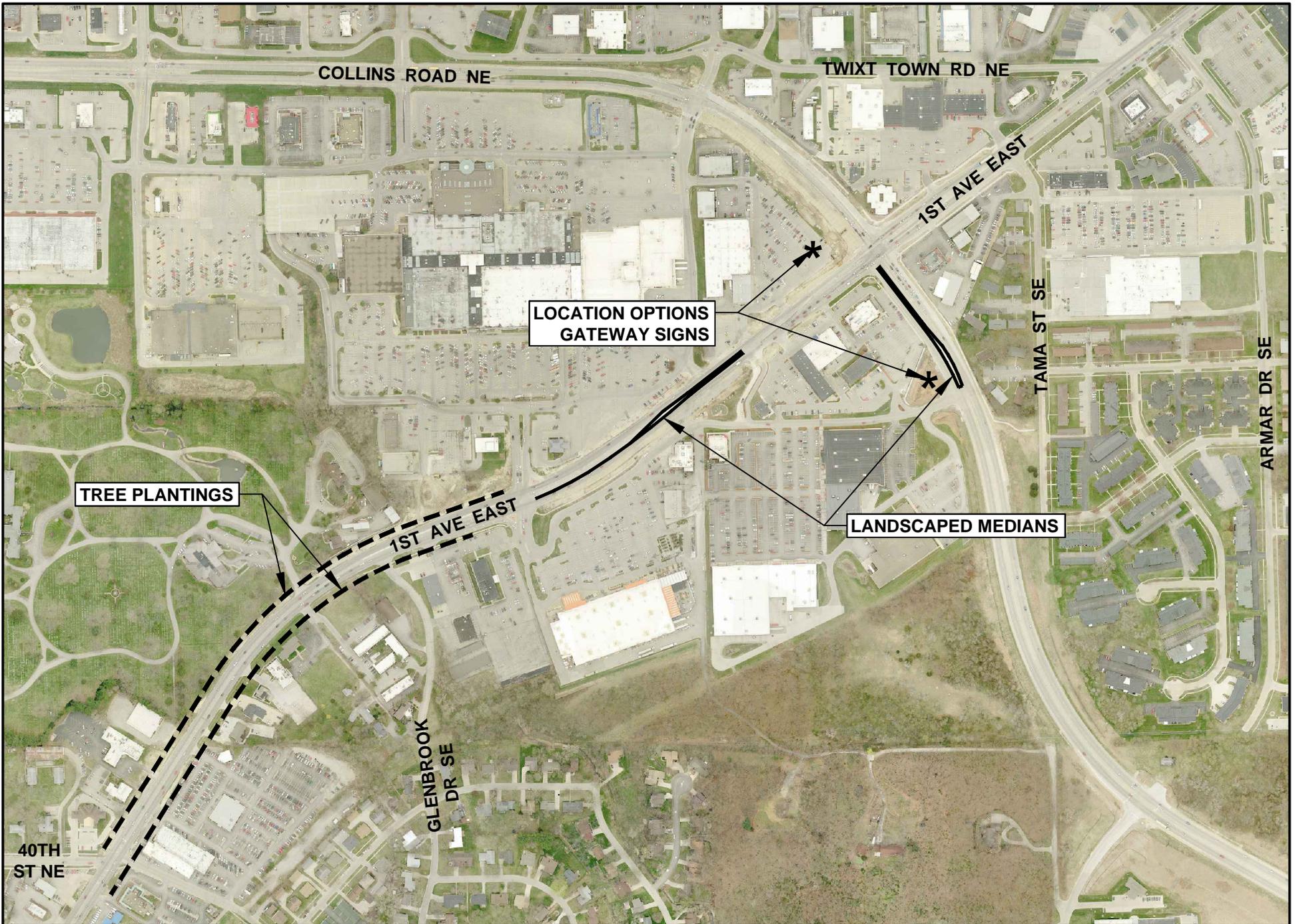
LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



**1ST AVENUE EAST AND COLLINS ROAD  
MEDIAN / AESTHETIC IMPROVEMENTS**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Sandi Fowler

**Phone Number/Extension:** 5077

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

**Alternate Contact Person:** Craig Hanson

**Phone Number/Extension:** 5867

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

**Description of Agenda Item:** Purchases, contracts and agreements

Resolution authorizing release of partial final payment in the amount of \$239,638.68 to Modern Piping, Inc. for the Cedar Rapids City Services Center - Bid Package 2 - Phase 2 Demolition, Sitework and New Building Construction Project - Mechanical & Plumbing project (original contract amount was 4,570,000; amended contract amount is \$4,792,773) **(Flood)**.

CIP/DID #PWE006-23

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:** Construction has been substantially completed by Modern Piping, Inc. for the Cedar Rapids City Services Center - Bid Package 2 - Phase 2 Demolition, Sitework and New Building Construction Project - Mechanical & Plumbing project with a final construction contract amount of \$4,792,773. Funding resources for this project were approved in FY 15 and prior years and the project was completed within the approved budget.

**Action/Recommendation:** The Public Works Department and Ryan Companies, US, Inc. (the Construction Manager) recommend the issuance of partial final payment to the contractor in the amount of \$239,638.68. The final release of \$115.78 in retainage will be held until additional work is completed.

**Alternative Recommendation:** Council could decide to hold entire retainage amount until additional construction items are completed.

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** FEMA (Flood)

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** Yes

**Explanation:** Project update provided at June 19, 2012 Infrastructure Committee Meeting.

RESOLUTION NO. LEG\_NUM\_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Engineer certifies that the work on the Cedar Rapids City Services Center - Bid Package 2 - Phase 2 Demolition, Sitework and New Building Construction (Mechanical & Plumbing) project (Contract PWE006-23), has been substantially completed in accordance with the plans and specifications and that the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$239,638.68 to Modern Piping, Inc. as a partial final payment, and

BE IT FURTHER RESOLVED THAT \$115.78 of the retainage will be held until additional work is completed.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Sandi Fowler  
**E-mail Address:** [s.fowler@cedar-rapids.org](mailto:s.fowler@cedar-rapids.org)

**Phone Number/Extension:** 5077

**Alternate Contact Person:** Craig Hanson  
**E-mail Address:** [c.hanson@cedar-rapids.org](mailto:c.hanson@cedar-rapids.org)

**Phone Number/Extension:** 5867

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolution authorizing release of partial final payment in the amount of \$425,210.56 to Miron Construction Company, Inc. for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction - General Contractor project (original contract amount was \$19,185,000; amended contract amount is \$20,190,763.10) **(FLOOD)**.  
 CIP/DID #PWE006-21

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:** Construction has been substantially completed by Miron Construction Company, Inc. for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction - General Contractor project with a final construction contract amount of \$20,190,763.10. Funding resources for this project were approved in FY15 and prior years and the project completed within the approved budget.

**Action/Recommendation:** The Public Works Department and Ryan Companies, US, Inc. (the Construction Manager) recommend the issuance of partial final payment to the contractor in the amount of \$425,210.56. The final release of \$40,000 in retainage will be held until additional work is completed.

**Alternative Recommendation:** Council could decide to hold entire retainage amount until additional construction items are complete.

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** FEMA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Engineer certifies that the work on the Cedar Rapids City Services Center project Cedar Rapids City Services Center - Bid Package 2 - Phase 2 Demolition, Sitework and New Building Construction - General Contractor project (Contract PWE006-21), has been substantially completed in accordance with the plans and specifications and that the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$425,210.56 to Miron Construction Company, Inc. as a partial final payment, and

BE IT FURTHER RESOLVED THAT \$40,000 of the retainage will be held until additional work is completed.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



8TH AVENUE SW

9TH AVENUE SW

7TH ST SW

10TH AVENUE SW

12TH AVENUE SW

CITY SERVICES CENTER

6TH STREET SW

4TH STREET SW

N ST SW

M ST SW

14TH AVENUE SW

15TH AVENUE SW

16TH AVENUE SW



CITY SERVICES CENTER





## Council Agenda Item Cover Sheet

**Submitting Department:** Veterans Memorial

**Presenter at Meeting:** Mike Jager  
**E-mail Address:** m.jager@cedar-rapids.org

**Phone Number/Ext.:** 5039

**Alternate Contact Person:** Nikee Woods  
**E-mail Address:** n.woods@cedar-rapids.org

**Phone Number/Ext.:** 5033

**Description of Agenda Item:** Purchases, contracts and agreements  
 Change Order No. 17 in the amount of \$428 with Rinderknecht Associates, Inc. for the Veterans Memorial Phase I project (original contract amount was \$5,540,000; final contract amount is \$6,220,252)  
 CIP/DID #VME001-03

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:**

RFI #091	<\$ 231.00>
TCIDC-020	\$ 659.00
TOTAL	\$ 428.00

**Action/Recommendation:** Veterans Memorial Commission recommends the approval of Change Order No. 17 to increase the contract amount for Rinderknecht Associates, Inc. and adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of \$311,012.60

**Alternative Recommendation:** If Council does not approve the Change Order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made

**Time Sensitivity:** Normal

**Resolution Date:** 07/14/2015

**Budget Information:** VME001-03 and VME001-IJN

**Local Preference Policy:**  
**Explanation:**

**Recommended by Council Committee:**  
**Explanation:**

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Veterans Memorial Commission certifies that Change Order No. 17, dated May 20, 2015 from Rinderknecht Associates, Inc., in the amount of \$428.00, regarding Veterans Meorial Building - Phase I project, was received, and

WHEREAS, a Performance Bond, November 21, 2011 in the amount of \$5,540,000 covering said work filed by Rinderknecht Associates, Inc. and executed by Hartford fire Insurance Company provides a two-year correction period for defects in materials and workmanship, and, and

WHEREAS, Upon the filing of a withdrawal of Day Mechanical's 573 claims, the City will release the balance of the retainage to Rinderknecht. In the event that Day Mechanical's 573 claims are not withdrawn, the City shall withhold the amounts required by law and release the balance to Rinderknecht, and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to execute Change Order No. 17 from Rinderknecht Associates, Inc., for the Veterans Memorial Phase I project, Contract No. VME001-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$5,540,000.00
Change Order No. 1	9,264.00
Change Order No. 2	249,446.00
Change Order No. 3	86,896.00
Change Order No. 4	48,251.00
Change Order No. 5	109,121.00
Change Order No. 6	11,625.00
Change Order No. 7	30,883.00
Change Order No. 8	54,510.00
Change Order No. 9	38,822.00
Change Order No. 10	922.00
Change Order No. 11	5,826.00
Change Order No. 12	0.00
Change Order No. 13	8,134.00
Change Order No. 14	14,811.00
Change Order No. 15	9,484.00
Change Order No. 16	1,829.00
Change Order No. 17	428.00
	<hr/>
Amended Contract Amount	\$6,220,252.00

General ledger coding for this Change Order to be as follows: (\$428) FEMA Funded 552000-330-330020-18512-VME001, (\$0) I-Jobs Funded 552000-330-330020-18517-VME001-IJN.

BE IT FURTHER RESOLVED, that the Veterans Memorial Building Phase II project (Contract No. VME001-03) be and the same is hereby accepted by the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$311,012.60 To Rinderknecht Associates, Inc. as final payment:

The final contract price is \$6,220,252.00 distributed as follows: \$5,010,746.00 552000-330-330020-18512-VME001, \$1,209,506.00 552000-330-330020-18517-VME001-IJN,

BE IT FURTHER RESOLVED, that the two-year correction period as provided by the Performance Bond commences on this date, and

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Veterans Memorial

**Presenter at Meeting:** Mike Jager  
**E-mail Address:** m.jager@cedar-rapids.org

**Phone Number/Ext.:** 5039

**Alternate Contact Person:** Nikee Woods  
**E-mail Address:** n.woods@cedar-rapids.org

**Phone Number/Ext.:** 5033

**Description of Agenda Item:** Purchases, contracts and agreements  
 Change Order No. 16 in the amount of \$37,557 with Rinderknecht Associates, Inc. for the Veterans Memorial Phase II project (original contract amount was \$4,687,000; total contract amount with this amendment is \$5,226,288).  
 CIP/DID #VME001-04

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:**

TCIDC #2004.1	\$ 22,746
RFI #2062	\$ 4,676
ASI #2020	\$ 1,402
PR #2035	\$ 3,978
TCIDC #2010	\$ 1,127
TCIDC #2012	\$ 1,138
TCIDC #2011	\$ 2,490
TOTAL	\$37,557

**Action/Recommendation:** Veterans Memorial Commission recommends the approval of Change Order No. 16 and adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of \$261,314.40.

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

**Time Sensitivity:** Normal

**Resolution Date:** 07/14/2015

**Budget Information:** VME001-04 and VME001-IJN

**Local Preference Policy:**  
**Explanation:**

**Recommended by Council Committee:**  
**Explanation:**

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Veterans Memorial Commission certifies that the work on the Veterans Memorial Building (Contract No. VME001-04), has been substantially completed in accordance with the plans and specifications, and

WHEREAS, a Performance Bond, December 27, 2011 in the amount of \$4,687,000 covering said work filed by Rinderknecht Associates, Inc. and executed by Hartford fire Insurance Company provides a two-year correction period for defects in materials and workmanship, and

WHEREAS, Upon the filing of a withdrawal of Day Mechanical's 573 claims, the City will release the balance of the retainage to Rinderknecht Associates Inc. In the event that Day Mechanical's 573 claims are not withdrawn, the City shall withhold the amounts required by law and release the balance to Rinderknecht Associates Inc, and

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. 16 from Rinderknecht Associates, Inc., for the Veterans Memorial Phase II project, Contract No. VME001-04. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$4,687,000.00
Change Order No. 1	48,369.00
Change Order No. 2	46,305.00
Change Order No. 3	79,418.00
Change Order No. 4	64,175.00
Change Order No. 5	69,383.00
Change Order No. 6	2,697.00
Change Order No. 7	12,635.00
Change Order No. 8	64,498.00
Change Order No. 9	9,937.00
Change Order No. 10	7,763.00
Change Order No. 11	0.00
Change Order No. 12	82,227.00
Change Order No. 13	6,592.00
Change Order No. 14	2,818.00
Change Order No. 15	4,914.00
Change Order No. 16	<u>37,557.00</u>
Amended Contract Amount	\$5,226,288.00

General ledger coding for this Change Order to be as follows: (\$18,769) FEMA Funded 552000-330-330020-18512-VME001, (\$18,788) I-Jobs Funded 552000-330-330020-18517-VME001-IJN.

BE IT FURTHER RESOLVED, that the Veterans Memorial Building Phase II project (Contract No. VME001-04) be and the same is hereby accepted by the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$261,314.40 to Rinderknecht Associates, Inc. as final payment:

The final contract price is \$5,226,288.00 distributed as follows: \$2,912,352.00, 552000-330-330020-18512-VME001, \$2,313,936.00 552000-330-330020-18517-VME001-IJN

BE IT FURTHER RESOLVED, that the two-year correction period as provided by the Performance Bond commences on this date, and

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

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LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

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## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development - Housing

**Presenter at Meeting:** Erika Kubly  
**E-mail Address:** [e.kubly@cedar-rapids.org](mailto:e.kubly@cedar-rapids.org)

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

**Alternate Contact Person:** Paula Mitchell  
**E-mail Address:** [p.mitchell@cedar-rapids.org](mailto:p.mitchell@cedar-rapids.org)

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolutions authorizing execution of Development Agreements for properties participating in the fourth round of the Single Family New Construction Program.

- a. Thomas Dostal Developers, Inc. for property at 5309 Dostal Drive SW
- b. Thomas Dostal Developers, Inc. for property at 5311 Dostal Drive SW
- c. Thomas Dostal Developers, Inc. for property at 5411 Dostal Drive SW
- d. Thomas Dostal Developers, Inc. for property at 5413 Dostal Drive SW

CIP/DID #OB540257

**EnvisionCR Element/Goal:** StrengthenCR Goal 4: Create a city that is affordable and accessible to all members of the community.

**Background:** The resolutions for City Council consideration provide for the execution of Development Agreements with the above listed developers and associated properties through the fourth round of the Single Family New Construction Program, known locally as the ROOTS program. The properties have been awarded through a competitive proposal process and the City and developers are ready to execute the Development Agreements to allow construction on the home to begin. To date, 37 such agreements for privately-owned property have been executed for the fourth round of the ROOTS program.

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

- a. Property is being conveyed to the qualified developer based on the investment provided by the developer in the construction of a single-family home;
- b. Developer agrees to commence construction by August 1, 2015, and complete all projects prior to the end of the program in December 2015;
- c. Developer is responsible to resolve conflicts with adjacent property owners and purchasers that might result from the construction project;
- d. Developer is responsible for maintaining the property in accordance with all City and State codes;
- e. Developer shall comply with all program requirements pertaining to the sale of the property to a qualified buyer.

On October 8, 2013, by Resolution No. 1591-10-13, the City Council approved the Administrative Plan for the fourth round of the Single Family New Construction (SFNC) Program; and,

On March 12, 2015, by Resolution No. 0336-03-15, the City Council approved Amendment No. 2 to the Administrative Plan for the fourth round of the Single Family New Construction (SFNC) Program. The modifications to the administrative plan allow for development in Tiers 1, 2, and 3 under the following circumstances:

- Actual allocation outside Tier 1 will be subject to application review and funding availability.
- Shovel readiness will receive scoring consideration.
- The order of priority for allocation will be lots in Tier 1, followed by lots in Tier 2, with lots in Tier 3 receiving the lowest point value for location.
- Ongoing process for reallocation of lots that do not move forward to ensure full expenditure of grant resources.

Through a competitive proposal process, developers submitted applications for the program which listed “preference sites”. These sites include City-owned being acquired through the Voluntary Property Acquisition Program and privately-owned property. A team of City staff and neighborhood representatives 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 202 properties have been identified by 28 developers in the current phase of property allocation for this program.

**Action/Recommendation:** City staff recommends approval of the resolution.

**Alternative Recommendation:** City Council may table the resolution and request additional information.

**Time Sensitivity:** Builders are working to meet a December 31, 2015 program deadline.

**Resolution Date:** July 14, 2015

**Budget Information:** N/A

**Local Preference Policy:** NA

**Explanation:**

**Recommended by Council Committee:** NA

**Explanation:**

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution No. 1591-10-13 approving the administrative plan and local program guidelines for the fourth round of the Single Family New Construction Program (SFNC); and

WHEREAS, on April 12, 2015, the City Council passed Resolution No. 0336-03-15 which modified the administrative plan (Amendment No. 2) and local program guidelines to allow for development in Tier 1, 2, and 3 boundary areas under specific circumstances; and

WHEREAS, the Developer agrees to construct a single-family dwelling on the privately-owned property at 5309 Dostal Drive SW, 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 Thomas Dostal Developers, Inc. for property at 5309 Dostal Drive SW.

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MayorSignature

Attest:

ClerkSignature

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RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution No. 1591-10-13 approving the administrative plan and local program guidelines for the fourth round of the Single Family New Construction Program (SFNC); and

WHEREAS, on April 12, 2015, the City Council passed Resolution No. 0336-03-15 which modified the administrative plan (Amendment No. 2) and local program guidelines to allow for development in Tier 1, 2, and 3 boundary areas under specific circumstances; and

WHEREAS, the Developer agrees to construct a single-family dwelling on the privately-owned property at 5311 Dostal Drive SW, 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 Thomas Dostal Developers, Inc. for property at 5311 Dostal Drive SW.

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MayorSignature

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52-11-013

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution No. 1591-10-13 approving the administrative plan and local program guidelines for the fourth round of the Single Family New Construction Program (SFNC); and

WHEREAS, on April 12, 2015, the City Council passed Resolution No. 0336-03-15 which modified the administrative plan (Amendment No. 2) and local program guidelines to allow for development in Tier 1, 2, and 3 boundary areas under specific circumstances; and

WHEREAS, the Developer agrees to construct a single-family dwelling on the privately-owned property at 5411 Dostal Drive SW, 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 Thomas Dostal Developers, Inc. for property at 5411 Dostal Drive SW.

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MayorSignature

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52-11-013

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution No. 1591-10-13 approving the administrative plan and local program guidelines for the fourth round of the Single Family New Construction Program (SFNC); and

WHEREAS, on April 12, 2015, the City Council passed Resolution No. 0336-03-15 which modified the administrative plan (Amendment No. 2) and local program guidelines to allow for development in Tier 1, 2, and 3 boundary areas under specific circumstances; and

WHEREAS, the Developer agrees to construct a single-family dwelling on the privately-owned property at 5413 Dostal Drive SW, 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 Thomas Dostal Developers, Inc. for property at 5413 Dostal Drive SW.

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MayorSignature

Attest:

ClerkSignature

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## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development - Housing

**Presenter at Meeting:** Erika Kubly  
**E-mail Address:** [e.kubly@cedar-rapids.org](mailto:e.kubly@cedar-rapids.org)

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

**Alternate Contact Person:** Paula Mitchell  
**E-mail Address:** [p.mitchell@cedar-rapids.org](mailto:p.mitchell@cedar-rapids.org)

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolutions authorizing execution of Development Agreements for properties participating in the fourth round of the Single Family New Construction Program.

- a. Johannes Brothers Construction, Inc. for property at 1616 34<sup>th</sup> Street SE.
- b. Johannes Brothers Construction, Inc. for property at 1618 34<sup>th</sup> Street SE.
- c. Johannes Brothers Construction, Inc. for property at 1620 34<sup>th</sup> Street SE.
- d. Johannes Brothers Construction, Inc. for property at 1622 34<sup>th</sup> Street SE.
- e. Johannes Brothers Construction, Inc. for property at 1624 34<sup>th</sup> Street SE.
- f. Johannes Brothers Construction, Inc. for property at 1626 34<sup>th</sup> Street SE.

CIP/DID #OB540257

**EnvisionCR Element/Goal:** StrengthenCR Goal 4: Create a city that is affordable and accessible to all members of the community.

**Background:** The resolutions for City Council consideration provide for the execution of Development Agreements with the above listed developer and associated properties through the fourth round of the Single Family New Construction Program, known locally as the ROOTs program. The properties have been awarded through a competitive proposal process and the City and developers are ready to execute the Development Agreements to allow construction on the home to begin. To date, 37 such agreements for privately-owned property have been executed for the fourth round of the ROOTs program.

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

- a. Developer agrees to commence construction by August 1, 2015, and complete all projects prior to the end of the program in December 2015;
- b. Developer is responsible to resolve conflicts with adjacent property owners and purchasers that might result from the construction project;
- c. Developer is responsible for maintaining the property in accordance with all City and State codes;
- d. Developer shall comply with all program requirements pertaining to the sale of the property to a qualified buyer.

On October 8, 2013, by Resolution No. 1591-10-13, the City Council approved the Administrative Plan for the fourth round of the Single Family New Construction (SFNC) Program; and,

On March 12, 2015, by Resolution No. 0336-03-15, the City Council approved Amendment No. 2 to the Administrative Plan for the fourth round of the Single Family New Construction (SFNC) Program. The modifications to the administrative plan allow for development in Tiers 1, 2, and 3 under the following circumstances:

- Actual allocation outside Tier 1 will be subject to application review and funding availability.
- Shovel readiness will receive scoring consideration.
- The order of priority for allocation will be lots in Tier 1, followed by lots in Tier 2, with lots in Tier 3 receiving the lowest point value for location.
- Ongoing process for reallocation of lots that do not move forward to ensure full expenditure of grant resources.

Through a competitive proposal process, developers submitted applications for the program which listed “preference sites”. These sites include City-owned being acquired through the Voluntary Property Acquisition Program and privately-owned property. A team of City staff and neighborhood representatives 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 202 properties have been identified by 28 developers in the current phase of property allocation for this program.

**Action/Recommendation:** City staff recommends approval of the resolution.

**Alternative Recommendation:** City Council may table the resolution and request additional information.

**Time Sensitivity:** Builders are working to meet a December 31, 2015 program deadline.

**Resolution Date:** July 14, 2015

**Budget Information:** N/A

**Local Preference Policy:** NA

**Explanation:**

**Recommended by Council Committee:** NA

**Explanation:**

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution No. 1591-10-13 approving the administrative plan and local program guidelines for the fourth round of the Single Family New Construction Program (SFNC); and

WHEREAS, on April 12, 2015, the City Council passed Resolution No. 0336-03-15 which modified the administrative plan (Amendment No. 2) and local program guidelines to allow for development in Tier 1, 2, and 3 boundary areas under specific circumstances; and

WHEREAS, the Developer agrees to construct a single-family dwelling on the privately-owned property at 1616 34<sup>th</sup> Street SE, 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 Johannes Brothers Construction, Inc. for property at 1616 34<sup>th</sup> Street SE.

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MayorSignature

Attest:

ClerkSignature

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RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution No. 1591-10-13 approving the administrative plan and local program guidelines for the fourth round of the Single Family New Construction Program (SFNC); and

WHEREAS, on April 12, 2015, the City Council passed Resolution No. 0336-03-15 which modified the administrative plan (Amendment No. 2) and local program guidelines to allow for development in Tier 1, 2, and 3 boundary areas under specific circumstances; and

WHEREAS, the Developer agrees to construct a single-family dwelling on the privately-owned property at 1618 34<sup>th</sup> Street SE, 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 Johannes Brothers Construction, Inc. for property at 1618 34<sup>th</sup> Street SE.

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MayorSignature

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asrRESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution No. 1591-10-13 approving the administrative plan and local program guidelines for the fourth round of the Single Family New Construction Program (SFNC); and

WHEREAS, on April 12, 2015, the City Council passed Resolution No. 0336-03-15 which modified the administrative plan (Amendment No. 2) and local program guidelines to allow for development in Tier 1, 2, and 3 boundary areas under specific circumstances; and

WHEREAS, the Developer agrees to construct a single-family dwelling on the privately-owned property at 1620 34<sup>th</sup> Street SE, 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 Johannes Brothers Construction, Inc. for property at 1620 34<sup>th</sup> Street SE.

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MayorSignature

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ClerkSignature

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RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution No. 1591-10-13 approving the administrative plan and local program guidelines for the fourth round of the Single Family New Construction Program (SFNC); and

WHEREAS, on April 12, 2015, the City Council passed Resolution No. 0336-03-15 which modified the administrative plan (Amendment No. 2) and local program guidelines to allow for development in Tier 1, 2, and 3 boundary areas under specific circumstances; and

WHEREAS, the Developer agrees to construct a single-family dwelling on the privately-owned property at 1622 34<sup>th</sup> Street SE, 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 Johannes Brothers Construction, Inc. for property at 1622 34<sup>th</sup> Street SE.

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MayorSignature

Attest:

ClerkSignature

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## RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution No. 1591-10-13 approving the administrative plan and local program guidelines for the fourth round of the Single Family New Construction Program (SFNC); and

WHEREAS, on April 12, 2015, the City Council passed Resolution No. 0336-03-15 which modified the administrative plan (Amendment No. 2) and local program guidelines to allow for development in Tier 1, 2, and 3 boundary areas under specific circumstances; and

WHEREAS, the Developer agrees to construct a single-family dwelling on the privately-owned property at 1624 34<sup>th</sup> Street SE, 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 Johannes Brothers Construction, Inc. for property at 1624 34<sup>th</sup> Street SE.

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MayorSignature

Attest:

ClerkSignature

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RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution No. 1591-10-13 approving the administrative plan and local program guidelines for the fourth round of the Single Family New Construction Program (SFNC); and

WHEREAS, on April 12, 2015, the City Council passed Resolution No. 0336-03-15 which modified the administrative plan (Amendment No. 2) and local program guidelines to allow for development in Tier 1, 2, and 3 boundary areas under specific circumstances; and

WHEREAS, the Developer agrees to construct a single-family dwelling on the privately-owned property at 1626 34<sup>th</sup> Street SE, 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 Johannes Brothers Construction, Inc. for property at 1626 34<sup>th</sup> Street SE.

PASSED\_DAY\_TAG

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MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development - Housing

**Presenter at Meeting:** Erika Kubly  
**E-mail Address:** e.kubly@cedar-rapids.org

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

**Alternate Contact Person:** Paula Mitchell  
**E-mail Address:** p.mitchell@cedar-rapids.org

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

**Description of Agenda Item:** CONSENT AGENDA

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

- a. S & J Homes, LLC for property at 451 9<sup>th</sup> Avenue SW
- b. Hope Community Development Association, Inc. for property at 619 9<sup>th</sup> Avenue SW
- c. Hope Community Development Association, Inc. for property at 621 9<sup>th</sup> Avenue SW
- d. Scallon Custom Homes, LLC. for property at 933 4<sup>th</sup> Street SW

CIP/DID #OB540257

**EnvisionCR Element/Goal:** StrengthenCR Goal 4: Create a city that is affordable and accessible to all members of the community.

**Background:** The resolutions for City Council consideration provides for the execution of Development Agreement and Special Warranty Deeds with the above listed developers and associated properties through the fourth round of the Single Family New Construction Program, known locally as the ROOTs program. The properties have been awarded through a competitive proposal process and the City and developers are ready to execute the Development Agreement and deed to allow construction on the homes to begin. To date, 82 such agreements and deeds for City property have been executed for the fourth round of the ROOTs program.

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

- a. Property is being conveyed to the qualified developer based on the investment provided by the developer in the construction of a single-family home;
- b. Developer agrees to commence construction by August 1, 2015, and complete all projects prior to the end of the program in December 2015;
- c. Developer is responsible to resolve conflicts with adjacent property owners and purchasers that might result from the construction project;
- d. Developer is responsible for maintaining the property in accordance with all City and State codes;
- e. Developer shall comply with all program requirements pertaining to the sale of the property to a qualified buyer.

On October 8, 2013, by Resolution No. 1591-10-13, the City Council approved the Administrative Plan for the fourth round of the Single Family New Construction (SFNC) Program; and,

On March 12, 2015, by Resolution No. 0336-03-15, the City Council approved Amendment No. 2 to the Administrative Plan for the fourth round of the Single Family New Construction (SFNC) Program. The modifications to the administrative plan allow for development in Tiers 1, 2, and 3 under the following circumstances:

- Actual allocation outside Tier 1 will be subject to application review and funding availability.
- Shovel readiness will receive scoring consideration.
- The order of priority for allocation will be lots in Tier 1, followed by lots in Tier 2, with lots in Tier 3 receiving the lowest point value for location.
- Ongoing process for reallocation of lots that do not move forward to ensure full expenditure of grant resources.

Through a competitive proposal process, developers submitted applications for the program which listed “preference sites”. These sites include City-owned being acquired through the Voluntary Property Acquisition Program and privately-owned property. A team of City staff and neighborhood representatives 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 202 properties have been identified by 28 developers in the current phase of property allocation for this program.

**Action/Recommendation:** City staff recommends approval of these resolutions.

**Alternative Recommendation:** City Council may table and request additional information.

**Time Sensitivity:** Builders are working to meet a December 31, 2015 program deadline.

**Resolution Date:** July 14, 2015

**Budget Information:** NA

**Local Preference Policy:** NA

**Explanation:**

**Recommended by Council Committee:** NA

**Explanation:**

RESOLUTION NO. LEG\_NUM\_TAG

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

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

WHEREAS, the City purchased property at 451 9<sup>th</sup> Avenue SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars, and

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

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

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

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

BE IT FURTHER RESOLVED, that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property at 451 9<sup>th</sup> Avenue SW to S & J Homes, LLC. in accordance with the Development Agreement and that the Resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder.

PASSED\_DAY\_TAG

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MayorSignature

Attest:

ClerkSignature

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RESOLUTION NO. LEG\_NUM\_TAG

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

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

WHEREAS, the City purchased property at 619 9<sup>th</sup> Avenue SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars, and

WHEREAS, a public hearing was held on June 24, 2014, on the possible disposition of this property in accordance with Iowa Code; and

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

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

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

BE IT FURTHER RESOLVED, that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property at 619 9th Avenue SW to Hope Community Development Association, Inc. in accordance with the Development Agreement and that the Resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder.

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MayorSignature

Attest:

ClerkSignature

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RESOLUTION NO. LEG\_NUM\_TAG

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

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

WHEREAS, the City purchased property at 621 9<sup>th</sup> Avenue SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars, and

WHEREAS, a public hearing was held on June 24, 2014, on the possible disposition of this property in accordance with Iowa Code; and

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

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

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

BE IT FURTHER RESOLVED, that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property at 621 9th Avenue SW to Hope Community Development Association, Inc. in accordance with the Development Agreement and that the Resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

RESOLUTION NO. LEG\_NUM\_TAG

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

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

WHEREAS, the City purchased property at 933 4<sup>th</sup> Street SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars, and

WHEREAS, a public hearing was held on September 27, 2011, on the possible disposition of this property in accordance with Iowa Code; and

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

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

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

BE IT FURTHER RESOLVED, that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property at 933 4<sup>th</sup> Street SW to Scallon Custom Homes, L.L.C. in accordance with the Development Agreement and that the Resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Bruce Jacobs  
**E-mail Address:** b.jacobs@cedar-rapids.org

**Phone Number/Ext.:** 5913

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

**Phone Number/Ext.:** 5926

**Description of Agenda Item:** Purchases, contracts and agreements  
 Amendment No. 1 to the Professional Services Agreement with Dixon Engineering, Inc. specifying an increased amount not to exceed \$17,600 for the 2015 Cleaning, Repairing, and Painting of 2,000,000 Gallon Hydropillar – C St Water Tower project (original contract amount was \$52,900; total contract amount with this amendment is \$70,500).  
 CIP/DID #6250013-01

**EnvisionCR Element/Goal:** ConnectCR Goal 4: Improve the function and appearance of our key corridors.

**Background:**

Resolution No. 1115-08-14 passed by City Council on August 12, 2014 authorized the execution of a Professional Services Agreement with Dixon Engineering, Inc. for the design, bidding and project inspection required during the renovation of the 2015 Cleaning, Repairing, and Painting of 2,000,000 Gallon Hydropillar – C St Water Tower project (Contract No. 6250013-01).

It has been determined that twenty (20) additional days of inspection will be required to complete the project. An "Immediate Needs" form was completed authorizing Dixon Engineering, Inc. for additional inspection and reporting hours to ensure the project schedule was maintained and quality of work was completed to the highest standard.

**Action/Recommendation:** The Utilities Department – Water Division recommends that Amendment No. 1 to the PSA for an amount not to exceed \$17,600 for the 2015 Cleaning, Repairing, and Painting of 2,000,000 Gallon Hydropillar – C St Water Tower project (Contract No. 6250013-01) with Dixon Engineering, Inc. be hereby approved and that the City Manager and City Clerk be authorized to execute said Amendment.

**Alternative Recommendation:** None

**Time Sensitivity:** Amended Resolution needs to be approved at the 07/14/15 council meeting to ensure timely administrative processing of progress payments to Contractor.

**Resolution Date:** 07/14/2015

**Budget Information:** Yes. The project will be funded from the FY2015 Water Division Capital Improvement Projects budget. The project will be coded to the following CIP fund: 553000-625-625000-x-x-6250013.

**Local Preference Policy:** No  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids – Utilities Department executed a Professional Services Agreement with Dixon Engineering, Inc. on August 12, 2014 for the design, bidding and project inspection required during the renovation of the 2015 Cleaning, Repairing, and Painting of 2,000,000 Gallon Hydropillar – C St Water Tower project (Contract No. 6250013-01), and

WHEREAS, Amendment No. 1 is to amend the scope of services to include twenty (20) addition days of inspection that will be required to complete the project. An “Immediate Needs” form was completed authorizing Dixon Engineering, Inc. for additional inspection and reporting hours to ensure the project schedule was maintained and quality of work was completed to the highest standard.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Amendment No. 1 to the PSA for an amount not to exceed \$17,600 for the 2015 Cleaning, Repairing, and Painting of 2,000,000 Gallon Hydropillar – C St Water Tower project (Contract No. 6250013-01) with Dixon Engineering, Inc. be hereby approved and that the City Manager and City Clerk be authorized to execute said Amendment. A cost summary of the contract amendments for this project is as follows:

Original Contract Amount	\$52,900
Amendment No. 1	<u>+ 17,600</u>
Amended Contract Amount	\$70,500

To be funded from FY2015 Utilities Department - Water Division CIP budget and coded to the following CIP fund: 553000-625-625000-x-x-6250013.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Bruce Jacobs  
**E-mail Address:** b.jacobs@cedar-rapids.org

**Phone Number/Ext.:** 5913

**Alternate Contact Person:** Matthew Jensen  
**E-mail Address:** m.jensen@cedar-rapids.org

**Phone Number/Ext.:** 5937

**Description of Agenda Item:** Purchases, contracts and agreements Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$150,000 for the Water Division Electric Metering Upgrade project.  
 CIP/DID #6250043-01

**EnvisionCR Element/Goal:** GreenCR Goal 3: Lead in energy conservation and innovation.

**Background:** The Water Division owns and maintains facilities throughout the Cedar Rapids area that use a large amount of electrical power. This includes a City-owned 12.47 kV electric grid that supplies power to the two Water Plants and the well fields. However, the amount of electrical metering present in these facilities is limited, which makes it difficult to ascertain where in the system that electricity is being used. In an effort to improve the efficiency of the process systems and reduce power bills, the Water Division is embarking on a project to install additional electric metering in its facilities.

The goal of the project is to install additional electric meters at Water Division facilities in locations that are most likely to identify opportunities for energy reducing cost savings. This will include installing electric meters at Booster Stations, throughout the two Water Plants, and at the Horizontal Collector Wells. The data from these new meters will be combined with the data from existing electric meters to give the Water System Operators an overview of where electricity is being used in the system. This will allow the Operators to optimize the system so that clean water can be provided at the lowest possible energy cost.

The WPC Division recently completed a similar project to install electric metering. For that project, seven engineering firms were originally contacted for Statements of Qualifications to perform the design. The seven firms were: Stanley Consultants, Inc., Howard R. Green, HDR Engineering, Strand Associates, Inc., Ulteig Engineers, Brown and Caldwell, and PRVN Consultants. Packets detailing the experience of the firm and the proposed schedule for the project were received from Strand Associates, Stanley Consultants, Ulteig Engineers, and PRVN Consultants. The Utilities Department – WPC Division staff evaluated the qualifications of the responding firms and determined that the technical resources that Strand Associates could bring to the project best met the needs of the Utilities Department – WPC Division. Because the project at the WPC facility was successfully completed to satisfaction of the plant staff, the recommendation was made to use the same design engineers for the electric metering project for the Water Division. As such, the Water Division approached Strand Associates to design the electric metering upgrade.

**Action/Recommendation:** The Utilities Department – Water Division staff recommends approval of the Professional Services Agreement for an amount not to exceed \$150,000 with Strand Associates, Inc. for the Water Division Electric Metering Upgrade project and that the City Manager and City Clerk be authorized to execute said Agreement.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 07-14-15

**Resolution Date:** 07-14-15

**Budget Information:**

1. **Included in Current Budget Year?** Yes. The project will be funded from the FY2016 and FY2017 Water Division Capital Improvement Projects budget.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$200,000 in the FY2016 and \$500,000 in the FY2017 Capital Improvement Projects budget for the Water Division for the Water Division Electric Metering Upgrade project. The project will be coded to the following CIP fund: 553000-625-625000-x-x-6250043-NA.
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:** Yes

**Explanation:** Consultant selection process gives preference to local firms.

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids Utilities – Water Division needs to upgrade the electrical metering system that serves the J Avenue Water Plant, NW Water Plant, Collector Wells, Well Fields, and Booster Stations, and

WHEREAS, the WPC Division recently completed a similar project to install electric metering. For that project, seven engineering firms were originally contacted for Statements of Qualifications to perform the design. The Utilities Department – WPC Division staff evaluated the qualifications of the responding firms and determined that the technical resources that Strand Associates, Inc. could bring to the project best met the needs of the Utilities Department – WPC Division. Because the project at the WPC facility was successfully completed to the satisfaction of WPC staff, the recommendation was made to use the same design engineers for the electric metering project for the Water Division. As such, the Water Division approached Strand Associates, Inc. to design the electric metering upgrade project, and

WHEREAS, Strand Associates, Inc. has proposed to furnish these services for an amount not to exceed \$150,000, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$150,000 for the Water Division Electric Metering Upgrade project (Contract No. 6250043-01) be hereby approved and that the City Manager and City Clerk be authorized to execute said Agreement. To be funded from the Utilities Department – Water Division Fiscal Year 2016 and Fiscal Year 2017 CIP budgets and coded to 553000-625-625000-x-x-6250043-NA.

PASSED\_DAY\_TAG

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MayorSignature

Attest:  
ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Bruce Jacobs  
**E-mail Address:** b.jacobs@cedar-rapids.org

**Phone Number/Ext.:** 5913

**Alternate Contact Person:** Jim Flamming  
**E-mail Address:** j.flamming@cedar-rapids.org

**Phone Number/Ext.:** 5968

**Description of Agenda Item:** Purchases, contracts and agreements  
 Professional Services Agreement with McClure Engineering Co. for an amount not to exceed \$53,944 for the Raw Water Main Relocation project.  
 CIP/DID #6250044-01

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:** The Low Lift Pump Station off J Avenue at one time pumped surface water from the Cedar River to the J Avenue Water Treatment Plant. For decades, the lift station served as the main source of water for the City of Cedar Rapids. Starting in the 1960's, ground water well fields replaced surface water as the primary source of drinking water for the City. The well field pumps are used to pump water directly into the J Avenue Water Treatment Plant, and the Low Lift Pump Station is no longer in use. Leaks in the piping have caused flooding in the basement of the Low Lift Pump Station, adding to the degradation of the building. The Low Lift Pump Station is slated for eventual demolition, but to minimize the risk of future leaks and flooding, the Utilities Department desires to have the pipes connected to the 30-inch raw water intake main disconnected and plugged.

The goal of the Project is to replace an existing 30-inch raw water intake main currently installed to the north of the Low Lift Pumping Station. The branch connections into the Low Lift Pump Station are to be disconnected and plugged in preparation for eventual demolition of the structure.

Six engineering firms were contacted for Statements of Qualifications to perform the design. The six firms were: Watersmith Engineering, H.R. Green Company, Shive-Hattery, Inc., McClure Engineering Co., Fox Engineering, and Strand Associates, Inc. Packets detailing the experience of the firm and the proposed schedule for the project were received from Watersmith Engineering, Shive-Hattery, Inc., McClure Engineering Co., and Strand Associates, Inc. The Utilities Department staff evaluated the qualifications of the responding firms and determined that the technical resources that McClure Engineering Co. could bring to the project best met the needs of the Utilities Department.

**Action/Recommendation:** The Utilities Department – Water Division staff recommends approval of the Professional Services Agreement with McClure Engineering Co. for the Raw Water Main Relocation project (Contract No. 625044-01) and that the City Manager and City Clerk be authorized to execute said Agreement.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 07-14-15

**Resolution Date:** 07-14-15

**Budget Information:**

1. **Included in Current Budget Year?** Yes. The project will be funded from the FY2016 Water Division Capital Improvement Projects budget.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$50,000 in the FY2016 Capital Improvement Projects budget and \$700,000 in the FY2017 Capital Improvement Projects budget for the Water Division for the Raw Water Main Relocation Project. If needed, additional funds are available by adjusting other items in the CIP budget or from reserves. The project will be coded to the following CIP fund: 553000-625-625000-x-x-6250044.
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:** Yes

**Explanation:** Consultant selection process gives preference to local firms.

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Utilities Department - Water Division needs engineering and design services for the relocation of an existing 30-inch raw intake main currently installed to the north of the Low Lift Pumping Station, and

WHEREAS, the Utilities Department - Water Division requested a statement of qualifications and proposals from six engineering firms to perform the engineering services for the engineering and design services for the relocation of an existing 30-inch raw intake main currently project, and

WHEREAS, the Utilities Department – Water Division staff evaluated the qualifications of the responding firms and determined that the technical resources that McClure Engineering Co. could bring to the project best met the needs of the Utilities Department, and

WHEREAS, McClure Engineering Co. has proposed to furnish these services for an amount not to exceed \$53,944, and

WHEREAS, the Utilities Department – Water Division staff has determined that the proposed fee is fair and reasonable for the scope of services to be furnished and recommends that the City execute a Professional Services Agreement with McClure Engineering Co.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Professional Services Agreement with McClure Engineering Co for an amount not to exceed \$53,944 for the Raw Water Main Relocation project (Contract No. 6250044-01) be hereby approved and that the City Manager and City Clerk be authorized to execute said Agreement. To be funded from the Utilities – Water Division Fiscal Years 2016 and 2017 CIP budgets and coded to 553000-625-625000-x-x-625044.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:  
ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Water Pollution Control

**Presenter at Meeting:** Bruce Jacobs  
**E-mail Address:** b.jacobs@cedar-rapids.org

**Phone Number/Ext.:** 5913

**Alternate Contact Person:** Jonathan Mouw  
**E-mail Address:** j.mouw@cedar-rapids.org

**Phone Number/Ext.:** 5296

**Description of Agenda Item:** Purchases, contracts and agreements  
 Amendment No. 1 to the Professional Services Agreement with Strand Associates, Inc. in an amount not to exceed \$25,000 for the additional work to the Water Pollution Control Anaerobic Pretreatment Heat Exchanger Replacement project (original contract amount was \$300,000; total contract amount with this amendment is \$325,000).

CIP/DID #615164-03

**EnvisionCR Element/Goal:** GreenCR Goal 3: Lead in energy conservation and innovation.

**Background:** The Water Pollution Control Facility currently has four heat exchangers that operate as part of the Anaerobic Pretreatment process. The heat exchangers are tube-in-shell style heat exchangers that operate as two sets of two heat exchangers. The heat exchangers consist of a carbon steel outer shell with  $\frac{3}{4}$ " diameter tubes constructed of 304 stainless steel inside. Over the course of the heat exchangers' life, they have experienced multiple issues with corrosion and fouling of the stainless steel tubes. This has limited the heat exchange capacity of the units, and as a result, has also limited the treatment capacity and biogas production of the anaerobic process as a whole. One of the heat exchangers was removed from service in early 2013 for refurbishment. The refurbishment and cleaning of the heat exchanger was costly enough that the cleaning company recommended that the heat exchangers be replaced instead of refurbished.

Water Pollution Control Facility staff commissioned a study in early 2014 to ascertain if the recommendation from the heat exchanger cleaning company was factually correct. Three engineering firms submitted qualifications to conduct the study; and Strand Associates was selected. The study concluded that it was not cost effective to continue to refurbish the existing heat exchangers and that the heat exchangers should be replaced with a different style of heat exchanger (spiral vs. tube-in-shell) that is better suited for use at a wastewater treatment plant.

Based on the recommendations from the study, the goal of the project is to replace the existing anaerobic process heat exchangers with spiral-type heat exchangers, which will allow the units to operate at their full design capacity and will reduce the operations & maintenance costs associated with the heat exchangers. The change in heat exchangers will also eliminate a bottleneck in the anaerobic pretreatment and biogas production process.

Additional design services were requested of Strand Associates, Inc. during the design phase of the project. The additional services include repairs to the Paques Hydrogen Sulfide Scrubber. The Paques Hydrogen Sulfide Scrubber was installed at the Water Pollution Control Facility in 2002 to remove hydrogen sulfide from the biogas generated in the Anaerobic Pretreatment System. Several elements of the Scrubber are structurally deficient due to corrosion from the severe nature of the biogas. An evaluation was conducted on the tank by Strand Associates, Inc. during the Spring of 2015 to determine the extent of the corrosion and required repairs. Due to proximity and corresponding project schedules, Water Pollution Control Division staff feel it would be advantageous to perform the repairs to the Paques Hydrogen Sulfide Scrubber in conjunction with the Water Pollution Control Anaerobic Pretreatment Heat Exchanger Replacement project.

**Action/Recommendation:** The Utilities Department – Water Pollution Control Division staff recommends that Amendment No. 1 to the Professional Services Agreement with Strand Associates, Inc. be approved for an amount Not-To-Exceed \$25,000 and that the City Manager and City Clerk be authorized to execute said Amendment.

**Alternative Recommendation:** None

**Time Sensitivity:** 07-14-15

**Resolution Date:** 07-14-15

**Budget Information:**

1. **Included in Current Budget Year?** Yes. The project will be funded from the FY2015, FY2016, FY2017, and FY2018 Water Pollution Control Division Capital Improvement Projects budget.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$130,000 in the FY2015 Capital Improvement Projects budget and \$1,250,000 in the projected FY2016, FY 2017, and FY2018 Capital Improvement Projects budget for the Water Pollution Control Division for the design and construction of the Water Pollution Control Anaerobic Pretreatment Heat Exchanger Replacement project and repairs to the Paques Hydrogen Sulfide Scrubber. The project will be coded to the following CIP funds: 553000-615-615000-x-x-615164 and 615196.
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:** Yes

**Explanation:** Consultant selection process gives preference to local firms.

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids Utilities Department – Water Pollution Control Division executed a Professional Services Agreement with Strand Associates, Inc. for the Water Pollution Control Anaerobic Pretreatment Heat Exchanger Replacement project (Contract No. 615164-03) for an amount not to exceed \$300,000 by Resolution No. 0688-05-15 on May 12, 2015, and

WHEREAS, additional design services are being requested by Strand Associates, Inc. during the design phase of the project including repairs to the Paques Hydrogen Sulfide Scrubber , and

WHEREAS, the Water Pollution Control Staff recommends approval of Amendment No. 1, to the Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$25,000 for the Water Pollution Control Anaerobic Pretreatment Heat Exchanger project, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Amendment No. 1, to the Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$25,000 for the Water Pollution Control Anaerobic Pretreatment Heat Exchanger Replacement project (Contract No. 615164-03) be hereby approved and the City Manager and City Clerk be authorized to execute said amendment. The original contract amount was \$300,000; total contract amount with this amendment is \$325,000. To be funded from the FY2015, FY2016, FY2017, and FY2018 Water Pollution Control Division Capital Improvement Projects budget and coded to 553000-615-615000-x-x-615164 and 615196.

PASSED\_DAY\_TAG

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MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**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:** glennv@cedar-rapids.org

**Description of Agenda Item:** Purchases, contracts and agreements

Resolution authorizing execution of Amendment No. 2 to the Professional Services Agreement with McClure Engineering Co. specifying an increased amount not to exceed \$8,580 for design services in connection with the Edgewood Road NW Multiuse Pathway from O Avenue NW to Ellis Road NW project (original contract amount was \$78,590; total contract amount with this amendment is \$122,185.)

CIP/DID #325008-01

**EnvisionCR Element/Goal:** ConnectCR Goal 4: Improve the function and appearance of our key corridors.

**Background:**

This project is the addition of a multi-use pathway along Edgewood Road NW from the end of the Ellis trail at Ellis Road to O Avenue. The work will include design for construction and associated improvements.

This amendment covers design for modifications to additional traffic signals at the intersection of Ellis Road NW and Edgewood Road NW, resulting in new, modern equipment for the entire intersection.

**Action/Recommendation:** The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 2 of the Professional Services Agreement with McClure Engineering Co. specifying an increased amount not to exceed \$8,580.

**Alternative Recommendation:** Delay replacing outdated equipment, risking traffic signal failure at an inconvenient time.

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:**

**Local Preference Policy:** Yes

**Explanation:**

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, McClure Engineering Co. has been providing design services for the Edgewood Road NW Multiuse Pathway from O Avenue NW to Ellis Road NW, and

WHEREAS, the City is adding the design of modifications to additional traffic signals at the intersection of Ellis Road NW and Edgewood Road NW, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 2 to the engineering consultant agreement with McClure Engineering Company in the amount of \$8,580 for the Edgewood Road NW Multiuse Pathway from O Avenue NW to Ellis Road NW project (Contract No. 325008-01). A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$78,590
Amendment No. 1	\$35,015
Amendment No. 2	\$8,580
	_____
Amended Contract Amount	\$122,185

General ledger coding for this amendment to be as follows:

Fund 306, Dept ID 306000 Project 306173 NA	\$8,580
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MayorSignature

Attest:

ClerkSignature

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Cadd File Name: W:\PROJECTS\CIP\251325008 Edgewood Trail, O Ave to Ellis Blvd\325008 Council Map.dwg



**EDGEWOOD ROAD NW MULTIUSE PATHWAY  
FROM O AVENUE TO ELLIS ROAD NW**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**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:** Purchases, contracts and agreements

Resolution authorizing execution of a Professional Services Agreement with Terracon Consultants, Inc. for an amount not to exceed \$32,805 for construction testing and inspection services in connection with the Northwest Recreation Center project (**Flood**).

CIP/DID #PRE069-14

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:** As part of the construction work for the Northwest Recreation Center project, it is prudent and considered best practice for the City to retain an independent third party to perform construction testing and inspection services in order to confirm material quality and installations are performed in compliance with the design specifications. Terracon Consultants, Inc. was selected as a result of a competitive selection process.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Terracon Consultants, Inc.

**Alternative Recommendation:** The City of Cedar Rapids does not currently have the expertise to provide material testing for building-related construction. The Council could choose to not approve the Professional Services Agreement. This action would affect the project schedule and the FEMA completion date for the project, as well as endanger the FEMA funding for the project.

**Time Sensitivity:** Urgent. The construction contract with Garling Construction was approved at the June 23, 2015, City Council meeting. Construction is expected to start in mid to late July 2015.

**Resolution Date:** July 14, 2015

**Budget Information:** PRE069, FLOOD

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Public Works Director / City Engineer has determined it is in the best interest of the City to outsource some professional services relating to the project(s) below, and

WHEREAS, the Public Works Director / City Engineer has determined Terracon Consultants, Inc. is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$32,805, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. PRE069-14 with the firm noted herein for construction testing and inspection services, and

WHEREAS, the City Council has planned for the Northwest Recreation Center Project (Project No. PRE069, FLOOD),

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



**PROJECT  
LOCATION**



Harrison  
Elementary  
School



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**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:** Purchases, contracts and agreements

Resolution authorizing execution of Supplemental Agreement No. 3 to the Contract for Professional Services Agreement with HR Green, Inc. specifying an increased amount not to exceed \$66,048 for design services in connection with the Collins Road NE (IA 100) from Twixt Town Road to F Avenue and Northland Avenue from South of Collins Road to 1,100 Feet North of Collins Road project (original contract amount was \$1,353,577; total contract amount with this amendment is \$1,549,277).

CIP/DID #301446-02

**EnvisionCR Element/Goal:** ConnectCR Goal 3: Establish a network of complete streets.

**Background:** In September 2007, the City entered into a preliminary design Contract for the segment of the Collins Road NE improvements from Twixt Town Road to F Avenue. While the City has been successful in obtaining multiple grants for this segment, it is estimated that only \$7 million of grant and match funding is approved for the estimated \$50 million of project expenses for this segment. Supplemental Agreement No. 2 was approved in January 2011 which revised the scope of professional services to provide preliminary and final design services for an initial phase of the project (Twixt Town Road to a point between Northland Avenue and the K-mart/Lindale Mall entrance), for a segment of the project that can utilize a maximum of the grant and match funding for the Collins Road Corridor.

In addition, in January 2011, the Iowa DOT Commission approved an Iowa Clean Air Attainment Program grant in the amount of \$1,500,000 to provide a grade separated vehicular, bicycle, pedestrian underpass for Lindale Drive at Collins Road. This improvement is a complete streets improvement that will reduce traffic demand for the Collins Road side-street approaches at Northland Avenue, Collins Crossing/Lindale Mall Main Entrance, Twixt Town Road, and 1<sup>st</sup> Avenue, and provide for a safer more efficient crossing of Collins Road for vehicular, pedestrian, and bicycle traffic. Amendment No. 2 included the preliminary and final design services for this grade separated underpass within the revised project limits above.

City Council has approved five funding Agreements for this project that has obligated six federal and state grants for a total amount of \$11.3 million dollars for this project. Right-of-way is currently being negotiated for the project. This project is currently on the November 2015 Iowa Department of Transportation (IDOT) letting schedule and Check Plans are due in August 2015.

Amendment No. 3 is for the additional soil boring and analysis services required meeting the current IDOT requirements for the scope of the project improvements. The IDOT has pre-approved Supplemental Agreement No. 3.

**Action/Recommendation:** The Public Works Department recommends adoption of the resolution authorizing execution of Supplemental Agreement No. 3 to the Contract for Professional Services with HR Green, Inc. specifying an increased amount not to exceed \$66,048.

**Alternative Recommendation:** If the City Council decides not to approve Supplemental Agreement No. 3, there are two alternative recommendations:

1. Finance the additional soil borings with local funding only. The project schedule would be significantly altered to provide the alternate funding in the future fiscal year Capital Improvements budgets.
2. Proceed with the at-grade project improvements. This approach would significantly affect the schedule of the project, requiring redesign, and would risk retaining the \$11.3 million dollars of federal and state grants for the project. Right-of-way is currently being negotiated for this project.

**Time Sensitivity:** Urgent. Approval of Supplemental Agreement No. 3 is required to meet the project letting schedule.

**Resolution Date:** July 14, 2015

**Budget Information:** CIP No. 301446-02, NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids entered into a Contract for Professional Services with Howard R. Green Company for the Collins Road NE (IA 100) from Twixt Town Road to F Avenue and Northland Avenue from South of Collins Road to 1,100 Feet North of Collins Road project, and

WHEREAS, Howard R. Green Company has changed the company name to HR Green, Inc., and

WHEREAS, additional design services are needed for additional soil boring and analysis services required to meet the current Iowa Department of Transportation requirements for the scope of the project improvements,

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 Supplemental Agreement No. 3 to the Contractor for Professional Services with HR Green, Inc. in the amount of \$66,048 for the Collins Road NE from Twixt Town Road to F Avenue and Northland Avenue from South of Collins Road to 1,100 Feet North of Collins Road project (Contract No. 301446-02). A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$1,353,577
Supplemental Agreement No. 1	\$129,652
Supplemental Agreement No. 2	\$0
Supplemental Agreement No. 3	\$66,048
	_____
Amended Contract Amount	\$1,549,277

General ledger coding for this amendment to be as follows:

Fund 301, Dept ID 301000 Project 301446, NA	\$66,048
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PASSED\_DAY\_TAG

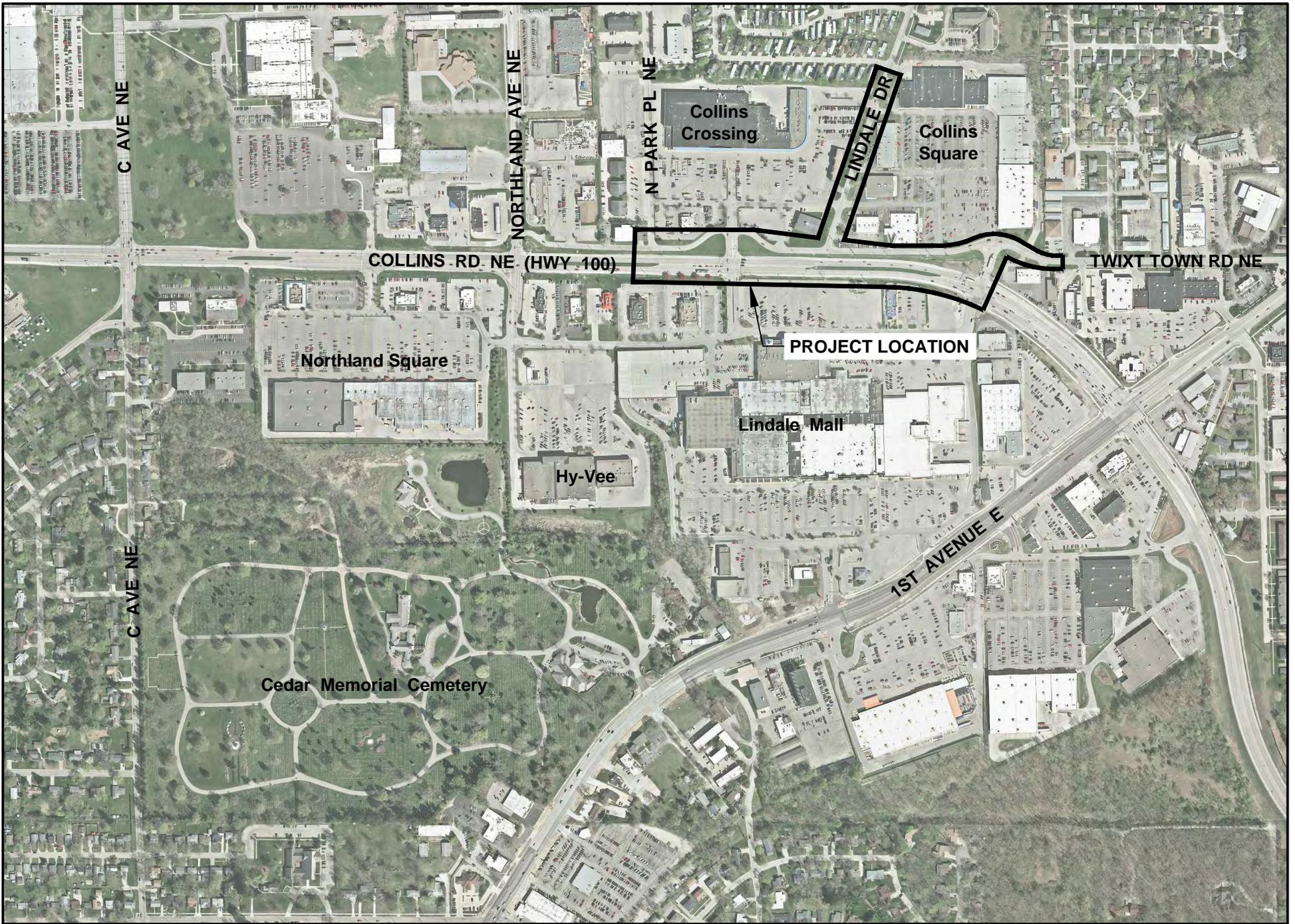
LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



**COLLINS ROAD NE (IA 100) COMPLETE STREETS PROJECT  
FROM EAST OF NORTHLAND AVENUE NE TO TWIXT TOWN ROAD NE**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**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

Resolution authorizing execution of Supplemental Agreement No. 1 to the Professional Services Agreement with Foth Infrastructure & Environment, LLC specifying an increased amount not to exceed \$219,175 for design services in connection with the C Avenue NE from Collins Road to Blairs Ferry Road project and the Collins Road NE from C Avenue to Twixt Town Road widening project (original contract amount was \$345,100; total contract amount with this amendment is \$564,275.)

CIP/DID #301612-01

**EnvisionCR Element/Goal:** ConnectCR Goal 2: Build a complete network of connected streets.

**Background:**

The original Professional Services Agreement for this project consisted of reconstruction of C Avenue NE from the existing four-lane urban arterial roadway to a five-lane (continuous left turn lane) arterial roadway. Rockwell Collins, Inc. has constructed two 120,000 Sq. Ft. office building in the southeast corner of the C Avenue & Blairs Ferry Road NE intersection after this Professional Services Agreement was approved.

The Collins Road NE (Hwy 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.

Rockwell Collins, Inc. requested that the roadway improvements on C Avenue NE adjacent to their property be modified to conceptually fit with the aesthetics of their corporate campus, address their employee safety issues for crossing C Avenue NE, and to address the safety issues for ingress and egress to their property. In addition, Rockwell Collins, Inc. requested to substitute a traffic signal at the location of the existing pedestrian actuated warning flasher located on C Avenue NE between Collins Road and Blairs Ferry Road as a substitute public improvement for a pedestrian undercrossing of C Avenue NE. An Agreement approving this revised improvement plan was approved by the City Council on April 8, 2014.

The revised improvement plan, as approved by City Council, requires additional design services for design and bidding of the revised project improvements. The Iowa Department of Transportation has pre-approved Supplemental Agreement No. 1. Project is scheduled for the January 20, 2016 bid opening at the Iowa Department of Transportation.

**Action/Recommendation:** The Public Works Department recommends adoption of the resolution authorizing execution of Supplemental Agreement No. 1 of the Professional Services Agreement with Foth Infrastructure & Environment, LLC specifying an increased amount not to exceed \$219,175.

**Alternative Recommendation:** Council could choose to not approve this Amendment and direct staff to propose different improvements for C Avenue than contained in the Agreement with Rockwell Collins, Inc. (Agreement approved by Council on April 8, 2014). This action would affect the City credibility with Rockwell Collins, Inc. and significantly affect the project schedule.

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** CIP No. 301612, NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids entered into a Professional Services Agreement with Engineering Alliance, Inc. for the C Avenue NE from Collins Road to Blairs Ferry Road project (CIP No. 301612) and the Collins Road NE from C Avenue to Twixt Town Road project (CIP No. 301446, and

WHEREAS, Engineering Alliance, Inc. has changed their company name to Foth Infrastructure & Environment, LLC, and

WHEREAS, the City Council has approved the Federal-aid Agreement for a Surface Transportation Program project for C Avenue NE from Collins Road to Blairs Ferry Road in May 2008, and

WHEREAS, Rockwell Collins, Inc. requested the roadway improvements on C Avenue NE between Collins Road and Blairs Ferry Road be modified to conceptually fit with the aesthetics of their corporate campus, address employee safety issues for crossing C Avenue NE, and address safety issues for ingress and egress to their property, and

WHEREAS, the City Council approved an Agreement with Rockwell Collins, Inc. on April 8, 2014, that provided a financing plan and a revised improvement plan for C Avenue NE from Collins Road to Blairs Ferry Road, and

WHEREAS, the Agreement and revised improvement plan require addition 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 Supplemental Agreement No. 1 to the professional services agreement with Foth Infrastructure & Environment, LLC in the amount of \$219,175 for the C Avenue NE from Collins Road to Blairs Ferry Road project (301612-01) and the Collins Road NE from C Avenue to Twixt Town Road project. A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$345,100
Supplemental Agreement No. 1	\$219,175
	_____
Amended Contract Amount	\$564,275

General ledger coding for this amendment to be as follows:

Fund 301, Dept ID 301000 Project 301612 NA	\$219,175
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PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

BLAIRS FERRY ROAD NE

Rockwell Collins, Inc.

PROJECT LOCATION

Rockwell Collins, Inc.

Rockwell Collins, Inc.

Rockwell Collins, Inc.

C AVENUE NE

COLLINS ROAD NE

C AVENUE NE FROM COLLINS ROAD TO BLAIRS FERRY ROAD PROJECT





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Extension:** 5896

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

**Phone Number/Extension:** 5141

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolution authorizing execution of a Professional Services Agreement with Shive-Hattery, Inc. for an amount not to exceed \$89,061.20 for design services in connection with the Five Seasons Parkade Structural Repairs project.  
 CIP/DID #635132-01

**EnvisionCR Element/Goal:** InvestCR Goal 3: Reinvest in the city's business corridors and districts.

**Background:** The Five Seasons Parkade was built in 1977. Shive-Hattery completed a study of the all the parkades, including the Five Seasons Parkade, in 2011. The study shows that the Five Seasons Parkade is in need of life safety maintenance, which will increase the life of the Parkade. Without this maintenance, the Parkade could reach the end of its useful life in the next 5-10 years and be in need of full reconstruction.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Shive-Hattery, Inc for the Five Seasons Parkade Structural Repairs project

**Alternative Recommendation:** The City of Cedar Rapids Staff does not currently have the expertise to design this project internally. The alternatives are to not approve the professional services agreement and delay the project until another Consultant is selected or to abandon the project.

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2016

**Budget Information:** 635000/635132 NA

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA



RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Public Works Director has determined it is in the best interest of the City to outsource some professional services relating to the project(s) below, and

WHEREAS, the Public Works Director has determined Shive-Hattery, Inc. is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$89,061.20, and

WHEREAS, the Public Works Director recommends the City enter into Contract No. 635132-01 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for the Five Seasons Structure Repairs project (Fund 635, Dept ID 635000, Project 635132 NA),

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



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**THE FIVE SEASONS PARKADE  
STRUCTURAL REPAIRS PROJECT**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** John Witt, PE, PTOE

**Phone Number/Extension:** 5800

**E-mail Address:** j.witt@cedar-rapids.org

**Alternate Contact Person:** Matt Myers, PE, PTOE

**Phone Number/Extension:** 5718

**E-mail Address:** m.myers@cedar-rapids.org

**Description of Agenda Item:** Purchases, contracts and agreements

Resolution authorizing execution of Amendment No. 1 to the Professional Services Agreement with Hall & Hall Engineers, Inc. specifying an increased amount not to exceed \$7290 for design services in connection with the 16<sup>th</sup> Avenue & Williams Parkway SW Traffic Signal Upgrading project (original contract amount was \$16,810, total contract amount with this amendment is \$24,100).

CIP/DID #306267-01

**EnvisionCR Element/Goal:** ConnectCR Goal 4: Improve the function and appearance of our key corridors.

**Background:** Hall & Hall Engineers, Inc. has been contracted to provide design services for the 16<sup>th</sup> Avenue & Williams Parkway SW Traffic Signal Upgrading project. This project will increase mobility for all pedestrians as part of the Blue Zone program and Americans with Disabilities Act (ADA).

The consultant shall make modifications to the previously submitted final plans to accommodate new City standards for traffic signal design and layout. These would include modifying pole and pushbutton locations, signal head placement, phasing, medians and pavement markings. It would also include new ADA compliant pedestrian ramps and the addition of a battery backup system.

**Action/Recommendation:** The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 1 of the Professional Services Agreement with Hall & Hall Engineers, Inc. specifying an increased amount not to exceed \$7,290.

**Alternative Recommendation:** The City of Cedar Rapids does not currently have the staff resources to design this project internally. The alternatives are to delay a project City staff is currently designing or delay the project until City staff has the resources available to proceed with design.

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** 306000/306267 N/A

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** Yes  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids entered into a Professional Services Agreement with Hall & Hall Engineers, Inc. to provide engineering design services for the 16<sup>th</sup> Avenue SW and Williams Parkway SW traffic signal upgrading project (Contract No 306267-01), and

WHEREAS, 16<sup>th</sup> Avenue SW and Williams Parkway SW intersection modifications to the previously submitted plans include modifying pole and pushbutton locations, the signal head placement, phasing to include flashing yellow arrow on all approaches, the medians and pavement markings as needed. Add a battery backup system and phasing plan for construction, and

WHEREAS, 16<sup>th</sup> Avenue SW and Edgewood Rd SW intersection modifications to the previously submitted final plans include modifying layout design, pushbutton layout, traffic signal head placement, phasing to include flashing yellow arrows, medians and pavement markings as needed. Add ADA compliant ramps, a batter backup system and phasing plan for construction, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 1 to the engineering consultant agreement with Hall & Hall Engineering, Inc. in the amount of \$7,290 for the 16th Avenue SW and Williams Parkway SW Traffic Signal Upgrading project 306267-01. A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$16,810
Amendment No. 1	\$7,290
	<hr/>
Amended Contract Amount	\$24,100

General ledger coding for this amendment to be as follows:

Fund 306, Dept ID 306000 Project 306267-01	\$24,100
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PASSED\_DAY\_TAG

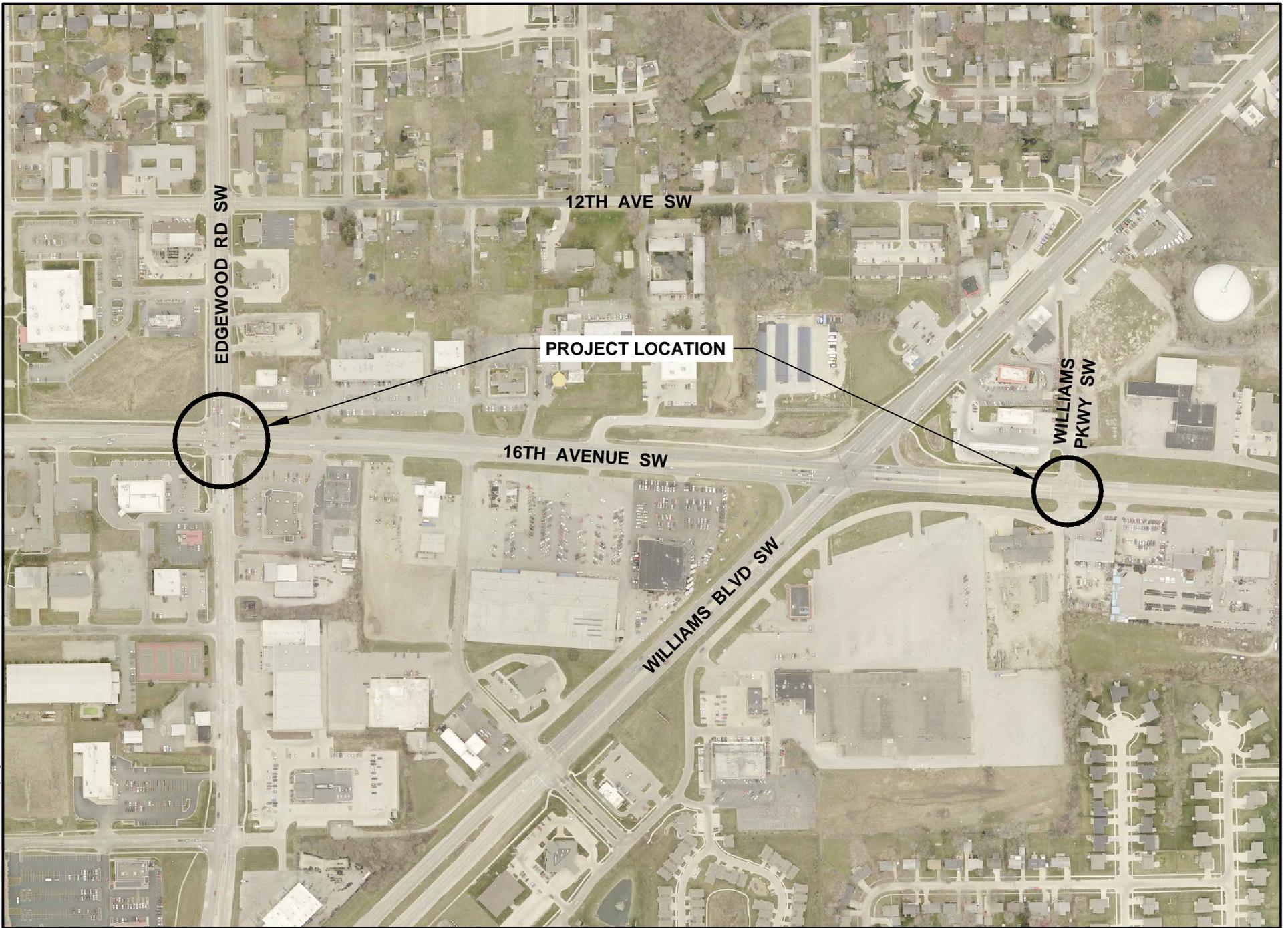
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MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



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**16TH AVENUE AND EDGEWOOD ROAD SW AND  
16TH AVENUE AND WILLIAMS PARKWAY SW  
TRAFFIC SIGNAL UPGRADING PROJECT**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**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:** Purchases, contracts and agreements

Resolution authorizing execution of Amendment No. 7 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$10,066 for design services in connection with the CEMAR Trail Phase 1 and 2 project (original contract amount was \$134,000; total contract amount with this amendment is \$466,298.)

CIP/DID # 325012-02

**EnvisionCR Element/Goal:** GreenCR Goal 2: Have the best parks, recreation and trails system in the region.

### Background:

City Council accepted the trail easement and temporary construction easement from Mt. Mercy University on November 4, 2014. Acceptance of these easements allow for the project development and final design of CEMAR Trail Phase 1 along an extension of the CEMAR Trail Phase 2 project, along the perimeter of the Mt. Mercy University Athletic Complex, F Avenue NE, 16<sup>th</sup> Street NE and H Avenue NE. Revised Project Concept Statements have been submitted for four phases of the CEMAR Trail Phase 1 project. Two of the four phases require right-of-way acquisition or acquisition of temporary construction easements.

Upon submittal of the Project Concept Statement for Phase 1B (Daniels Park), the Iowa DOT Office of Location and Design, has requested a Phase 1 Archaeology Report for Phase 1B. Amendment No. 6 approves the additional services needed for the Phase 1 Archaeology Study.

**Action/Recommendation:** The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 7 of the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$10,066.

**Alternative Recommendation:** Council could choose to not approve this Amendment and direct staff to develop the project in different phases than proposed. This action could risk losing the approved federal and state grant funding approved for the project, and not provide the connectivity to Garfield School and the residential areas to the north of H Avenue NE.

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** CIP No. 325012, NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City Council accepted a trail easement and temporary construction easement from Mt. Mercy University on November 4, 2014, and

WHEREAS, acceptance of the easements allows the project development and final design of the CEMAR Trail Phase 1 project along the route originally proposed along an extension of the CEMAR Trail Phase 2 project, along the perimeter of the Mt. Mercy University Athletic Complex, F Avenue NE, 16<sup>th</sup> Street NE, and H Avenue NE, and

WHEREAS, the Iowa Department of Transportation has required a Phase I Archaeology Survey for Phase 1B of the CEMAR Trail Phase 1 project requiring additional professional services, now therefore

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. 7 to the engineering consultant agreement with Anderson-Bogert Engineers & Surveyors, Inc. in the amount of \$10,066 for the CEMAR Trail Phase 1 & 2 project (Contract No. 325012-02). A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$134,000
Amendment No. 1	\$64,500
Amendment No. 2	\$8,150
Amendment No. 3	\$96,900
Amendment No. 4	\$14,500
Amendment No. 5	\$21,776
Amendment No. 6	\$116,406
Amendment No. 7	<u>\$10,066</u>
Amended Contract Amount	\$466,298

General ledger coding for this amendment to be as follows:

Fund 325, Dept ID 325000 Project 325012, NA \$10,066

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG





**CEMAR TRAIL PHASE 1**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Craig Hanson, PE  
**E-mail Address:** c.hanson@cedar-rapids.org

**Phone Number/Extension:** 5867

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

**Phone Number/Extension:** 5814

**Description of Agenda Item:** CONSENT AGENDA

Resolution rescinding Resolution No. 0507-04-15 which authorized execution of Amendment No. 3 to the Professional Services Agreement for geotechnical evaluation services in connection with the Public Library in error; and authorizing execution of Amendment No. 1 to the Professional Services Agreement for this project with Braun Intertec Corporation specifying an increased amount not to exceed \$11,995 (original contract amount was \$17,367; total contract amount with this amendment is \$29,362). **(Flood)**.

CIP/DID #PLE001-19

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:** Braun Intertec Corporation provided geotechnical services for the design of the City Services Center. This Amendment is to pay for additional work that included flotation mounted drilling services, soil engineering services, and construction and materials testing associated with the construction on the Cedar Rapids Public Library and performed during the contracted period prior to July 1, 2014. Prior amendments for the contract were either not processed or retained adequately and this amendment supports project closeout.

**Action/Recommendation:** The Public Works Department recommends rescinding Resolution No. 0507-04-15 and authorizing the execution of Amendment No. 1 of the Professional Services Agreement with Braun Intertec Corporation specifying an increased amount not to exceed \$11,995.00.

	Base Fee (authorized)	Contingency (Non- Authorized)	Change in Running Total	Running Total
Original Contract	\$ 17,367.00	\$ 0.00	-	\$ 17,367.00
Amendment # 1	\$11,995.00	\$0.00	\$11,995.00	\$29,362.00

**Alternative Recommendation:** Should City Council not authorize rescinding the prior resolution, the Public Works Department recommends making a Clerk's note in Onbase that Amendments No. 1 and No. 2 were not retained nor adequately documented. Payments would be made per the resolution, which has the same contract running total and there would be no amendments number 1 or 2 in official records.

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** PLE001-19

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Braun Intertec (CONSULTANT) is currently under contract with the City of Cedar Rapids (CITY) for Environmental Consulting for the Cedar Rapids Public Library Project, and

WHEREAS, the CONSULTANT has assisted the CITY with sampling and reporting related to the Geotechnical Evaluation of the site for the Cedar Rapids Public Library, and

WHEREAS, the CITY desires to expand the scope and total cost of the contract to include flotation mounted drilling services, soil engineering services, and construction and materials testing associated with the construction of the Cedar Rapids Public Library performed during the contracted period prior to July 1, 2014, and

WHEREAS, the CITY and CONSULTANT desire to rescind Resolution No. 0507-04-15, and

WHEREAS, the CITY and CONSULTANT desire to amend the scope of services as indicated in the original agreement and CITY-approved amendments, as follows:

	Base Fee (authorized)	Contingency (Non- Authorized)	Change in Running Total	Running Total
Original Contract	\$ 17,367.00	\$ 0.00	-	\$ 17,367.00
Amendment #1	\$11,995.000.00	-	\$ 0.00	\$ 29,362.00

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk authorize rescinding Resolution No. 0507-04-15 and are authorized to sign Amendment No. 1 to the Professional Services Agreement with Braun Intertec Corporation in the amount of \$11,955, for a total contract amount of \$29,362 for the Cedar Rapids Public Library Project and prior Public Works Building, Solid Waste Building, A Street Maintenance Shop and Forestry Building – Environmental Consulting project (Contract No. PLE001-19 FLOOD).

BE IT FURTHER RESOLVED, .

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Extension:** 5848

**Alternate Contact Person:** Loren Snell  
**E-mail Address:** l.snell@cedar-rapids.org

**Phone Number/Extension:** 5804

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolution authorizing Change Order No. 10 in the amount of \$15,941 with Woodruff Construction, LLC for the Ground Transportation Center Renovation project (original contract amount was \$9,162,000; total contract amount with this amendment is \$9,306,773) (**Flood**).  
 CIP/DID #TRE001-20

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:**

WCD #13	Labor, material and equipment to repair generator overhead door in the loading dock area.	\$2,617
	Per ITC's 61, 62, & 63 for credit colored concrete, paver prep and install additional pavers	\$7,410
	Labor, material and equipment to install skywalk handrail and paint railing	\$29,673
	Labor and material to remove and re-caulk GTC upper windows and labor and material to frame, drywall and finish new wall, install new door, frame and HW and install electrical	\$6,808
	Labor and material to install carpet in skywalk areas	\$9,802
	Provide labor, material and equipment to install additional signage at canopy's	\$7,421
	Provide credit to remove scope in CAR #54 – Roof Steel	(\$47,790)

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 10 submitted by Woodruff Construction, LLC.

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

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** Fund 330 Dept ID 330330 Project TRE001 FLOOD

**Local Preference Policy:** NA

**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:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

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 \$15,941 with Woodruff Construction, LLC for the Ground Transportation Center Renovations project, Contract No. TRE001-20. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$9,097,000
Possible Incentive	65,000
Change Order No. 1	(50,643)
Change Order No. 2	103,088
Change Order No. 3	18,629
Change Order No. 4	24,078
Change Order No. 5	54,637
Change Order No.6	(59,801)
Change Order No. 7 (Revised)	12,766
Change Order No 8	36,970
Change Order No. 9 (Revised)	54,108
Change Order No. 10	15,941
Removal of Original Incentive	<u>(65,000)</u>
Amended Contract Amount	\$9,306,773

General ledger coding for this Change Order to be as follows: \$15,941 330-330330-18517-TRE001-FTA

PASSED\_DAY\_TAG

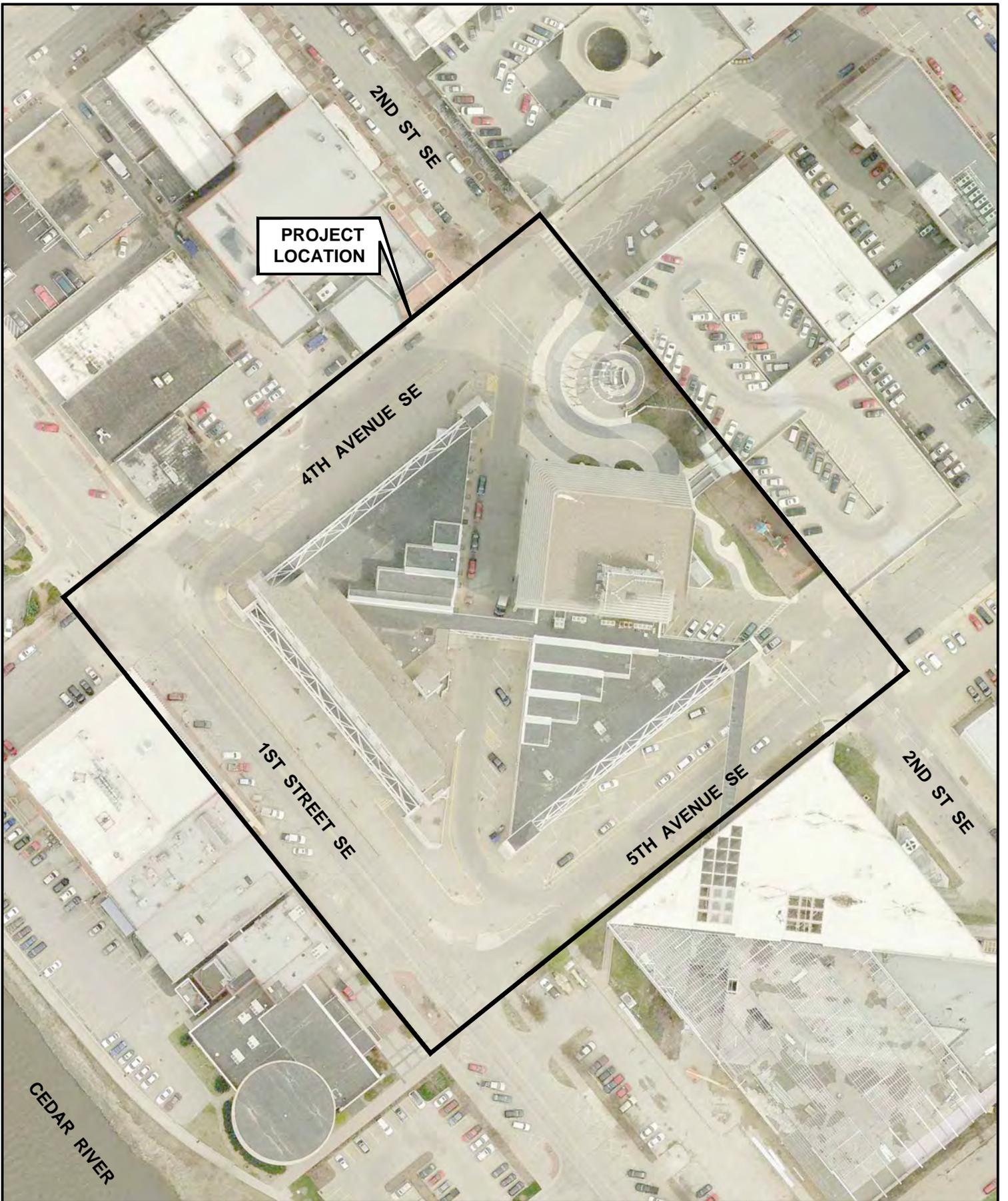
LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



PROJECT  
LOCATION

4TH AVENUE SE

1ST STREET SE

5TH AVENUE SE

2ND ST SE

CEDAR RIVER



GTC RENOVATIONS





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Extension:** 5848

**Alternate Contact Person:** Loren Snell  
**E-mail Address:** l.snell@cedar-rapids.org

**Phone Number/Extension:** 5804

**Description of Agenda Item:** Purchases, contracts and agreements  
 Authorizing Change Order No. 8 in the amount of \$738 with Curtis Contracting Corp. for the FY 2014 Sidewalk and Ramp Repair Program – Contract No. 1 project (original contract amount was \$126,147; total contract amount with this amendment is \$144,805.67).  
 CIP/DID #3017014-01

**EnvisionCR Element/Goal:** StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

**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. 8 submitted by Curtis Contracting Corp.

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

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** 3017014

**Local Preference Policy:** NA

**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:** No

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 8 in the amount of \$738 with Curtis Contracting Corp. for the FY 2014 Sidewalk and Ramp Repair Program – Contract No. 1, Contract No. 3017014-01. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$120,647.00
Possible Incentive	5,500.00
Change Order No. 1	5,247.88
Change Order No. 2	120.00
Change Order No. 3	1,881.90
Change Order No. 4	3,763.89
Change Order No. 5	1,632.05
Change Order No. 6	2,071.75
Change Order No. 7	3,203.20
Change Order No. 8	<u>738.00</u>
Amended Contract Amount	\$144,805.67

General ledger coding for this Change Order to be as follows: \$738 301-301000-30185-3017014

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Recreation

**Presenter at Meeting:** Sven Leff  
**E-mail Address:** s.leff@cedar-rapids.org

**Phone Number/Ext.:** 5739

**Alternate Contact Person:** Angie Cole  
**E-mail Address:** a.cole@cedar-rapids.org

**Phone Number/Ext.:** 5734

**Description of Agenda Item:** CONSENT AGENDA

Approval of annual three-year Vermont Systems, Inc. (VSI) Software License and Support Agreement for the reservation systems of RecTrac and GolfTrac used for recreation and golf registration and reservations (contract amount is \$38,689.89).  
 CIP/DID #REC003-15

**EnvisionCR Element/Goal:** GreenCR Goal 2: Have the best parks, recreation and trails system in the region.

**Background** Vermont Systems, Inc. provides the software to run the RecTrac and GolfTrac registration/reservation systems. This software provides registration/reservation capabilities for recreation programs, field reservations, pavilion reservations, POS, swim pass management, etc., as well as the tee time reservation system for all four (4) golf courses. These two programs are key components for both the Recreation and Golf operations.

The term of this agreement is for three (3) years and commences July 1, 2015 and ends June 30, 2018. The agreement covers the software license and maintenance support for both RecTrac and GolfTrac software programs.

**Action/Recommendation:** To approve purchase of Software License and Maintenance Agreement from Vermont Systems, Inc.

**Alternative Recommendation:**

**Time Sensitivity:** July 14, 2015

**Resolution Date:** July 14, 2015

**Budget Information:** 522101-101-164001= \$23,698.83; 522101-101-164050 = \$14,991.06 and distributed evenly between the four (4) golf courses.

**Local Preference Policy:** (Click here to select)

**Explanation:** NA

**Recommended by Council Committee:** (Click here to select)

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Parks and Recreation Department has identified the need to have technical maintenance support and automatic upgrades for the City's software from Vermont Systems, Inc. RecTrac and GolfTrac applications, and

WHEREAS, it provides a cost savings if departments purchase one Software License and Support Agreement, and

WHEREAS, Vermont Systems, Inc. (VSI) can provide a three-year Software License and Support Agreement for a total of \$38,689.89,

WHEREAS, funds are available to provide for this purchase from the following department budgets:

Golf Operations:	\$14,991.06	522101-101-164050
(Funds distributed evenly between the four (4) golf course operations)		
Recreation Operations	<u>\$23,698.83</u>	522101-101-164001
TOTAL	\$38,689.89	

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager be authorized to execute a 3 year Software License and Support Agreement with Vermont Systems, Inc. (VSI), 12 Market Place, Essex Junction, VT 05452 in the amount of \$38,689.89.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:  
ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Dave Wallace, PE      **Phone Number/Extension:** 5814  
**E-mail Address:** d.wallace@cedar-rapids.org

**Alternate Contact Person:** Garrett Prestegard, PE      **Phone Number/Extension:** 5115  
**E-mail Address:** g.prestegard@cedar-rapids.org

**Description of Agenda Item:** CONSENT AGENDA

Resolution authorizing execution of a Preconstruction Agreement for Primary Road Project with the Iowa Department of Transportation in the amount of \$369,000 for sanitary sewer and water main improvements to be incorporated into the Highway 100 from North of E Avenue Interchange Northerly to Covington Road (County Road W36) including Bridges over Silver Creek project.

CIP/DID #301207-00

**EnvisionCR Element/Goal:** GrowCR Goal 2: Manage Growth.

**Background:**

The Iowa Department of Transportation (IDOT) is proposing improvements for the Highway 100 extension from Edgewood Road NE to Highway 30. The IDOT will design, bid and inspect a portion of the Highway 100 Improvements with project limits from north of E Avenue to Covington Road.

The City has requested that steel casing pipes across Highway 100 at various locations for future sanitary sewer and water main extensions be incorporated into the project. Installing the casing pipes now by open cut will be far less costly than installing by trenchless methods in the future.

Total costs for these improvements are estimated to be \$369,000. This agreement provides for the reimbursement to IDOT for the City's improvements.

**Action/Recommendation:** The Public Works Department recommends approving the resolution authorizing execution of an Agreement between the IDOT and the City of Cedar Rapids for the Highway 100 from North of E Avenue Interchange Northerly to Covington Road (County Road W36) including Bridges over Silver Creek project. Upon City approval, signed agreements will be returned to the IDOT for necessary signatures.

**Alternative Recommendation:** Alternatives include installing the casing pipes by trenchless methods sometime in the future.

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:**

Fund 625, Dept ID 625000 Project 6255422015020 NA	\$118,500
Fund 655, Dept ID 655000 Project 655762 NA	\$250,500

**Local Preference Policy:** NA

**Explanation:**

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids desires to incorporate City sanitary sewer and water main improvements into the Highway 100 from North of E Avenue Interchange Northerly to Covington Road (County Road W36) including Bridges over Silver Creek project (CIP No. 301207) by agreement with the Iowa Department of Transportation (IDOT), and

WHEREAS, the IDOT will design, let and inspect construction of the project described as "Grading on Highway 100 from north of E Avenue interchange northerly to Covington Road (County Road W36) including bridges over Silver Creek", with project numbers:

NHSX-100-1(106)—3H-57 (Grading)  
NHSX-100-1(99)—3H-57 (Bridge)  
NHSX-100-1(100)—3H-57(Bridge), and

WHEREAS, the City has requested installation of carrier pipes across Iowa Highway 100 for future sanitary sewer and water main extensions as part of the project, and

WHEREAS, the Public Works Director recommends authorizing execution of Agreement No. 2015-4-247 with the IDOT,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager and City Clerk are authorized to execute IDOT Agreement No. 2015-4-247 for a Preconstruction Agreement for Primary Road Project with the Iowa Department of Transportation in the amount of \$369,000 in connection with the Highway 100 from North of E Avenue Interchange Northerly to Covington Road (County Road W36) including Bridges over Silver Creek project (CIP No. 301207).

General ledger coding for this agreement to be as follows:

Fund 625, Dept ID 625000 Project 625542 2015020 NA	\$118,500
Fund 655, Dept ID 655000 Project 655762 NA	\$250,500

PASSED\_DAY\_TAG

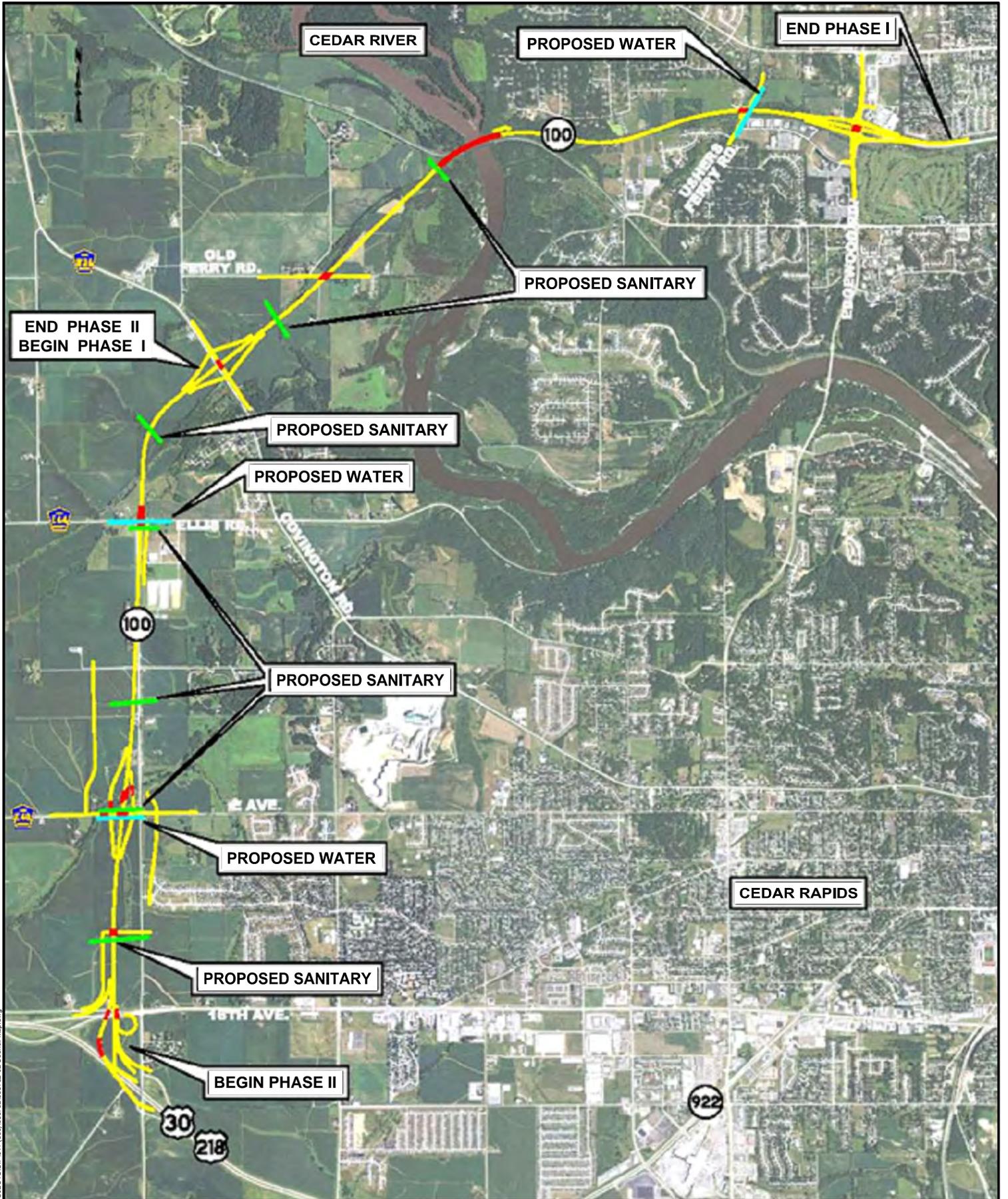
LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



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**HIGHWAY 100 SANITARY SEWER AND  
 WATER MAIN CROSSING IMPROVEMENT PROJECT**





## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development

**Presenter at Meeting:** Caleb Mason  
**E-mail Address:** c.mason@cedar-rapids.org

**Phone Number/Ext.:** 319 286-5188

**Alternate Contact Person:** Jennifer Pratt  
**E-mail Address:** j.pratt@cedar-rapids.org

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolution authorizing execution of Amendment No. 2 to the Agreement for Private Redevelopment with NewBo City Market at 1100 3<sup>rd</sup> Street SE. (**FLOOD**).  
 CIP/DID #OB281736

**EnvisionCR Element/Goal:** GrowCR Goal 1: Encourage mixed-use and infill development.

### Background:

Amendment No. 2 to the Agreement for Private Redevelopment with the NewBo Market is being precipitated by The Depot's redevelopment of the former Iowa Ironworks site at 400 12<sup>th</sup> Avenue SE. Currently, the NewBo Market is leasing a portion of the property for parking with an option to purchase beginning January 1, 2016. The NewBo Market and The Depot Development, LLC have entered into an agreement outlining terms and conditions of a shared parking arrangement and the conditions of the Market's release of its lease and option on a portion of 400 12<sup>th</sup> Avenue SE. As part of the Depot's redevelopment, new parking is being added closer to the Market's facility where the former railroad tracks are currently situated.

The Amendment No. 2 provides the following terms and conditions:

- Removes legal description of the parking lot portion of 400 12<sup>th</sup> Avenue SE from the Development Agreement, Lease, and Option to Purchase Agreement ;
- Replaces language in the Development Agreement for the primary use of the property as a City Market and replaces with a Land Use Restrictions Agreement (LURA) instrument clarify and defining use of the property for a 10-year retention period. It also provides right of first refusal on any future sale of the property subsequent to the retention period;
- Amends the Option to Purchase accelerating the option period to be August 1, 2015 to December from the current option period of January 1, 2016 to July;

**Action/Recommendation:** City staff recommends approval of the resolution.

**Alternative Recommendation:** City Council may table and request additional information.

**Time Sensitivity:** NA

**Resolution Date:** July 14, 2015

**Budget Information:** NA

**Local Preference Policy:** NA

**Recommended by Council Committee:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on September 18, 2010 the City published a notice to receive competitive proposals and a public hearing was held on September 28, 2010 on the possible disposition of City-owned property located at 327 and 309 11<sup>th</sup> Avenue SE, 1114 and 1120 3<sup>rd</sup> Street SE, and a portion of 400 12<sup>th</sup> Avenue SE (the "Development Property") in accordance with Iowa Code, and;

WHEREAS, on October 26, 2010 the City Council passed Resolution No. 1238-10-10 authorizing the City Manager to pursue an agreement with the Cedar Rapids City Market, Inc. for the lease and possible disposition of the Development Property, and;

WHEREAS, on July 26, 2011 the City Council passed Resolution No.0986-07-11 authorizing execution of an Agreement for Private Redevelopment ("Development Agreement") with Cedar Rapids City Market, Inc. for the redevelopment of City property; and

WHEREAS, it was determined that the Development Agreement contained an inaccurate legal description for the Development Property; and

WHEREAS, on January 18, 2014 a notice was published in the Cedar Rapids Gazette and a public hearing was held on January 28, 2014 on the possible disposition of the Development Property with a correct legal description in accordance with Iowa Code; and

WHEREAS, on or about November 13, 2013 the Developer changed its name to "NewBo City Market"; and

WHEREAS, on August 26, 2014 the City Council passed Resolution No.1171-08-14 authorizing Amendment No. 1 to the Development Agreement to amend the legal description of the property, memorialize the Developer's change in name, and make other terms and conditions related to the project; and

WHEREAS, the City and NewBo Market wish to amend the Development Agreement as follows:

- removing certain real estate from the legal descriptions contained in the Development Agreement, Lease, and Option to Purchase Agreement for the redevelopment as a mixed-use master planned development;
- memorialize the public interest for which the City entered in to the Development Agreement by instituting a Land Use Restriction Agreement (LURA) with an associated retention period of use; and
- accelerating the Option Period contained in the Purchase Option Agreement.

WHEREAS, an Amendment No. 2 has been prepared, subject to City Council's approval, and is ready for execution on behalf of the City.

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

1. The City Manager and City Clerk, or their designees, are authorized to execute Amendment No. 2 to the Agreement for Private Redevelopment, and all associated documents, with the NewBo City Market.
2. The Purchase Option Agreement be recorded in the office of the Linn County, Iowa Recorder.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development - Housing

**Presenter at Meeting:** Erika Kubly  
**E-mail Address:** e.kubly@cedar-rapids.org

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

**Alternate Contact Person:** Paula Mitchell  
**E-mail Address:** p.mitchell@cedar-rapids.org

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

**Description of Agenda Item:** CONSENT AGENDA

Resolution authorizing execution of an Agreement to Convey Properties and Terminate Development Agreement with Cedar Ridge Homes for City-owned property at 718 2<sup>nd</sup> Street SW through the Voluntary Property Acquisition Program.  
 CIP/DID #OB540257

**EnvisionCR Element/Goal:** StrengthenCR Goal 4: Create a city that is affordable and accessible to all members of the community.

**Background:** On September 27, 2011, City Council authorized execution of a Development Agreement and Special Warranty Deed with Cedar Ridge Homes for City-owned property located at 718 2<sup>nd</sup> Street SW, for new construction of single-family homes through the ROOTs Program. Subsequent to this action, it became apparent that this lot was not suitable for new construction through this program. The narrow size of the lot, coupled with the encroachment of adjacent structures does not allow for a standard-size home to be completed in accordance with zoning regulations. Further concerns involved the ability to complete construction without disturbing the neighboring structures.

Cedar Ridge Homes has agreed to return this lot to the City in exchange for another lot more suitable for single-family development. Staff recommends approval of the Agreement to Convey Properties and Terminate Development Agreement.

According to the terms of the proposed agreement with Cedar Ridge Homes, the City will pay for the cost of updating the abstracts and title opinion, estimated at approximately \$300 per lot, to be paid from grant funding. Cedar Ridge Homes will be responsible for providing clear title. This lot will be evaluated for possible disposition with the remaining non-conforming lots in the City's inventory.

**Action/Recommendation:** City staff recommends approval of the resolution.

**Alternative Recommendation:** City Council may table and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** July 14, 2015

**Budget Information:** The City's costs, estimated at \$300 per lot, will be paid from grant funds.

**Local Preference Policy:** NA

**Recommended by Council Committee:** NA

RESOLUTION NO. LEG\_NUM\_TAG

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

WHEREAS, the City purchased property at 718 2<sup>nd</sup> Street SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on April 16, 2011 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on April 26, 2011 on the possible disposition of this property in accordance with Iowa Code; and

WHEREAS, the City Council authorized a Development Agreement with Cedar Ridge Homes, Inc. on September 27, 2011, resulting in the conveyance of the subject property; and

WHEREAS, the property was subsequently determined to be unsuitable for Single Family New Construction based upon zoning regulations and encroachment of adjacent structures, and

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

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

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development - Housing

**Presenter at Meeting:** Erika Kubly  
**E-mail Address:** e.kubly@cedar-rapids.org

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

**Alternate Contact Person:** Paula Mitchell  
**E-mail Address:** p.mitchell@cedar-rapids.org

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolution authorizing execution of an Agreement to Convey Properties and terminate Development Agreement with Skogman Construction Company of Iowa for City-owned property at 623 3<sup>rd</sup> Avenue SW through the Voluntary Property Acquisition Program.  
 CIP/DID #OB540257

**EnvisionCR Element/Goal:** StrengthenCR Goal 4: Create a city that is affordable and accessible to all members of the community.

**Background:** On May 27, 2014, City Council authorized execution of a Development Agreement and Special Warranty Deed with Skogman Construction Company of Iowa for City-owned property located at 623 3<sup>rd</sup> Avenue SW, for new construction of single-family homes through the ROOTs Program. Subsequent to this action, it became apparent that this lot was not suitable for new construction through this program. The narrow size of the lot does not allow for a standard-size home to be completed in accordance with zoning regulations.

Skogman Construction Company of Iowa has agreed to return this lot to the City in exchange for another lot more suitable for single-family development. Staff recommends approval of the Agreement to Convey Properties and Terminate Development Agreement.

According to the terms of the proposed agreement with Skogman Construction Company of Iowa, the City will pay for the cost of updating the abstracts and title opinion, estimated at approximately \$300 per lot, to be paid from grant funding. Skogman Construction Company of Iowa will be responsible for providing clear title. This lot will be evaluated for possible disposition with the remaining non-conforming lots in the City's inventory.

**Action/Recommendation:** City staff recommends approval of the resolution.

**Alternative Recommendation:** City Council may table and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** July 14, 2015

**Budget Information:** The City's costs, estimated at \$300 per lot, will be paid from grant funds.

**Local Preference Policy:** NA

**Recommended by Council Committee:** NA

RESOLUTION NO. LEG\_NUM\_TAG

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

WHEREAS, the City purchased property at 623 3<sup>rd</sup> Avenue SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on August 17, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on August 27, 2013 on the possible disposition of this property in accordance with Iowa Code; and

WHEREAS, the City Council authorized a Development Agreement with Skogman Construction Company of Iowa on May 27, 2014, resulting in the conveyance of the subject property; and

WHEREAS, the property was subsequently determined to be unsuitable for Single Family New Construction based upon zoning regulations and encroachment of adjacent structures, and

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Agreement to Convey Property and Terminate Development Agreement with Skogman Construction Company of Iowa.

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development

**Presenter at Meeting:** Caleb Mason  
**E-mail Address:** c.mason@cedar-rapids.org

**Phone Number/Ext.:** 319 286-5188

**Alternate Contact Person:** Jennifer Pratt  
**E-mail Address:** j.pratt@cedar-rapids.org

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolution authorizing execution of a three year Lease Agreement with Gatto, LLC to lease City-owned property at 214 1<sup>st</sup> Street SW for parking (**FLOOD**).  
 CIP/DID # CD-0005-2015

**EnvisionCR Element/Goal:** GrowCR Goal 1: Encourage mixed-use and infill development.

### Background:

The Development Committee reviewed this item and is recommending the proposed Lease with Gatto, LLC for City owned property at 214 1<sup>st</sup> Street SW. The City sold commercial structures at 100 and 102 3<sup>rd</sup> Avenue SW to Gatto, LLC for their redevelopment which is to be concluded this summer. In Gatto, LLC's redevelopment proposal was the use of property behind the commercial structures to be used as tenant parking. Rather than selling the properties the Development Committee concluded the best approach for use of the property is by short term lease rather than disposing of the property. This ensures that the City preserves the possibility of a higher and better use of the site long term as the area redevelops while allowing use of the property to support the redevelopment efforts.

Gatto, LLC and owners of properties facing 3<sup>rd</sup> Avenue SW in the historic district are partnering to share the parking. The Lease provides an initial lease term of three (3) years, with optional extensions upon mutual agreement. Gatto, LLC is allowed to provide surface parking improvements and landscaping at their expense. The Lease outlines a "buyout" provision. In the event the City opted to solicit proposals or use the property for another City purpose within the initial 3-year lease period, the City, or subsequent purchaser, would reimburse a pro-rated share of the improvements. The total cost of improvements is \$30,482 which is amortized monthly over the 3-year period.

**Action/Recommendation:** City staff recommends approval of the resolution.

**Alternative Recommendation:** City Council may table and request additional information.

**Time Sensitivity:** NA

**Resolution Date:** July 14, 2015

**Budget Information:** NA

**Local Preference Policy: NA**  
**Explanation: NA**

**Recommended by Council Committee: NA**  
**Explanation: NA**

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City owns property located at 214 1<sup>st</sup> Street SW (the "Property"); and

WHEREAS, on January 21, 2015 the City Council's Development Committee recommended the short-term leasing of the Property to Gatto, LLC for surface parking to support redevelopment of historic properties in the 3<sup>rd</sup> Avenue SW Commercial Historic District; and

WHEREAS, a Lease Agreement has been prepared, subject to City Council's approval, and is ready for execution on behalf of the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to execute a Lease Agreement with Gatto, LLC for City-owned property at 214 1<sup>st</sup> Street SW, and that the Lease be recorded in the Office of the Linn County Recorder.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services

**Presenter at Meeting:** Jasmine Almoayed  
**E-mail Address:** j.almoayed@cedar-rapids.org

**Phone Number/Ext.:** 5349

**Alternate Contact Person:** Jennifer Pratt  
**E-mail Address:** j.pratt@cedar-rapids.org

**Phone Number/Ext.:** 5047

**Description of Agenda Item:** Purchases, contracts and agreements Memorandum of Agreement with the Iowa Startup Accelerator and funding in the amount of \$50,000 for the period beginning July 1, 2015 and ending June 30, 2016.  
 CIP/DID #OB1301120

**EnvisionCR Element/Goal:** InvestCR Goal 1: Expand economic development efforts to support business and workforce growth, market Cedar Rapids, and engage regional partners.

**Background:**

The Iowa Startup Accelerator (ISA) uses time-boxed, aggressive startup education programs designed to develop a strong innovation ecosystem in Iowa; construct national and international networks of entrepreneurs, mentors and investors; and make Iowa a top high-performing region for entrepreneurship.

**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:**

**Budget Information:**

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids is interested in partnering with Iowa Startup Accelerator (ISA) using aggressive startup education programs designed to develop a strong innovation ecosystem in Iowa; construct national and international networks of entrepreneurs, mentors and investors; and make Iowa a top high-performing region for entrepreneurship, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, authorizes the City Manager to sign a Memorandum of Agreement with the Iowa Startup Accelerator for the amount of \$50,000 for the period beginning July 1, 2015 and ending June 30, 2016.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services

**Presenter at Meeting:** Jasmine Almoayed  
**E-mail Address:** j.almoayed@cedar-rapids.org

**Phone Number/Ext.:** 5349

**Alternate Contact Person:** Jennifer Pratt  
**E-mail Address:** j.pratt@cedar-rapids.org

**Phone Number/Ext.:** 5047

**Description of Agenda Item:** Purchases, contracts and agreements Memorandum of Agreement with the Entrepreneurial Development Center, and funding in the amount of \$100,000 for the period beginning July 1, 2015 and ending June 30, 2016.  
 CIP/DID #OB487471

**EnvisionCR Element/Goal:** InvestCR Goal 1: Expand economic development efforts to support business and workforce growth, market Cedar Rapids, and engage regional partners.

**Background:**

The mission of the Entrepreneurial Development Center (EDC) is to provide economic growth in the Creative Corridor and throughout Iowa through the expansion and development of entrepreneurial enterprise.

The City of Cedar Rapids recognizes the importance of the EDC and its impact on economic development for both the city and the region. In addition to a request for financial support, the EDC has agreed to a Memorandum of Agreement which sets forth primary expectations and key performance indicators for reporting purposes as the City of Cedar Rapids and EDC work cooperatively to enhance economic development.

**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:** July 14, 2015

**Budget Information:**

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the mission of the Entrepreneurial Development Center (EDC) is to provide economic growth in the Creative Corridor and throughout Iowa through the expansion and development of entrepreneurial enterprise; specifically high-impact Iowa-based regional, national and international businesses, and

WHEREAS, by connecting entrepreneurial needs with professional direction and applicable resources, EDC supports business creation and expansion as well as the successful development and commercialization of new products and technologies, and

WHEREAS, the City of Cedar Rapids recognizes the importance of the EDC and its impact on economic development for both the city and the region, and

WHEREAS, in addition to a request for financial support, the EDC has agreed to a Memorandum of Agreement which sets forth primary expectations and key performance indicators for reporting purposes as the City of Cedar Rapids and EDC work cooperatively to enhance economic development.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that authorizes the City Manager to sign a Memorandum of Agreement with the Entrepreneurial Development Center for the amount of \$100,000 for the period beginning July 1, 2015 and ending June 30, 2016.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services

**Presenter at Meeting:** Jasmine Almoayed  
**E-mail Address:** j.almoayed@cedar-rapids.org

**Phone Number/Ext.:** 5349

**Alternate Contact Person:** Jennifer Pratt  
**E-mail Address:** j.pratt@cedar-rapids.org

**Phone Number/Ext.:** 5047

**Description of Agenda Item:** Purchases, contracts and agreements Memorandum of Agreement with Diversity Focus and funding in the amount of \$40,000 for the period beginning July 1, 2015 and ending June 30, 2016.  
 CIP/DID # OB487471

**EnvisionCR Element/Goal:** InvestCR Goal 1: Expand economic development efforts to support business and workforce growth, market Cedar Rapids, and engage regional partners.

**Background:**

The mission of Diversity Focus is to lead in the promotion of diversity, cultural awareness and inclusion in the Corridor. The City of Cedar Rapids recognizes the importance of Diversity Focus and its impact on economic development for both the city and the region.

In addition to a request for financial support, Diversity Focus has agreed to a Memorandum of Agreement which sets forth primary expectations and key performance indicators for reporting purposes as the City of Cedar Rapids and Diversity Focus work cooperatively to enhance economic development.

**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:** July 14, 2015

**Budget Information:**

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the mission of Diversity Focus is to lead in the promotion of diversity, cultural awareness and inclusion in the Corridor, and

WHEREAS, **the vision is that** diversity is the crucial link to economic, cultural, academic, and technological success, and that the Corridor community will be the model of inclusion that values, nurtures, attracts, and retains people of diverse backgrounds, cultures, and beliefs, and

WHEREAS, the City of Cedar Rapids recognizes the importance of Diversity Focus and its impact on economic development for both the city and the region, and

WHEREAS, in addition to a request for financial support, Diversity Focus has agreed to a Memorandum of Agreement which sets forth primary expectations and key performance indicators for reporting purposes as the City of Cedar Rapids and Diversity Focus work cooperatively to enhance economic development.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, authorizes the City Manager to sign a Memorandum of Agreement with Diversity Focus for the amount of \$40,000 for the period beginning July 1, 2015 and ending June 30, 2016.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development

**Presenter at Meeting:** Caleb Mason  
**E-mail Address:** c.mason@cedar-rapids.org

**Phone Number/Ext.:** 319 286-5188

**Alternate Contact Person:** Jennifer Pratt  
**E-mail Address:** j.pratt@cedar-rapids.org

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolution authorizing execution of a Special Warranty Deed with The Depot Development, LLC for City-owned property at 400 12th Avenue SE (**FLOOD**).  
 CIP/DID #OB675513

**EnvisionCR Element/Goal:** GrowCR Goal 1: Encourage mixed-use and infill development.

### Background:

The Resolution authorizes the execution of a Special Warranty Deed conveying property at 400 12<sup>th</sup> Avenue SE to The Depot Development, LLC in accordance with the terms of the Development Agreement.

The Development Agreement was approved by the City Council on May 12, 2015. The agreement outlines several precedent conditions which are to be satisfied prior to closing on the sale of the land:

1. The Depot and NewBo Market are to enter into an agreement which outlines terms and conditions of shared parking and the Market's release of its lease of and option to purchase the parking lot now situated on 400 12<sup>th</sup> Avenue SE; and
2. The City and NewBo Market are to amend its Development Agreement, Option to Purchase, and Lease removing the portion of 400 12<sup>th</sup> Avenue SE from the respective agreements' purview; and
3. The Depot is to provide evidence satisfactory to the City of firm financing commitments for the project.

The above conditions have been satisfied which have led to the proposed action of the City executing the Special Warranty Deed to convey the property. The first phase of construction involving the removal of railroad tracks and construction of parking is to begin later this summer. As part of the agreement between The Depot and NewBo Market, temporary parking is being provided for Market staff, vendors and patrons in the former Chrome Horse parking lot on 12<sup>th</sup> Avenue SE until the parking behind the Market's facility is complete.

Additional actions related to this project on the City Council agenda include the 2<sup>nd</sup> and possible 3<sup>rd</sup> Reading of the ordinance vacating and disposing of the 4<sup>th</sup> Street SE right-of-way and the disposition of a 20 foot by 300 foot strip of railroad right-of-way. Terms and conditions

pertaining to the vacation and disposition of 4<sup>th</sup> Street ROW and RR ROW were included in the Development Agreement with The Depot.

**Action/Recommendation:** City staff recommends approval of the resolution.

**Alternative Recommendation:** City Council may table and request additional information.

**Time Sensitivity:** NA

**Resolution Date:** July 14, 2015

**Budget Information:** NA

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City owns property located at 400 12<sup>th</sup> Avenue SE (the "Property"); and

WHEREAS, on May 21, 2014 the City Council's Development Committee recommended inviting proposals for the redevelopment and reuse of the Property; and

WHEREAS, on June 10, 2014 the City Council passed a motion to conduct a public hearing and publish notice on June 14, 2014, and the public hearing was held on June 24, 2014 on the possible disposition of this property in accordance with Iowa law;

WHEREAS, the City received one (1) proposal from Ahmann Companies d/b/a The Depot Development, LLC for the redevelopment of the Property; and

WHEREAS, the City Council adopted Resolution No. 1620-11-14 directing staff to pursue a Development Agreement with The Depot Development, LLC; and

WHEREAS, City staff and The Depot Development, LLC negotiated the terms and conditions of a Development Agreement which was approved by City Council on May 12, 2015 pursuant to Resolution No. 0692-05-15; and

WHEREAS, The Depot Development, LLC has satisfied precedent conditions to closing outlined in the Development Agreement and is ready to receive title to the Property and commence the minimum improvements; and

WHEREAS, a Special Warranty Deed for the Property has been prepared and is now ready for execution on behalf of the City.

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

1. The City Manager and City Clerk, or their designees, are authorized to execute a Special Warranty Deed effectuating the conveyance of City-owned property at 400 12<sup>th</sup> Avenue SE and the Resolution and deed be recorded in office of the Linn County, Iowa Recorder.
2. The City Manager and City Clerk, or their designees, are authorized to execute a Memorandum of Development Agreement with The Depot Development, LLC and that the Memorandum of Development Agreement be recorded in the office of the Linn County, Iowa Recorder.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## 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:** Joseph Mailander  
**E-mail Address:** j.mailander@cedar-rapids.org

**Phone Number/Extension:** 5822

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolution authorizing acceptance of a Traffic Signal Easement from Target Corporation from land located at 1030 Blairs Ferry Road NE in connection with the Northtowne Market Development project.  
 CIP/DID #FLPT-018821-2015

**EnvisionCR Element/Goal:** GrowCR Goal 1: Encourage mixed-use and infill development.

**Background:** The easement is required to accommodate the proposed traffic signal improvements in connection with the Northtowne Market Development project. Target Corporation is providing the easement to the City for mutual benefit.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing acceptance of a Traffic Signal Easement from Target Corporation.

**Alternative Recommendation:** Do not proceed with acquiring the proposed Traffic Signal Easement and direct City staff to abandon or reconfigure improvements.

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** FLPT-018821-2015

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Public Works Director has determined the need for a traffic signal easement exists in order to accommodate the proposed facilities, and

WHEREAS, Target Corporation, 1000 Nicollet Mall Minneapolis, MN 55403-2542, OWNER of the real property known and described as:

See Attached Traffic Signal Easement

has agreed to convey the necessary traffic signal easement at 1030 Blairs Ferry Road NE to the City of Cedar Rapids for \$1 and other valuable consideration,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Traffic Signal Easement be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

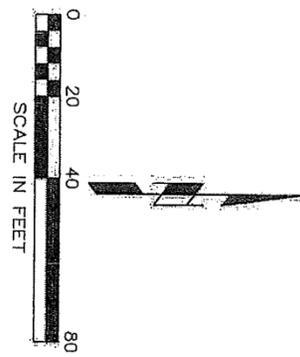
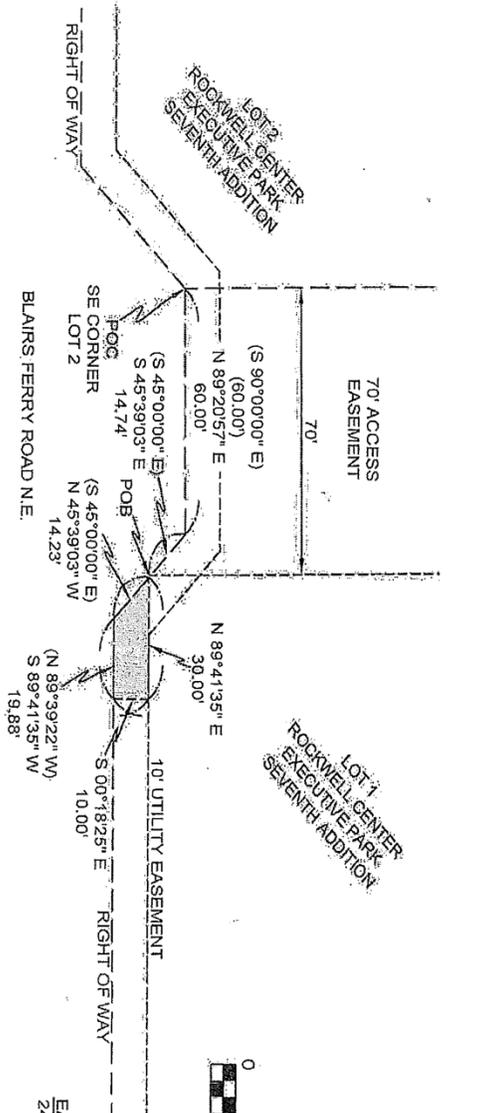
MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

**TRAFFIC SIGNAL EASEMENT  
PART OF LOT 1, ROCKWELL CENTER EXECUTIVE PARK SEVENTH ADDITION  
TO CEDAR RAPIDS, IOWA**



**SURVEY REQUESTED BY:**  
 CITY OF CEDAR RAPIDS  
 PUBLIC WORKS DEPARTMENT  
 500 15TH AVENUE S.W.  
 CEDAR RAPIDS, IOWA 52404

**OWNER:**  
 TARGET CORPORATION  
 3609 SMITH BARRY RD.  
 SUITE 100  
 ARLINGTON, TEXAS 76013

**EASEMENT DESCRIPTION:**  
 Part of Lot 1, Rockwell Center Executive Park Seventh Addition to Cedar Rapids, Iowa, more particularly described as follows:

**SURVEYOR:**  
 WADE D. WAMPE, P.L.S.  
 SHIVE-HATTERY, INC.  
 316 SECOND STREET S.E., SUITE 500  
 CEDAR RAPIDS, IOWA 52401

**SURVEY LEGEND**

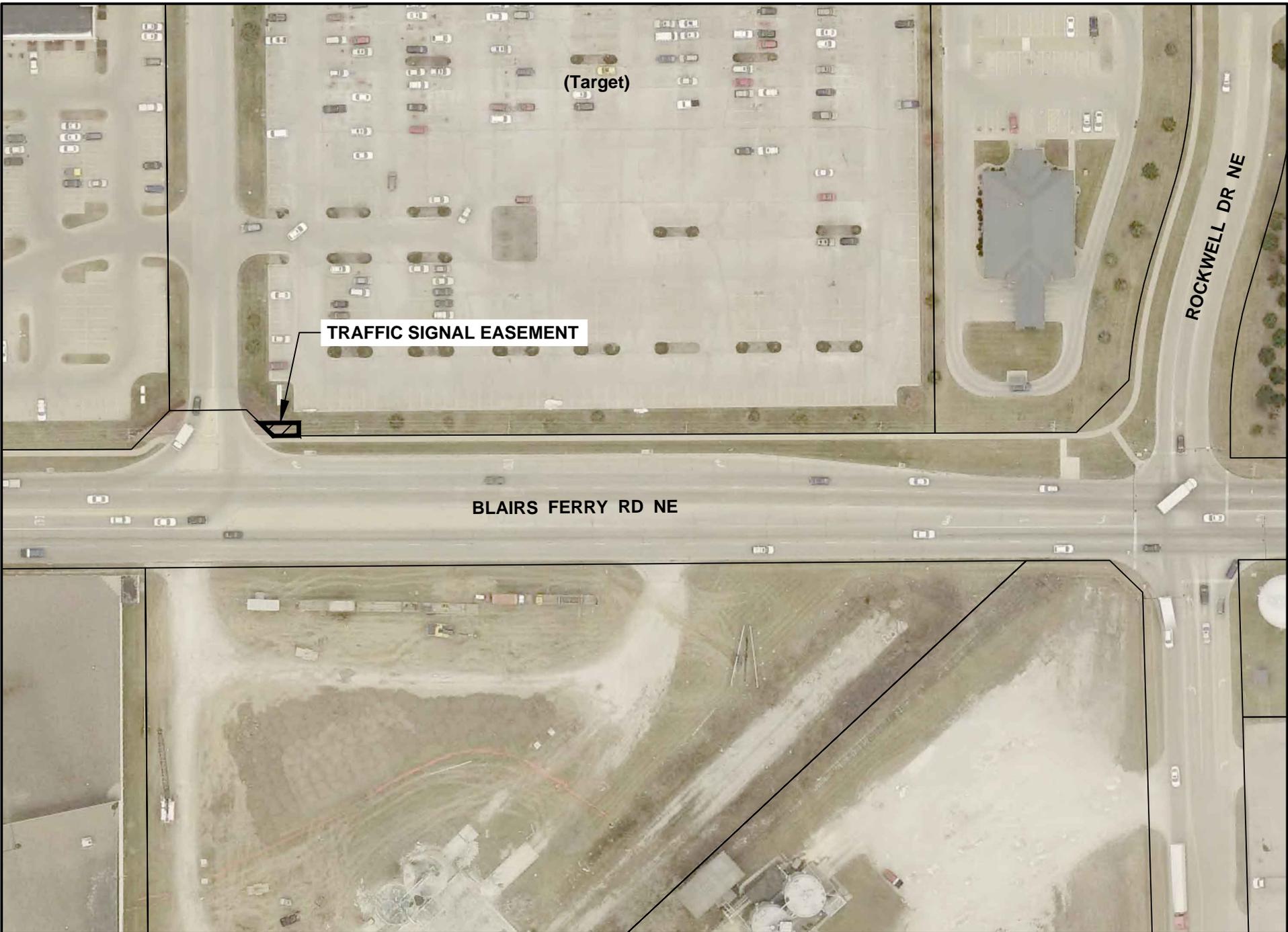
( ) RECORDED AS  
 POC POINT OF COMMENCEMENT  
 POB POINT OF BEGINNING  
 EXISTING EASEMENT LINE  
 ADJACENT PROPERTY LINE  
 PROPOSED EASEMENT AREA

Commencing at the Southeast Corner of Lot 2, Rockwell Center Executive Park Seventh Addition to Cedar Rapids, Iowa: Thence N 89°20'57" E along the North Right of Way of Blairs Ferry Road N.E. a distance of 60.00 feet; Thence S 45°39'03" E along said North Right of Way to the Point of Beginning a distance of 14.74 feet; Thence N 89°41'35" E and parallel to said North Right of Way a distance of 30.00 feet; Thence S 00°18'25" E to a point on said North Right of Way a distance of 10.00 feet; Thence S 89°41'35" W along said North Right of Way a distance of 19.88 feet; Thence N 45°39'03" W along said North Right of Way to the Point of Beginning a distance of 14.23 feet.  
 Said Easement contains 249 SQ.FT., subject to easements and restrictions of record.

**SHIVEHATTERY**  
 ARCHITECTURE & ENGINEERING  
 Iowa | Illinois | Indiana | Missouri <http://www.shive-hattery.com>

TRAFFIC SIGNAL EASEMENT PART OF LOT 1, ROCKWELL CENTER EXECUTIVE PARK SEVENTH ADDITION TO CEDAR RAPIDS, IOWA		PROJECT NO. 2142621
DATE 4-15-2015	SCALE 1"=40'	SHEET NO.
DRAWN cep	FIELD BOOK	1 OF 1
APPROVED	REVISION	

Cadd File Name: W:\PROJECTS\Non-CIP\2015\715 Final Plans\FINAL PLATS - ENERGO\018821 - Northtowne Market\FLPT-018821-2015 Council Map.dwg



**NORTHTOWNE MARKET DEVELOPMENT  
TRAFFIC SIGNAL EASEMENT**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5807

**Alternate Contact Person:** Joseph Mailander  
**E-mail Address:** j.mailander@cedar-rapids.org

**Phone Number/Extension:** 5822

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolution authorizing acceptance of a Traffic Signal & Sidewalk Easement agreement from Hunter Companies LLC from land located at 1103 Blairs Ferry Road NE in connection with the Northtowne Market Development project.  
 CIP/DID #FLPT0188-21-2015

**EnvisionCR Element/Goal:** GrowCR Goal 1: Encourage mixed-use and infill development.

**Background:** This easement is required to accommodate the proposed traffic signal and sidewalk improvements in connection with the Northtowne Market Development project. Hunter Companies LLC is providing the easement to the City for mutual benefit.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing acceptance of a Traffic Signal & Sidewalk Easement from Hunter Companies LLC.

**Alternative Recommendation:** Do not proceed with acquiring the proposed Traffic Signal & Sidewalk Easement and direct City staff to abandon or reconfigure improvements.

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** FLPT-018821-2015 NA

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Public Works Director has determined the need for a traffic signal and sidewalk easement exists in order to accommodate the proposed facilities, and

WHEREAS, Hunter Companies LLC, P.O. Box 1826, Cedar Rapids, Iowa 52406, OWNER of the real property known and described as:

See Attached Traffic Signal & Sidewalk Easement

has agreed to convey the necessary traffic signal and sidewalk easement at 1103 Blairs Ferry Road NE to the City of Cedar Rapids for \$1 and other valuable consideration,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Traffic Signal & Sidewalk Easement agreement be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

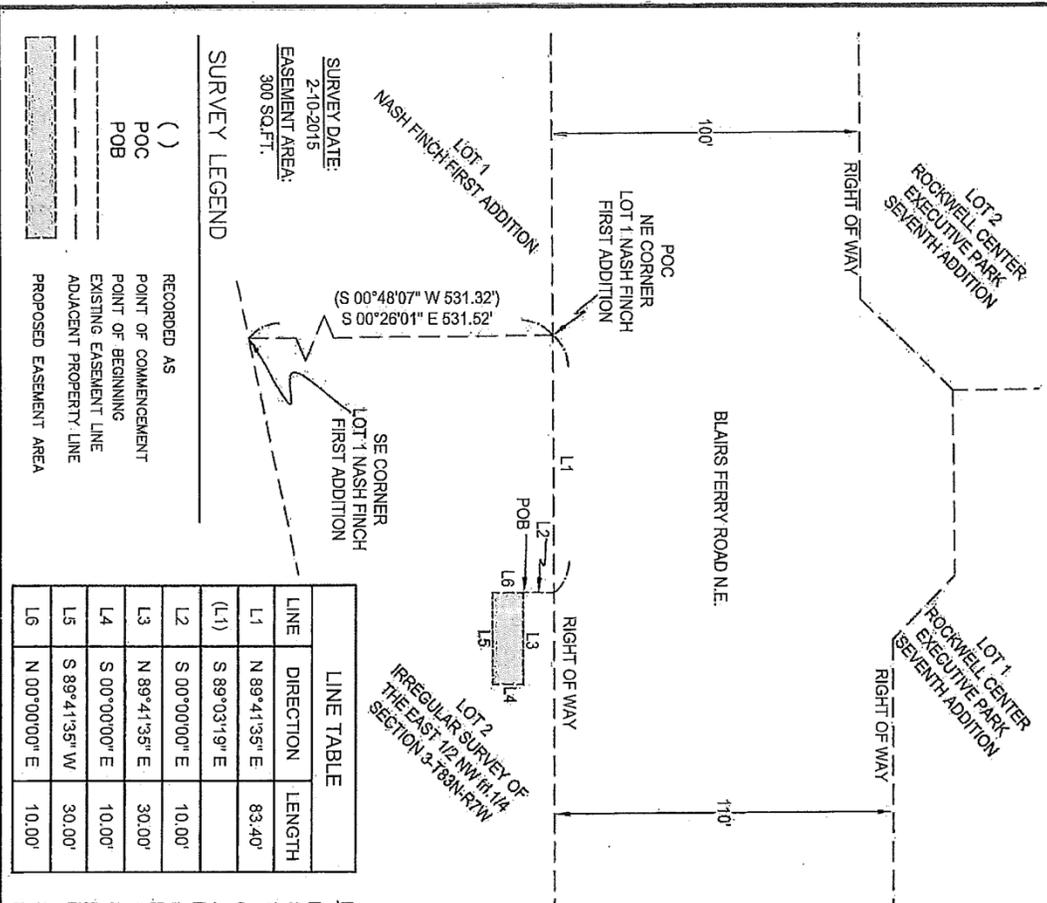
MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

**TRAFFIC SIGNAL & SIDEWALK EASEMENT  
PART OF LOT 2, IRREGULAR SURVEY OF THE EAST 1/2 NW 1/4 1/4 OF SECTION 3-T83N-R7W  
TO CEDAR RAPIDS, LINN COUNTY, IOWA**

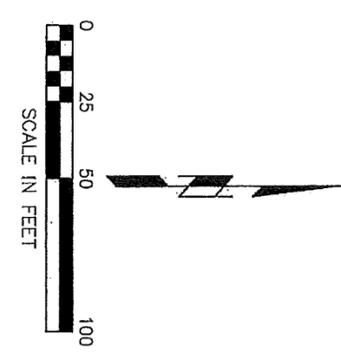


**SURVEY DATE:**  
2-10-2015  
**EASEMENT AREA:**  
300 SQ.FT.

**SURVEY LEGEND**

( ) RECORDED AS  
POC POINT OF COMMENCEMENT  
POB POINT OF BEGINNING  
--- EXISTING EASEMENT LINE  
--- ADJACENT PROPERTY LINE  
--- PROPOSED EASEMENT AREA

LINE	DIRECTION	LENGTH
L1	N 89°41'35" E	83.40'
(L-1)	S 89°03'19" E	
L2	S 00°00'00" E	10.00'
L3	N 89°41'35" E	30.00'
L4	S 00°00'00" E	10.00'
L5	S 88°41'35" W	30.00'
L6	N 00°00'00" E	10.00'



**OWNER:**  
HUNTER COMPANIES LLC  
PO BOX 1826  
CEDAR RAPIDS, IOWA 52406

**SURVEYOR:**  
WADE D. WAHRE, PLS  
SHIVE-HATTERY, INC  
316 SECOND STREET S.E., SUITE 500  
CEDAR RAPIDS, IOWA 52401

**SURVEY REQUESTED BY:**  
CITY OF CEDAR RAPIDS  
PUBLIC WORKS DEPARTMENT  
500 15TH AVENUE S.W.  
CEDAR RAPIDS, IOWA 52404

**EASEMENT DESCRIPTION:**  
Part of Lot 2, Irregular Survey of the East 1/2 NW 1/4 1/4 of Section 3-T83N-R7W, Linn County, Iowa more particularly described as follows:  
Commencing at the Northeast Corner of Lot 1, Nash Finch First Addition to the City of Cedar Rapids, Linn County, Iowa, Thence N 89°41'35" E along the South right of way of Blair's Ferry Road N.E. a distance of 83.40 feet; Thence S 00°00'00" E to the Point of Beginning a distance of 10.00 feet; Thence N 89°41'35" E and parallel to said South right of way a distance of 30.00 feet; Thence S 00°00'00" E a distance of 10.00 feet; Thence S 89°41'35" W and parallel to said South right of way a distance of 30.00 feet; Thence N 00°00'00" E to the Point of Beginning a distance of 10.00 feet.  
Said Easement contains 300 SQ.FT., subject to easements and restrictions of record.

**SHIVEHATTERY**  
ARCHITECTS ENGINEERS SURVEYORS

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

<b>TRAFFIC SIGNAL &amp; SIDEWALK EASEMENT PART OF LOT 2 IRR. SURVEY OF THE EAST 1/2 NW 1/4 OF SECT 3-T83N-R7W TO CEDAR RAPIDS, LINN COUNTY, IOWA</b>		PROJECT NO. 2151140
DATE	6-15-2015	SCALE
DRAWN	cen	FIELD BOOK
APPROVED		REVISION
		SHEET NO. <b>1 OF 1</b>

(Target)

BLAIRS FERRY RD NE

TRAFFIC SIGNAL AND  
SIDEWALK EASEMENT

ROCKWELL DR NE

Cadd File Name: W:\PROJECTS\Non-CIP\2015\715 Final Plans\FINAL PLATS - ENERGO\018821 - Northtowne Market\FLPT-018821-2015 Council Map.dwg



**NORTHTOWNE MARKET DEVELOPMENT  
TRAFFIC SIGNAL AND SIDEWALK EASEMENT**



FLPT-018821-2015



## 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:** Joseph Mailander  
**E-mail Address:** j.mailander@cedar-rapids.org

**Phone Number/Extension:** 5822

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolution authorizing acceptance of a Traffic Signal & Sidewalk Easement agreement from Hunter Companies LLC from land located at of 1201 and 1103 Blairs Ferry Road NE in connection with the Northtowne Market Development project.  
 CIP/DID #FLPT-018821-2015

**EnvisionCR Element/Goal:** GrowCR Goal 1: Encourage mixed-use and infill development.

**Background:** This easement is required to accommodate the proposed traffic signal and sidewalk improvements in connection with the Northtowne Market development project. Hunter Companies LLC is providing the easement to the City for mutual benefit.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing acceptance of a Traffic Signal & Sidewalk Easement from Hunter Companies LLC.

**Alternative Recommendation:** Do not proceed with acquiring the proposed Traffic Signal & Sidewalk Easement and direct City staff to abandon or reconfigure improvements.

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** FLPT 0188-21-2015

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Public Works Director has determined the need for a traffic signal and sidewalk easement exists in order to accommodate the proposed facilities, and

WHEREAS, Hunter Companies LLC, P.O. Box 1826, Cedar Rapids, Iowa 52406, OWNER of the real property known and described as:

See Attached Traffic Signal & Sidewalk Easement

has agreed to convey the necessary traffic signal and sidewalk easement at 1201 and 1103 Blairs Ferry Road NE to the City of Cedar Rapids for \$1 and other valuable consideration,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Traffic Signal & Sidewalk Easement agreement be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

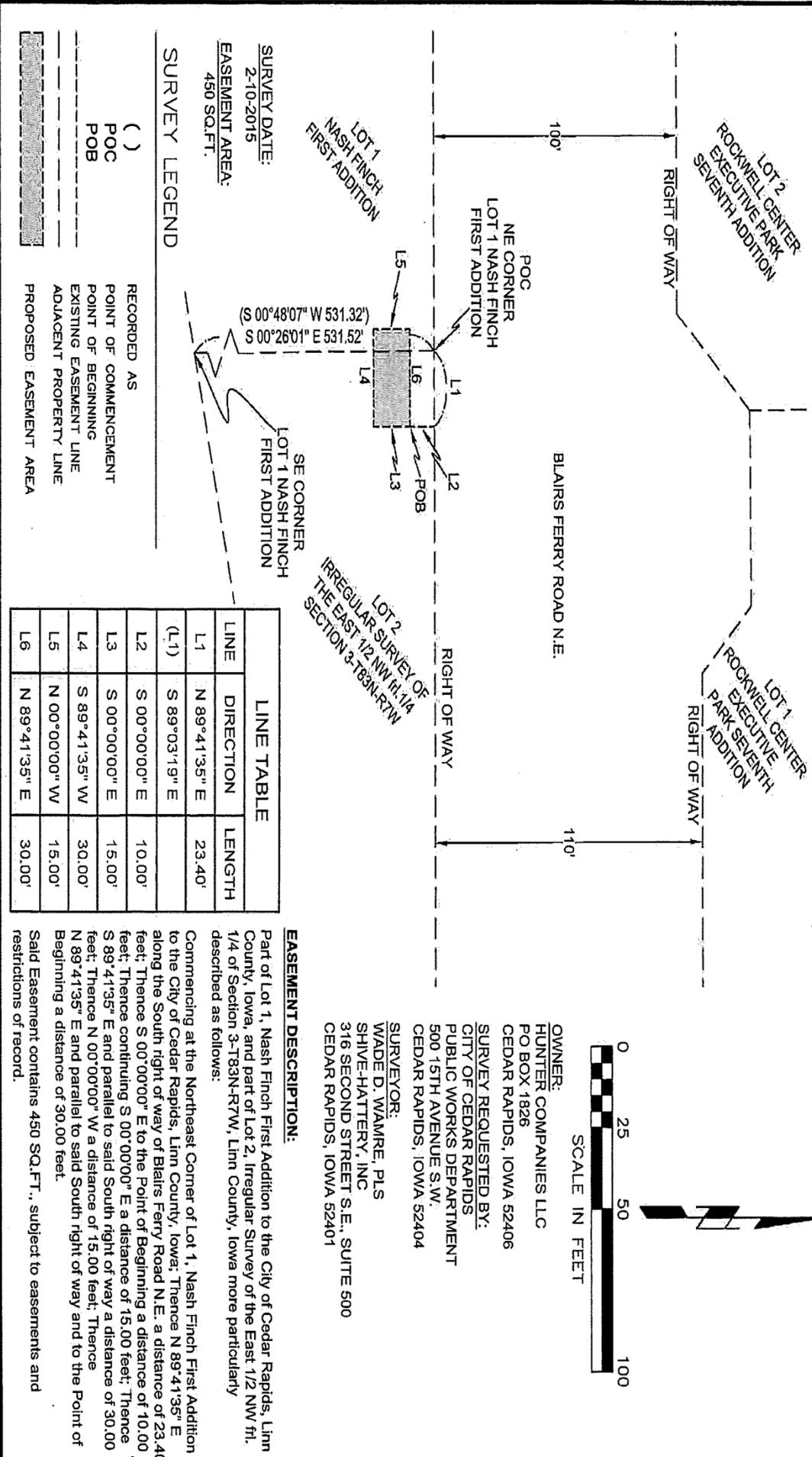
MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

**TRAFFIC SIGNAL & SIDEWALK EASEMENT  
PART OF LOT 1, NASH FINCH FIRST ADDITION & PART OF LOT 2, IRREGULAR SURVEY  
OF THE EAST 1/2 NW 1/4, 1/4 OF SECTION 3-T83N-R7W  
TO CEDAR RAPIDS, LINN COUNTY, IOWA**



**SURVEY DATE:**  
2-10-2015  
**EASEMENT AREA:**  
450 SQ.FT.

**SURVEY LEGEND**

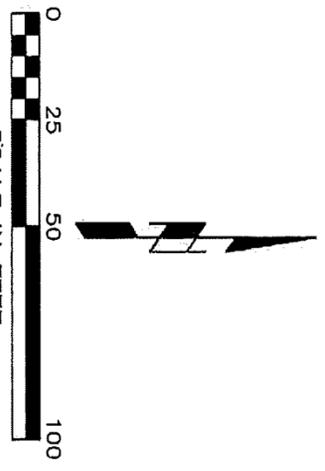
- ( ) RECORDED AS
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- EXISTING EASEMENT LINE
- ADJACENT PROPERTY LINE
- PROPOSED EASEMENT AREA

LINE	DIRECTION	LENGTH
L1	N 89°41'35" E	23.40'
(L1)	S 89°03'19" E	
L2	S 00°00'00" E	10.00'
L3	S 00°00'00" E	15.00'
L4	S 89°41'35" W	30.00'
L5	N 00°00'00" W	15.00'
L6	N 89°41'35" E	30.00'

**EASEMENT DESCRIPTION:**

Part of Lot 1, Nash Finch First Addition to the City of Cedar Rapids, Linn County, Iowa, and part of Lot 2, Irregular Survey of the East 1/2 NW 1/4, 1/4 of Section 3-T83N-R7W, Linn County, Iowa more particularly described as follows:  
Commencing at the Northeast Corner of Lot 1, Nash Finch First Addition to the City of Cedar Rapids, Linn County, Iowa; Thence N 89°41'35" E along the South right of way of Blairs Ferry Road N.E. a distance of 23.40 feet; Thence S 00°00'00" E to the Point of Beginning a distance of 10.00 feet; Thence continuing S 00°00'00" E a distance of 15.00 feet; Thence S 89°41'35" E and parallel to said South right of way a distance of 30.00 feet; Thence N 00°00'00" W a distance of 15.00 feet; Thence N 89°41'35" E and parallel to said South right of way and to the Point of Beginning a distance of 30.00 feet.  
Said Easement contains 450 SQ.FT., subject to easements and restrictions of record.

**OWNER:**  
HUNTER COMPANIES LLC  
PO BOX 1826  
CEDAR RAPIDS, IOWA 52406  
**SURVEY REQUESTED BY:**  
CITY OF CEDAR RAPIDS  
PUBLIC WORKS DEPARTMENT  
500 15TH AVENUE S.W.  
CEDAR RAPIDS, IOWA 52404  
**SURVEYOR:**  
WADE D. WAMRE, PLS  
SHIVE-HATTERY, INC  
316 SECOND STREET S.E., SUITE 500  
CEDAR RAPIDS, IOWA 52401



<p>ARCHITECTURE &amp; ENGINEERING</p> <p>Iowa   Illinois   Indiana   Missouri    <a href="http://www.shive-hattery.com">http://www.shive-hattery.com</a></p>	<b>TRAFFIC SIGNAL &amp; SIDEWALK EASEMENT PART OF LOT 1 NASH FINCH FIRST ADDITION &amp; PART OF LOT 2 IRR. SURVEY TO CEDAR RAPIDS, LINN COUNTY, IOWA</b>		PROJECT NO. 2151140	
	DATE	6-15-2015	SCALE	1"=50'
	DRAWN	cen	FIELD BOOK	1270
	APPROVED		REVISION	
<p style="font-size: 2em; font-weight: bold;">1 OF 1</p>				

(Target)

BLAIRS FERRY RD NE

TRAFFIC SIGNAL AND  
SIDEWALK EASEMENT

ROCKWELL DR NE

Cadd File Name: W:\PROJECTS\Non-CIP\2015\715 Final Plans\FINAL PLATS - ENERGO\018821 - Northtowne Market\FLPT-018821-2015 Council Map.dwg



**NORTHTOWNE MARKET DEVELOPMENT  
TRAFFIC SIGNAL AND SIDEWALK EASEMENT**



FLPT-018821-2015



## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development

**Presenter at Meeting:** Jennifer Pratt  
**E-mail Address:** [j.pratt@cedar-rapids.org](mailto:j.pratt@cedar-rapids.org)

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

**Alternate Contact Person:** Kirsty Sanchez  
**E-mail Address:** [k.sanchez@cedar-rapids.org](mailto:k.sanchez@cedar-rapids.org)

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

**Description of Agenda Item:** CONSENT AGENDA

Resolution authorizing payment of an Economic Development Grant of \$7,499.00 to the Linn County Treasurer to satisfy the 3<sup>rd</sup> Street SE Streetscape Reinvestment Project assessment for Jelinek Companies, LLC for the property located at 1121 and 1125 3<sup>rd</sup> Street SE and 216 12<sup>th</sup> Avenue SE.

CIP/DID #321526-02

**EnvisionCR Element/Goal:** ConnectCR Goal 4: Improve the function and appearance of our key corridors.

**Background:**

Resolution authorizing payment of a Streetscape Property Assessment Grant to the Linn County Treasurer in the amount of \$7,499.00 to be applied to the 3<sup>rd</sup> Street SE Streetscape Reinvestment Project assessment.

On January 13, 2015, Council approved Resolution 0047-01-15 authorizing Amendment No. 1 to the Reinvestment and Job Creation Verification Agreement with Jelinek Companies, LLC. This Amendment added the properties located at 1121 3<sup>rd</sup> Street SE and 216 12<sup>th</sup> Avenue SE to the Reinvestment and Job Creation Verification Agreement for the property located at 1125 3<sup>rd</sup> Street SE. Jelinek Companies, LLC has satisfied the terms of the Agreement and has requested that the City authorize payment of the \$7,499.00 Streetscape Property Assessment Grant.

On May 25, 2010, Council approved Resolution No. 0514-05-10 adopting a Resolution of Necessity for the 3<sup>rd</sup> Street SE Reconstruction and Streetscape Improvements from 8<sup>th</sup> Avenue SE to 14<sup>th</sup> Avenue SE. On August 23, 2011, Council approved Resolution No. 1134-08-11, approving the Property Assessment Agreement Program. The goals of the program were to:

1. Allow property owners impacted by the flood of 2008 the mechanism to pay all or a portion of their Assessments.
2. Provide incentive for private reinvestment.
3. Provide leverage of the City's investment in the project with private investment.
4. Provide incentive for an enhanced neighborhood.

The Property Assessment Agreement Program provides a Streetscape Property Assessment Grant that can be applied to a property's assessment for a partial or total amount of the

Streetscape Property Assessment. The Streetscape Property Assessment Grant shall be payable from Tax Increment Revenues from the respective Tax Increment Funds.

**Action/Recommendation:** City staff recommends approval of the Resolution.

**Alternative Recommendation:** City Council may table and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** July 14, 2015

**Budget Information:** The Streetscape Property Assessment Grant payment is payable from Tax Increment Revenues from the Consolidated Central Tax Increment Financing Fund.

**Local Preference Policy:** NA

**Explanation:**

**Recommended by Council Committee:** NA

**Explanation:**

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and Jelinek Companies, LLC have entered into an *Agreement for Private Reinvestment* (the "Agreement") dated August 23, 2011 which set forth redevelopment requirements of Jelinek Companies, LLC and further provided for City payment of the Streetscape Property Assessment Grant contingent upon fulfillment of the terms of the Agreement; and

WHEREAS, the redevelopment improvements specified in the Agreement are entirely within the Consolidated Central Urban Renewal Area as established by the City Council through Resolution No. 2254-11-00 on November 1, 2000; and

WHEREAS, upon completion of the redevelopment, Jelinek Companies, LLC is qualified to receive the full Streetscape Property Assessment Grant as provided under Section 8.1 (Streetscape Property Assessment Grants) of the Agreement that totals \$7,499.00;

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 a Streetscape Property Assessment Grant payment to the Linn County Treasurer in the amount of \$7,499.00 to be paid from the Consolidated Central Tax Increment Financing fund (Fund/Dept/Project - 7520-752000-752005) for the Streetscape Property Assessment Grant.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## 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:** Jen Winter  
**E-mail Address:** j.winter@cedar-rapids.org

**Phone Number/Extension:** 5803

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolution approving Amendment No. 24 to the Contract Agreement with the Iowa Economic Development Authority (IEDA) reducing the grant award by an amount of \$381,730 for the voluntary property acquisition and demolition project funded under the Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program (original contract price was \$95,474,137; total contract amount with this amendment is \$125,012,813) (**FLOOD**).  
 CIP/DID #3302500001-2

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:** On July 31, 2009 the City of Cedar Rapids submitted to the Iowa Economic Development Authority (IEDA) a Community Development Block Grant (CDBG) Voluntary Property Acquisition/Demolition Application to voluntarily acquire and demolish flood-damaged properties. The City signed a contract on November 24, 2009 for a CDBG award amount of \$95,474,137 for 852 parcels.

As additional property owners registered their properties for the buyout program, the original grant had nine amendments increasing the grant amount from \$95,474,137 to \$166,865,594.

IEDA subsequently amended the contract for non-financial changes which include: extending the requirement on demolition timeline; amending contract end date to November 4, 2013; amending each Article in the contract that refers to "Attachment A, Program Description and Budget" to add Low-Moderate Income as a national objective on the Attachment A; reallocating funds from urgent need and low-moderate income activity to the non-residential, urgent need activity; and increasing the number of properties in the buyout program based on the final August 28, 2012 application submission by the City.

IEDA requested a clawback of available funds from the CDBG Voluntary Property Acquisition/Demolition program. The Amendment No. 15 to the original contract reduced the grant award from \$166,865,594 to \$147,759,190. Sufficient funds remain in the program to complete the outstanding acquisitions and demolitions.

Subsequent to Amendment No. 15 IEDA amended the contract for non-financial changes which include: Amending Article 5.11 to revise the existing language; amending contract end date to

November 29, 2014; and amending each Article in the contract that refers to "Attachment A, Program Description and Budget" as "amended".

IEDA requested additional clawback of available funds from the CDBG Voluntary Property Acquisition/Demolition program. Amendment No. 19 to the original contract reduced the grant award from \$147,759,190 to \$145,759,190 and Amendment 20 reduced the grant award from 145,759,190 to \$126,441,122.

IEDA amended the contract end date to November 30, 2015 under Amendment 21 and subsequently requested with Amendment 22 additional clawback of available funds from the CDBG Voluntary Property Acquisition/Demolition program by reducing the grant award from \$126,441,122 to \$125,929,407 and Amendment 24 reduced the contract from \$125,929,407 to \$125,394,543.

IEDA has requested additional clawback of available funds from the CDBG Voluntary Property Acquisition/Demolition program. Amendment 24 to the original contract will reduce the grant award from \$125,394,543 to \$125,012,813. This resolution will formally ratify Amendment No. 24 to the original Contract Agreement between the Iowa Economic Development Authority and the City of Cedar Rapids for administration under the Community Development Block Grant program. Specifically, it will authorize the execution of the amendment necessary to reduce the grant award \$381,730. Sufficient funds remain in the program to complete outstanding items for project closeout.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution and executing Amendment No. 24 to the Contract Agreement with the Iowa Economic Development Authority (IEDA) to amend the award by reducing the amount from \$125,394,543 to \$125,012,813.

**Alternative Recommendation:** City Council may table this item at this time and request additional information.

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** 330/330000/330250/3302500001-2, 3302500002 & 3302500003 FLOOD

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

RESOLUTION APPROVING AMENDMENT NO. 24 TO THE IOWA ECONOMIC  
DEVELOPMENT AUTHORITY CONTRACT AGREEMENT FOR ADMINISTRATION OF THE  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, on July 31, 2009 the City of Cedar Rapids submitted to the Iowa Economic Development Authority (IEDA) a Community Development Block Grant (CDBG) Property Acquisition/Demolition Application to administer, voluntarily acquire and demolish flood-damaged properties, and

WHEREAS, the City signed the original contract on November 24, 2009 for a Community Development Block Grant award totaling \$95,474,137 for the voluntary property acquisition of flood-damaged properties, and

WHEREAS, numerous contract amendments followed with Amendment No. 8 & 9 being approved by City Council Resolution No. 0459-04-11 increasing the grant award amount to \$166,865,594, and

WHEREAS, subsequently the City received several additional non-financial contract amendments that did not require City Council approval for the following:

No. 10: Extending the requirement on demolition timeline

No. 11: Amending the contract end date to November 4, 2013

No. 12: Amending each Article in the Contract that refers to "Attachment A, Program Description and Budget" to add Low-Moderate Income as a national objective on the Attachment A

No. 13: Reallocating funds from urgent need and low-moderate income activity to the non-residential, urgent need activity

No. 14: Increasing the number of properties in the buyout program based on the final August 28, 2012 application submission by the City

, and

WHEREAS, Amendment No. 15 approved by City Council Resolution No. 0736-05-13, reduced the grant award amount from \$166,865,594 to \$147,759,190, and

WHEREAS, subsequently the City received several additional non-financial contract amendments that did not require City Council approval for the following:

No. 16: Amending Article 5.11 "Removal of Existing Building" by deleting the existing language and inserting; "Existing buildings and other structures located on acquired property that, in the sole discretion of the Department, are determined to be incompatible with the use of property after acquisition must be removed by demolition or relocation to an area outside the applicable Special Hazard Flood Area by the contract end date."

No. 17: Amend contract end date to November 29, 2014.

No. 18: Amend each Article in the contract that refers to "Attachment A, Program Description and Budget" to "Attachment A, Program Description and Budget, as amended."

, and

WHEREAS, Amendment No. 19 approved by City Council Resolution No. 0047-01-14, reduced the grant award amount from \$147,759,190 to 145,759,190, and

WHEREAS, Amendment No. 20 approved by City Council Resolution No. 0566-05.14, reduced the grant award amount from \$145,759,190 to \$126,441,122, and

WHEREAS, Amendment No. 21 extended the contract end date to November 30, 2015, and

WHEREAS, Amendment No. 22 approved by City Council Resolution No. 1565-11-14, reduced the grant award amount from \$126,441,122 to 125,929,407, and

WHEREAS, Amendment No. 23 approved by City Council Resolution No. 0508-04-15, reduced the grant award amount from \$125,394,543 to \$125,012,813, and

WHEREAS, the City received Amendment No. 24 to the original Contract Agreement to amend the grant award by reducing the amount from \$125,012,813 to \$125,012,813,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager is authorized to sign Amendment No. 24 from the Iowa Economic Development Authority amending the City of Cedar Rapids Community Development Block Grant to an amount not to exceed \$125,012,813 to administer, voluntarily acquire and demolish the flood damaged properties (3302500001-2, 3302500002, and 3302500003), and the execution of said Amendment No. 24 is hereby ratified, and

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute Amendment No. 24 and such other documentation reasonably necessary between the Iowa Economic Development Authority and the City of Cedar Rapids, Iowa to efficiently administer the project grant.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development - Housing

**Presenter at Meeting:** Paula Mitchell  
**E-mail Address:** p.mitchell@cedar-rapids.org

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

**Alternate Contact Person:** Chrystal Shaver  
**E-mail Address:** c.shaver@cedar-rapids.org

**Phone Number/Ext.:** 319 286-5182

**Description of Agenda Item:** CONSENT AGENDA

Resolution authorizing execution of Certification of Local Government Approval for Non-Profit Organizations Receiving Statewide Emergency Solutions Grant (ESG) Funds for Shelter through the Iowa Finance Authority, as requested by Area Substance Abuse Council, Catherine McAuley Center, Hawkeye Area Community Action Program, Inc., Waypoint Services for Women, Children and Families and Willis Dady Emergency Shelter.  
 CIP/DID #CD-0006-2015

**EnvisionCR Element/Goal:** StrengthenCR Goal 4: Create a city that is affordable and accessible to all members of the community.

**Background:** The Iowa Finance Authority (IFA) administers an Emergency Solutions Grant (ESG) Program funded through the U.S. Department of Housing and Urban Development (HUD). Grants are available to qualifying agencies across the State of Iowa to provide shelter and services to families and individuals who are homeless and in need of shelter or transitional housing. Matching funds are not required; however federal regulations do require that funded agencies carrying out activities receive approval from their unit of local government prior to entering into a funding contract with IFA. The City has received requests for approval from the following agencies and activities:

- Area Substance Abuse Council – Heart of Iowa Halfway House and Adult Residential Halfway House
- Catherine McAuley Center – Transitional Housing Program
- Hawkeye Area Community Action Program, Inc. (HACAP) – Inn Circle and Scattered Site Transitional Housing Programs
- Waypoint Services for Women, Children, and Families – Madge Phillips Center Shelter
- Willis Dady Emergency Shelter – Willis Dady Shelter Operations and Related Services

All of the activities proposed for funding meet an identified need in the City's recently adopted 5-Year Consolidated Plan document. In addition, they are consistent with EnvisionCR's stated goal of providing a city that is affordable and accessible to all members of the community.

**Action/Recommendation:** City Staff recommends approval of the resolution.

**Alternative Recommendation:** City Council may table the resolution and request additional information.

**Time Sensitivity:** Agency approval forms are due to IFA by July 31, 2015.

**Resolution Date:** July 14, 2015

**Budget Information:** This action does not impact the general fund budget.

**Local Preference Policy:** NA

**Explanation:**

**Recommended by Council Committee:** NA

**Explanation:**

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City has received requests for Certification of Local Government Approval for Non-Profit Organizations Receiving Statewide Emergency Solutions Grant (ESG) Funds for Shelter through the Iowa Finance Authority, and

WHEREAS, receipt of ESG Funds will allow local non-profit agencies to deliver services and shelter to families and individuals who are homeless or at risk of becoming homeless, and

WHEREAS, delivery of such services is an identified need in the City's adopted 5-year Consolidated Plan, and

WHEREAS, a stated goal of the City's adopted "EnvisionCR" Comprehensive Plan document is to create a city that is affordable and accessible to all members of the community;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager or designee is authorized to execute Certification of Local Government Approval for Non-Profit Organizations Receiving Statewide Emergency Solutions Grant (ESG) Funds for Shelter for the following organizations and activities, for submission to the Iowa Finance Authority:

- Area Substance Abuse Council – Heart of Iowa Halfway House and Adult Residential Halfway House
- Catherine McAuley Center – Transitional Housing Program
- Hawkeye Area Community Action Program, Inc. (HACAP) – Inn Circle and Scattered Site Transitional Housing Programs
- Waypoint Services for Women, Children, and Families – Madge Phillips Center Shelter
- Willis Dady Emergency Shelter – Willis Dady Shelter Operations and Related Services

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development - Housing

**Presenter at Meeting:** Sara Buck  
**E-mail Address:** s.buck@cedar-rapids.org

**Phone Number/Ext.:** 319 286-5192

**Alternate Contact Person:** Pam Mosbaugh  
**E-mail Address:** p.mosbaugh@cedar-rapids.org

**Phone Number/Ext.:** 319 286-5195

**Description of Agenda Item:** CONSENT AGENDA

Resolution authorizing submission of a grant application for \$138,000 to the U.S. Department of Housing and Urban Development for two Housing and Family Self-Sufficiency (FSS) Program Coordinators.

CIP/DID #OB375326

**EnvisionCR Element/Goal:** StrengthenCR Goal 4: Create a city that is affordable and accessible to all members of the community.

**Background:** The Family Self-Sufficiency Program (FSS) is a voluntary program available only to Section 8 HUD participants. The FSS mission is to assist housing participants in becoming economically self-sufficient from Federal and State assistance programs, and to help improve their quality of life. There will be no City funds used for this program as the FSS Grant program is budget neutral. This includes salaries and benefits.

Program features:

- Development of a 5 year contract to set goals to address personal needs and barriers as families move to higher income levels.
- Connections with available community resources.
- Assistance in increasing families' personal and employment needs.
- Opportunity to build an Escrow Savings Account based on increase in household earnings.

Program Results: 2014

Funding was not received in 2014; however existing participants achieved the following:

- 81 families participated in the Family Self-Sufficiency (FSS) program in 2014.
- 13 families graduated from the FSS program.
- 55 families earned escrow in their account.

**Action/Recommendation:** City staff recommends approval of the resolution.

**Alternative Recommendation:** City Council may table and request additional information.

**Time Sensitivity:** The grant is due to HUD no later than July 27, 2015

**Resolution Date:** July 14, 2015

**Budget Information:** No goods or services being purchased

**Local Preference Policy:** NA

**Explanation:**

**Recommended by Council Committee:** NA

**Explanation:**

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids, Iowa, currently administers a Section 8 Housing Choice Voucher Program funded through the U.S. Department of Housing and Urban Development, and

WHEREAS, the Section 8 Housing Choice Voucher Program is required to administer a Family Self-Sufficiency Program for participating Family Self-Sufficiency families, and

WHEREAS, the U.S. Department of Housing and Urban Development is accepting funding applications for two (2) Family Self-Sufficiency Coordinators to administer the program,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, acting as the local governing body, that Staff is authorized to submit a funding application in the amount of \$138,000 for the Section 8 Housing Choice Voucher Program, Family Self-Sufficiency Program Coordinators to the U.S. Department of Housing and Urban Development through the Public and Indian Housing Grants Management Center.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Ext.:** 5807

**Alternate Contact Person:** Amy Schirm  
**E-mail Address:** a.schirm@cedar-rapids.org

**Phone Number/Ext.:** 5883

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolution authorizing execution of a Non-Franchise Utility License Agreement with Southwestco Wireless, LP, a Delaware limited partnership d/b/a Verizon Wireless for right-of-way encroachment located throughout Cedar Rapids.  
 CIP/DID #41-15-008

**EnvisionCR Element/Goal:** InvestCR Goal 1: Expand economic development efforts to support business and workforce growth, market Cedar Rapids, and engage regional partners.

**Background:** Southwestco Wireless, LP, a Delaware limited partnership d/b/a Verizon Wireless is requesting permission for construction, implementation, ownership and maintenance of a small cell fiber network system to be installed throughout Cedar Rapids' right-of-ways. This proposed resolution will connect a continuous ring of fiber to assist and alleviate slower downloads and refresh rates with coverage and multimedia capabilities in the downtown area and other high density points within the City. The proposed coverage areas are where there tends to be a high demand for social networking and video streaming communication mechanism needs, i.e.: during festivals and events. Southwestco Wireless, LP, a Delaware limited partnership d/b/a Verizon Wireless will be working in coordination with UPN to provide such coverage. Right-of-way permits will be issued while all work is being done throughout the City.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing execution of a Non-Franchise Utility Agreement with Southwestco Wireless, LP, a Delaware limited partnership d/b/a Verizon Wireless.

**Alternative Recommendation:** Do not proceed with granting the Non-Franchise Utility Agreement and direct staff to abandon or reconfigure the network system.

**Resolution Date:** 7/14/15

**Budget Information:**

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee: NA**  
**Explanation: NA**

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Southwestco Wireless, LP, a Delaware limited partnership d/b/a Verizon Wireless 1 Verizon Way, Mailstop 4AW100, Basking Ridge, NJ 07920, has submitted a Non-Franchise Utility License Agreement for right-of-way located at multiple locations throughout the City of Cedar Rapids, and

WHEREAS, Southwestco Wireless, LP, a Delaware limited partnership d/b/a Verizon Wireless agrees to connect a small cell network to alleviate the communication congestion in the downtown area and other high density areas in the City, and

WHEREAS, the Public Works Director recommends the City enter into an agreement with Southwestco Wireless, LP, a Delaware limited partnership d/b/a Verizon Wireless for a right-of-way encroachment, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager and City Clerk are hereby authorized to sign the Non-Franchise Utility License Agreement with Southwestco Wireless, LP, a Delaware limited partnership d/b/a Verizon Wireless, and thereafter shall be recorded in the Office of the Linn County Recorder and filed with the City of Cedar Rapids Finance Director.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** City Council

**Presenter at Meeting:** Angie Charipar  
**E-mail Address:** a.charipar@cedar-rapids.org

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

**Alternate Contact Person:**  
**E-mail Address:** a.charipar@cedar-rapids.org

**Phone Number/Ext.:**

**Description of Agenda Item:** (Click here to select Agenda Placement)

Resolution authorizing the City Manager to execute an agreement between the City of Cedar Rapids and Heartland Strategies, LLC for the one year period of July 1, 2015-June 30, 2016 for a not to exceed amount of \$60,000 to assist the City in developing a clear, achievable legislative strategy, list of needs and a message that will make the City's asks to the Iowa State Legislature effective.

**EnvisionCR Element/Goal:** InvestCR Goal 1: Expand economic development efforts to support business and workforce growth, market Cedar Rapids, and engage regional partners.

**Background:** In 2009, the City directly solicited proposals from sixteen (16) firms to provide state legislative services, and also posted the opportunity on the city's web site. The City received three (3) responses. All three firms interviewed with the full Council. The state legislative services provider assists the city in developing its state legislative strategy, lobby for initiatives identified by the city; communicate with state elected officials and state agencies, and provide other legislative services as requested by the City. The parties agree to a one-year agreement for the one-year period of July 1, 2015-June 30, 2016 with no increase in price.

**Action/Recommendation:** Approve resolution for state legislative services

**Alternative Recommendation:**

**Time Sensitivity:** Contact expires 6/30/2015

**Resolution Date:** July 14, 2015

**Budget Information:**

**Local Preference Policy:** (Click here to select)  
**Explanation:** NA

**Recommended by Council Committee:** (Click here to select)  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on July 1<sup>st</sup>, 2009, the City of Cedar Rapids entered into an agreement with Heartland Strategies, LLC, to provide legislative services and to represent the City of Cedar Rapids in Des Moines, IA for the purpose of securing funding and maintaining communications with elected officials regarding regulatory issues; and

WHEREAS, the City and Heartland Strategies, LLC have been working together since 2009 where Heartland Strategies was known as "Grant Consulting LLC/L&L Murphy Consulting Associates" and later changed their name to Heartland Strategies, LLC; and

WHEREAS, the City and Heartland Strategies, LLC entered into a Proposal Agreement (0509-314) in 2009 that lasted for six (6) years and whose term has expired; and

WHEREAS, the City and Heartland Strategies, LLC desire to enter into a new agreement for similar purposes; and

WHEREAS, Heartland Strategies, LLC agrees to provide State Lobbying Services to the City as described in Exhibit A;

NOW, THERFORE, in consideration of the promises and mutual covenants herein contained, the parties hereto do by agree to the language in the State Lobbying Services Agreement, (Agreement #101000-06)

1. This Agreement is effective on the date signed by the City Manager.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager is authorized to execute the State Lobbying Services Agreement for State Legislative Services

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Finance - Purchasing

**Presenter at Meeting:** Mike Duffy  
**E-mail Address:** m.duffy@cedar-rapids.org

**Phone Number/Ext.:** 5873

**Alternate Contact Person:** Diane Rodenkirk  
**E-mail Address:** d.rodenkirk@cedar-rapids.org

**Phone Number/Ext.:** 5023

**Description of Agenda Item:** Purchases, contracts and agreements  
 Amendment No. 4 to the contract for concrete products with King's Material, Inc. to reflect the additional cost of concrete products used for an amount not to exceed \$300,000 (original contract amount was \$15,000; total contract amount with this amendment is \$315,000).  
 CIP/DID #0213-183

<p><b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply</p>
---

**Background:** King's Material, Inc. is one of four local companies that provides concrete products to the City on an as-needed basis. Due to the increase in the purchase of concrete products, particularly for Paving for Progress projects, this resolution is to request additional money to be added to the contract.

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute Amendment No. 4 as described herein.

**Alternative Recommendation:** None

**Time Sensitivity:** Medium

**Resolution Date:** July 14, 2015

**Budget Information:**

**Local Preference Policy:** Yes

**Explanation:** King's Material, Inc. is a certified local vendor

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and King's Material, Inc. are parties to a contract for the annual as-needed purchase of concrete products for all City departments; and

WHEREAS, both parties have agreed to amend the contract to reflect the additional amount of concrete products that are being used, especially for the Paving for Progress initiative, in the amount of \$300,000; and

WHEREAS, the annual not to exceed amount for this contract renewal period (05/01/15 - 04/30/16) shall increase from \$15,000 to \$315,000; and

WHEREAS, the history of the contract to date is as follows:

Description	Authorization	Dates
Initial Term of Contract	Signed by the CITY 03/28/13	05/01/2013 - 04/30/2014
Amendment No. 1 to renew Contract	Signed by the CITY 03/06/14	05/01/2014 - 04/30/2015
Amendment No. 2 to add FEMA language	Signed by the CITY 10/02/14	Effective 05/01/2014
Amendment No. 3 to renew Contract	Signed by the CITY 03/20/15	05/01/2015 - 04/30/2016
Amendment No. 4 to increase amount	Pending	Effective 05/08/15

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 authorized to execute Amendment No. 4 to amend the contract as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Bruce Jacobs  
**E-mail Address:** b.jacobs@cedar-rapids.org

**Phone Number/Ext.:** 5913

**Alternate Contact Person:** Mark Ultis  
**E-mail Address:** m.ultis@cedar-rapids.org

**Phone Number/Ext.:** 4623

**Description of Agenda Item:** Purchases, contracts and agreements  
 Contract with University of Iowa – State Hygienic Laboratory for state hygienic laboratory testing and analysis for Fiscal Year 2016 for an amount not to exceed \$33,539.  
 CIP/DID #621003-01-2015

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:**

The Environmental Protection Agency (EPA) and the Iowa Department of Natural Resources (IDNR) require that all permitted suppliers of drinking water routinely monitor to ensure the continued safety of their drinking water and their compliance with EPA and IDNR standards. The analyses must be conducted by laboratories certified for those particular parameters and methods.

The Utilities Department – Water Division utilizes the Central Lab at Water Pollution Control for as many sample analyses as possible; however, when there is a need for specialized laboratory services, the University of Iowa – State Hygienic Laboratory is able to provide those services in a cost effective manner. The work to be performed under this Contract is to provide lab analysis for regulatory permit required analytes. Specialized methods and instrumentation will be used to conduct these tests for the City’s Central Lab.

**Action / Recommendation:** The Utilities Department – Water Division recommends that the Contract for State Hygienic Laboratory Testing and Analysis (Contract No. 621003-2015) for Fiscal Year 2016 with the University of Iowa – State Hygienic Laboratory for an amount not to exceed \$33,539 be hereby approved and that the City Manager and City Clerk be authorized to execute said Contract.

**Alternative Recommendation (if applicable):** If the City Council decides not to approve the Contract for specialized laboratory services, any specialized analyses needed or required would not be done. However, federal and state laws require much of these specialized services.

**Time Sensitivity:** N/A

**Resolution Date:** 7/14/15

**Budget Information:** To be funded from FY16 Water operations and maintenance budget and coded to 521108-621-621003.

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Utilities Department – Water Division requires specialized laboratory services to ensure the continued safety of its drinking water and its compliance with IDNR and EPA standards and other governmental regulations, and

WHEREAS, the Utilities Department – Water Division utilizes the Central Lab at Water Pollution Control for as many sample analyses as possible; however, when there is a need for specialized laboratory services, the University of Iowa - State Hygienic Laboratory is able to provide those services in a cost effective manner, and

WHEREAS, the work to be performed under this Contract with the University of Iowa – State Hygienic Laboratory is to provide lab analysis for regulatory permit required analytes. Specialized methods and instrumentation will be used to conduct these tests and reports will be sent to City of Cedar Rapids Central Lab within 14 days of receipt of the samples from the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Contract for State Hygienic Laboratory Testing and Analysis (Contract No. 621003-01-2015) for Fiscal Year 2016 with University of Iowa – State Hygienic Laboratory for an amount not to exceed \$33,539 be hereby approved and that the City Manager and City Clerk be authorized to execute said Contract. To be funded from FY16 Water operations and maintenance budget and coded to 521108-621-621003.

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MayorSignature

Attest:

ClerkSignature

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## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Bruce Jacobs  
**E-mail Address:** b.jacobs@cedar-rapids.org

**Phone Number/Ext.:** 5913

**Alternate Contact Person:** Kevin Kirchner  
**E-mail Address:** k.Kirchner@cedar-rapids.org

**Phone Number/Ext.:** 5902

**Description of Agenda Item:** Purchases, contracts and agreements  
 Renewal with Oracle for the annual software license and technical support for the Water Division's Customer Care and Billing Solution System in the amount of \$59,909.28 for Fiscal Year 2016.  
 CIP/DID #OB887428

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:**

The Utilities Department - Water Division Customer Care and Billing Software Solution System bills and maintains customer records for the municipal utilities; water, water pollution control, sanitary sewer, storm water, solid waste, recycling, and yard waste. The Utilities Department - Water Division must renew the software license update and technical support annually. The annual renewal charge for fiscal year 2016 (July 30, 2015 – July 29, 2016) on Service Contract #2887079 is \$59,909.28.

**Action / Recommendation:**

The Utilities Department - Water Division recommends approval of the resolution to renew the annual software license and technical support for the Water Division's Customer Care and Billing Solution System (Service Contract #2887079) for Fiscal Year 2016 and that a purchase order in the amount of \$59,909.28 be issued to ORACLE.

**Alternative Recommendation (if applicable):**

The Council could decide not to authorize a purchase order. If that would happen, the Utilities Division would not have maintenance and support on its Customer Information and Billing system.

**Time Sensitivity:** The renewal period is for the time frame of July 30, 2015 – July 29, 2016

**Resolution Date:** 7/14/15

**Budget Information:** To be funded from the Utilities Water Division Operations – Administration FY16 budget and coded to 522101-621-621010.

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Utilities Department – Water Division purchased an ORACLE Utilities Customer Care and Billing Software Solution System package in 2008, and

WHEREAS, the Customer Care and Billing Software System bills and maintains customer records for the municipal utilities; water, water pollution control, sanitary sewer, storm water, solid waste, recycling, and yard waste, and

WHEREAS, Oracle has submitted an invoice in the amount of \$59,909.28 for renewal of the annual software license update and technical support for this software application (Service Contract No. 2887079) for Fiscal Year 2016 (July 30, 2015 – July 29, 2016).

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Utilities Department – Water Division is hereby authorized to issue a purchase order in the amount of \$59,909.28 to Oracle for renewal of the annual software license and technical support for the Water Division's Customer Care and Billing Solution System (Service Contract #2887079) for Fiscal Year 2016 (July 30, 2015 – July 29, 2016). To be funded from the Utilities Department - Water's administrative FY16 operations and maintenance budget and coded to 522102-621-621010. The renewal contract amount from last year was \$58,164.34 and the renewal contract amount for this year is \$59,909.28.

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MayorSignature

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ClerkSignature

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## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Bruce Jacobs  
**E-mail Address:** b.jacobs@cedar-rapids.org

**Phone Number/Ext.:** 5913

**Alternate Contact Person:** Kevin Kirchner  
**E-mail Address:** k.Kirchner@cedar-rapids.org

**Phone Number/Ext.:** 5902

**Description of Agenda Item:** Purchases, contracts and agreements  
 Renewal of the annual database software license update and technical support services contract (Service Contract No. 2170127) in the amount of \$33,880.37 for Fiscal Year 2016 (Sept. 3, 2015 – Sept. 2, 2016) with Oracle (renewal contract amount from last year was \$32,893.57; renewal contract amount for this year is \$33,880.37).

CIP/DID #OB88075-01

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:**

The Utilities Water Division Utility Customer Care and Billing Software System bills and maintains customer records for the municipal utilities; water, water pollution control, sanitary sewer, storm water, solid waste, recycling, and yard waste. The Utilities Water Division must renew the software license update and technical support services annually to maintain support for the database.

**Action / Recommendation:**

The Utilities Water Division recommends approval of the resolution to renew the annual database software license update and technical support services contract (Service Contract No. 2170127) for Fiscal Year 2016 and that a purchase order in the amount of \$33,880.37 be issued to ORACLE.

**Alternative Recommendation (if applicable):**

The Council could decide not to authorize a purchase order. If that would happen, the Utilities Division would not have maintenance and support on its Customer Information and Billing system database.

**Time Sensitivity:** N/A

**Resolution Date:** 7/14/15

**Budget Information:** To be funded from the Utilities Water Division Operations – Administration FY16 budget and coded to 522101-621-621010.

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Utilities Department – Water Division purchased an Oracle database for its Utility Customer Care and Billing Software System, and

WHEREAS, the Utility Customer Care and Billing Software System bills and maintains customer records for the municipal utilities; water, water pollution control, sanitary sewer, storm water, solid waste, recycling, and yard waste. The Utilities Department - Water Division must renew the software license update and technical support services annually to maintain support for the database, and

WHEREAS, Oracle has submitted an invoice in the amount of \$33,880.37 for renewal of the annual database software license update and technical support services contract (Service Contract No. 2170127) for Fiscal Year 2016 (September 3, 2015 – September 2, 2016).

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Utilities Department – Water Division is hereby authorized to issue a purchase order in the amount of \$33,880.37 to Oracle for renewal of the annual database software license update and technical support services contract (Service Contract No. 2170127) for Fiscal Year 2016 (September 3, 2015 – September 2, 2016). To be funded from the Utilities Department - Water's administrative FY16 operations and maintenance budget and coded to 522102-621-621010. The renewal contract amount from last year was \$32,893.57 and the renewal contract amount for this year is \$33,880.37.

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MayorSignature

Attest:

ClerkSignature

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## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Darrell Cannon  
**E-mail Address:** d.cannon@cedar-rapids.org

**Phone Number/Ext.:** x5922

**Alternate Contact Person:** Rebecca Johnson  
**E-mail Address:** r.johnson2@cedar-rapids.org

**Phone Number/Ext.:** x5062

**Description of Agenda Item:** Purchases, contracts and agreements

Amendment No. 3 to the contract for Residential Water Meters with Ferguson Waterworks for the Water Division to reflect corrected dates for the renewal period for an annual amount not to exceed \$225,000 (original contract amount was \$134,000; renewal contract amount is \$225,000).

CIP/DID #0413-224

<b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply
--

**Background:** Bids were solicited in 2013 on behalf of the Water Division to establish a contract for the purchase of residential water meters with three (3) bids submitted. Award was made to Ferguson Waterworks for an initial period of June 12, 2013 through June 30, 2014.

Amendment No. 2 which renewed the contract for the period of July 1, 2015 through June 30, 2016 reflected incorrect dates in the summary of contract to date. Amendment No. 3 is to make the correction to reflect the accurate dates. The total annual amount for purchases of residential water meters remains unchanged and will not exceed \$225,000, as indicated in Amendment No. 2.

Summary of contract to date:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 0955-06-13	06/12/2013 – 06/30/2014
Amendment No. 1 to renew contract	Resolution No. 0743-06-14	07/01/2014 – 06/30/2015
Amendment No. 2 to renew contract	Resolution No. 0937-06-15	07/0/2015 – 06/30/2015
Amendment No. 3 to correct dates	Pending	07/01/2015 – 06/30/2016

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute Amendment No. 3 as described herein.

**Alternative Recommendation:**

**Time Sensitivity:** medium

**Resolution Date:** July 14, 2015

**Budget Information:** Water Service operating budget

**Local Preference Policy:** Yes

**Explanation:** Local preference applied at time contract was awarded but did not impact award because the local bidder was 51% higher than the lowest bid.

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and Ferguson Waterworks are parties to a contract for the annual as-needed purchase of residential water meters for the Water Division; and

WHEREAS, both parties have agreed to amend the contract to reflect corrected dates for the renewal period in Amendment No. 2; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 0955-06-13	06/12/2013 – 06/30/2014
Amendment No. 1 to renew contract	Resolution No. 0743-06-14	07/01/2014 – 06/30/2015
Amendment No. 2 to renew contract	Resolution No. 0937-06-15	07/0/2015 – 06/30/2015
Amendment No. 3 to correct dates	Pending	07/01/2015 – 06/30/2016

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 authorized to execute Amendment No. 3 to renew the contract as described herein.

PASSED\_DAY\_TAG

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MayorSignature

Attest:

ClerkSignature

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## Council Agenda Item Cover Sheet

**Submitting Department:** Finance - Purchasing

**Presenter at Meeting:** Tariq Baloch  
**E-mail Address:** t.baloch@cedar-rapids.org

**Phone Number/Ext.:** 5283

**Alternate Contact Person:** Diane Rodenkirk  
**E-mail Address:** d.rodenkirk@cedar-rapids.org

**Phone Number/Ext.:** 5023

**Description of Agenda Item:** Purchases, contracts and agreements  
 Amendment No. 1 to the contract for Liquid Carbon Dioxide with Continental Carbonic Products, Inc. for Water Division to reflect the additional cost of chemical purchases for an amount not to exceed \$130,000 (original contract amount was \$120,000; total contract amount with this amendment is \$250,000).  
 CIP/DID #1214-134

<p><b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply</p>
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**Background:** City Council awarded the contract for as-needed liquid carbon dioxide purchases by Water Operations to Continental Carbonic Products, Inc. through Resolution No. 0159-01-15. Due to increased usage of this chemical, the not-to-exceed contract price is being amended to add an additional \$130,000 to the contract.

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute Amendment No. 1 as described herein.

**Alternative Recommendation:** None

**Time Sensitivity:** Medium

**Resolution Date:** July 14, 2015

**Budget Information:** 531104-621-621001

**Local Preference Policy:** Yes  
**Explanation:** No local company submitted a bid.

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and Continental Carbonic Products, Inc. are parties to a contract for the annual as-needed purchase of liquid carbon dioxide for Water Operations; and

WHEREAS, both parties have agreed to amend the contract to reflect the increased use of the liquid carbon dioxide in the amount of \$130,000; and

WHEREAS, the annual not to exceed amount for this contract renewal period (01/27/15 - 12/31/15) shall increase from \$120,000 to \$250,000; and

WHEREAS, the history of the contract to date is as follows:

Original Contract	Resolution No. 0159-01-15	01/27/15 - 12/31/15
Amendment No. 1 (increase chemical use)	Pending	Effective 07/14/15

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 authorized to execute Amendment No. 1 to amend the contract as described herein.

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MayorSignature

Attest:

ClerkSignature

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## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Darrell Cannon  
**E-mail Address:** d.cannon@cedar-rapids.org

**Phone Number/Ext.:** x5922

**Alternate Contact Person:** Rebecca Johnson  
**E-mail Address:** r.johnson2@cedar-rapids.org

**Phone Number/Ext.:** x5062

**Description of Agenda Item:** Purchases, contracts and agreements  
 Amendment No. 6 increasing amount of contract for Commercial Water Meters with Ferguson Waterworks for the Water Division for an additional \$55,667.99 for an amended total not to exceed amount of \$490,667.99 (original contract amount was \$80,000; amended amount for FY15 renewal period is \$490,667.99).  
 CIP/DID #0511-242

<b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply
--

### Background:

Bids were solicited in 2011 on behalf of the Water Division for the purchase of commercial water meters and accessories with three (3) bids submitted. The contract was awarded to Ferguson Waterworks as the only bidder for Neptune meters and accessories, which have been standardized by the Water Division. The initial contract period was July 1, 2011 through June 30, 2012.

Amendment No. 6 increases the total expenditure for the FY15 renewal period of July 1, 2014 through June 30, 2015 from \$435,000 to \$490,667.99 to cover purchase made from the FY15 budget. The increase in contract amount over time is due to the volume purchased, not an increase in price.

Summary of contract renewal period for FY15 (July 1, 2014 through June 30, 2015):

	Price	Description
Amendment No. 3	\$200,000.00	Resolution No. 0744-06-14
Amendment No. 4	\$235,000.00	Increase volume, Resolution No. 0412-03-15
Amendment No. 6	\$55,667.99	Increase volume of purchases during FY15
Total for renewal period (FY15)	\$490,667.99	Not to exceed, except by written amendment

Summary of contract to date:

Description	Authorization	Dates
Initial Term of Contract (FY12)	Resolution No. 0830-06-11	07/01/2011 – 06/30/2012
Amendment No. 1 to renew Contract (FY13)	Resolution No. 0850-06-12	07/01/2012 – 06/30/2013
Amendment No. 2 to renew Contract (FY14)	Resolution No. 1032-06-13	07/01/2013 – 06/30/2014
Amendment No. 3 to renew Contract (FY15)	Resolution No. 0744-06-14	07/01/2014 – 06/30/2015
Amendment No. 4 to add volume (FY15)	Resolution No. 0412-03-15	Effective 03/25/2015
Amendment No. 5 to renew Contract (FY16)	Resolution No. 0936-06-15	07/01/2015 – 06/30/2016
Amendment No. 6 to add volume (FY15)	Pending	Effective 05/05/2015

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute Amendment No. 6 as described herein.

**Alternative Recommendation:**

**Time Sensitivity:** medium

**Resolution Date:** July 14, 2015

**Budget Information:** FY15 Water operating budget

**Local Preference Policy:** Yes

**Explanation:** Local preference applied when the contract was bid but did not impact award of the contract because there were no local bidders.

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and Ferguson Waterworks are parties to a contract for the annual as-needed purchase of Commercial Water Meters for the Water Division; and

WHEREAS, both parties have agreed to amend the contract to reflect purchases exceeding the amount authorized for FY15 in the amount of \$55,667.99; and

WHEREAS, the annual not to exceed amount for the FY15 contract renewal period (07/01/2014 through 06/30/2015) shall increase from \$435,000 to \$490,667.99; and

WHEREAS, the history of the contract to date is as follows:

Description	Authorization	Dates
Initial Term of Contract (FY12)	Resolution No. 0830-06-11	07/01/2011 – 06/30/2012
Amendment No. 1 to renew Contract (FY13)	Resolution No. 0850-06-12	07/01/2012 – 06/30/2013
Amendment No. 2 to renew Contract (FY14)	Resolution No. 1032-06-13	07/01/2013 – 06/30/2014
Amendment No. 3 to renew Contract (FY15)	Resolution No. 0744-06-14	07/01/2014 – 06/30/2015
Amendment No. 4 to add volume (FY15)	Resolution No. 0412-03-15	Effective 03/25/2015
Amendment No. 5 to renew Contract (FY16)	Resolution No. 0936-06-15	07/01/2015 – 06/30/2016
Amendment No. 6 to add volume (FY15)	Pending	Effective 05/05/2015

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 authorized to execute Amendment No. 6 to amend the contract as described herein.

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MayorSignature

Attest:

ClerkSignature

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## Council Agenda Item Cover Sheet

**Submitting Department:** Finance - Purchasing

**Presenter at Meeting:** Kathy Bierman  
**E-mail Address:** k.bierman@cedar-rapids.org

**Phone Number/Ext.:** 5044

**Alternate Contact Person:** Diane Rodenkirk  
**E-mail Address:** d.rodenkirk@cedar-rapids.org

**Phone Number/Ext.:** 5023

**Description of Agenda Item:** Purchases, contracts and agreements  
 Amendment No. 2 to the contract for Boiler & Cooling Water Chemicals with Nalco Company for the Water Pollution Control Facility to reflect the additional cost of chemical purchases for an amount not to exceed \$15,000 (original contract amount was \$60,000; total contract amount with this amendment is \$75,000)  
 CIP/DID #1013-065

<p><b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply</p>
---

**Background:** City Council awarded the contract for as-needed boiler and cooling water chemical purchases by the Water Pollution Control Facility to Nalco Company through Resolution No. 2007-12-13. Due to increased usage of these chemicals, the not-to-exceed contract price is being amended to add an additional \$15,000 to the contract.

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute Amendment No. 2 as described herein.

**Alternative Recommendation:** None

**Time Sensitivity:** Medium

**Resolution Date:** July 14, 2015

**Budget Information:** 531104-611-611001

**Local Preference Policy:** Yes  
**Explanation:** No local company submitted a bid.

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and Nalco Company are parties to a contract for the annual as-needed purchase of various boiler and cooling water chemicals for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to amend the contract to reflect the increased use of the boiler and cooling water chemicals in the amount of \$15,000; and

WHEREAS, the annual not to exceed amount for this contract renewal period (01/01/15 - 12/31/15) shall increase from \$60,000 to \$75,000; and

WHEREAS, the history of the contract to date is as follows:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 2007-12-13	01/01/14 - 12/31/14
Amendment No. 1 to renew Contract	Resolution No. 1665-12-14	01/01/15 - 12/31/15
Amendment No. 2 to increase amount of chemical	Pending	Effective 07/14/15

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 authorized to execute Amendment No. 2 to amend the contract as described herein.

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MayorSignature

Attest:

ClerkSignature

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## Council Agenda Item Cover Sheet

**Submitting Department:** Finance - Purchasing

**Presenter at Meeting:** Joy Huber  
**E-mail Address:** j.huber@cedar-rapids.org

**Phone Number/Ext.:** 5886

**Alternate Contact Person:** Diane Rodenkirk  
**E-mail Address:** d.rodenkirk@cedar-rapids.org

**Phone Number/Ext.:** 5023

**Description of Agenda Item:** Purchases, contracts and agreements  
 Amendment No. 2 to renew contract for Tire Services with Bauer Built Tire for Fleet Services for an annual amount not to exceed \$200,000 (original contract amount was \$200,000; renewal contract amount is \$200,000).  
 CIP/DID #0413-226

<p><b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply</p>
---

**Background:** City Council awarded the contract to Bauer Built Tire for as-needed purchases of new tires, retreads and tire repair services through Resolution No. 1140-07-13. Fleet Services is the primary user of this contract. This resolution is to renew the contract for the period August 1, 2015 through July 31, 2016. This is the third year of the renewal; two additional one-year renewal options remain. Bauer Built agreed to renew the contract with no change in price.

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute Amendment No. 2 as described herein.

**Alternative Recommendation:** None

**Time Sensitivity:** Medium

**Resolution Date:** July 14, 2015

**Budget Information:** 071-071000

**Local Preference Policy:** Yes

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

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and Bauer Built Tire are parties to a contract for the annual as-needed purchase of new tires, retread tires and tire repair services for Fleet Services; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period, August 1, 2015 through July 31, 2016, for an annual amount not to exceed \$200,000; and

WHEREAS, a summary of the contract is as follows:

Original Contract	Resolution No. 1140-07-13	08/01/2013 - 07/31/2014
Amendment No. 1 to renew Contract	Resolution No. 1303-09-14	08/01/2014 - 07/31/2015
Amendment No. 2 to renew Contract	Pending	08/01/2015 - 07/31/2016

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 authorized to execute Amendment No. 2 to renew the contract as described herein.

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MayorSignature

Attest:

ClerkSignature

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## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Glenn Vosatka  
**E-mail Address:** glennv@cedar-rapids.org

**Phone Number/Ext.:** x5821

**Alternate Contact Person:** Rebecca Johnson  
**E-mail Address:** r.johnson2@cedar-rapids.org

**Phone Number/Ext.:** x5062

**Description of Agenda Item:** Purchases, contracts and agreements  
 Amendment No. 2 to renew contract for Televising of Sanitary Service Lines with Mi-Tech Services, Inc. for the Engineering Division for an annual amount not to exceed \$55,000 (original contract amount was \$75,000; renewal contract amount is \$55,000).  
 CIP/DID #0514-188

<b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply
--

**Background:** Bids were solicited for television of sanitary service lines in 2014 on behalf of the Engineering Division with three (3) vendors responding. A contract was awarded to Mi-Tech Services, Inc. as the lowest bidder for an initial contract period of June 11, 2014 through June 30, 2015.

Amendment No. 2 renews the contract with no increase in price for the period of July 1, 2015 through June 30, 2016 with three (3) one-year renewal options remaining. Services will be provided on an as-needed basis upon request by the Engineering Division. The total annual amount is not anticipated to exceed \$55,000 for the renewal period.

Summary of contract to date:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 0764-06-14	06/11/2014 – 06/30/2015
Amendment No. 1 to amend scope	Signed by City 11/26/2014	Effective 08/26/2014
Amendment No. 2 to renew contract	Pending	07/01/2015 – 06/30/2016

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute Amendment No. 2 as described herein.

**Alternative Recommendation:**

**Time Sensitivity:** medium

**Resolution Date:** July 14, 2015

**Budget Information:** CIP #6559996

**Local Preference Policy:** Yes

**Explanation:** Local preference was applied when the services were bid in 2014 but the one local bidder exceeded the %5 variance allowed by City policy.

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and Mi-Tech Services, Inc. are parties to a contract for annual as-needed services for televising of sanitary service lines for the Engineering Division; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$55,000; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 0764-06-14	06/11/2014 – 06/30/2015
Amendment No. 1 to amend scope	Signed by City 11/26/2014	Effective 08/26/2014
Amendment No. 2 to renew contract	Pending	07/01/2015 – 06/30/2016

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 authorized to execute Amendment No. 2 to renew the contract as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

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## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Jon Durst  
**E-mail Address:** j.durst@cedar-rapids.org

**Phone Number/Ext.:** 5856

**Alternate Contact Person:**  
**E-mail Address:**

**Phone Number/Ext.:**

**Description of Agenda Item:** Purchases, contracts and agreements

Contract for Wetland Maintenance Services-Edgewood Rd over Prairie Creek with Griggs Environmental Strategies Inc for the Sewer Maintenance Division for an amount not to exceed \$31,200.

CIP/DID #0515-226

**EnvisionCR Element/Goal:** GreenCR Goal 1: Be stewards for the environment, promoting economic and social growth while restoring the relationship between the city and the natural environment.

### Background:

This contract is to bring the mitigation site (Edgewood Rd over Prairie Creek - Permit #CEMVR-OD-P-2005-1419) into permit compliance with the 2014 Monitoring Report which was submitted to the US Army Corp of Engineers. The mitigation site is located on City-owned property near Usher's Ferry Park, W/o Seminole Valley Rd NE. The wetland maintenance work includes the following tasks:

Scope #	Proposed Start Date	Description
1	June 2015	Aquatic herbicide treatment for reed canarygrass
2	Sept 2015	Aquatic herbicide treatment for reed canarygrass
3	Oct 2015	Provide and plant 187 trees, including weed barrier, mulch and staked cages, as identified by Snyder (section 5.7)
4	Nov 2015	Re-seed areas devoid of vegetation, if necessary
5	April 2016	Possible controlled burn
6	June 2016	Aquatic herbicide treatment for reed canarygrass
7	August 2016	Aquatic herbicide treatment for reed canarygrass

This project is being sole sourced to Griggs Environmental Strategies due to their extensive wetland expertise.

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute the Contract as described herein.

**Alternative Recommendation:** none

**Time Sensitivity:** medium

**Resolution Date:** July 14, 2015

**Budget Information:** 671000-NA

**Local Preference Policy:** (Click here to select)

**Explanation:** NA

**Recommended by Council Committee:** (Click here to select)

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids Purchasing Services Division has prepared a contract on behalf of the Sewer Maintenance Division with Griggs Environmental Strategies, Inc. for Wetland Maintenance Services for the Edgewood Road over Prairie Creek mitigation site for an amount not to exceed \$31,200; and

WHEREAS, as the contract term is through December 31, 2016 with the option of one-year renewal periods until the mitigation site is in compliance with the U.S. Army Corps of Engineers regulations.

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 authorized to execute the contract as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Finance - Purchasing

**Presenter at Meeting:** Amanda Grieder  
**E-mail Address:** a.grieder@cedar-rapids.org

**Phone Number/Ext.:** 5714

**Alternate Contact Person:** Diane Rodenkirk  
**E-mail Address:** d.rodenkirk@cedar-rapids.org

**Phone Number/Ext.:** 5023

**Description of Agenda Item:** Purchases, contracts and agreements  
 Amendment No. 1 to renew contract for Criminal Background Check Services with Fidelis Screening Solutions, LLC for the Police Department to charge fees related to police staff time to be reimbursed to City based on contract agreement for City of Cedar Rapids landlords.  
 CIP/DID #1212-134

**EnvisionCR Element/Goal:** StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

**Background:** The City of Cedar Rapids, as part of the Nuisance Property Abatement program and City Code Chapter 29 requires property owners to conduct background checks of prospective tenants. The City of Cedar Rapids, utilizing Fidelis Screening Solutions, LLC, is providing a low cost service to landlords to conduct these background checks should the landlord or property owner choose to use the City to conduct them. This process takes advantage of all cost saving measures and efficiencies available to the City and provides the most efficient model for the community.

The total cost to perform each background check is \$12.75. Fidelis Screening Solutions fee is \$3.50 per background check. The City will charge the landlords or property owners \$4.50 per background check for a total of \$8.00 cost to the landlords or property owners. The remaining \$4.75 per background check will be subsidized by the City.

The contract period will be August 1, 2015 through July 31, 2017 with the option of one additional two-year renewal.

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute Amendment No. 1 as described herein.

**Alternative Recommendation:** None

**Time Sensitivity:** Medium

**Resolution Date:** July 14, 2015

**Budget Information:**

**Local Preference Policy: Yes**  
**Explanation: NA**

**Recommended by Council Committee: NA**  
**Explanation: NA**

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and Fidelis Screening Solutions, LLC are parties to a contract to provide criminal background check services to landlords; and

WHEREAS, both parties have agreed to renew the contract for an additional two-year period (August 1, 2015 - July 31, 2017); and

WHEREAS, Fidelis will charge the landlord \$8.00 per report, of which the City's cost for Fidelis' services is \$4.50, with the remaining balance of \$3.50 to be paid via ACH to the City's bank upon the completion of each month's billing cycle; and

WHEREAS, a summary of the contract is as follows:

Original Contract	Resolution No. 0796-05-13; 0797-05-13; 0801-05-13	08/01/2013 - 07/31/2015
Amendment No. 1 (contract renewal)	Pending	08/01/2015 - 07/31/2017

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 authorized to execute Amendment No. 1 to renew the contract as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Captain Steve O'Konek

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

**Phone Number/Ext.:** x5525

**Alternate Contact Person:** Rebecca Johnson

**E-mail Address:** [r.johnson2@cedar-rapids.org](mailto:r.johnson2@cedar-rapids.org)

**Phone Number/Ext.:** x5062

**Description of Agenda Item:** Purchases, contracts and agreements

Amendment No. 4 to renew contract for Ballistic Duty Vests with Carpenter Uniform Company for the Police Department for an annual amount not to exceed \$31,920 (original contract amount was \$18,150; renewal contract amount is \$31,920).

CIP/DID #0412-215

<b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply
--

**Background:** Bids were solicited on behalf of the Police Department in 2012 for the purchase of Ballistic Duty Vests on an as-needed basis with two (2) bids submitted. The lowest bid was for the wrong product and was withdrawn, so the contract was awarded to Carpenter Uniform Company as the only responsive bidder. The term of the initial contract was July 1, 2012 through June 30, 2013.

Amendment No. 4 renews the contract for the period of July 1, 2015 through June 30, 2016 with one (1) one-year renewal option remaining. The Police Department has approved a 3% price increase due to increase in cost for the vendor. The total annual expenditure not to exceed \$31,920 is based on the quantity anticipated to be purchased in FY16.

Summary of contract to date:

Description	Authorization	Dates
Initial Term of Contract	Signed by City 07/18/2012	07/01/2012 – 06/30/2013
Amendment No. 1 to upgrade equipment	Signed by City 01/25/2013	Effective 01/25/2013
Amendment No. 2 to renew contract	Resolution No. 0727-05-13	07/01/2013 – 06/30/2014
Amendment No. 3 to renew contract	Signed by City 07/02/2014	07/01/2014 – 06/30/2015
Amendment No. 4 to renew contract	Pending	07/01/2015 – 06/30/2016

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute Amendment No. 4 as described herein.

**Alternative Recommendation:**

**Time Sensitivity:** medium

**Resolution Date:** July 14, 2015

**Budget Information:** FY16 Police Operating Budget

**Local Preference Policy:** Yes

**Explanation:** Local preference policy applied at the time the contract was bid but there were no local bidders.

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and Carpenter Uniform Company are parties to a contract for the annual as-needed purchase of Ballistic Duty Vests for the Police Department; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$31,920; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Signed by City 07/18/2012	07/01/2012 – 06/30/2013
Amendment No. 1 to upgrade equipment	Signed by City 01/25/2013	Effective 01/25/2013
Amendment No. 2 to renew contract	Resolution No. 0727-05-13	07/01/2013 – 06/30/2014
Amendment No. 3 to renew contract	Signed by City 07/02/2014	07/01/2014 – 06/30/2015
Amendment No. 4 to renew contract	Pending	07/01/2015 – 06/30/2016

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 authorized to execute Amendment No. 4 to renew the contract as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Steve O'Konek  
**E-mail Address:** s.okonek@cedar-rapids.org

**Phone Number/Ext.:** 5525

**Alternate Contact Person:**  
**E-mail Address:**

**Phone Number/Ext.:**

**Description of Agenda Item:** Purchases, contracts and agreements  
 Police Department purchase of two Ballistic Blankets from Instant Armor in the amount of \$44,984.25.

CIP/DID #PURPUR0615-249

<p><b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply</p>
---

**Background:** Purchasing Services requested pricing from Instant Armor for the purchase and delivery of two (2) Ballistic Blankets to replace existing blankets within the Police Department. Instant Armor is the sole source provider for the ballistic blankets requested. Instant Armor submitted pricing of \$44,984.25 for the two blankets.

**Action/Recommendation:** Authorize the Police Department to purchase the Ballistic Blankets as described herein.

**Alternative Recommendation:**

**Time Sensitivity:** low

**Resolution Date:** July 14, 2015

**Budget Information:** 531125-101-132205

**Local Preference Policy:** No

**Explanation:** Grant funding is being used for purchase.

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, pricing has been obtained by the City of Cedar Rapids Purchasing Services Division for the single source purchase of ballistic blankets from Instant Armor in the amount of \$44,984.25; and

WHEREAS, the Police Department believes it is in the best interest of the City to purchase from a single source because the ballistic blankets must match the existing equipment to provide uniformity for instructional.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Police Department is authorized to purchase the Ballistic Blankets as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Marilyn Fitzgerald  
**E-mail Address:** marilyn@cedar-rapids.org

**Phone Number/Ext.:** x5056

**Alternate Contact Person:** Rebecca Johnson  
**E-mail Address:** r.johnson2@cedar-rapids.org

**Phone Number/Ext.:** x5062

**Description of Agenda Item:** Purchases, contracts and agreements  
 Rescinding Resolution No. 0994-07-14 which authorized execution of contract for Urgent Care for Work Related Injuries with UnityPoint Clinic for the Human Resources Department which was never executed.  
 CIP/DID #0714-005

<p><b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply</p>
---

**Background:** The City has a Contract with St. Luke's Work Well for health services that include injury care for work related injuries. The contract between the City and Work Well states that urgent injury care needs that cannot be treated at Work Well shall be handled at UnityPoint Urgent Care Clinics with pricing at a 30% discount off standard fees. This discount pricing is included via amendment in the Work Well contract.

UnityPoint has requested a separate contract between the City and UnityPoint in addition to the existing contract with St. Lukes Work Well. Resolution No. 0994-07-14 authorized a contract to be executed; however, agreement has never been reached on all terms and conditions and a contract has never been signed. Therefore, Resolution No. 0994-07-14 is being rescinded. A new resolution will be submitted for approval when the contract has been fully agreed upon by both parties.

**Action/Recommendation:** Rescind Resolution No. 0994-07-14 authorizing execution of contract for Urgent Care for Work Related Injuries.

**Alternative Recommendation:**

**Time Sensitivity:** low

**Resolution Date:** July 14, 2015

**Budget Information:** NA

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** (Click here to select)

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Purchasing Services Division recommends that Resolution No. 0994-07-14, dated July 22, 2014, authorizing a Contract for Urgent Care for Work Related Injuries with UnityPoint Clinic be rescinded in its entirety because the Contract has not been executed, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Resolution No. 0994-07-14 is hereby rescinded.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Transit

**Presenter at Meeting:** Brad DeBrower

**Phone Number/Ext.:** 5560

**E-mail Address:** b.debrower@cedar-rapids.org

**Description of Agenda Item:** Purchases, contracts and agreements

FY16 contract with Horizons in the amount of \$408,000 for Horizons to provide after-hours transit service when regularly scheduled fixed-route bus service is not in operation.

CIP/DID #OB557035

**EnvisionCR Element/Goal:** ConnectCR Goal 1: Provide choices for all transportation users: inter- and intra-city.

**Background:** This is our annual contract with Horizons, which merged with Neighborhood Transportation Service (NTS), in the amount of \$408,000 for Horizons to provide after-hours transit service when regularly scheduled fixed-route bus service is not in operation, as well as backup support for ADA paratransit service. Service shall be demand-response in Cedar Rapids, Marion and Hiawatha for work, school, daycare, job training and life-skills trips.

**Action/Recommendation:** City staff recommends approval of the resolution.

**Alternative Recommendation:** City Council may table this item and request further information.

**Time Sensitivity:** The contract goes into effect on July 1, 2015

**Resolution Date:** July 14, 2015

**Budget Information:** The contract amount is included in the Transit Division's FY16 budget under contribution-other agency (661-541106).

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Cedar Rapids Transit Division has an interest in the provision of after-hours, demand-response transit service when the fixed-route bus service is not in operation, and

WHEREAS, Neighborhood Transportation Service has provided this service in the past and has vehicles and employees available to provide this service, and

WHEREAS, Neighborhood Transportation Service has merged with Horizons,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA authorizes the City Manager to sign the FY16 Contract for Transportation Services with Horizons in the amount of \$408,000.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Extension:** 5814

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

**Phone Number/Extension:** 5115

**Description of Agenda Item:** REGULAR AGENDA

Report on bids and resolution rejecting all bids for the East Side Sanitary Sewer Interceptor Repairs – Bid Package 1 project (estimated cost is \$490,000) **(Flood)**.  
 CIP/DID #SSD013-03

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:**

SAK Construction, Ltd. submitted the only bid received on June 24, 2015 for the East Side Sanitary Sewer Interceptor Repairs – Bid Package 1 project. The bid is significantly over budget.

The Package 1 project included installing a liner in the East Side Sanitary Sewer Interceptor through Greene Square Park. Lining installation on the East Side Sanitary Sewer Interceptor is planned upstream and downstream of this project's location. Public Works Department intends to include proposed Package 1 work in the upcoming lining projects. It is expected this will result in more favorable bid prices.

**Action/Recommendation:** The Public Works Department recommends approval of the Resolution rejecting all bids received on June 24, 2015 for the East Side Sanitary Sewer Interceptor Repairs – Bid Package 1 project.

**Alternative Recommendation:** City Council has the option to award the contract to the lowest responsible, responsive bidder. This would result in a significant cost increase.

**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

**Resolution Date:** July 14, 2015

**Budget Information:** FEMA PW# SSD013 FLOOD

**Local Preference Policy:** NA

**Recommended by Council Committee:** NA





June 24, 2015

City Council  
City of Cedar Rapids

RE: Report on bids as read for the East Side Sanitary Sewer Interceptor Repairs Bid Package 1, Contract Number SSD013-03

Dear City Council:

Bids were received on June 24, 2015 for the East Side Sanitary Sewer Interceptor Repairs Bid Package 1 project as follows:

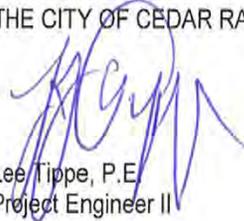
SAK Construction, O'Fallon, MO

\$1,197,361.75

The engineers cost opinion for this work is \$490,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT



Lee Tippe, P.E.  
Project Engineer II

LJT/cap

cc: Jennifer Winters, P.E. Public Works Director  
David Wallace, P.E., Interim City Engineer

Public Works Department

500 15th Avenue S.W. • Cedar Rapids, Iowa 52404-5837 • (319) 286-5802 • FAX (319) 774-5653

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids received bids for the East Side Sanitary Sewer Interceptor Repairs – Bid Package 1 on June 24, 2015, and

WHEREAS, the only responsible bid was in the amount of \$1,197,361.75, and

WHEREAS, the construction budget was based upon the construction cost opinion of \$490,000 and the low bid exceeds the construction budget for this project, and

WHEREAS, Public Works Department recommends rejecting the bid received on June 24, 2015 and further recommends incorporating the proposed work on this project into upcoming similar projects on the East Side Sanitary Sewer Interceptor immediately adjacent to the location of this project,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City shall reject the bid received on June 24, 2015 for the East Side Sanitary Sewer Interceptor Repairs – Bid Package 1 project, and

BE IT FURTHER RESOLVED that the City Council of the City of Cedar Rapids, Iowa authorizes the City Engineer to review and make appropriate design, contract, and budget modifications necessary to receive bids to best address the purpose and need of the improvements.

PASSED\_DAY\_TAG

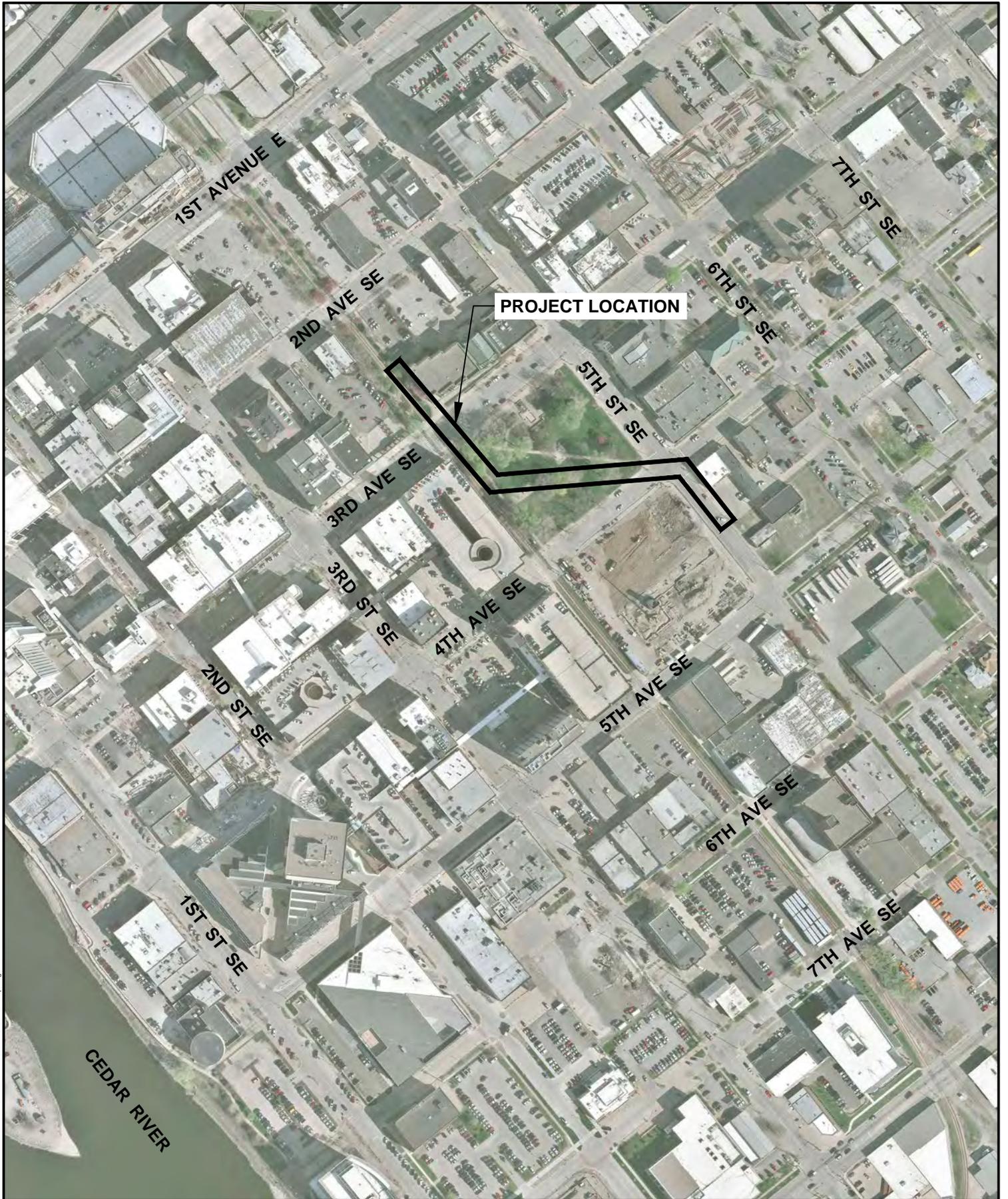
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MayorSignature

Attest:

ClerkSignature

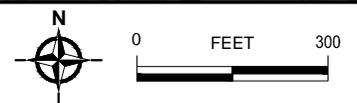
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PROJECT LOCATION



**EAST SIDE SANITARY SEWER  
INTERCEPTOR SEWER REPAIRS  
BID PACKAGE 1**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Extension:** 5814

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

**Phone Number/Extension:** 5115

**Description of Agenda Item:** REGULAR AGENDA

Report on bids and resolution awarding and approving contract in the amount of \$2,242,374.75 plus incentive up to \$60,000, bond and insurance of Rathje Construction Company for the 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 4 project (estimated cost is \$2,466,000) **(Flood)**.

CIP/DID #SSD103-14

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:**

Rathje Construction Co., Marion, IA	\$2,242,374.75
Incentive up to	<u>\$ 60,000.00</u>
Total	\$2,302,374.75
Dave Schmitt Construction Co., Cedar Rapids, IA	\$2,828,323.50

Rathje Construction Company submitted the lowest of the bids received on July 8, 2015 for the 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 4 project. The bid is within the approved budget. Construction work is expected to begin this summer and anticipated to be completed within 366 calendar days.

**Action/Recommendation:** The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$2,242,374.75 plus incentive up to \$60,000, bond and insurance of Rathje Construction Company for the 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 4 project.

**Alternative 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 July 14, 2015 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** July 14, 2015

**Budget Information:** FEMA PW# SSD103 FLOOD

**Local Preference Policy:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA



July 8, 2015

City Council  
City of Cedar Rapids

RE: Report on bids as read for the 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 4, Contract Number SSD103-14

Dear City Council:

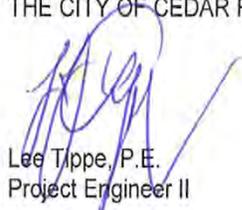
Bids were received on July 8, 2015 for the 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 4 project as follows:

Rathje Construction Co., Marion, IA	\$2,242,374.75
Dave Schmitt Construction, Inc., Cedar Rapids, IA	\$2,828,323.50

The engineers cost opinion for this work is \$2,466,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT



Lee Tippe, P.E.  
Project Engineer II

LJT/cap

cc: Jennifer Winters, P.E. Public Works Director  
David Wallace, P.E., Interim City Engineer

RESOLUTION NO. LEG\_NUM\_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on June 9, 2015 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 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 4 (Contract No. SSD103-14) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on June 13, 2015 pursuant to which a public hearing was held on June 23, 2015, and

WHEREAS, the following bids were received, opened and announced on July 8, 2015 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 July 14, 2015:

Rathje Construction Co., Marion, IA	\$2,242,374.75
Incentive up to	\$ 60,000.00
Total	\$2,302,374.75
Dave Schmitt Construction Co., Cedar Rapids, IA	\$2,828,323.50

WHEREAS, general ledger coding for this public improvement shall be as follows:  
\$2,302,374.75 330-330210-18511-SSD103 FLOOD;

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. Rathje Construction Company is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;
3. Subject to approval of the Equal Employment Opportunity Officer and registration with the Department of Labor, the Bid of Rathje Construction Company is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Rathje Construction Company.
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that 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\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Extension:** 5814

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

**Phone Number/Extension:** 5115

**Description of Agenda Item:** REGULAR AGENDA

Report on bids and resolution awarding and approving contract in the amount of \$744,242 plus incentive up to \$8,500, bond and insurance of Pirc-Tobin Construction, Inc. for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 4 project (estimated cost is \$1,080,000) **(Flood)**.

CIP/DID #SSD104-08

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:**

Pirc-Tobin Construction, Inc., Alburnett, IA	\$744,242.00
Incentive up to	<u>\$ 8,500.00</u>
Total	\$752,742.00

Rathje Construction Co., Marion, IA	\$962,166.85
Ricklefs Excavating, Ltd., Anamosa, IA	\$987,487.00
Yordi Excavating, Inc., Cedar Rapids, IA	*\$1,029,240.00

\*multiplication/addition error in bid

Pirc-Tobin Construction, Inc. submitted the lowest of the bids received on June 24, 2015 for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 4 project. The bid is within the approved budget. Construction work is expected to begin this summer and anticipated to be completed within 50 working days.

**Action/Recommendation:** The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$744,242 plus incentive up to \$8,500, bond and insurance of Pirc-Tobin Construction, Inc. for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 4 project.

**Alternative 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 July 14, 2015 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** July 14, 2015

**Budget Information:** FEMA PW# SSD104 FLOOD

**Local Preference Policy:** NA

**Recommended by Council Committee:** NA



June 24, 2015

City Council  
City of Cedar Rapids

RE: Report on bids as read for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 4, Contract Number SSD104-08

Dear City Council:

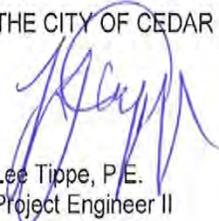
Bids were received on June 24, 2015 for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 4 project as follows:

Pirc-Tobin Construction, Inc., Alburnett, IA	\$744,242.00
Rathje Construction Co., Marion, IA	\$962,166.85
Ricklefs Excavating, Ltd., Anamosa, IA	\$987,487.00
Yordi Excavating, Inc., Cedar Rapids, IA	\$1,028,040.00

The engineers cost opinion for this work is \$1,080,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT



Lee Tippe, P.E.  
Project Engineer II

LJT/cap

cc: Jennifer Winters, P.E. Public Works Director  
David Wallace, P.E., Interim City Engineer

RESOLUTION NO. LEG\_NUM\_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on June 9, 2015 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 SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 4 (Contract No. SSD104-08) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on June 13, 2015 pursuant to which a public hearing was held on June 23, 2015, and

WHEREAS, the following bids were received, opened and announced on June 24, 2015 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 July 14, 2015:

Pirc-Tobin Construction, Inc., Alburnett, IA	\$744,242.00
Incentive up to	<u>\$ 8,500.00</u>
Total	\$752,742.00
Rathje Construction Co., Marion, IA	\$962,166.85
Ricklefs Excavating, Ltd., Anamosa, IA	\$987,487.00
Yordi Excavating, Inc., Cedar Rapids, IA	*\$1,029,240.00

\*multiplication/addition error in bid

, and

WHEREAS, the Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of Yordi Excavating, Inc. was corrected to be \$1,029,240, based on the unit prices submitted and the correct bid quantity totals, and

WHEREAS, general ledger coding for this public improvement shall be as follows: \$752,742 330-330210-18511-SSD104 FLOOD,

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

1. The recitals contained hereinabove are found to be true and correct.
2. The previous delegation to the City Engineer, or his designee, to receive, open, and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;
3. Pirc-Tobin Construction, 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;
4. Subject to approval of the Equal Employment Opportunity Officer and registration with the Department of Labor, the Bid of Pirc-Tobin Construction, Inc. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Pirc-Tobin Construction, Inc..

5. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that 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\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



**PROJECT LOCATION**

OTIS RD SE

BLAKELY BLVD SE

23RD AVE SE

OTIS ROAD SE

ROMPOT ST SE

THOMPSON ST SE

STEWART RD SE

24TH AVE SE

OTIS AVE SE

CEDAR RIVER

Credit File Name: W:\PROJECTS\FLOOD\SSD104 - Sanitary Sewer SE Quad\SSD104\_Council\_Map.dwg



**SE QUADRANT SANITARY SEWER IMPROVEMENTS  
PHASE 2, PACKAGE 4**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Rob Davis  
**E-mail Address:** r.davis@cedar-rapids.org

**Phone Number/Extension:** 5808

**Alternate Contact Person:** Sandy Pumphrey  
**E-mail Address:** s.pumphrey@cedar-rapids.org

**Phone Number/Extension:** 5363

**Description of Agenda Item:** REGULAR AGENDA

Discussion regarding the total acquisition of 4264 Cottage Grove Parkway SE through FEMA's Hazard Mitigation Program, and amending Resolution No. 0846-05-13 to authorize the local match through the use of Local Option Sales Tax (LOST) funding for a total acquisition of this property.

Resolution authorizing the total acquisition of 4264 Cottage Grove Parkway SE through FEMA's Hazard Mitigation Program and amending Resolution No. 0846-05-13 to authorize the local match through the use of Local Option Sales Tax (LOST) funding for a total acquisition of a property on Cottage Grove Parkway SE.  
 CIP/DID #331106-00

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:** Following the 2014 flash flood event, the property owners requested the City complete a buyout of the property. Flooding in this area has come from the swelling of Indian Creek and from the rapid collection and slow dissemination of stormwater in the rear 'basin.' The property owners provided damage information and City staff received verbal acknowledgement from State Homeland Security staff that the property is eligible for acquisition under FEMA's Hazard Mitigation Grant Program (HMGP). FEMA requires submission of this application in July 2015 including a City Council resolution formally applying for the funding and agreeing to the provisions of the program. FEMA requires this application by July 2015, in order for it to be connected to the June 2014 disaster declaration (DR-4184).

Historically, the City has applied for this funding source cautiously for acquisitions because the program prohibits future City resale of the property, and requires it remain city owned green space in perpetuity. Recent CIP improvements made by the City in this area are not considered by FEMA in their program qualification criteria.

This acquisition would be funded 75% FEMA, 10% State of Iowa, and 15% City. The City's 15% share is estimated between \$40,000 and \$45,000 and is eligible to be funded out the remaining funds from the 2009-2014 Local Option Sales Tax (LOST).

Acquiring this property will accomplish two objectives:

- Eliminate future property damage by demolishing the home.
- Reduce standing water in the rear yards, by grading an overflow route where the house stands today.

The City has made several improvements in the area since major Indian Creek flooding in 2002 to address flooding from both the creek and within the watershed, two of which have been completed after the June 2014 flash flood event, including:

- Disconnecting storm sewer from Sunland Court to rear yard behind subject property
- Constructing storm sewer on Sunland Court and Sunland Drive SE.
- Reconstructing East Post Road SE Bridge over Indian Creek with a larger opening
- Constructing a flood risk reduction berm along Cottage Grove Parkway to the 500-year flood level, but which only has protection to 100-year level until the 2017 project discussed below is completed
- Constructing an 8-inch pipe to allow for eventual drainage of the rear yard sumps

Other than the East Post Road Bridge, the above work has been done as part of City Council allocating \$1.3 million of Flood LOST funds in May 2013. Currently \$445,000 of LOST funds remains for the final two project phases in 2016 and 2017, which are:

- Construction of swale and berms west of Sun Valley Neighborhood (flash flooding).
- Construction of berm along back of Sunland Court properties to raise protection to 500-year Indian Creek flood event (Indian Creek flooding).

Purchasing 4264 Cottage Grove Parkway SE is currently unfunded. Using Flood LOST funds for this purchase will require partial deferral of the previously approved and funded projects.

One additional unfunded project in the Storm Water Master Plan will be to re-establish the drainage easement usage between Fox Meadow Drive SE and Deep Woods Court SE to the storm sewer system in Cottage Grove Parkway. This would be to redirect rainwater away from the rear backyard sump, which leads to the basement of 4264 Cottage Grove Parkway SE. This project is estimated to cost approximately \$250,000 and would benefit more properties.

**Action/Recommendation:** Staff recommends denial of this resolution, in favor of the current approved CIP plan for the following reasons:

- Recent CIP efforts since 2014 have been made to reduce flooding in this neighborhood.
- Approval of this unfunded acquisition will cause partial deferral of the remaining City Council approved and funded LOST projects.
- Acceptance of the FEMA funds would require the City to maintain or be responsible for others to maintain this property as green space in perpetuity.
- There may be greater risk to neighborhood vitality to remove a house and try to maintain the resulting lot to acceptable neighborhood conditions.
- The current drainage system handled a 10-year storm on June 11, 2015, without water getting into the home.
- There may be options to seal off the walkout basement where the stormwater first enters the house.

**Alternative Recommendation:** Approve resolution to acquire the property through FEMA's HMGP program, and consent to the local match required through Flood LOST deferring portions of the remaining approved LOST project phases until re-budgeted in the future.

**Time Sensitivity:** High. FEMA requires submission of the application prior to the July 23, 2015 Council Meeting.

**Resolution Date:** July 14, 2015

**Budget Information:** FEMA 75%, State 10%, City 15% (LOST)

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** Yes

**Explanation:** Infrastructure Committee

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, a 4264 Cottage Grove Parkway SE (hereinafter "the property") has been flooded multiple times, from both the swelling of Indian Creek and the slow dissemination of stormwater in the rear backyard "basin", most recently during the flash flood of June 2014, and

WHEREAS, a number of additional improvements have already been made in that vicinity, including completion of the risk reduction berm along Indian Creek, storm sewer pipe improvements and a larger opening at the East Post Road Bridge, and

WHEREAS, further investigation and analysis is needed to fully vet all alternative additional options when compared to acquisition; however, should the City Council wish to proceed with acquisition, action is required immediately to meet the Federal Emergency Management Agency's (FEMA's) timeline under Disaster # DR-4184, and

WHEREAS, the property is associated with a flood risk reduction project for Cottage Grove Parkway SE, Sunland Drive SE and Sunland Court SE neighborhoods, as described in Resolution No 0846-05-13, dated May 28, 2013, and

WHEREAS, the City of Cedar Rapids (hereinafter called "the Subgrantee"), County of Linn, has made application through the Iowa Homeland Security and Emergency Management Division (HSEMD) to FEMA for funding from the Hazard Mitigation Grant Program, in the amount of \$268,338 for the total project cost, and

WHEREAS, the Subgrantee recognizes the fact that this grant is based on a cost share basis, with the federal share not exceeding 75%, the state share not exceeding 10%, and the local share being a minimum of 15% of the total project cost. The minimum 15% local share can be either cash or in-kind match,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City pursue acquisition of the subject property through FEMA's Hazard Mitigation Grant Program, and

BE IT FURTHER RESOLVED, that the City will fund the 15% match (\$40,252) from remaining locally generated flood Local Option Sales Tax (LOST) funds to meet the minimum 15% match requirement for this mitigation grant application,

1. The recitals contained herein are found to be true and correct.
2. Use of the City's Local Option Sales Tax revenues for the acquisitions and demolition of the property herein described, would constitute matching funds for federal dollars and assist with flood recovery and flood mitigation, that the City pursue acquisition of the property through FEMA's Hazard Mitigation Grant Program
3. Use of the City's Local Option Sales Tax revenues for acquisition of the property is found to be allowed by the Local Option Sales Tax ballot proposition language and is hereby approved.
4. Resolution 0846-05-13 is hereby amended to include acquisition and demolition of the property in the Indian Creek neighborhood area along Cottage Grove Parkway SE, and Sunland Court SE.

BE IT FURTHER RESOLVED, that the City Council of the City of Cedar Rapids, Iowa authorizes the Mayor, City Manager, and/or designated staff to execute documentation

necessary for the submission of a Hazard Mitigation Grant Program application to the State of Iowa Homeland Security and Emergency Management Authority.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

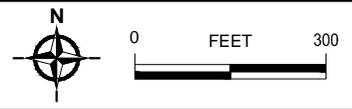
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**COTTAGE GROVE PARKWAY SE**





## Council Agenda Item Cover Sheet

**Submitting Department:** Building Services

**Presenter at Meeting:** Kevin Ciabatti  
**E-mail Address:** k.ciabatti@cedar-rapids.org

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

**Alternate Contact Person:** John Riggs  
**E-mail Address:** j.riggs@cedar-rapids.org

**Phone Number/Ext.:** 319-286-5981

**Description of Agenda Item:** ORDINANCES – Second and possible Third Readings  
 A second and possible third reading to consider repealing Chapter 29 of the Municipal Code, Housing Code, and enacting and adopting in lieu thereof a new Housing Code and the 2015 edition of the International Property Maintenance Code including Appendix A with modifications. CIP/DID #BSD005-15

**EnvisionCR Element/Goal:** StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

**Background:** The Model International Code is published every three years. To keep current with the Model Codes and other Iowa jurisdictions, it is important to we adopt the 2015 Housing Code. The primary focus of this adoption of the 2015 Housing Code with amendments process was to develop a method to track and register vacant and neglected properties. A new subchapter 10 was added defining vacant and neglected structures, thereby creating administrative provisions allowing the City of Cedar Rapids to register, track and inspect structures that meet the criteria of vacant and neglected.

The City of Cedar Rapids created a focus group made up of representatives from the Cedar Rapids Association of Realtors, Neighborhood Associations, Historic Preservation Commission, Housing Advocacy Group, Community Development Department and the Police Department (3/7/14, 3/21/14, 4/4/14, 5/21/14 and 4/8/15). This focus group has been supportive in creating a framework for this ordinance. Staff has also met with the Housing Board of Appeals to discuss proposed ordinance changes (3/4/15 and 4/1/15). In addition, staff held a Code update Open House (5/26/15), and presented at the Public Safety Committee (6/1/15).

The proposed effective date of the Housing Code will be upon passage of the ordinance.

**Action/Recommendation:** Recommend repealing Chapter 29 of the Municipal Code, Housing Code, and enacting and adopting in lieu thereof a new Housing Code and the 2015 edition of the International Property Maintenance Code including Appendix A with modifications.

**Alternative Recommendation:** None recommended. In the past, we received official Insurance Service Organization (ISO) criticism and potential downgrade of ISO BCEG (Building Code Effectiveness Grading Scale) for delaying a Code adoption cycle within one year of publication date of the Model Code.

Further, the City continues to experience numerous properties that fall into vacancy and become neglected over time. This ordinance will create a framework to address this ongoing concern, allowing staff intervention in hopes to bring the property into compliance.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Budget Information:** N/A

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** Yes

**Explanation:** NA

ORDINANCE NO. LEG\_NUM\_TAG

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, BY REPEALING CHAPTER 29 THEREOF, ENTITLED "HOUSING CODE; ENACTING AND ADOPTING IN LIEU THEREOF A NEW CHAPTER 29, ENTITLED "HOUSING CODE," CONSISTING OF THE ORDINANCE HEREAFTER SET FORTH WHICH ADOPTS BY REFERENCE, WITH CERTAIN LOCAL AMENDMENTS, THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2015 EDITION, INCLUDING APPENDIX A, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, TOGETHER REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL COMMERCIAL AND RESIDENTIAL PROPERTY, THE DECLARATION OF PROPERTY UNFIT FOR OCCUPANCY AND/OR USE, THE DEMOLITION OF CERTAIN PROPERTY AS PROVIDED THEREIN, THE CONDUCT OF ALL RESIDENTIAL RENTAL BUSINESS WITHIN THE CITY, THE REGULATING OF VACANT AND NEGLECTED BUILDINGS AND THE TERMS ON WHICH PENALTIES SHALL BE IMPOSED FOR VIOLATION OF SAID CODE; AND, FURTHER BY REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

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

SECTION 1. The Municipal Code of the City of Cedar Rapids, Iowa, is hereby amended by deleting therefrom Chapter 29 entitled "HOUSING CODE," and adopting in lieu thereof a new Chapter 29 as follows:

"HOUSING CODE"

<u>Local section no.</u>	<u>Provision of the IPMC</u>
29.01.....	International Property Maintenance Code Adopted
Subchapter 1 – Amendments to IPMC Provisions of Administration	
29.02.....	Section 101.1 Title
29.03.....	Section 102.2 Maintenance
29.04.....	Section 102.3 Application of other Codes
29.05.....	Section 103.1 General
29.06.....	Section 103.5 Fees
29.07.....	Section 104.3.1 Warrant
29.08.....	Section 106.2.1 Notice of Violation
29.09.....	Section 106.4 Violation Penalties
29.10.....	Section 107.2 Form

29.11.....	Section 107.3 Method of Service
29.12.....	Section 108.1.5 Dangerous Structure or Premise
29.13.....	Section 108.4 Placarding
29.14.....	Section 108.4.1 Placard Removal
29.15.....	Section 108.5 Prohibited Occupancy
29.16.....	Section 111.1 Application for Appeal
29.17.....	Section 111.1.1 Waiver
29.18.....	Section 111.2 Appointment
29.19.....	Section 111.3 Notice of Meeting

Subchapter 2 - Amendments to IPMC Definitions

29.20.....	Section 202 General Definitions
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Subchapter 3 - Amendments to IPMC Provisions on General Requirements

29.21.....	Section 302.1 Sanitation
29.22.....	Section 302.4 Weeds
29.23.....	Section 302.7 Accessory Structures
29.24.....	Section 302.8 Motor Vehicles
29.25.....	Section 304.3 Premises Identification
29.26.....	Section 304.14 Insect Screens
29.27.....	Section 307.1 General
29.28.....	Section 309.1 Infestation

Subchapter 4 - Intentionally Left Blank

Subchapter 5 - Amendments to IPMC Provisions on Plumbing Facilities and Fixture Requirements

29.29.....	Section 502.3 Hotels
29.30.....	Section 502.4 Employees Facilities
29.31.....	Section 502.4.1 Drinking Facilities

Subchapter 6 - Amendments to IPMC Provisions on Mechanical and Electrical Requirements

29.32.....	Section 602.3 Heat supply
29.33.....	Section 602.4 Occupiable work spaces
29.34.....	Section 603.1 Mechanical appliances
29.35.....	Section 604.2 Service
29.36.....	Section 605.2 Receptacles
29.37.....	Section 704.2.2 Interconnections
29.38.....	Section 704.3 Smoke Detector Maintenance
29.39.....	Section 705 Fire Extinguisher

Subchapter 8 - Amendments to IPMC Provisions on Recognized Standards

29.40.....Chapter 8 Referenced Standards

Subchapter 9 - Rental Business Regulations

29.41.....Section 901 Landlord Business Permits  
29.42.....Section 902 Rental Property or Rental Unit  
Registration  
29.43.....Section 903 Mandatory Tenant Background  
Checks  
29.44.....Section 904 Suspension, Revocation or Denial,  
Right of Appeal, Order of Precedence  
29.45.....Section 905 Inspection of Rental Property  
29.46.....Section 906 Certificate of Compliance  
29.47.....Section 907 Notice upon Offer For Sale  
29.48.....Section 908 Uniform Residential Landlord and  
Tenant Law

Subchapter 10 - Vacant and Neglected Building Regulations

29.49.....Section 1001 General  
29.50.....Section 1002 Vacant and Neglected Building  
Determination  
29.51.....Section 1003 Vacant and Neglected Building  
Registration  
29.52.....Section 1004 Vacant and Neglected Building  
Abatement Plan  
29.53.....Section 1005 Appeal  
29.54.....Section 1006 Removal from Registration  
29.55.....Section 1007 Other Enforcement

Appendix A – Boarding and Fencing Standard

29.56.....Appendix A Boarding & Fencing Standard

29.01 INTERNATIONAL PROPERTY MAINTENANCE CODE 2015 ADOPTED. Except as hereinafter added to, deleted, modified, or amended, there is hereby adopted as the Housing Code of the City of Cedar Rapids, Iowa, that certain code known as the International Property Maintenance Code, 2015 First Printing (“IPMC”), including Appendix A, as published by the International Code Council.

The provisions of said Housing Code shall be for: regulating and governing the conditions and maintenance of all property, essential to ensure that structures are safe, sanitary, and fit for

occupancy and use; the condemnation of buildings and structures unfit for human occupancy and use; the demolition of such existing structures as provided within the corporate limits of the City of Cedar Rapids, Iowa; the regulation of rental property and regulation of vacant and neglected buildings.

#### SUBCHAPTER 1 - Amendments to IPMC Provisions on Administration

29.02 Section 101.1 of the IPMC is hereby amended by deleting Section 101.1 Title, and replacing said section with the following:

Section 101.1 Title. These regulations shall be known as the Cedar Rapids Housing Code which includes the 2015 International Property Maintenance Code with these local amendments, hereinafter referred to as "this code".

29.03 An Exception is hereby added to Section 102.2 of the IPMC (Maintenance) as follows:

Exception. The owner or owner's authorized agent may by agreement allow the occupant to perform the duties specified herein. All refrigerators, stoves, and ranges shall be maintained in safe working condition.

29.04 Section 102.3 of the IPMC is hereby amended by deleting said section and replacing it with the following:

Section 102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Cedar Rapids Municipal Code, which includes, but is not limited to the Building Code, Fire Code, Fuel Gas Code, Mechanical Code, Residential Code, Plumbing Code, and the Electrical Code. Nothing in this code shall be construed to cancel, modify, or set aside provisions of the Zoning Code adopted by the City Council of Cedar Rapids, Iowa.

29.05 Section 103.1 of the IPMC (General) is hereby amended by deleting said section and replacing it with the following:

Section 103.1 General. The executive official in charge of administration of this code shall be known as the code official.

29.06 Section 103.5 of the IPMC is hereby amended by deleting said section and replacing it with the following:

Section 103.5 Fees. The City Council of the City of Cedar Rapids, Iowa may by resolution prescribe the occasions when fees for rental business permits, rental registrations, rental inspections, inspections of owner occupied units, re-inspections and registration of vacant and/or neglected structures are required and in what amount.

29.07 Section 104.3 of the IPMC is hereby amended by adding the following as Subsection 104.3.1:

Section 104.3.1 Warrant. When the code official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner or occupant or person having charge, care or control of the building or premises or unit shall not fail or neglect, after proper request is made as herein provided, to permit entry therein by the code official for the purpose of inspection and examination pursuant to this code.

29.08 Section 106.2 of the IPMC is hereby amended by adding the following as Subsection 106.2.1:

Section 106.2.1 Violation Notice and Compliance. The code official shall notify the owner in writing of the basis for any inspection. If, upon completion of an inspection, a structure or property is found to be in violation of one or more provisions of this code, a notice shall be provided to the owner. If the violation is of an emergency nature, as determined by the code official, immediate compliance with the code is required. Otherwise, the owner shall be provided no less than 35 calendar days for correction of violation(s) and an initial re-inspection at no extra fee.

If after a re-inspection a violation has not been corrected within that period, the code official shall schedule a re-inspection for 14 calendar days after the initial re-inspection.

If a violation has not been corrected within that 14 day time period, then a FINAL NOTICE for seven (7) calendar days shall be issued. If a violation has not been corrected within the seven (7) calendar day period, a violation penalty shall be issued.

If violation(s) have been corrected within the time periods specified above, then a Certificate of Compliance shall be issued as specified by this code. The initial re-inspection is at no extra fee; all other re-inspections may have re-inspection fee(s) charged.

29.09 Section 106.4 of the IPMC is hereby amended by deleting said section and replacing it with the following:

Section 106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Said prosecution may be by the filing of a misdemeanor citation or a citation for municipal infraction. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Continued violations of this code for non-compliance may result in suspension or revocation of a Cedar Rapids issued Landlord Business Permit and/or Rental Unit Registration.

29.10 Section 107.2 of the IPMC is hereby amended by adding the following as item 7. to said section:

7. Be effective notice to anyone having interest in the property whether recorded or not at the time of giving such notice and shall be effective against any subsequent owner of the premises as long as the violation exists and there remains an official copy of the notice in a file maintained by the code official.

29.11 Section 107.3 of the IPMC is hereby amended by adding the following as items 4. and 5. to said section:

4. If the person to be served is not found, then leaving a copy thereof at his or her usual place of abode or employment with a person who is at least 18 years old residing in the same abode or same place of employment.

5. In the event that more than one person has to be served under this code, failure to serve one or more such additional persons does not affect the service on the person served.

29.12 Section 108.1.5 of the IPMC is hereby amended by adding the following as item 12 to said section:

12. Any building, structure or portion thereof, that has been used to manufacture, grow or otherwise produce a 'controlled substance', as that phrase is defined in Chapter 124 of the Iowa Code, and is not authorized for such use shall be considered unfit for human occupancy.

29.13 Section 108.4 of the IPMC is hereby amended by deleting said section and replacing it with the following:

Section 108.4 Placarding. Upon failure of the owner, owner's authorized agent or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

Any building, structure or portion thereof deemed an imminent threat to the public safety or welfare or deemed to have the condition described in IPMC Section 108.1.5(12) shall be placarded immediately by the code official, and a notice shall be given to the owner, owner's authorized agent or person responsible as soon as practical thereafter.

29.14 Section 108.4.1 of the IPMC is hereby amended by deleting said section and replacing it with the following:

Section 108.4.1 Placard removal. The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated, a full inspection has been completed and all fees owed to the city on the property have been paid in full. If placarding was caused by the condition described in IPMC Section 108.1.5(12) a full report by a certified agency or contractor deeming the premises clean shall be provided to the code official prior to removal of the placard unless otherwise authorized

by the code official. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.

29.15 Section 108.5 of the IPMC is hereby amended by adding the following Exception to said section:

Exception. Access to a placarded property is allowed only with written approval from the code official. Such written approval shall specify the person or persons who are allowed access to the property and the hours which such access is allowed. When approved persons access the placarded property, those persons shall have the code official's full written approval available at the placarded property for inspection by any code official or police officer.

29.16 Section 111.1 of the IPMC is hereby amended by deleting said section and replacing it with the following:

Section 111.1 Application for appeal. Any person directly affected by a decisions of the code official or a notice or order issued under this code shall have the right to appeal to the Housing Code Board of Appeals, provided that a written application for appeal is filed within 20 days after the date of the initial notice of violation or order under this code. An application for appeal shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means. The Housing Code Board of Appeals shall have no authority to waive the requirements of this code.

29.17 Section 111.1 of the IPMC is amended by adding the following as Subsection 111.1.1:

Section 111.1.1 Waiver. Failure of any person to file an appeal request in accordance with the provisions of this code shall constitute a waiver of the right to a Housing Code Board of Appeals hearing and adjudication of the notice or order, or any portion thereof.

29.18 Section 111.2 of the IPMC and all subsections thereof are amended by deleting said Section and all subsections thereof and replacing them with the following:

Section 111.2 Appointment. There is hereby established a board to be known as the Housing Code Board of Appeals, which consists of 7 members appointed by the Mayor with the advice and majority consent of the City Council. The members of the board shall be appointed for 3 year terms, with any successive appointment for a 3 year term following the expired term. Any one or more members of such board shall be subject to removal or replacement by the City Council at any time, for cause, after a public hearing before the City Council. Vacancies on such board shall be filled by the appointing authority for the unexpired term of such vacancy. The members of such board shall serve without compensation and shall be residents of the City of Cedar Rapids, Iowa.

Section 111.2.1 Officers. Officers of the board shall be elected by the members of the board at the annual meeting of the board, including a chairperson.

Section 111.2.2 Appeal. All appeals and requests to the board shall be filed with the Building Services Department Administrative Assistant or code official for this code. An appeal fee as set by the City Council resolution shall accompany each appeal.

Section 111.2.3 Procedure. The board shall establish its own rules of procedure for accomplishment of its duties and functions provided that such rules are not in conflict with the provisions of this code or Iowa law. Copies of the rules of procedure adopted by the board shall be available from the code official.

Section 111.2.4 Meetings. The board shall meet at regular intervals to be determined by the Chairperson but, in any event, the board shall act upon the appeal within 30 days after a request for a hearing has been received by the Building Services Department Administrative Assistant or code official for this code. Reasonable notice of the place, time, and date of such meeting shall be given to all members of the board and all interested parties in each case to be heard by the board.

Section 111.2.5 Open Hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given opportunity to be heard. A quorum shall consist of a minimum of two-thirds of the board membership.

Section 11.2.6 Minutes / Copies. Minutes of all meetings shall be prepared and maintained as part of the public record. The decision of the board shall be recorded. Copies shall be furnished to the appellant and the code official.

Section 111.2.7 Extension of Time. In lieu of, or in addition to, administrative extensions, the Housing Code Board of Appeal may grant an extension or extensions of time for the compliance of any order or notice, provided that the board makes a determination that there are practical difficulties or unnecessary hardship in carrying out the strict letter of any notice or order.

Section 111.2.8 Petition for Certiorari. Any person or persons, jointly or severally, aggrieved by any decision of the Housing Code Board of Appeal under the provisions of this code, or any officer, department, board, or bureau of the municipality, may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within 30 days after the decision of the board.

29.19 Section 111.3 of the IPMC is hereby amended by deleting said section and replacing it with the following:

Section 111.3 Notice of Meeting. The board shall meet upon notice from the chairman, within 30 days of the filing of an appeal, or at stated periodic meetings.

## SUBCHAPTER 2 - Amendments to IPMC Definitions

29.20 Section 202 of the IPMC is hereby amended by adding the following as definitions:

**CERTIFICATE OF COMPLIANCE.** Means a document issued by the code official or the City of Cedar Rapids evidencing compliance with all applicable code provisions of the rental property, rental unit or rental units for which the Certificate was issued. A Certificate of Compliance shall show the Issue Date (reflecting the initial regular rental inspection), the address of the structure for which it is applicable, the type or classification of the dwelling, and any other information as determined by the code official.

**CONDOMINIUM.** Means a multi-family complex, dwelling, dwelling unit, rooming unit, or sleeping unit which is recognized by the City Assessor's office as a Condominium (typically in compliance with Chapter 499B of the Code of Iowa).

**COOPERATIVE.** Means a multi-family complex, dwelling, dwelling unit, rooming unit, or sleeping unit which is recognized by the City Assessor's office as a Cooperative (typically in compliance with Chapter 499A of the Code of Iowa).

**FUEL BURNING HEATING EQUIPMENT.** Means a furnace and/or boiler and/or water heater that uses fossil fuels.

**LANDLORD BUSINESS PERMIT.** Means a permit issued by the City of Cedar Rapids for the purpose of conducting residential rental business which is subject to regulation under this Chapter.

Note: A Landlord Business Permit does not authorize one to act or represent oneself as a real estate broker in violation of Iowa Code Chapter 543B Real Estate Brokers and Salespersons.

**NUISANCE.** Means the same as set forth in Chapter 22 of the Municipal Code of the City of Cedar Rapids, Iowa.

**NUISANCE ACTIVITY.** Means the same as set forth in Chapter 22A of the Municipal Code of the City of Cedar Rapids

**NUISANCE PROPERTY.** Means the same as set forth in Chapter 22A of the Municipal Code of the City of Cedar Rapids

**OCCUPYING.** Means living or sleeping in premises regulated by this Chapter, and shall not require that the person living or sleeping be included in any rental agreement concerning the premises.

**PROPERTY MANAGER.** Means the party responsible for day to day maintenance, operation and management of rental property. For purposes of this Subchapter, an Owner of a Rental Property or a Rental Unit may be, but is not necessarily, the same as the Property Manager thereof.

Note: References in this Chapter to "Property Manager" shall not be construed so as to affect the application of any other law concerning property management, including but not limited to Iowa Code Chapter 543B.

**RENTAL BUSINESS TRAINING.** Means training required of Landlords and those who manage rental property subject to regulation hereunder.

**RENTAL PROPERTY (OR RESIDENTIAL RENTAL PROPERTY); RENTAL UNIT (OR RESIDENTIAL RENTAL UNIT).** Means a structure containing one or more dwelling units, rooming units, or sleeping units which is not eligible for the Iowa Homestead Credit for tax purposes; also any structure or part of a structure used as a home, residence, or sleeping unit by a single person, household unit, or any person(s) other than the legal owner of the property, which is leased or rented from or otherwise occupied by permission of the owner or other person in control of such unit(s), whether by day, week, month, year or any other term, regardless of monetary exchange. The term Rental Unit or Residential Rental Unit may refer to a unit within a rental property, as context requires.

**RENTAL PROPERTY REGISTRATION.** Means registration with the City of Cedar Rapids of a structure containing one or more rental units subject to regulation under this Chapter.

**RENTAL UNIT REGISTRATION.** Means registration of any given dwelling unit within a duly registered rental property.

**VACANT and NEGLECTED BUILDING:** Any building or portion of a building which meets any one or more of the following conditions for more than 180 calendar days in any given year: unoccupied and unsecured, unoccupied and secured by boarding or by means other than those used in the design of the building, unoccupied and has housing and/or building code violations, unoccupied and unfit for occupancy, or unoccupied and declared dangerous or unsafe under this code.

**EXCEPTION:** Vacant Buildings which are undergoing construction, renovation, or rehabilitation and which are in compliance with all applicable ordinances, codes, legislation, and regulations, and for which a construction, renovation or rehabilitation permit has been issued that the code official determines is proceeding diligently to completion.

**WEEDS.** Weed(s) shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs, provided, however, this term shall not include cultivated flowers and gardens.

### SUBCHAPTER 3- Amendments to IPMC Provisions on General Requirements

29.21 Section 302.1 of the IPMC is hereby amended by deleting said section and replacing it with the following:

Section 302.1 Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep in a clean and sanitary condition that part of the exterior property which such occupant occupies or controls, but this provision shall not relieve the owner of responsibility under this chapter. No exterior accumulation of garbage, refuse, rubbish, personal possessions, or household goods, including but not limited to appliances and furnishings manufactured for interior use, shall be permitted. For purposes of this section, an unenclosed porch is an exterior portion of a property or premises.

29.22 Section 302.4 of the IPMC is hereby amended by deleting said section and replacing it with the following:

Section 302.4 Weeds. All premises and exterior property shall be maintained free of weeds or plant growth in excess of 12 inches. All noxious weeds shall be prohibited.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106 of the IPMC and as prescribed by the code official. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

29.23 Section 302.7 of the IPMC is hereby amended by deleting said section and replacing it with the following:

Section 302.7 Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained in good repair at all times. Garage Doors required - All garages, where a garage door was intended or installed, must be provided with a functioning garage door.

29.24 Section 302.8 of the IPMC is hereby amended by deleting said section and replacing it with the following:

Section 302.8 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. The open storage of vehicle parts including but not limited to bumpers, engines, exhaust pipes, doors, fenders, hoods, mufflers or any other structural, mechanical or decorative vehicle part is prohibited. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work and storage of parts, provided that such work and/or storage is performed inside a structure or similarly enclosed area designed and approved for such purposes.

29.25 Section 304.3 of the IPMC is hereby amended by deleting said section and replacing it with the following:

Section 304.3 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. Where the fire code official requires, address numbers shall also be located in an approved location along alleys that is visible from the alley. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

29.26 Section 304.14 of the IPMC is hereby amended by deleting said section and replacing it with the following:

Section 304.14 Insect screens. Every door, window, and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any area where products to be included or utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

29.27 Section 307.1 of the IPMC is hereby amended by deleting said section and replacing it with the following:

Section 307.1 General. Every exterior and interior flight of stairs having four or more risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp, or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) in height above the floor of the landing, balcony, porch, deck, or ramp, or other walking surface.

Exception: Guards shall not be required where exempted by the adopted building code.

29.28 Section 309.1 of the IPMC is hereby amended by deleting said section and replacing it with the following:

Section 309.1 Infestation. All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by a process that will not be injurious to human health. If after re-inspection it is the opinion of the code official that adequate extermination measures have not been taken, then an approved plan of action shall be provided to the code official within 5 business days. An approved plan of action must include an approved certified pest control agency for extermination. After pest elimination, proper precautions shall be taken to prevent re-infestation.

## SUBCHAPTER 4 - Intentionally Left Blank

### SUBCHAPTER 5 - Amendments to IPMC Provisions on Plumbing Facilities and Fixture Requirements

29.29 Section 502.3 of the IPMC is hereby deleted.

29.30 Section 502.4 of the IPMC is hereby deleted.

29.31 Section 502.4.1 of the IPMC is hereby deleted.

### SUBCHAPTER 6- Amendments to IPMC Provisions on Mechanical and Electrical Requirements

29.32 Section 602.3 of the IPMC is hereby amended by deleting the first paragraph of said section and replacing it with the following:

Section 602.3 Heat supply. Every owner and operator of any building who rents, leases, or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof, shall supply heat to maintain a minimum temperature of 68 degrees F (20 degrees C) in all habitable rooms, bathrooms, and toilet rooms.

29.33 Section 602.4 of the IPMC is hereby amended by deleting said section and replacing it with the following:

Section 602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat to maintain a temperature not less than 65 degrees Fahrenheit (18 degrees Celsius) during the period the spaces are occupied.

Exception 1. Processing, storage, and operation areas that are required cooling or special temperature conditions.

Exception 2. Areas in which persons are primarily engaged in vigorous physical activities.

29.34 Section 603.1 of the IPMC is hereby amended by deleting said section and replacing it with the following:

Section 603.1 Maintenance of heating equipment. All fuel burning heating equipment of each dwelling shall be maintained in good and safe working condition and shall be capable of heating all habitable rooms, kitchens, kitchenettes, bathrooms, and toilet rooms located therein to the minimum temperature required by this code. At the time of each regular rental inspection, fuel burning heating equipment must be checked by a licensed mechanical contractor or certified service technician for proper drafting, combustion, and integrity of total operation system which shall include the thermostat, gas valve, vent, and/or chimney and a determination made that carbon monoxide levels are within safe limits for human habitation.

Exception 1: When heating equipment has been installed within two years of the regular inspection with proper documentation of permitting, inspection, including the installation date.

Exception 2: If the fuel burning heating equipment has been properly inspected by a licensed mechanical contractor or certified technician within 12 months of the regular rental inspection.

Exception 3: If a working Carbon Monoxide Alarm (Detector) is installed outside of and adjacent to each sleeping area and in the immediate vicinity of the bedrooms. Combination carbon monoxide and smoke alarms shall be permitted to be used in lieu of carbon monoxide alarms.

29.35 Section 604.2 Service is hereby amended by deleting said section and replacing it with the following:

Section 604.2 Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the Cedar Rapids Municipal Code Chapter 34 as adopted.

29.36 Section 605.2 of the IPMC is hereby amended by deleting said section and replacing it with the following:

Section 605.2 Receptacles. Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry sink and/or laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every existing or new bathroom shall contain at least one ground fault type receptacle. All receptacle outlets shall have the appropriate faceplate cover for the location.

Section 605.2.1 Ground fault. All receptacles located above and adjacent to work counters within 3 feet of a sink or water distribution fixture shall be ground fault type.

Section 605.2.2 Exterior GFCI. All exterior outlets must be ground fault circuit interrupter protected with approved covers.

Section 605.2.2 Tamper Resistant. All replacement outlets shall be of a tamper resistant type.

#### SUBCHAPTER 7 - Amendments to IPMC Provisions on Fire Safety Requirements

29.37 Section 704.2.2 of the IPMC is hereby amended by adding the following as Exception 3 thereto:

Exception 3. Battery powered smoke alarms may be added in bedrooms of existing buildings which have existing smoke alarms interconnected as long as the bedrooms didn't previously have interconnected smoke alarms removed or disconnected and until such time that a building permit for remodel of the unit or building results in the building official requiring smoke alarms be interconnected.

29.38 Section 704.3 of the IPMC is hereby amended by adding the following as Section 704.3

Section 704.3 Smoke Detectors Maintenance. All Smoke Detectors shall be maintained in working order per manufacturer's specifications and the Cedar Rapids Fire Code. All replacement Smoke Detectors shall be of the dual sensor type.

29.39 Section 705 of the IPMC is hereby amended by adding the following as Section 705:

Section 705 Fire extinguisher. All fire extinguishers shall be maintained in an operative condition at all times and shall be replaced or repaired when defective in accordance with the manufacturer's specifications and NFPA 10. At the time of each Regular Rental Inspection, the code official will confirm the fire extinguisher(s) have been properly maintained, serviced, and tagged by an approved company in accordance with the manufactures specifications, NFPA 10 and the Cedar Rapids Fire Code.

Section 705.1 Single Family. Single family (rental) structures shall have one 1A10BC minimum rated fire extinguisher provided in a properly mounted readily accessible location, preferably located near an exit and near the kitchen.

Section 705.2 Multi Family. Each multi-family structure shall be provided with one 1A10BC fire extinguisher for each dwelling unit, properly mounted in a readily accessible location preferably located near an exit and near the kitchen, or, for those structures with common corridors in lieu of the 1A10BC fire extinguishers in each unit, the owner may provide one 2A10BC fire extinguisher on each occupied level within 75 feet of each dwelling unit, properly mounted in a readily accessible location for occupants for which they are provided.

Section 705.3 Multi Family Laundry & Mechanical Rooms. One 2A10BC fire extinguisher shall be provided in a properly mounted readily accessible location positioned within 75 of and on the same level as each laundry or mechanical room (including boiler rooms) that is shared by 2 or more dwelling units.

#### SUBCHAPTER 8- Amendments to IPMC Provisions on Recognized Standards

29.40 Chapter 8 of the IPMC is hereby amended by adding the following as Reference Standards:

MUNICIPAL CODE of the City of Cedar Rapids, Iowa.

Chapter 22 Nuisances.

Chapter 22A Nuisance Properties.

Chapter 32 Zoning Code.

Chapter 33 Building Code (as adopted & amended).

Chapter 34 Electrical Code (as adopted & amended).

Chapter 35 Plumbing Code (as adopted & amended).

Chapter 36 Mechanical & Fuel Gas Code (as adopted & amended).

Chapter 37 Fire Code (as adopted & amended).

## Subchapter 9 Rental Business Regulations

### 29.41 Section 901 Landlord Business Permits

#### a. Permit requirements.

No person shall lease, rent, or otherwise allow a dwelling unit or residential rental unit to be occupied without a valid Landlord Business Permit issued in accordance with this Subchapter. All those who hold a valid Landlord License at the time this ordinance becomes effective shall be deemed to hold a valid Landlord Business Permit within the meaning of this section.

#### b. Application requirements.

The application requirements to the receipt of a Landlord Business Permit include:

- i. All requirements pertaining to inspections are met; and
- ii. All rental units of which the applicant is an owner, in whole or in part, are registered; and
- iii. All fees due under this Chapter or Chapter 22A of the Cedar Rapids code for the Applicant's residential rental unit(s) are paid in full; and
- iv. All court judgments entered in favor of the City and against the applicant are paid in full; and
- v. The applicant has placed on file with the code official the name(s), business address(es), telephone number(s) and e-mail addresses of the Owner and the Property Manager (if different than the Owner) who is responsible for day to day maintenance and management of the registered premises owned in whole or part by the applicant; and
- vi. Landlord Business Permit fees are paid; and
- vii. Completion and submission of an Application for Landlord Business Permit in such form and detail as prescribed by the code official.

#### c. Permit to Issue.

If the code official concludes that the application requirements in subsection (b) of this section have been met, then the code official shall issue the Landlord Business Permit.

### 29.42 Section 902 Rental Property or Rental Unit Registration

#### a. Registration Required; Notification of Changes

No person shall lease, rent, or let for occupancy, a residential rental unit in the City of Cedar Rapids, Iowa without first obtaining from the code official proper Rental Property or Rental Unit Registration, as the case may be. Rental Property or Rental Unit Registration shall not be transferred from one owner to another. Each owner of residential rental property shall register the same with the code official within 30 days of transfer of title or possession of such property.

It shall be the responsibility of the owner to inform the code official of any change in address for purposes of conducting business and communicating with the code official.

Exception: No registration shall be required for an Owner occupied single family dwelling, single family Condominium, or single family Cooperative, provided such Owner occupied dwelling, Condominium or Cooperative has no more than two tenants who are 18 years of age or older and unrelated to the Owner.

b. Application Requirements.

i. Application for Rental Property or Rental Unit Registration required by this code shall be made to the code official in such form and detail as prescribed by the code official, and shall include proof that Rental Business Training has been completed as set forth in this Subchapter.

ii. Rental Property or Rental Unit Registration fees shall be as set forth by Resolution of the City Council of Cedar Rapids and payment thereof shall accompany an application for Rental Unit Registration.

c. Mandatory Rental Business Training

i. Rental Business Training:

The code official, or a designee, shall develop a Rental Business Training course to advance compliance with this Subchapter, other applicable laws and best rental business practices. A description of the course and its goals must be approved by resolution of the City Council.

ii. Training Requirements upon Passage of Ordinance:

Regardless of whether they are also Owners of Rental Property, all those who are Property Managers within the meaning of this Subchapter at the time this ordinance becomes effective must completed Rental Business Training prior to the next registration of the Rental Unit or Rental Property under his or her management. Provided the Property Manager has otherwise complied with the Rental Business Training requirements set forth herein, that Property Manager shall not be required undergo Rental Business Training as to each and every unit or property under his or her management.

iii. Proof of Training upon Registration of Rental Unit:

Upon registration of a Rental Unit, the Owner shall provide proof that the Property Manager for that Unit has undergone Rental Business Training and is otherwise in compliance with the training requirements set forth herein. In the event a Property is being re-registered due to a Transfer of Title as provided in 29.34(f), and the Owner cannot prove compliance as required in this paragraph at the time of re-registration, the Owner shall have until the next available Rental Business Training Course to do so. Failure to submit proof promptly thereafter will subject the re-registration to suspension or revocation as provided in this Subchapter.

iv. Training Required due to Nuisance Property Status:

If a rental property is deemed a Nuisance Property pursuant to Chapter 22A of this Code, then either the Owner of the Nuisance Property or, if approved by the code official, the Owner's

designated Property Manager for that Nuisance Property shall undergo Rental Business Training prior to the next registration of the Nuisance Property.

This provision shall not be construed so as to require a Property Owner or Owner's designated Property Manager to take more than one class in any given year.

d. Rental Unit Registration to Issue.

When the owner has properly completed an application for registration of a rental unit, completed all requirements as provided herein and complied with all applicable codes, then Rental Unit Registration shall be issued. Such Registration does not indicate that a dwelling, dwelling unit, rooming unit, or sleeping unit meets the requirements of this code.

e. Annual Registration.

Rental Unit Registration shall be valid from the date of issuance and continuing until July 1st of each year. Registration may not be renewed unless all required fees have been paid in full for all rental unit(s) of which the applicant is an owner.

f. Change of Registration Information upon Transfer of Title.

The owner of any rental property or unit shall notify the code official within thirty (30) days of any change in the information required for Rental Property or Rental Unit Registration. If a rental property or unit is sold, assigned, or otherwise transferred, the rental property/unit must be re-registered within thirty (30) days of the transfer. The new owner shall notify the code official of any change in contact information for their designated local representative, including a change in name, address, e-mail address, telephone number, mobile telephone number, or facsimile number of the designated local representative within thirty (30) business days of the change.

#### 29.43 Section 903 Mandatory Tenant Background Checks

a. Landlord Business Permit Holders shall perform a background check on all persons 18 years of age or older who newly occupy a rental unit after July 1, 2013, whether or not the person(s) has signed a lease. This requirement shall not apply with regard to persons already occupying a given rental unit prior to that date.

b. Background checks as referenced here shall include the following at a minimum:

i. A report of activity from Iowa Courts Online.

ii. A report from the Iowa Sex Offender Registry and the National Sex Offender Website maintained by the United States Department of Justice.

Landlords are encouraged but not required to obtain additional background information the Landlord deems appropriate.

c. Nothing herein shall be construed to indicate any preference or recommendation on the part of the City as to the selection of a tenant.

#### 29.44 Section 904 Suspension, Revocation or Denial (of Landlord Business Permit or Rental Unit Registration); Right of Appeal; Order of Precedence

a. Suspension, Revocation or Denial of Rental Unit Registration or Landlord Business Permit.

Using the Order of Precedence outlined in subsection b. of this section as a guiding principle for gaining compliance, the code official may revoke, suspend, deny, or deny renewal of any Rental Unit Registration or Landlord Business Permit issued under this Subchapter where any of the following applies:

- i. False statements on any application or information or report required by this Subchapter to be given by the applicant, registrant, or permit holder.
- ii. Failure to pay any application, penalty, re-inspection, or reinstatement fee required by this Chapter, Chapter 22A of the Cedar Rapids Municipal Code or City Council Resolution.
- iii. Failure to correct deficiencies within the time frame specified in a Notice of Violation issued pursuant to this Chapter.
- iv. Failure to comply with the provisions of a mitigation/remediation plan approved by the code official.
- v. Failure to comply with the provisions of the Title VIII of the Fair Housing Act of 1968 (as amended).
- vi. Declaration of status as a Nuisance Property pursuant to Chapter 22A of the Cedar Rapids Municipal Code.
- vii. Failure to provide proof of a Mandatory Tenant Background Check required by this Subchapter.

b. Order of Precedence for Suspending, Revoking, Denying or Denying Renewal

- i. First course of action. A Rental Unit Registration may be suspended, revoked, denied, or not renewed as provided in subsection (a) of this section.
- ii. Second course of action. A Landlord Business Permit may be revoked, suspended, denied, or not renewed as provided in subsection (a) of this section.

c. Right of Appeal

Any person directly affected by a decision of the code official or a notice of adverse decision under this code shall have the right to appeal that decision in accordance with Section 111 (Means of Appeal) of this code. No Landlord Business Permit or Rental Unit Registration may be denied, suspended, revoked, or the renewal thereof denied unless notice and an opportunity to be heard is given the holder of the Permit or Registration, or applicant therefor.

29.45 Section 905 Inspection of Rental Property

a. Regular rental inspection.

Rental property, rental units, and the common areas thereof, shall be inspected in accordance with a program of regular rental inspections conducted not more frequently than yearly nor less frequently than every 5 years for a Certificate of Compliance.

b. Other rental inspection.

Rental units may be inspected on a more frequent basis to ensure compliance with this code based upon one (1) or more of the following:

- i. Information is received indicating that there is a violation of provisions of this code, or any state law;
- ii. An observation is made by a code official, or police officer, or fire code official, or any other Government official of a possible violation of the standards or the provisions of this code or any state or federal laws;
- iii. Information is received indicating that a rental unit is unoccupied and unsecured or that a rental unit is damaged by fire, water, or other causes detrimental to the structure;
- iv. A determination must be made whether there is compliance with a notice or an order issued by a code official;
- v. A public health, safety or welfare emergency is observed or is reasonably believed to exist;
- vi. A tenant makes a request for an inspection. If a non-emergency inspection is requested by a tenant, then the tenant shall give a written notice to the owner. Fourteen (14) days after tenant notification to the owner, an inspection may be conducted by the code official.
- vii. A dwelling unit is to be demolished by the City of Cedar Rapids, Iowa or the ownership is to be transferred to the City of Cedar Rapids, Iowa.
- viii. A unit is declared a Nuisance Property pursuant to Chapter 22A of the Cedar Rapids Municipal Code.

29.46 Section 906 Certificate of Compliance

a. Certificate of Compliance Required.

It shall be a violation of this code for any person to let to another for rent and/or occupancy any dwelling, dwelling unit, rooming unit, or sleeping unit in the City of Cedar Rapids, Iowa unless the owner holds a valid rental Certificate of Compliance, a current Cedar Rapids issued Landlord Business Permit, and Rental Property or Unit Registration.

Unless a rental unit is re-inspected, the Certificate of Compliance shall be valid for a period of five (5) years from the initial regular rental inspection (shown as the Issue Date on the Certificate of Compliance). A Certificate of Compliance shall be transferable from one owner to another for the address for which it is applicable. A Certificate of Compliance shall in no way signify or imply that the premises for which it is issued is in conformance or compliance with all portions of the Municipal Code of Cedar Rapids, or the laws of Linn County or the State of Iowa. The City of Cedar Rapids shall maintain no liability in regard to the Certificate of Compliance.

Exception: for an owner occupied single family dwelling, or single family Condominium, or single family Cooperative, provided such dwelling, Condominium or Cooperative has no more than two tenants who are 18 years of age or older and unrelated to the Owner.

b. Requirements for Issuance.

The City shall issue a Certificate of Compliance for any rental unit upon request by the owner providing that the rental unit meets the following requirements:

- i. Rental Unit Registration for the rental unit in question is on file with the code official; and
- ii. The code official determines all provisions of this Chapter have been complied with by the owner; and
- iii. All fees required by the Cedar Rapids City Council have been paid in full.
- iv. The Certificate of Compliance, if withdrawn, shall be restored only upon a re- inspection showing compliance with this code and any additional fees are paid in full.
- v. When a Building Code Certificate of Occupancy is issued by the City of Cedar Rapids for construction of a new dwelling containing one or more units, the code official shall issue a Certificate of Compliance when the Rental Unit Registration is complete for that property.

c. Suspension of Certificate of Compliance.

The code official shall suspend a Certificate of Compliance if the owner has not complied with the requirements set forth in a notice of a code violation. A Certificate of Compliance may be suspended for a given unit without effect on the other units for which the Certificate was issued.

The code official shall issue a notice of suspended certification to the owner stating that:

- i. the Certificate of Compliance has been suspended as of the date of the notice and the reason for suspension; and
- ii. any rental unit which is vacant at the time of suspension or which becomes vacant during the period of suspension shall not be rented or re-occupied until the Certificate of Compliance is re-instated or a new Certificate of Compliance is issued; and
- iii. failure to comply with the terms of suspension, as set out in this section, shall be a violation of this code; and
- iv. suspension of a Certificate of Compliance may be appealed to the Housing Code Board of Appeals as provided for in Section 111 of this code.

d. Reinstatement.

The code official will reinstate a suspended Certificate of Compliance after a regular inspection has been completed, all fees have been paid in full, and the rental property/unit has been brought into compliance with the applicable standards of this code. Reinstatement of the Certificate of Compliance shall not extend or change the next inspection date of the Certificate of Compliance.

#### 29.47 Section 907 Notice upon Offer For Sale

Every person owning a rental property/unit under this chapter and offering such property for sale shall inform a prospective buyer of the following:

- a. Current status of the Certificate of Compliance; and
- b. Any notice regarding violations of this code, nuisance and zoning codes which are outstanding due to failure to correct violations; and
- c. Full information regarding any court action presently filed against the property along with other required disclosure items in accordance with applicable real estate laws.

#### 29.48 Section 908 Uniform Residential Landlord and Tenant Law

This Subchapter shall not be construed so as to affect in any manner the application of the Uniform Residential Landlord and Tenant Law, presently codified as Chapter 562A of the 2015 Iowa Code, and as amended from time to time.

### Subchapter 10 Vacant and Neglected Building Regulations

#### 29.49 Section 1001 General

1001.1 Scope. The provisions of this subchapter shall govern the requirements for all buildings and structures that are "vacant and neglected," as that phrase is defined by this code, and have one or more building & housing code violations. The following describes the scope of this subchapter.

- a. Establishes a program for identification, registration, and regulation of building(s) which are or have become vacant and neglected;
- b. Determines the responsibilities of owner(s), as that term is defined by this code, of vacant and neglected building(s), as well as the owner's authorized agent;
- c. Requires a written abatement plan be provided by the owner(s), or the owner's authorized agent, to abate the violations;
- d. Provides for administration, enforcement and abatement of continued violations, and the establishment of registration fees; and
- e. Ensure that buildings identified as vacant and neglected are made code compliant within one (1) year from the date said buildings were declared vacant and neglected by the code official.

1001.2 Responsibility. It is the responsibility of owner(s) of property to prevent structure(s) thereon from becoming a burden and blight to the neighborhood and community and a threat to the public health, safety, and welfare.

#### 29.50 Section 1002 Vacant and Neglected Building Determination

1002.1 When the code official finds that a structure meets the definition of a vacant and neglected building under this code, a notice shall be served upon the owner(s) of record in accordance with Section 107 of this code.

## 29.51 Section 1003 Vacant and Neglected Building Registration

### 1003.1 Registration Requirements.

#### A. Vacant and Neglected Building Registration:

1. The owner(s) or the owner's authorized agent shall register a vacant and neglected building with the city within thirty (30) calendar days of the code official notifying the owner that the code official has declared the structure a vacant and neglected building or within thirty (30) calendar days of the building becoming vacant and neglected as defined by this code (regardless of whether the code official has officially declared the structure vacant and neglected), whichever is earlier.

2. The registration application shall include the following information:

a. A description of the premises; address, legal description & GPN number;

b. The names, addresses and contact phone number(s) for all the owner(s), owner's authorized agent(s) or mortgage lender's account service representative(s);

c. The names, addresses and contact phone number(s) of all known lienholders and all other interested parties;

d. The name, address and contact phone number of a person designated to act on behalf of an out of town owner(s), to accept legal process and notices, and to authorize repairs as required (a letter from the legal owner(s) is required to assign a designee); and

e. Submittal of the written abatement plan required by 29.52 Section 1004 of this code.

B. Vacant and Neglected Building Registration Fees: The owner(s) or owner's authorized agent of a vacant and neglected building shall pay an annual fee for the administrative cost of registering and processing the vacant and neglected building owner registration form and the costs of the city inspecting the building and site. This fee shall be paid in full prior to acceptance of the registration form for the subject property.

C. Inspections: The owner(s) or the owner's authorized agent shall allow the code official to enter the property and structure for an initial code compliance inspection at the time of registration and for an annual inspection of the interior and exterior of the premises.

D. Failure to register a vacant and neglected building, failure to submit the required abatement plan or the provision of false information to the city shall constitute a violation of this code subjecting the owner(s), or the owner's authorized agent, to penalties as provided in this code.

E. The owner(s) or the owner's authorized agent shall notify the code official of any changes in information supplied as part of the building registration within thirty (30) days of the change.

F. Any transfer of ownership after registration as provided herein shall comply with Section 107.6 of this code.

## 29.52 Section 1004 Vacant and Neglected Building Abatement Plan

### 1004.1 Abatement Plan Requirements.

The owner(s) or the owner's authorized agent shall submit a written plan of action at the time of registration which shall address all code violations, including the manner in which each violation will be remedied and a time schedule to correct each violation, and identify the date the building will be made code compliant and habitable or available for sale. The code official shall require completion of the plan of action within a reasonable period of time.

Any repairs, improvements or alterations to the property must comply with this code and the applicable building codes as referenced in subchapter 8 of this code.

### 1004.2 Authority to Modify the Abatement Plan

The code official shall, upon notice to the owner(s) or the owner's authorized agent, have the right to modify the vacant and neglected building abatement plan by modifying the dates of performance, the proposed methods of action, or by imposing additional requirements. During the initial code compliance inspection, additional violations may be noted and required to be compliant as part of the plan. These additional requirements shall become part of the approved plan.

### 1004.3 Approval of the Abatement Plan.

After completing the code compliance inspection and reviewing the abatement plan of action, the code official shall approve, approve with modifications, or deny the plan. If the plan is approved or approved with modifications, the code official shall issue a registration permit to the owner or the owner's authorized agent. A copy of the permit will be placed by the code official on the structure at a location visible from the street. The registration permit shall have the expiration date on it. Registration permits are valid for one (1) year from the date of issue.

### 1004.4 Failure to Comply with the Abatement Plan.

Failure to have an approved vacant and neglected building abatement plan within thirty (30) days of filing the registration form or failure to comply with the approved abatement plan within the timeframe approved shall constitute a violation of this code subjecting the owner(s) of the building to penalties as provided in this code.

## 29.53 Section 1005 Appeal

### 1005.1 Appeal.

Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal in accordance with Section 111 of this code.

## 29.54 Section 1006 Removal from Registration

### 1006.1 Removal requirements.

A vacant and neglected building shall be removed from the registration requirements of this subchapter by the code official upon such building:

A. Being brought into compliance with all housing and building codes and remaining violation free for a period of 90 days after code compliance was achieved;

B. Being removed or demolished by the owner; or

C. Being demolished by the City of Cedar Rapids.

#### 29.55 Section 1007 Other Enforcement

##### 1007.1 Other Enforcement.

The registration of a vacant and neglected building shall not preclude the code official from taking other action against the building or property.

29.56 Appendix A. Boarding Standard of the IPMC is hereby amended by deleting said section and replacing it with the following:

#### Appendix A Boarding & Fencing Standard

##### A101 General

A101.1 General. All boarding and fencing of unsecure, unsafe structures or dangerous locations shall meet the requirements of this section.

All windows, doors and openings shall be secured or boarded in an approved manner to prevent entry by unauthorized persons and shall be coated (painted) with an appropriate neutral blending color as approved by the code official.

##### A102 Materials

A102.1 Materials – Board up. When a structure is required to be secured, openings shall be secured with a minimum of ½ inch plywood or OSB or such other comparable material as may be approved by the code official, sized to fit the opening.

Framing lumber used shall be of a minimum size to support the covering materials complying with the International Building Code.

Fasteners used shall be in accordance with the International Building Code.

A102.2 Materials – Fencing. Fencing shall be standard 48” snow fence (orange safety fencing commonly used in construction projects). Standard “T” posts with a flange and clip shall be used to support the fencing.

##### A103 Installation

A103.1 Installation – Board up. The boarding sheet material shall be cut to fit the door or window opening neatly or shall be cut to provide an equal overlap at the perimeter of the door or window. Secured with approved fasteners.

A103.2 Installation – Securing & Locking. One door to the structure shall be available for authorized entry and shall be secured and locked in an approved manner.

A103.3 Installation – Fencing. The fencing shall be installed to secure areas that are unsafe or dangerous as directed by the code official. Fencing shall be standard 48” snow fence (orange safety fencing commonly used in construction projects) supported by “T” posts with flange and clips to fasten to the posts. Posts will be spaced 6 - 8 feet apart with a flange below grade to sufficiently hold fencing from falling over. The safety fencing shall be secured to the “T” posts in a manner that they will not sag or become dislodged under normal conditions.

SECTION 2. VALIDITY AND SEVERABILITY The various sections, subsections, chapters or parts of this Ordinance and the International Property Maintenance Code hereby adopted are hereby declared to be severable and in the event that any such part of these provisions shall be held invalid for any reason, the invalidity of such section, subsection, chapter or part shall not invalidate any other of the provisions of this Ordinance or of the International Property Maintenance Code hereby adopted.

SECTION 3. ADOPTION OF CODE Pursuant to published notice, a public hearing has been duly conducted upon the date, time, and at the place fixed in said notice upon the adoption of this Housing Code and the City Council of the City of Cedar Rapids, Iowa, hereby determines and finds that said proposed Housing Code shall be and the same is hereby adopted as an ordinance of the City of Cedar Rapids, Iowa.

SECTION 4. CODE ON FILE An official copy of the Housing Code hereby adopted, including a certificate by the City Clerk as to its adoption and the effective date thereof, is on file in the office of the City Clerk in City Hall, and shall be kept there on file and copies shall be available for public inspection.

SECTION 5. EFFECTIVE DATE This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 23rd day of June, 2015.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

**Chapter 29 of the Municipal Code – which includes the 2015 International Property Maintenance Code & Local Amendments**

The following matrix shows the proposed Chapter 29 Housing Code Amendments. The housing code is based off of the 2015 International Property Maintenance Code and includes local amendments. This adoption cycle only has a few minor changes as the last adoption on March 12, 2013 covered the significant changes to the code. Only the significant changes made are listed below.

<b>Proposed</b>	<b>Current</b>	<b>Changes / Additions</b>
<b>2015 Housing Code Ordinance / Amendments include the 2015 International Property Maintenance Code.</b>	<b>2012 Housing Code Ordinance / Amendments adopted in 2013, included the 2012 International Property Maintenance Code</b>	<b>Why the changes were amended to the 2015 code</b>
<b>29.12 Section 108.1.5 Dangerous Structures or Premises</b>	<b>The 2012 code had 11 descriptions</b>	12. An additional item was added to this section which addresses ‘Clandestine laboratory / grow operations’ as defined in Chapter 124 of the Iowa code. This allows the code official to deem a structure or premises as unsafe for this condition.
<b>29.13 Section 108.4 Placarding</b>	<b>Additional paragraph not in the 2012 Code.</b>	An additional paragraph was added to this section that authorizes the code official to placard a property if a ‘Clandestine laboratory / grow operation’ as defined in Chapter 124 of the Iowa code is confirmed to be present.
<b>29.14 Section 108.4.1 Placard Removal</b>	<b>Additional wording not in the 2012 Code.</b>	Additional wording was added for the removal of a placard requiring a certified agency or contractor verify that the premises is deemed clean after a ‘Clandestine laboratory / grow operation’ has been removed.
<b>29.20 Section 202 Definitions</b>	<b>This definition was not in the 1012 Code</b>	Added the definition for Vacant & Neglected Buildings. This definition is part of the new Sub-Chapter 10.
<b>29.23 Section 302.7 Accessory Structures</b>	<b>Additional wording not in the 2012 Code.</b>	Added the following wording to eliminate the removal of damaged garage doors as a corrective measure exposing contents of an accessory structure.  Garage Doors required - All garages, where a garage door was intended or installed, must be provided with a functioning garage door.

<b>Subchapter 10 Vacant and Neglected Building Regulations</b>	<b>This is a new Sub-Chapter to the Housing Code</b>	Building Services is working to strengthen our neighborhoods and increase the quality of life for our residents. One of the City Council Goals reflects this. Strengthen CR - MAKE BOLD MOVES IN COMMUNITY PLANNING TO RETAIN THE CHARACTER OF NEIGHBORHOODS AND CORRIDORS.
<b>29.49 through 29.55</b>	<b>These sections were not in the 2012 housing code</b>	Vacant & Neglected buildings are continually a concern to the city. This sub-chapter and following sections address properties that have structures with code violations and are vacated & neglected and not being maintained.  This sub-chapter addresses the general requirements, determination, registration, abatement plan, appeals, registration removal and other enforcement options available to the code official.
<b>Appendix A to the 2015 International Property Maintenance Code</b>	<b>The 2012 adoption used the ICC wording for Appendix A</b>	The wording for appendix A was reworded to match previous and current city contracts for securing properties. This change creates a clear scope of work for securing and fencing properties using chapter 29 and eliminates confusion for city staff & contractors.
<b>Note - No changes have been made to the Rental Business Regulations which includes the Landlord Business Permits &amp; Rental Unit Registrations during this code adoption cycle.</b>		
<b>NOTE - 2015 IPMC (A 42 page model code book as written by the International Code Council [ICC])</b>	<b>NOTE - 2012 IPMC (A 41 Page model code book as written by the International Code Council [ICC] )</b>	The code writers only made a few clarification & descriptive changes to the 2015 IPMC. Some changes tied the property code back to the building & fire codes for greater flexibility and coverage.

JR 5/4/2015



## Council Agenda Item Cover Sheet

**Submitting Department:** Building Services

**Presenter at Meeting:** Kevin Ciabatti  
**E-mail Address:** k.ciabatti@cedar-rapids.org

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

**Alternate Contact Person:** Duncan McCallum  
**E-mail Address:** d.mccallum@cedar-rapids.org

**Phone Number/Ext.:** 319-286-5723

**Description of Agenda Item:** ORDINANCES – Second and possible Third Readings  
 A second and possible third reading to consider repealing Chapter 33 of the Municipal Code, Building Code, and enacting and adopting in lieu thereof a new Building Code and the 2015 editions of the International Building Code and International Residential Code with modifications.  
 CIP/DID #BSD001-15

**EnvisionCR Element/Goal:** ProtectCR Goal 4: Demonstrate best practices in building construction.

**Background:** The Model International Code is published every three years. To keep current with the Model Codes, the State of Iowa, and other Iowa jurisdictions, it is important we adopt the 2015 Building Code. The primary focus of this adoption process was to develop a consistent Code with the surrounding communities. This was achieved by conducting coordination meetings with the jurisdictions in the region. We believe this enhances our customers' experience by learning a more regionalized Code. The second focus was maintaining minimal Code Amendments. Attached is a matrix outlining changes to our proposed amendments.

The Building Services Department has met with and gained support from the following groups: Building/Fire Board of Appeals (2/17/15, 3/3/15 and 3/31/15), Developer's Council (ongoing discussion, presentation on 4/2/15), Trade Unions (4/28/15), Open House (5/26/15) and Public Safety Committee (6/9/15). Further, staff has engaged the surrounding Building Departments to coordinate similar Code language. These discussions occurred between August of 2014 and April 2015. They have included Hiawatha, Marion and Linn County.

The proposed effective date of the Building Code will be January 1, 2016. This will allow for a transition period for projects to cycle through the process prior to the Code changes taking effect. Further, this will allow for Building Services Department staff to hold training sessions geared towards specific Code changes to various stakeholder groups.

**Action/Recommendation:** Recommend repealing Chapter 33 of the Municipal Code, Building Code, and enacting and adopting in lieu thereof a new Building Code and the 2015 editions of the International Building Code and International Residential Code with modifications.

**Alternative Recommendation:** None recommended. In the past, we received official Insurance Service Organization (ISO) criticism and potential downgrade of ISO BCEG (Building Code Effectiveness Grading Scale) for delaying a Code adoption cycle within one year of publication date of the Model Code. ISO sets the insurance rating criteria for City businesses and residential property owner insurance rates. The ISO scale ranges from 1-10 with 1 being the highest rating. The City of Cedar Rapids ISO rating is currently a Class 4 for one- and two-family dwellings and a Class 3 for commercial and industrial properties. Our last evaluation increased our commercial rating from a 4 to a 3 based largely upon the adoption of the latest Model Code year.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Budget Information:** N/A

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** Yes

**Explanation:** NA

ORDINANCE NO. LEG\_NUM\_TAG

2015 BUILDING CODE  
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Section Number	Title	IBC Sec.	IRC Sec.
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ORDINANCE NO. LEG\_NUM\_TAG

AN ORDINANCE AMENDING CHAPTER 33 OF THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, BY REPEALING CHAPTER 33 THEREOF ENTITLED "BUILDING CODE", CONSISTING OF THE INTERNATIONAL BUILDING CODE, 2012 EDITION AS AMENDED; AND ENACTING AND ADOPTING A NEW CHAPTER 33 IN LIEU THEREOF ENTITLED "BUILDING CODE", BEING THIS ORDINANCE HEREAFTER SET OUT, WHICH ADOPTS BY REFERENCE, WITH CERTAIN AMENDMENTS, THE INTERNATIONAL BUILDING CODE, 2015 EDITION, AND THE INTERNATIONAL RESIDENTIAL BUILDING CODE, 2015 EDITION, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, AREA, HEIGHT, AND MAINTENANCE OF BUILDINGS OR STRUCTURES IN THE CITY OF CEDAR RAPIDS, IOWA; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREOF; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

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

SECTION 1. Chapter 33 of the Municipal Code of the City of Cedar Rapids, Iowa, entitled, "Building Code," being the International Building Code, 2012 edition as amended, and the International Residential Building Code, 2012 edition as amended, is hereby repealed and a new Chapter 33 is hereby adopted in lieu thereof as follows:

"BUILDING CODE"

33.01 INTERNATIONAL BUILDING CODE 2015 ADOPTED.

Except as hereinafter added to, deleted, modified, or amended, there is hereby adopted as the Building Code of the City of Cedar Rapids, Iowa, that certain code known as the International Building Code, 2015 Edition and the International Residential Building Code, 2015 Edition, as published by the International Code Council, Inc. The provisions of said building code shall be controlling in the construction of buildings and other structures and in all matters covered by said Building Code within the corporate limits of the City of Cedar Rapids, Iowa, and shall be known as the Building Code.

33.02 SCOPE.

Delete Chapter 11 International Residential Code 2015 Addition (Energy)  
Section [A] 101.4.6 Referenced codes. Delete Section [A] 101.4.6 (Energy)

33.03 REFERENCED CODES.

Section [A] 101.4.3 Referenced codes. Delete Section [A] 101.4.3 (Plumbing)

33.04 103.1 AND R103.1 CREATION OF ENFORCEMENT AGENCY.

Section 103.1 and R103.1 Creation of enforcement agency is hereby amended by modifying Section 103.1 and R103.1 Creation of enforcement agency, as follows:

Section 103.1 and R103.1 Creation of enforcement agency. Building inspections is hereby created and the official in charge of administering and enforcement of this code shall be known as the "building official", as defined in Chapter 2 of this code.

33.05 104.12 CONFLICT OF INTEREST.

Section 104.12 Conflict of interest is hereby added as follows:

Section 104.12 Conflict of interest. The building official, inspectors and other employees who are engaged in building inspections or building plan review activities in accordance with this code shall not directly or indirectly perform and/or be involved in any work, sales of services, equipment, materials or systems regulated by this code for any financial gains/benefits nor enter into any written or verbal contractual agreements for financial gains/benefits. Employees may perform work or activities regulated by this code when it is without compensation or other financial benefits. In no event, shall the employee inspect or be involved in the inspection process on any project where the employee performed work or has a financial interest."

33.05A 105.1 REQUIRED PERMITS. Section 105.1 Required Permits is hereby modified by adding the following paragraph as follows:

Any person or person(s) doing work regulated by this code, or causing such work shall first make application to the Building Official and obtain the required permit prior to such work. An investigation fee may be charged when a permit has not first been obtained. Any person who commences any work before obtaining the necessary *permits* shall be subject to a fee established by The City Council of the City of Cedar Rapids, Iowa by resolution that shall be in addition to the required *permit* fees and investigation fees.

33.06 105.2 WORK EXEMPT FROM PERMIT.

Section 105.2 Work exempt from permit are hereby amended by modifying Section 105.2 Work exempt from permit, as follows:

Section 105.2 Work exempt from permit.

Building:

1. Detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15m<sup>2</sup>). The structure must comply with all applicable Zoning restrictions.
2. Delete this item.
7. Painting, papering, tiling, carpeting, or similar finish work, cabinets and/or countertops replaced in the same location only.

Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Permits shall not be required for the following:

### 33.07 R105.2 WORK EXEMPT FROM PERMIT.

Section R105.2 Work exempt from permit is hereby amended by modifying Section R105.2 Work exempt from permit, as follows:

Section R105.2 Work exempt from permit.

Permits shall not be required for the following:

1. Detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15m<sup>2</sup>). The structure must comply with all applicable Zoning restrictions.
2. Delete this item.

Items 3 through 5 remain as written.

6. Painting, papering, tiling, carpeting, or similar finish work, cabinets and/or countertops replaced in the same location only.
7. Prefabricated and/or inflatable swimming pools that are not permanently installed.

Items 8 and 9 remain as written.

10. Gutters, replacement storm windows, storm doors and screens.

Exemption from permit requirements for this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

### 33.08 105.5 and R105.5 EXPIRATION.

Section 105.5 and R105.5 Expiration are hereby amended by adding Section 105.5.1 and Section R105.5.1 Twelve months to Section 105.5 and R105.5 Expiration, as follows:

Section 105.5.1 and R105.5.1 Twelve months. Every building permit issued under the provisions of this Code shall expire twelve (12) months from the date of issue, unless the application is accompanied by a construction schedule of specific longer duration, in which instance the permit may be issued for the term of the construction schedule, with approval of the building official. If the work has not been completed by the expiration date of the permit, no further work shall be done until the permit has been renewed by the owner or his or her agent and by payment of the renewal fee as established by

Resolution of the City Council, and provided no changes have been made in plans or location.

33.09 105.6 AND R105.6 SUSPENSION OR REVOCATION.

Section 105.6 and R105.6 Suspension or revocation are amended by adding the following paragraph as follows:

Section 105.6 and R105.6 Suspension or revocation. Before any permit is suspended or revoked, the building official will provide notice to the person to whom the permit and/or owner was issued setting forth the facts and circumstances constituting the basis of such action, and providing an opportunity to be heard.

33.10 109.1 AND R108.1 PAYMENT OF FEES.

Section 109.1 and R108.1 Payment of fees are hereby amended by modifying Section 109.1 and R108.1 Payment of fees, as follows:

Section 109.1 and R108.1 Payment of fees. A permit shall not be issued until the fees prescribed by law have been paid. Nor shall any amendment to a permit be released until the additional fee, if any, has been paid.

33.11 109.2 AND R108.2 SCHEDULE OF PERMIT FEES.

Section 109.2 and R108.2 Schedule of permit fees are hereby amended by repealing Section 109.2 and R108.2 Schedule of fees and replacing said Section with a new Section as follows:

Section 109.2 and R108.2 Schedule of permit fees. Building permits shall be based upon the valuation of the proposed construction and shall be computed from tables set by resolution of the City Council.

Building permits shall not be issued until the fees, as set forth and established by resolution of the City Council, have been paid to the City Treasurer. An amended building permit or a supplemental permit for additional construction shall not be issued until the permit fee for the additional valuation has been paid.

The City Council of the City of Cedar Rapids, Iowa may by resolution set fees for re-inspection, special inspection, moving building inspections and investigation fees. These inspection and investigation fees shall be identified in the Schedule of fees.

33.12 109.2.1 AND R108.2.1 PLAN REVIEW FEES.

Section 109.2.1 and R108.2.1 Plan review fees is hereby added as follows:

Section 109.2.1 and R108.2.1 Plan review fees. Fees for all plan reviews shall be as set forth and established by resolution of the City Council. All such fees shall be paid in accordance with the terms and requirements of such resolution, or as the same may be amended by the City Council from time to time.

33.13 109.3 AND R108.3 BUILDING PERMIT VALUATIONS.

Section 109.3 and R108.3 Building permit valuations is hereby amended by repealing Section 109.3 and R108.3 Building permit valuations and by replacing said Section with an Exception as follows.

Section 109.3 and R108.3 Building permit valuations. The determination of value or valuation under any of the provisions of the Cedar Rapids Building Code shall be made by the building official. The valuation to be used in computing the building permit fees and the plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, roofing, permanent accessories, and the usual cost of labor, whether such labor is performed by the owner or by others. Such valuation excludes the cost of the lot or improvements to the lot, such as grading, landscaping, walks, or drives.

Exception: Exclude the cost of air conditioning, electrical, heating, plumbing or ventilation systems in occupancies in Group R-2 or R-3.

The valuation for additional new work, or for alteration, remodeling, repairs or replacement shall include cost of materials and labor for the construction of the new work, repairs, replacements, additions, or remodeling.

The building inspector or plans examiner shall correct the determination of value of any work for which a permit is issued if such valuation appears to be in error or misstated. If the permit or plan review fees are reduced as a result of such correction, a refund will be issued to the applicant. If such fees are increased, the applicant shall pay all additional fees. Failure to pay any such additional fees may result in revocation of any permit issued, or work stoppage as otherwise provided in the Cedar Rapids Building Code.

33.14 109.5.1 AND R108.4.1 RE-INSPECTION FEES.

Section 109.5.1 and 108.4.1 Re-inspection fees is hereby added as follows:

Section 109.5.1 and R108.4.1 Re-inspection fees. A re-inspection fee may be assessed for each inspection or re-inspection when such work or portion of such work for which the inspection is called for is not complete or when corrections called for are not made.

Re-inspection fees may be assessed when the inspection card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, access is not provided on the date for which the inspection is requested, the property and building address are not properly posted, or when there is a deviation from plans requiring approval of the building official.

This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

33.15 111.2 and R110.3 CERTIFICATE OF OCCUPANCY. The City of Cedar Rapids Building Code is hereby amended by repealing Section 111.2 Number (3) of the International

Building Code, 2015 Edition and Section R110.3 Number (3) of the International Residential Code, 2015 Edition and leaving said section numbers (3) blank.

33.16 113.1 AND R112.1 GENERAL.

Section 113.1 and R112.1 General is hereby amended by repealing Section 113.1 and R112.1 General and replacing said Section as follows:

Section 113.1 and R112.1 General. In order to hear and decide appeals concerning the suitability of alternate materials and methods of construction and to hear and decide appeals of determinations made by the building official or Fire Marshal or designated representative concerning interpretations of the provisions of this Code or the International Fire Code there shall be and is hereby created a Board of Appeals, consisting of seven members whose place of business, residence, or work is located in the City of Cedar Rapids, Iowa, and who are qualified by experience and training to pass upon matters pertaining to building construction. The building official or designee shall be an ex-officio member and shall act as Secretary of the Board for appeals involving this Code. The Fire Marshal or designee shall also be an ex-officio member and shall act as Secretary of the Board for appeals involving the International Fire Code. The Board of Appeals shall be appointed by the City Manager with approval of the City Council. The present Board members shall serve the remainder of their appointed terms or until their successors are duly appointed and qualified. All successive appointments or re-appointments shall be for three year terms. The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the building official, with a duplicate copy to the appellant. The Board shall have no authority to waive requirements of this Code or the International Fire Code.

33.17 R114.1 NOTICE TO OWNER.

Section R114.1 Notice to owner is hereby amended by adding the following paragraph to Section R114.1 Notice to owner, as follows:

R114.1 Notice to owner. Before any permit is suspended or revoked, the building official will provide notice to the person to whom the permit was issued setting forth the facts and circumstances constituting the basis of such action.

33.18 115.1 AUTHORITY.

Section 115.1 Authority is hereby amended by adding the following paragraph to Section 115.1 Authority, as follows:

115.1 Authority. Before any permit is suspended or revoked, the building official will provide notice to the person to whom the permit was issued setting forth the facts and circumstances constituting the basis of such action.

33.19 116.6 OTHER CONDITIONS.

Section 116.6 Other conditions is hereby added as follows:

Section 116.6 Other conditions. Section 116 shall also apply to structures regulated by the IRC. In addition to the authority granted by the provisions of Section 116, the building official is hereby authorized to exercise emergency measures to protect the health, safety and public welfare of the community by certain procedures as follows:

1. Inspect the building and surrounding premises to determine the extent of dilapidation, damage, obsolescence, fire hazard and risk as an attractive nuisance as determined by the building official.
2. Inform the owner or owner's agent of the unsafe, dangerous or hazardous conditions that cause such building to be unsafe or an attractive nuisance.
3. Inform the owner or owner's agent of the applicable provisions of Section 115 of the IBC and secure a commitment from the owner, or owner's agent, regarding a time schedule and manner of compliance with said Section.
4. Order the prompt boarding-up of the windows, doors, and other openings of unsafe or vacant buildings to prevent unauthorized access or the perpetuation of an attractive nuisance during the time that is necessary to gain compliance with the Cedar Rapids Building Code.
5. Upon the failure of the owner or owner's agent to comply with the order to close, board up and secure an unsafe building within seven (7) days' time after receiving such order, the Building Official, after notice and opportunity for hearing, may cause the openings boarded up and secured, or the premises barricaded and fenced, and the unsafe conditions abated, with the cost of such construction, barricading fencing and abatement to be assessed against the property.

### 33.20 202 Definitions

Section 202 Definitions is hereby amended:

Add definition: The City of Cedar Rapids Building Code is hereby amended by repealing the definition of Townhouse in Section 202 of the International Building Code, 2015 Edition, and International Residential Code, 2015 Edition and inserting in lieu thereof the following:

**TOWNHOUSE.** A single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides.

Add definition: The City of Cedar Rapids Building Code is hereby amended by adding the definition of Pier foundation in Section 202 of the International Building Code, 2015 Edition, and International Residential Code, 2015 Edition and inserting in lieu thereof the following:

**Pier foundation** is a grid system of girders (beams), piers, or columns and footings used in construction to elevate the superstructure above the ground plane or grade. The piers serve as columns for the superstructure.

### 33.21 R302.1 Exterior Walls

Section 202 Definitions is hereby amended:

EXTERIOR WALLS. The City of Cedar Rapids Building Code is hereby amended by repealing Sections R302.1 Exception 2. of the International Residential Code, 2015 Edition and by replacing said Exception with a new Exception 2. as follows:

Exception 2. Fire separation distance based on an imaginary line between two buildings on the same lot shall not apply to walls separating dwellings from their accessory structures. Detached accessory structures and dwelling units shall be no closer than three (3) feet.

**33.22 R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA.**

Table R301.2(1) Climatic and Geographic Design Criteria is hereby amended by modifying Table R301.2(1) as follows:

GROUND SNOW LOAD	WIND SPEED MPH	Topo. Special wind Debris	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP	ICE SHIELD UNDERLAYMENT REQUIRED	FLOOD HAZARDS		AIR FREEZING INDEX	MEAN ANNUAL TEMP
				Weathering	Frost Line Depth	Termite	Decay			NFIP Adoption	FIRM Maps		
30 PSF	115	NO	A	Severe	42"	Moderate Heavy	Slight-Moderate	-5 F	YES	1982	7/5/82	1784	48.9

**33.23 R302.1(1) EXTERIOR WALL PROJECTIONS**

EXTERIOR WALL PROJECTIONS. The City of Cedar Rapids Building Code is hereby amended by deleting footnote b. of Table R302.1(1) and footnote c. of Table R302.1(2) of the International Residential Code, 2015 Edition and leaving said footnotes blank.

**33.24 R302.2 TOWNHOUSES**

TOWNHOUSES. The City of Cedar Rapids Building Code is hereby amended by repealing Section R302.2 of the International Residential Code, 2015 Edition and by replacing said section with a new Section R302.2 as follows:

R302.2 Townhouses. Townhouses shall be separated by fire-resistance-rated wall assemblies in accordance with Section R302.2, Item 1 or 2.

1. A common 1-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with Chapter 34 through 43. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.
2. Two independent 1-hour fire-resistance rated wall assemblies tested in accordance with ASTM E 119 or UL 263. Each wall shall be rated for exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Wall membrane penetrations shall be in accordance with Section R302.4.

### 33.25 R302.3 TWO FAMILY DWELLINGS

R302.3 Two-family dwellings. Dwelling units in two-family dwellings shall be considered as townhouses and shall be separated from each other with wall assemblies in compliance with Section R302.2 or shall be constructed as a two-unit dwelling in compliance with the International Building Code.

Exception: Wall assemblies separating two-unit townhouses need not extend through attic spaces when the ceiling is protected by not less than 5/8 inch Type X gypsum board and an attic draft stop constructed as specified in Section R302.12.1 is provided above and along the wall assembly separating dwellings. The structural framing supporting the ceiling shall also be protected by not less than ½ inch gypsum board or equivalent.

### 33.26 R302.5.1 OPENING PROTECTION.

OPENING PROTECTION. The City of Cedar Rapids Building Code is hereby amended by repealing Sections R302.5.1 of the International Residential Code, 2015 Edition and by replacing said section with a new Section R302.5.1 as follows:

R302.5.1 Opening protection. Openings from a private garage into a room used for sleeping purposes shall not be permitted. Other openings between a garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches (35 mm) in thickness, solid or honey-comb-core steel doors not less than 1 3/8 inches (35 mm) thick, or 20-minute fire-rated doors.

### 33.27 R302.13 FIRE PROTECTION OF FLOORS

FIRE PROTECTION OF FLOORS. The City of Cedar Rapids Building Code is hereby amended by repealing Section R302.13 of the International Residential Code, 2015 Edition and leaving said section blank.

### 33.28 R308.4.2 GLAZING ADJACENT TO DOORS

GLAZING ADJACENT TO DOORS. The City of Cedar Rapids Building Code is hereby amended by repealing Sections R308.4.2 of the International Residential Code, 2015 Edition and by replacing said section with a new Section R308.4.2 as follows:

R308.4.2 Glazing adjacent to doors. Glazing in an individual fixed or operable panel adjacent to a door where the nearest vertical edge of the glazing is within a 24 inch arc of either vertical edge of the door in a closed position and where the bottom exposed edge of the glazing is less than 60 inches above the floor or walking surface shall be considered to be a hazardous location.

Exceptions:

1. Decorative glazing.
2. Where there is an intervening wall or other permanent barrier between the door and the glazing.

3. Where access through the door is to a closet or storage area 3 feet or less in depth. Glazing in this application shall comply with Section R308.4.3.
4. Glazing that is adjacent to the fixed panel of patio doors.

33.29 310.5 RESIDENTIAL GROUP R-3.

Section 310.5 Residential Group R-3 is hereby amended modifying Section 310.5 changing only one word with Care facilities from five or fewer persons to six or fewer persons, as follows:

Section 310.5 Residential Group R-3. Care facilities that provide accommodations for six or fewer persons receiving care.

33.30 R311.7.8.2 \ 1011.11 CONTINUITY

Section R311.7.8.2 Continuity is hereby amended by adding Exception 3 to Section R311.7.8.2 Continuity, as follows:

Exception 3. Offsets or interruptions of six inches or less in total length shall be considered, for the purpose of this code, to be continuous.

1011.11 HANDRAILS EXCEPTION 6.

Section 1011.11 Handrails is hereby amended by adding Exception 6 as follows:

Exception 5. Handrails within a dwelling unit or serving an individual dwelling unit may have offsets or interruptions of six inches or less in total length and shall be considered, for the purpose of this code, to be continuous.

33.31 R312.2 WINDOW FALL PROTECTION AND R312.2.1 WINDOW SILLS.

REPEAL OF SECTION (WINDOW SILLS). The City of Cedar Rapids Building Code is hereby amended by repealing Section 1015.8 of the International Building Code, 2015 Edition and Section R312.2.1 of the International Residential Code, 2015 Edition, and leaving said sections blank.

33.32 R313 TOWNHOUSE AND ONE AND TWO FAMILY DWELLINGS /Group R 903.2.8.

R313.1 Townhouse and One and Two Family automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed throughout all attached townhouse, one and two family dwelling units when any of the following conditions exist:

1. The townhouses are constructed in a group of more than four attached units.
2. Any individual townhouse unit of a structure with four or fewer attached townhouses or one and two family dwelling has a floor area greater than 4000 square feet on any one story or greater than 8,000 square feet of total floor area for all stories, excluding non-habitable areas separated from the rest of the building by a minimum of one-hour fire-resistive construction and containing smoke or heat detection interconnected with the dwelling unit smoke alarms.

Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses, and one and two family dwellings that do not have an automatic residential fire sprinkler system installed and built before City of Cedar Rapids adoption of the 2015 International Residential Code.

#### 903.2.8 GROUP R-3.

Section 903.2.8 Group R is hereby amended by adding an Exception:

Exception: Any change of use where a one unit R -3 Group R fire area is located in a building with any other occupancy, excluding private garages.

For the purposes of this Section, portions of a building separated by one or more fire walls shall not be considered separate buildings.

R313.1.1 Design and installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with Section (IRC 2015) P2904.

R313.2.1 Design and installation. Automatic residential fire sprinkler systems for one- and two-family dwellings shall be designed and installed in accordance with Section (IRC 2015) P2904.

R313.3 Alternative Methods. Maximum floor area square footages of Sections R313.1 #2 may be increased by 25% for buildings or floors containing more than one egress door as specified in Section R311.2 or more than one vertical egress as specified in Section R311.4 or other approved alternate methods of building occupant egress enhancement. (NOTE: real sq. ft. is 5000 and 10000 with two points of egress)

### 33.33 R314 SECTION R314 SMOKE ALARMS

SMOKE ALARMS. The City of Cedar Rapids Building Code is hereby amended by repealing Sections R314 of the International Residential Code, 2015 Edition and by replacing said section with a new Section R314 as follows:

R314.1 Smoke detection and notification. Smoke alarms shall be listed and labeled in accordance with UL 217 and installed in accordance with the provisions of this code and the household fire warning equipment provisions of NFPA 72.

R314.2 Smoke detection systems. Household fire alarm systems installed in accordance with NFPA 72 that include smoke alarms, or a combination of smoke detector and audible notification devices installed as required by this section for smoke alarms, shall be permitted.

R314.3 Location. Smoke alarms shall be installed in the following locations:

1. In each sleeping room.
2. Outside each separate sleeping area in the immediate vicinity of the bedrooms.
3. On each story of the dwelling including basements.

R314.3.1 Alterations, repairs and additions. When alterations, repairs or additions requiring a permit occur, or when one or more sleeping rooms are added or created in existing dwellings, the dwelling unit shall be equipped with smoke alarms in locations as required in R314.3 for new dwellings.

Exceptions:

1. Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of an open porch or deck, are exempt from the requirements of this section.
2. Installation, alteration or repairs of plumbing or mechanical systems are exempt from the requirements of this section.

R314.4 Power source. Smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

Exception: Hard wiring of smoke alarms in existing areas shall not be required where the alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for hard wiring without the removal of interior finishes.

R314.5 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit in accordance with Section R314.3, the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of any one alarm.

Exception: Interconnection of smoke alarms in existing areas shall not be required where alterations or repairs do not result in removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection without removal of interior finishes.

### 33.34 R403 FOOTINGS

33.34 R403 Footings is hereby amended by adding an Exception to Section R403 Footings, as follows: All single family residential structures shall have a continuous frost protected perimeter foundation for the main body of the structure. No more than 1/3 of the finished first floor excluding attached accessory areas, unfinished spaces and unconditioned spaces shall have anything other than continuous frost protected perimeter foundation. Pier foundation systems are not defined as continuous frost protected foundations.

### 33.35 R403.1.4.1 FROST PROTECTION EXCEPTION 4.

SLAB ON GRADE FOUNDATIONS. The City of Cedar Rapids Building Code is hereby amended by inserting a new Exception 3 as follows:

And adding a new Exception (4) to Section 1809.5 of the International Building Code, 2015 Edition and R403.1.4.1 of the International Residential Code, 2015 Edition respectively, as follows:

Exception 4: Slab-on-Grade Foundations. The Building Official may approve slab-on-grade foundation designs for wood or metal frame, detached buildings of Group U Occupancy or accessory to buildings constructed under the provisions of the International Residential Code and 1250 square feet in floor area or less, without additional engineering, providing the design meets all of the following:

1. Foundations supporting wood shall extend at least six inches above the adjacent finish grade.
2. The entire perimeter of the foundation shall be provided with a thickened portion of slab with cross section dimensions of 12 inches minimum width and 12 inches minimum thickness.
3. The slab floor shall be a minimum of 4 inches thick concrete with 6" x 6" reinforcing mesh or #4 reinforcing bars 24" on center front-to-back and side- to-side.
4. Slab floor and thickened edge shall be one continuous pour, interconnected with reinforcing.
5. Vertical distance from the top of the foundation floor to the lowest point of the footing base shall not be more than 24 inches.

### 33.36 FOUNDATION DRAINAGE SYSTEMS.

The City of Cedar Rapids Building Code is hereby amended by repealing Section 1805.4.3 of the International Building Code, 2015 Edition and by replacing said section with a new Section 1805.4.3 and by adding a new Section R401.3.1 to the International Residential Code, 2015 Edition, as follows:

R401.3.1/1805.4.3 Drainage discharge. The floor base and foundation perimeter drain shall discharge by gravity or mechanical means into an approved drainage system that complies with the following:

Sump pit located inside building.

Exception: Sump pit may be omitted if drainage tile can be designed with natural fall and drain on same property if approved by the Building Official.

For each sump pit installed a pump discharge pipe shall be provided running continuous from a point directly outside the sump pit to the approved storm sewer connection or other approved discharge location. The outlet line from the sump pump shall discharge a minimum of two (2) feet from the outside foundation wall and a minimum 10 feet from the lot line. No sump discharge may cause a hazard.

Pump discharge pipe shall be installed as per the requirements of the City of Cedar Rapids Plumbing Code with connections to City storm sewer as per Cedar Rapids Metropolitan Area Engineering Design Standards Manual.

Installation of a sump pump if one is found by the Building Official to be necessary shall be equipped to automatically provide for discharge of sump pit water outside the basement wall and above grade and/or approved by the Building Official.

A sump pump will be considered to be necessary if water inside the sump pit will not recede to a level four inches or more below the lowest basement floor surface by gravity or absorption into the earth within a reasonable period of time.

Where surface ground water conditions warrant, the Building Official or City Engineer may require additional drainage methods or engineering as he/she deems necessary.

33.37 R405.1 CONCRETE OR MASONRY FOUNDATIONS EXCEPTION.

Section R405.1 Concrete or masonry foundations is hereby amended by deleting the Exception.

33.38 602.1.2 CENTRAL BUSINESS DISTRICT.

Section 602.1.2 Central business district is hereby added as follows:

Section 602.1.2 Central business district. Buildings or structures hereafter erected, constructed, altered, remodeled or moved within or into the Central Business District, as defined in the Cedar Rapids Fire Code, shall be of non-combustible construction.

33.39 1008.1.5.1 and R403.1.4 FROST PROTECTION OF LANDINGS AT DOORS.

Section 1008.1.5.1 Frost protection of landings at doors is hereby added as follows:

Section 1008.1.5.1 Frost protection of landings at doors. Exterior landings at doors shall be provided with frost protection.

R403.1.4.1 Exceptions. The City of Cedar Rapids Building Code is hereby amended by deleting Section R403.1.4.1 Exception (3) from the International Residential Code, 2015 Edition, and inserting in lieu thereof the following:

3. Decks that are not the main path of egress out of the structure, and less than 36 sq. ft. and not supported by a dwelling need not be provided with footings that extend below the frost line.

33.40 1013.2 FLOOR LEVEL EXIT SIGNS IN GROUP R-1.

Section 1013.2 Floor level exit signs in Group R-1 is hereby deleted in its entirety.

33.41 EXCEPTION BACKWATER VALVE. The City of Cedar Rapids Building Code is hereby amended by adding a new exception to Section P3008.1 of the International Residential Code, 2015 Edition, as follows:

EXCEPTION: The requirements of this Section shall apply only at locations determined necessary by the City Engineer or Building Official based on local conditions.

33.42 SUBSURFACE LANDSCAPE IRRIGATION SYSTEMS. The City of Cedar Rapids Building Code is hereby amended by deleting Section P3009.1 from the International Residential Code, 2015 Edition, and inserting in lieu thereof the following:

P3009.1 Scope. The provisions of this Section shall be optional and for information only of the materials, design, construction and installation of subsurface landscape irrigation systems connected to nonpotable water from on-site water reuse systems.

- 33.43 FUEL GAS PIPING. The City of Cedar Rapids Building Code is hereby amended by repealing Sections G2415.3 of the International Residential Code, 2015 Edition and by replacing said section with a new Section G2415.3 as follows:

G2415.3 Prohibited Locations. Piping shall not be installed in or through a duct supply, return or exhaust, or a clothes chute, chimney or gas vent, dumbwaiter or elevator shaft.

- 33.44 SWIMMING POOLS AND SPAS. The City of Cedar Rapids Building Code is hereby amended by repealing Section 3109 of the International Building Code, 2015 Edition and by replacing said section with a new Section 3109 as follows:

#### SECTION 3109 SWIMMING POOLS AND SPAS

3109.1 General. The design and construction of pools and spas shall comply with the International Swimming Pool and Spa Code, 2015 Edition.

- 33.45 1029.14 SEAT STABILITY EXCEPTION 2.

Section 1029.14 Seat stability is hereby amended by deleting Exception 2.

- 33.46 1030.1 GENERAL EXCEPTION 4 AND R310.1 EMERGENCY ESCAPE AND RESCUE REQUIRED EXCEPTION 2.

Section 1030.1 General is hereby amended by adding an Exception 4, and R310.1 Emergency escape and rescue required is hereby amended by adding an Exception 2, as follows:

Section 1030.1 Exception 4 and R310.1 Exception 2. Egress windows required for remodel or finish in existing basements may have a maximum sill height measured from an elevated landing not less than 36-inches wide, not less than 18-inches out from the exterior wall and not more than 24-inches in height. The landing shall be permanently affixed to the floor below and the wall under the window it serves.

Unobstructed access shall be maintained, both interior and exterior, at escape windows or doors for ready access of escape or rescue. When a basement / lower level (partially below grade) contains an area for a closet/wardrobe and/or is adjacent to a full or 3/4 bathroom, finished or not, this room will be considered to be a bedroom by building official interpretations. "Adjacent" for the purpose of definition for this interpretation shall mean: "That being on the same level or story."

For the purpose of egress in such rooms the following procedures are applicable. Provide a window/windows capable of meeting the height, width and sill heights as prescribed by code.

If said room is not intended to be used as a bedroom/sleeping room, the following alternate is acceptable. Provide an affidavit that has been recorded with the Linn County Recorder's Office to become a permanent part of the abstract for subject property listing, but not limited to the following items:

1. Property legal description.
2. Address
3. Purpose of finished room is not for bedroom/sleeping room purposes because of building code inadequacies.

Also, a copy of the recorded document will be attached to the building permit and become part of the Building Department permanent file.

### 33.47 1203.3 AND R408.3.1 FLOOR SURFACE, CRAWL SPACE, AND SUBBASEMENTS.

Section 1203.3 and R408.3.1 Floor surface, crawl space, and sub-basements is hereby added as follows:

Section 1203.3 and R408.3.1 Floor surface, crawl space, and subbasements. All crawl space or sub-basement floors shall be capped with a minimum of 1-1/2 inches of concrete over 6-mil vapor barrier. Said concrete mixture shall be a minimum of 1500-PSI strength.

SECTION 2. The various Section, Sub-Sections, Chapters, or parts of this Ordinance and of the International Building Code and the International Residential Code hereby adopted are hereby declared to be severable, and in the event that any such part of these provisions shall be held invalid for any reason, the invalidity of such Section, Sub-Section, Chapter or part shall not invalidate any other of the provisions of this Ordinance or of the International Building Code and International Residential Building Code hereby adopted.

SECTION 3. Pursuant to published notice, a public hearing has been duly conducted upon the date, time, and at the place fixed in said notice upon the adoption of this Building Code and the City Council of the City of Cedar Rapids, Iowa, hereby determines and finds that said proposed Building Code shall be and the same is hereby adopted as an ordinance of the City of Cedar Rapids, Iowa.

SECTION 4. An official copy of the Cedar Rapids Building Code hereby adopted, including a certificate by the City Clerk as to its adoption and the effective date thereof, is on file in the office of the City Clerk in City Hall, and shall be kept there on file and copies shall be available for public inspection.

SECTION 5. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, occupy, use or maintain any building or structure in the City or cause the same to be done, contrary to or in violation of any of the provisions of this Code.

Any person who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by State or local laws. Each day that a violation continues after the due notice has been served shall be deemed a separate offense.

SECTION 6. Amended to state: That this Ordinance shall be in full force and effect January 1, 2016, after its passage and publication as provided by law.

SECTION 7. Is hereby deleted (duplicate of Section 2).

Introduced this 23rd day of June, 2015.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

**Chapter 33 of the Municipal Code – which includes the 2015 Building Code Amendments**

The following matrix shows the proposed Chapter 33 Building Code Amendments. The Building Code is based off the 2015 International Building Code (IBC) and the 2015 International Residential Code (IRC) and includes local amendments. This matrix only lists significant changes.

<b>Proposed</b>	<b>Current</b>	<b>Changes / Additions</b>
<b>Proposed 2015 Amendments to the 2015 International Building Code (IBC) and International Residential Code (IRC).</b>	<b>Current 2012 Amendments Adopted in 2012 for the 2012 International Building Code (IBC) and International Residential Code (IRC).</b>	<b>Why the changes were amended to the 2015 code</b>
<b>33.11 Section 109.2 and R108.2 Schedule of fees</b>	<b>Same sections as current 2012 Amendments 33.11 109.2 And R108.2 Schedule of Permit Fees.</b>	Add Re-inspection, Special Inspection and Investigation fees language allowing these fees to be set by resolution. Change language to allow all trades to have a standardized fees and fee process for these fees through separate Council resolution. Inconsistent language within different trades (Mechanical, Plumbing, Building and Electrical) causes confusion and inconsistent enforcement.
<b>33.14 Section 109.5.1 and R108.4.1 Re-inspection fees</b>	<b>Same sections as current 2012 Amendments 33.14 109.5.1 and R108.4.1 Re-Inspection Fees</b>	Change language to allow for penalty when customer calls and job is obviously not ready for inspection. This will be used in conjunction with Combination Inspections to regulate inspection scheduling for departmental efficiency.
<b>33.20 Section 202 Definitions – Definitions Townhouse and Pier foundation</b>	<b>New section not covered in 2012 Amendments</b>	Adding definitions to define townhouse and pier foundation construction.
<b>33.32 R313 Townhouse and One and Two Family Dwellings /Group R 903.2.8.</b>	<b>33.24 R313 In 2012 Amendments Residential Sprinklers</b>	Match local jurisdictions on residential sprinkler requirements. More than four townhouses and anything over 5,000 sq ft one floor, 10,000 sq ft total area.
<b>33.32 R313 Townhouse and One and Two Family Dwellings /Group R 903.2.8.</b>	<b>33.29 903.2.8 Group R</b>	Remove fire exceptions in the IBC pertaining to residential applications except for one unit R-3 fire areas located in a building with other occupancies.
<b>33.34 R403 Footings</b>	<b>New section not covered in 2012 Amendments</b>	This section provides for no more than a 1/3 of finished floor area to have other than continuous frost protected foundation. Section provided to define in the building code the zoning restriction on pier foundation systems.

<b>33.36 FOUNDATION DRAINAGE SYSTEMS.</b>	<b>New section not covered in 2012 Amendments</b>	Define foundation drainage systems and where the systems may discharge.
<b>33.39 1008.1.5.1 Frost Protection of Landings at Doors</b>	<b>33.30 1008.1.5.1 Frost Protection of Landings at Doors</b>	Added language that will exempt from frost protection requirements for any 6'x6' or smaller deck not in the main path of egress and not attached to the dwelling.
<b>33.41 Exception Backwater Valve</b>	<b>New section not covered in the 2012 Amendments</b>	Exception in the building code allowing the requirement for backwater valves to be determined by the Building Official or City Engineer.
<b>33.42 Subsurface Landscape Irrigation Systems</b>	<b>New section not covered in the 2012 Amendments</b>	Added language to allow this section of the Residential Code to be optional for information use only.
<b>33.44 Swimming Pools and Spas</b>	<b>New section not covered in the 2012 Amendments</b>	To allow for the adoption of the 2015 International Pool and Spa Code.
	<b>Delete 33.39 - R Chapter 12-43</b>	These sections were deleted in the 2012 code and caused issues in the department with code references. We did not delete these sections out of the 2015 IRC.
	<b>Delete 33.40 - Chapter 27 and 29</b>	These sections were deleted in the 2012 code and caused issues in the department with code references. We did not delete these sections out of the 2015 IBC.



## Council Agenda Item Cover Sheet

**Submitting Department:** Building Services

**Presenter at Meeting:** Kevin Ciabatti  
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**Alternate Contact Person:** Duncan McCallum  
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**Phone Number/Ext.:** 319-286-5723

**Description of Agenda Item:** ORDINANCES – Second and possible Third Readings  
 A second and possible third reading to consider repealing Chapter 34 of the Municipal Code, Electrical Code, and enacting and adopting in lieu thereof a new Electrical Code and the 2014 edition of the National Electrical Code with modifications.  
 CIP/DID #BSD003-15

**EnvisionCR Element/Goal:** ProtectCR Goal 4: Demonstrate best practices in building construction.

**Background:** The Model International Code is published every three years. To keep current with the Model Codes, the State of Iowa, and other Iowa jurisdictions, it is important to we adopt the 2014 Electrical Code. The primary focus of this adoption process was to develop a consistent Code with the surrounding communities. This was achieved by conducting coordination meetings with the jurisdictions in the region. We believe this enhances our customers' experience by learning a more regionalized Code. The second focus was maintaining minimal Code amendments. Attached is a matrix outlining changes to our proposed amendments.

The Building Services Department has met with and gained support from the following groups: Electrical Board of Appeals (2/17/15 and 4/28/15), Developer's Council (ongoing discussion, presentation on 4/2/15), Trade Unions (4/28/15), Open House (5/26/15) and Public Safety Committee (6/9/15). Further, staff has engaged the surrounding Building Departments to coordinate similar Code language. These discussions occurred between August 2014 and April 2015. They have included Hiawatha, Marion and Linn County.

The proposed effective date of the Electrical Code will be upon passage of the ordinance. This is due to the State of Iowa passage of the Electrical Code, and therefore, the City of Cedar Rapids will be consistent with the State of Iowa requirements.

**Action/Recommendation:** Recommend repealing Chapter 34 of the Municipal Code, Electrical Code, and enacting and adopting in lieu thereof a new Electrical Code and the 2014 edition of the National Electrical Code with modifications.

**Alternative Recommendation:** None recommended. In the past, we received official Insurance Service Organization (ISO) criticism and potential downgrade of ISO BCEG (Building Code Effectiveness Grading Scale) for delaying a Code adoption cycle within one year of publication

date of the Model Code. ISO sets the insurance rating criteria for City businesses and residential property owner insurance rates. The ISO scale ranges from 1-10 with 1 being the highest rating. The City of Cedar Rapids ISO rating is currently a Class 4 for one- and two-family dwellings and a Class 3 for commercial and industrial properties. Our last evaluation increased our commercial rating from a 4 to a 3 based largely upon the adoption of the latest model code year.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Budget Information:** N/A

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** Yes  
**Explanation:** NA

ORDINANCE NO. LEG\_NUM\_TAG

ELECTRICAL CODE  
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ORDINANCE NO. LEG\_NUM\_TAG

AN ORDINANCE REPEALING CHAPTER 34 OF THE MUNICIPAL CODE, ELECTRICAL CODE, AND ENACTING AND ADOPTING IN LIEU THEREOF A NEW ELECTRICAL CODE AND THE 2014 NATIONAL ELECTRICAL CODE WITH PROPOSED AMENDMENTS.

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

SECTION 1. The Cedar Rapids Municipal Code is hereby amended by repealing Chapter 34 consisting of the National Electrical Code, 2011 Edition, as amended, and as adopted by ordinance, and substituting in lieu thereof a new Chapter 34 to be known as the Cedar Rapids Electrical Code, as follows:

“ELECTRICAL CODE

34.01 TITLE

This Chapter shall be known as the Cedar Rapids Electrical Code, may be so cited and may be referred to hereinafter as the "Code."

34.02 PURPOSE AND SCOPE.

It is the purpose of this Chapter to adopt an electrical code by reference, including provisions for the inspection and regulation of electrical installation, issuance of permits, the collection of fees, and to provide penalties for violations of this Code in order to protect the public health, safety and welfare. The provisions of this Code shall apply to and govern all uses, installations, alterations, repairs, removals, renewals, replacements, connections, disconnections, and maintenance of all electrical equipment within the City of Cedar Rapids, Iowa.

34.03 DEFINITIONS.

For use within this Chapter, the following terms are defined:

- (a) The term "electrical contracting" means undertaking, or offering to undertake, the planning and installation of electrical systems and equipment and the employment, management, supervision, and control of electricians, residential electricians, apprentice electricians, and apprentice residential electricians doing electrical work.
- (b) The term "electrical contractor" means any person responsible for the activity of planning, or supervising electricians, residential electricians, apprentice electricians, and apprentice residential electricians doing electrical wiring, work, or equipment installations and connections to apparatus, which is or will be connected to an electric light and power source. Such persons shall have a current State of Iowa Contractors license and a Class "A" master electrical license.
- (c) The term "electrical work" means all installations, alterations, repairs, removals, replacements, disturbances, connections, disconnections, and maintenance of wiring and electrical equipment or control above, or under any building, structure or open

space in the City of Cedar Rapids, Iowa, including 101 volts or less in commercial applications.

Exception: The installation of electrical systems under 25 volts in residential construction is not considered "electrical work".

- (d) The term "electrical equipment" means all electrical materials, wiring, conductors, fittings, conduits, devices, appliances, fixtures, signs and apparatus or parts thereof comprising an electrical system or control of such system, within a structure or facility or control of such system.
- (e) The term "electrician" means any person doing electrical work for an electrical contractor. Such person shall have a current State of Iowa Class "A" journeyman electrician license.
- (f) The term "residential electrician" means any person doing electrical work for an electrical contractor in a residential one or two family dwelling unit, multifamily building with 4 or less dwelling units and not more than three floors above grade, or garages, sheds, or storage buildings accessory to dwelling units. Such person shall have a current State of Iowa Residential Electrician license.
- (g) The term "apprentice electrician" means any person working for an electrical contractor for the purpose of becoming an electrician, and enrolled in, and satisfactorily progressing toward the completion of a registered apprenticeship-training program, signatory by an electrical contractor and accredited by the U.S. Department of Labor. Such person shall have a current State of Iowa Apprentice license.
- (h) The term "apprentice residential electrician" means any person working for an electrical contractor assisting one or more residential electricians as defined in subsection (f) above, and enrolled in, and satisfactorily progressing toward the completion of a registered apprenticeship training program, signatory by an electrical contractor and accredited by the U.S. Department of Labor. Such person shall have a current State of Iowa Residential Apprentice license.
- (i) The term "electrical maintenance work" shall mean the repair of the existing electrical equipment, that was installed by a licensed electrical contractor, within a manufacturing, industrial, or public utility establishment, or limited replacement of branch circuits as determined by the Chief Electrical Inspector or by the State of Iowa. Assembled processing machinery, which serves the existing operations within a manufacturing, industrial, or public utility establishment may be connected to existing branch circuits.
- (j) Routine Maintenance means the repair or replacement, by a licensed, insured electrical contractor or employee of faulty existing electrical apparatus or equipment including but not limited to wires, cables, switches, receptacles, outlets, fuses, circuit breakers and fixtures, of the same size and type for which no changes in wiring are made, but does not include any new electrical installation or the expansion or extension of any circuit. Replacement of circuit breakers limited to less than 250 volts single phase not exceeding 30 amps is considered routine maintenance.
- (k) The term "licensed" means licensed under this Code or by the State of Iowa, unless otherwise specified.

- (l) When the word "shall" is used, the meaning is that the act to be performed is mandatory.
- (m) The word "Department" means the Building Services Division of the City of Cedar Rapids, Iowa.

#### 34.04 EXEMPTIONS.

The provisions of Section 34.07 and 34.08 of this Code shall not apply to any of the following:

- (a) A regular employee of a manufacturing, industrial, or public utility establishment, who does electrical maintenance work for that establishment only.
- (b) A regular employee of any railroad who does electrical work on railroad equipment only as a part of their employment.
- (c) A regular employee who works at assembling, fabricating, manufacturing, or testing electronic or electrical appliances, machinery, products, or other electrical materials; however, this provision does not exempt employees who wire prefabricated buildings.
- (d) A State of Iowa licensed Master or Journeyman HVAC or Master or Journeyman Refrigeration employee may perform disconnection and reconnection of existing air conditioning and refrigeration systems.

#### 34.05 ELECTRICAL INSPECTION SECTION

There is hereby established in the Cedar Rapids Building Services Department an Electrical Inspection Section, consisting of one or more electrical inspectors, under the jurisdiction of the Building Official as defined in Section 33.04 of the Municipal Code of the City of Cedar Rapids. The term "inspector" as used within this Code shall mean "Electrical Inspector."

#### 34.06 ELECTRICAL BOARD OF APPEALS

- (a) Establishment of the Board. There is hereby established an Electrical Board of Appeals, hereinafter referred to as the "Board," with authority and responsibility as follows:
  - 1. To act as a Board of Appeals as provided in the Cedar Rapids Electrical Code
  - 2. To periodically review the provisions of the Cedar Rapids Electrical Code and make recommendations to the City Council for improving and updating said Code.
- (b) Composition of the Board. The Board shall consist of seven members, all of whose place of business, residence, or work shall be located within the corporate limits of the City of Cedar Rapids both at the time of appointment and during the term to which the member was appointed.

- (c) Qualifications. All members of the Board shall be qualified by experience and training to pass judgment upon matters pertaining to electrical construction. The membership shall be as follows: Two licensed electrical contractors, one licensed working electrician, a representative from a public service company furnishing electrical power to the City, one practicing electrical engineer capable of designing systems governed by this code, a member of the Fire Department, and a representative directly involved with electrical maintenance from a manufacturing plant, with no one company or interest being represented by more than one member of the Board. Said Board shall serve without compensation.
- (d) Appointment of Members and Terms of Office. The members of the Electrical Board of Appeals shall be appointed by the Mayor with the advice and consent of the City Council. The term of appointment to the Board shall be three years except that the terms shall be so arranged and staggered so that the terms of no more than two members shall expire on June 30 of any one year. A vacancy within any term shall be filled by appointment of the Mayor with the approval of the City Council for the unexpired portion of that term only.
- (e) Officers and procedures. The Board shall designate a member as chairperson and vice-chairperson and shall adopt reasonable rules for conducting its investigations and proceedings, and shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant and may recommend to the City Council new legislation as is consistent therewith.
- (f) Quorum. Four members of the Board shall constitute a quorum for the transaction of business.
- (g) Powers and Duties of the Board. The Board shall have the following powers and duties:
  1. To keep a complete record of the official proceedings of the Board; to preserve all documents, books, and papers relating to appeals and hearing of complaints and charges for at least three years.
  2. To hear appeals from the decision of the electrical inspector and to rule on interpretations of the provisions of this Code, and to determine the suitability of alternate materials and methods of construction consistent with the provisions of this Code.  
 Limitations on Authority. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or an at least equivalent method of protection or safety is proposed. The Board shall have no authority to waive the requirements of this Code.
  3. To periodically review the National Electric Code and Chapter 34 of the Cedar Rapids Municipal Ordinance and make recommendations to the Building Official.

#### 34.07 ELECTRICAL CONTRACTOR AND LICENSE.

- (a) Except as provided in Section 34.03, 34.04 and 34.09 of this Code, no person shall engage in the activity of electrical contracting, as defined in Section 34.03 of this Code without first obtaining an electrical contractor's license from the State of Iowa. Contractors shall carry a current State of Iowa class "A" master license.

Exception: Those who have been issued a City of Cedar Rapids, or Metro Contractor and Masters licenses prior to January 1, 2008 and carry a State of Iowa Contractor and "B" Masters license shall continue to be considered qualified contractors under section 34.07 of this Municipal Code.

- (b) An electrical contractor's license issued to an individual, partner, or officer of a firm, corporation or other association, authorizes such firm, corporation or other association to conduct an electrical contracting business in the City of Cedar Rapids, Iowa, for the period of time for which such license is granted, provided such licensee is supervising the operations of said firm or corporation and further provided that such licensee, firm, corporation, or other association shall be insured.
- (c) Before any permit for electrical work shall be issued to an electrical contractor in the City of Cedar Rapids, Iowa, he/she shall execute and file with the Cedar Rapids Building Services Department a certificate of insurance written by a company authorized to transact business in the State of Iowa, in limits of not less than One Million Dollars (\$1,000,000) aggregate amount liability and property damage per occurrence; said certificate to be written on a standard form and carrying an endorsement naming the City of Cedar Rapids, Iowa and its employees as additional insureds as their interest may appear and conditioned upon the faithful performance of all duties required of such electrical contractor by this Code, or by the rules and regulations of the City of Cedar Rapids, Iowa or the State of Iowa. It shall be a further condition of said Certificate of Insurance that the obligator shall hold the City of Cedar Rapids and its agents and employees harmless from any and all damages sustained by reason of neglect or incompetence on the part of such electrical contractor, his/her agents or employees in the performance of the work done, or any negligent guarding of hazardous areas, or by reason of any other cause growing out of the negligence or carelessness of such electrical contractor, his/her agents or employees or the issuance of such license or permit.

Said Certificate of Insurance shall be for one year and shall expire no sooner than the 31st day of December of each year, and shall be re-filed on or before said date for each subsequent year.

- (d) Each active contractor shall furnish the City his or her State contractor's registration number, contractor's license, and "A" Masters license before a permit will be issued or renewed.

#### 34.08 ELECTRICIAN AND LICENSE

Except as provided in Sections 34.03, 34.04, 34.09, 34.10, 34.11 and 34.22 of this Code, no person shall engage in doing electrical work or installing electrical wiring or equipment and apparatus which is or will be connected to any electric power source in the City of Cedar Rapids, Iowa, unless said person shall have obtained an electrician's license, an apprentice electrician's license, a residential electrician's license, or a residential apprentice electrician's license from the State of Iowa, before doing any such electrical work and further provided that such licensee is employed by a licensed electrical contractor. Electricians shall carry a State of Iowa "A" Journeyman Electrician license, and a Residential Electrician shall carry a State of Iowa Residential Electricians license.

Exception: Those who have been issued a Metro area or City of Cedar Rapids Master, Journeyman, or Residential Journeyman licenses prior to January 1, 2008 and who are issued a Class "B" license by the State of Iowa, shall continue to be considered as qualified installers as defined in Section 34.08 of this Municipal Code.

#### 34.09 WIRING IN PREFABRICATED ASSEMBLIES

The provisions of Sections 34.07, 34.08, 34.21 and 34.22 of this Code, shall not be applicable to electrical work and wiring installed and concealed in prefabricated assemblies where such fabricating plant is more than fifteen (15) miles outside the corporate limits of the City of Cedar Rapids, Iowa. The electrical permits normally required for fabrication of prefabricated assemblies shall be the responsibility of the approved and certified fabricator for those assembly plants.

The provisions of Section 34.21 and 34.22 of this Code shall be applicable to electrical work and wiring installed within prefabricated assemblies within the corporate limits of the City the same as for any other electrical work within the City.

#### 34.10 - TEMPORARY WORK PERMIT

A temporary work permit may be issued to any person by the Cedar Rapids Electrical Board of Appeals.

#### 34.11 APPRENTICE ELECTRICIAN AND APPRENTICE RESIDENTIAL ELECTRICIAN

An apprentice electrician or apprentice residential electrician shall be licensed by the State of Iowa and may perform electrical work, provided that he/she is employed by an electrical contractor to assist one or more licensed electricians or residential electricians and further provided that such apprentice performs work under the direct supervision of a licensed electrician or residential electrician responsible for such work. The ratio of apprentice residential electrician(s) to residential electricians shall be one to one. The ratio of apprentice electrician(s) to electricians shall be one to one.

#### 34.12 APPLICATION FOR LICENSE

Each individual, partner, or officer of a company or corporation desiring an electrical contractor license, each individual desiring an electrician license, or residential electrician license shall make application to the State of Iowa Electrical Licensing Board.

#### 34.13 SPONSORSHIP FOR EXAMINATION

Each person applying for sponsorship to take an examination for an electrical contractor license, electrician license, or residential electrician license shall be sponsored by the State of Iowa per the State of Iowa Electrical Examination Board as provided for in Iowa Code Chapter 103 (2009), as amended, and Chapter 661 of the Iowa Administrative Code.

#### 34.14 ISSUANCE OF LICENSES

All new Electrical licenses issued after January 1, 2009 shall be issued by the State of Iowa Electrical Examining Board pursuant to Iowa Code Chapter 103 (2009), as amended and Chapter 661 of the Iowa Administrative Code, unless an applicant

therefore has met the requirements for an exception as set forth in Section 34.08 hereinabove.

#### 34.15 RECIPROCITY

Reciprocity shall be determined by the State Electrical Examination Board.

#### 34.16 LICENSE RENEWAL.

State of Iowa licenses shall be renewed per Iowa Code.

#### 34.17 ELECTRICAL INSPECTOR

- (a) Qualifications. Each electrical inspector shall be a practical expert electrician and shall be appointed by the Mayor, upon approval of the City Council, from the approved list of the Civil Service Commission in accordance with the statutes governing civil service appointments. Each inspector shall know and understand practical and theoretical electricity, electrical materials, systems and methods of construction, and all orders, rules, regulations and codes that pertain to municipal electrical inspection. An electrical inspector shall not engage in the sale, installation, or maintenance of electrical equipment, materials, or systems that are regulated by this Code, either directly or indirectly, nor have any financial interest in any concern engaged in such business in the City of Cedar Rapids, Iowa, at any time while employed as an inspector, except an inspector's personal primary residence.
- (b) Duties. It shall be the duty of each inspector to administer and enforce the provisions of the Cedar Rapids Electrical Code and other related ordinances, codes, regulations or statutes, and to perform such other duties as may be required by the Building Official. Such duties are not intended to include designing of, or laying out of, electrical work or systems, except as such activity contributes to the enforcement of this Code. The inspector(s) shall hereafter require that the installation of all electrical light and power wiring, conduit and raceway systems, all electrical fixtures, equipment and appliances, or apparatus, and all electrical work and materials shall be of such grade and type of installation as to be free of electrical hazards and to conform to the provisions of this Code.
- (c) Authority. Each electrical inspector is authorized and empowered to inspect any and all buildings or installations, and to order the necessary removal, disconnection or repair to put in proper and safe condition for the safety of life and the prevention of fire, all electrical heating and lighting apparatus, power generators, motors, machinery, conduits, raceways, fixtures and connections, electrical wires and electrical apparatus used for light, heat or power purposes or control of such and to control the disposition and arrangement of the same so that persons and property shall not be in danger therefrom.

#### 34.18 PERMIT TO DO ELECTRICAL WORK

Before commencing the installation, alteration, removal or disconnection of any wiring system through or by which is conveyed or intended to be conveyed, electrical current for power, heating, cooling or illuminating purposes or control on, or under any building or structure in the City of Cedar Rapids, Iowa, a permit therefor shall first be obtained by the licensed insured electrical contractor in charge of such work from the Electrical

Inspection Section of the Building Services Division or the State of Iowa, and it shall be unlawful to commence or proceed with such work unless such permit shall have first been obtained. An investigation fee may be charged when a permit has not first been obtained. Any person who commences any work on an electrical system before obtaining the necessary *permits* shall be subject to a fee established by The City Council of the City of Cedar Rapids, Iowa by resolution that shall be in addition to the required *permit fees*

Exceptions: The provisions of this section shall not apply to the following:

1. The installation of electrical systems under 25 volts in residential construction.
2. Entities installing commercial applications under 101 volts, which are not covered under the scope of work of a licensed electrical contractor, provided this non-licensed entity first obtains a permit for the scope of work covered in the installation.
4. Such electrical maintenance work which is accomplished within or about a manufacturing, industrial, or public utility establishment in compliance with the provisions of Section 34.21 of this Code.
5. Such integral electrical wiring and equipment which was permanently wired or installed on or within a factory built structure in an approved factory by qualified mechanics, and which was inspected, approved and certified by an approved third party inspection agency in compliance with the Iowa State Building Codes; however, any part of the electrical wiring or electrical system which was installed or added to a factory built structure after its location and erection on a local building site by qualified factory mechanics, shall be installed and connected under the authority of an electrical permit by a licensed insured electrical contractor in compliance with this Code.
6. Routine Maintenance as defined in Section 34.03(j) of this Code.

#### 34.19 WIRING BY HOMEOWNER

- (a) Examination and Permit. A permit shall be issued to a homeowner who proposes to install, repair, or add to the electrical system in his/her own existing single family dwelling that is used as his/her own permanent place of residence provided that each of the following conditions shall be fulfilled:
1. Such owner has applied to Cedar Rapids Building Services Department for an examination; and
  2. The fee for each homeowner's examination has been paid to the Department; and
  3. Said homeowner has successfully passed an examination to prove that he/she is capable of doing the specific electrical work covered by the permit in a safe and workmanlike manner; and
  4. The Department has issued a permit covering the work to be done.  
Exception: An electrician or residential electrician licensed by the State of Iowa may obtain a homeowner's permit for a new dwelling, or rewiring of his/her own dwelling.
- (b) Responsibility of Homeowner. The owner shall personally perform all labor in connection with the work. All work done under the provisions of this section shall meet the materials and workmanship requirements of the Cedar Rapids Electrical

Code and shall be inspected the same as for work done by a licensed and insured contractor.

#### 34.20 PLANS AND SPECIFICATIONS

The inspector(s) may require that plans and specifications, showing the materials, layout and specific details of the electrical system, be submitted with the application for the electrical permit. If a review of the plans and specifications indicates major deviations from the provisions of this Code, the applicant shall submit revised plans and specifications. If any changes are made to the plans and specifications for which a permit was issued, amended plans and specifications shall be submitted.

#### 34.21 ELECTRICAL MAINTENANCE.

A regular full-time employee of a manufacturing, industrial, or public utility establishment, who does electrical maintenance work for that establishment only, shall be permitted to do electrical maintenance work only on that establishment's property as defined in Section 34.03(i) of this Code.

#### 34.22 EMERGENCY WORK

- (a) In case of an emergency involving imminent hazard to life or property, authorized personnel may proceed with necessary corrective work to alleviate the hazardous or dangerous condition as it relates to the electrical system prior to obtaining a permit if same is required, providing that the permit is applied for and tentative approval obtained at the earliest practicable occasion thereafter. All emergency work shall be made to comply with the provisions of this Code and shall be inspected by an electrical inspector in the same manner as for other electrical work.
- (b) After furnishing or restoring emergency service, the local power company representative shall inform an electrical inspector of the date, time, location, and nature of such emergency power restoration.

#### 34.23 UNSAFE ELECTRICAL SYSTEMS OR EQUIPMENT

Electrical systems or equipment regulated by this Code which are unsafe, are beyond their normal useful life, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Use of electrical systems or equipment regulated by this Code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.

Unsafe electrical systems or equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures adopted by this jurisdiction. As an alternative, the Building Official or other employee or official of this jurisdiction as designated by the governing body may institute other appropriate action to prevent, restrain, correct or abate the violation including the immediate termination of power.

#### 34.24 REPAIRS OF DAMAGED SYSTEMS

Any part of an electrical system damaged by explosion, fire, act of God, or any other damage, shall be replaced or repaired in conformance with the provisions of this Code for new work.

Exception: Parts of an electrical system which were not damaged and had been installed in compliance with the electrical code which was in effect at the time of the installation, may be salvaged and retained in said electrical system, provided that the safety of the system is maintained equal to new work complying with the provisions of this Code.

#### 34.25 MOVED BUILDINGS

- (a) The electrical system in a moved building shall be made to comply with the provisions of this Code the same as for new construction.
- (b) The permanent service connection shall not be made by the utility company until the electrical system is completely installed and is approved by the inspector.
- (c) The existing service on the moved building shall not be connected to the electrical power source unless specifically approved by an inspector.

#### 34.26 INSPECTIONS

Upon the completion or near completion of electrical work that has been done under a permit, the electrical contractor, electrical contractor designee, or the homeowner doing the work shall notify an inspector that the work is ready for inspection.

If an inspector finds the work to be in conformity with the provisions of this Code, he/she shall affix an approval sticker to a conspicuous and logical place on the premises, and shall note such approval in the Department records. Such approval shall authorize the use of the work and its connection to the supply of electricity.

An inspector may grant conditional approval by authorizing the temporary connection and use of an installation, with such approval to expire at a stated time.

Electrical work or equipment which is installed or added to a factory built structure or a mobile home, after its location and erection on a local building site, shall be inspected by an inspector and be subject to local codes and required permits.

An inspector is hereby also authorized, if he/she determines that good cause exists, to inspect the entire electrical system of a facility.

#### 34.27 RE-INSPECTION FEES

Re-inspections: An inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with requirements of this Code, but as controlling the

practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed when the inspection card is not posted or otherwise available on the work site, when the property and building address are not properly posted and the location of the inspection cannot be readily ascertained, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

#### 34.28 RIGHT OF ENTRY

An inspector shall have the right, during reasonable hours and upon consent of the occupant, to enter any building or premises in the discharge of official duties to make an inspection, re-inspection, or tests of electrical equipment, in accordance with the provision of the law.

When the building or premises is unoccupied, the consent of the owner or owner's agent shall be obtained prior to entering.

In case of an emergency involving hazard or danger to life or property, the inspector shall take immediate action to alleviate the hazard from the faulty electrical system.

#### 34.29 ORDERS FOR CORRECTION; UNSAFE CONDITIONS; AUTHORITY TO CUT OFF POWER

Each electrical inspector is hereby empowered to inspect, and re-inspect as necessary all wiring, poles, raceways, fixtures and apparatus used in conducting electrical current for the purpose of light, heat or power or control of light, heat or power within the City of Cedar Rapids. Whenever such wiring, raceways, apparatus or fixtures are found to be hazardous to life or property, unsafe by reason of obsolescence, or to have been installed in violation of this Code or regulations of the City, said inspector shall notify the person, firm or corporation who owns, uses or operates such wiring, raceways, apparatus, or fixtures, by personal service, or by certified mail to their last known address, directing them to place the same in a safe and secure condition, conforming to this Code and the other ordinances and regulations of the City, within a reasonable time as specified by the inspector, and also notify such person, firm or corporation in the same notice of the right to obtain a hearing by appealing such direction or order from the Inspector to the Electrical Board of Appeals in accordance with the procedure established by the Electrical Board of Appeals. If the necessary changes or repairs are not completed within the specified time, the inspector shall have the authority to disconnect or order the disconnection of electrical service to the equipment or installation 48 hours after written disconnect notice.

No such disconnection shall be ordered during the pending of a related appeal to the Electrical Board of Appeals, except in the case where the conditions in question may be imminently dangerous to life or property.

In cases where continuance of electrical service to an electrical system or equipment contributes to the existence of an electrical hazard to persons or property, an inspector shall have the authority to cause immediate discontinuance of such service.

Said inspector shall present written notification, by personal service or certified mail, to any person, firm or corporation owning abandoned, dead or dangerous wiring, apparatus, or fixtures which are no longer used, requiring the removal of same within a reasonable time, to be set by the inspector.

Upon their failure or refusal to comply with the terms of said notice, the inspector may report the same through the Building Official to the City Council, which may order the removal of same, and order the cost of such removal to be assessed against the property from which removed.

#### 34.30 WIRING NOT TO BE CONCEALED BEFORE INSPECTION.

No person shall cover or conceal or cause to be covered or concealed any wiring for which a permit has been issued or is required by this Code, before said wiring has been inspected and approved.

An inspector shall have the authority to remove or cause removal of lath, plaster, boarding, paneling, insulation, earth, concrete or other cover which may prevent the proper inspection of wires or electrical apparatus before it has been approved.

#### 34.31 WIRING IN OR ON PUBLIC PROPERTY.

It shall be unlawful for any person to locate any electrical raceway or to conduct electrical energy over, under or across any street, alley, sidewalk, or other public property, or to make any excavation in such public property for the purpose of laying an electrical raceway or wiring, without first obtaining written approval from the City Council. Said Council approval shall be requested in writing, prior to the start of any such work, by submitting an application through the Traffic Engineering Department to said Council, stating in detail the location, depth, extent, number of ducts, and the purpose which the raceway, wiring or crossing will serve. All such raceways or crossings shall be constructed and installed in compliance with this Code and with the provisions of the resolution of the City Council.

#### 34.32 LIABILITY FOR COMPLIANCE.

The issuance of electrical permits, the inspection and enforcement of compliance with this Code, or the approval of electrical wiring, apparatus, poles, raceways and other electrical systems or equipment by an electrical inspector, shall not relieve the person, firm, or corporation having control of such electrical systems or equipment from responsibility, nor lessen the liability of a person, firm or corporation installing or owning such wiring, apparatus, poles, raceways, or other electrical equipment, as would exist in the absence of such permits, inspection, code enforcement, or the granting of such approval.

#### 34.33 PERMIT FEES.

The City Council shall establish the associated fees for electrical permits, inspections, re-inspections, special inspection fees, Temporary Certificates of Occupancy and investigation fees by resolution. Electrical permits shall not be issued until the fees, as set forth and established by resolution of the City Council, have been paid to the City Treasurer.

#### s4.34 NATIONAL ELECTRICAL CODE ADOPTED

Except as herein added to, modified or amended, there is hereby adopted as the Electrical Code of the City of Cedar Rapids, Iowa, that certain electrical code known as the National Electrical Code, 2014 edition, as published by the National Fire Protection Association of Quincy, Massachusetts; and the provisions of said Electrical Code of the City of Cedar Rapids, as may be amended from time to time, shall be controlling in the installation, alteration, repair, relocation, replacement, addition to, use, maintenance or removal of electrical appliances, equipment, conduits, raceways, apparatus, or control of such system and in all matters covered by said Electrical Code within the corporate limits of the City of Cedar Rapids, Iowa, and shall be known as the Cedar Rapids Electrical Code.

#### 34.35 VARIATIONS FROM THE NATIONAL ELECTRICAL CODE

The provisions of Section 34.36 through Section 34.51 of this Code hereafter set out shall be mandatory provisions which shall supersede and take precedence over similar provisions of the 2014 National Electrical Code in all instances where the following sections differ from the provisions of the 2014 National Electrical Code.

#### 34.36 EXTERIOR SERVICE-WIRING

- (a) All electrical service wiring shall be run in rigid metal conduit, intermediate metallic conduit or electrical metallic tubing.

Exception: Rigid nonmetallic conduit may be approved for the underground part of commercial, industrial, and residential installation in compliance with Article 352 of the 2011 National Electrical Code. Rigid non-metallic conduit is approved for conduits from 400 ampere or less meter sockets that are direct metered, to the electric service panels.

- (b) Communication equipment under the exclusive control of communication utility companies and outdoor signs having a continuous electrical load with not more than 80% ampacity of the conductors, may be wired with copper #10 AWG ungrounded service conductors and copper # 8 AWG grounded service conductor in 1/2 inch minimum size conduit.

#### 34.37 ELECTRIC SERVICE AND METER

- (a) Service Attachment Devices. An approved attachment device for the overhead electrical service wiring shall be provided by the electrical contractor or by the customer. Any service riser mast used as an attachment point shall be a minimum of 2 inches diameter rigid or intermediate steel conduit and be suitably supported.
- (b) Raceway Seal. The service conduit shall be sealed at the exit point of the load side of the meter socket.

#### 34.38 SINGLE FAMILY DWELLING SERVICE

Minimum Size Distribution Panels.

- (a) 1. The minimum size service entrance panel for a single family dwelling with up to 1000 square feet of finished floor space, or space which may be finished, shall be equipped to provide protection against over-current with no less than a 100 ampere main over-current protective device having at least 20 available 120 volt branch circuit spaces.
  2. The minimum size service entrance panel for a single family dwelling with 1001 to 2000 square feet of finished floor space, or space which may be finished, shall be equipped to provide protection against over-current with no less than a 150 ampere main over-current protective device having at least 30 available 120 volt branch circuit spaces.
  3. The minimum size service entrance panel for a single family dwelling with over 2000 square feet of finished floor space, or space which may be finished, shall be equipped to provide protection against over-current with no less than a 200 ampere main over-current protective device having at least 40 available 120 volt branch circuit spaces.
- (b) All service disconnects shall be of circuit breaker type.

#### 34.39 TWO FAMILY AND MULTIPLE FAMILY DWELLING SERVICE

The minimum electrical capacity for an electrical service which serves more than one apartment shall be computed from the provisions of Article 220 of the 2011 National Electrical Code.

#### 34.40 FEEDERS & PANEL REQUIREMENTS FOR INDIVIDUAL APARTMENTS

- (a) Feeders to individual apartments shall be computed from the provisions of Article 220 of the 2011 National Electric Code.
- (b) Apartments with not over 500 sq. feet of finished floor area shall have a minimum 70-ampere main lug panel with 12 available spaces.
- (c) Apartments with 501 to 1000 sq. ft. of finished floor area shall have a minimum 100-ampere main lug panel with 16 available spaces.
- (d) Apartments with 1001 to 2000 sq. ft. of finished floor area shall have a minimum 150-ampere main lug panel with 24 available spaces.
- (e) Apartments over 2000 sq. ft. of finished floor area shall have a minimum 200 ampere main lug panel with 30 available spaces.

#### 34.41 RULE FOR COMPUTING RANGE AND DWELLING LOADS

- (a) Branch Circuit Requirements: One circuit for lighting shall be provided for every 600 square feet of finished floor space, or space which may be finished.

In addition, provision for the following appliance circuits shall be made:

Two separate 20-ampere circuits for kitchen and breakfast area receptacles. The garbage disposal unit may be wired on one of the kitchen receptacle circuits or the

dishwasher circuit. There must be at least two circuits on the main usable counter top area.

One separate 20-ampere circuit for each laundry area.

Other circuits, if installed, shall be as follows:

One separate 20-ampere circuit for microwave oven.

One separate circuit for each no gravity furnace with disconnect switch.

One separate 20-ampere circuit for each food freezer.

One separate 20-ampere circuit for each dishwasher.

One separate 20-ampere circuit for a workshop.

One separate 20-ampere circuit for a refrigerator.

One separate 20-ampere circuit for a garage.

Additional separate circuits for other heavy loads.

#### 34.42 ADDITIONS TO BUILDINGS OR REMODELING

- (a) Where kitchens and bathrooms are reconfigured, the wiring shall conform to the 2014 National Electrical Code and the provisions of this Code.
- (b) Where any habitable room has the wall covering removed, exposing the structure, the wiring shall conform to the 2014 National Electrical Code and the provisions of this Code.
- (c) The minimum size of electrical service(s), over-current panel(s) for the electrical system of an existing dwelling(s) which is being remodeled or added to shall be computed and installed according to Section 34.39, 34.40, 34.41 and 34.42 of this Code, the same as for new dwellings.

Exception: Existing equipment which meets the computed minimum requirements shall be approved by the inspector.

- (d) Where the construction, alteration or modification of a building reduces the clearance of the service drop conductors below the acceptable minimum clearance required by ARTICLE 230.24, as amended, of the 2014 National Electrical Code, such service conductors shall be relocated according to the directions of the electric utility company.

#### 34.43 PROHIBITED ELECTRICAL CONSTRUCTION

- (a) Armored Cable Wiring: The installation of Armored Type AC and MC cable wiring as provided in Article 320 and 330 of the 2014 National Electrical Code is prohibited.  
Exception: Type AC and MC cables with separate equipment grounding conductors may be installed in walls and ceilings, above lay in ceilings, or in concealed areas, and as approved in 34.46 Exception.
- (b) Service Entrance Cable: The installation of Type SE service entrance cable as provided in Article 338 of the 2014 National Electrical Code is prohibited, except as feeders in the interior of multi-family dwellings.

#### 34.44 CONDUCTORS

- (a) All conductors smaller than 4/0 AWG, other than aerial service drop conductors, medium and high voltage cables (601 volt insulation level and above), and conductors comprising an integral part of switchboards, transformers or busways meeting N.E.M.A. standards and the provisions of the 2011 National Electrical Code, shall be copper.

Exceptions:

1. #6 AWG minimum aluminum service drop cable or underground cable installed in accordance with the 2014 National Electrical Code may be used for the overhead, aerial service to outside accessory installations such as outbuildings and signs.
  2. #4 AWG minimum trade size aluminum conductor may be used as a substitute for copper conductor provided that such aluminum conductors are appropriately sized and further provided that such conductors are terminated in an approved connection. Such conductors shall be used as service conductors or branch panel feeder conductors only.
- (b) All wiring in outlet or fixture boxes shall be continuous (pigtailed) before the receptacle, fixture or electrical device is installed.

#### 34.45 WIRING METHODS – DWELLINGS

- (a) Habitable Space. Non-metallic sheathed cable may be installed for the conductors in the concealed wood or steel frame portions of one and two family dwellings, or multi-family buildings with twelve or less dwelling units and three floors or less above grade. Garages, sheds, and storage buildings accessory to said dwellings may be wired in nonmetallic cable. For the purpose of this section, area separation walls shall not define separate buildings.
- (b) The residential part(s) of group homes may be wired in non-metallic sheathed cable if the occupant load is not more than twenty persons.
- (c) Habitable spaces in accessory buildings do not need ground fault protection for outlets.
- (d) Electric panels shall not be installed within six inches of the corner in an unfinished basement in new construction.
- (e) Basements and garages.
1. In all unfinished basements and attached/detached garages, non-metallic sheathed cable running horizontally shall be protected from a height of 7 feet and below by EMT, other approved conduit or drywall.
  2. The sump pump receptacle in an unfinished basement shall not be required to be GFCI protected if a single receptacle is installed supplying a permanently installed sump pump and providing that the sump pump receptacle is permanently and clearly labeled "for sump pump use only" and providing there is

at least one GFCI protected duplex receptacle available for use within room or area in which sump pump receptacle is located.

3. The garage door opener receptacle in an attached garage shall not be required to be GFCI protected if a single receptacle is installed supplying a permanently installed garage door opener and providing that the garage door opener receptacle is permanently and clearly labeled "for garage door opener use only" and providing there is at least one GFCI protected duplex receptacle available for use within the room or area in which garage door opener receptacle is located.
4. Required Basement Lights. A lighting outlet with lamp-holder shall be provided in each room of a basement or cellar of a residential building. At least one such fixture shall be located in every 200 square feet of such floor space.
5. Circuits. No connection shall be made between the basements or cellar wiring and the wiring in the floors above except as provided in this section.

(f) Exceptions:

1. Basement or cellar wiring in a single family dwelling may be fed by grounded nonmetallic sheathed cable from the floor above if the entrance panel is not located inside the basement or cellar.
2. The lighting outlet with lamp-holder at the bottom of the basement or cellar stairs may be fed from either the first floor or basement.
3. When rewiring, the circuits may be fed from the basement.
4. It is permissible to wire the smoke detectors from either the basement circuit or a circuit from the floor(s) above.
5. It is permissible to wire basement appliance circuits through the floor(s) above.

#### 34.46 WIRING METHODS - OTHER BUILDINGS

Conductors in and upon all buildings other than those covered by Section 34.45 of the Cedar Rapids Electrical Code shall be run in approved raceways. Exceptions:

1. Type AC and MC cable as approved in 34.44. Type FCC Flat Conductor Cable may be installed in compliance with Article 324 of the 2011 National Electrical Code. Type AC, TC, and MC cable that are tray rated may be installed in approved cable trays, in industrial applications, for feeders, motor wiring, and control of motor wiring.

#### 34.47 EMERGENCY LIGHTING

Emergency lighting and exit lighting shall be powered from a secondary independent source, notwithstanding the provisions of Section 230.82(5) and Subsection 700.12 of the 2014 National Electrical Code.

#### 34.48 CONVERSION OF BUILDINGS

Conversion of a Residence to Business or Commercial Building. Conversion of a residence into a business or commercial building or the construction of a business or commercial building in combination with a residence will place the residence in the same class of wiring as the business or commercial building unless separated by a two-hour fire wall.

#### 34.49 BONDING OF GAS PIPING

Gas piping systems shall be bonded in accordance to the manufacturer's installation requirements. The bonding jumper shall not be smaller than #6 AWG copper wire or equivalent.

#### 34.50 TEMPORARY WIRING

Temporary wiring shall be per Article 590 of the 2011 National Electrical Code. Exception: Triplex and quadplex Ariel cable may be used if protected to within two feet of the ceiling and further protected from physical damage. The bare messenger wire shall not be used as a current carrying conductor. The voltage shall be limited to 150 volts to ground and 250 volts between phases. All wire splices shall be installed in junction boxes.

#### 34.51 State amendments ITEM 1. Amend subrule 504.1:

504.1(1) Add the following exceptions to section 210.8, paragraph (A), subparagraph (2):

- a. Exception No. 1 to (2): Receptacles that are not readily accessible.
- b. Exception No. 2 to (2): A single receptacle or a duplex receptacle for two appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected in accordance with 400.7(A)(6), (A)(7), or (A)(8).
- c. Receptacles installed under the exceptions to 210.8(A)(2) shall not be considered as meeting the requirements of 210.52(G).

504.1(2) Add the following exceptions to section 210.8, paragraph (A), subparagraph (5):

- a. Exception No. 2 to (5): Receptacles that are not readily accessible.
- b. Exception No. 3 to (5): A single receptacle or a duplex receptacle for two appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected in accordance with 400.7(A)(6), (A)(7), or (A)(8).
- c. Receptacles installed under the exceptions to 210.8(A)(5) shall not be considered as meeting the requirements of 210.52(G).

504.1(3) Eliminate the exception to section 220.12 and instead implement the following exception:

Exception: Where the building is designed and constructed to comply with an energy code adopted by the local authority, the lighting load shall be permitted to be calculated at the values specified in the energy code.

504.1(4) Eliminate section 406.4(d)(4).

504.1(5) Eliminate section 210.12B."

**SECTION 2. SEVERABILITY OF PROVISIONS.** It is the intention of the Council that each section, paragraph, sentence, clause, and provision of this Ordinance is severable, and if

any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof other than that affected by such decision.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

SECTION 4. REPLACEMENT PAGES. The changes as provided in this Ordinance shall be made a part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made part of said Code as provided by law.

SECTION 5. ORDINANCES IN CONFLICT ARE REPEALED. All ordinances or parts of ordinances in conflict with any provision of this Ordinance are hereby repealed.

Introduced this 23rd day of June, 2015.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

**Chapter 34 of the Municipal Code – which includes the 2014 National Electrical Code Amendments**

The following matrix shows the proposed Chapter 34 National Electrical Code Amendments. The National Electrical Code is based off the 2014 National Electrical Code. This matrix only lists significant changes.

<b>Proposed</b>	<b>Current</b>	<b>Changes / Additions</b>
<b>Proposed 2015 Amendments to the 2014 National Electrical Code (NEC).</b>	<b>Current 2011 Amendments Adopted in 2012 for the 2014 National Electrical Code (NEC).</b>	
<b>34.03 Definitions</b>	<b>Same sections as current 2012 Amendments 34.03 Definitions</b>	Add definition of Routine Maintenance.
<b>34.18 Permit To Do Electrical Work</b>	<b>Same sections as current 2012 Amendments 34.18 Permit To Do Electrical Work</b>	Language added to exempt Routine Maintenance from required permits.
<b>34.27 Re-Inspection Fees</b>	<b>Same sections as current 2012 Amendments 34.27 Re-Inspection Fees</b>	Change language to allow for penalty when customer calls and job is obviously not ready for inspection. This will be used in conjunction with Combination Inspections to regulate inspection scheduling for departmental efficiency.
<b>34.33 Permit Fees</b>	<b>Same sections as current 2012 Amendments 34.33 Permit Fees</b>	Add Re-inspection, Special Inspection and Investigation fees language allowing these fees to be set by resolution. Change language to allow all trades to have standardized fees and fee process for these fees through separate Council resolution. Inconsistent language within different trades (Mechanical, Plumbing, Building and Electrical) causes confusion and inconsistent enforcement.
<b>34.45 Wiring Methods - Dwellings</b>	<b>Same sections as current 2012 Amendments 34.45 Wiring Methods - Dwellings</b>	Add additional GFCI exception for simplex outlet in garage dedicated to garage door only.
<b>34.51 State amendments Item 1. Amend Sub rule 504.1</b>	<b>New Section not in 2012 Amendments</b>	Match state amendments pertaining to the following: <ul style="list-style-type: none"> <li>• Allowing receptacles that are not readily accessible or for an appliance to not be GFCI protected.</li> <li>• Allowing loads to be calculated at the energy code demand rate as an option.</li> </ul>

		<ul style="list-style-type: none"><li>• Allows a dedicated receptacle for a sump pump and over-head garage door openers to not be GFCI protected.</li><li>• Deleting a requirement that repairs on existing branch circuits have AFCI protection in dwellings.</li><li>• Deleting a requirement that repairs on existing branch circuits have AFCI protection for flexible cords and cables.</li></ul>
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## Council Agenda Item Cover Sheet

**Submitting Department:** Building Services

**Presenter at Meeting:** Kevin Ciabatti  
**E-mail Address:** k.ciabatti@cedar-rapids.org

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

**Alternate Contact Person:** Duncan McCallum  
**E-mail Address:** d.mccallum@cedar-rapids.org

**Phone Number/Ext.:** 319-286-5723

**Description of Agenda Item:** ORDINANCES – Second and possible Third Readings  
 A second and possible third reading to consider repealing Chapter 35 of the Municipal Code, Plumbing Code, and enacting and adopting in lieu thereof a new Plumbing Code and the 2015 edition of the Uniform Plumbing Code with modifications.  
 CIP/DID #BSD004-15

**EnvisionCR Element/Goal:** ProtectCR Goal 4: Demonstrate best practices in building construction.

**Background:** The Model International Code is published every three years. To keep current with the Model Codes, the State of Iowa, and other Iowa jurisdictions, it is important we adopt the 2015 Plumbing Code. The primary focus of this adoption process was to develop a consistent Code with the surrounding communities. This was achieved by conducting coordination meetings with the jurisdictions in the region. We believe this enhances our customers' experience by learning a more regionalized Code. The second focus was maintaining minimal Code amendments. Attached is a matrix outlining changes to our proposed amendments.

The Building Services Department has met with and gained support from the following groups: Plumbing Board of Appeals (1/23/15, 4/23/15 and 4/30/15), Developer's Council (ongoing discussion, presentation on 4/2/15), Trade Unions (4/28/15), Open House (5/26/15) and Public Safety Committee (6/9/15). Further, staff has engaged the surrounding Building Departments to coordinate similar Code language. These discussions occurred between August 2014 and April 2015. They have included Hiawatha, Marion and Linn County.

The proposed effective date of the Plumbing Code will be January 1, 2016. This will allow for a transition period for projects to cycle through the process prior to the Code changes taking effect. Further, this will allow for Building Services Department staff to hold training sessions geared towards specific Code changes to various stakeholder groups.

**Action/Recommendation:** Recommend repealing Chapter 35 of the Municipal Code, Plumbing Code, and enacting and adopting in lieu thereof a new Plumbing Code and the 2015 edition of the Uniform Plumbing Code with modifications.

**Alternative Recommendation:** None recommended. In the past, we received official Insurance Service Organization (ISO) criticism and potential downgrade of ISO BCEG (Building Code

Effectiveness Grading Scale) for delaying a Code adoption cycle within one year of publication date of the Model Code. ISO sets the insurance rating criteria for City businesses and residential property owner insurance rates. The ISO scale ranges from 1-10 with 1 being the highest rating. The City of Cedar Rapids ISO rating is currently a Class 4 for one- and two-family dwellings and a Class 3 for commercial and industrial properties. Our last evaluation increased our commercial rating from a 4 to a 3 based largely upon the adoption of the latest Model Code year.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Budget Information:** N/A

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** Yes

**Explanation:** NA

ORDINANCE NO. LEG\_NUM\_TAG

2015 PLUMBING CODE  
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ORDINANCE NO. LEG\_NUM\_TAG

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS IOWA, BY REPEALING CHAPTER 35 THEREOF ENTITLED "PLUMBING CODE", CONSISTING OF THE UNIFORM PLUMBING CODE, 2012 EDITION AS AMENDED; AND ENACTING AND ADOPTING A NEW CHAPTER 35 IN LIEU THEREOF ENTITLED "PLUMBING CODE", BEING THIS ORDINANCE HEREAFTER SET OUT, WHICH ADOPTS BY REFERENCE, WITH CERTAIN AMENDMENTS, THE UNIFORM PLUMBING CODE, 2015 EDITION, AS PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, IN THE CITY OF CEDAR RAPIDS, IOWA; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFO; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

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

Section 1. Chapter 35 of the Municipal Code of the City of Cedar Rapids, Iowa, entitled, "PLUMBING CODE," BEING THE UNIFORM PLUMBING CODE, 2012 AS AMENDED, is hereby repealed and a new Chapter 35 is hereby adopted in lieu thereof, as follows:

"CHAPTER 35 - PLUMBING CODE

35.01 UNIFORM PLUMBING CODE 2015 ADOPTED

Except as hereinafter added to, deleted, modified, or amended, there is hereby adopted as the Plumbing Code of the City of Cedar Rapids, Iowa, that certain plumbing code known as the Uniform Plumbing Code, 2015 Edition, including Chapters 1 through 12 and Chapter 14, with Chapters 13, 15, 16, 17 and Appendixes A, B, C, D, E, G, H, I, J and L, adopted for reference/design purposes only, as published by the International Association of Plumbing and Mechanical Officials; in addition, only Table 403.1 and Section 419 (419.1,419.2, 419.3) of the International Plumbing Code, 2015 Edition as published by the International Code Council, Inc.; and the provisions of said Plumbing Code of the City of Cedar Rapids, as may be amended from time to time, shall be controlling in the construction and maintenance of plumbing and in all other matters covered by said Plumbing Code within the corporate limits of the City of Cedar Rapids, Iowa, and shall be known as the "Plumbing Code".

Fuel gas piping shall comply with the requirements of Chapter 12 of the Uniform Plumbing Code, 2015 Edition, unless the provisions conflict with the adopted International Fire Code 2015 edition (IFC 2015). Where Chapter 12 is in conflict with the provisions of the IFC 2015, the IFC shall be followed.

35.02 101.2 and 101.3 PURPOSE AND SCOPE.

Section 101.2 Scope is added as follows:

Section 101.2\_Scope. The provisions of this code shall include and apply to all plumbing work, plumbing installations and plumbing equipment hereafter installed, constructed, altered, serviced, or repaired in, for or about any new, remodeled, or relocated building or structure in the City of Cedar Rapids, Iowa.

### 35.03 102.6 CONFLICT OF INTEREST

Section 103.5 Conflict of interest is added as follows:

Section 103.5 Conflict of interest. The building official, inspectors and other employees who are engaged in building inspections or plan review activities in accordance with this code shall not directly or indirectly perform and/or be involved in any work, sales of services, equipment, materials or systems regulated by this code for any financial gains/benefits nor enter into any written or verbal contractual agreements for financial gains/benefits. Employees may perform work or activities regulated by this code when it is without compensation or other financial benefits. In no event, shall the employee inspect or be involved in the inspection process on any project where the employee performed work or has a financial interest.

### 35.04 107PLUMBING BOARD OF APPEALS

Section 107Plumbing Board of Appeals is added as follows:

Section 107Plumbing Board of Appeals.

- (a) Establishment of the Board. There is hereby established a Plumbing Board of Appeals, hereinafter referred to as the "Board," with authority and responsibility as follows:
1. To act as a Board of Appeals as provided in the Plumbing Code of Cedar Rapids.
  2. To periodically review the provisions of the Plumbing Code of Cedar Rapids and make recommendations to the City Council for improving and updating said document.
- (b) Composition of the Board. The Board shall consist of 7 members, all of whose place of business, residence, or work is located in the City of Cedar Rapids. All members shall be qualified by experience and training to pass judgment upon matters pertaining to the installation of plumbing. The membership shall be as follows: 2 licensed master plumbers, 2 licensed journeyman plumbers, one registered professional mechanical or sanitary engineer, one registered professional architect, and one member at large, with no one company or interest being represented by more than one member on the Board. The City Plumbing Inspector or their designee shall act as Secretary to the Board.
- (c) Appointment of Members and Terms of Office. The members of the Plumbing Board of Appeals shall be appointed by the Mayor with the approval of the City Council. After the initial appointment of the Board, the terms of the members shall be for 3 years except that the initial terms shall be so arranged and staggered that the terms of no more than 2 members shall expire on December 31 of any one year. A vacancy within any term shall be filled by appointment of the Mayor with the approval of the City Council for the unexpired portion of that term only. The members of the Board shall serve without compensation.

The Board shall designate a member as chairperson and vice-chairperson and shall adopt reasonable rules for conducting its investigations and proceedings, and shall render all decisions and findings in writing to the Building Official with a duplicate

copy to the appellant and may recommend to the City Council new legislation as is consistent therewith.

- (d) Quorum. Three members of the Board shall constitute a quorum for the transaction of business.
- (e) Powers, Duties and Limitations of the Board. The Plumbing Board of Appeals shall have the following powers and duties:
  - 1. To hold regular meetings in February, June, and October of each year or more frequently if determined necessary for the purpose of plumbing appeals.
  - 2. To hear appeals from the decision of the Plumbing Inspector and to rule on interpretations of the provisions of the Plumbing Code of Cedar Rapids, and to determine the suitability of alternate materials and methods of construction consistent with the provisions of this Plumbing Code. The Board shall have no authority to waive requirements of this Code.
  - 3. To keep a complete record of the official proceedings of the Board; to preserve all documents, books, and papers relating to appeals and hearings of complaints and charges for at least 3 years.

#### 35.05 103.3.1 STATE LICENSING AGREEMENTS

Section 103.3.1 Licensing is added as follows:

Section 103.3.1. The examination, qualification and licensing of Plumbing Contractors, Plumbers and Pipe Layers, and the registration of Apprentice Plumbers, shall be in accordance with the State Licensing Agreement per chapter 105 of the Iowa Code.

Exception. Except as provided herein below, no person shall engage in the business of contracting, planning or supervising plumbing or pipe laying work as regulated by these regulations within the jurisdiction of Cedar Rapids unless such person is licensed as a Licensed State Contractor under chapter 105 of the Iowa Code and has obtained a permit therefore from the Building Official according to the provisions of the Plumbing Code. No person shall perform plumbing work as regulated by the Plumbing Code of Cedar Rapids and Chapter 105 of the State Licensing Agreement unless said person is licensed as provided in the State Licensing Agreement per chapter 105 of the Iowa Code and a permit has been obtained for the work.

#### 35.06 104.1 PLUMBING PERMITS

Section 104.1 Plumbing Permits is added as follows:

Section 104.1 Except as otherwise provided hereunder, no plumbing work in the City of Cedar Rapids shall be undertaken unless there has been issued a Building Permit therefore by the City of Cedar Rapids, Iowa. Except as provided below, such permit shall be issued only to a Licensed State Contractor under chapter 105 of the Iowa Code or a homeowner performing work on the owner's principal residence pursuant to Section 105.11(3) of the Code of Iowa (2015).

Any person or person(s) doing work regulated by this code, or causing such work, shall first make application to the Building Official and obtain the required permit prior to such work. An investigation fee may be charged when a permit has not first been obtained.

Any person who commences any work before obtaining the necessary *permits* shall be subject to a fee established by The City Council of the City of Cedar Rapids, Iowa by resolution that shall be in addition to the required *permit* fees and investigation fees.

Exception. Repairs which involve only the working parts of a faucet or valve, the clearance of stoppages, or the replacement of defective faucets or valves may be made without the issuance of a permit, provided that no alterations are made in the existing waste, vent or water piping to fixtures.

#### 35.07 104.3 (7) APPLICATION FOR PERMIT

Section 104.3 Application for Permits is modified by adding subsection (7) to that section as follows:

(7) Application for a permit for plumbing work shall be made on forms prepared and provided by the City of Cedar Rapids. All applications shall be accompanied by the appropriate fee computed in accordance with the schedule of fees established by resolution of the Cedar Rapids City Council.

#### 35.08 104.3.1 Construction Documents

Section 104.3.1 Construction Documents is added as follows:

Section 104.3.1 Plans. Two sets of plans and specifications, certified architectural or engineered, shall be required by the Plumbing Inspector for all plumbing installations or modifications in buildings where the Iowa Code requires the certification on the building and structural plans. Electronic submittals shall be accepted with the approval of the Building Official.

#### 35.09 104.5 FEES

Section 104.5 Fees and 104.5.2 Investigation Fees are deleted and a new Section 104.5 Fees is added as follows:

Section 104.5 Fees. Plumbing permits shall not be issued until the fees, as set forth and established by resolution of the Cedar Rapids City Council, have been paid to the City Treasurer. Re-inspection, special inspection and investigation fees shall be established by resolution of the Cedar Rapids City Council.

#### 35.10 105.2.4 ADVANCE NOTICE

Section 105.2.4 Advance Notice is deleted and a new Section 105.2.4 Advance Notice is added as follows:

Section 105.2.4 Advance Notice.

It shall be the duty of the permit-holder or his representative to notify the inspector or their representative that the work is ready for inspection or test (per Division policy).

#### 35.11 105.2.6 RE-INSPECTIONS

Section 105.2.6 Re-inspections is deleted and a new Section 105.2.6 Re-inspections is added as follows:

Section 105.2.6 Re-inspection fees. A re-inspection fee may be assessed for each inspection or re-inspection when such work or portion of such work for which the inspection is called for is not complete or when corrections called for are not made.

Re-inspection fees may be assessed when the Permit is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, access is not provided on the date for which the inspection is requested, the property and building address are not properly posted, or when there is a deviation from plans requiring approval of the Building Official.

This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with requirements of this Code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

#### 35.12 ANNEXED AREAS AND NEW SEWER MAINS

Section 35.12 Annexed Areas and New Sewer Mains is added as follows:

Section 35.12 Annexed Areas and New Sewer Mains. In newly annexed areas or in existing areas receiving initial sanitary sewer main service, the plumbing system in existing buildings may be accepted by the Plumbing Inspector as suitable for connection to the city sanitary sewer system provided that all new portions of the plumbing system comply with the provisions of this Code and further provided that any unsafe or hazardous plumbing is corrected.

#### 35.13 301.6 CHANGE IN USE OF PLUMBING SYSTEM

Section 301.6 Change in Use of Plumbing System is added as follows:

Section 301.6 Change in Use of Plumbing System. When a building, or portion thereof, is converted or remodeled for a use classification or occupancy which is different from the original use for which the plumbing system was designed, said existing plumbing system shall be exposed as necessary for a comprehensive inspection and shall be made to reasonably comply with the functional provisions of this Code in the same manner as applicable to any existing plumbing system to which new plumbing is added.

#### 35.14 418.3(1) LOCATION OF FLOOR DRAINS

Section 418.3(1) is deleted and a new Section 418.3 (1) is added as follows:

Section 418.3(1) Toilet rooms containing two or more water closets or a combination of one water closet and one urinal, except in a dwelling unit and except when installation is in wood construction.

#### 35.15 422.1 FIXTURE COUNT

Section 422.1 Fixture Count the first paragraph and references in Table 403.1 is modified and footnote h is added to Table 403.1 as follows:

Section 422.1 Fixture Count. Plumbing fixtures shall be provided for the type of building occupancy and in the minimum number shown in Table 403.1 of the 2015 International Plumbing Code. The total occupant load and occupancy classification shall be determined in accordance with the City of Cedar Rapids Building Code. Occupancy classifications not shown in Table 403.1 of the 2015 International Plumbing Code shall be considered separately by the Authority Having Jurisdiction. Separate toilet facilities for food and drink consumption facilities shall be provided when the occupant load is more than 10.

Table 403.1 Drinking Fountain Column. This column shall be a reference to Section 415 of the Plumbing Code.

Table 403.1 Water Closets (Urinals see Section 419.2). This column shall be a reference to Section 423.1 of the Plumbing Code.

Table 403.1 footnote f. Access to these facilities shall be provided from within the building served. A minimum of one urinal shall be provided for general use in offices or public buildings.

#### 35.16 422.6 PUBLIC RESTROOMS

Section 422.6 Public Restrooms is added as follows:

Section 422.6 Public Restrooms. Restrooms shall be made available to the general public in the following non-inclusive list categorized by building occupancy groups as listed in the Building Code:

- (a) Assembly (A). All uses.
- (b) M and B Occupancies. All uses except: M and B occupancies, less than 1,500 total square feet and/or providing an in-house service to less than 10 individuals including employees, shall provide a minimum of one unisex handicapped restroom. Retail and wholesale stores are required to have a minimum of one drinking fountain.
- (c) Educational (E). All uses.
- (d) Hazardous (H). As determined by Administrative Authority.
- (e) Residential (R). Division 1 (Hotel Offices).
- (f) Industrial (I). All uses.

#### 35.17 423.1 URINALS

Section 423.1 Urinals is added as follows:

423.1 Urinals. Section 419 of the 2012 International Plumbing Code shall be referenced (including 419.1, 419.2, and 419.3).

#### 35.18 603.4 GENERAL REQUIREMENTS.

Section 603.4 General Requirements is added as follows:

Section 603.4 General Requirements. All installation of said devices and appurtenances shall be done by a licensed plumbing contractor. All required devices shall be tested annually as prescribed by Chapter 12 of the Municipal Code of Cedar Rapids, Iowa.

35.19 604.3 COPPER TUBE.

Section 604.3 Copper Tube is deleted and a new Section 604.2 Copper Tube is added as follows:

Section 604.3 Copper Tube. Copper water-tube for water piping shall have a weight of not less than Type K for underground installations and Type L or M for above ground installations.

35.20 PUBLIC SYSTEMS AVAILABLE

Section 35.20 Public Systems Available is added as follows:

Section 35.20 Public Systems Available. A public water supply system shall be deemed available to premises used for human occupancy if such premises are located within 250-feet, measured along a street, alley, or easement, of the public water supply and a connection conforming with the standards set forth in this Code may be made thereto.

35.21 701.2(4) DRAINAGE PIPING

Section 701.2 Drainage Piping is modified by deleting subsection (4) and adding a new subsection (4) as follows:

(4) Copper tube for underground drainage and vent piping shall have a weight of not less than that of copper drainage tube Type L. Copper tube for aboveground drainage and vent piping shall have a weight of not less than that of copper drainage tube Type M.

35.22 703.1.1 MAIN BUILDING DRAIN.

Section 703.1.1 Main Building Drain is added as follows:

Section 703.1.1 Main Building Drain. The main building drain shall be a minimum of 4-inches in diameter and terminate with a minimum of a 4" X 3" long sweep.

35.23 707.4 LOCATION

Section 707.4 Location is modified as follows (keeping the four exceptions in Section 707.4 as written):

Section 707.4 Location. Each horizontal drainage pipe shall be provided with a cleanout at its upper terminal and each run of piping, that is more than fifty (50) feet in total developed length, shall be provided with a cleanout for each fifty (50) feet, or fraction thereof, in length of such piping. All slab constructed buildings and multiple building units shall be provided with an approved two-way clean-out fitting (siamese) outside of a building at the lower end of the building drain extended to grade. Building sewers shall be provided with a full size clean out within 2-feet (2') of any building or structure. (Exterior or interior installation.) Cleanouts will not be required to be larger than 4" in diameter.

#### 35.24 710.1 BACKFLOW PREVENTION

Section 710.1 Backflow Prevention is modified by adding the following to the end of that section:

The requirement for the installation of a backwater valve shall apply only when determined necessary by the by the City Engineer or Building Official based on local conditions. When a valve is required by the authority having jurisdiction, it shall be a manually operated gate valve or fullway ball valve. An automatic backwater valve may also be installed but is not required.

#### 35.25 713.4 PUBLIC SEWER AVAILABILITY

Section 713.4 Public Sewer Availability is deleted and replaced as follows:

713.4 Public Sewer Availability. The pubic sewer shall be permitted to be considered as not being available where such public sewer or a building or an exterior drainage facility connected thereto is located more than 250 feet from a proposed building or exterior drainage facility on a lot or premises that abuts and is served by such public sewer.

#### 35.26 717.2 BUILDING MAIN SEWER

Section 717.2 Building Main Sewer is added as follows:

Section 717.2 Building Main Sewer. The main building sewer shall be a minimum of 4-inches in diameter.

#### 35.27 723.1 GENERAL

Section 723.1 General is deleted and a new Section 723.1 General is added as follows:

Section 723.1 General - Building Sewer Tests. Building sewers shall be tested when required by Authority Having Jurisdiction.

#### 35.28 807.3 DOMESTIC DISHWASHING MACHINE

Section 807.3 Domestic Dishwashing Machine is deleted and replaced as follows:

Section 807.4 Dishwashing Machine. No dishwashing machine shall be directly connected to a food waste disposer without the use of an approved dishwasher air gap fitting on the discharge side of the dishwashing machine. Listed air gaps shall be installed with the flood-level (FL) marking at or above the flood level of the sink or drain board, whichever is higher. Commercial dishwashers shall discharge indirectly into a three-inch (3") floor-sink.

#### 35.29 903.2 Use of Copper or Copper Alloy Tubing

Section 903.2 Use of Copper or Copper Alloy Tubing is deleted and replaced as follows:

Section 903.2Copper or copper alloy tube for underground drainage and vent piping shall have a weight of not less than that of copper or copper alloy drainage tube Type L.

#### 35.30 903.2.1 ABOVEGROUND

Section 903.2.1 Aboveground deleted and replaced as follows:

Section 903.2.2 Aboveground. Copper or copper alloy tube for underground drainage and vent piping shall have a weight of not less than that of copper or copper alloy drainage tube Type M.

35.31 904.3 FUTURE VENTS

Section 904.3 Future Vents is added as follows:

Section 904.3 Future Vents. Every building in which plumbing is installed shall have at least one 2-inch dry vent pipe readily accessible in the basement for future use.

35.32 906.7 FROST OR SNOW CLOSURE

Section 906.7 Frost or Snow Closure is deleted and replaced as follows:

Section 906.7 Frost or Snow Closure. Where frost or snow closure is likely to occur in locations having minimum design temperature below 0 degrees Fahrenheit, vent terminals shall not be less than three (3") inches in diameter but in no event smaller than the required vent pipe. The change in diameter shall be made inside the building not less than one-foot (1') below the roof and terminate not less than twelve-inches (12") above the roof, or in accordance with the Authority Having Jurisdiction.

35.33 1002.2 EXCEPTION

Section 1002.2 Exception is modified by adding an Exception as follows:

Exception: Where 1-1/2 or 2" inch traps are used to serve bathtubs or showers a total developed length of 6' and 0" is permissible.

35.34 TABLE 1002.2

Section 1002.2 references Table 1002.2; Table 1002.2 is modified as follows:

Table 1002.2 Horizontal Lengths of Trap Arms  
(Except for Water Closets and Similar Fixtures) 1, 2

Trap Arm Pipe Diameter (inches)	Distance Trap to Vent Minimum (feet)
1 1/4	5
1 1/2	5
2	5
3	5
4	5
Exceeding 4	2 x Diameter

For SI units: 1 inch = 25.4 mm

Notes:

- 1 Maintain 1/4 inch per foot slope (20.8 mm/m)
- 2 The developed length between the trap of a water closet or similar fixture (measured from top of the closet flange to the inner edge of the vent) and its vent shall not exceed 6 feet (1829 mm)

### 35.35 1002.5 FLOOR DRAINS

Section 1002.5 Floor Drains is added as follows:

Section 1002.5 Floor Drains.

- (a) A three-inch or larger floor drain branch shall be taken off at least five feet from the base of a stack and may extend a maximum of 12-feet (12') developed length without reventing.
- (b) Floor drains with the crown weir of the trap elevated above the flow line of the waste line shall be vented or increased by one size minimum.
- (c) A water closet cannot flush past floor-drain unless the floor-drain is vented properly.

### 35.36 1210.15.5 ELECTRICAL BONDING OF CORRUGATED STAINLESS STEEL GAS SYSTEMS

Section 1210.15.5 Electrical bonding of corrugated stainless steel gas systems is added as follows:

1210.15.5 Electrical bonding of corrugated stainless steel gas systems. Alternative CSST bonding may be approved by the mechanical inspector when such alternative design meets manufacturer requirements and International Code Council - Evaluation Service (ICC-ES) product certification system verification or International Association of Plumbing and Mechanical Officials — Evaluation Service (IAPMO-ES) [see also 310.1. 1 of the Fuel Gas Code for an alternative design].

### 35.37 VIOLATIONS

Section 35.37 Violations is added as follows:

Section 35.37 Violations. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, occupy, use or maintain any building or structure in the City or cause the same to be done, contrary to or in violation of any of the provisions of this Code.

Any person who shall violate a provision of this Code, or fail to comply therewith, or any of the requirements thereof, may be prosecuted within the limits provided by State or local laws. Each day that a violation continues after the due notice has been served shall be deemed a separate offense.”

Section 2. The various Sections, Subsections, Chapters or parts of this ordinance and of the 2015 Uniform Plumbing Code hereby adopted are hereby declared to be severable, and in the event that any such part of these provisions shall be held invalid for any reason, the

invalidity of such Section, Subsection, Chapter or part shall not invalidate any other of the provisions of this ordinance or of the 2015 Uniform Plumbing Code hereby adopted.

Section 3. Pursuant to published notice, a public hearing has been duly conducted upon the date, time, and at the place fixed in said notice upon the adoption of this Plumbing Code and the City Council of the City of Cedar Rapids, Iowa, hereby determines and finds that said proposed Plumbing Code shall be and the same is hereby adopted as an ordinance of the City of Cedar Rapids, Iowa.

Section 4. An official copy of the Plumbing Code of Cedar Rapids, Iowa, hereby adopted, including a certificate by the City Clerk as to its adoption and the effective date thereof, is on file in the office of the City Clerk in City Hall, and shall be kept there on file and copies shall be available for inspection.

Section 5. Following its passage and publication as provided by law, this Ordinance shall be in full force and effect on and after January 1, 2016.

Introduced this 23rd day of June, 2015.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

### Chapter 35 of the Municipal Code – which includes the 2015 Plumbing Code Amendments

The following matrix shows the proposed Chapter 35 Plumbing Code Amendments. The Plumbing Code is based off the 2015 Uniform Plumbing Code and includes local amendments. This matrix only lists significant changes.

Proposed	Current	Changes / Additions
<b>Proposed 2015 Amendments to the 2015 Uniform Plumbing Code (UPC).</b>	<b>Current 2012 Amendments Adopted in 2012 for the 2012 Uniform Plumbing Code (UPC).</b>	<b>Why the changes were amended to the 2015 code</b>
<b>35.01 Uniform Plumbing Code 2015 Adopted</b>	<b>35.01 Uniform Plumbing Code 2015 Adopted</b>	Added Language to resolve reference conflicts between Chapter 12 (Fuel Gas) of the UPC and the International Fuel Gas Code, which is referenced by the International Fire Code.
<b>35.09 104.5 Fees</b>	<b>35.09 103.4 Fees</b>	Add Re-inspection, special inspection and Investigation fee's language allowing these fees' to be set by resolution. Change language to allow all trades to have a standardized fee's and fee process for these fees through separate council resolution. Inconsistent language with in different trades (Mechanical, Plumbing, Building and Electrical) causes confusion and inconsistent enforcement.
<b>35.10 – 105.2.4 Advance Notice</b>	<b>35.10 – 105.2.4 Advance Notice</b>	Removed language allowing for an affidavit to be filed in the event an inspection is not performed after 12 hours.
<b>35.11 105.2.6 Re-Inspections</b>	<b>35.11 105.2.6 Re-Inspections</b>	Change language to allow for penalty when customer calls and job is obviously not ready for inspection. This will be used in conjunction with Combination Inspections to regulate inspection scheduling for departmental efficiency.
<b>35.14 418.3 (1) Location of Floor Drains</b>	<b>35.14 418.3 (1) Location of Floor Drains</b>	Modify language requiring floor drains in toilet rooms when installation is in wood construction.
<b>35.15 422.1 Fixture Count Table 403.1 IPC Footnote F</b>	<b>35.15 422.1 Fixture Count Table 403.1 IPC Footnote F</b>	Remove a requirement for separate men's and women's facilities when any sit down seating is present in an A-2 occupancy (restaurants). The UPC provides for this requirement at an occupant load of more than 10.
<b>35.24 710.1 Backflow Prevention</b>	<b>35.23 710.1 Backflow Prevention</b>	Modify the exception in the Uniform Plumbing allowing the requirement for backwater valves to be determined by the Building Official or City Engineer.



## Council Agenda Item Cover Sheet

**Submitting Department:** Building Services

**Presenter at Meeting:** Kevin Ciabatti  
**E-mail Address:** k.ciabatti@cedar-rapids.org

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

**Alternate Contact Person:** Duncan McCallum  
**E-mail Address:** d.mccallum@cedar-rapids.org

**Phone Number/Ext.:** 319-286-5723

**Description of Agenda Item:** ORDINANCES – Second and possible Third Readings  
 A second and possible third reading to consider repealing Chapter 36 of the Municipal Code, Mechanical Code, and enacting and adopting in lieu thereof a new Mechanical Code and the 2015 edition of the International Mechanical Code with modifications.  
 CIP/DID #BSD002-15

**EnvisionCR Element/Goal:** ProtectCR Goal 4: Demonstrate best practices in building construction.

**Background:** The Model International Code is published every three years. To keep current with the Model Codes, the State of Iowa, and other Iowa jurisdictions, it is important we adopt the 2015 Mechanical Code. The primary focus of this adoption process was to develop a consistent Code with the surrounding communities. This was achieved by conducting coordination meetings with the jurisdictions in the region. We believe this enhances our customers' experience by learning a more regionalized Code. The second focus was maintaining minimal Code amendments. Attached is a matrix outlining changes to our proposed amendments.

The Building Services Department has met with and gained support from the following groups: Mechanical Board of Appeals (2/17/15, 3/27/15, 4/9/15, 4/22/15, 4/23/15 and 4/30/15), Developer's Council (ongoing discussion, presentation on 4/2/15), Trade Unions (4/28/15), Open House (5/26/15) and Public Safety Committee (6/9/15). Further, staff has engaged the surrounding Building Departments to coordinate similar Code language. These discussions occurred between August 2014 and April 2015. They have included Hiawatha, Marion and Linn County.

The proposed effective date of the Mechanical Code will be January 1, 2016. This will allow for a transition period for projects to cycle through the process prior to the Code changes taking effect. Further, this will allow for Building Services Department staff to hold training sessions geared towards specific Code changes to various stakeholder groups.

**Action/Recommendation:** Recommend repealing Chapter 36 of the Municipal Code, Mechanical Code, and enacting and adopting in lieu thereof a new Mechanical Code and the 2015 edition of the International Mechanical Code with modifications.

**Alternative Recommendation:** None recommended. In the past, we received official Insurance Service Organization (ISO) criticism and potential downgrade of ISO BCEG (Building Code Effectiveness Grading Scale) for delaying a Code adoption cycle within one year of publication date of the Model Code. ISO sets the insurance rating criteria for City businesses and residential property owner insurance rates. The ISO scale ranges from 1-10 with 1 being the highest rating. The City of Cedar Rapids ISO rating is currently a Class 4 for one- and two-family dwellings and a Class 3 for commercial and industrial properties. Our last evaluation increased our commercial rating from a 4 to a 3 based largely upon the adoption of the latest model code year.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Budget Information:** N/A

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** Yes

**Explanation:** NA

ORDINANCE NO. LEG\_NUM\_TAG

2015 MECHANICAL CODE  
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Section Number	Title	IBC Sec	IRC Sec
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36.01	International Mechanical Code Adopted		
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36.03	Deputies	103.3	
36.04	Conflict of Interest	104.8	
36.05	Fees	106.5	
36.06	Membership of Board	109.2 109.2.1 109.2.2	
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36.09	Licensing		
36.09.01	State of Iowa Mechanical Licensing Law		
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36.10	Violation Penalties	108.4	
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Section 2	Validity and Severability		
Section 3	Adoption of Code		
Section 4	Code on File		
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ORDINANCE NO. LEG\_NUM\_TAG

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, BY REPEALING CHAPTER 36 THEREOF ENTITLED "MECHANICAL CODE," CONSISTING OF THE INTERNATIONAL MECHANICAL CODE, 2012 EDITION AS AMENDED; AND ENACTING AND ADOPTING A NEW CHAPTER 36 IN LIEU THEREOF ENTITLED "MECHANICAL CODE," BEING THIS ORDINANCE HEREAFTER SET OUT, WHICH ADOPTS BY REFERENCE, WITH CERTAIN AMENDMENTS, INTERNATIONAL MECHANICAL CODE 2015 EDITION AS PREPARED AND PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, REGULATING THE INSTALLATION, ALTERATION, REPAIR, RELOCATION, REPLACEMENT, ADDITION TO, USE, OR MAINTENANCE OF ANY HEATING, VENTILATING, COOLING, REFRIGERATION SYSTEM, INCINERATORS, OR OTHER MISCELLANEOUS HEAT-PRODUCING APPLIANCES, APPARATUS, OR EQUIPMENT IN THE CITY OF CEDAR RAPIDS, IOWA; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

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

SECTION 1. Chapter 36 of the Municipal Code of the City of Cedar Rapids, Iowa, entitled "Mechanical Code," being the 2012 International Mechanical Code as amended, is hereby repealed and a new Chapter 36 is hereby adopted in lieu thereof, as follows:

36.01 INTERNATIONAL MECHANICAL CODE ADOPTED.

Except as hereinafter added to, deleted, modified or amended, there is hereby adopted as the Mechanical Code of the City of Cedar Rapids, Iowa, that certain Mechanical Code known as the International Mechanical Code 2015 Edition and adopted by reference the International Fuel Gas Code 2015 Edition and where applicable Chapters 12 through 23 of the International Residential Code 2015 Edition as prepared and published by the International Code Council; and the provisions of said Mechanical Code, as amended, shall be controlling in the design, construction, installation, alteration, repair, relocation, replacement, quality of materials, location, operation, use, maintenance or removal of heating, ventilating, cooling, or refrigeration systems, incinerators, or other miscellaneous heat producing or refrigerating, and air-handling equipment in all matters covered by said Mechanical Code within the corporate limits of the City of Cedar Rapids, Iowa, and shall be known as the Mechanical Code.

36.02 103.1 GENERAL. Section 103.1 General is hereby amended by deleting Section 103.1 General, and replacing said section with the following:

Section 103.1 General.

- a) Inspection Section. There is hereby established in the City of Cedar Rapids, Iowa, a Mechanical Inspection Section consisting of Mechanical Inspectors, hereinafter referred to as Inspector.
- b) Mechanical Inspector. The Mechanical Inspector is hereby authorized, directed, and empowered to make all inspections and to perform such duties as required by the

terms of this ordinance for the enforcement of the Cedar Rapids Mechanical Code, and shall perform such other duties as may be required by the City Council or the Building Official.

Said Inspector shall be appointed by the Mayor, with the approval of the City Council, from the approved list of the Civil Service Commission, in accordance with the statutes governing civil service appointments.

- c) Code official. The executive official in charge thereof, shall be known as the code official.

36.03 103.3 DEPUTIES. Section 103.3 Deputies is hereby deleted.

36.04 104.8 CONFLICT OF INTEREST. Section 104.8 Conflict of interest is hereby added as follows:

Section 104.8 Conflict of interest. The Building Official, inspectors and other employees who are engaged in the building inspections or plan review activities shall not directly or indirectly perform and/or be involved in any work, sales of services, equipment, materials or systems regulated by the Code for any financial gains/benefits nor enter into any written or verbal contractual agreements for financial gains/benefits. Employees may perform work or activities regulated by the Code when it is without compensation or other financial benefits. In no event, shall the employee inspect or be involved in the inspection process on any project where the employee performed work or has a financial interest.

36.05 106.5 FEES. Section 106.5 Fees is hereby modified by adding the following provision to the end of that section as follows:

Section 106.5 Fees. Mechanical permits shall not be issued until the fees, as set forth and established by resolution of the City Council, have been paid to the City Treasurer.

The City Council of the City of Cedar Rapids, Iowa may by resolution set fees for re-inspection and special inspections. These inspection fees shall be identified in the Schedule of Fees.

36.06 109.2 MEMBERSHIP OF BOARD. Section 109.2 Membership of board and all subsections of 109.2 are hereby deleted and a new Section 109.2 Mechanical Board of Appeals, with subsections 109.2.1 Composition of the Board, 109.2.2 Powers and Duties of the Board, 109.2.3 City Council Appeal, is added as follows:

109.2 Mechanical Board of Appeals. There is hereby established a Mechanical Board of Appeals, hereinafter referred to as the "Board," with authority and responsibility as follows:

1. To act as a Board of Appeals as provided in the Cedar Rapids Mechanical Code.
2. To periodically review the provisions of the Cedar Rapids Mechanical Code and make recommendations to the City Council for improving and updating said document.

109.2.1 Composition of the Board. The Board shall consist of 5 members, all of whose place of business, residence, or work is located in the City of Cedar Rapids. One member shall be a state licensed-insured heating, ventilation and air conditioning contractor; one member shall be a state licensed-insured hydronic heating-cooling contractor; one member shall be a state licensed-insured refrigeration contractor; one member shall be a registered practicing mechanical engineer; and one member shall be a licensed practicing architect; all members to have been engaged in the profession of their primary interest for a period of at least 5 years in the City of Cedar Rapids, Iowa, immediately prior to their appointment.

The Mayor shall appoint the members of the Board with the approval of the City Council. The terms of the members shall be for 3 years; the terms shall be so arranged and staggered so that the terms of no more than 2 members shall expire on December 31st of any one year. A vacancy within any term shall be filled by appointment by the Mayor with the approval of the City Council for the unexpired portion of that term only.

The members of the Board shall serve without compensation.

109.2.2 Powers and Duties of the Board. The Mechanical Board of Appeals shall have the following powers and duties:

1. To hold regular meetings in January, May, and September of each year or more frequently if determined necessary for the purpose of Cedar Rapids Mechanical Code appeals and interpretations.
2. To keep a complete record of the official proceedings of the Board; to preserve all documents, books, and papers relating to appeals for at least 3 years.
3. To hear appeals from the decision of the Mechanical Inspector and to rule on interpretations of the provisions of the Cedar Rapids Mechanical Code, and to determine the suitability of alternate materials and methods of construction consistent with the provisions of the Cedar Rapids Mechanical Code.

Quorum. Three members of the Board shall constitute a quorum for the transaction of business.

Chairperson. The Board shall annually elect one of its members as chairperson. The chairperson shall preside at all meetings of the Board or designate an acting chairperson to preside in his or her absence.

36.07 109.5 POSTPONED HEARING. Section 109.5 Postponed hearing is hereby deleted.

36.08 109.6 BOARD DECISION. Section 109.6 Board decision is hereby deleted.

36.09 LICENSING.

36.09.1 State of Iowa Mechanical Licensing Law. The examination, qualification, and licensing of mechanical contractors, journeymen and apprentices shall be in accordance with State of Iowa Licensing Laws.

36.09.2 License required. No person shall engage in the business of contracting, planning or supervising the installation, alteration, repair, relocation, replacement,

addition to or removal of any heating, ventilating, cooling, air conditioning or refrigerating system or equipment within the City of Cedar Rapids, Iowa, unless such person is licensed with the State of Iowa in the appropriate category, and has obtained a permit therefore from the Building Official according to the provisions of the Cedar Rapids Mechanical Code.

#### 36.10 108.4 VIOLATION PENALTIES.

Section 108.4 Violation penalties is hereby deleted and a new Section 108.4 Violation penalties is added, as follows:

Section 108.4 Violation penalties. It shall be unlawful for any person, firm or corporation to erect, install, alter, repair, relocate, add to, replace, use, or maintain heating, ventilating, cooling or refrigeration equipment in the City of Cedar Rapids, Iowa, or cause the same to be done, contrary to or in violation of any of the provisions of this Code. Maintenance of equipment that was unlawful at the time it was installed and which would be unlawful under this Code if installed after the effective date of this Code shall constitute a continuing violation of this Code. Any person who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, may be prosecuted within the limits provided by state or local laws.

Any person who commences any work before obtaining the necessary *permits* shall be subject to a fee established by The City Council of the City of Cedar Rapids, Iowa by resolution that shall be in addition to the required *permit* fees and investigation fees.

#### 36.11 106.5 AND R108.4 RE-INSPECTION FEES. Section 106.5 and R108.4 Re-inspection fees is hereby added as follows:

Section 106.5 and R108.4 Re-inspection fees. A re-inspection fee may be assessed for each inspection or re-inspection when such work or portion of such work for which the inspection is called for is not complete or when corrections called for are not made.

Re-inspection fees may be assessed when the inspection card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, access is not provided on the date for which the inspection is requested, the property and building address are not properly posted, or when there is a deviation from plans requiring approval of the Building Official.

This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with requirements of this Code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

#### 36.12 313 ELECTRICAL BONDING OF CORRUGATED STAINLESS STEEL GAS SYSTEMS. Section 313 Electrical bonding of corrugated stainless steel gas systems is hereby added as follows:

313 Electrical bonding of corrugated stainless steel gas systems. Alternative CSST bonding may be approved by the Mechanical Inspector when such alternative design meets manufacturer requirements and International Code Council - Evaluation Service (ICC-ES) product certification system verification or International Association of

Plumbing and Mechanical Officials - Evaluation Service (IAPMO-ES) [see also 310.1.1 of the Fuel Gas Code for an alternative design].

SECTION 2. VALIDITY AND SEVERABILITY The various sections, subsections, chapters or parts of this Ordinance, the Mechanical Code and the Fuel Gas Code hereby adopted are hereby declared to be severable and in the event that any such part of these provisions shall be held invalid for any reason, the invalidity of such section, subsection, chapter or part shall not invalidate any other of the provisions of this Ordinance or of the Mechanical Code or the Fuel Gas Code hereby adopted.

SECTION 3. ADOPTION OF CODE Pursuant to published notice, a public hearing has been duly conducted upon the date, time, and at the place fixed in said notice upon the adoption of this Mechanical Code and the City Council of the City of Cedar Rapids, Iowa, hereby determines and finds that said proposed Mechanical Code shall be and the same is hereby adopted as an ordinance of the City of Cedar Rapids, Iowa.

SECTION 4. CODE ON FILE An official copy of the Mechanical Code hereby adopted, including a certificate by the City Clerk as to its adoption and the effective date thereof, is on file in the office of the City Clerk in City Hall, and shall be kept there on file and copies shall be available for public inspection.

SECTION 5. EFFECTIVE DATE Following its passage and publication as provided by law, this Ordinance shall be in full force and effect on and after January 1, 2016.

Introduced this 23rd day of June, 2015.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

**Chapter 36 of the Municipal Code – which includes the 2015 Mechanical Code Amendments**

The following matrix shows the proposed Chapter 36 Mechanical Code Amendments. The Mechanical Code is based off the 2015 International Mechanical Code. This matrix only lists significant changes.

<b>Proposed</b>	<b>Current</b>	<b>Changes / Additions</b>
<b>Proposed 2015 Amendments to the 2015 International Mechanical Code (IMC).</b>	<b>Current 2012 Amendments Adopted in 2012 for the 2012 International Mechanical Code (IMC).</b>	
<b>36.06 109.2 Membership of Board 109.2.3 City Council Appeal</b>	<b>Same sections as current 2012 Amendments 36.06 109.2 Membership of Board 109.2.3 City Council Appeal</b>	Language removed allowing for City of Cedar Rapids Council Appeal to Mechanical Board of Appeals decisions.
<b>36.05 106.5 Fees</b>	<b>Same sections as current 2012 Amendments 36.05 106.5 Fees</b>	Add Re-inspection, Special Inspection and Investigation Fee’s language allowing these fees to be set by resolution. Change language to allow all trades to have a standardized fee and fee process for these fees through separate council resolution. Inconsistent language within different trades (Mechanical, Plumbing, Building and Electrical) causes confusion and inconsistent enforcement.
<b>36.11 106.5 and R108.4 Re-Inspection Fees</b>	<b>Same sections as current 2012 Amendments 36.11 106.5 and R108.4 Re-Inspection Fees</b>	Change language to allow for penalty when customer calls and job is obviously not ready for inspection. This will be used in conjunction with Combination Inspections to regulate inspection scheduling for departmental efficiency.



## Council Agenda Item Cover Sheet

**Submitting Department:** Building Services

**Presenter at Meeting:** Kevin Ciabatti  
**E-mail Address:** k.ciabatti@cedar-rapids.org

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

**Alternate Contact Person:** Vance McKinnon  
**E-mail Address:** v.mckinnon@cedar-rapids.org

**Phone Number/Ext.:** 319-286-5862

**Description of Agenda Item:** ORDINANCES – Second and possible Third Readings  
 A second and possible third reading to consider repealing Chapter 37 of the Municipal Code, Fire Code, and enacting and adopting in lieu thereof a new Fire Code and the 2015 edition of the International Fire Code with modifications.  
 CIP/DID #BSD006-15

**EnvisionCR Element/Goal:** ProtectCR Goal 4: Demonstrate best practices in building construction.

**Background:** The Model International Code is published every three years. To keep current with the Model Codes, the State of Iowa, and other Iowa jurisdictions, it is important to we adopt the 2015 Fire Code. The primary focus of this adoption process was to develop a consistent code with the surrounding communities. This was achieved by conducting coordination meetings with the jurisdictions in the region. We believe this enhances our customers' experience by learning a more regionalized Code. The second focus was maintaining minimal Code amendments. Attached is a matrix outlining changes to our proposed amendments.

The Building Services Department has met with and gained support from the following groups: Building/Fire Board of Appeals (2/17/15, 3/3/15 and 3/31/15), Developer's Council (ongoing discussion, presentation on 4/2/15), Trade Unions (4/28/15), Open House (5/26/15) and Public Safety Committee (6/9/15). Further, staff has engaged the surrounding Building Departments to coordinate similar Code language. These discussions occurred between August 2014 and April 2015. They have included Hiawatha, Marion and Linn County.

The proposed effective date of the Fire Code will be January 1, 2016. This will allow for a transition period for projects to cycle through the process prior to the Code changes taking effect. Further, this will allow for Building Services Department staff to hold training sessions geared towards specific Code changes to various stakeholder groups.

**Action/Recommendation:** Recommend repealing Chapter 37 of the Municipal Code, Fire Code, and enacting and adopting in lieu thereof a new Fire Code and the 2015 edition of the International Fire Code with modifications.

**Alternative Recommendation:** None recommended. In the past, we received official Insurance Service Organization (ISO) criticism and potential downgrade of ISO BCEG (Building Code Effectiveness Grading Scale) for delaying a Code adoption cycle within one year of publication

date of the Model Code. ISO sets the insurance rating criteria for City businesses and residential property owner insurance rates. The ISO scale ranges from 1-10 with 1 being the highest rating. The City of Cedar Rapids ISO rating is currently a Class 4 for one- and two-family dwellings and a Class 3 for commercial and industrial properties. Our last evaluation increased our commercial rating from a 4 to a 3 based largely upon the adoption of the latest Model Code year.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Budget Information:** N/A

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** Yes  
**Explanation:** NA

ORDINANCE NO. LEG\_NUM\_TAG

2015 FIRE CODE  
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ORDINANCE NO. LEG\_NUM\_TAG

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, BY REPEALING CHAPTER 37 THEREOF ENTITLED "FIRE CODE;" CONSISTING OF THE INTERNATIONAL FIRE CODE, 2015 EDITION AS AMENDED; AND ENACTING AND ADOPTING A NEW CHAPTER 37 IN LIEU THEREOF ENTITLED "FIRE CODE", BEING THIS

ORDINANCE HEREAFTER SET OUT, WHICH ADOPTS BY REFERENCE, WITH CERTAIN AMENDMENTS, THE INTERNATIONAL FIRE CODE, 2012 EDITION FIRST PRINTING, INCLUDING APPENDICES B, C, D, E, F, AND G, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., REGULATING CONDITIONS HAZARDOUS TO LIFE AND/OR PROPERTY FROM FIRE OR EXPLOSION IN THE CITY OF CEDAR RAPIDS, IOWA: AND CONTINUE A FIRE MARSHAL'S OFFICE AND PROVIDING OFFICERS THEREOF, AND DEFINING THEIR POWERS AND DUTIES IN THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREOF; AND REGULATING THE PROHIBITION, STORAGE, HANDLING, AND USE OF FLAMMABLE OR COMBUSTIBLE OR HAZARDOUS MATERIAL; AND BY REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

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

Section 1 Chapter 37 of the Municipal Code of the City of Cedar Rapids, Iowa, entitled "FIRE CODE" is hereby repealed and a new Chapter 37 is hereby adopted in lieu thereof, as follows:

"FIRE CODE"

37.1 FIRE CODE

Except as hereinafter added to, deleted, modified, or amended, there is hereby adopted as the "Fire Code" of the City of Cedar Rapids, Iowa, that certain fire code known as the International Fire Code, 2012 Edition, including Appendices B, C, D103.6, D105, D106, D107 Change D107.1 to read: Developments of one and two family dwellings where the number of dwellings units exceeds 100 shall be provided with two separate and approved fire apparatus access roads.

Exception 1: Where there are more than 100 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the International fire code, access from two directions shall not be required; E, F, and G, as published by the International Code Council, Inc. The provisions of said fire code shall be controlling for the safeguarding of life and property from the hazards of fire and explosion arising from the storage, handling, and using of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the use of occupancy of buildings or premises and in all matters covered by said Fire Code within the corporate limits of the City of Cedar Rapids, Iowa, and shall be known as the "Fire Code".

37.2 103 DEPARTMENT OF FIRE PREVENTION

The title of SECTION 103 DEPARTMENT OF FIRE PREVENTION is hereby repealed and replacing with a new title as follows:

SECTION 103 FIRE MARSHAL'S OFFICE

37.3 103.1 GENERAL

Section 103.1 General is hereby modified by replacing the words Department of Fire Prevention with the words Fire Marshal's Office, as follows:

Section 103.1 General. The Fire Marshal's Office is established within the jurisdiction under the direction of the fire code official. The function of the department shall be the implementation, administration and enforcement of the provisions of this code.

37.4 103.4 1 LEGAL DEFENSE

Section 103.4.1 Legal Defense is hereby modified by replacing the words Department of Fire Prevention with the words Fire Marshal's Office, as follows:

Section 103.4.1 LEGAL DEFENSE. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The fire code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the Fire Marshal's Office, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

37.5 104.12 FIRE MARSHAL'S OFFICE PERSONNEL AND LAW ENFORCEMENT OFFICERS/INVESTIGATOR

Section 104.12 Fire Marshal's Office Personnel and Law Enforcement Officers/ Investigator is added as follows:

Section 104.12 Fire Marshal's Office Personnel and Law Enforcement Officers/Investigator. The Chief may appoint and designate such members of the Fire Department as investigators upon being certified by the Iowa Law Enforcement Academy. Investigators shall be authorized to engage in, or supervise the prevention, detection, investigation, or prosecution of/or the incarceration of any person for any violation of law. Investigators shall be authorized to carry a firearm and have the statutory power of arrest.

Notwithstanding his/her status as a Law Enforcement Officer/Investigator shall be subject to the rules and regulations of the Cedar Rapids Fire Department for all purposes and shall perform such functions, as the Chief or his/her designee shall assign.

Section 104.13 Stopping use, Evacuation. The fire code official is authorized to order an operation or use stopped or the evacuation of any premises, building, or vehicle or portion thereof which has or is a fire or life safety hazard.

- 37.6 108.1 BOARD OF APPEALS ESTABLISHED Section 108.1 Board of appeals established is hereby repealed and replacing with a new Section 108.1 Board of appeals established, as follows:

Section 108.1 Board of Appeals established. In order to hear and decide appeals concerning the suitability of alternate materials and methods of construction and to hear and decide appeals of determinations made by the Fire Marshal or the building official or designated representative concerning interpretations of the provisions of this Fire Code or the Building Code, there shall be and is hereby created a joint Board of Appeals for the Fire and Building Codes, consisting of seven members whose place of business, residence, or work is located in the City of Cedar Rapids, Iowa, and who are qualified by experience and training to pass upon matters pertaining to the Fire and Building Codes. The Fire Marshal or designee shall be an ex-officio member and shall act as Secretary of the Board for appeals involving this Fire Code. The building official or designee shall be an ex-officio member and shall act as Secretary of the Board for appeals involving the Building Code. The Board of Appeals shall be appointed by the Mayor with approval of the City Council.

The present Board members shall serve the remainder of their appointed terms or until their successors are duly appointed and qualified. All successive appointments or re-appointments shall be for three-year terms. The Board shall adapt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the fire marshal, with a duplicate copy to the appellant. The Board shall have no authority to waive requirements of this Fire Code or the Building Code.

- 37.7 113.6 PERMIT AND FEES

Section 113.6 Permit and fees are added as follows:

Section 113.6 Permit and fees. The City Council of the City of Cedar Rapids, Iowa may by resolution prescribe the occasions when permits are required and may also prescribe the fees required for such permits. The City Council of the City of Cedar Rapids, Iowa may by resolution prescribe the occasions when other fees for response or other fire department services are required.

- 37.8 114 CITATION

Section 114 Citation is hereby added as follows:

Section 114 Citation Persons operating or maintaining occupancy, premises or vehicle subject to the requirements of this Code who allow a hazard to exist or fail to take immediate action to abate a hazard in regard to such occupancy, premises, or vehicle

when ordered or notified to do so by the fire code official shall be guilty of a misdemeanor.

Fire code officials or designees are herewith authorized to issue and deliver citations on forms prepared and approved by the City Attorney's Office to persons accused of violating any of the provisions of this Ordinance.

### 37.9 202 GENERAL DEFINITIONS

Section 202 GENERAL DEFINITIONS shall be modified by adding the following definitions:

**ALARM USER.** Any person or business on whose premises a fire alarm system or sprinkler system is located within the City of Cedar Rapids, Iowa.

**CENTRAL BUSINESS DISTRICT.** The City of Cedar Rapids area from the Cedar River to and including the easterly side of 5<sup>th</sup> St SE & from the southerly side of C Ave NE to the northerly side of B<sup>th</sup> Ave SE.

**CHARCOAL GRILL.** An outdoor cooking device using solid fuels as a heat source for cooking food; examples not limited to: charcoal, wood, wood chips, coal, or coke.

**CONFINED SPACE.** A space that (1) is large enough and so configured that an employee can bodily enter and perform assigned work; and (2) has limited or restricted means for entry or exit, such as tanks, vessels, silos, storage bins, hoppers, vaults, and pits; and (3) is not designed for continuous employee occupancy.

**CONFINED SPACE RESCUE TEAM.** Trained Fire Department personnel designed to rescue employees from permit-required confined spaces OR a confined space rescue team which complies with all Federal, State, and Local requirements.

**FALSE ALARM.** The willful and knowing initiation or transmission of signal, message or other notification of an event of fire when no such danger exists or an alarm caused by careless use, improper maintenance, or negligence of a fire alarm system or sprinkler system which causes response of fire department apparatus and personnel.

**MULTI-FAMILY COMPLEX:** A residential occupancy such as; an apartment building, condominium, townhouse, or similar buildings with similar use.

**OCCUPANCY CLASSIFICATION.** The only change from this definition section of code is with the Residential Group R-3 definition. All other definitions remain the same.

**Residential Group R-3.** Residential occupancies where the occupants are primarily permanent in nature and not classified as R-1, R-2, R-4 or I, including:

Boarding houses (non-transient) with 16 or fewer occupants

Boarding houses (transient) with 10 or fewer occupants

Buildings that do not contain more than two dwelling units

Care facilities which provide accommodations for five or fewer persons receiving care congregate living facilities (non-transient) with 16 or fewer occupants

Congregate living facilities (transient) with 10 or fewer occupants

Care facilities within a dwelling. Care facilities for six or fewer persons receiving care that within a single-family dwelling are permitted to comply with the adopted Building Code (which includes the Residential Code and local amendments).

**PERMIT-REQUIRED CONFINED SPACE.** A confined space that has one or more of the following characteristics; (1) contains or has a potential to contain a hazardous atmosphere; (2) contains a material that has the potential for engulfing an entrant; (3) has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or be a floor which sloped downward and tapers to a smaller cross-section; or (4) contains any other recognized serious safety or health hazard.

**QUALIFIED PERSON.** Sprinkler or Fire Alarm System design. A qualified person for plan design shall have a minimum National Institute for Certification in Engineering Technologies

[NICET] Level III certification for fire sprinkler system design OR have NICET Level III certification for Fire Alarm System design. Other qualifications for sprinkler or fire alarm system design may be approved by the fire code official, including a licensed engineer with experience in life safety system design.

Sprinkler System installation or inspection, testing, and maintenance. A qualified person for Automatic Sprinkler System installation shall have a minimum National Institute for Certification in Engineering Technologies [NICET] Level II certification for Automatic Sprinkler System installation. A qualified person for Automatic Sprinkler System inspection, testing, and maintenance shall have a minimum NICET Level II certification for Automatic Sprinkler System Inspection and Testing of Water Based Systems. Other qualifications for Fire Sprinkler System installation or inspection, testing and maintenance may be approved by the fire code official, including a person who successfully completes a five-year approved apprenticeship program as a journeyman sprinkler fitter (e.g. American Fire Sprinkler Association [AFSA], National Fire Sprinkler Association [NFSA]).

Fire Alarm System installation or inspection, testing, and maintenance. A qualified person for Fire Alarm System installation shall have a minimum National Institute for Certification in Engineering Technologies [NICET] Level II certification for Fire Alarm Systems OR be factory trained and certified for the specific Fire Alarm System installation. A qualified person for Fire Alarm System inspection, testing, and maintenance shall be NICET Level II certified OR be factory trained or certified for the specific Fire Alarm System OR be International Municipal Signal Association Fire Alarm Certified OR be a trained and qualified person employed by an organization listed by a national testing laboratory for the servicing of fire alarm systems. Other qualifications may be approved by the fire code official.

37.10 305.6 RECKLESS USE OF FIRE

Section 305.5 Reckless use of fire is hereby added as follows:

Section 305.6. Reckless use of fire. No person shall so use or fire or discharge any incendiary device or material as to recklessly endanger any property or safety of another.4

37.11 308.1.9 LIQUEFIED-PETROLEUM-GAS CONTAINER.

Section 308.1.9 Liquefied- petroleum-gas container is hereby added as follows:

Section 308.1.9 Liquefied-petroleum-gas container. LP-Gas containers with a water capacity greater than 2.5 pounds (1.14 kg) [nominal 1 pound (0.454 kg)] LP-gas capacity shall not be located on balconies above grade in multi-family complexes.

Exception: Non-combustible balconies which are served by outside stairways which are not required exits AND when such stairways are used to transport the container.

37.12 401.3.4 FALSE ALARM.

Section 401.3.4 False alarm is hereby added as follows:

Section 401.3.4 False alarm. An alarm user may be charged a fee for each false alarm to which the Fire Department responds.

37.13 408 PERMIT REQUIRED - CONFINED SPACE

Section 409 Permit required- confined space is hereby added as follows:

Section 408 Permit required - confined space. Employers that have one or more Permit-Required Confined Space(s) shall identify an approved Confined Space Rescue Team service in their emergency plan. Fees as established by City Council may be assessed to employers who choose to identify the Fire Department as their Confined Space Rescue Team.

37.14 503.2.1 DIMENSIONS

Section 503.2.1 Dimensions is hereby modified by replacing the words 20 feet with the words 28 feet and adding three Exceptions as follows:

Section 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 28 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches.

Exceptions:

1. Fire apparatus access road width may be reduced to 24 feet of level unobstructed width when such access roads meet the definition of a Private Street as set forth in Chapter 31 of the Municipal Code of the City of Cedar Rapids subsection 31.03 (d) 2 Private Streets.

2. The width may be reduced when access roads will be exclusively used for fire apparatus and when approved by the fire code official.
3. Upon approval of the fire code official, vertical clearance may be reduced, provided such clearance does not impair access by fire apparatus, and approved signs are installed and maintained indicating the established vertical unobstructed clearance.

37.15 505.1 ADDRESS NUMBERS.

Section 505.1 Address numbers is hereby repealed and replaced with a new Section 505.1 Address numbers as follows:

Section 505.1 Address numbers. New and existing buildings shall have approved address numbers, building numbers or building identification placed in a position that is plainly legible and visible from the street or road fronting the property. Where the fire code official requires, address shall also be located in an approved location along alleys which are visible from the alley. These numbers shall contrast with their background. Address numbers, building numbers, or building identification shall be Arabic numerals or alphabet letters. From 0 - 99 ft. from the street numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). For each additional 100 ft. from the street, the number shall increase by an additional 2 inches 5 height. Measurements to determine the minimum number size shall be measured from the approved address location to the center line of the street for which the premises is addressed. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure with address numbers not less than 6 inch height. Address numbers shall be maintained.

37.16 507.5.1 EXCEPTION 2.

Section 507.5.1 Exception 2 is hereby repealed.

37.17 805.5 UPHOLSTERED FURNITURE, ALL OTHER OCCUPANCIES.

Section 805.5 Upholstered furniture, all other occupancies is added as follows:

Section 805.5 Upholstered furniture all other occupancies. Upholstered furniture for use within fire rated corridor spaces or for use in Assembly Occupancies shall be fire resistant and compliant with California Technical Bulletin 117 or NFPA 261.

Exception 1. Where an Assembly Occupancy is fully sprinkler protected in accordance with 903.3 upholstered furniture shall not be required to be fire resistive, unless such upholstered furniture is located in a fire rated corridor or exit passageway.

37.18 901.4.7 QUALIFICATIONS.

Section 901.4.7 Qualifications is hereby added as follows:

Section 901.4.7 Qualifications.

1. Water Based Fire Protection Systems. Working plans submitted to the fire department for water based fire protection systems shall be stamped and approved by a qualified person as being in compliance with applicable NFPA standards and the Cedar Rapids Fire Code. Any changes to the working plans shall be approved by a qualified person.
2. Installation of Water Based Fire Protection Systems. Water Based Fire Protection Systems shall be installed by or overseen by a qualified person. This qualified person shall verify that all installations comply with the working plans. A Water Based Fire Protection System Record of Inspection form shall be accurately completed and submitted by the qualified person with the same information as shown in NFPA 25 (including the Backflow Prevention Assembly Test and Maintenance Record).
3. Fire Alarm Systems. Working plans submitted to the fire department by a qualified person for fire alarm systems water based fire protection systems shall be stamped and approved by a qualified person as being in compliance with applicable NFPA standards and the Cedar Rapids Fire Code. Any changes to the working plans shall be approved by a qualified person.
4. Installation of Fire Alarm Systems. Fire Alarm Systems shall be installed by, or overseen by a qualified person. This qualified person shall verify that installations comply with the working plans. A Fire Alarm System Record of Completion form shall be accurately completed and submitted by the qualified person containing at least the information as shown in NFPA 72.

37.19 901.6.3 QUALIFICATIONS.

Section 901.6.3 Qualifications is hereby added as follows:

901.6.3 Qualifications.

1. Inspection, testing and maintenance for Water Based Fire Protection Systems. Inspection, testing and maintenance for Water Based Fire Protection Systems shall be conducted by a qualified person. A Water Based Fire Protection System Record of Inspection form shall be completed annually with the same information as shown in NFPA 25.
2. Inspection, testing and maintenance for Fire Alarm Systems. Inspection, testing and maintenance for Fire Alarm Systems shall be conducted by a qualified person. A Fire Alarm Inspection and Testing form shall be accurately completed and submitted by the qualified person containing at least the information as shown in NFPA 72.

37.20 903.2.8 GROUP R.

Section 903.2.8 Group R is repealed and shall be enforced as written in the Building Code Chapter 33 of the Municipal Code.

### 37.21 903.4.2 ALARMS.

Section 903.4.2 Alarms is hereby repealed and replaced with a new Section 903.4.2 Alarms as follows:

Section 903.4.2 Alarms. Approved audible visual devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. An approved audible visual sprinkler flow alarm device shall be provided on the exterior of the building in an approved location, typically above the Fire Department Connection, tied only to the sprinkler water flow alarm and shall not be activated by other fire alarm system devices, such as a manual pull or a smoke detector. Approved audible visual alarm(s) to alert the occupants shall be installed on each level or in each suite of the interior of the building in normally occupied location(s) as required by the fire code official. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

### 37.22 903.7 POST INDICATOR VALVE.

Section 903.7 Post Indicator Valve is added as follows:

Section 903.7 Post Indicator Valve. Where fire system main isolation valves are provided prior to the fire protection system riser, the following main isolation valves shall be acceptable.

1. A Post Indicator Valve (PIV) installed in accordance with NFPA 24 Standard. The PIV must be located not closer than 3 ft. from a building, regardless of building wall height.
2. A wall mounted Post Indicator Valve.
3. An approved main isolation valve in a fire-rated fire pump room accessible from an exterior access door without going through another room.
4. An approved main isolation valve in a fire rated stair enclosure and accessible from an exterior access door without going through another room.

### 37.23 907.4.2.7 MANUAL FIRE ALARM ALTERNATIVE.

Section 907.4.2.7 Manual fire alarm alternative is hereby added as follows:

Section 907.4.2.7 Manual fire alarm alternative. Where in the opinion of the fire code official, manual fire alarm boxes may be used to cause false alarms, the fire code official is authorized to modify the requirements for manual fire alarm boxes and have the location(s) altered or the box(s) removed. Such alteration and the reasons for the alteration shall be recorded in the inspection file.

37.24 3103.12.7 EXCEPTION.

Section 3103.12.7 Exception is added as follows:

Section 3103.12.7 Exception. Internally or externally illuminated exit signs are NOT required in tents when all of the following conditions are met:

1. The tent is not occupied after sunset.
2. The tent is not provided with any artificial lighting.
3. The tent has a minimum of 5 foot candle of natural external lighting for non-lit exit signs during the hours the tent is open to the public.

37.25 5003.5.2 IOWA RIGHT TO KNOW.

Section 5003.5.2 Iowa Right to Know is added as follows:

Section 5003.5.2 Iowa Right to Know. Hazard Identification Signs shall also comply with the Iowa Right to Know law.

37.26 5003.13 TIER II REPORTING.

Section 5003.13 Tier II Reporting is added as follows:

Section 5003.13 Tier II Reporting. Facilities reporting hazardous chemical inventories in excess of their Threshold Planning Quantities pursuant to Section 312 of the Emergency Planning and Community Right to Know Act shall use an approved electronic "Emergency and Hazardous Chemical Inventory" form or show reason to use paper forms and submit the electronic or paper form prior to March 1st of each year.

37.27 5601.2.5 PERMIT SUBMITTAL.

Section 5601.2.5 Permit submittal is added as follows:

Section 5601.2.5 Permit submittal. Application for a permit shall be submitted with all required information not less than 14 days before a proposed event requiring a permit by Chapter 56 of this Code, or as approved by the fire code official.

37.28 5601.7.1 SEIZURE OF FIREWORKS.

Section 5601.7.1 Seizure of fireworks is added as follows:

Section 5601.7.1 Seizure of fireworks. Except as hereinafter provided, it shall be unlawful for any person to possess, store, to offer for sale, sell at retail or use or explode any fireworks provided that the fire code official or authorized official may issue permits for supervised public displays of fireworks by a jurisdiction, fair association, amusement parks, other organizations or for the use of fireworks by artisans in pursuit of their trade in accordance with the Fire Code. Every such use or display shall be handled by a competent operator approved by the fire code official or authorized official and shall be

of such character and so located, discharged, or fired so as, in the opinion of the fire code official, after proper investigation not to be hazardous to property or endanger any person.

The fire code official or authorized official shall seize, take, remove, or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored, or held in violation of this article.

Section 2. Severability. It is the intent of the Council that each section, paragraph, sentence, clause and provision of this Ordinance is severable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof other than that affected by such decision.

Section 3. Adoption. That changes as provided in this Ordinance shall be made a part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

Section 4. Penalty. Any person(s) who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after the due notice has been served shall be deemed a separate offense.

Section 5. Effective Date. That this Ordinance shall be in full force and effect January 1, 2016 after its passage and publication as provided by law.

Introduced this 23rd day of June, 2015.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature  
LEG\_TABLED\_TAG

**Chapter 37 of the Municipal Code – which includes the 2015 Fire Code Amendments**

The following matrix shows the proposed Chapter 37 Fire Code Amendments. The Fire Code is based off the 2015 International Fire Code (IFC) and includes local amendments. This matrix only lists significant changes.

<b>Proposed</b>	<b>Current</b>	<b>Changes / Additions</b>
<b>Proposed 2015 Amendments to the 2015 International Fire Code (IFC)</b>	<b>Current 2012 Amendments Adopted in 2012 for the 2012 International Fire Code (IFC)</b>	<b>Why the changes were amended to the 2015 code</b>
<b>37.1 Appendix D sections D106 and D107</b>	<b>New section not covered in 2012 amendments</b>	These two sections were previously amended from the code, we will adopt D106 unamended and D106 amended as follows: Developments of one and two family dwellings where the number of dwelling units exceeds 100 shall be provided with two separate and approved fire apparatus access roads. In exception 1 it shall also read 100 dwelling units
<b>37.20 Section 903.2.8</b>	<b>Same sections as current 2012 Amendments 903.2.8</b>	No change from Fire code change occurs in the IBC and IRC Fire code amendment will reference the IBC
<b>37.21 Section 903.4.2</b>	<b>Same section as current 2012 Amendments</b>	Adding verbiage of “or in each suite”
<b>37.28 Section 5601.7.1</b>	<b>Same section as current 2012 Amendments</b>	May delete depending on where the State goes with current legislation.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5807

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

**Phone Number/Extension:** 5092

**Description of Agenda Item:** ORDINANCES – Second and possible Third Readings  
 Second and possible third reading of an Ordinance vacating public ways and grounds described as 4<sup>th</sup> Street SE between 10<sup>th</sup> Avenue and 12<sup>th</sup> Avenue SE as requested by The Depot Development, LLC.

Resolution authorizing the disposition of 4<sup>th</sup> Street SE between 10<sup>th</sup> Avenue and 12<sup>th</sup> Avenue SE as requested by The Depot Development, LLC.  
 CIP/DID #ROWV-016485-2015

**EnvisionCR Element/Goal:** InvestCR Goal 1: Expand economic development efforts to support business and workforce growth, market Cedar Rapids, and engage regional partners.

**Background:** The Depot Development, LLC has requested the vacation and disposition of this portion of 4<sup>th</sup> Street Corridor in order to accommodate the site plan for their new facilities at this location. A Public Access and Utility Easement over the vacated right-of-way is being granted to the City as a part of this vacation and disposition process. Valuation for the vacated right-of-way has been addressed in the Development Agreement, and the applicant is paying a standard closing fee of 5% of the City Assessor's valuation in the amount of \$7,474.

A Public Hearing was held on May 26, 2015 in which no objections were heard.

May 26, 2015- 1<sup>st</sup> reading of the Ordinance was held and passed.

**Action/Recommendation:** July 14, 2015 - 2<sup>nd</sup> and possible 3<sup>rd</sup> reading of the Ordinance and would like to pass the resolution for the vacation and disposition of the vacated parcel of 4<sup>th</sup> Street SE right-of-way.

**Alternative Recommendation:** Deny the request and require The Depot Development, LLC to revise their site plans.

**Time Sensitivity:** Normal

**Resolution Date:** July 14, 2015

**Budget Information:** NA

**Local Preference Policy: NA**  
**Explanation: NA**

**Recommended by Council Committee: NA**  
**Explanation: NA**

ENG  
ASR RCR  
TRS CD  
TED BSD  
STR IT  
ROWV-016485-2015

ORDINANCE NO. LEG\_NUM\_TAG

**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:

4<sup>th</sup> Street SE between 10<sup>th</sup> Avenue and 12<sup>th</sup> Avenue SE (also known as Plat of Survey No. 1962 Parcel A as shown in Book 9212, Page 288 and recorded on April 6, 2015 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 26th day of May, 2015.

PASSED\_DAY\_TAG

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MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, a notice has been given and a public hearing held as required by law, and

WHEREAS, the public use has been vacated by ordinance for the following described City property:

4th Street SE between 10th Avenue and 12th Avenue SE, legally described as Plat of Survey No. 1982 Parcel A as shown in Book 9212, Page 288 and recorded on April 8, 2015 at the Office of the Linn County Recorder

, and

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

1. The City Manager and City Clerk shall execute a Quit Claim Deed conveying the property hereafter described to The Depot Development, LLC, 1641 Boyson Square Drive, Suite 100, Hiawatha, Iowa 52233:

Plat of Survey No. 1982 Parcel A as shown in Book 9212, Page 288 and recorded on April 8, 2015 at the Office of the Linn County Recorder.

2. The Council determines the fair consideration required for the aforescribed conveyance to be standard 5% closing costs of \$7,474.
3. This conveyance is subject to the following conditions which shall be agreed to and accepted in writing by the grantee and be binding upon the grantee, successors, and assigns as follows:
  - a. Grantee shall save the City of Cedar Rapids harmless from damage or injury or loss of access or diminishing of the value of improved property, under Section 364.15 of the Iowa Code as the result of the vacation and the disposition of said property hereinbefore described to said grantee.
4. The City shall accept an Easement for Utilities and Access over the vacated right-of-way.
5. The grantee, The Depot Development, LLC, be required to submit a combined tax statement to the City Assessor's Office, since the square footage does not constitute a buildable lot area in and of itself.
6. The grantee, The Depot Development, LLC, shall pay the City Clerk all publication and recording fees connected with this matter.

BE IT FURTHER RESOLVED, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute a Quit Claim Deed effectuating this conveyance and accept the Easement for Public Access and Utilities and that the same are hereby approved and accepted, and that they shall be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED\_DAY\_TAG

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MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



Cadd File Name: W:\PROJECTS\Non-CIP\2015\4115 Right of Way Mgmt\VACATIONS 2015 - ENERGO\ROWV-016485-2015-4th St Corridor\ROWV-016485-2015 Council Map.dwg



**4TH STREET SE RIGHT-OF-WAY VACATION**



ROWV-016485-2015