

“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 28, 2015 at 4:00 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

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations
 - ❖ Proclamation – 25th Anniversary Celebration of the ADA (Jamee Webber, Linda Webber, Tom Hardecopf, Stephanie Bawek, Amy Keltner)

PUBLIC HEARINGS

1. A public hearing will be held to consider proceeding with an approved capital improvement project for the 2015 Sidewalk Infill Project – Phase 1 & 2 and to commence with the right-of-way and temporary easement acquisition of a portion of agricultural property for this project (Rita Rasmussen). CIP/DID #3012074-00
 - a. Resolution to continue a previously approved capital improvement project and to proceed with the acquisition or condemnation of a portion of agricultural property and property interests not yet acquired for the 2015 Sidewalk Infill Project – Phase 1 & 2.
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 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 (Rita Rasmussen). CIP/DID #ROWV-017414-2015
 - a. First Reading: Ordinance vacating 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.

3. A public hearing will be held 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 (Rita Rasmussen). CIP/DID #EASE-018193-2015
 - a. Resolution vacating 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.
4. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Horizontal Collector Well No. 5 Caisson & Laterals project (estimated cost is \$1,950,000) (Steve Hershner). CIP/DID #625863-05
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Horizontal Collector Well No. 5 Caisson & Laterals project.
5. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Edgewood Road Water Main Replacement project (estimated cost is \$1,400,000) (Steve Hershner). CIP/DID #2014052-02
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Edgewood Road Water Main Replacement project.

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.

6. Motion to approve minutes.
7. Resolution authorizing implementation of a public engagement strategy to explore recreational and development opportunities and confirm the level of support for potential end uses of the Cedar Lake area in coordination with Alliant Energy, Linn County Board of Supervisors and Friends of Cedar Lake. CIP/DID #OB1362716

8. Resolution authorizing the addition of one full-time employee in the Police Department to carry out an Eastern Iowa Prevention, Treatment and Prosecution Initiative funded by High Intensity Drug Trafficking Area (HIDTA). CIP/DID #PD0002
9. Resolution authorizing the addition of one full-time employee in the Public Works Department for the duration of the Paving for Progress and Cedar River Flood Control System (FCS) programs to assist acquisitions particularly as it relates to title clearance and closing activities. **(Paving for Progress)** CIP/DID #49-15-006
10. Motions setting public hearing dates for:
 - a. August 11, 2015 – to consider a change of zone for property at 167 Dows Lane SE from R-1, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Richard B. Altorfer. CIP/DID #RZNE-019306-2015
 - b. August 11, 2015 – to consider a change of zone for property at 2005 and 2013 West Post Road SW from A, Agriculture Zone District to C-3, Regional Commercial Zone District as requested by Roger A. and Colleen A. Cassill. CIP/DID #RZNE-018870-2015
 - c. August 11, 2015 – to consider a change of zone for property at 1718 Center Point Road NE from C-2, Community Commercial Zone District and R-3, Single Family Residence Zone District to O-S, Office/Service District as requested by Jonathan Bond and Virgil A. and Janice E. Henley. CIP/DID #RZNE-019307-2015
 - d. August 25, 2015 – to consider the annexation of property located north of Wright Brothers Boulevard SW and east of Kirkwood Boulevard SW as requested by College Community School District. CIP/DID #ANNX-016948-2015
 - e. August 25, 2015 – to consider the annexation of property located south of 76th Avenue Drive SW and east of Kirkwood Boulevard SW as requested by Kirkwood Community College. CIP/DID #ANNX-020246-2015
11. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
 - a. Applebee’s Neighborhood Grill & Bar, 303 Collins Road NE.
 - b. Blind Pig, 3325 Center Point Road NE (adding permanent outdoor service).
 - c. Bruce more Museum Store, 2160 Linden Drive SE.
 - d. Cancun #2, 555 Gateway Place SW.
 - e. Cedar Rapids Ice Arena, 1100 Rockford Road SW.
 - f. Cedar Rapids Softball Hall of Fame, 2000 Ellis Boulevard NW (5-day permit for an event on August 8, 2015 at Ellis Park Softball Complex).
 - g. Checkers Tavern & Eatery, 3120 6th Street SW (outdoor service for an event on August 1, 2015).
 - h. Gilligan’s, 912 1st Avenue NW.
 - i. Hy-Vee #7 Market Grille, 5050 Edgewood Road NE (new – market grille).
 - j. Hy-Vee Food Store #6, 4035 Mount Vernon Road SE (5-day permit for an event at the Cedar Rapids Public Library, 450 5th Avenue SE).
 - k. Just Coz, 406 6th Street SW.
 - l. La Cantina Bar & Grill, 102 2nd Street SE.
 - m. Mai Pho Vietnamese Restaurant, 2315 Edgewood Road SW.
 - n. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on August 15, 2015).
 - o. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on August 20, 2015).

- p. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on August 25, 2015).
 - q. NewBo City Market, 1100 3rd Street SE (outdoor service for an event on August 8, 2015).
 - r. NewBo City Market, 1100 3rd Street SE (outdoor service for an event on August 15, 2015).
 - s. NewBo City Market, 1100 3rd Street SE (outdoor service for an event on September 5-6, 2015).
 - t. Paddy O'Rourke's, 608 16th Street NE.
 - u. Red Lion Lounge, 3970 Center Point Road NE (outdoor service for an event on July 31-August 2, 2015).
 - v. St. Jude's Church, 50 Edgewood Road NW (5-day permit for an event on August 6-10, 2015).
 - w. Taj Mahal Cuisine of India, 3939 Center Point Road NE.
 - x. Uptown Liquor & Tobacco, 2000 Wiley Boulevard SW (new – new ownership).
 - y. Wal-Mart #1528, 2645 Blairs Ferry Road NE.
 - z. Wild Hog Saloon & Eatery, 350 Commercial Drive (5-day permit for an event August 13-15, 2015 at Metro Harley Davidson, 2415 Westdale Drive SW).
12. Resolutions approving:
 - a. Payment of bills. CIP/DID #FIN5015-01
 - b. Payroll. CIP/DID #FIN2015-02
 13. Resolution appointing the following individual:
 - a. Appointing Karla Scriven (effective through June 30, 2017) to the Visual Arts Commission. CIP/DID #OB572855
 14. Resolution approving the special event application for:
 - a. Townsquare Media Cedar Rapids NewBo Music Festival event (includes road closures) on August 8, 2015. CIP/DID #SPEC-037001-2015
 15. Resolutions approving assessment actions:
 - a. Intent to assess – Water Division – delinquent municipal utility bills – 42 properties. CIP/DID #WTR0728-001
 - b. Intent to assess – Solid Waste & Recycling – clean-up costs – three properties. CIP/DID #SWM-002-15
 - c. Levy assessment – Water Division – delinquent municipal utility bills – 11 properties. CIP/DID #WTR0623-001
 16. Resolution accepting subdivision improvements and approving Maintenance Bond:
 - a. Water system improvements installed in Cedar River Bluffs 2nd Addition – Phase 2 and 2-year Maintenance Bond submitted by Schrader Excavating & Grading Co. in the amount of \$107,821.73. CIP/DID #2012033-01
 17. Resolutions accepting projects, and approving Performance Bonds:
 - a. 3rd Avenue SE at 6th Street Storm Sewer Point Repair project and 4-year Performance Bond submitted by B.G. Brecke, Inc. (original contract amount was \$24,700.40; final contract amount is \$17,850.80). CIP/DID #304420-01

- b. Park Cedar Rapids Skywalk Truss Repairs project and 4-year Performance Bond submitted by Weitz Industrial, LLC (original contract amount was \$74,698; final contract amount is \$74,698). CIP/DID #635131-10
18. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Amendment No. 4 to renew contract for elevator maintenance and repair services with KONE, Inc. for citywide facilities for an amount not to exceed \$134,418 (original contract amount was \$110,256; renewal contract amount is \$134,418). CIP/DID #0413-246
 - b. Amendment No. 4 to the contract for title report services with Iowa Title Company for the Engineering Division for additional services for an amount not to exceed \$40,000 (original contract amount was \$100,000; total contract amount with this amendment is \$140,000). CIP/DID #0610-295
 - c. Amending Resolution No. 0434-03-15 to add air compressors to two single axle chassis with Swaploader hook lift systems with Thompson Truck & Trailer for Fleet Services for an additional \$31,634 (original contract amount was \$630,360; total amount with this amendment is \$661,994). CIP/DID #0215-168
 - d. Amendment No. 2 to renew contract with Fauser Energy Resources for motor oil and lubricants for Fleet Services for an annual amount not to exceed \$145,000 (original contract amount was \$145,000; renewal contract amount is \$145,000). CIP/DID #0713-006
 - e. Police Department to purchase a Vigilant Solutions Vigilant Intelligent Led Policing Package License Plate Reader System from Turn-Key Mobile, Inc. in the amount of \$31,700. CIP/DID #OB75913
 - f. Pricing Agreement for parts and training with Reliant Fire Apparatus, Inc. for the Fleet and Fire Departments for an annual amount not to exceed \$60,000. CIP/DID #PUR0515-231
 - g. Amendment No. 2 to renew contract for LED streetlight fixtures with WESCO Distribution for the Traffic Engineering Division for an annual amount not to exceed \$25,000 (original contract amount was \$25,000, renewal contract amount is \$25,000). CIP/DID #0414-171
 - h. Contract for roof membrane replacement for Water Treatment Plant Backwash Pump with Advance Builders Corp. for the Water Division in the amount of \$58,000. CIP/DID #PUR0615-245
 - i. Amendment No. 6 to renew contract for process systems services with B.G. Brecke, Inc. for the Water Pollution Control Facility for an annual amount not to exceed \$200,000 (original contract amount was \$100,000; renewal contract amount is \$200,000). CIP/DID #0313-221
 - j. Corrective Special Warranty Deed with Cedar Valley Habitat for Humanity, Inc. for property at 378 8th Avenue SW participating in the fourth round of the Single Family New Construction (SFNC) Program. **(Flood)** CIP/DID #OB540257
 - k. Corrective Special Warranty Deed with Stonebrook Homes, LLC for property at 728 2nd Avenue SW participating in the fourth round of the Single Family New Construction (SFNC) Program. **(Flood)** CIP/DID #OB540257
 - l. Change Order No. 3 in the amount of \$25,700 with Rathje Construction Co. for the 16th Avenue SW (400-Ft East of 23rd Street to Williams Blvd SW) Water Main Rehabilitation project (original contract amount was \$609,805; total contract amount with this amendment is \$646,493.50). CIP/DID #2011061-02

- m. Change Order No. 3 in the amount of \$38,010.09 with Rathje Construction Company for the Flood Affected Areas Infrastructure Removals project (original contract amount was \$954,533.41; total contract amount with this amendment is \$1,031,664.34). CIP/DID #301923-01
- n. Change Order No. 8 (Final) deducting the amount of \$80,431.39 with BWC Excavating, LC for the 76th Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements and Kirkwood Boulevard SW Intersection Improvements project (original contract amount was \$1,408,890.70; total contract amount with this amendment is \$1,334,716.83). CIP/DID #3012049-03
- o. Change Order No. 2 in the amount of \$69,127.70, plus five working days, with Pirc-Tobin Construction, Inc. for the 4th Avenue SE Pavement Rehabilitation from 5th Street SE to 19th Street SE project (original contract amount was \$2,219,444.15; total contract amount with this amendment is \$2,470,200.50). **(Paving for Progress)** CIP/DID #3012080-02
- p. Change Order No. 3 in the amount of \$3,585.94 with L.L. Pelling Company, Inc. for the Coe Road NE Pavement Rehabilitation Improvements from A Avenue to Center Point Road project (original contract amount was \$539,161; total contract amount with this amendment is \$579,639.72). **(Paving for Progress)** CIP/DID #3012087-02
- q. Change Order No. 1 in the amount of \$26,061.07 with Eastern Iowa Excavating & Concrete, LLC for the Arterial Portland Cement Concrete Pavement Repair and Joint and Crack Routing and Sealing project (original contract amount was \$531,572.50; total contract amount with this amendment is \$557,633.57). **(Paving for Progress)** CIP/DID #3012109-01
- r. Change Order No. 9 in the amount of \$4,651.95 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 \$149,457.62). CIP/DID #3017014-01
- s. 28E Agreement with All Saints Elementary School for participation in the adult crossing guard program for Fiscal Year 2016, reimbursing All Saints Elementary School for 50% of the costs for wages up to \$11.46/hour, fringes, and updated equipment, for an amount not to exceed \$1,903.94. CIP/DID #60-16-011
- t. 28E Agreement with the Cedar Rapids Community School District for participation in the adult crossing guard program for Fiscal Year 2016, reimbursing CRCS D for 50% of the costs for wages up to \$11.46/hour, fringes, and updated equipment, for an amount not to exceed \$59,022.12. CIP/DID #60-16-011
- u. 28E Agreement with the Linn Mar Community School District for participation in the adult crossing guard program for Fiscal Year 2016, reimbursing Linn Mar Community School District for 50% of the costs for wages up to \$11.46/hour, fringes, and updated equipment, for an amount not to exceed \$1,903.94. CIP/DID #60-16-011
- v. Residential Tenant Purchase Agreement and authorization of relocation benefits for an estimated amount of \$36,005 to Melissa Strellner for the real property located at 1732 Wilson Avenue SW in connection with the 18th Street SW from Wilson Avenue SW to 13th Avenue SW Improvements project. **(Paving for Progress)** CIP/DID #301500-00
- w. Lease Agreement between the City of Cedar Rapids and Noleshawk Investments LLC for the Blue Zones Project – Cedar Rapids office space at 205 2nd Street SE. CIP/DID #OB697034
- x. Purchase Agreement in the amount of \$1 and accepting an Easement for Utilities and Temporary Construction Easement from ARTA Investments, L.C. from land located at 1846 16th Avenue SW in connection with the 16th Avenue SW between 18th Street and 20th Street SW Storm Sewer Improvements project. CIP/DID #304286-00

- y. Professional Services Agreement with HDR Engineering, Inc. for the UASB Reactor No. 3 Improvements project for an amount not to exceed \$26,600. CIP/DID #615162-03
- z. Professional Services Agreement with HR Green, Inc. for an amount not to exceed \$271,017 for design services in connection with the Memorial Drive SE Roadway and Utility Improvements from Mount Vernon Road to Bever Avenue project. **(Paving for Progress)** CIP/DID #301379-01
- aa. Amendment No. 1 to the Professional Services Agreement with HR Green, Inc. specifying an increased amount not to exceed \$27,864 for program management services in connection with the Paving for Progress Capital Improvement 10 Year Plan (original contract amount was \$257,808; total contract amount with this amendment is \$285,672). **(Paving for Progress)** CIP/DID #3012094-01
- ab. Amendment No. 3 to the Professional Services Agreement with Snyder & Associates Inc. specifying an increased amount not to exceed \$206,628 for professional services in connection with the 19th Street SE from Mount Vernon Road SE to Glenway Drive SE Reconstruction project (original contract amount was \$106,000; total contract amount with this amendment is \$206,628). **(Paving for Progress)** CIP/DID #3012081-01
- ac. Allocation Under Development Agreement with Westdale CR Ventures #1, LLC, Frew Development Group, LLC and Edgewood Partners, LLC for redevelopment of Parcel A, Plat of Survey No. 1998, within the former Westdale Mall site generally located at 2500 Edgewood Road SW. CIP/DID #OB812292
- ad. Development Agreement with the Neighborhood Development Corporation of Cedar Rapids, Inc. for the redevelopment of City-owned commercial property at 615 K Avenue NW, 1125, 1127 and 1129 Ellis Boulevard NW and 1130 and 1138 6th Street NW. **(Flood)** CIP/DID #OB1058253
- ae. Disposition of excess City-owned property described as a 6,080 square-foot strip of former railroad right-of-way located northwesterly of 12th Avenue SE and northeasterly of and adjacent to 4th Street SE as requested by The Depot Development, LLC. CIP/DID #ROWV-016485-2015
- af. Work-Study Program Agreement between Cedar Rapids Animal Care and Control and Kirkwood Community College, providing for student job opportunities. CIP/DID #OB1298681
- ag. Federal Aid Agreement for a Surface Transportation Program project in the amount of \$1,440,000 with the Iowa Department of Transportation (IDOT) in connection with the City of Cedar Rapids Downtown Walkway project. CIP/DID #635129-00
- ah. Grant application to the Iowa Department of Transportation (IDOT) for Iowa Clean Air Attainment Program (ICAAP) funds to provide funding for the Kirkwood Boulevard Roadway Improvement project. CIP/DID #301929-00
- ai. Grant application to the Iowa Department of Transportation (IDOT) for Transportation Safety Improvement Program (TSIP) funds for the Kirkwood Boulevard Roadway Improvement project. CIP/DID #301929-00
- aj. Payment of \$27,993 to Iowa State University to cover 25% of the cost in hiring the Agricultural Bio-based Industries Research and Extension Liaison for Fiscal Year 2016. CIP/DID #CM002-15

REGULAR AGENDA

19. Resolution rejecting all bids for the Cedar River East Flood Wall – North of Interstate 380 – Cedar Rapids, IA – Phase 2 Floodwall project (Rob Davis). CIP/DID #331813-01
20. Report on bids 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
21. Report on bids 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 awarding and approving contract in the amount of \$243,167 plus incentive up to \$2,500, bond and insurance of Rathje Construction Co. for the 20th Avenue SW East of 13th Street Culvert Replacement project.
22. Report on bids for the Water Pollution Control Facility North Ash Lagoon Liner project (estimated cost is \$1,360,000) (Steve Hershner). CIP/DID #615195-04
 - a. Resolution awarding and approving contract in the amount of \$1,158,000, bond and insurance of Tricon General Construction, Inc. for the Water Pollution Control Facility North Ash Lagoon Liner project.
23. Report on bids 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 awarding and approving contract in the amount of \$185,230 plus incentive up to \$22,000, bond and insurance of L.L. Pelling Company, Inc. for the Council Street NE from North City Limit to Woodcrest Street Hot Mix Asphalt Overlay project.
24. Discussion and Resolution authorizing negotiation of a Development Agreement with Alliant Energy for disposition of City-owned property located at 402, 404, 408, and 413 H Avenue NW and 816, 820, 824, 828, and 908 4th Street NW (Paula Mitchell). CIP/DID #DISP-0001-2015
25. Discussion and Resolution approving the Settlement Agreement between the United States of America and the City of Cedar Rapids, Iowa under the Americans with Disabilities Act (Sandi Fowler). CIP/DID #CM001-15

ORDINANCES

Third Reading

26. Ordinance repealing Chapter 35 of the Municipal Code, Plumbing Code, and enacting and adopting in lieu thereof a new Plumbing Code and the 2015 editions of the Uniform Plumbing Code with modifications. CIP/DID #BSD004-15

27. 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
28. 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
29. 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

Second and possible Third Readings

30. 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. CIP/DID #RZNE-017699-2015
31. Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the MidAmerican Aerospace Urban Revitalization Area designation at 2727 16th Avenue SW. CIP/DID #URTE-0001-2015
32. 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
 - a. Resolution authorizing the disposition of 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.

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

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

Phone Number/Extension: 5896

Description of Agenda Item: PUBLIC HEARINGS

A public hearing will be held to consider the continuation of an approved public improvement project for the 2015 Sidewalk Infill Project, Phase 1 & 2 (Rita Rasmussen).

Resolution to continue a previously-approved capital improvement project and to proceed with the acquisition or condemnation of a portion of agricultural property and property interests not yet acquired for the 2015 Sidewalk Infill Project, Phase 1 and 2.
CIP/DID #3012074-00

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

Background: When it is anticipated a portion of agricultural land may have to be acquired for a public improvement project, State Code (Section 6B.2A) requires a public hearing to be held prior to commencing right-of-way acquisition.

The 2015 Sidewalk Infill Project consists of constructing new sidewalk to fill sidewalk gaps throughout the City. In order to construct a sidewalk, the project requires a partial acquisition of right-of-way and a temporary construction easement from vacant agricultural property located on the east side of Wiley Blvd SW, between 18th Avenue SW and 20th Avenue SW.

Action/Recommendation: The Public Works Department recommends adopting the resolution to continue the acquisition of agricultural property not yet acquired for an approved public improvement project.

Alternative Recommendation: City Council to direct staff to redesign or discontinue project.

Time Sensitivity: Normal
Resolution Date: July 28, 2015

Budget Information: 301/3010000/3012074

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

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION TO CONTINUE THE ACQUISITION OF PROPERTY
NOT YET ACQUIRED FOR THE
2015 SIDEWALK INFILL PROJECT, PHASE 1 & 2

WHEREAS, The City Council of the City of Cedar Rapids previously allocated Capital Improvement Program funds for the 2015 Sidewalk Infill Project, and

WHEREAS, the Consultant has prepared improvement plans and acquisition plats which identify the proposed property where right-of-way activity, i.e. construction easement and fee taking are required, and

WHEREAS, the Public Works Department has not yet completed right-of-way activity, i.e. construction easement and fee taking, and

WHEREAS, on July 28, 2015, the City Council of the City of Cedar Rapids held a public hearing, providing the opportunity for public input on the question to continue an approved public improvement and on the acquisition or condemnation of properties and property interests not yet acquired for the project,

NOW THEREFORE, BE IT RESOLVED THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS hereby authorizes the continuation of an approved project and authorizes the acquisition of property not yet acquired for the project by negotiation or condemnation.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



16TH AVENUE SW

18TH AVENUE SW

20TH AVENUE SW

21ST AVE SW

WILEY BLVD SW

RIGHT-OF-WAY
ACQUISITION

TEMPORARY
CONSTRUCTION
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: 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 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.

First Reading: Ordinance vacating 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

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

Background: 42nd 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.

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

Time Sensitivity: Normal

Resolution Date: Proposed timeline as follows:

Public Hearing Date and 1st reading of Ordinance: July 28, 2015

2nd reading of Ordinance, possible 3rd 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

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ROWV-017414-2015

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:

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 (also known as
Plat of Survey No. 1989 Parcel A as shown in Book 9236, Page 370 and recorded on
May 4, 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 28th day of July, 2015.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:
ClerkSignature

LEG_TABLED_TAG



Twin Pines Golf Course

42ND ST NE

R.O.W. VACATION
AND PROPOSED
UTILITY EASEMENT

4101 River
Ridge Dr NE

WILLOWBROOK DR NE

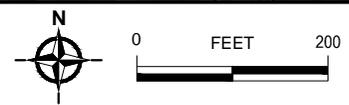
EDGEWOOD RD NE

RIVER CENTER CT NE

RIVER RIDGE DR NE



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



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

ROWV-017414-2015



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: 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 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.

Resolution vacating 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 this 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 to 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: 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 City of Cedar Rapids does possess a 20-foot wide drainage easement on the following described properties:

5328, 5322 and 5316 Ruhd Street SW
(Lots 1, 2 and 3, Hawk's Point Fifth Addition
in the City of Cedar Rapids, Linn County, Iowa)

WHEREAS, Thomas Dostal Developers, Inc., 4116 Pro Farmer Road SW, Cedar Rapids, Iowa 52404; Hinton Construction, Inc., 7055 York Avenue, Marion, Iowa 52302; and Cheryl and Larry Davenport, 5316 Ruhd Street SW, Cedar Rapids, Iowa 52404 have requested the City of Cedar Rapids vacate the public's interest in and to said easement, and

WHEREAS, the Cedar Rapids Public Works Department recommends the interest in said easement held by the City of Cedar Rapids is no longer necessary to serve the public interest and has further recommended said easement be vacated, now therefore,

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

1. The Council determines the 20-foot wide drainage easement on Lots 1, 2 and 3, Hawk's Point Fifth Addition in the City of Cedar Rapids, Linn County Iowa as shown on "Exhibit A", attached hereto and made a part thereof no longer serves the public interest and said public interest and use held by the City of Cedar Rapids in and to the property herein described is hereby vacated.
2. The Council determines the fair consideration required for the aforescribed vacation is publication and recording fees plus a standard \$100.00 closing fee, payable to the City Treasurer.
3. The conveyance is subject to the following conditions which shall be agreed to and accepted in writing by the grantees and be binding upon the grantees, successors and assigns as follows:
 - a. Thomas Dostal Developers, Inc., Hinton Construction, Inc., and Cheryl and Larry Davenport shall save the City of Cedar Rapids harmless from damage or injury or loss of access or diminishing of the value of improved property, under Section 364.15 of the Iowa Code as the result of the vacation of said 20-foot wide drainage easement hereinbefore described to said property owners.

4. The grantees, Thomas Dostal Developers, Inc.; Hinton Construction, Inc.; and Cheryl and Larry Davenport, shall pay the City Clerk all publication and recording fees associated with this easement vacation.

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

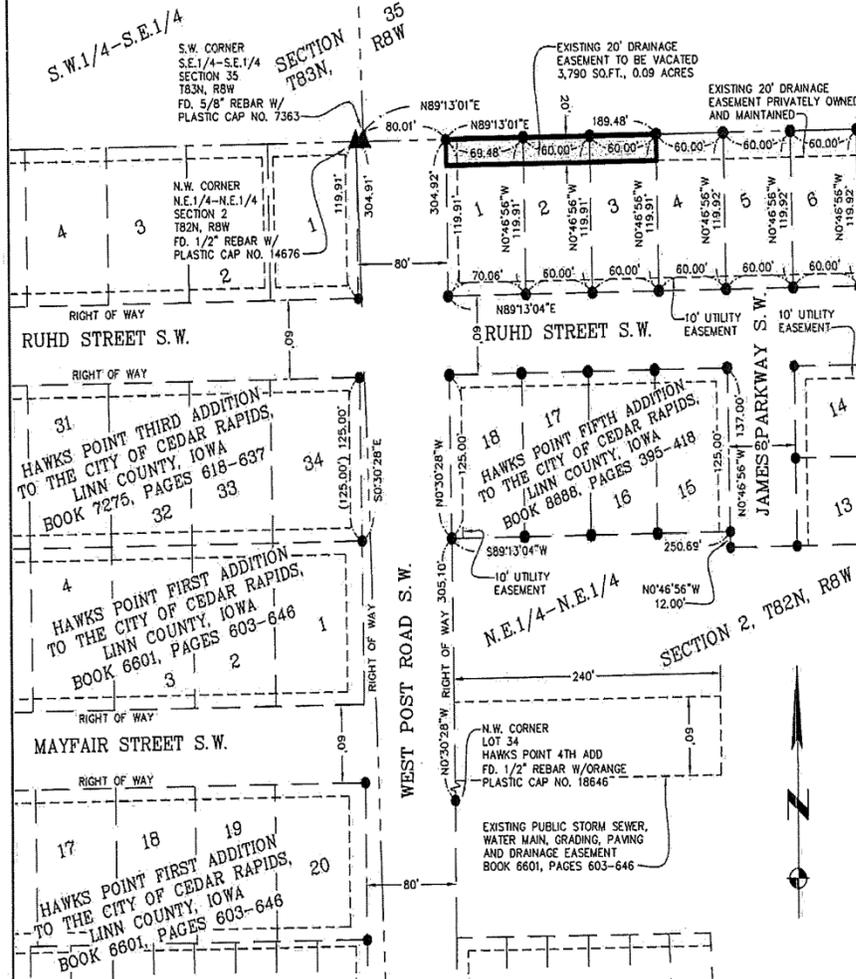
Attest:

ClerkSignature

LEG_TABLED_TAG

EXHIBIT A
20' DRAINAGE EASEMENT VACATION

THE NORTH 20 FEET OF LOT 1, LOT 2 AND LOT 3
 HAWKS POINT FIFTH ADDITION
 IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA



SURVEY LEGEND

- YELLOW PLASTIC CAP
- ▲ FD. 1/2\" REBAR W/ YELLOW PLASTIC CAP NO. 18769 UNLESS NOTED
- () SECTION CORNER FOUND AS NOTED
- RECORDED AS
- - - - - EASEMENT LINE
- _____ PLAT OR SURVEY BOUNDARY
- _____ SECTION LINE
- _____ 1/4-1/4 SECTION LINE
- _____ EXISTING LOT LINE

TOTAL AREA:
 3,790 SQ.FT.
 0.09 ACRE

SURVEY WORK PERFORMED:
 4/26/13

SURVEYOR:
 RYAN R. REMLING, L.S.
 HALL & HALL
 ENGINEER'S, INC.
 1860 BOYSON ROAD
 HIAWATHA, IOWA 52233
 (319)-362-9548

LEGAL DESCRIPTION:

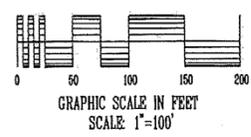
THE NORTH TWENTY (20) FEET OF LOT 1, LOT 2 AND LOT 3, HAWKS POINT FIFTH ADDITION IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA AS RECORDED IN BOOK 8888, PAGES 395-418 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

SURVEY PREPARED FOR:

THOMAS DOSTAL DEVELOPERS, INC.
 4116 PRO FARMER ROAD SW.
 CEDAR RAPIDS, IOWA 52404
OWNER LOT 1 AND LOT 3:

THOMAS DOSTAL DEVELOPERS, INC.
 4116 PRO FARMER ROAD SW.
 CEDAR RAPIDS, IOWA 52404

OWNER LOT 2:
 HINTON CONSTRUCTION, INC.
 7055 YORK AVENUE
 MARION, IOWA 52302



Project Number: 9401-SF	Sheet: 1 of 1	Scale: 1\"/>
Date: 3/11/15	Field Book No: 208	Sheet Title: EXHIBIT A 20' DRAINAGE EASEMENT VACATION THE NORTH 20 FEET OF LOT 1, LOT 2 AND LOT 3 HAWKS POINT FIFTH ADDITION IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA
HALL & HALL ENGINEERS, INC. 1860 BOYSON ROAD HIAWATHA, IOWA 52233 PHONE: (319) 362-9543 FAX: (319) 362-7336 CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE LAND SURVEYING • LAND DEVELOPMENT PLANNING		Designed by: DLK Drawn by: DLK Checked by:

CAD File: I:\Projects\9400\9401\9401-1-EASE VAC EXHIBIT 3D2014.dwg Date Plotted: Jun 11, 2015 - 8:51am Plotted By: DLK



**DRAINAGE
EASEMENT
VACATION**

RUHD ST SW

MAYFAIR ST SW

DOSTAL DR SW

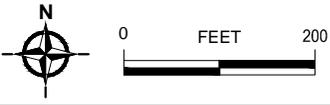
WEST POST RD SW

JAMES PKWY SW

HIGHWAY 30

WILLIAMS BLVD SW

**DRAINAGE EASEMENT VACATION
RUHD STREET SW**



Cadd File Name: W:\PROJECTS\Non-CIP\2015\4115 Right of Way Mgmt\VACATIONS 2015 - ENERGEVASE-018193-2015 Ruhd St SW\EASE-018193-2015 Council Map.dwg

EASE-018193-2015



Council Agenda Item Cover Sheet

Submitting Department: Water

Presenter at Meeting: Steve Hershner
E-mail Address: s.hershner@cedar-rapids.org

Phone Number/Ext.: 5281

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

Phone Number/Ext.: 5986

Description of Agenda Item: PUBLIC HEARINGS

Public Hearing to consider the proposed plans, specifications, form of contract and estimated cost for the Horizontal Collector Well No. 5 Caisson & Laterals project (estimated cost is \$1,950,000) (Steve Hershner).

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Horizontal Collector Well No. 5 Caisson & Lateral project.

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 recommends approval of the resolution adopting the plans, specifications, form of contract and estimated cost for the Horizontal Collector Well No. 5 Caisson & Laterals project.

Alternative Recommendation: None

Time Sensitivity: Action needed 7/28/2015

Resolution Date: 7/28/2015

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

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on July 14, 2015 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Horizontal Collector Well No. 5 Caisson & Laterals project (Contract No. 625863-05) 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



Council Agenda Item Cover Sheet

Submitting Department: Water

Presenter at Meeting: Steve Hershner
E-mail Address: SteveHe@cedar-rapids.org

Phone Number/Ext.: 5281

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

Phone Number/Ext.: 5296

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 Edgewood Road Water Main Replacement project (estimated cost is \$1,400,000) (Steve Hershner).

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Edgewood Road Water Main Replacement project.

CIP/DID #2014052-02

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

Background: The Utilities Department – Water Division 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 42nd Street NE that was originally installed between 1976 and 1979. This 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 approval of the resolution adopting the plans, specifications, form of contract and estimated cost for the Edgewood Road Water Main Replacement project.

Alternative Recommendation: None

Time Sensitivity: Action needed 7-28-15

Resolution Date: 7-28-15

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

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on July 14, 2015 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Edgewood Road Water Main Replacement project (Contract No. 2014052-02) 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

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Jennifer Pratt
E-mail Address: j.pratt@cedar-rapids.org

Phone Number/Ext.: 319 286-5047

Alternate Contact Person: Steve Hershner
E-mail Address: s.hershner@cedar-rapids.org

Phone Number/Ext.: 319 286-5097

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing implementation of a public engagement strategy to explore recreational and development opportunities and confirm the level of support for potential end uses of the Cedar Lake area in coordination with Alliant Energy, Linn County Board of Supervisors and Friends of Cedar Lake.

CIP/DID # OB1362716

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: An active group of citizens have formed Friends of Cedar Lake to work toward creating community support to improve and protect Cedar Lake, the adjacent area, and its watershed by developing a plan to improve the lake's water quality and enhance recreational opportunities.

On January 27, 2015, the City of Cedar Rapids entered into a Memorandum of Understanding to create the Cedar Lake Steering Committee. The other parties to the MOU are Friends of Cedar Lake, the Linn County Board of Supervisors, and Alliant Energy. The goal of the Committee is to develop a plan for future enhancement of Cedar Lake as an amenity for the community.

The Cedar Lake Steering Committee has met every two to four weeks to explore options for additional recreational and development opportunities. Based on recent discussions with Environmental Protection Agency and Iowa Department of Natural Resource representatives, prior to obtaining environmental assessment and clean-up grants or determining long-term ownership issues, the community must address the fundamental question of "what is Cedar Lake?"

At the Cedar Lake Committee meeting on June 23, it was agreed that a community-wide outreach effort was needed to confirm the level of support and define the desired end-uses at Cedar Lake. City of Cedar Rapids representatives agreed to initiate this effort by preparing an outline for public engagement that can be reviewed by City Council consideration.

Staff recommends we begin the public engagement effort with the framework of the following:

- Current conditions and usage
- Parks & Recreation Master Plan
- Friends of Cedar Lake vision
- Storm water management issues
- Other possible uses?

Proposed Timeline for Public Engagement Strategy:

July 15, 2015	Presentation to Development Committee for review and recommendation.
July 28, 2015	City Council consideration of resolution supporting Public Engagement strategy.
August/September	Friends of Cedar Lake completes Vision Plan. Cedar Lake Steering Committee works on messaging and Public Engagement.
October	Focus group discussions
November	First Open House
December/January	Second Open House

Friends of Cedar Lake have provided a lot of time and energy in promoting the enhancement of Cedar Lake. To build upon this momentum, it will be critical that the Public Engagement Strategy be implemented in an efficient manner. Staff is confident this can be done while still coordinating the effort with all parties in the Cedar Lake Steering Committee and obtaining meaningful input from the community.

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 28, 2015

Budget Information: N/A

Local Preference Policy: NA

Explanation:

Recommended by Council Committee: Yes

Explanation: Development Committee reviewed the proposed Public Engagement Strategy on July 15, 2015 and unanimously recommends City Council approval to proceed.

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids has a significant interest in Cedar Lake, a 115 acre body of water located near downtown Cedar Rapids; and

WHEREAS, an active group of citizens and stakeholders have formed Friends of Cedar Lake to work toward creating community support to improve and protect Cedar Lake, the adjacent area, and its watershed by developing and implementing a plan to improve the lake's water quality, enhance the fishery, and provide additional recreational opportunities; and

WHEREAS, the Linn County Board of Supervisors and Alliant Energy are also interested in partnering with the City of Cedar Rapids and the community to develop a plan regarding Cedar Lake; and

WHEREAS, the Cedar Rapids City Council Goal, "Green CR" which states, "buffer and connect existing parks, trails and streams to build a natural network in addition to regional collaborations and individual efforts to improve stormwater management, water quality, wildlife habitat, and outdoor recreation" supports the community efforts to create a Cedar Lake Steering Committee to develop a plan for Cedar Lake; and

WHEREAS, on January 27, 2015, the City Council authorized the execution of a Memorandum of Understanding creating the Cedar Lake Steering Committee; and

WHEREAS, on June 23, 2015, the Cedar Lake Steering Committee agreed that prior to pursuing environmental assessment funds or determining long-term ownership of Cedar Lake, a community-wide outreach effort was needed to confirm the level of support and define the desired end-uses at Cedar Lake; and

WHEREAS, on July 15, 2015, a Public Engagement Strategy was reviewed by the Cedar Rapids Development Committee and unanimously recommended City Council proceeds with implementation of the Public Engagement; and

WHEREAS, the City of Cedar Rapids City Council is interested in exploring the recreational and development opportunities within the Cedar Lake area and understanding the potential benefits to City ownership in the future;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to initiate implementation of a Public Engagement Strategy to confirm the level of support and define the desired end-uses at Cedar Lake.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

Attest:

MayorSignature

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Police

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

Phone Number/Ext.: 286-5374

Alternate Contact Person: Captain Steve O'Konek
E-mail Address: s.okonek@cedar-rapids.org

Phone Number/Ext.: 286-5525

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing one full-time employee in the Police Department to carry out an Eastern Iowa Prevention, Treatment & Prosecution Initiative, funded by HIDTA.
 CIP/DID #PD0002

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

Background: The Police Department will manage the budget for the Eastern Iowa Prevention, Treatment and Prosecution Initiative, which will be comprised of one High Intensity Drug Trafficking Area (HIDTA) funded FTE, with associated support costs. The initiative will utilize town hall style meetings, health fairs, and public awareness campaigns to improve heroin prevention efforts as well as enhance investigative and prosecution efforts.

Action/Recommendation: Approve resolution authorizing one full-time employee in the Police Department to carry out an Eastern Iowa Prevention, Treatment & Prosecution Initiative, funded by HIDTA.

Alternative Recommendation: None

Time Sensitivity: Immediate action is needed

Resolution Date: 7/28/15

Budget Information: The funding for this position would come from the Midwest High Intensity Drug Trafficking Area (HIDTA). This is a new initiative with the initial funding coming from funds available for the Northern District Special Assistant U.S. Attorney program.

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 U.S. Department of Justice and the City of Cedar Rapids, Iowa desire to provide an Eastern Iowa Prevention, Treatment & Prosecution Initiative, and

WHEREAS, the U.S. Department of Justice is providing budget dollars to create one (1) High Intensity Drug Trafficking Area (HIDTA) funded FTE with associated support costs, and

WHEREAS, if HIDTA funds are no longer available, the FTE will be eliminated,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is hereby authorized to establish one (1) FTE in the Police Department.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



U. S. Department of Justice

*United States Attorney
Northern District of Iowa*

*J J J Stn1enth Avenue, SE 319-363-6333
Box/ 319-363-1990 (fax)
Cedar Rapids, IA 52401 319-286-9258 (tTY)*

July 20, 2015

Wayne Jerman
Chief, Cedar Rapids Police Department
505 First Street SW
Cedar Rapids, IA 52404

Re: HIDTA Position

Dear Chief Jerman:

This is in response to your electronic correspondence regarding the proposed HIDTA position within the Cedar Rapids Police Department to lead the Eastern Iowa Heroin Prevention, Treatment and Enforcement initiative. This officer will be critical to combatting the heroin problem using a multi-disciplinary approach.

The funding for this position would come from the Midwest High Intensity Drug Trafficking Area (HIDTA). This is a new initiative with the initial funding coming from funds available for the Northern District Special Assistant U.S. Attorney program. A new initiative must be approved by the Midwest HIDTA Executive board before we can transfer funds. This is anticipated to occur on September 16, 2015. I have had a number of supportive conversations with the Midwest HIDTA leadership and see no impediment to the approval of this initiative. I fully anticipate the initiative will be approved and funding available for the new position within days of the Executive Board approval. In support of your request for the new position, I have taken the liberty of including some background information about the scope of the heroin problem in Eastern Iowa.

Background

In recent years Iowa, especially Eastern Iowa, has experienced a heroin epidemic that includes distribution, interstate conspiracy, use and numerous overdoses causing injury and death of multiple users.

Beginning in 2010, we began to see increased heroin trafficking and the attendant increased societal effects. Since 2010, the Iowa State Criminalistics laboratory and the DEA laboratory have processed heroin exhibits from 37 of Iowa's 99 counties. In 2010, there were 68 heroin exhibits processed. In 2011 and 2012 there were 133 and 134 exhibits respectively. Due to a significant federal prosecution effort, there was a slight downward trend in 2013 (115 exhibits) and 2014 (103 exhibits). In the first quarter of 2015, the laboratories have seen 50 heroin exhibits so far. If this continues the labs will examine 200 exhibits, almost three times the number of heroin exhibits submitted in 2010. Although the three counties covered by this initiative (Linn, Johnson and Black Hawk) account for only 15.8% of Iowa's population, they account for 44% of Iowa's heroin lab submissions for the first third of 2015.

Along with the increase in availability comes an increase in the lethal effects of heroin trafficking. Statewide, heroin and other related opioids have resulted in an increasing number of deaths. In 2000, heroin, methadone and other opioids were the cause of death in 15% of the drug-related deaths in the state. In 2013, the last year statistics are available, heroin, methadone and other opioids were the cause of death in 34% of drug-related deaths. In Cedar Rapids, heroin and other opioids were the cause of an overdose 45% of the time in 2010. By 2015, heroin and other opioids were the cause of 84.6% of all overdoses in the Cedar Rapids. In Cedar Rapids alone, heroin was the cause of an overdose in only nine cases in 2010. In the first half of 2015, heroin caused 44 overdoses.

**Deaths/overdoses (Cedar Rapids Police Department)
 2010-June 5, 2015**

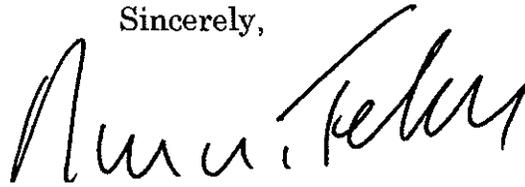
	2010	2011	2012	2013	2014	1/15- 6/5/15
CALLS FOR SERVICE						
CFS OD	131	158	65	302	300	145
CFS HEROIN OD	5	10	6	9	10	10
TOTALS	136	168	71	311	310	155
REPORTED INCIDENTS						
REPORTED OD	20	65	58	54	63	52
REPORTED HEROIN OD	9	28	18	19	32	44
HEROIN % OF TOTAL	45%	43.1%	31.1%	35.2%	50.8%	84.6%

Wayne Jerman, Chief
Cedar Rapids Police Department
July 20, 2015
Page 3

Iowa Drug-related Deaths (Statewide)
2000-2013

Year	00	01	02	03	04	05	06	07	08	09	10	11	12	13
Total	46	60	64	67	94	92	123	151	160	152	183	205	213	227
Heroin/Opioids/ Methadone	7	10	11	12	28	24	35	43	44	60	45	72	60	77
% Heroin	15	17	17	18	30	26	28	28	27.5	39	24.5	35	28	34

Sincerely,



KEVIN W. TECHAU
United States Attorney



Council Agenda Item Cover Sheet

Submitting Department: Public Works

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

Phone Number/Extension: 5087

Alternate Contact Person: Jen Winter
E-mail Address: j.winter@cedar-rapids.org

Phone Number/Extension: 5803

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing the addition of one full-time employee in the Public Works Department for the duration of the Paving for Progress and Cedar River Flood Control System (FCS) programs to assist acquisitions particularly as it relates to title clearance and closing activities **(Paving for Progress and GRI)**.

CIP/DID #49-15-006

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

Background: In November of 2013, Cedar Rapids approved a one-cent Local Option Sales Tax (LOST) specifically for the maintenance, repair, construction, and reconstruction of roads (known as the Paving for Progress program) within Cedar Rapids. The approval of LOST funds is for a 10-year period that began on July 1, 2014. Recently, the City approved the Cedar River Flood Control System (FCS) Master Plan which will require the total acquisition of properties and relocation of occupants from the project area. The approval of GRI funds is for a 20-year period. Both programs will increase the demand for property acquisition.

The Public Works Department needs an additional employee to assist with real estate title clearance and closing activities. The Public Works Department will require one right of way agent with this specific skill set to provide this assistance.

Action/Recommendation: Approve creation of one right of way agent full-time equivalent position.

Alternative Recommendation: Continue to outsource the assistance.

Time Sensitivity: Normal

Resolution Date: July 28, 2015

Budget Information: Paving for Progress & GRI

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, in November of 2013, Cedar Rapids approved a one-cent Local Option Sales Tax (LOST) specifically for the maintenance, repair, construction, and reconstruction of roads (known as the Paving for Progress program) within Cedar Rapids, and

WHEREAS, in June of 2015, Cedar Rapids approved the Cedar River Flood Control System (FCS) Master Plan outlining the process for acquisition of properties required for implementation of the comprehensive FCS, and

WHEREAS, the Public Works Department needs an additional employee to assist with real estate activities specifically title clearance and closing for acquisitions relating to the Paving for Progress and FCS program, and

WHEREAS, the Public Works Department will require one right of way agent to provide this assistance,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is hereby authorized to establish one additional full-time employee in the Public Works Department for the duration of the Paving for Progress and FCS program.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



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: Motions setting public hearings
 Motion setting a public hearing for August 11, 2015 to consider granting a change of zone for property at 167 Dows Lane SE from R-1, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Richard B. Altorfer.
 CIP/DID # RZNE-019306-2015

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 July 23, 2015.

The property is currently developed with a single-family detach home. The applicant wishes to split off a rear portion of the lot to add to the property the applicant owns to the south. In order to accomplish this, the rezoning is necessary since the remaining housing lot will not meet the minimum lot area (10,000 s. f.) for the R-1 Zoning District. Since this is a rezoning for single-family residential there is no site plan requirement at this time.

Action/Recommendation: City staff recommends setting the public hearing.

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





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: Motions setting public hearings
 Motion setting a public hearing on August 11, 2015 to consider a change of zone from A, Agriculture Zone District to C-3, Regional Commercial Zone District as requested by Roger A. and Colleen A. Cassill
 CIP/DID # RZNE-018870-2015

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 July 23, 2015.

This is a request to rezone 2.04 acres to the C-3 Zoning District to allow the property to be used for vehicle repair and sales. The property is currently zoned Agriculture, with the exception of the existing single-family home, but is used for commercial purposes. The property was developed in the County as residential and commercial and was annexed to the City in 1996. The City's Future Land Use Map in EnvisionCR, the City's Comprehensive Plan identifies the property as "Urban Medium Intensity". The Preliminary Site Development Plan as submitted includes the following:

- Four existing buildings including:
 - Two 1-story garages.
 - One 2-story office and garage.
 - One single family home.
- Total building area-7,352 s. f.
- Total hard surface including parking and drives-19,186 s. f.
- Total parking-25 spaces including 2 handicap spaces.
- Two accesses from West post Rd. SW and one from 20th Ave. SW.

Action/Recommendation: City staff recommends setting the public hearing.

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

Time Sensitivity: NA

Resolution Date: NA

Budget Information: NA

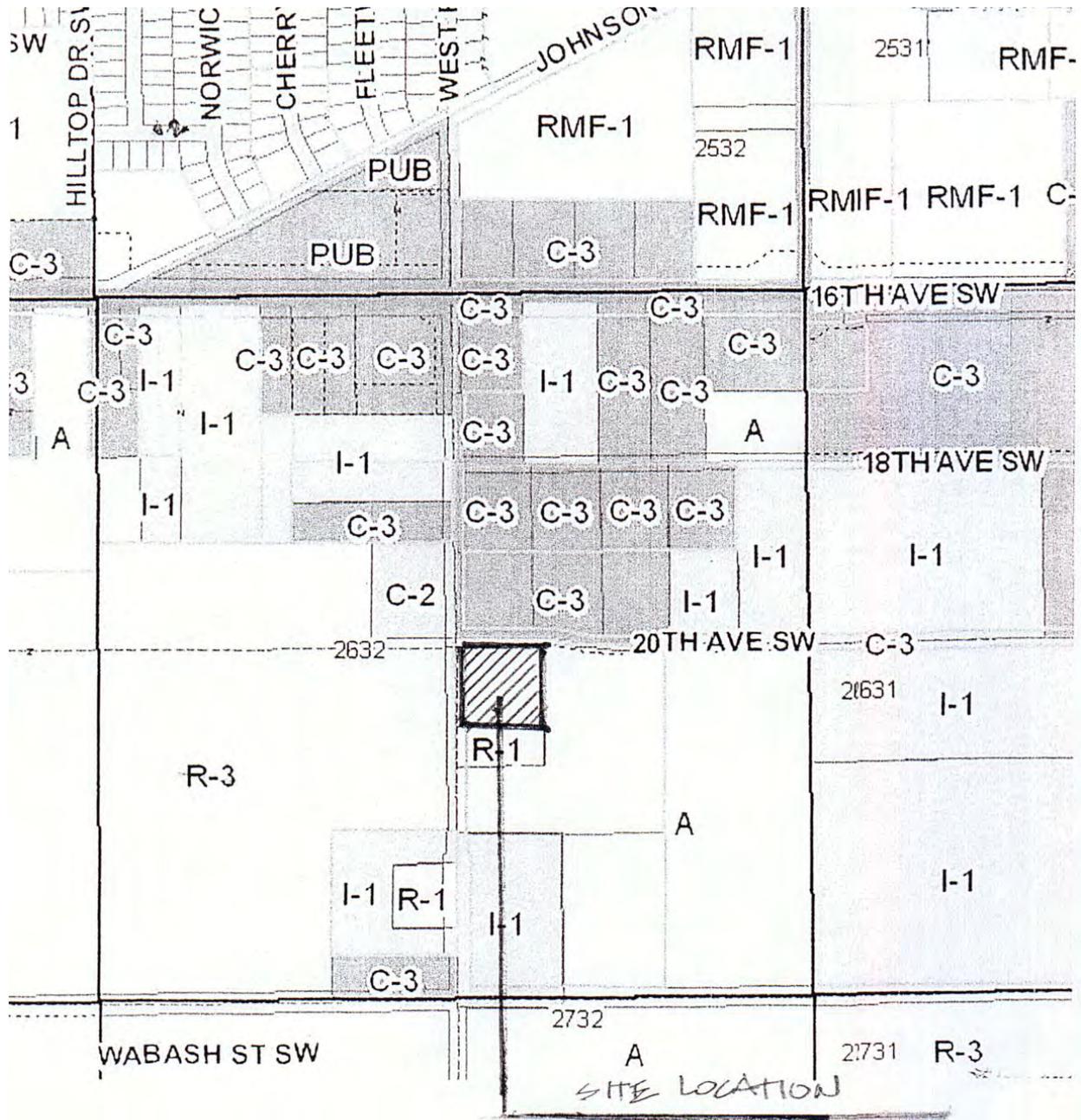
Local Preference Policy: NA

Explanation:

Recommended by Council Committee: NA

Explanation:

Location Map





Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: David Houg
E-mail Address: daveh@cedar-rapids.org

Phone Number/Ext.: 319 286-5168

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

Phone Number/Ext.: 319 286-5822

Description of Agenda Item: Motions setting public hearings
 Motion setting a public hearing for August 11, 2015 to consider granting a change of zone for property at 1718 Center Point Road NE from C-2, Community Commercial Zone District and R-3, single Family Residence Zone District to O-S, Office/Service Zone District as requested by Jonathan Bond and Virgil A. and Janice E. Henley.
 CIP/DID # RZNE-019307-2015

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

Background: The request for rezoning of this property will be reviewed by the City Planning Commission on July 23, 2015. Their recommendation will be noted in the City Council cover sheet for the public hearing.

This is a request to rezone 1.39 acres to the O-S Zoning District to allow for the development of a self-service storage facility. The property is currently operated as a combination of rental home and used car sales lot. The property is identified as "Urban - Low Intensity" on the City's Future Land Use Map in EnvisionCR, the City's Comprehensive Plan. The land is currently developed with a single-family dwelling and a commercial structure. The proposed use will be self-service storage.

Action/Recommendation: City staff recommends setting the public hearing.

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

Time Sensitivity: N/A

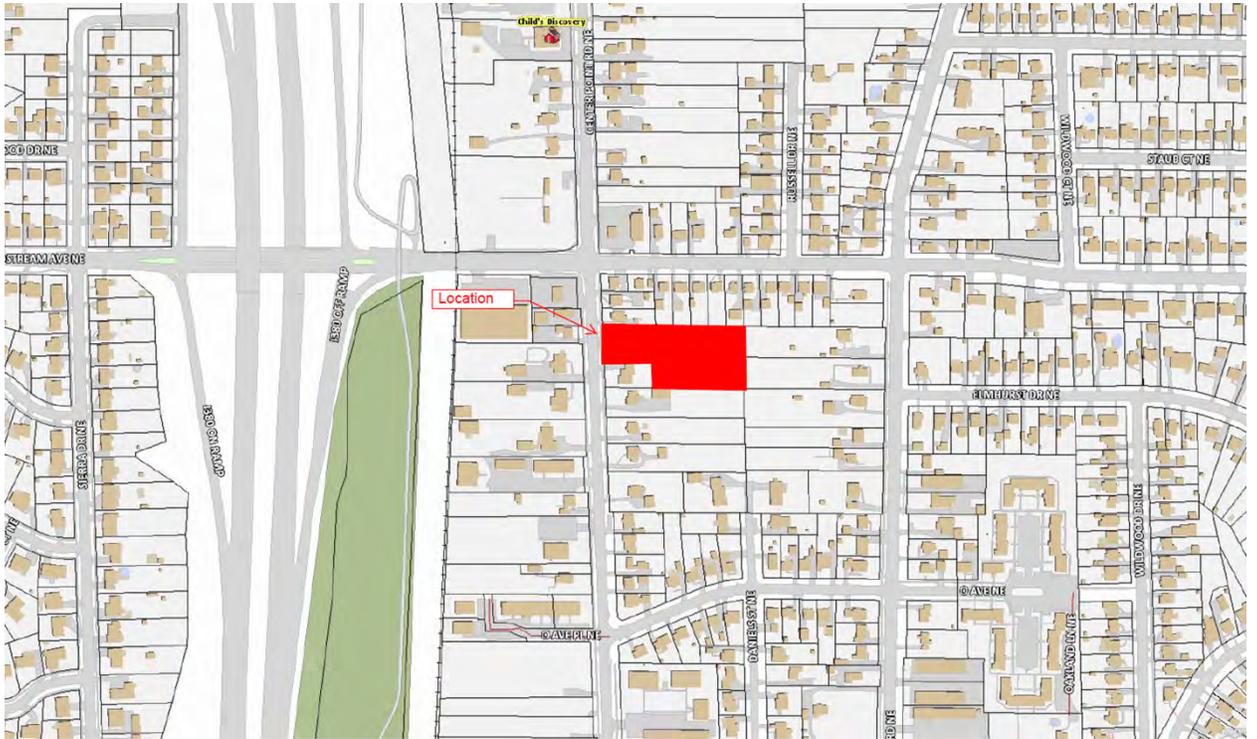
Resolution Date: N/A

Budget Information: N/A

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

Location Map





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: Motions setting public hearings
 Motion setting a public hearing for August 25, 2015 to consider annexation of territory north of Wright Brothers Boulevard SW and east of Kirkwood Boulevard SW as requested by College Community School District.
 CIP/DID # ANNX-016948-2015

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

Background:

Property Owner, College Community School District submitted a written application for voluntary annexation to the City of Cedar Rapids. The total area to be annexed is approximately 78.62 acres. There is County right-of-way including half street right-of-ways for both Wright Brothers Boulevard SW and Kirkwood Boulevard SW that needs to be included in the annexation. The owners wish to annex at this time to allow for expansion of the School campus. City sanitary sewer and water are available to the site. All other City services including Police and Fire protection, street maintenance, and garbage and recycling collection are also available since this site is adjacent to the City limits. The application has been reviewed by City staff and no major issues were identified.

Notices were mailed and published in accordance with State Code requirements. The annexation will not require approval by the Iowa Department of Economic Development City Development Board since the property is not within two miles of another jurisdiction and there is no non-consenting property owners involved in the annexation. If approved by City Council Resolution the application will be sent to the Secretary of State for review and recordation.

Action/Recommendation: City staff recommends setting the public hearing.

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

Time Sensitivity: N/A

Resolution Date: NA

Budget Information: NA

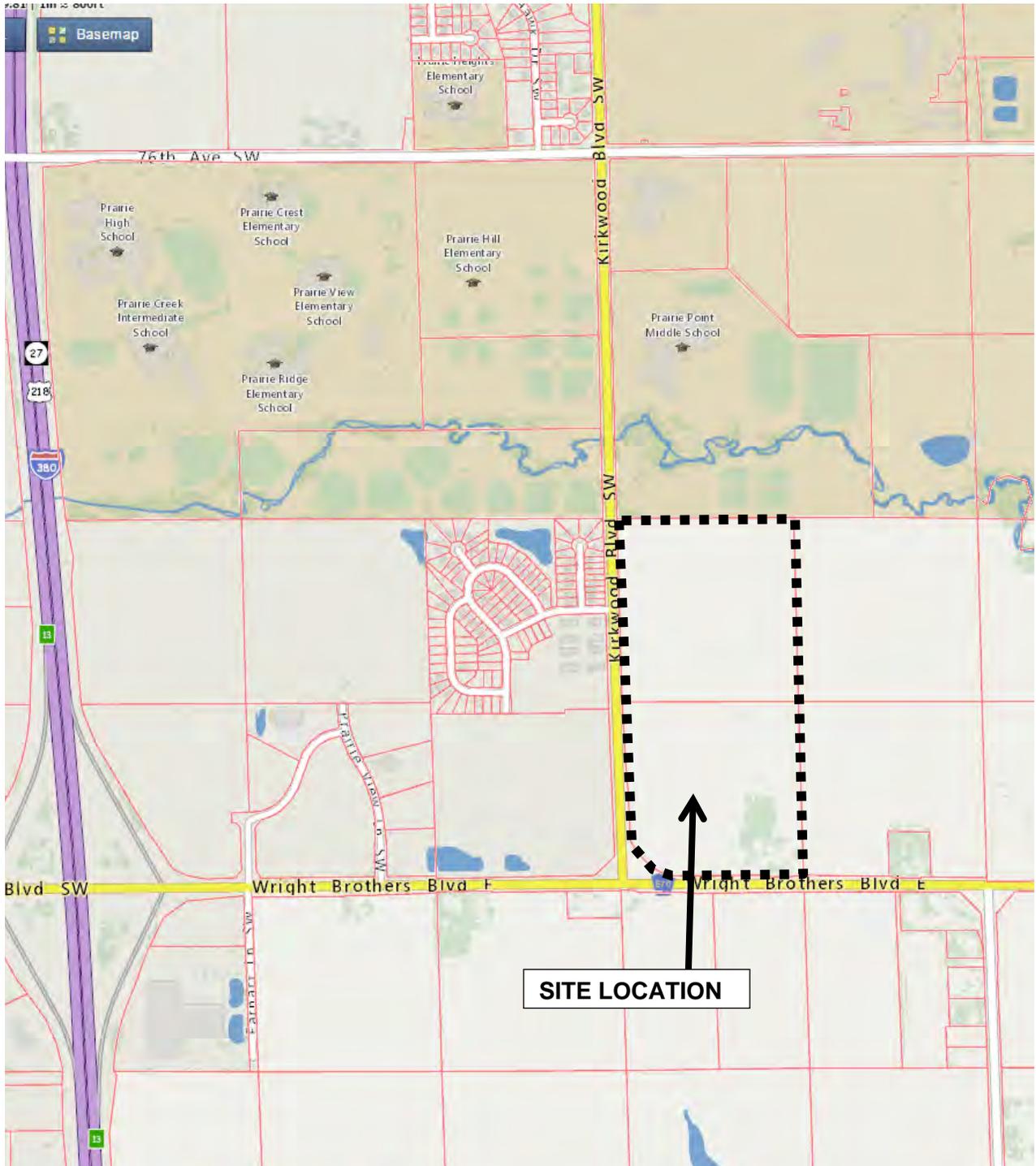
Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

Location Map





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.: 5043

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

Phone Number/Ext.: 5822

Description of Agenda Item: Motions setting public hearings
 Motion setting a public hearing for August 25, 2015 to consider annexation of property located south of 76th Avenue Drive SW and east of Kirkwood Boulevard SW as requested by Kirkwood Community College.
 CIP/DID # RZNE-020246-2015

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

Background:

Property Owner, Kirkwood Community College submitted a written application for voluntary annexation to the City of Cedar Rapids on July 13, 2015. The total area to be annexed is approximately 10.4 acres. Linn County right-of-way, including a portion of 76th Avenue Drive, will be included in the annexation. The owners wish to annex at this time to allow for development purposes. City sanitary sewer and water are available to the site. All other City services including Police and Fire protection, street maintenance, and garbage and recycling collection are also available since this site is adjacent to the City limits and the Kirkwood Campus. The application has been reviewed by City staff and no major issues were identified.

Notices were mailed and published in accordance with State Code requirements. The annexation will not require approval by the Iowa Department of Economic Development City Development Board since the property is not within two miles of another jurisdiction and there is no non-consenting property owners involved in the annexation. If approved by City Council Resolution the application will be sent to the Secretary of State for review and recordation.

Action/Recommendation: City staff recommends setting the public hearing.

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

Time Sensitivity: Urgent due to pending sale

Resolution Date: NA

Budget Information: NA

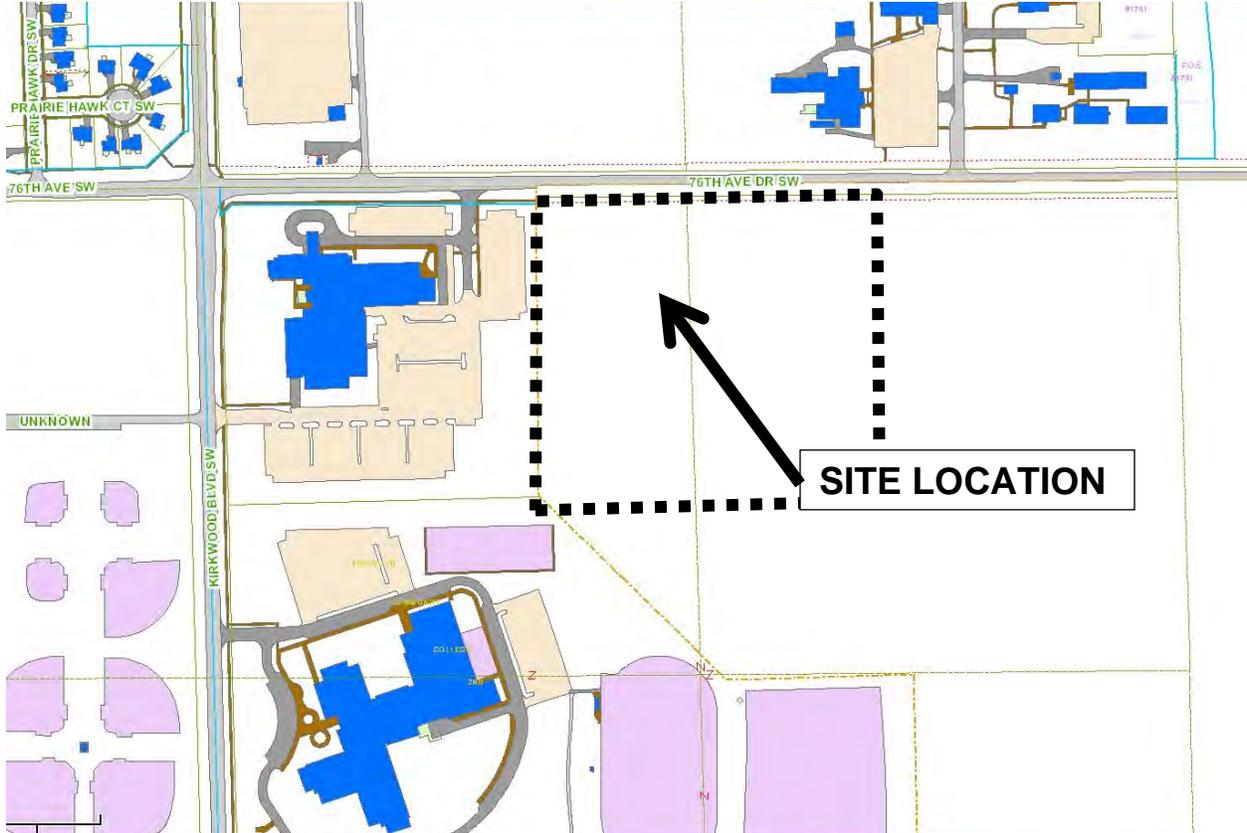
Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

Location Map





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. Applebee's Neighborhood Grill & Bar, 303 Collins Road NE.
- b. Blind Pig, 3325 Center Point Road NE (adding permanent outdoor service).
- c. Brucemore Museum Store, 2160 Linden Drive SE.
- d. Cancun #2, 555 Gateway Place SW.
- e. Cedar Rapids Ice Arena, 1100 Rockford Road SW.
- f. Cedar Rapids Softball Hall of Fame, 2000 Ellis Boulevard NW (5-day permit for an event on August 8, 2015 at Ellis Park Softball Complex).
- g. Checkers Tavern & Eatery, 3120 6th Street SW (outdoor service for an event on August 1, 2015).
- h. Gilligan's, 912 1st Avenue NW.
- i. Hy-Vee #7 Market Grille, 5050 Edgewood Road NE (New - market grille).
- j. Hy-Vee Food Store #6, 4035 Mount Vernon Road SE (5-day permit for an event at the Cedar Rapids Public Library, 450 5th Avenue SE).
- k. Just Coz, 406 6th Street SW.
- l. La Cantina Bar & Grill, 102 2nd Street SE.
- m. Mai Pho Vietnamese Restaurant, 2315 Edgewood Road SW.
- n. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5 day permit for an event on August 15, 2015).
- o. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on August 20, 2015).
- p. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5 day permit for an event on August 25, 2015).
- q. NewBo City Market, 1100 3rd Street SE (outdoor service for an event on August 8, 2015).
- r. NewBo City Market, 1100 3rd Street SE (outdoor service for an event on August 15, 2015).
- s. NewBo City Market, 1100 3rd Street SE (outdoor service for an event on September 5-6, 2015).
- t. Paddy O'Rourke's, 608 16th Street NE.
- u. Red Lion Lounge, 3970 Center Point Road NE (outdoor service for an event on July 31-August 2, 2015).
- v. St. Jude's Church, 50 Edgewood Road NW (5 day permit for an event on August 6-10, 2015).
- w. Taj Mahal Cuisine of India, 3939 Center Point Road NE.

- a. Uptown Liquor & Tobacco, 2000 Wiley Boulevard SW (new – new ownership).
- b. Wal-Mart #1528, 2645 Blairs Ferry Road NE.
- c. Wild Hog Saloon & Eatery, 350 Commercial Drive (5-day permit for an event August 13-15, 2015 at Metro Harley Davidson, 2415 Westdale Drive SW).

CIP/DID # OB1145716

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

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 21, 2015

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Applebee's Neighborhood Grill & Bar – Collins 303 COLLINS RD NE	6	0	0	1
Blind Pig 3325 CENTER POINT RD NE	47	0	0	8
Brucemore Museum Store 2160 LINDEN DR SE	9	0	0	0
Cancun #2 555 GATEWAY PL SW	13	0	0	2
Cedar Rapids Ice Arena 1100 ROCKFORD RD SW	0	0	0	0
Cedar Rapids Softball Hall of Fame 2000 ELLIS BLVD NW	3	0	0	0
Checkers Tavern & Eatery 3120 6TH ST SW	8	0	0	1
Gilligan's 912 1ST AVE NW	23	0	0	6
Hy-Vee #7 Market Grille 5050 EDGEWOOD RD NE	0	0	0	0
Hy-Vee Food Store #6 450 5TH AVE SE	0	0	0	0
Just Coz 406 6TH ST SW	16	0	0	2
La Cantina Bar & Grill 102 2ND ST SE	17	0	0	2
Mai Pho Vietnamese Restaurant 2315 EDGEWOOD RD SW	0	0	0	0
McGrath Amphitheatre Cedar Rapids	20	0	0	2

475 1st ST SW				
McGrath Amphitheatre Cedar Rapids	20	0	0	2
475 1st ST SW				
McGrath Amphitheatre Cedar Rapids	20	0	0	2
475 1st ST SW				
NewBo City Market	353	0	0	3
1100 3RD ST SE				
NewBo City Market	353	0	0	3
1100 3RD ST SE				
NewBo City Market	353	0	0	3
1100 3RD ST SE				
Paddy O'Rourke's	23	0	1	5
608 16TH ST NE				
Red Lion Lounge	18	0	0	2
3970 CENTER POINT RD NE				
St. Jude's Church	0	0	0	0
50 EDGEWOOD RD NW				
Taj Mahal Cuisine of India	0	0	0	0
3939 CENTER POINT RD NE				
Uptown Liquor & Tobacco	0	0	0	0
2000 WILEY BLVD SW				
Wal-Mart #1528	677	0	0	31
2645 BLAIRS FERRY RD NE				
Wild Hog Saloon & Eatery	0	0	0	0
350 Commercial DR				



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>EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply</p>

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: 7-28-15

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.

Department	Total
Animal Control	\$ 21,306.66
Aquatics Operation	\$ 94,434.32
Attorney	\$ 21,797.83
Building Services Division	\$ 65,757.96
CD – Federal Programs	\$ 43,535.25
Cedar Rapids Public Library	\$ 118,220.35
City Band	\$ 22,615.00
City Manager	\$ 40,136.69
Civil Rights	\$ 13,952.47
Clerk	\$ 11,740.39
Community Development – DOD	\$ 26,895.28
Council	\$ 6,520.27
Development Services	\$ 36,462.50
Facilities Maintenance Service	\$ 50,109.80
Finance	\$ 14,163.36
Finance – Analysts	\$ 14,082.56
Financial Operations	\$ 42,972.38
Fire	\$ 406,181.83
Five Seasons Parking	\$ 7,620.91
Fleet Maintenance	\$ 76,179.45
Golf Operations	\$ 54,915.31
Human Resources	\$ 32,453.97
Information Technology	\$ 84,967.07
Joint Communications	\$ 60,028.70
Library Grants	\$ 7,577.44
Parks Operations	\$ 152,383.44
Police	\$ 650,967.94
Public Works	\$ 22,753.01
Public Works – Engineering	\$ 94,008.62
Purchasing Service	\$ 11,340.92
Recreation	\$ 43,690.10
Sewer Operations	\$ 57,564.72
Street Operations	\$ 139,485.69
Traffic Engineering	\$ 46,256.33
Transit	\$ 120,182.69
Treasury Operations	\$ 11,944.52
Utilities	\$ 12,744.04
Utilities – Solid Waste	\$ 99,667.81
Veterans Memorial	\$ 16,324.76
Water Operations	\$ 286,358.00
Water Pollution Control	\$ 186,348.35
Grand Total:	\$ 3,326,648.69

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 appointing the following individual:

- a. Appointing Karla Scriven (effective through June 30, 2017) to the Visual Arts Commission.

CIP/DID #OB572855

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

Background: Recently a member resigned from the Visual Arts Commission. This agenda includes an appointment to fill that vacancy.

Action/Recommendation: Approve resolution as presented

Alternative Recommendation:

Time Sensitivity: None

Resolution Date: July 28, 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 appoint the following individual to serve on the Visual Arts Commission for the term as indicated or until a successor is appointed and qualified:

<u>Commissioner</u>	<u>Term Beginning</u>	<u>Term Expiration</u>
Karla Scriven	07/28/2015	06/30/2017

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 Karla Scriven to the Visual Arts 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 Townsquare Media Cedar Rapids NewBo Music Festival event (includes road closures) on August 8, 2015. CIP/DID #SPEC-037001-2015

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: 07/28/15

Budget Information:

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Aphton Roberts, on behalf of Townsquare Media Cedar Rapids, has requested approval to conduct the NewBo Music Festival, an alternative rock concert including food and beverage vendors and street closures from 12 noon until 10 PM on Saturday, August 8, 2015 (not including set up and tear down time), and,

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

1. Applicant requests the following streets be closed for the event:
 - 12th Avenue SE between 3rd Street SE and 4th Street SE
 - 3rd Street SE between 11th Avenue SE and 12th Avenue SE
 - 11th Avenue SE between 3rd Street SE and 4th Street SE
2. Applicant shall provide adequate rest room facilities.
3. Applicant is aware of the existence and requirements of the Municipal Noise Ordinance (Chapter 56 of the Cedar Rapids City Code) as relates to the intent to provide amplified music at 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. For traffic and pedestrian safety purposes, the City Traffic Engineering Division will approve temporary "No Parking" signs, meeting City specifications, to be placed by the applicant's contractor along the following streets for this event:
 - 3rd Street SE between 11th Avenue SE and 12th Avenue SE, 11th Avenue SE between 3rd Street SE and 4th Street SE
 - a. The appropriate signs, as specified by the Traffic Engineering Division, will be installed, maintained and removed by an insured traffic control contractor that will be hired and paid by Applicant. Signs shall be stake mounted and a minimum size of 24" X 18", spaced at a maximum distance of 75' apart on all listed streets.
 - b. The temporary "No Parking" signs shall be installed by the traffic control contractor no earlier than day/date, and removed no later than day/date.
 - c. The Applicant shall provide advance written notification to adjacent property owners on the above named streets of the event dates and times and the temporary "No Parking" posting. A copy of the notice shall be provided to the Traffic Engineering Division prior to the event.
6. 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.
7. No trails or sidewalks are closed for the event

8. Applicant shall not use any equipment that penetrates or damages the City street or sidewalk surface. All tents, stages, and other structures shall be water barrel or sand weight supported.
9. The outermost event fencing shall be no closer than two (2) feet from all public sidewalks to avoid obstructing a public sidewalk or impeding pedestrian traffic.
10. 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.
11. 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.
 - Sidewalk chalk is acceptable for chalk art on public sidewalks OTHER THAN sidewalks in and adjacent to City parks.
 - Chalk paint shall not be applied to any city street or sidewalk.
12. Food vendors must contact Linn County Public Health @ 892-6000 in advance of the event for required permits and guidelines (permits available at www.linncounty.org/health). The event organizer shall obtain copies of submitted temporary food service applications from food vendors prior to the event.
13. If food is served and/or sold at the event, the applicant (or vendors) shall meet all applicable requirements of the Linn County Health Department and the City Code.
14. 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.
15. 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.
16. Applicant will contact Fire Marshal Vance McKinnon at 319-286-5862 to acquire an Outdoor Place of Assembly permit as required for the outdoor service area and request the appropriate inspections prior to the event taking place.
17. No minors shall be allowed in the alcohol service area.
18. Applicant shall contact the City Clerk's Office (319-286-5060) to obtain appropriate alcohol related applications and information on processing deadlines.
19. 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 (286-5438) to arrange officers.

- Applicant will be required to hire four (4) off duty police officers (\$49/hr) from 1200-2200 hours.
- Four (4) X ten (10) hours @ \$49/hr
Estimated Cost is \$1960

20. 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.

21. 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



Council Agenda Item Cover Sheet

Submitting Department: Water

Presenter at Meeting: Steve Hershner
E-mail Address: s.hershner@cedar-rapids.org

Phone Number/Ext.: 5281

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 – 42 properties.
 CIP/DID #WTR0728-001

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 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: 7/28/15

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 8th day of September, 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 11:00 a.m., September 8, 2015.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LIEN INTENTS (SPECIAL ASSESSMENTS) 7/28/15

		LIEN INTENTS 7/28/15	
#		Balance Due	Premise Address
1	\$	323.61	116 34TH ST SE
2	\$	37.49	117 21ST ST NE
3	\$	214.09	138 37TH ST NE
4	\$	41.48	211 CAMBRIDGE DR NE
5	\$	291.29	229 SINCLAIR AVE SE
6	\$	144.61	327 33RD ST NE
7	\$	127.00	333 17TH ST SE
8	\$	250.32	393 30TH ST SE
9	\$	153.00	416 41ST ST NE
10	\$	137.13	421 16TH ST SE
11	\$	117.10	521 C AVE NW
12	\$	38.29	563 FOREST DR SE
13	\$	66.85	618 13TH ST NW
14	\$	273.32	711 34TH ST NE
15	\$	256.71	816 36TH ST NE
16	\$	45.86	924 H AVE NW
17	\$	152.98	1006 2ND ST SW #B
18	\$	155.36	1010 18TH ST SW
19	\$	170.60	1019 18TH ST SW
20	\$	86.00	1029 11TH AVE SE
21	\$	180.48	1053 17TH ST NE
22	\$	59.33	1124 K ST SW
23	\$	251.74	1310 I AVE NE
24	\$	157.10	1441 42ND ST NE
25	\$	91.33	1500 4TH AVE SE
26	\$	60.48	1522 B AVE NW
27	\$	87.79	1531 BEVER AVE SE
28	\$	92.81	1546 5TH AVE SE
29	\$	145.58	1734 5TH AVE SE
30	\$	196.43	1841 WASHINGTON AVE SE
31	\$	112.45	2002 E AVE NW
32	\$	41.51	2050 SUGAR CREEK DR NW #B
33	\$	179.89	2724 MEADOWBROOK DR SE
34	\$	113.03	2725 JOHNSON AVE NW - AUTO
35	\$	287.66	3120 D AVE NE
36	\$	171.61	3324 OAKLAND RD NE
37	\$	66.80	3616 OAKLAND RD NE
38	\$	97.79	4248 COTTAGE GROVE PKWY SE
39	\$	62.41	5414 CENTER POINT RD NE
40	\$	133.72	6617 KIOWA TRACE NE
41	\$	104.02	8400 KENSINGTON DR NE
42	\$	87.98	8433 WOODSTONE CT SW
	\$	5,865.03	Grand Total
		42	Number of Properties
	\$	37.49	Balance Due - Low
	\$	323.61	Balance Due - High



Council Agenda Item Cover Sheet

Submitting Department: Solid Waste and Recycling

Presenter at Meeting: Mark Jones

Phone Number/Ext.: 4791

E-mail Address: M.Jones@cedar-rapids.org

Alternate Contact Person: Sarah Augustine

Phone Number/Ext.: 4786

E-mail Address: s.augustine@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA

1. Resolutions approving assessment actions:
Intent to assess – Solid Waste & Recycling – clean-up costs – three properties.

CIP/DID #SWM-001-15

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

Background: The Solid Waste and Recycling Division is responsible for abating garbage nuisances on public and private property. Under normal circumstances property owners receive a "Notice of Abatement" letter which allows them seven (7) days to correct the problem identified in the letter and its attachments. If a property owner fails to abate the nuisance, the Solid Waste and Recycling Division abates the nuisance and issues an invoices for services rendered.

Property owners have 30 days to pay their invoice. Failure to pay the invoice results in a "Intent to Assess" action against the property being prepared by the Solid Waste and Recycling Division and presented to City Council in the form of a Resolution.

Following the approval of the Intent to Assess Resolution, the property owner receives another mailing, which includes all the original documentation and a copy of the Intent to Assess Resolution. The property owner then has an additional 30 day period to pay their invoice. Failure to pay the outstanding invoice following the second 30 day period results in a "Levy Assessment" action against the property being prepared by the Solid Waste and Recycling Division and presented to City Council in the form of a Resolution.

Following approval of the "Special Assessment" Resolution, the nuisance abatement information is turned over to the Linn County Treasurer and the outstanding payment is levied against the property owner's taxes for collection.

Action/Recommendation: The Solid Waste and Recycling Division recommends that the Resolution for the Intent to Assess be approved.

Alternative Recommendation: The City Council could decide not to assess.

Time Sensitivity:

Resolution Date: 7/28/15

Budget Information:

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: No

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, NUISANCE ABATEMENTS have been made among various properties within the City of Cedar Rapids, Iowa, and,

WHEREAS, the property owner has failed to pay the required invoice(s) sent out for costs associated with the nuisance abatement within the prescribed time period noted on the City's invoice, and

WHEREAS, the City of Cedar Rapids may assess the cost of nuisance abatements against the property for failure to pay invoices, and,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the intent to assess against the property and for the amounts shown on the attached listing, will be made by the City Council after 30 days of the date passed, and notice was given by mailing to the owners of the described and enumerated tracts, 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 3:30 p.m., August 27, 2015.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

INTENT TO ASSESS July 28, 2015

		INTENT TO ASSESS 7/28/15	
#		Balance Due	Premise Address
1		\$ 322.75	3217 Waveland Dr NW
2		336.75	1547 C Ave NE
3		428.75	1026 11 th Ave SE
		\$ 1,088.25	Grand Total
		3	Number of Properties



Council Agenda Item Cover Sheet

Submitting Department: Water

Presenter at Meeting: Steve Hershner
E-mail Address: s.hershner@cedar-rapids.org

Phone Number/Ext.: 5281

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 – 11 properties.
 CIP/DID #WTR0623-001

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. 0906-06-15 on June 23, 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: 7/28/15

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

SPECIAL ASSESSMENTS (TO BE LIENED) 7/28/15

		SPECIAL ASSESSMENTS 7/28/15	
		LIEN INTENTS 6/23/15	
#		Balance Due	Premise Address
1		\$ 238.17	129 13TH ST NW
2		\$ 206.61	157 15TH AVE SW
3		\$ 166.57	516 14TH ST SE
4		\$ 207.64	941 M ST SW #4
5		\$ 152.16	1019 16TH ST NE
6		\$ 222.87	1038 DANIELS ST NE
7		\$ 258.15	1125 K AVE NW
8		\$ 116.74	1212 8TH ST NW
9		\$ 127.95	1503 CENTER POINT RD NE
10		\$ 657.22	1616 J ST SW
11		\$ 309.87	2307 BEVER AVE SE
		\$ 2,663.95	Grand Total
		11	Number of Properties
		\$ 116.74	Balance Due - Low
		\$ 657.22	Balance Due - High



Council Agenda Item Cover Sheet

Submitting Department: Water

Presenter at Meeting: Steve Hershner
E-mail Address: SteveHe@cedar-rapids.org

Phone Number/Ext.: 5281

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

Phone Number/Ext.: 5926

Description of Agenda Item: Maintenance bonds

Water system improvements installed in Cedar River Bluffs 2nd Addition – Phase 2 and 2-Year Maintenance Bond submitted by Schrader Excavating & Grading Co. in the amount of \$107,821.73.

CIP/DID #2012033-01

EnvisionCR Element/Goal: GrowCR Goal 3: Connect growing areas to existing neighborhoods.

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

The Developer, Stoney Point Heights, LLC, was granted permission by the Water Division to install 12-inch and 8-inch water mains, services, and appurtenances in Cedar River Bluffs 2nd Addition – Phase 2 (Project No. 2012033). The Contractor, Schrader Excavating and Grading Co., has installed 1,301 feet of 12-inch DIP water main and 230 feet of 8-inch DIP water, services and appurtenances on River Bluff Drive NW and Stanek Drive NW.

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

Action/Recommendation: The Utilities Department – Water Division is recommending acceptance of the water system improvements installed in Cedar River Bluffs 2nd Addition – Phase 2 (Project No. 2012033) and the Contractor's 2-year Maintenance Bond (#GRIA38144A) submitted by Schrader Excavating and Grading Co. in the amount of \$107,821.73.

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

Time Sensitivity: None, routine item

Resolution Date: 7/28/2015

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Stoney Point Heights, LLC, was granted permission by the Utilities Department - Water Division to install 1,301 feet of 12-inch DIP water main and 230 feet of 8-inch DIP water, services and appurtenances on River Bluff Drive NW and Stanek Drive NW, all in Cedar River Bluffs 2nd Addition – Phase 2 (Project No. 2012033), to the City of Cedar Rapids, and

WHEREAS, said work has now been completed and Schrader Excavating and Grading Co. of Walford, Iowa, as Principal, has filed a 2-Year Maintenance Bond (Bond No. GRIA38144A) executed by Granite Re, Inc., as Surety, in the sum of \$107,821.73 (One Hundred Seven Thousand Eight Hundred Twenty One and 73/100 Dollars) covering said work.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the water mains, services, and appurtenances installed in Cedar River Bluffs 2nd Addition – Phase 2 (Project No. 2012033) be hereby accepted, and

BE IT FURTHER RESOLVED that the 2-Year Maintenance Bond submitted by Schrader Excavating and Grading Co., as Principal, and executed by Granite Re, Inc., as Surety, be hereby approved and filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



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 approving the 4-year Performance Bond submitted by B.G. Brecke, Inc. for the 3rd Avenue SE at 6th Street Storm Sewer Point Repair project (original contract amount was \$24,700.40; final contract amount is \$17,850.80).
 CIP/DID #304420-01

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

Background: Construction has been substantially completed by B.G. Brecke, Inc. for the 3rd Avenue SE at 6th Street Storm Sewer Point Repair project. This is an approved Capital Improvements Project (CIP No. 304420-01) with a final construction contract amount of \$17,850.80. Funding resources for this project were approved in FY15 and prior years and the project is completed within the approved budget.

Action/Recommendation: The Public Works Department recommends adoption of the Resolution to accept the project and performance bond of B.G. Brecke, 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 project cannot be closed out (four-year maintenance bond period cannot begin) and City could be subject to claims since Contractor has fulfilled the terms of the construction contract.

Time Sensitivity: Normal

Resolution Date: July 28, 2015

Budget Information: 304420-01

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City Engineer certifies construction contract work on the 3rd Avenue SE at 6th Street Storm Sewer Point Repair project (Contract No. 304420-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated January 28, 2015 in the amount of \$22,700.40 covering said work filed by B.G. Brecke, Inc. and executed by United Fire & Casualty Company provides a 4-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$22,700.40
Possible Incentive	2,000.00
Change Order No. 1	<u>(6,849.60)</u>
Amended Contract Amount	\$17,850.80

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

BE IT FURTHER RESOLVED that based on the City Engineer's recommendation, the 3rd Avenue SE at 6th Street Storm Sewer Point Repair project, (304420-01) be and the same is hereby accepted as being substantially completed, and

The final contract price is \$17,850.80 distributed as follows: \$17,850.80 304-304000-304420, 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



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 approving the 4-year Performance Bond submitted by Weitz Industrial, LLC for the Park Cedar Rapids Skywalk Truss Repairs project (original contract amount was \$74,698; final contract amount is \$74,698).
 CIP/DID #635131-10

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

Background: Construction has been substantially completed by Weitz Industrial, LLC for the Park Cedar Rapids Skywalk Truss Repairs project. This is an approved Capital Improvements Project (CIP No. 635131-10) with a final construction contract amount of \$74,698. Funding resources for this project were approved in FY15 and prior years and the project is completed within the approved budget.

Action/Recommendation: The Public Works Department recommends adoption of the Resolution to accept the project and performance bond for the Park Cedar Rapids Skywalk Truss Repairs project.

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

Time Sensitivity: Normal

Resolution Date: July 28, 2015

Budget Information: 635131

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City Engineer certifies construction contract work on the Park Cedar Rapids Skywalk Truss Repairs project (Contract No. 635131-10), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated December 16, 2014 in the amount of \$74,698 covering said work filed by Weitz Industrial, LLC and executed by Fidelity and Deposit Company of Maryland provides a 4-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$74,698
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NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the City Engineer's recommendation, the Park Cedar Rapids Skywalk Truss Repairs project, (Contract 635131-10) be and the same is hereby accepted as being substantially completed.

The final contract price is \$74,698 distributed as follows: 635-635000-635131

, 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



Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Judy Lehman

Phone Number/Ext.: 5022

E-mail Address:

Alternate Contact Person:

Phone Number/Ext.:

E-mail Address:

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 4 to renew contract for Elevator Maintenance and Repair Services with KONE, Inc. for citywide facilities for an amount not to exceed \$134,418 (original contract amount was \$110,256; renewal contract amount is \$134,418).

CIP/DID #0413-246

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply
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Background: KONE and the City have agreed to renew the contract for Elevator Maintenance and Repair Services for an additional two-year period. Prices will remain firm for the first year (08-01-15 through 07-31-16) and the prices for the Eastern Iowa Airport will increase by \$1,986 for the second year (08/01/16 through 07-31/17).

City Facility	Monthly Firm-Fixed Fee 08/01/15-07/31/16	Monthly Firm-Fixed Fee 08/01/16-07/31/17
WPC-Main Lift (1)	252	252
WPC – Solids Dewatering (1)	252	252
WPC – Morgan Creek (1)	252	252
Police (1)	112	112
Water – J Avenue (1)	252	252
Water – NW Plant (1)	112	112
Water – Shaver Road (1)	112	112
Eastern IA Airport-Terminal (2)	442	507.50
Eastern IA Airport-Terminal (2)	224	224
Eastern IA Airport-Escalators (4)	1,632	1,732
Ice Arena (1)	112	112
City Hall (2)	504	504
Library (2)	504	504
Central Fire Station (1)	252	504
City Services Center (2)	504	252
MONTHLY TOTAL	\$ 5,518	\$5,683.50
ANNUAL TOTAL	\$ 66,216	\$ 68,202

Description	Authorization	Dates
Original Contract	Resolution No. 1232-07-13	08/01/13 – 07/31/15
Amendment No. 1 to delete 2 elevators	Signed by CITY on 12/13/13	Effective 09/30/13
Amendment No. 2 to add 2 elevators	Resolution No. 0508-04-14	Effective 06/01/14
Amendment No. 3 to add 3 elevators	Resolution No. 0920-07-14	Effective 08/29/14 & 09-23-14
Amendment No. 4 – contract renewal	Resolution Pending	08/01/15 – 07/31/17

Action/Recommendation: Authorize the City Manager and the City Clerk to execute Amendment No. 4 as described herein.

Alternative Recommendation: None

Time Sensitivity: High

Resolution Date: 07-28-15

Budget Information: Various departmental operating budgets

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 and KONE, Inc. are parties to a Contract for Elevator Maintenance and Repair Services for City facilities; and

WHEREAS, both parties have agreed to renew the contract for an additional two-year period for an amount not to exceed \$134,418; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Original Contract	Resolution No. 1232-07-13	08/01/13 – 07/31/15
Amendment No. 1 to delete 2 elevators	Signed by CITY on 12/13/13	Effective 09/30/13
Amendment No. 2 to add 2 elevators	Resolution No. 0508-04-14	Effective 06/01/14
Amendment No. 3 to add 3 elevators	Resolution No. 0920-07-14	Effective 08/29/14 & 09-23-14
Amendment No. 4 – contract renewal	Resolution Pending	08/01/15 – 07/31/17

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



Council Agenda Item Cover Sheet

Submitting Department: Finance - Purchasing

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

Phone Number/Ext.: 5807

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 Title Report Services with Iowa Title Company for the Engineering Division for additional services for an amount not to exceed \$40,000 (original contract amount was \$100,000; total contract amount with this amendment is \$140,000).
 CIP/DID #0610-295

<p>EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply</p>

Background: The City and Iowa Title Company entered into a contract for as-needed title report services. Due to an increase in the amount of property acquisitions and dispositions, the Engineering Division is requesting additional funding for these services.

The current contract period is July 1, 2014-June 30, 2016. The original contract was for \$100,000 (\$50,000 for each year). This resolution is to add \$40,000 to the contract (\$20,000 for each year).

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 28, 2015

Budget Information: Budgeted in various CIP accounts

Local Preference Policy: Yes

Explanation: Iowa Title Company is a certified local vendor

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Iowa Title Company are parties to a contract for as-needed title report services for the Engineering Division; and

WHEREAS, both parties have agreed to amend the contract to reflect additional services in the amount of \$40,000 (\$20,000 for each of the two years of the contract); and

WHEREAS, the annual not to exceed amount for this contract renewal period (07/01/2014 - 06/30/2016) shall increase from \$50,000 to \$70,000 (\$100,000 to \$140,000 for the two-year contract period); and

WHEREAS, the history of the contract to date is as follows:

Description	Authorization	Dates
Initial Term of Contract	Signed by the CITY 07/14/10	07/01/2010 - 06/30/2012
Amendment No. 1 to renew Contract	Resolution No. 0848-06-12	07/01/2010 - 06/30/2014
Amendment No. 2 for increase in Services	Resolution No. 1875-12-13	Effective 12/03/2013
Amendment No. 3 to renew Contract	Resolution No. 0742-06-14	07/01/2014 - 06/30/2016
Amendment No. 4 for increase in Services	Pending	Effective 06/01/2015

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. 4 to amend the contract as described herein.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



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
 Resolution amending Resolution No. 0434-03-15 to add air compressors to two single axle chassis with Swaploader hook lift systems with Thompson Truck & Trailer for Fleet Services for an additional \$31,634 (original amount was \$630,360; amended amount is \$661,994).
 CIP/DID #0215-168

<p>EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply</p>

Background: City Council awarded the purchase and delivery of four single axle chassis with Swaploader hook lift systems to Thompson Truck & Trailer through Resolution No. 0434-03-15. Fleet Services has requested that air compressors be added to two of the vehicles. The additional price is \$31,634 for an amended purchase of \$661,994.

Action/Recommendation: Authorize City Council to approve the amended resolution as described herein.

Alternative Recommendation: None

Time Sensitivity: Medium

Resolution Date: July 28, 2015

Budget Information: 073-073000-073001

Local Preference Policy: Yes

Explanation: Thompson Truck & Trailer is a certified local vendor

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, City Council awarded the purchase and delivery of four single axle chassis with Swaploader hook lift systems to Thompson Truck & Trailer for Fleet Services for \$630,360 through Resolution No. 0434-03-15; and

WHEREAS, Fleet Services desires to add air compressors to two of the vehicles; and

WHEREAS, this resolution is to amend Resolution No. 0434-03-15 to add \$31,634 for the air compressors for an amended purchase price of \$661,994.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Resolution No. 0434-03-15 be amended 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: 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 Motor Oil and Lubricants with Fauser Energy Resources for Fleet Services for an annual amount not to exceed \$145,000 (original contract amount was \$145,000; renewal contract amount is \$145,000).
 CIP/DID #0713-006

<p>EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply</p>

Background: City Council awarded the contract to Fauser Energy Resources through Resolution No. 1422-08-13. This Contract is for the as-needed purchase of motor oil and various lubricants. The contract period is September 1, 2015 through August 31, 2016. This is the third year of the contract; two additional one-year renewal options remain. Fauser Energy Resources agreed to renew the contract with no increase 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 28, 2015

Budget Information: Various accounts

Local Preference Policy: Yes

Explanation: Local preference did not affect this award

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Fauser Energy Resources are parties to a contract for the annual as-needed purchase of motor oil for Fleet Services; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$145,000; and

WHEREAS, a summary of the contract is as follows:

Original Contract	Resolution No. 1422-08-13	09/01/2013 - 08/31/2014
Amendment No. 1 to renew Contract	Resolution No. 1071-08-14	09/01/2014 - 08/31/2015
Amendment No. 2 to renew Contract	Pending	09/01/2015 - 08/31/2016

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.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Police

Presenter at Meeting: Lt. Walter Deeds
E-mail Address: w.deeds@cedar-rapids.org

Phone Number/Ext.: 5426

Alternate Contact Person: Chief Wayne Jerman
E-mail Address: w.jerman@cedar-rapids.org

Phone Number/Ext.: 5436

Description of Agenda Item: CONSENT AGENDA

Resolution authoring Police Department to purchase a Vigilant Solutions Vigilant Intelligent Led Policing Package (License Plate Reader System) from Turn-Key Mobile, Inc. in the amount of \$31,700.00.

CIP/DID #759134

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

Background: Resolution No. 0775-05-15, dated May 26, 2015, authorized execution of the Methamphetamine Drug Hot Spots Grant Program FY 2010 Award Notice, which secures the grant funding for this purchase.

Action/Recommendation: The Police Department recommends the Cedar Rapids City Council approve the purchase of the Vigilant Solutions Vigilant Intelligent Led Policing Package (License Plate Reader System).

Alternative Recommendation: NA

Time Sensitivity: Immediate action is needed.

Resolution Date: 7/28/15

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, pricing has been obtained by the City of Cedar Rapids Police Department for the single source purchase of a Vigilant Solutions Vigilant Intelligent Led Policing Package (License Plate Reader system), and

WHEREAS, funding for this purchase will be from the Methamphetamine Drug Hot Spots Grant Program, Governor's Office of Drug Control Policy, in the amount of \$30,000 (101-132202-132071), and Asset Forfeiture fund in the amount of \$1,700 (554000-7823-782300), and

WHEREAS, the Methamphetamine Drug Hot Spots Grant Program Award Notice, Governor's Office of Drug Control Policy, was approved by Resolution No. 0775-05-15 dated May 25, 2015, and

WHEREAS, the Police Department believes it is in the best interest of the City to purchase from a single source because the Vigilant Solutions Vigilant Intelligent Led Policing Package (License Plate Reader system) is the specific product approved under the Methamphetamine Drug Hot Spots Grant Program,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Police Department is authorized to purchase a Vigilant Solutions Vigilant Intelligent Led Policing Package (License Plate Reader system) from Turn-Key Mobile, Inc. in the amount of \$31,700.00.

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MayorSignature

Attest:

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Greg Smith

Phone Number/Ext.: 5224

E-mail Address:

Alternate Contact Person:

Phone Number/Ext.:

E-mail Address:

Description of Agenda Item: Purchases, contracts and agreements

Contract for a Pricing Agreement for Parts and Training with Reliant Fire Apparatus Inc for the Fleet and Fire Departments for an annual amount not to exceed \$60,000.

CIP/DID #PUR0515-231

<p>EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply</p>

Background: The City of Cedar Rapids currently owns a fleet of Pierce Fire Apparatus purchased from Pierce Manufacturing Inc. of Appleton, Wisconsin. The various parts and employee training for this apparatus is purchased on an as-needed basis from an authorized Pierce dealer, Reliant Fire Apparatus, Inc. (hereinafter called Reliant) of Slinger, Wisconsin.

The contract includes the following:

1. Pierce Parts - The City of Cedar Rapids shall receive a 10% discount from the published "Standard Customer List Pricing". Reliant shall state on every invoice the list price and the discounted price. This discount applies to all Pierce parts.
2. Other Manufacturer's Parts - In addition to Pierce parts, Reliant also receives various discounts from other manufacturers. The City of Cedar Rapids shall receive an additional 10% discount on these parts in addition to the already discounted prices Reliant receives from the manufacturers. Reliant shall state on every invoice the discounted price and the additional 10% discount. This discount applies to any brands of parts, other than Pierce, that the City may purchase from Reliant.
3. Training Allowance - The City of Cedar Rapids shall receive full tuition allowance for two (2) Pierce provided service training classes per year. Training is specific to each type of product. Training shall take place in Appleton, Wisconsin. All meals, transportation and lodging shall be the responsibility of the City of Cedar Rapids. Tuition that is not used annually can carry over from year to year but there is a maximum allowance of four (4) tuitions in a single year. The City shall receive a 10% discount off any class tuitions that exceed the allowable number in a given year.

Action/Recommendation: Authorize the City Manager and the City Clerk to execute the Contract as described herein.

Alternative Recommendation: None

Time Sensitivity: low

Resolution Date: 07-28-15

Budget Information: 071-071100-533102

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 currently owns a fleet of Pierce Fire Apparatus purchased from Pierce Manufacturing Inc. of Appleton, Wisconsin. The various parts and employee training for this apparatus is purchased on an as-needed basis from an authorized Pierce dealer, Reliant Fire Apparatus, Inc. (hereinafter called Reliant) of Slinger, Wisconsin; and

WHEREAS, the City of Cedar Rapids and Reliant Fire Apparatus, Inc. desire to enter into a contract for the purchase of equipment parts and training for the Cedar Rapids Fire and Fleet Departments; and

WHEREAS, the pricing structure is a discount off list price for the as-needed purchase of parts and training in an amount not to exceed \$60,000 annually; and

WHEREAS, the Fire and Fleet Departments believe it is in the best interest of the City to purchase from a single source (Reliant) because the Pierce parts directly interface or attach to equipment of the same manufacturer and no other manufacturer's products will correctly interface with the existing Pierce equipment.

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



Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: John Witt
E-mail Address: j.witt@cedar-rapids.org

Phone Number/Ext.: 5800

Alternate Contact Person: Heather Mell
E-mail Address: h.mell@cedar-rapids.org

Phone Number/Ext.: 5117

Description of Agenda Item: Purchases, contracts and agreements
 Amendment No. 2 to renew contract for LED Streetlight Fixtures with WESCO Distribution for the Traffic Engineering Division for an annual amount not to exceed \$25,000 (original contract amount was \$25,000, renewal contract amount is \$25,000).
 CIP/DID #0414-171

<p>EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply</p>

Background: Purchasing Services solicited bids in 2014 to establish a contract for the as needed purchase and delivery of LED Streetlight Fixtures. WESCO Distribution was awarded the contract. This amendment is to renew the contract for another year for the period of August 1, 2015 through July 31, 2016.

Action/Recommendation: Authorize the City Manager and the City Clerk to execute Amendment No. 2 as described herein.

Alternative Recommendation:

Time Sensitivity: low

Resolution Date: July 28, 2015

Budget Information: 533101-101-124310

Local Preference Policy: Yes

Explanation: WESCO Distribution is a certified local business

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and WESCO Distribution are parties to a contract for the annual as-needed purchase of LED Streetlight Fixtures for Traffic 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 \$25,000; and

WHEREAS, a summary of the contract is as follows:

Original Contract	Resolution No. 0992-07-14	08/01/2014-07/31/2015
Amendment No. 1 to update model number	Signed by CITY 02/18/2015	02/06/2015-07/31/2015
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



Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Steve Hershner
E-mail Address: stevehe@cedar-rapids.org

Phone Number/Ext.: x5281

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
 Contract for Roof Membrane Replacement for Water Treatment Plant Backwash Pump with Advance Builders Corp. for the Water Division in the amount of \$58,000.
 CIP/DID #PUR0615-245

<p>EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply</p>

Background: Bids were solicited on behalf of the Water Division for roof membrane replacement for the Water Treatment Plant (WTP) Backwash Pump with five (5) vendors responding. The Water Division recommends award to Advance Builders Corp. as the lowest bidder. The contact period will commence on the date the contract is executed and go through August 31, 2015. The work will be completed for a firm fixed price of \$58,000.

The following bids were submitted:

Advance Builders Corp., Cedar Rapids, IA:	\$58,000
Dryspace, Inc., Cedar Rapids, IA:	\$64,899
Cedar Service Company, Cedar Rapids, IA:	\$72,456
T & K Roofing Company, Inc., Ely, IA:	\$75,989
Jim Giese Commercial Roofing, Dubuque, IA:	\$100,317

Action/Recommendation: Authorize the City Manager and the City Clerk to execute the Contract as described herein.

Alternative Recommendation:

Time Sensitivity: medium

Resolution Date: July 28, 2015

Budget Information: 553000-625-625000-625904-02

Local Preference Policy: Yes

Explanation: Local preference applies for this project but did not impact the award recommendation because the lowest bidder is local.

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids Purchasing Services Division issued a Request for Bid for Roof Membrane Replacement for the Water Treatment Plant Backwash Pump on behalf of the Water Division; and

WHEREAS, bids were received from five Contractors; and

WHEREAS, the Water Division recommends that the contract be awarded to Advance Builders Corp. as the overall lowest responsive and responsible bidder, in the amount of \$58,000; and

WHEREAS, a contract has been prepared for Advance Builders Corp. for the contract period commencing on the execution date and continuing through August 31, 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 the contract as described herein.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Finance - Purchasing

Presenter at Meeting: Bill Kiesel
E-mail Address: w.kiesel@cedar-rapids.org

Phone Number/Ext.: 5293

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. 6 to renew contract for Process Systems Services with B.G. Brecke, Inc. for the Water Pollution Control Facility for an annual amount not to exceed \$200,000 (original contract amount was \$100,000; renewal contract amount is \$200,000).
 CIP/DID #0313-221

<p>EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply</p>

Background: BG Brecke, Inc. was awarded the contract for as-needed process systems services through Resolution No. 1139-07-13. These services are to provide inspection services, testing, maintenance, repair and modifications for the liquid handling systems (piping, pressure vessels, tanks and other associated components).

This resolution is to renew the contract for the period August 1, 2015 through July 31, 2016. This is the third year of the contract; two additional one-year renewal options remain. BG Brecke, Inc. has increased some of their labor rates by less than 2%.

Action/Recommendation: Authorize the City Manager and the City Clerk to execute Amendment No. 6 as described herein.

Alternative Recommendation: None

Time Sensitivity: Medium

Resolution Date: July 28, 2015

Budget Information: Money has been allocated in the budget under account number 521108. GL coding will be determined at time of work order, depending on what area of the plant the work was performed.

Local Preference Policy: Yes

Explanation: B.G. Brecke, 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 B.G. Brecke, Inc. are parties to a contract for the annual as-needed process systems services for the Water Pollution Control Facility; 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:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 1139-07-13	08/01/13 - 07/31/14
Amendment No. 1 to correct start date of Contract	Signed by the CITY 10/02/13	Effective 07/09/13
Amendment No. 2 for increase in volume of Work	Resolution No. 0358-03-14	Effective 03/25/14
Amendment No. 3 for increase in volume of Work	Resolution No. 0981-07-14	Effective 07/22/14
Amendment No. 4 to renew the Contract	Resolution No. 1069-08-14	08/01/14 - 07/31/15
Amendment No. 5 to add job classifications	Signed by the CITY 07/02/15	Effective 08/01/14
Amendment No. 6 to renew the Contract	Pending	08/01/15 - 07/31/16

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 renew the contract as described herein.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



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.: 319 286-852

Description of Agenda Item: Purchases, contracts and agreements
 Resolution authorizing the execution of a Corrective Special Warranty Deed with Cedar Valley Habitat for Humanity, Inc. for property at 378 8th Avenue SW participating in the fourth round of the Single Family New Construction Program (**FLOOD**). CIP/DID #540257

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

Background: The resolution is to correct a previous resolution related to the transfer of title to Cedar Valley Habitat for Humanity, Inc. in connection with the fourth round of the Single Family New Construction Program. A scrivener's error provided an inaccurate legal description of the property, requiring a corrective special warranty deed to be authorized and recorded.

Action/Recommendation: City staff recommends approving the resolution.

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

Time Sensitivity: NA

Resolution Date: July 28, 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 378 8th 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 June 14, 2014 regarding the disposition of the City-owned property in accordance with Iowa Code; and

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

WHEREAS, the City Council has determined that the private investment made by Cedar Valley Habitat for Humanity, Inc. to construct a single-family dwelling on the aforementioned City-owned property constitutes good, adequate, fair and valuable consideration for the property; and

WHEREAS, on March 24, 2015, the City Council adopted Resolution No. 0384-03-15 authorizing execution of a Development Agreement and Special Warranty Deed with Cedar Valley Habitat for Humanity, Inc.; and

WHEREAS, the Special Warranty Deed contained a scrivener's error in the legal description which needs to be corrected through a Corrective Special Warranty Deed and filed of record with the Linn County Recorder's Office;

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 Corrective Special Warranty Deed with Cedar Valley Habitat for Humanity, Inc. for City-owned property at 378 8th Avenue SW participating in the fourth round of the Single Family New Construction program.

2. The Corrective Special Warranty Deed be recorded in the office of the Linn County, Iowa Recorder.

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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.: 319 286-852

Description of Agenda Item: Purchases, contracts and agreements
 Resolution authorizing the execution of a Corrective Special Warranty Deed with Stonebrook Homes, LLC for property at 728 2nd Avenue SW participating in the fourth round of the Single Family New Construction Program (**FLOOD**).
 CIP/DID #540257

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

Background: The resolution is to correct a previous resolution related to the transfer of title to Stonebrook Homes, LLC in connection with the fourth round of the Single Family New Construction Program. A scrivener's error provided an inaccurate legal description of the property, requiring a corrective special warranty deed to be authorized and recorded.

Action/Recommendation: City staff recommends approving the resolution.

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

Time Sensitivity: NA

Resolution Date: July 28, 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 728 2nd 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 March 3, 2012 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on March 13, 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 Stonebrook Homes, LLC to construct a single-family dwelling on the aforementioned City-owned property constitutes good, adequate, fair and valuable consideration for the property; and

WHEREAS, on April 28, 2015, the City Council adopted Resolution No. 0579-04-15 authorizing execution of a Development Agreement and Special Warranty Deed with Stonebrook Homes, LLC; and

WHEREAS, the Special Warranty Deed contained a scrivener's error in the legal description which needs to be corrected through a Corrective Special Warranty Deed and filed of record with the Linn County Recorder's Office;

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 Corrective Special Warranty Deed with Stonebrook Homes, LLC for City-owned property at 728 2nd Avenue SW participating in the fourth round of the Single Family New Construction program.

2. The Corrective Special Warranty Deed be recorded in the office of the Linn County, Iowa Recorder.

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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: Purchases, contracts and agreements
 Authorizing Change Order No. 3 in the amount of \$25,700 with Rathje Construction Co. for the 16th Avenue SW (400-Ft East of 23rd Street to Williams Blvd SW) Water Main Rehabilitation project (original contract amount was \$609,805; total contract amount with this amendment is \$646,493.50).
 CIP/DID #2011061-02

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 and additional work based on contractor quotes reviewed and accepted base on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. The contractor ran into contaminated soil and had to wait on testing to know what to do with the material. After the contractor had bored across 16th Ave, they found that the water main was not in the location that was shown on the plans and a new boring was needed. Because of an additional boring, additional traffic control was needed.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 3 submitted by Rathje Construction Co.

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 28, 2015
Budget Information: Water Dept 625884

Local Preference Policy: NA
Explanation:

Recommended by Council Committee: (Click here to select)
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. 3 in the amount of \$25,700 plus 4 working days, with Rathje Construction Co. for the 16th Avenue SW (400-Ft East of 23rd Street to Williams Blvd SW) Water Main Rehabilitation, Contract No. 2011061-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$609,805.00
Change Order No. 1	1,400.00
Change Order No. 2	9,588.50
Change Order No. 3	25,700.00
	<hr/>
Amended Contract Amount	\$646,493.50

General ledger coding for this Change Order to be as follows: \$25,700; \$20,433.60 625-625000-625884-6252011061, \$5,266.40 301-301000-30185-3012074

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MayorSignature

Attest:

ClerkSignature



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: Purchases, contracts and agreements
 Authorizing Change Order No. 3 in the amount of \$38,010.09 with Rathje Construction Company for the Flood Affected Areas Infrastructure Removals project (original contract amount was \$954,533.41; total contract amount with this amendment is \$1,031,664.34).
 CIP/DID #301923-01

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. The athletic fields were being built on a demolition site and there was a lot of debris uncovered. The extra topsoil was imported to try and cover this debris.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 3 submitted by Rathje Construction Company.

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 28, 2015

Budget Information: CIP 301923, 304338, 3015017, 6559998, 625906

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 Manager is authorized to sign Change Order No. 3 in the amount of \$38,010.09 with Rathje Construction Company for the Flood Affected Areas Infrastructure Removals, Contract No. 301923-01. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$944,533.41
Original Incentive Value	10,000.00
Change Order No. 1	11,411.48
Change Order No. 2	27,709.36
Change Order No. 3	<u>38,010.09</u>
Amended Contract Amount	\$1,031,664.34

General ledger coding for this Change Order to be as follows: \$38,010.09 301-301000-30185-301923;

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
 Authorizing Change Order No. 8 (Final) deducting the amount of \$80,431.39 with BWC Excavating, LC for the 76th Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements and Kirkwood Boulevard SW Intersection Improvements project (original contract amount was \$1,408,890.70; total contract amount with this amendment is \$1,334,716.83).
 CIP/DID #3012049-03

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 and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Semi-trailer trucks are cutting the corner too sharp and the standard handicap ramp is cracked. A thickened ramp is necessary to withstand the occasional truck traffic.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 8 (Final) submitted by BWC Excavating, LC.

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 28, 2015

Budget Information: CIP No. 3012049

Local Preference Policy: Applies Exempt

Explanation: Not Applicable

Recommended by Council Committee: Yes

Explanation: At November 18, 2013 Board meeting

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 (Final) deducting the amount of \$80,431.39 with BWC Excavating, LC for the 76th Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements and Kirkwood Boulevard SW Intersection Improvements, Contract No. 3012049-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,315,990.70
Possible Incentive	92,900.00
Change Order No. 1	200.00
Change Order No. 2	79.09
Change Order No. 3	9,378.70
Change Order No. 4	13,848.79
Change Order No. 5	61,593.41
Change Order No. 6	1,154.72
Change Order No. 7	9,552.81
Change Order No. 8 (Final)	(80,431.39)
Removal of Original Incentive Value	<u>(89,550.00)</u>
Amended Contract Amount	\$1,334,716.83

General ledger coding for this Change Order to be as follows: (\$80,431.39) 301-301000-30185-3012049

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



INTERSTATE 380

76TH AVENUE SW

RECONSTRUCTION LOCATION

PRAIRIE HAWK DR SW

KIRKWOOD BLVD SW

KIRKWOOD BLVD SW



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





Council Agenda Item Cover Sheet

Submitting Department: Public Works

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: Purchases, contracts and agreements
 Resolution authorizing Change Order No. 2 in the amount of \$69,127.70, plus five working days, with Pirc-Tobin Construction, Inc. for the 4th Avenue SE Pavement Rehabilitation from 5th Street SE to 19th Street SE project (original contract amount was \$2,219,444.15; total contract amount with this amendment is \$2,470,200.50) **(Paving for Progress)**.
 CIP/DID #3012080-02

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

Background: This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. The City requested a blow off to be installed to assist with air release in water main. There wasn't a bid item for cleaning and prep of the streets. There wasn't a bid item for tack coat of the streets. The City requested installation of 24" RCP under 4th Ave at 5th Street to use as a bypass pipe for a future project so the road would not have to be removed again. The plans called out for a "B" Joint. The City requested the joint be an RD Joint doweled with 1-1/4" dowels at 12 inch centers and epoxied in place at the North side of the 10th Street Intersection. The 24" valve at 6th Street and 4th Ave was a 20" Valve and required an extra trip to get the appropriate materials. Also the 6" Water valve at 14th Street was dug up and the water department asked for more pipe be installed. An extra sign was needed for Unity Point. The City requested a hydrant be replaced and a valve removed and sleeved in.

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

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

Time Sensitivity: Normal

Resolution Date: July 28, 2015

Budget Information: 3012080-SLOST

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 Manager is authorized to sign Change Order No. 2 in the amount of \$69,127.70, plus five working days, with Pirc-Tobin Construction, Inc. for the 4th Avenue SE Pavement Rehabilitation from 5th Street SE to 19th Street SE, Contract No. 3012080-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$2,189,444.15
Original Incentive Value	30,000.00
Change Order No. 1	181,628.65
Change Order No. 2	<u>69,127.70</u>
Amended Contract Amount	\$2,470,200.50

General ledger coding for this Change Order to be as follows: \$43,712.30 301-301000-7970-3012080 SLOST, \$9,272 655-655000-65585-655999, \$16,143.40 625-625000-625542-6252015055

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



**4TH AVENUE SE FROM 5TH STREET TO 19TH STREET
IMPROVEMENTS 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: Purchases, contracts and agreements
 Resolution authorizing Change Order No. 3 in the amount of \$3,585.94 with L.L. Pelling Company, Inc. for the Coe Road NE Pavement Rehabilitation Improvements from A Avenue to Center Point Road project (original contract amount was \$539,161; total contract amount with this amendment is \$579,639.72) **(Paving for Progress)**.
 CIP/DID #3012087-02

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

Background: This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Additional sodding was necessary to restore the right of way.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 3 submitted by L.L. Pelling Company, Inc.

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

Time Sensitivity: Normal

Resolution Date: July 28, 2015

Budget Information: 3012087, 7970 (SLOST)

Local Preference Policy: NA
Explanation: N/A

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. 3 in the amount of \$3,585.94 with L.L. Pelling Co., Inc. for the Coe Road NE Pavement Rehabilitation Improvements from A Avenue to Center Point Road, Contract No. 3012087-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$518,661.00
Original Incentive Value	20,500.00
Change Order No. 1	15,856.07
Change Order No. 2	21,036.71
Change Order No. 3	<u>3,585.94</u>
Amended Contract Amount	\$579,639.72

General ledger coding for this Change Order to be as follows: \$3,585.94 301-301000-7970-3012087 SLOST

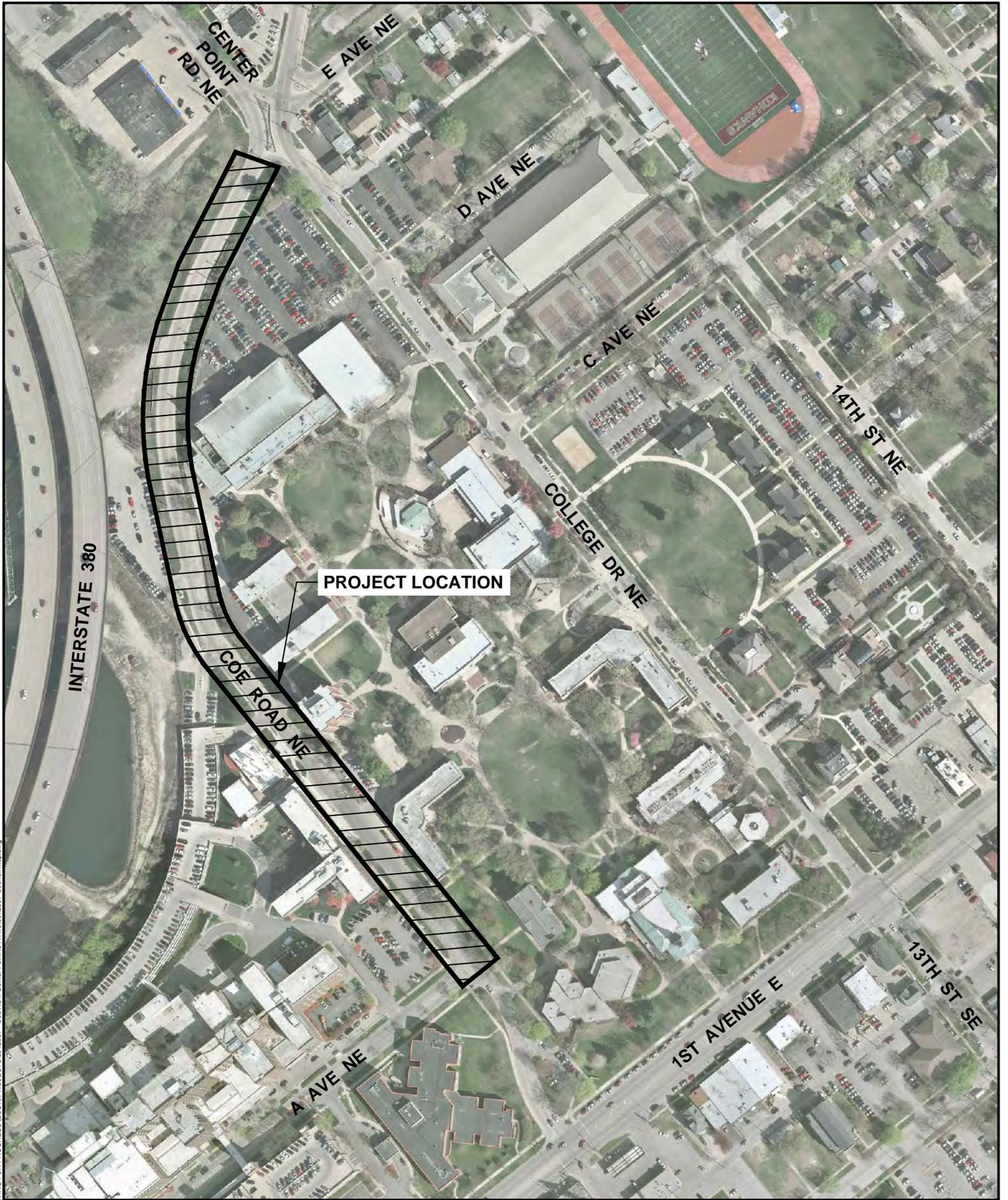
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MayorSignature

Attest:

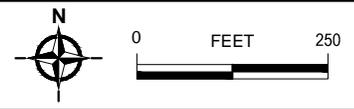
ClerkSignature



Cadd File Name: W:\PAVING FOR PROGRESS (LOST)\PROJECT\3012087 - Coe Rd (Center Point to A Ave)\3012087 Council Map.dwg



**COE ROAD NE FROM CENTER POINT ROAD TO A AVENUE NE
IMPROVEMENTS 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
E-mail Address: l.snell@cedar-rapids.org

Phone Number/Extension: 5804

Description of Agenda Item: Purchases, contracts and agreements
 Authorizing Change Order No. 1 in the amount of \$26,061.07 with Eastern Iowa Excavating & Concrete, LLC for the Arterial Portland Cement Concrete Pavement Repair and Joint and Crack Routing and Sealing project (original contract amount was \$531,572.50; total contract amount with this amendment is \$557,633.57) **(Paving for Progress)**.
 CIP/DID #3012109-01

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 and additional work based on contractor quotes reviewed and accepted based on the scope of work. Pavement patching quantities were less than anticipated. The crack sealing quantities were less than necessary to seal all of the pavement cracks encountered.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 1 submitted by Eastern Iowa Excavating & Concrete, 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 28, 2015

Budget Information (if applicable): 3012109 Street LOST 7970

Local Preference Policy: NA
Explanation:

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. 1 in the amount of \$26,061.07 with Eastern Iowa Excavating & Concrete, LLC for the Arterial Portland Cement Concrete Pavement Repair and Joint and Crack Routing and Sealing, Contract No. 3012109-01. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$526,572.50
Possible Incentive	5,000.00
Change Order No. 1	<u>26,061.07</u>
Amended Contract Amount	\$557,633.57

General ledger coding for this Change Order to be as follows: \$26,061.07 301-301000-7970-3012109

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



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. 9 in the amount of \$4,651.95 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 \$149,457.62).
 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. 9 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 28, 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. 9 in the amount of \$4,651.95 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	738.00
Change Order No. 9	<u>4,651.95</u>
Amended Contract Amount	\$149,457.62

General ledger coding for this Change Order to be as follows: \$4,651.95 301-301000-30185-3017014

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Public Works

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

Phone Number/Extension: 5157

Alternate Contact Person: Matt Myers, PE, PTOE
E-mail Address: m.myers@cedar-rapids.org

Phone Number/Extension: 5718

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a 28E Agreement with All Saints Elementary School for participation in the adult crossing guard program for FY 2016, reimbursing All Saints Elementary School for 50% of the costs for wages up to \$11.46/hour, fringes, and updated equipment, up to a maximum of \$1,903.94.

CIP/DID #60-16-011

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

Background: The City of Cedar Rapids entered into a 28E Agreement with All Saints Elementary School for implementation of an adult crossing guard program, which expired on June 30, 2015. The subject 28E Agreement is for FY 2016.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a 28E Agreement for participation in the adult crossing guard program for FY 2016, reimbursing All Saints Elementary School for 50% of the costs for wages up to \$11.46/hour, fringes, and updated equipment, up to a maximum of \$1,903.94.

Alternative Recommendation: All Saints Elementary School would be responsible for 100% of the funding for their adult crossing guard(s).

Time Sensitivity: Normal

Resolution Date: July 28, 2015

Budget Information: FY16 adult guard budget account #139000

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, All Saints Elementary School (SCHOOL) has agreed to establish and operate an adult guard program at designated school crossings and has submitted a 28E Memorandum of Agreement agreeing to the terms and conditions of the program, and

WHEREAS, the City has allocated funding in the amount of \$62,830 in its FY 2016 adult guard budget to be distributed to schools/districts participating in the adult guard program, according to the number of approved guard locations, to reimburse 50% of the hourly wage and other costs incurred for the guard program, and

WHEREAS, according to the number of SCHOOL crossing guard hours, the SCHOOL is eligible for a maximum reimbursement amount of \$1,903.94, and

WHEREAS, the City will reimburse the SCHOOL 50% of the hourly wage of \$11.46, with the remaining maximum to be used to reimburse fringes, updated Manual on Uniform Traffic Control Devices (MUTCD)-compliant guard clothing and portable equipment for existing location, and new MUTCD-compliant guard clothing and portable equipment for new locations;

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 28E Memorandum of Agreement with All Saints Elementary School for an adult guard program, and

BE IT FURTHER RESOLVED that the 28E Memorandum of Agreement with All Saints Elementary School be accepted 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: Cari Pauli, PE
E-mail Address: c.pauli@cedar-rapids.org

Phone Number/Extension: 5157

Alternate Contact Person: Matt Myers, PE, PTOE
E-mail Address: m.myers@cedar-rapids.org

Phone Number/Extension: 5718

Description of Agenda Item: Purchases, contracts and agreements
 Resolution authorizing execution of a 28E Agreement with the Cedar Rapids Community School District (CRCSD) for participation in the adult crossing guard program for FY 2016, reimbursing CRCSD for 50% of the costs for wages up to \$11.46/hour, fringes, and updated equipment, up to a maximum of \$59,022.12.
 CIP/DID #60-16-011

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

Background: The City of Cedar Rapids entered into a 28E Agreement with the Cedar Rapids Community School District for implementation of an adult crossing guard program, which expired on June 30, 2015. The subject 28E Agreement is for FY 2016.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a 28E Agreement for participation in the adult crossing guard program for FY 2016, reimbursing the Cedar Rapids Community School District for 50% of the costs for wages up to \$11.46/hour, fringes, and updated equipment, up to a maximum of \$59,022.12.

Alternative Recommendation: Cedar Rapids Community School District would be responsible for 100% of the funding for their adult crossing guard(s).

Time Sensitivity: Normal

Resolution Date: July 28, 2015

Budget Information: FY16 adult guard budget account #139000

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Cedar Rapids Community School District (DISTRICT) has agreed to establish and operate an adult guard program at designated DISTRICT crossings and has submitted a 28E Memorandum of Agreement agreeing to the terms and conditions of the program, and

WHEREAS, the City has allocated funding in the amount of \$62,830 in its FY 2016 adult guard budget to be distributed to schools/districts participating in the adult guard program, according to the number of approved guard locations, to reimburse 50% of the hourly wage and other costs incurred for the guard program, and

WHEREAS, according to the number of DISTRICT crossing guard hours, the DISTRICT is eligible for a maximum reimbursement amount of \$59,022.12, and

WHEREAS, the City will reimburse the DISTRICT 50% of the hourly wage of \$11.46, with any remaining maximum to be used to reimburse fringes, updated Manual on Uniform Traffic Control Devices (MUTCD)-compliant guard clothing and portable equipment for existing location, and new MUTCD-compliant guard clothing and portable equipment for new locations,

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 28E Memorandum of Agreement with the Cedar Rapids Community School District for an adult guard program, and

BE IT FURTHER RESOLVED that the 28E Memorandum of Agreement with the Cedar Rapids Community School District be accepted 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: Cari Pauli, PE
E-mail Address: c.pauli@cedar-rapids.org

Phone Number/Extension: 5157

Alternate Contact Person: Matt Myers, PE, PTOE
E-mail Address: m.myers@cedar-rapids.org

Phone Number/Extension: 5718

Description of Agenda Item: Purchases, contracts and agreements
 Resolution authorizing execution of a 28E Agreement with the Linn Mar Community School District for participation in the adult crossing guard program for FY 2016, reimbursing Linn Mar Community School District for 50% of the costs for wages up to \$11.46/hour, fringes, and updated equipment, up to a maximum of \$1,903.94.
 CIP/DID #60-16-011

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

Background: The City of Cedar Rapids entered into a 28E Agreement with the Linn Mar Community School District for implementation of an adult crossing guard program, which expired on June 30, 2015. The subject 28E Agreement is for FY 2016.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a 28E Agreement for participation in the adult crossing guard program for FY 2016, reimbursing the Linn Mar Community School District for 50% of the costs for wages up to \$11.46/hour, fringes, and updated equipment, up to a maximum of \$1,903.94.

Alternative Recommendation: Linn Mar Community School District would be responsible for 100% of the funding for their adult crossing guard(s).

Time Sensitivity: Normal

Resolution Date: July 28, 2015

Budget Information: FY16 adult guard budget account #139000

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Linn Mar Community School District (DISTRICT) has agreed to establish and operate an adult guard program at designated DISTRICT crossings and has submitted a 28E Memorandum of Agreement agreeing to the terms and conditions of the program, and

WHEREAS, the City has allocated funding in the amount of \$62,830 in its FY 2016 adult guard budget to be distributed to schools/districts participating in the adult guard program, according to the number of approved guard locations, to reimburse 50% of the hourly wage and other costs incurred for the guard program, and

WHEREAS, according to the number of DISTRICT crossing guard hours, the DISTRICT is eligible for a maximum reimbursement amount of \$1,903.94, and

WHEREAS, the City will reimburse the DISTRICT 50% of the hourly wage of \$11.46, with the remaining maximum to be used to reimburse fringes, updated Manual on Uniform Traffic Control Devices (MUTCD)-compliant guard clothing and portable equipment for existing location, and new MUTCD-compliant guard clothing and portable equipment for new locations,

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 28E Memorandum of Agreement with the Linn Mar Community School District for an adult guard program, and

BE IT FURTHER RESOLVED that the 28E Memorandum of Agreement with the Linn Mar Community School District be accepted 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 Department

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

Phone Number/Extension: 5875

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

Phone Number/Extension: 5807

Description of Agenda Item: Purchases, contracts and agreements
 Resolution authorizing execution of a Residential Tenant Purchase Agreement and authorization of relocation benefits in the amount estimated to be \$36,005 to Melissa Strellner for the real property located at 1732 Wilson Avenue SW in connection with the 18th Street SW from Wilson Avenue SW to 13th Avenue SW Improvements project (**Paving for Progress**).
 CIP/DID #301500

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

Background: Resolution No. 0969-06-15 previously approved the contract to purchase the property at 1732 Wilson Avenue SW by Warranty Deed. This right-of-way is required to accommodate the proposed 18th Street SW Extension Project from Wilson Avenue SW to 13th Avenue SW improvements which required the total acquisition of the property at 1732 Wilson Avenue SW.

The tenant is conveying their tenant leasehold interest to the City for mutual benefit. The relocation benefits are based on a reestablishment payment estimated to be \$28,980 for replacement housing assistance and estimated to be \$7,025 for moving and incidental expenses for a total estimated benefit of \$36,005 as required per the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Public Law 91-646).

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Residential Tenant Purchase Agreement and authorization of relocation benefits in the amount estimated to be \$36,005 to Melissa Strellner.

Alternative Recommendation: Do not proceed with acquiring the proposed property and direct City staff to abandon or reconfigure the proposed street improvements.

Time Sensitivity: Normal

Resolution Date: July 28, 2015

Budget Information: 301/301000/301500 (LOST)

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Resolution No. 0969-06-15 previously approved the contract to purchase the property at 1732 Wilson Avenue SW by Warranty Deed, as a part of the 18th Street SW from Wilson Avenue SW to 13th Avenue SW Improvements project, and

WHEREAS, Melissa Strellner, 1732 Wilson Avenue SW, Cedar Rapids, Iowa 52404, TENANT of the real property known and described as:

The West 83 feet of the south 234.2 feet of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32, Township 83 North, Range 7, Linn County, Iowa except the public highway,

has agreed to convey their tenant leasehold interest to the City of Cedar Rapids, and

WHEREAS, the Public Works Director has recommended the City enter into an agreement to purchase the tenant leasehold interest in accordance with the terms set forth in the Residential Tenant Purchase Agreement and provide relocation assistance to the TENANT in an amount estimated to be \$36,005, 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 LOST),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids accepts the relocation reimbursement, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue relocation benefits per the Claim for Residential Relocation Assistance Reimbursement and the Allocation of Proceeds.

PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature



18TH ST SW

1732 Wilson Ave SW

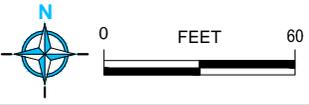
PROPERTY ACQUISITION

WILSON AVE SW

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



18TH STREET SW EXTENSION PROJECT FROM WILSON AVENUE SW TO 13TH AVENUE SW





Council Agenda Item Cover Sheet

Submitting Department: City Manager

Presenter at Meeting: Sandi Fowler
E-mail Address: s.fowler@cedar-rapids.org

Phone Number/Ext.: 5077

Alternate Contact Person: Angie Charipar
E-mail Address: a.charipar@cedar-rapids.org

Phone Number/Ext.: 5090

Description of Agenda Item: Purchases, contracts and agreements
 Lease agreement between the City of Cedar Rapids and Noleshawk Investments LLC for the Blue Zones Project – Cedar Rapids office space at 205 2nd Street SE. CIP/DID #OB697034

<p>EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply</p>

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 2nd Street SE, through January 31, 2016. The proposed lease rate of this property is \$650 per month.

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

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids, Iowa ("City") and Noleshawk Investments LLC ("Noleshawk") have agreed to the terms and provisions of a Lease Agreement whereby the City will lease office space in a building owned by Noleshawk located at 205 2nd Avenue S.E., in Cedar Rapids Iowa for Blue Zones Project – Cedar Rapids office space, and

WHEREAS, the term of the Lease Agreement does not exceed the economic life of the property to be acquired, and

WHEREAS, the Cedar Rapids community committed during the application process to provide office space and staffing to support the Blue Zones Project in Cedar Rapids, and

WHEREAS, the parties have agreed that the term of the Lease Agreement will be for seven (7) months, and that the rent will be \$650.00 per month

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager or his designee is hereby authorized to execute the lease agreement with Noleshawk at 205 2nd Avenue SE for use by Blue Zones Project – Cedar Rapids staff members.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5875

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

Phone Number/Extension: 5807

Description of Agenda Item: Purchases, contracts and agreements
 Resolution authorizing execution of a Purchase Agreement in the amount of \$1 and accepting an Easement for Utilities and Temporary Construction Easement from ARTA Investments, L.C. from land located at 1846 16th Avenue SW in connection with the 16th Avenue SW between 18th Street and 20th Street SW Storm Sewer Improvements project.
 CIP/DID #304286-00

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

Background: The City Council approved funding for the 16th Avenue SW (between 18th Street and 20th Street SW) Storm Sewer Improvements project.

The easements are required to accommodate the proposed storm sewer repairs and improvements to existing infrastructure. ARTA Investments, L.C. is providing the easements to the City for mutual benefit.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$1 and accepting Easement for Utilities and Temporary Construction Easement from ARTA Investments, L.C.

Alternative Recommendation: Do not proceed with acquiring the proposed easements and direct City staff to abandon or reconfigure the storm sewer improvements.

Time Sensitivity: Normal

Resolution Date: July 28, 2015

Budget Information: 304/304000/304286 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 an easement for utilities and a temporary construction easement exists in order to accommodate the proposed facilities, and

WHEREAS, ARTA Investments, L.C., 1846 16th Avenue SW, Cedar Rapids, Iowa 52404, OWNER of the real property known and described as:

See Attached Utility Easement Exhibit

has agreed to convey the necessary easement for utilities and temporary construction easement at 1846 16th Avenue SW to the City of Cedar Rapids for \$1 and other valuable consideration, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the easement for utilities and temporary construction easement in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for the 16th Avenue SW (between 18th Street and 20th Streets SW) Storm Sewer Improvements project. (Fund 304, Dept. ID 304000, Project 304286, 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 Purchase Agreement as described herein, and

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

BE IT FURTHER RESOLVED, that the Easement for Utilities 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

UTILITY EASEMENT EXHIBIT

PART OF THE NE1/4 NE1/4 OF SECTION 31, TOWNSHIP-83-NORTH, RANGE-7-WEST
OF THE 5TH P.M., LINN COUNTY, IOWA

Prepared by R. Rodney Klien Anderson-Bogert Engineers & Surveyors, Inc.
4001 River Ridge Dr. N.E. Cedar Rapids, Iowa 52402 (319) 377-4629



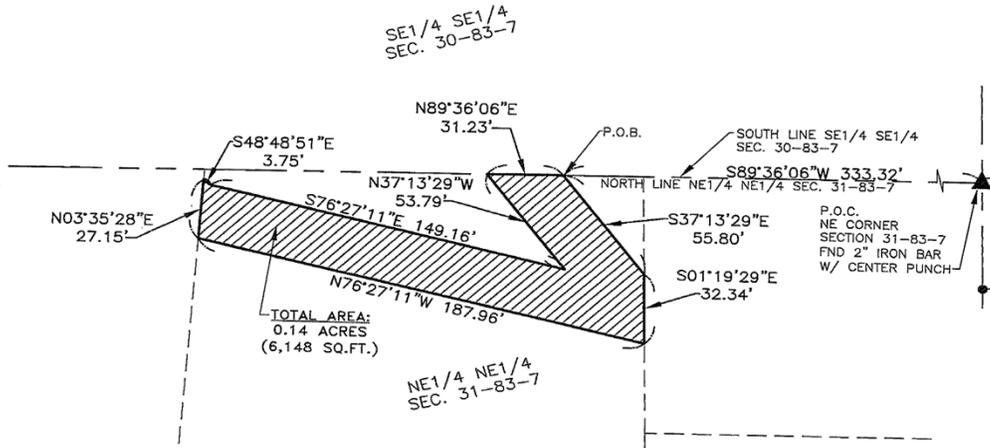
PROPRIETOR:
ARTA INVESTMENTS, LC
GPN: 14311-01004-00000

- NOTES:**
1. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
 2. BEARINGS HEREON ARE BASED UPON IOWA STATE PLANE NAD 83 IOWA NORTH ZONE.

Legal Description

A UTILITY EASEMENT OVER PART OF THE NE1/4 NE1/4 OF SECTION 31, TOWNSHIP-83-NORTH, RANGE-7-WEST OF THE 5TH P.M., LINN COUNTY, IOWA FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 31;
THENCE S89°36'06"W ALONG THE NORTH LINE OF SAID SECTION 31, 333.32 FEET TO THE POINT OF BEGINNING;
THENCE S37°13'29"E, 55.80 FEET;
THENCE S01°19'29"E, 32.34 FEET;
THENCE N76°27'11"W, 187.96 FEET;
THENCE N03°35'28"E, 27.15 FEET;
THENCE S48°48'51"E, 3.75 FEET;
THENCE S76°27'11"E, 149.16 FEET;
THENCE N37°13'29"W, 53.79 FEET TO THE NORTH LINE OF SAID SECTION 31;
THENCE N89°36'06"E ALONG SAID NORTH LINE, 31.23 FEET TO THE POINT OF BEGINNING CONTAINING 0.14 ACRES (6,148 SQ.FT.) MORE OR LESS.
SUBJECT TO EXISTING EASEMENTS AND RESTRICTIONS OF RECORD.



Legend

Boundary Line	—————
Adjoining Lot Line	- - - - -
Section Line	—————
Building Setback Line
Found 1/2" Rebar (Unless Noted)	●
Set 1/2"x30" Rebar w/Orange Cap #18646	○
Set Section/Quarter Corner	▲
Found Section/Quarter Corner	▲
Measured	(M)
Record	(R)
Utility Ease	

UTILITY EASEMENT EXHIBIT
Project Number: 213043

Drawn By: MLS Approved By: RRK
Date: 2/27/15 Scale: 1"=60'
Field Book # 325

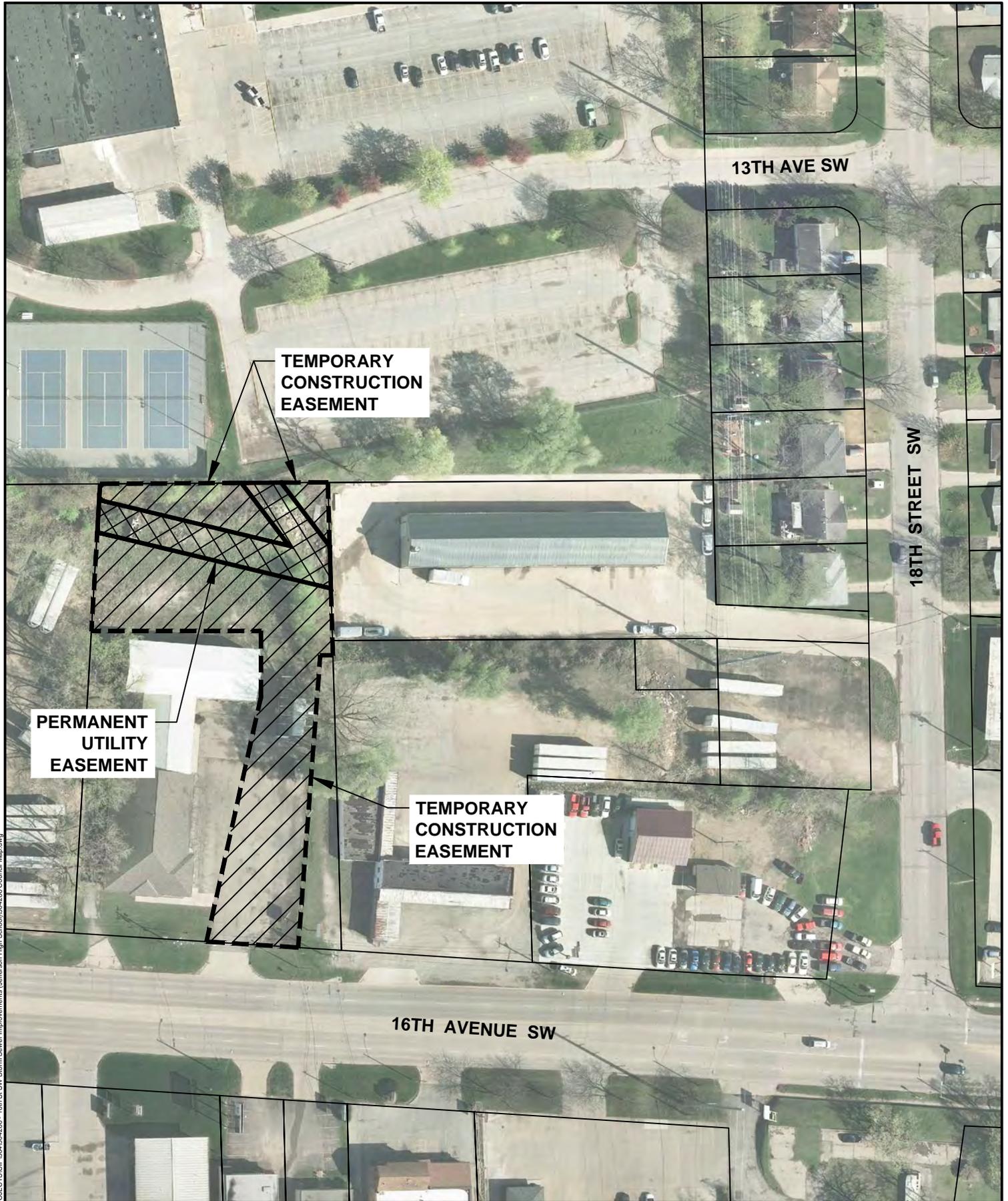


Client:

ANDERSON BOGERT

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**TEMPORARY
CONSTRUCTION
EASEMENT**

**PERMANENT
UTILITY
EASEMENT**

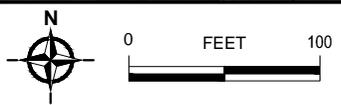
**TEMPORARY
CONSTRUCTION
EASEMENT**

13TH AVE SW

18TH STREET SW

16TH AVENUE SW

**16TH AVENUE SW (BETWEEN 18TH STREET AND
20TH STREETS SW) STORM SEWER IMPROVEMENTS**



Cadd File Name: W:\PROJECTS\CIP\304\304286 - 18th St SW Storm Sewer Improvements, Jefferson High School\304286 Council Map.dwg



Council Agenda Item Cover Sheet

Submitting Department: Water Pollution Control

Presenter at Meeting: Steve Hershner
E-mail Address: s.hershner@cedar-rapids.org

Phone Number/Ext.: 5281

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 HDR Engineering, Inc. for an amount not to exceed \$26,600 for the UASB Reactor No. 3 Improvements project.

CIP/DID #615162-03

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

Background: The Upflow Anaerobic Sludge Blanket (UASB) Reactors at the Cedar Rapids WPCF are fabricated of stainless steel and covered with aluminum access panels supported by a fiberglass reinforced plastic (FRP) structure. FRP defects were previously observed and repaired in 2007 and 2008. HDR Engineering, Inc. was the design engineer for the repairs project. The City took UASB Reactor No. 3 out of service in early April 2015 and hired HDR Engineering, Inc. to inspect the replacement FRP structures to ensure that they were withstanding the corrosive environment within the reactor. The inspections showed that the FRP structures that were replaced in 2007 and 2008 are holding up well, but that some of the stainless steel components within the reactor are starting to pit and corrode. Since it will likely be several years until this reactor is taken out of service again, the WPC staff has decided to repair and replace the corroded stainless steel components now before putting Reactor No. 3 back in service. Due to their familiarity with the reactors and the repairs required, HDR Engineering, Inc. has been solicited to provide the engineering design and construction services required.

Action/Recommendation: The Utilities Department – Water Pollution Control Staff recommends approval of the Professional Services Agreement with HDR Engineering, Inc. for the UASB Reactor No. 3 Improvements project and that the City Manager and City Clerk be authorized to execute said Agreement.

Alternative Recommendation: None

Time Sensitivity: 07-28-15

Resolution Date: 07-28-15

Budget Information:

1. **Included in Current Budget Year?** Yes. The project will be funded from the FY2016 and 2017 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 \$75,000 in the FY2016 Capital Improvement Projects budget and \$700,000 in the FY2017 Capital Improvement Projects budget for the Water Pollution Control Division for the UASB Reactor No. 3 Improvements Project. If needed, additional funds are available by adjusting other items in the CIP budget or from reserves. The project will be coded to the following CIP fund: 553000-615-615000-x-x-615162.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes. Engineer was previously selected for this work based on their qualifications.

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 Upflow Anaerobic Sludge Blanket (UASB) Reactors at the Cedar Rapids WPCF are fabricated of stainless steel and covered with aluminum access panels supported by a fiberglass reinforced plastic (FRP) structure, and

WHEREAS, FRP defects were previously observed and repaired in 2007 and 2008 with HDR Engineering, Inc. being the design engineer for the repairs project, and

WHEREAS, the City took UASB Reactor No. 3 out of service in early April 2015 and hired HDR Engineering, Inc. to inspect the replacement FRP structures to ensure that they were withstanding the corrosive environment within the reactor, and

WHEREAS, the inspections showed that the FRP structures that were replaced in 2007 and 2008 are holding up well, but that some of the stainless steel components within the reactor are starting to pit and corrode, and

WHEREAS, since the reactors will likely not be taken out of service again for several years, staff decided to repair and replace the corroded stainless steel components now before putting Reactor No. 3 back in service, and

WHEREAS, due to their familiarity with the reactors and the repairs required, HDR Engineering, Inc. has been solicited to provide the engineering design and construction services required, and

WHEREAS, the Water Pollution Control Staff recommends approval of the Professional Services Agreement with HDR Engineering, Inc. for the UASB Reactor No. 3 Improvements project and that the City Manager and City Clerk be authorized to execute said Agreement,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Water Pollution Control Facility be hereby authorized to enter into a Professional Services Agreement with HDR Engineering, Inc. for the UASB Reactor No. 3 Improvements project for an amount not to exceed \$26,600 be hereby approved and the City Manager and City Clerk authorized to execute. To be funded from the FY2016 and FY2017 Water Pollution Control Capital Improvement Projects budget and coded to 553000-615-615000-x-x-615162.

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: Doug Wilson, PE **Phone Number/Extension:** 5141

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

Alternate Contact Person: Gary Petersen, PE **Phone Number/Extension:** 5153

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Professional Services Agreement with HR Green, Inc. for an amount not to exceed \$271,017 for design services in connection with the Memorial Drive SE Roadway and Utility Improvements from Mount Vernon Road to Bever Avenue project (Paving for Progress).

CIP/DID #301379-01

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

Background: Project will include reconstruction of Memorial Drive SE including pavement reconstruction, replacement of curb, and curb ramp replacement to meet ADA guidelines. As part of the project, sidewalk will be infilled in areas with gaps per the City's Complete Streets policy and on-street bicycle facilities will be provided as part of the City's Comprehensive Trails Plan.

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

Alternative Recommendation: The City of Cedar Rapids does not currently have the staff resources to design this project internally. The alternatives are to delay a project City staff is currently designing or delay the project until City Staff has the resources available to proceed with design.

Time Sensitivity: Normal

Resolution Date: July 28, 2015

Budget Information: 301379 (SLOST), 625844

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 HR Green, Inc. is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$271,017, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 301379-01 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for the Memorial Drive SE Roadway and Utility Improvements from Mount Vernon Road to Bever Avenue project, General Ledger Coding for this Agreement to be as follows:

Fund 301, Dept ID 301000, Project 301379	\$259,545
Fund 625, Dept ID 625000, Project 625884	\$11,472

WHEREAS, the City Council has allocated funds for Miscellaneous Street Improvements (CIP No. 301379), and

WHEREAS, the City Council has planned for the Memorial Drive SE Roadway and Utility Improvements from Mount Vernon Road to Bever Avenue project General Ledger Coding for this Agreement to be as follows:

Fund 301, Dept ID 301000, Project 301379	\$259,545
Fund 625, Dept ID 625000, Project 625884	\$11,472

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.

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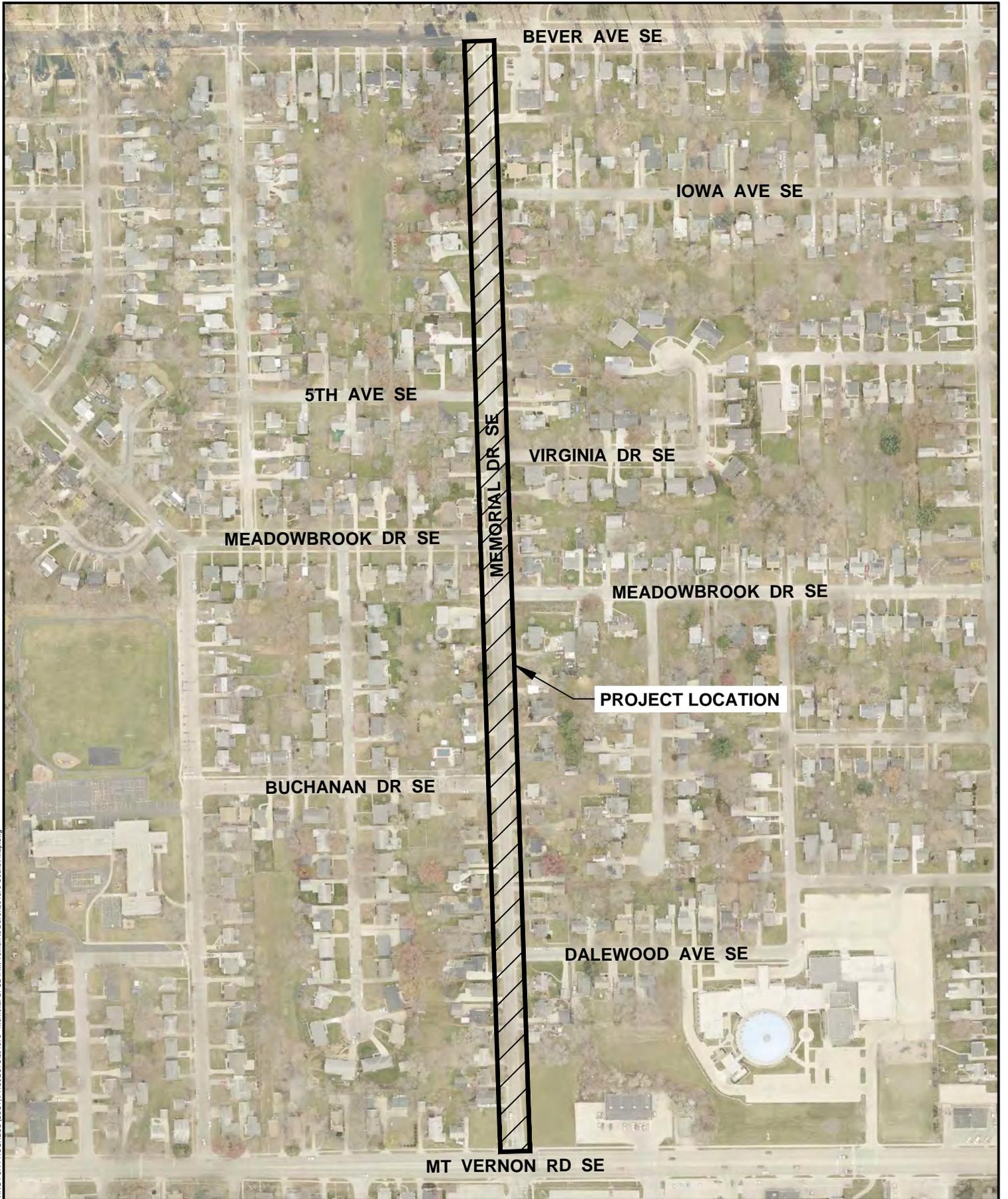
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MayorSignature

Attest:

ClerkSignature

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**MEMORIAL DRIVE SE ROADWAY AND
 UTILITY IMPROVEMENTS FROM
 MOUNT VERNON ROAD TO BEVER AVENUE**





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: Lee Tippe, PE
E-mail Address: leet@cedar-rapids.org

Phone Number/Extension: 5816

Description of Agenda Item: Purchases, contracts and agreements
 Resolution authorizing execution of Amendment No. 1 to the Professional Services Agreement with HR Green, Inc. specifying an increased amount not to exceed \$ 27,864 for program management services in connection with the Paving for Progress Capital Improvement 10 Year Plan (original contract amount was \$257,808; total contract amount with this amendment is \$285,672) (**Paving for Progress**).
 CIP/DID #3012094-01

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

Background: This project included providing planning services for the Paving for Progress 10 Year Plan. The 10 year plan is complete and this amendment extends the scope of service and contract time to provide for development of a secure online portal for the retrieval and entry of project information by City staff, updating the 10 year plan after the construction season and when new pavement condition data becomes available, as well as the addition of City sewer and water systems information to assist with project planning.

Action/Recommendation: The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 1 of the Professional Services Agreement HR Green, Inc. specifying an increased amount not to exceed \$27,864.

Alternative Recommendation: Delay updating information gathered and updating the street condition database until which time City staff is available to create the portal and enter the additional data.

Time Sensitivity: Normal
Resolution Date: Jul 28, 2015
Budget Information: 3012094 (SLOST)

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City has requested additional services of the Consultant and the City and the Consultant agree to amend the Scope of Services as indicated in the original Agreement, and

WHEREAS, the City Council has allocated funds for the Paving for Progress Capital Improvement 10 Year Plan,

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 HR Green Inc. in the amount of \$27,864.00 for the Paving for Progress Capital Improvement 10 Year Plan 3012094-01. A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$257,808.00
Amendment No. 1	\$27,864.00

Amended Contract Amount	\$285,672.00

General ledger coding for this amendment to be as follows:

- Fund 301, Dept ID 301000 Project 3012131
- Fund 301, Dept ID 301000 Project 3012130
- Fund 301, Dept ID 301000 Project 3012129
- Fund 301, Dept ID 301000 Project 3012128
- Fund 301, Dept ID 301000 Project 3012127
- Fund 301, Dept ID 301000 Project 3012126
- Fund 301, Dept ID 301000 Project 3012125

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

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

Phone Number/Extension: 5153

Description of Agenda Item: Purchases, contracts and agreements
 Resolution authorizing execution of Amendment No. 3 to the Professional Services Agreement with Snyder & Associates Inc. specifying an increased amount not to exceed \$5,864 for professional services in connection with the 19th Street SE from Mount Vernon Road SE to Glenway Drive SE Reconstruction project (original contract amount was \$106,000; total contract amount with this amendment is \$206,628) **(Paving for Progress)**.
 CIP/DID #3012081-01

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

Background:

The project included the rehabilitation of Bever Avenue SE from Memorial Drive to 22nd Street and from 19th Street to 14th Street; 19th Street SE from Mt. Vernon Road to Bever Avenue; and Garden Drive SE from Washing Avenue to Grande Avenue. It was determined that the section of 19th Street SE from Mt. Vernon Road to Glenway Drive needed to be reconstructed not rehabilitated. Amendment No. 2 accounted for the change in scope to accommodate that design. This amendment expands the limits on the project to include the design of new ADA compliant sidewalk at Mount Vernon Road and 19th Street. This project is funded by the Local Option Sales Tax (LOST), approved for maintenance, repair, and reconstruction of City streets.

Action/Recommendation: The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 3 of the Professional Services Agreement with Snyder & Associates, Inc. specifying an increased amount not to exceed \$5,864.

Alternative Recommendation: If this resolution is not adopted, other options to complete design services during construction would be required.

Time Sensitivity: Normal

Resolution Date: July 28, 2015

Budget Information: 3012081

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City has requested additional services of the Consultant and the City and the Consultant agree to amend the Scope of Services as indicated in the original Agreement and City approved amendments,

WHEREAS, the revised project limits will include replacement of the NW and NE sidewalk ramps at the intersection of Mount Vernon Road SE and 19th Street SE along with replacement of the crosswalk, and

WHEREAS, the City Council has allocated funds for 19th Street SE from Mount Vernon Road SE to Glenway Drive SE Reconstruction project,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 3 to the engineering consultant agreement with Snyder & Associates, Inc in the amount of \$5,864 for the 19th Street SE from Mount Vernon Road SE to Glenway Drive SE Reconstruction project 3012081-01. A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$106,000
Amendment No. 1	\$0
Amendment No. 2	\$94,764
Amendment No. 3	\$5,864

Amended Contract Amount	\$206,628

General ledger coding for this amendment to be as follows:

Fund 301, Dept ID 301000 Project 3012081	\$5,864
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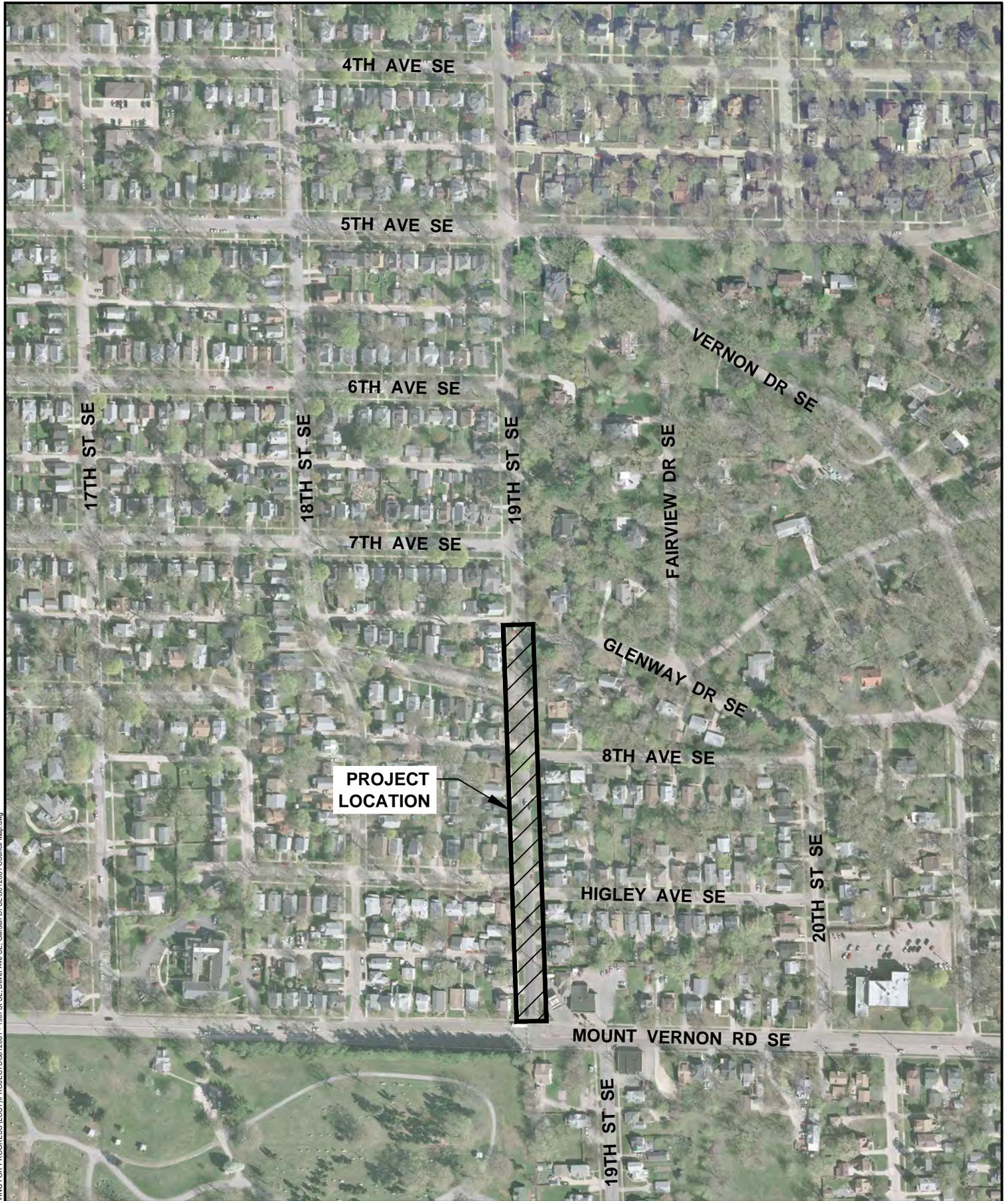
MayorSignature

Attest:

ClerkSignature

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**19TH STREET SE FROM
MOUNT VERNON ROAD TO GLENWAY DRIVE SE
IMPROVEMENT PROJECT**





Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Jennifer Pratt
E-mail Address: j.pratt@cedar-rapids.org

Phone Number/Ext.: 319 286-5047

Alternate Contact Person: Casey Drew
E-mail Address: c.drew@cedar-rapids.org

Phone Number/Ext.: 319 286-5097

Description of Agenda Item: Purchases, contracts and agreements
 Resolution authorizing execution of the Allocation Under Development Agreement with Westdale CR Ventures #1, LLC, Frew Development Group, LLC and Edgewood Partners, LLC for redevelopment of Parcel A, Plat of Survey No. 1998, within the former Westdale Mall site generally located at 2500 Edgewood Road SW.
 CIP/DID #OB812292

<p>EnvisionCR Element/Goal: GrowCR Goal 1: Encourage mixed-use and infill development.</p>

Background: The Frew Development Group, LLC has negotiated the sale of Parcel A to the Edgewood Partners, LLC, for construction of new retail development in a portion of the former Westdale Mall site (see attached map). Specifically, this outlot along Edgewood Road SW is in addition to six outlots that were part of an Allocation Under Development Agreement approved by City Council on April 14, 2015 and then sold to Edgewood Partners, LLC. Combined, these lots are referred to as the Edgewood Partners Parcels.

Frew Development Group, LLC has committed to a \$17,000,000 Minimum Assessment Valuation in the Westdale Development Agreement. This amount will generate sufficient property tax revenue to make the bond payment of the \$5,000,000 up front payment which the City provided to offset the cost of demolition and infrastructure realignment.

The purpose of the Allocation Under Development Agreement is to establish the portion of the minimum assessed value allocated to Parcel A - \$1,190,363 of the total \$17,000,000 Minimum Assessed Valuation. This was negotiated between the two private parties. The City is signing the Agreement to acknowledge and consent to the allocation of property value agreed upon by these two private parties. The City is further agreeing it will not seek to collect property taxes from the Edgewood Partners Parcels in excess of any taxes that may be due on the then current assessed valuations thereof, as determined by the City Assessor.

City staff is recommending the City acknowledge and consent to the Agreement with the understanding that purchasers of other outlots in the former Westdale Mall site may request a similar agreement. While this is a reasonable approach for outlots; staff does have concerns about sale of property within the center of development. If property within the center of development is sold, the City will not have the ability to collect the supplemental payments needed for future bond payments, in the case of a property tax revenue shortfall.

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 28, 2015

Budget Information: N/A

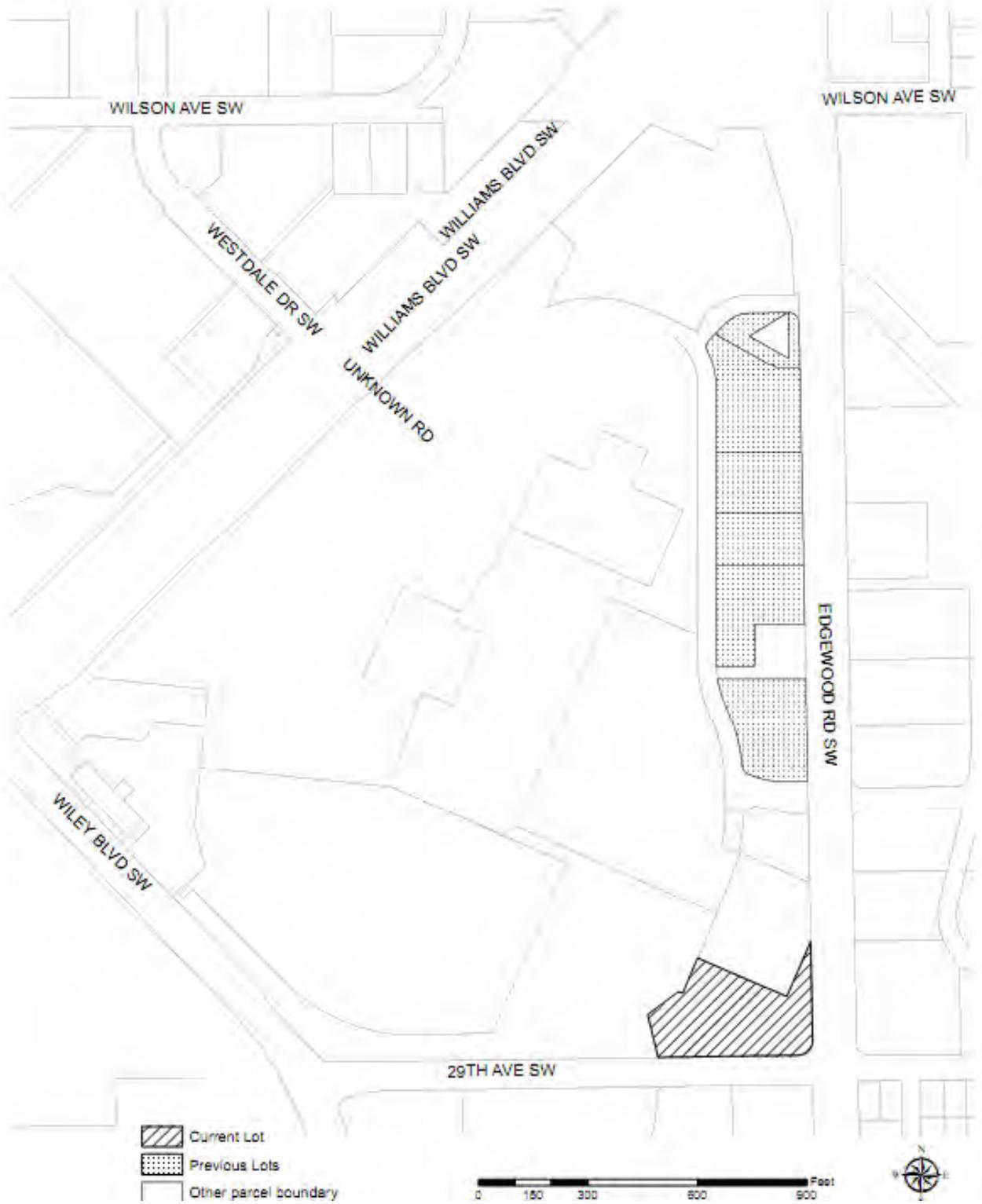
Local Preference Policy: NA

Explanation:

Recommended by Council Committee: NA

Explanation:

Allocated Lots - Westdale



RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on March 26, 2013 the City Council created the Westdale Urban Renewal Area consisting of a 71-acre infill site at 2500 Edgewood Road SW for the purpose of encouraging a master-planned mixed-use development, including housing, office, and retail; increased green space and plaza area; and pedestrian-friendly connectivity throughout and to surrounding developments; and

WHEREAS, on May 14, 2013, through Resolution 0811-05-13, the City Council authorized execution of a Development Agreement with Westdale CR Ventures #1, LLC and Frew Development Group, LLC (“the Developer”) to promote the redevelopment of the former Westdale Mall site generally located at 2500 Edgewood Road SW; and

WHEREAS, on December 17, 2013, through Resolution 2019-12-13, the City Council authorized execution the First Amendment to the Development Agreement which included the extension of the annual Economic Development Grants from 12 to 14 years, updating the Master Plan, and adjustment to the Minimum Improvements, due to delays and changes caused by the Developer’s negotiations with an anchor tenant; and

WHEREAS, on April 14, 2015, through Resolution 0473-04-15, the City Council authorized execution of the Allocation Under Development Agreement to establish the portion of the minimum assessed value allocated to six “outlot” parcels, to be sold by the Developer to the Edgewood Partners, LLC, for construction of new retail development in a portion of the former Westdale Mall site, described as Lots 1-5 and 7, Westdale First Addition in the City of Cedar Rapids, Linn County, Iowa (referred to as the Edgewood Partners Parcels); and

WHEREAS, the Developer and Edgewood Partners, LLC desire to enter into an Allocation Under Development Agreement to establish the portion of the minimum assessed value allocated to an additional parcel, Parcel A, Plat of Survey 1998, City of Cedar Rapids, Linn County, Iowa, to be combined into the Edgewood Partners Parcels; and

WHEREAS, the City Council acknowledges and consents to the allocation of property value and further agrees the City will not seek to collect property taxes from the Edgewood Partners Parcels in excess of any taxes that may be due on the then current assessed valuations thereof, as determined by the City Assessor;

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 and directed to execute an Allocation Under Development Agreement with Westdale CR Ventures #1, LLC, Frew Development Group, LLC, and Edgewood Partners, LLC.

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 Development Agreement with the Neighborhood Development Corporation of Cedar Rapids, Inc. for the redevelopment of City-owned commercial property at 615 K Avenue NW; 1125, 1127 and 1129 Ellis Boulevard NW and 1130 and 1138 6th Street NW (**FLOOD**).

CIP/DID # OB1058253

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

Background:

The Resolution authorizes execution of the Development Agreement with the Neighborhood Development Corporation of Cedar Rapids, Inc. (NDC) to redevelop City-owned commercial property located at Ellis Boulevard and K Avenue NW.

A highlight of terms and conditions of the Development Agreement are highlighted as follows:

- The project consists of two phases, with phase 1 consisting of the rehabilitation of the commercial structure, phase 2 new construction of mixed use building;
- The purchase price of the Phase 1 commercial building is \$9,250 and the sale proceeds are returned to the acquisition program;
- NDC is to provide flood mitigation measures on the facility and any new facilities, and obtain flood insurance;
- The Phase 1 improvements are to be commenced within 30 days of closing and completed no later than July 1, 2016;
- The City will dispose of properties for Phase 1, and provide an Option to Purchase Agreement for properties identified for Phase 2;
- NDC can exercise the Option to purchase beginning July 1, 2016 subject to satisfied precedent conditions including: City approval of the plan of improvements, appraised value of the properties, approved financing, and execution of a development agreement with respect to Phase 2;

On December 16, 2014 the City Council adopted Resolution No. 1781-12-14 directing staff to pursue a Development Agreement with the NDC based on their response to the City's request for proposals for the properties. The proposal submitted by the NDC was the only one submitted in the two RFP processes for the properties.

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 acquired property located at 615 K Avenue NW 1125, 1127 and 1129 Ellis Boulevard NW, and 1130 and 1138 6th Street NW (the "Properties") through the Voluntary Property Acquisition Program; and

WHEREAS, on September 9, 2014 the City Council made a motion to conduct a hearing, a notice was published on September 13, 2014, and the public hearing was held on September 23, 2014 on the possible disposition of the Properties; and

WHEREAS, on September 23, 2014 the City Council adopted Resolution No. 1265-09-14 authorizing disposition of the Properties and inviting competitive redevelopment proposals; and

WHEREAS, the City has received one (1) redevelopment proposal from the Neighborhood Development Group of Cedar Rapids, Inc. (the "NDC") for reuse and redevelopment of the Properties which was reviewed by a panel of stakeholders representing neighborhood and development groups; and

WHEREAS, the City Council has determined that the proposal submitted by NDC is in the best interest of the community by providing additional investment in the Ellis Boulevard Viable Business Corridor through the repurposing of the commercial structure, construction of new facilities and all related site improvements; and

WHEREAS, on December 16, 2014 the City Council adopted Resolution No. 1781-12-14 directing staff to pursue a Development Agreement with the NDC; and

WHEREAS, staff has negotiated a Development Agreement, subject to the City Council's approval, which 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 Development Agreement and associated documents with the Neighborhood Development Corporation of Cedar Rapids, Inc. for the redevelopment of the Properties.

2. The Memorandum of Development Agreement and 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: Public Works Department

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

Phone Number/Extension: 5807

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

Phone Number/Extension: 5092

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing the disposition of excess City-owned property described as a 6,080 square-foot strip of former railroad right-of-way located northwesterly of 12th Avenue SE and northeasterly of and adjacent to 4th Street 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: A Public Hearing was held on May 26, 2015 in which no objections were heard.

Action/Recommendation: Authorize the disposition of this parcel to The Depot Development, LLC.

Alternative Recommendation: Deny the request and require The Depot Development, LLC to revise their site plans.

Time Sensitivity: Normal

Resolution Date: 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

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City has entered into a Development Agreement with The Depot Development, LLC for The Depot at NewBo Village project at 400 12th Avenue SE, and

WHEREAS, in order to accommodate the site plan for their new development at 400 12th Avenue SE, The Depot Development, LLC has requested an adjacent parcel of City-owned former railroad right-of-way described as:

A 6,080 square-foot strip of former railroad right-of-way located northwesterly of 12th Avenue SE and northeasterly of and adjacent to 4th Street SE and legally described as Plat of Survey No. 1948 Parcel A
, and

WHEREAS, on May 16, 2015, the City published a notice to hold a Public Hearing, and

WHEREAS, on May 26, 2015, a Public Hearing was held and the City Council recommended the disposition of this parcel to The Depot Development, LLC,

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. 1948 Parcel A as shown in Book 9196, Page 136 - 167 and recorded on March 18, 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 \$1,018.
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 disposition of said property hereinbefore described to said grantee.

4. 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.
5. 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 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



FORMER RAILROAD
R.O.W. DISPOSITION

Cadd File Name: \\PROJECTS\Non-CIP\2015\4115 Right of Way Mgmt\VACATIONS 2015 - ENERGO\ROWV-016485-2015-4th St Corridor\ROWV-016485-2015 Council Map.dwg



FORMER RAILROAD RIGHT-OF-WAY DISPOSITION



ROWV-016485-2015

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Kirkwood Community College recognize the potential outstanding benefits of a Work-Study Program, and share a mutual desire to provide learning opportunities for students interested in the animal care and control field, and

WHEREAS, Animal Care and Control would benefit by having additional part-time staff in the form of Work-Study Program participants, and

WHEREAS, the Kirkwood Community College Work-Study Program offers students a chance to work part-time in Animal Care and Control at no cost to the City of Cedar Rapids,

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 Kirkwood Community College Work-Study Agreement, according to the terms thereof.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Animal Control

Presenter at Meeting: Diane P. Webber
E-mail Address: d.webber@cedar-rapids.org

Phone Number/Ext.: 286-5908

Alternate Contact Person: Captain Steve O'Konek
E-mail Address: s.okonek@cedar-rapids.org

Phone Number/Ext.: 286-5526

Description of Agenda Item: Purchases, contracts and agreements
Resolution authorizing execution of a Work-Study Program agreement between the City of Cedar Rapids Animal Care and Control and Kirkwood Community College, providing for student job opportunities.
CIP/DID #OB1298681

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

Background: Recognizing the potential benefits of a Work-Study Program, Animal Care and Control and Kirkwood Community College have discussed and designed a Work-Study Program, to provide learning opportunities for students interested in the animal care and control field. Animal Care and Control is located on the Kirkwood Community campus, making job opportunities through the Work-Study Program easily accessible to students. The Work-Study Program offers students a chance to work part-time in a field of interest, benefits Animal Care and Control by filling a need for additional staffing, and the Program covers the wages for the students at no cost to the City.

Action/Recommendation: The Police Department and Animal Care and Control recommend execution of the Work-Study Program agreement.

Alternative Recommendation: None

Time Sensitivity: Student job opportunities could be available for the Fall Semester at Kirkwood.

Resolution Date: July 28, 2015

Budget Information: NA

Local Preference Policy: (Click here to select)
Explanation: NA

Recommended by Council Committee: (Click here to select)
Explanation: NA



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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 Federal Aid Agreement for a Surface Transportation Program project in the amount of \$1,440,000 with the Iowa Department of Transportation in connection with the City of Cedar Rapids Downtown Walkway project.
 CIP/DID #635129-00

EnvisionCR Element/Goal: ConnectCR Goal 1: Provide choices for all transportation users: inter- and intra-city.

Background: The Corridor Metropolitan Planning Organization has approved \$1,440,000 of Surface Transportation Program and Transportation Alternatives Program funding for the Downtown Walkway between the US Bank Building and the Convention Center Parkade.

The City has been designing an alignment that will utilize part of the third floor of the Convention Center and proceed through the alley to connect to the US Bank Building. This will connect the Convention Center Parkade to the rest of the downtown walkway system.

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 City of Cedar Rapids Downtown Walkway project.

Alternative Recommendation: If the resolution is not adopted and the agreement not executed, the City will forfeit the grant funds totaling \$1,440,000 for City of Cedar Rapids Downtown Walkway project, and will need to use City funds or delay the project.

Time Sensitivity: Normal

Resolution Date: July 28, 2015

Budget Information: CIP No. 635/635000/635129 NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City Council approved Agreement No. STP-U-1187(781)-70-57 for a Surface Transportation Program Project with the Iowa Department of Transportation (IDOT) in connection with the City of Cedar Rapids Downtown Walkway, and

WHEREAS, a Project Concept Statement has been submitted for the City of Cedar Rapids Downtown Walkway project, and IDOT has provided Transportation Alternatives Program (TAP) funding for the City of Cedar Rapids Downtown Walkway project, and

WHEREAS, the Public Works Director recommends authorizing execution of Agreement No. 16-TAP-102 with IDOT for the City of Cedar Rapids Downtown Walkway project,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager and City Clerk are authorized to execute IDOT Agreement No. 16-TAP-102 for a Transportation Alternatives Program (TAP) project with the Iowa Department of Transportation in the amount of \$1,440,000 in connection with the City of Cedar Rapids Downtown Walkway project (CIP No. 635129 NA).

PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature



US Cellular Center

1ST AVE E

4TH ST SE

Convention Center Ramp

3RD ST SE

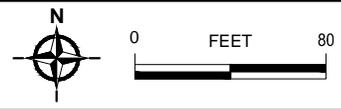
PROJECT LOCATION

2ND AVE SE

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DOWNTOWN WALKWAY FROM THE CONVENTION CENTER RAMP TO U. S. BANK





Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at Meeting: Kevin Vrchoticky, P.E.

Phone Number/Ext.: 5896

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

Alternate Contact Person: Doug Wilson

Phone Number/Ext.: 5141

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

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing submittal of a grant application to the Iowa Department of Transportation (IDOT) for Iowa Clean Air Attainment Program (ICAAP) funds to provide funding for the Kirkwood Boulevard Roadway Improvement project.

CIP/DID #301929-00

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

Background: The project will consist of improvements including pavement, sidewalks, roundabout(s) and potentially a Pedestrian Hybrid Beacon along Kirkwood Boulevard SW approximately 1,000 feet south of 76th Avenue SW and approximately 700 feet south of Woodstone Lane SW based on the recommendation of the traffic. The roundabout(s) is proposed at the Kirkwood Boulevard and College Community School District (CCSD) entrance(s) intersection. Currently a police officer is utilized at the Prairie Point Elementary School entrance to allow the school buses to exit the main CCSD campus. The roundabout would provide improved intersection operations. The roundabout would also reduce emissions at the intersection by improving the operations at the intersection. The project will also include improvements to the Hoosier Creek culvert on Kirkwood Boulevard just south of the Prairie Point Middle School entrance.

Annually, the IDOT provides ICAAP funds on a competitive basis to transportation projects that reduce congestion problems and provide air quality improvements. The resolutions must be included in the grant applications being submitted to authorize the City's participation in the program.

Action/Recommendation: The Public Works Department recommends approval of the resolution authorizing submittal of a grant application to the Iowa Department of Transportation for ICAAP funds for the Kirkwood Boulevard and South Access Road roundabout project.

Alternative Recommendation: If the resolution is not approved the grant application for ICAAP funds cannot be submitted. The Kirkwood Boulevard and South Access Road roundabout project will continue to be deferred until another funding source can be determined.

Time Sensitivity: Normal

Resolution Date: July 28, 2015

Budget Information: 301000/301929 NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION AUTHORIZING APPLICATION FOR A IOWA CLEAN AIR ATTAINMENT
PROGRAM (ICAAP) GRANT FOR CONSTRUCTION OF KIRKWOOD BOULEVARD
ROADWAY IMPROVEMENTPROJECT (CIP NO. 301929)

WHEREAS, the Iowa Department of Transportation has established the Transportation Safety Improvement Program (TSIP) and provides funding for locations where vehicular safety is a concern and documented and

WHEREAS, the City of Cedar Rapids has identified Kirkwood Boulevard and South Access Rd to College Community School District (CCSD) campus as a location where emission could be reduced and funded with the ICAAP and

WHEREAS, the improvements installing a roundabout will reduce emissions for the South Access Rd to Community College School District, and

WHEREAS, the Community College School District Board passed a Resolution of approval to submit for ICAAP funding,

WHEREAS, the City of Cedar Rapids Public Works Department recommends approval of this resolution,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the above noted project is hereby endorsed for submission to the TSIP Grants project, and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF CEDAR RAPIDS, IOWA, that the City Manager and Public Works Director/City Engineer or designee is authorized and directed to execute with signature any and all materials required for submission of the subject grant applications including any and all assurances, certifications or other document components as may be related to terms, conditions, etc. of funding agreement(s) stipulating compliance with applicable laws, regulations, etc. which may now or hereafter affect the subject provision of financial assistance.

PASSED_DAY_TAG

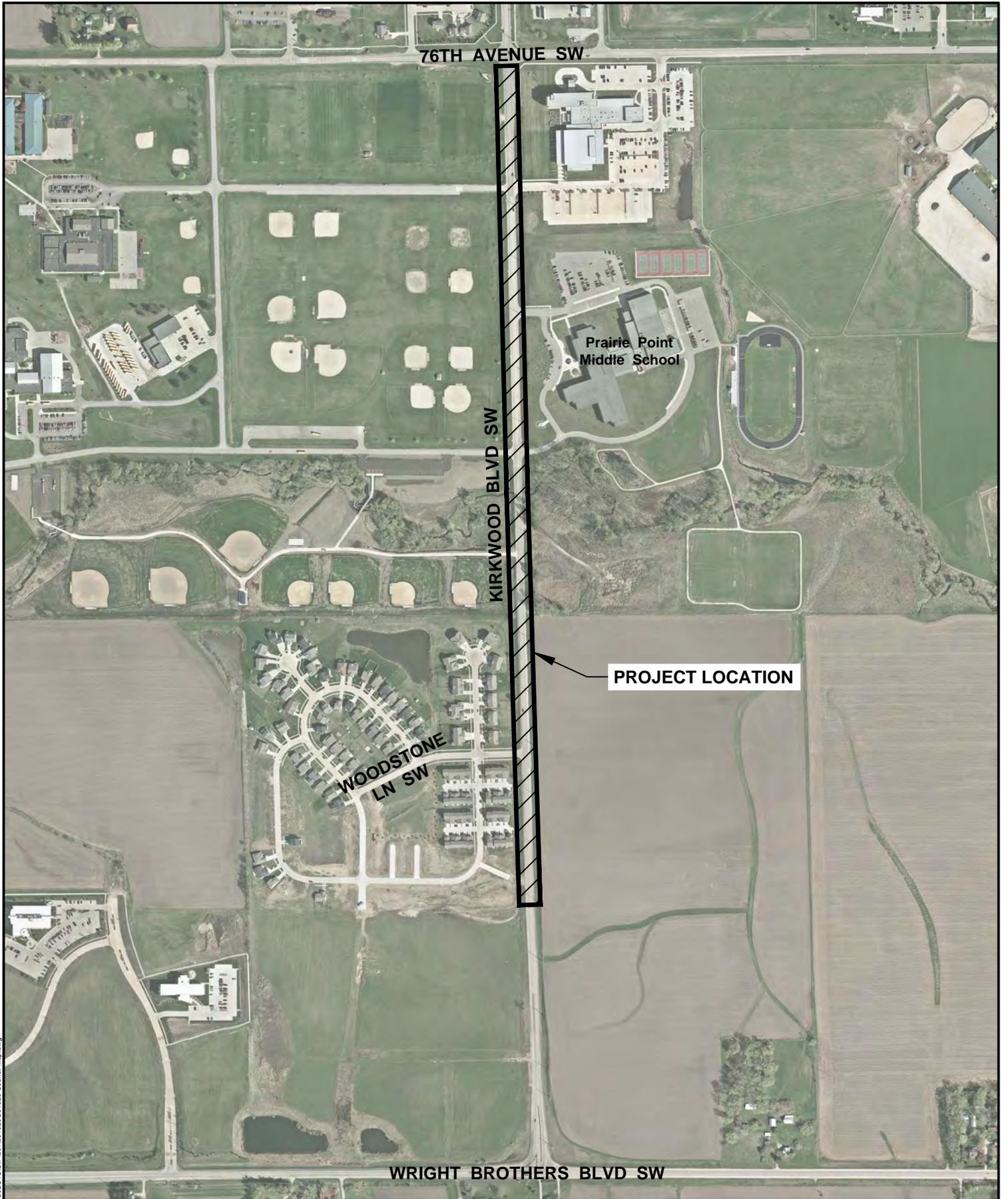
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MayorSignature

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ClerkSignature

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**KIRKWOOD BOULEVARD TRAFFIC STUDY
76TH AVENUE SW TO WOODSTONE LANE SW PROJECT**





Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at Meeting: Kevin Vrchoticky, P.E.
E-mail Address: k.vrchoticky@cedar-rapids.org

Phone Number/Ext.: 5896

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

Phone Number/Ext.: 5141

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing submittal of a grant application to the Iowa Department of Transportation (IDOT) for Transportation Safety Improvement Program (TSIP) funds for the Kirkwood Boulevard Roadway Improvement project.
 CIP/DID #301929-00

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

Background: The project will consist of improvements including pavement, sidewalks, roundabout(s) and potentially a Pedestrian Hybrid Beacon along Kirkwood Boulevard SW approximately 1,000 feet south of 76th Avenue SW and approximately 700 feet south of Woodstone Lane SW based on the recommendation of the traffic study. The roundabout(s) is proposed at the Kirkwood Boulevard and College Community School District (CCSD) entrance(s) intersection. Currently a police officer is utilized at the Prairie Point Middle School entrance to allow the school buses to exit the main CCSD campus. The roundabout would provide improved intersection operations as well as eliminate the need for a police officer at the intersection. The roundabout would also increase vehicular and pedestrian safety. The project will also include improvements to the Hoosier Creek culvert on Kirkwood Boulevard just south of the Prairie Point Middle School entrance.

Annually, the IDOT provides TSIP funds on a competitive basis to transportation projects that reduce congestion problems and traffic and pedestrian safety. The resolutions must be included in the grant applications being submitted to authorize the City's participation in the program.

Action/Recommendation: The Public Works Department recommends approval of the resolution authorizing submittal of a grant application to the Iowa Department of Transportation for TSIP funds for the Kirkwood Boulevard and South Access Road roundabout project.

Alternative Recommendation: If the resolution is not approved the grant application for TSIP funds cannot be submitted. The Kirkwood Boulevard and South Access Road roundabout project will continue to be deferred until another funding source can be determined.

Time Sensitivity: Normal

Resolution Date: July 28, 2015

Budget Information: 301000/301929 NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION AUTHORIZING APPLICATION FOR A TRAFFIC SAFETY IMPROVEMENT PROGRAM (TSIP) GRANT FOR CONSTRUCTION OF KIRKWOOD BOULEVARD ROADWAY IMPROVEMENTPROJECT (CIP NO. 301929)

WHEREAS, the Iowa Department of Transportation has established the Transportation Safety Improvement Program (TSIP) and provides funding for locations where vehicular safety is a concern and documented and

WHEREAS, the City of Cedar Rapids has identified Kirkwood Boulevard and South Access Road to College Community School District campus as a location where vehicular safety could be improved and funded with the TSIP, and

WHEREAS, the improvements installing a roundabout will help reduce crashes, improve traffic safety operation and remove a traffic safety officer, and

WHEREAS, the Community College School District Board passed a Resolution of approval to submit for TSIP funding, and

WHEREAS, the City of Cedar Rapids Public Works Department recommends approval of this resolution,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the above noted project is hereby endorsed for submission to the TSIP Grants project, and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF CEDAR RAPIDS, IOWA, that the City Manager and Public Works Director or designee is authorized and directed to execute with signature any and all materials required for submission of the subject grant applications including any and all assurances, certifications or other document components as may be related to terms, conditions, etc. of funding agreement(s) stipulating compliance with applicable laws, regulations, etc. which may now or hereafter affect the subject provision of financial assistance.

PASSED_DAY_TAG

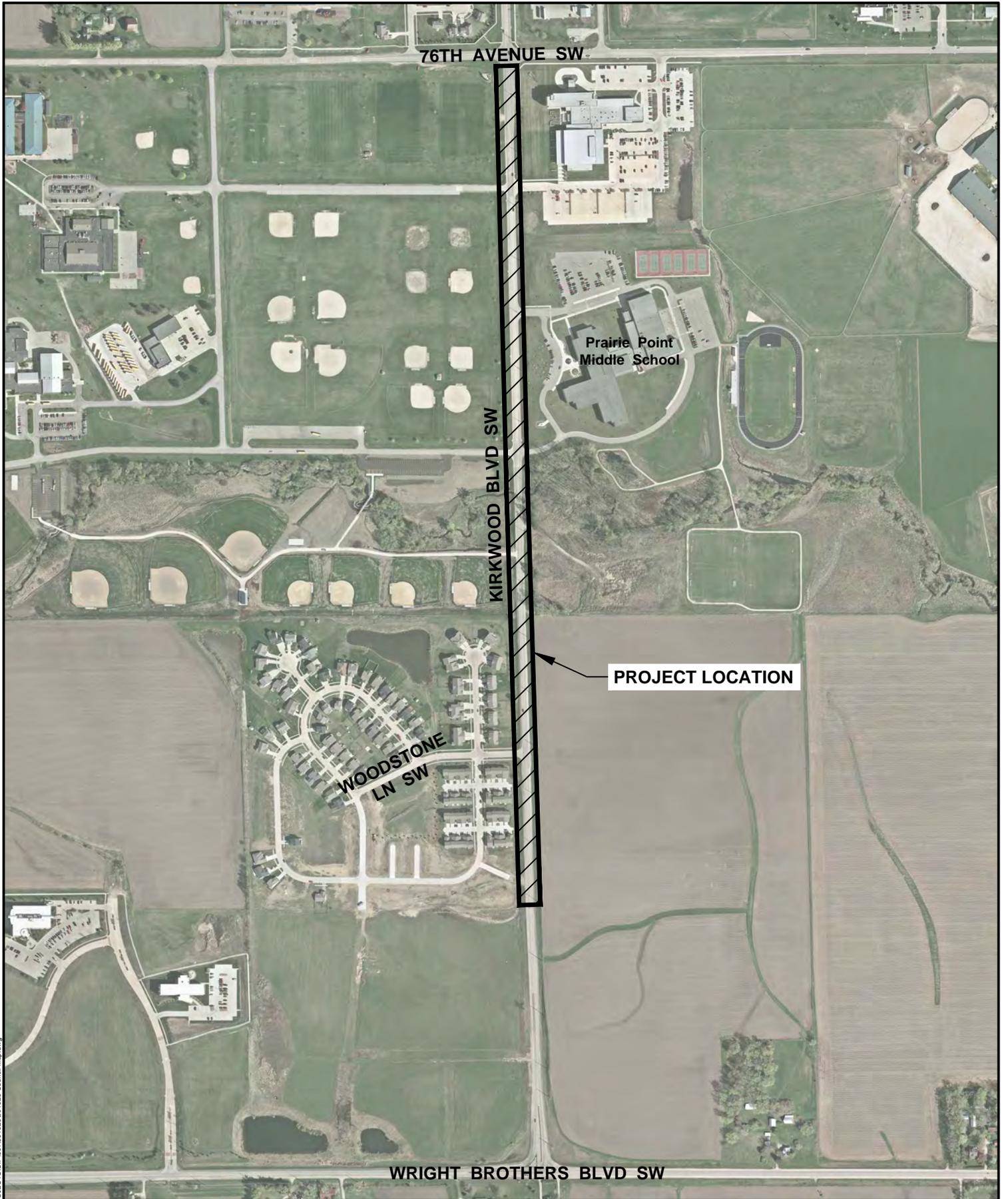
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MayorSignature

Attest:

ClerkSignature

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**KIRKWOOD BOULEVARD TRAFFIC STUDY
76TH AVENUE SW TO WOODSTONE LANE SW PROJECT**





Council Agenda Item Cover Sheet

Submitting Department: City Manager

Presenter at Meeting: Jasmine Almoayed
E-mail Address: j.almoayed@cedar-rapids.org

Phone Number/Ext.: 5349

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing the payment of \$27,993 to Iowa State University to cover 25% of the cost in hiring the Agricultural Bio-based Industries Research and Extension Liaison for FY 16.
 CIP/DID #CM002-15

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

Background:

Iowa State University and the City of Cedar Rapids share a common goal to enhance the opportunities for and success of agricultural bio-processing for food, feed, fiber, and bioproducts in Cedar Rapids Iowa. A new CR-ISU partnership will focus on results driven goals such as jobs, economic development, future-ready enterprises, sharing of knowledge and expertise; coordinating across R&D space; leveraging resources; problem-solving for now and the future.

Iowa State University proposes a special partnership with the City of Cedar Rapids to establish a three-year bioscience research and extension specialist position in the College of Agriculture and Life Sciences.

The ISU Professional & Scientific employee holding this position will work closely with the agbio-processing industries in Cedar Rapids to identify connections to ISU research and extension programs; facilitate training; and be an advocate for Cedar Rapids. The specialist will be housed in Cedar Rapids and will spend one-week each month connecting with ISU Scientists/Engineers in Ames.

The annual budget is estimated at approximately \$114,000. To reflect the partnership a funding model of 75% by ISU and 25% by the City of Cedar Rapids is proposed. A three-year budget commitment will be made by both partners with the expectation that mutual success will occur and the partnership will be extended.

Total cost to the City of Cedar Rapids is \$27,993 for a full year which will be prorated in FY16 to reflect an August start date.

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

Alternative Recommendation: City Council may table this item and request further information

Time Sensitivity: NA

Resolution Date: July 28, 2015

Budget Information: NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Iowa State University (ISU) and the City of Cedar Rapids share a common goal to enhance the opportunities for and success of agricultural bio-processing for food, feed, fiber, and bioproducts in Cedar Rapids Iowa. A new CR-ISU partnership will focus on results driven goals such as jobs, economic development, future-ready enterprises, sharing of knowledge and expertise; coordinating across R&D space; leveraging resources; problem-solving for now and the future, and

WHEREAS, Iowa State University proposes a special partnership with the City of Cedar Rapids to establish a three-year bioscience research and extension specialist position in the College of Agriculture and Life Sciences, and

WHEREAS, the Iowa Startup Accelerator (ISA) will use 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

WHEREAS, the ISU Professional & Scientific employee holding this position will work closely with the agbio-processing industries in Cedar Rapids to identify connections to ISU research and extension programs; facilitate training; and be an advocate for Cedar Rapids. The specialist will be housed in Cedar Rapids and will spend one-week each month connecting with ISU Scientists/Engineers in Ames.

WHEREAS, the annual budget is estimated at approximately \$114,000. To reflect the partnership a funding model of 75% by ISU and 25% by the City of Cedar Rapids is proposed. A three-year budget commitment will be made by both partners with the expectation that mutual success will occur and the partnership will be extended. Total cost to the City of Cedar Rapids is \$27,993 for a full year which will be prorated in FY16 to reflect an August start date.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Council authorizes payment of \$27, 993 to Iowa State University to cover 25% of the cost in hiring the Agricultural Bio-based Industries Research and Extension Liaison for FY 16.

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: Rob Davis, PE
E-mail Address: robd@cedar-rapids.org

Phone Number/Extension: 5808

Alternate Contact Person: Sandy Pumphrey, PE, CFM
E-mail Address: s.pumphrey@cedar-rapids.org

Phone Number/Extension: 5363

Description of Agenda Item: CONSENT AGENDA

Resolution rejecting all bids for the Cedar River East Flood Wall – North of Interstate 380 – Cedar Rapids, IA – Phase 2 Floodwall project.
 CIP/DID #331813-01

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

Background: The bids have exceeded estimate plus 10%. The State has granted an extension of the CDBG Grant to allow the project schedule to be extended and the project re-bid. Minor design changes will be made also.

Action/Recommendation: The Public Works Department recommends approval of the Resolution to reject all bids received on June 17, 2015 for the Cedar River East Flood Wall – North of Interstate 380 – Cedar Rapids, IA – Phase 2 Floodwall project.

Alternative Recommendation: None

Time Sensitivity: Normal

Resolution Date: July 28, 2015

Budget Information: CDBG/GRI funds

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids received bids for the Cedar River East Flood Wall – North of Interstate 380 – Cedar Rapids, IA – Phase 2 Floodwall on June 17, 2015, and

WHEREAS, the lowest responsible bid was in the amount of \$12,714,396, and

WHEREAS, the construction budget was based upon the construction cost opinion of \$11,500,000 and the low competitive bid exceeds the construction budget for the project,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City shall reject the bids received for this 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 and contract modifications necessary to receive bids to best address the purpose and need of the improvements.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



FLOOD WALL

CEDAR RIVER

C AVE NE

4TH ST NE

B AVE NE

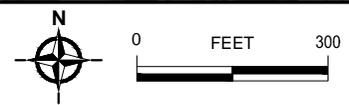
INTERSTATE 380

1ST AVE E

Cadd File Name: W:\PROJECTS\CIP\330\330260\330260 Council Map.dwg



**CEDAR RIVER EAST FLOOD WALL
NORTH OF INTERSTATE 380 - CEDAR RAPIDS, IOWA
PHASE 2 - FLOOD WALL**





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:

Bids were received on July 22, 2015 for the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction – Phase 2 project (estimated cost is \$4,120,000). A report of bids received from the City officer conducting the bid opening is attached.
 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. The purpose of this project is to restore the flood impacted sanitary sewer, as well as to increase capacity for future industrial growth within the southwest 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 anticipated to be completed by June 2016.

Action/Recommendation: Noted on attached bid report.

Alternative Recommendation: None

Time Sensitivity: Normal

Resolution Date: None

Budget Information: FEMA PW# SSD011

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA



July 22, 2015

City Council
City of Cedar Rapids

RE: Report on bids as read for the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction – Phase 2, Contract Number SSD011-04

Dear City Council:

Bids were received on July 22, 2015 for the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction – Phase 2 project as follows:

S.M. Hentges & Sons, Inc., Jordan, MN	\$3,798,657.76
Minger Construction Co., Inc., Jordan, MN	\$4,801,376.90
Carstensen Contracting, Inc., Pipestone, MN	\$5,255,687.60
Merryman Excavation, Inc., Woodstock, IL	\$5,495,368.30

The engineers cost opinion for this work is \$4,120,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in blue ink, appearing to read "Garrett Prestegard".

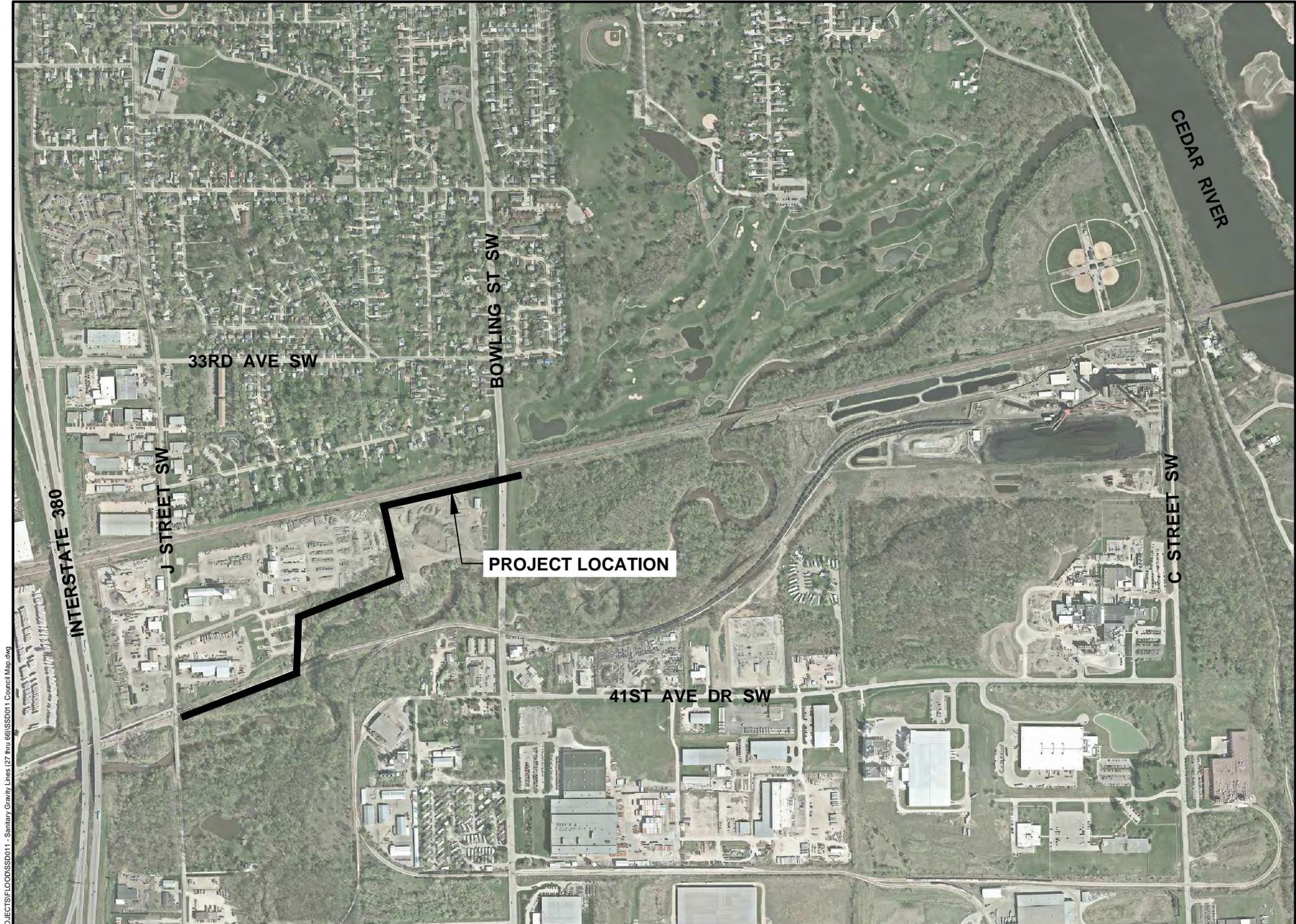
Garrett Prestegard, P.E.
Project Engineer I

GP/cap

cc: Jennifer L. Winter, P.E. Public Works Director
David Wallace, P.E., Interim City Engineer

Public Works Department

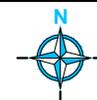
500 15th Avenue S.W. • Cedar Rapids, Iowa 52404-5837 • (319) 286-5802 • FAX (319) 774-5653



Cadd File Name: W:\PROJECTS\FLOOD\SDD011 - Sanitary Gravity Lines (27 thru 66)\SDD011 Council Map.dwg



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

Phone Number/Extension: 5115

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

Phone Number/Extension: 5141

Description of Agenda Item: REGULAR AGENDA

Report on bids and resolution awarding and approving contract in the amount of \$243,167 plus incentive up to \$2,500, bond and insurance of Rathje Construction Co. for the 20th Avenue SW East of 13th Street Culvert Replacement project (estimated cost is \$273,000).
 CIP/DID #304423-02

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

Background:

Rathje Construction Co., Marion, IA	\$243,167.00
Incentive up to	<u>\$ 2,500.00</u>
Total	\$245,667.00
Ricklefs Excavating, Ltd., Anamosa, IA	\$261,720.00
Yordi Excavating, Cedar Rapids, IA	\$289,833.00
Sulz Co., LLC, Muscatine, IA	*\$302,239.50

Rathje Construction Co. submitted the lowest of the bids received on July 15, 2015 for the 20th Avenue SW East of 13th Street Culvert Replacement project. The bid is within the approved budget. Construction work is anticipated to begin this fall or spring 2016 and be completed within 25 working days.

The Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of Sulz Co., LLC was corrected to be \$302,239.50, based on the unit prices submitted and the correct bid quantity totals.

Action/Recommendation: The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$243,167 plus incentive up to \$2,500, bond and insurance of Rathje Construction Co. for the 20th Avenue SW East of 13th Street Culvert Replacement 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

Resolution Date: July 28, 2015

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

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA



July 15, 2015

City Council
City of Cedar Rapids

RE: Report on bids as read for the 20th Avenue SW East of 13th Street Culvert Replacement,
Contract Number 304423-02

Dear City Council:

Bids were received on July 15, 2015 for the 20th Avenue SW East of 13th Street Culvert Replacement project as follows:

Rathje Construction Co., Marion, IA	\$243,167
Ricklefs Excavating, Ltd., Anamosa, IA	\$261,720
Sulz Co, LLC, Muscatine, IA	\$287,562
Yordi Excavating, Cedar Rapids, IA	\$289,833

The engineers cost opinion for this work is \$273,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in blue ink that reads "Glenn Vosatka".

Glenn Vosatka, P.E.
Project Engineer I

GV/cap

cc: Jennifer L. Winter, 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 23, 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 20th Avenue SW East of 13th Street Culvert Replacement (Contract No. 304423-02) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on June 27, 2015 pursuant to which a public hearing was held on July 14, 2015, and

WHEREAS, the following bids were received, opened and announced on July 15, 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 28, 2015:

Rathje Construction Co., Marion, IA	\$243,167.00
Incentive up to	\$ 2,500.00
Total	\$245,667.00
Ricklefs Excavating, Ltd., Anamosa, IA	\$261,720.00
Yordi Excavating, Cedar Rapids, IA	\$289,833.00
Sulz Co, LLC, Muscatine, IA	*\$302,239.50

AND WHEREAS, the Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of Sulz Co, LLC was corrected to be \$302,239.50, 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:
\$245,667 304-304000-304423,

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. 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 Co. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;
3. Subject to registration with the Department of Labor, the Bid of Rathje Construction Co. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Rathje Construction Co..
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

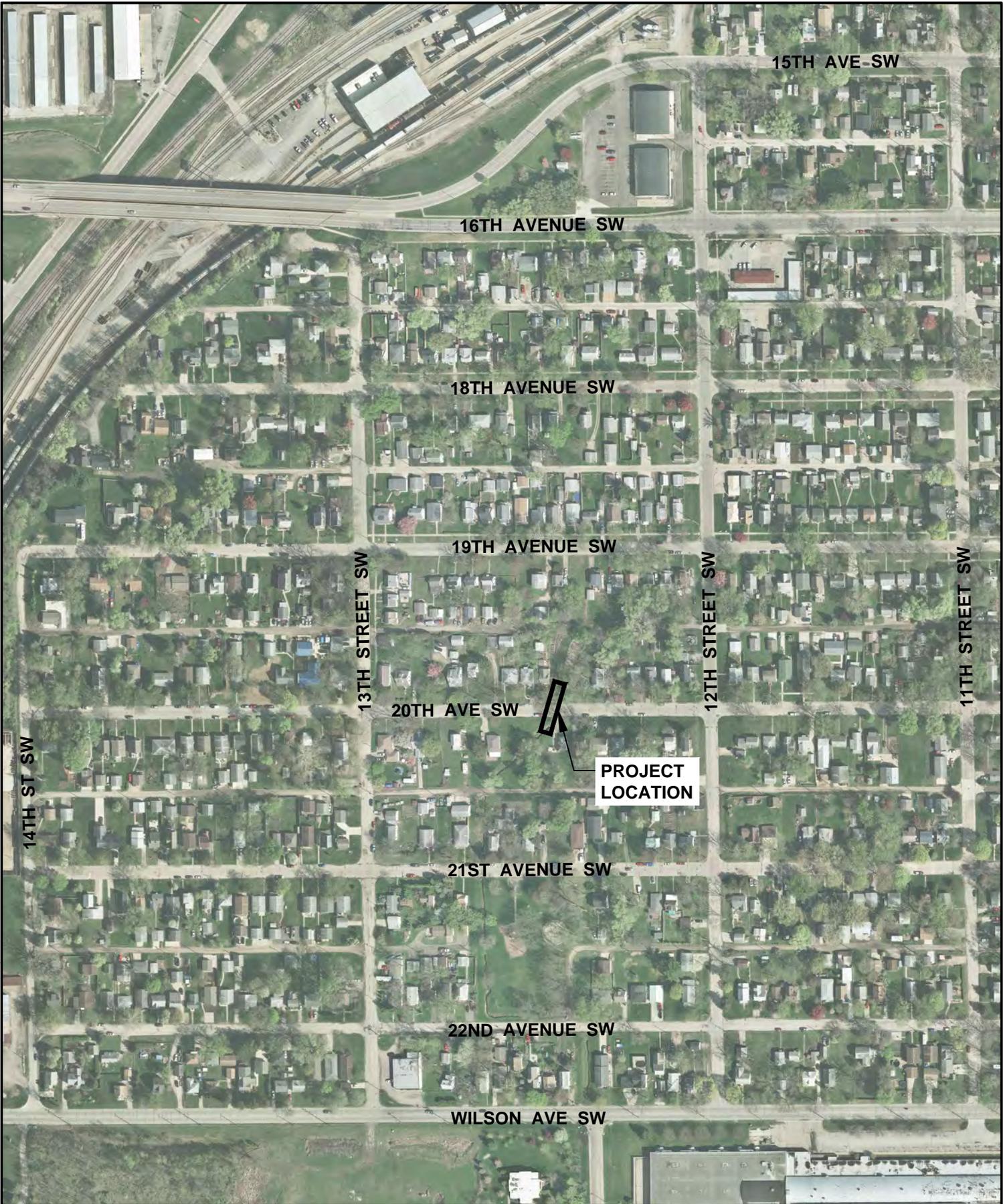
LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



15TH AVE SW

16TH AVENUE SW

18TH AVENUE SW

19TH AVENUE SW

20TH AVE SW

21ST AVENUE SW

22ND AVENUE SW

WILSON AVE SW

14TH ST SW

13TH STREET SW

12TH STREET SW

11TH STREET SW

PROJECT LOCATION



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





Council Agenda Item Cover Sheet

Submitting Department: Water Pollution Control

Presenter at Meeting: Steve Hershner
E-mail Address: s.hershner@cedar-rapids.org

Phone Number/Ext.: 5281

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
 Report on bids for the Water Pollution Control Facility North Ash Lagoon Liner project (estimated cost is \$1,360,000) (Steve Hershner)

- a. Resolution awarding and approving contract in the amount of \$1,158,000, bond and insurance of Tricon General Construction, Inc. for the Water Pollution Control Facility North Ash Lagoon Liner project.

CIP/DID #615195-04

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

Background: The Iowa Department of Natural Resources (IDNR) requires the ash lagoons at the Water Pollution Control Facility (WPCF) to be permitted as landfills; thus, requiring WPC to follow the same regulations as all landfills in the State. In 1995, the IDNR required WPCF to begin completing Annual Water Quality Reports (AWQR) to track groundwater quality over time.

The IDNR has mandated that the City of Cedar Rapids replace the liners in the existing Ash Lagoons to be compliant with IAC 567 115.26(1)"2"(2). To comply with the new regulations, a liner was installed in the South Ash Lagoon at the WPCF site in 2011, while the North Ash Lagoon was taken out of service.

The South Ash Lagoon has been filling faster than expected. Removal of the accumulated ash has been challenging due to the nature of the system and lack of a secondary storage location for the ash slurry. The North Ash Lagoon Liner project will alleviate this problem with the installation of a new liner, comparable to the one installed in the South Ash Lagoon, to allow for a secondary ash storage location. The project is anticipated to have the following benefits:

- Allow the WPCF to remain compliant with IDNR regulations in the event of a failure of the South Ash Lagoon Liner.
- Provide additional time to dewater and remove accumulated ash from the lagoons.
- Provide opportunities to repair deficiencies in the sacrificial layer of the South Ash Lagoon liner.

Two bids were received on July 15, 2015 for the Water Pollution Control Facility North Ash Lagoon Liner project.

<u>Bidders</u>	<u>Office Location</u>	<u>Lump Sum Bid</u>
Tricon General Construction, Inc.	Cedar Rapids, IA	\$ 1,158,000
Ricklefs Excavating, Ltd.	Cedar Rapids, IA	\$ 1,292,285

The engineer's opinion of probable cost for the construction of this project was \$1,360,000. A motion to publish a Notice of Hearing and Letting was approved by the City Council on June 9, 2015. The public hearing was held June 23, 2015. The work is anticipated to begin in September 2015 and be completed July 2016.

Action/Recommendation: The Utilities Department – Water Pollution Control staff recommends awarding the contract to Tricon General Construction, Inc. in the amount of \$1,158,000.

Alternative Recommendation: None

Time Sensitivity: 7-28-15

Resolution Date: 7-28-15

Budget Information:

1. **Included in Current Budget Year.** Yes, funding for WPCF North Ash Lagoon Liner is included in FY2015, FY2016, and FY 2017 WPC budgets. Project costs will be coded to 925-553000-615-615000-615195.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$75,000 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 Water Pollution Control Facility North Ash Lagoon Liner project. Additional funds are available by adjusting other items in the CIP budget or from reserves. Work is expected to be completed in FY16. Funds to complete the project can be re-allocated from the project designated as 615219 MACT Air Pollution Control for the MHI in the FY 16 budget. The funding request for FY17 can then be removed from the CIP budget.
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

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on June 9, 2015, the City Council adopted a motion that directed the City Clerk to give notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the Water Pollution Control Facility North Ash Lagoon Liner project (Contract No. 615195-04) 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 15, 2015 by the Utilities Director, or designee, and said officer has now reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on July 28, 2015:

Tricon General Construction, Inc.	Cedar Rapids, IA	\$1,158,000
Ricklefs Excavating, Ltd.	Cedar Rapids, IA	\$1,292,285

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$1,158,000, 925-553000-615-615000-615195, and

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

1. The previous delegation to the Utilities Director, 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. Tricon General Construction, Inc. is the lowest responsive, responsible bidder on said work and the Utilities Director, or his designee, has recommended that the City accept its bid and award the contract to it;
3. Subject to registration with the Department of Labor, the Bid of Tricon General Construction, Inc. is hereby accepted, and the contract for the public improvement is hereby awarded to Tricon General Construction, Inc.;
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED, that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED, that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



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: glennv@cedar-rapids.org

Phone Number/Extension: 5821

Description of Agenda Item: REGULAR AGENDA

Report on bids and resolution awarding and approving contract in the amount of \$185,230 plus incentive up to \$22,000, bond and insurance of L.L. Pelling Company, Inc. 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**).
 CIP/DID #3012132-01

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

Background:

L.L. Pelling Company, Inc., North Liberty, IA	\$185,230
Incentive up to	\$ <u>22,000</u>
Total	\$207,230

L.L. Pelling Company, Inc. submitted the only bid received on July 15, 2015 for the Council Street NE from North City Limit to Woodcrest Street Hot Mix Asphalt Overlay project. The bid is within the approved budget. Construction work is expected to begin this fall and anticipated to be completed within 8 working days.

Action/Recommendation: The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$185,230 plus incentive up to \$22,000, bond and insurance of L.L. Pelling Company, Inc. for the Council Street NE from North City Limit to Woodcrest Street Hot Mix Asphalt Overlay 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 28, 2015 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: July 28, 2015

Budget Information: Dept ID 301000, Project 3012132, Street LOST 7970

Local Preference Policy: No
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA



July 15, 2015

City Council
City of Cedar Rapids

RE: Report on bids as read for the Council Street NE from North City Limit to Woodcrest Street Hot Mix Asphalt Overlay, Contract Number 3012132-01

Dear City Council:

Bids were received on July 15, 2015 for the Council Street NE from North City Limit to Woodcrest Street Hot Mix Asphalt Overlay project as follows:

L.L. Pelling Company, Inc., North Liberty, IA	\$185,230.00
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The engineers cost opinion for this work is \$200,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in blue ink that reads "Glenn Vosatka".

Glenn Vosatka, P.E.
Project Engineer I

GV/cap

cc: Jennifer L. Winter, 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 23, 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 Council Street NE from North City Limit to Woodcrest Street Hot Mix Asphalt Overlay (Contract No. 3012132-01) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on June 27, 2015 pursuant to which a public hearing was held on July 14, 2015, and

WHEREAS, the following bids were received, opened and announced on July 15, 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 28, 2015:

L.L. Pelling Company, Inc., North Liberty, IA	\$185,230
Incentive up to	<u>\$ 22,000</u>
Total	\$207,230

WHEREAS, general ledger coding for this public improvement shall be as follows: \$207,230 301-301000-7970-3012132;

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. L.L. Pelling Company, Inc. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;
3. Subject to registration with the Department of Labor, the Bid of L.L. Pelling Company, Inc. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to L.L. Pelling Company, Inc..
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

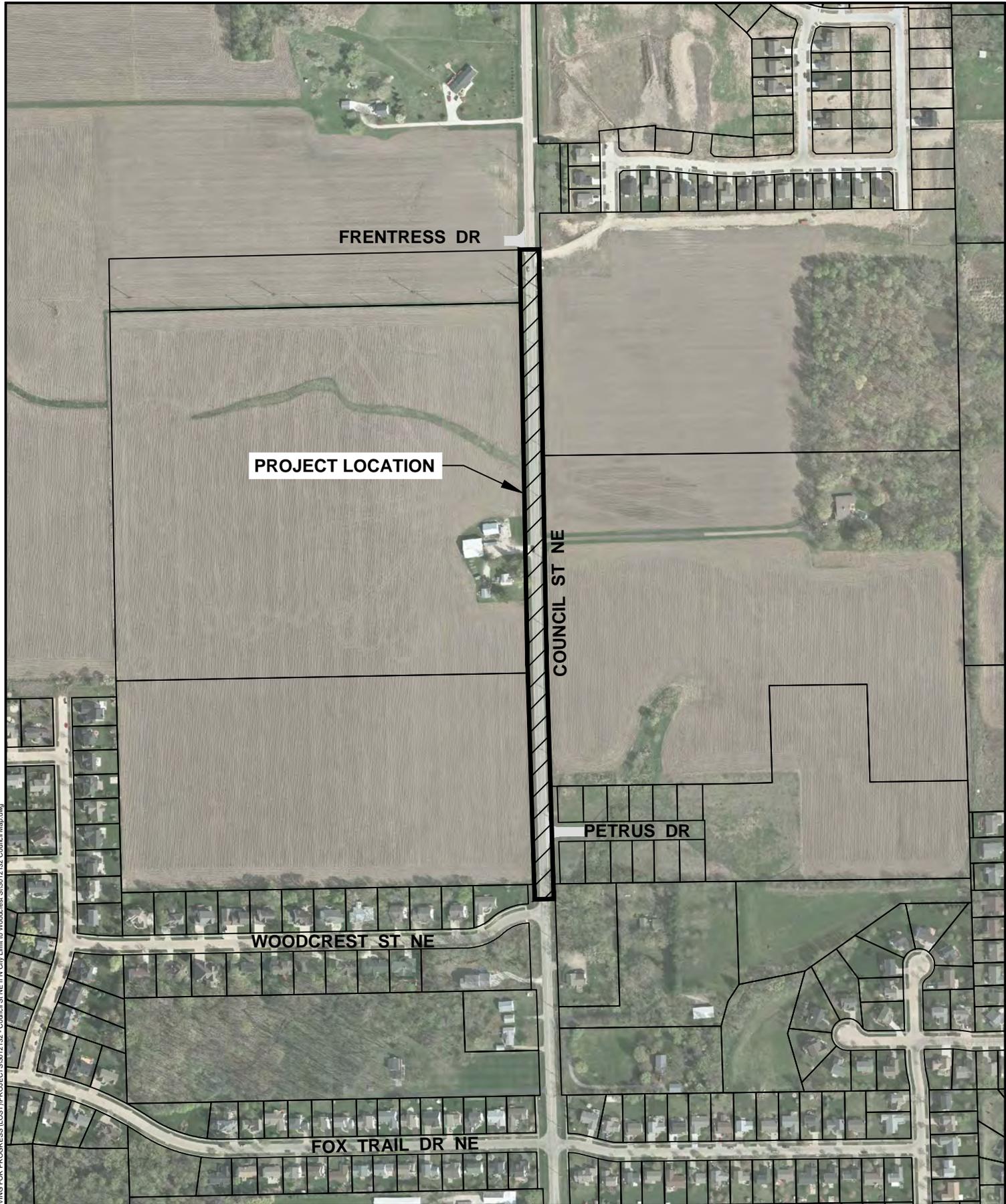
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MayorSignature

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 - Housing

Presenter at Meeting: Paula Mitchell
E-mail Address: p.mitchell@cedar-rapids.org

Phone Number/Ext.: 319 286-5852

Alternate Contact Person: Jennifer Pratt
E-mail Address: j.pratt@cedar-rapids.org

Phone Number/Ext.: 319 286-5047

Description of Agenda Item: REGULAR AGENDA

Discussion and Resolution authorizing negotiation of a Development Agreement with Alliant Energy for disposition of City-owned property located at 402, 404, 408, and 413 H Avenue NW and 816, 820, 824, 828, and 908 4th Street NW.
 CIP/DID #DISP-0001-2015

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

Background: On May 12, 2015, City Council held a public hearing to consider disposition of properties located at 402, 404, 408, and 413 H Avenue NW and 816, 820, 824, 828, and 908 4th Street NW pursuant to a request from Alliant Energy to acquire City-owned parcels and adjacent right of way in the Northwest quadrant for construction of a new electrical utility substation. The proposed substation would serve portions of the near Northwest and near Southwest quadrants of Cedar Rapids, servicing current load and providing capacity for load growth expected to result from future development and redevelopment in these areas. The request specifically includes:

- Parcels located at 402, 404, 408, and 413 H Avenue NW
- Parcels located at 816, 820, 824, 828 and 908 4th Street NW
- A portion of H Avenue right of way to be vacated
- Intervening 10 foot alley to be vacated.

Notice was published in the Gazette on May 2, 2015 that the City was considering disposition of these parcels to Alliant, and that competitive proposals would be considered. No additional proposals were received as of the June 2, 2015 submittal deadline.

The requested parcels and right of way are shown in the map attached to this memo. Current zoning for this area is I-1 and RMF-2. The proposed site is approximately 2 acres in size and is located in close proximity (within approximately 200 feet) of a transmission line that will provide the tap source for the proposed substation. This proximity provides several benefits, including reduced construction cost, minimizes right of way needed, and minimizes visual impacts to the neighborhood resulting from a need for larger transmission lines as the site moves further away from a viable tap source. Parcels are located in the 100-year flood plain and carry both CDBG use and 100-year flood plain deed restrictions.

IEDA has indicated that this would be a permitted transfer, provided the City and Alliant can satisfy the process to mitigate future flood risk and secure release of the 100 year flood plain deed restrictions. Alliant has indicated that it would be possible to elevate the substation above the level of the 100-year flood plain. In addition, should the substation be threatened by future flooding, Alliant has indicated it would be possible to temporarily remove the sub-station from service and transfer the load to backup facilities.

It has been proposed that the mechanism for satisfying CDBG use restrictions be a land swap, which is allowable so long as the land is conveyed for a public purpose (including provision of necessary utility services) and the land the City receives in exchange is of equal or greater value than the land being conveyed and also meets a public purpose. In this scenario, the City could convey the subject properties, which are valued by the City Assessor at \$111,800, in exchange for property offered by Alliant located on the NW corner of Wenig Road NE and Glass Road NE, valued at \$130,000 by an appraisal. The Glass Road property is needed by the City for a planned water tower project, satisfying the "public purpose" requirement.

Neighborhood aesthetics are a further consideration. As noted above, this site was selected in part to minimize visual impacts from overhead transmission lines. Alliant indicates that this proposed substation could be designed to standards similar to the new "Buffalo" sub-station in the Northeast quadrant to ensure proper screening from adjacent residential areas. Alliant representatives attended the May 28 meeting of the NW Neighbors neighborhood association meeting to discuss the proposed project and answer questions. Neighborhood association representatives indicate that there was no opposition voiced at the meeting; however the neighborhood has interest in remaining involved as design concepts are developed. Alliant's timeline for construction is approximately 5-10 years, depending upon capacity needs driven by development.

Staff is recommending that the City proceed with negotiation of a Development Agreement with Alliant, with the following recommended terms:

1. Exchange for property located at the NW Corner of Glass Road and Wenig Road NW will be a consideration.
2. Compliance with local flood plain ordinance, and with CDBG deed restrictions requiring flood-proofing and completion of a flood mitigation plan.
3. City to initiate vacation of requested Right of Way; Alliant to pay application fee and closing cost for vacation.
4. Alliant responsible to initiate re-zoning of parcels prior to construction.
5. City to have right of first refusal in the event Alliant does not proceed with development of the proposed substation.
6. Incorporation of design to minimize impacts to surrounding neighborhood, including appropriate buffering/screening.
7. Alliant to hold a minimum of one neighborhood meeting at the design stage and make reasonable efforts to address neighborhood feedback.

Subject to negotiation of mutually acceptable terms, staff will present a final Development Agreement for City Council's consideration.

Action/Recommendation: Staff recommends adoption of the resolution.

Alternative Recommendation: Table the resolution and request additional information.

Time Sensitivity:

Resolution Date: July 28, 2015

Budget Information: N/A

Local Preference Policy: NA

Explanation:

Recommended by Council Committee: Yes

Explanation: The Development Committee recommended moving forward with the disposition process at their April 15, 2015 meeting.

Map of Requested Parcels



Legend

- Construction Study Area
- Requested City Properties
- Requested ROW

City of Cedar Rapids
 Community Development & Planning
 101 First Street SE
 Cedar Rapids, Iowa 52401
www.Cedar-Rapids.org



RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City owns parcels located at 402, 404, 408, and 413 H Avenue NW and 816, 820, 824, 828, and 908 4th Street NW, and

WHEREAS, on April 28, 2015 the City Council passed a motion to conduct a public hearing and publish notice on May 2, 2015, and the public hearing was held on May 12, 2015 on the possible disposition of the Property in accordance with Iowa law, and

WHEREAS, the City received a proposal from Alliant for acquisition of the property, and no other proposals were received, and

WHEREAS, the City Council has determined that the proposal from Alliant provides an overall community benefit by providing electrical utility service to the community, to the overall advantage to the residents of Cedar Rapids as a whole;

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

1. The City Manager, or his designee, is authorized to negotiate a Development Agreement for the disposition of the Property and to take all steps reasonably necessary and appropriate under the circumstances to effectuate this Resolution.
2. At such time as the terms and conditions of the Development Agreement are clear and definite the City Manager is directed to present such Development Agreement to the City Council for consideration.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: City Manager

Presenter at Meeting: Sandi Fowler
E-mail Address: s.fowler@cedar-rapids.org

Phone Number/Ext.: 5077

Alternate Contact Person: Jim Flitz
E-mail Address: j.flitz@cedar-rapids.org

Phone Number/Ext.: 5028

Description of Agenda Item: REGULAR AGENDA

Resolution approving the Settlement Agreement between the United States of America and the City of Cedar Rapids, Iowa under the Americans with Disabilities Act.
 CIP/DID #CM001-15

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

Background: Since 2011, the City of Cedar Rapids has been participating in the United States Department of Justice's (DOJ) Project Civic Access in which select City facilities, programs and services were surveyed for compliance with the ADA guidelines. The City of Cedar Rapids and the DOJ have negotiated a Settlement Agreement to facilitate the City of Cedar Rapids' provision of facilities and programs to people with disabilities.

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

Alternative Recommendation: City Council may table this item 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

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Americans with Disabilities Act (ADA) was passed by Congress and signed into law by the President of the United States in 1990; and

WHEREAS under Title II of the ADA, states and local governments are to provide facilities and services to people with disabilities as well as participation in programs or activities which are available to people without disabilities including public transportation systems, such as public transit buses; and

WHEREAS, since 2011, the City of Cedar Rapids has been participating in the United States Department of Justice's (DOJ) Project Civic Access in which select City facilities, programs and services were surveyed for compliance with the ADA guidelines, and

WHEREAS, the City of Cedar Rapids and the DOJ have negotiated a Settlement Agreement to facilitate the City of Cedar Rapid's provision of facilities and programs to people with disabilities,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Settlement Agreement Between the United States of America and the City of Cedar Rapids, Iowa Under the Americans With Disabilities Act is hereby approved and the City Manager is authorized and directed to sign said Settlement Agreement and to do all other things reasonably necessary to effectuate it.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



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 – Third Reading

A 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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35.05	State Licensing and Pipe Layers Licensing Agreements	103.1.3
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Section 2	Severability	
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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 follow:

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 × 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
Proposed 2015 Amendments to the 2015 Uniform Plumbing Code (UPC).	Current 2012 Amendments Adopted in 2012 for the 2012 Uniform Plumbing Code (UPC).	Why the changes were amended to the 2015 code
35.01 Uniform Plumbing Code 2015 Adopted	35.01 Uniform Plumbing Code 2015 Adopted	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.
35.09 104.5 Fees	35.09 103.4 Fees	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.
35.10 – 105.2.4 Advance Notice	35.10 – 105.2.4 Advance Notice	Removed language allowing for an affidavit to be filed in the event an inspection is not performed after 12 hours.
35.11 105.2.6 Re-Inspections	35.11 105.2.6 Re-Inspections	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.
35.14 418.3 (1) Location of Floor Drains	35.14 418.3 (1) Location of Floor Drains	Modify language requiring floor drains in toilet rooms when installation is in wood construction.
35.15 422.1 Fixture Count Table 403.1 IPC Footnote F	35.15 422.1 Fixture Count Table 403.1 IPC Footnote F	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.
35.24 710.1 Backflow Prevention	35.23 710.1 Backflow Prevention	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
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Phone Number/Ext.: 319-286-5841

Alternate Contact Person: Duncan McCallum
E-mail Address: d.mccallum@cedar-rapids.org

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Description of Agenda Item: ORDINANCES – Third Reading

A 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 (11.15m²). 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 (11.15m²). 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.

Proposed	Current	Changes / Additions
Proposed 2015 Amendments to the 2015 International Building Code (IBC) and International Residential Code (IRC).	Current 2012 Amendments Adopted in 2012 for the 2012 International Building Code (IBC) and International Residential Code (IRC).	Why the changes were amended to the 2015 code
33.11 Section 109.2 and R108.2 Schedule of fees	Same sections as current 2012 Amendments 33.11 109.2 And R108.2 Schedule of Permit Fees.	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.
33.14 Section 109.5.1 and R108.4.1 Re-inspection fees	Same sections as current 2012 Amendments 33.14 109.5.1 and R108.4.1 Re-Inspection Fees	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.
33.20 Section 202 Definitions – Definitions Townhouse and Pier foundation	New section not covered in 2012 Amendments	Adding definitions to define townhouse and pier foundation construction.
33.32 R313 Townhouse and One and Two Family Dwellings /Group R 903.2.8.	33.24 R313 In 2012 Amendments Residential Sprinklers	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.
33.32 R313 Townhouse and One and Two Family Dwellings /Group R 903.2.8.	33.29 903.2.8 Group R	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.
33.34 R403 Footings	New section not covered in 2012 Amendments	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.

33.36 FOUNDATION DRAINAGE SYSTEMS.	New section not covered in 2012 Amendments	Define foundation drainage systems and where the systems may discharge.
33.39 1008.1.5.1 Frost Protection of Landings at Doors	33.30 1008.1.5.1 Frost Protection of Landings at Doors	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.
33.41 Exception Backwater Valve	New section not covered in the 2012 Amendments	Exception in the building code allowing the requirement for backwater valves to be determined by the Building Official or City Engineer.
33.42 Subsurface Landscape Irrigation Systems	New section not covered in the 2012 Amendments	Added language to allow this section of the Residential Code to be optional for information use only.
33.44 Swimming Pools and Spas	New section not covered in the 2012 Amendments	To allow for the adoption of the 2015 International Pool and Spa Code.
	Delete 33.39 - R Chapter 12-43	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.
	Delete 33.40 - Chapter 27 and 29	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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Description of Agenda Item: ORDINANCES – Third Reading

A 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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Section Number	Title
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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.

Proposed	Current	Changes / Additions
Proposed 2015 Amendments to the 2014 National Electrical Code (NEC).	Current 2011 Amendments Adopted in 2012 for the 2014 National Electrical Code (NEC).	
34.03 Definitions	Same sections as current 2012 Amendments 34.03 Definitions	Add definition of Routine Maintenance.
34.18 Permit To Do Electrical Work	Same sections as current 2012 Amendments 34.18 Permit To Do Electrical Work	Language added to exempt Routine Maintenance from required permits.
34.27 Re-Inspection Fees	Same sections as current 2012 Amendments 34.27 Re-Inspection Fees	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.
34.33 Permit Fees	Same sections as current 2012 Amendments 34.33 Permit Fees	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.
34.45 Wiring Methods - Dwellings	Same sections as current 2012 Amendments 34.45 Wiring Methods - Dwellings	Add additional GFCI exception for simplex outlet in garage dedicated to garage door only.
34.51 State amendments Item 1. Amend Sub rule 504.1	New Section not in 2012 Amendments	Match state amendments pertaining to the following: <ul style="list-style-type: none"> • Allowing receptacles that are not readily accessible or for an appliance to not be GFCI protected. • Allowing loads to be calculated at the energy code demand rate as an option.

		<ul style="list-style-type: none">• Allows a dedicated receptacle for a sump pump and over-head garage door openers to not be GFCI protected.• Deleting a requirement that repairs on existing branch circuits have AFCI protection in dwellings.• Deleting a requirement that repairs on existing branch circuits have AFCI protection for flexible cords and cables.
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Council Agenda Item Cover Sheet

Submitting Department: Building Services

Presenter at Meeting: Kevin Ciabatti
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Phone Number/Ext.: 319-286-5841

Alternate Contact Person: John Riggs
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Description of Agenda Item: ORDINANCES – Third Reading

A 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

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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.

Proposed	Current	Changes / Additions
2015 Housing Code Ordinance / Amendments include the 2015 International Property Maintenance Code.	2012 Housing Code Ordinance / Amendments adopted in 2013, included the 2012 International Property Maintenance Code	Why the changes were amended to the 2015 code
29.12 Section 108.1.5 Dangerous Structures or Premises	The 2012 code had 11 descriptions	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.
29.13 Section 108.4 Placarding	Additional paragraph not in the 2012 Code.	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.
29.14 Section 108.4.1 Placard Removal	Additional wording not in the 2012 Code.	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.
29.20 Section 202 Definitions	This definition was not in the 1012 Code	Added the definition for Vacant & Neglected Buildings. This definition is part of the new Sub-Chapter 10.
29.23 Section 302.7 Accessory Structures	Additional wording not in the 2012 Code.	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.

Subchapter 10 Vacant and Neglected Building Regulations	This is a new Sub-Chapter to the Housing Code	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.
29.49 through 29.55	These sections were not in the 2012 housing code	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.
Appendix A to the 2015 International Property Maintenance Code	The 2012 adoption used the ICC wording for Appendix A	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.
Note - No changes have been made to the Rental Business Regulations which includes the Landlord Business Permits & Rental Unit Registrations during this code adoption cycle.		
NOTE - 2015 IPMC (A 42 page model code book as written by the International Code Council [ICC])	NOTE - 2012 IPMC (A 41 Page model code book as written by the International Code Council [ICC])	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: Development Services

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

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Alternate Contact Person: Joe Mailander
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Phone Number/Ext.: 319 286-5822

Description of Agenda Item: ORDINANCES – Second and possible Third Readings
 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.
 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 13th 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 Second and Third Readings.

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

Time Sensitivity: NA

Resolution Date: NA

Budget Information: NA

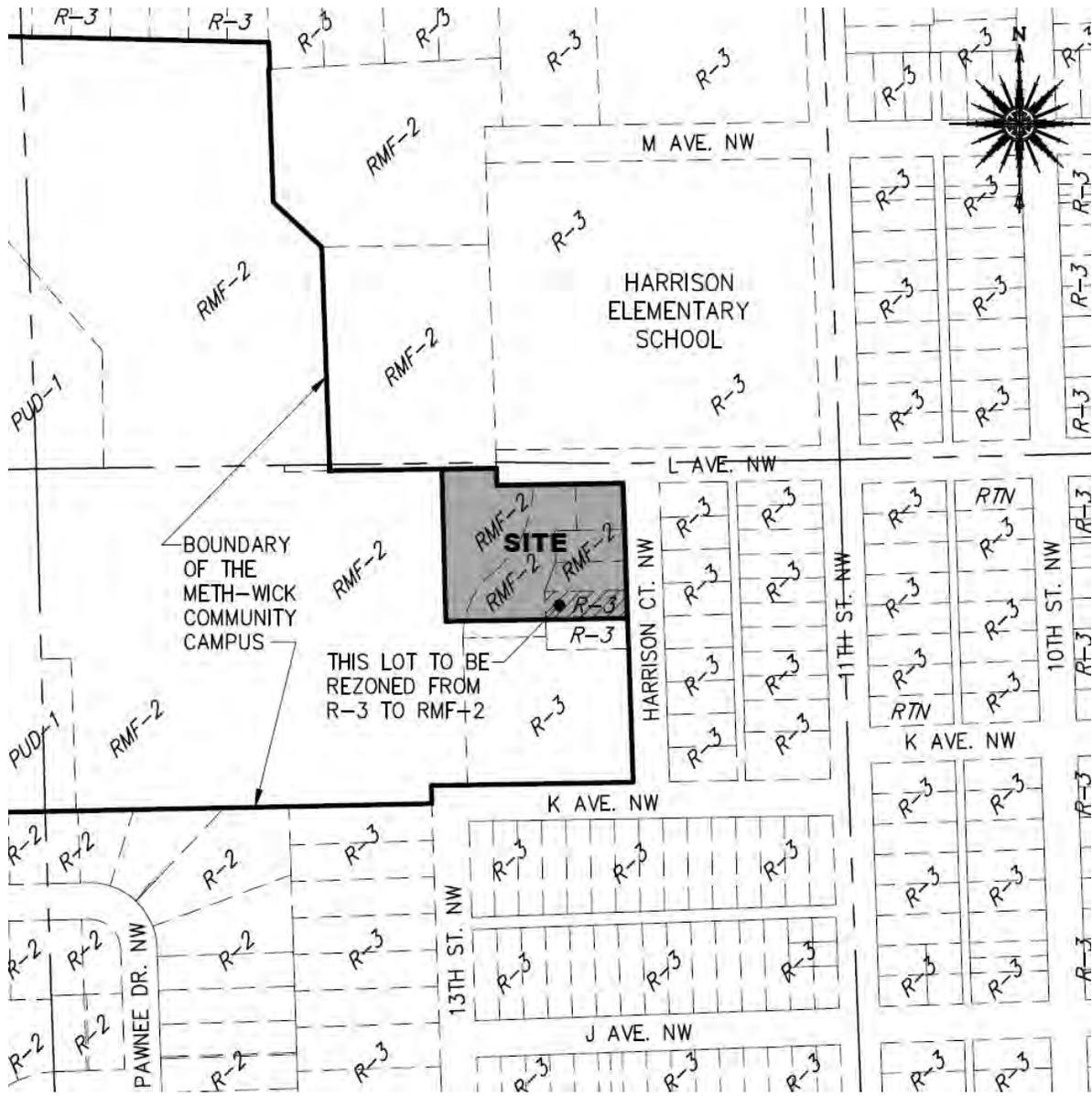
Local Preference Policy: NA

Explanation:

Recommended by Council Committee: NA

Explanation:

Location Map



WTR DSD
 BSD
ENG STR
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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 14th day of July, 2015.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

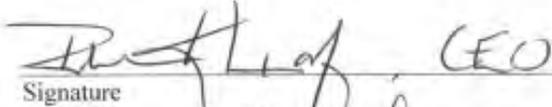
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**ACCEPTANCE OF CONDITIONS OF REZONING
ORDINANCE NO.**

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: Community Development

Presenter at Meeting: Jennifer Pratt
E-mail Address: j.pratt@cedar-rapids.org

Phone Number/Ext.: 319 286-5047

Alternate Contact Person: Kirsty Sanchez
E-mail Address: k.sanchez@cedar-rapids.org

Phone Number/Ext.: 319 286-5428

Description of Agenda Item: ORDINANCES – Second and possible Third Readings
 Second and possible Third Reading amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the MidAmerican Aerospace Urban Revitalization Area designation at 2727 16th 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 16th 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 approval of the Second and possible Third Reading.

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

Time Sensitivity: N/A

Resolution Date: July 28, 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:

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 14th day of July, 2015.

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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: 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 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.

Resolution authorizing the disposition of 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: A Public Hearing was held on July 14, 2015 in which no objections were heard.

July 14, 2015 - 1st reading of the Ordinance was held and passed.

Action/Recommendation: July 28, 2015 - 2nd and possible 3rd reading of the Ordinance and would like to pass the resolution for the vacation and disposition of this excess right-of-way.

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

Time Sensitivity: Normal

Resolution Date: July 28, 2015

Budget Information: NA

Local Preference Policy: NA

Explanation: NA

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 14th day of July, 2015.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

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:

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 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

, 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 DX4 Investments, LLC, 222 3rd Avenue SE, Cedar Rapids, Iowa 52401:

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.

2. The City Manager and City Clerk shall execute a Quit Claim Deed conveying the property hereafter described to Calvary Chapel Iowa, 327 35th Street NE, Cedar Rapids, Iowa 52402:

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.

3. The Council determines the fair consideration required for the aforescribed conveyance to be \$1 and other valuable consideration plus closing costs of \$696.
4. 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. Grantees 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 grantees.
5. The grantees, DX4 Investments, LLC and Calvary Chapel Iowa, shall be required to submit combined tax statements to the City Assessor's Office, since the square footage does not constitute buildable lot areas in and of themselves.
6. The grantees, DX4 Investments, LLC and Calvary Chapel Iowa, 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 two Quit Claim Deeds effectuating these conveyances 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.

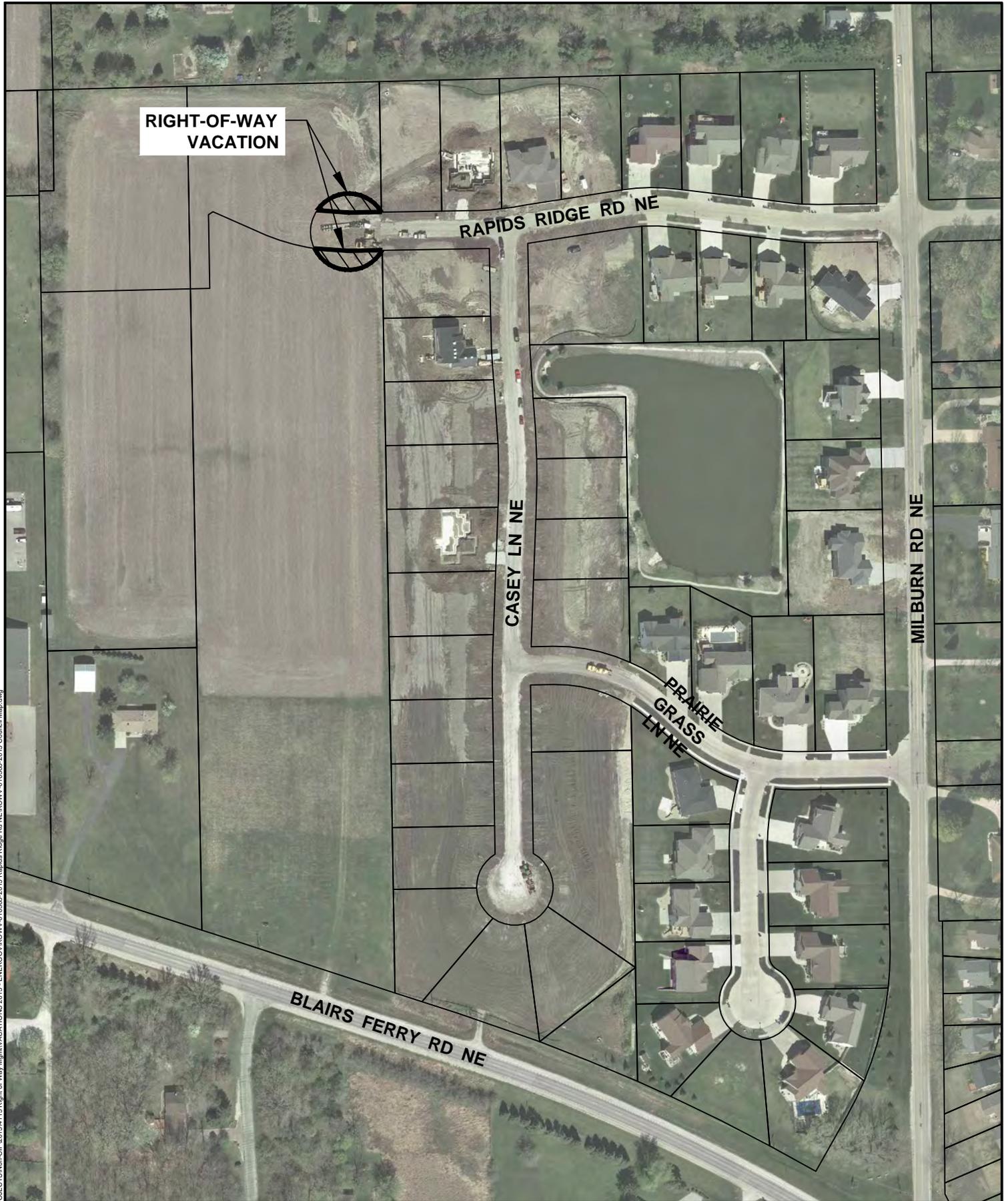
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MayorSignature

Attest:

ClerkSignature



**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**

