

“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, December 6, 2016 at 12:00 PM in the Council Chambers, 3rd Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to discuss and possibly act upon the matters as set forth below in this tentative agenda. (*Please silence mobile devices.*)

A G E N D A

- Introduction of Honorary Mayor Connie Petersen, winner of Mayor Corbett’s CR Gavel Challenge
- Invocation
- Pledge of Allegiance
- Proclamations/Presentations
 - ❖ Proclamation – Human Rights Month (LaSheila Yates)
 - ❖ Presentation – Historic Walking Tour Project (Nic Roberts and Jeff Hintz)
 - ❖ Presentation – National Czech & Slovak Museum and Library Update (Gail Naughton)

PUBLIC HEARINGS

1. A public hearing will be held to consider annexation of territory east of Ely Road SW and south of Ivanhoe Road as requested by Correll Land Development Corporation (Vern Zakostelecky). CIP/DID #ANNX-006261-2013
 - a. Resolution authorizing the annexation of territory east of Ely Road SW and south of Ivanhoe Road as requested by Correll Land Development Corporation.
2. A public hearing will be held to consider the vacation and disposition of public ways and grounds in and to the property described as a 10-foot by 140-foot parcel of excess City-owned right-of-way located easterly of and adjacent to 1616 6th Street SW and 602 18th Avenue SW as requested by Children on First, Inc. (*Rita Rasmussen*). CIP/DID #ROWV-023835-2016
 - a. First Reading: Ordinance vacating public ways and grounds described as a 10-foot by 140-foot parcel of excess City-owned right-of-way located easterly of and adjacent to 1616 6th Street SW and 602 18th Avenue SW as requested by Children on First, Inc.

3. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 4th Street Railroad Right-of-Way Corridor Trackage Removal project (estimated cost is \$478,000) (Doug Wilson). CIP/DID #3012062-04
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 4th Street Railroad Right-of-Way Corridor Trackage Removal project.
4. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 2017 Tree and Vegetation Removal project (estimated cost is \$80,000) (Doug Wilson). **(Paving for Progress)** CIP/DID #301990-10
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 2017 Tree and Vegetation Removal 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.

5. Motion to approve minutes.
6. Preliminary resolution for the construction of turn lane improvements within the boundaries of the public right-of-way for the 6th Street SW Roadway Improvements from Linn County Line to Capital Drive SW project. **(Paving for Progress)** CIP/DID #3012130-00
7. Preliminary resolution for the construction of sidewalk improvements for the 51st Street NE at Council Street NE Reconstruction project. CIP/DID #301491-00
8. Resolution rescinding Resolution 1376-10-16 and approving a new Preliminary Resolution for Construction of driveway improvements and sanitary sewer service replacements for the O Avenue NW Improvements Phase I from 16th Street NW to Ellis Boulevard NW project. **(Paving for Progress)** CIP/DID #3012121-00
9. Resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Seminole Valley Road NE Improvements from Fords Crossing Road to 42nd Street project. **(Paving for Progress)** CIP/DID #3012116-00

10. Resolution establishing additional right-of-way on City-owned property located at 1732 Wilson Avenue SW in connection with the 18th Street SW Extension Project from Wilson Avenue SW to 13th Avenue SW. CIP/DID #301500-00
11. Resolution approving the bond disclosure policy. CIP/DID #FIN2016-29
12. Resolution authorizing the addition of one full-time employee in the Public Works Department for the duration of the Paving for Progress program to assist with Right of Way acquisitions. CIP/DID #49-17-006
13. Resolution amending Resolution No. 1058-08-16, which authorized a Systems Analyst to attend Lenel OnGuard training in Seattle, WA from September 18-23, 2016, to reflect the final cost of \$4,337.18. CIP/DID #IT2016-012
14. Motion authorizing publication of a public notice that on December 20, 2016 a resolution will be considered to execute a three year Lease Agreement with the Cedar Rapids Airport Commission for use of a storage building by the Police Department for the storage of large and long term evidentiary items at property located at 10400 18th Street SW. CIP/DID #PD0014
15. Motions setting public hearing dates for:
 - a. December 20, 2016 – to consider granting a change of zone for property at 1871 and 1895 Ellis Boulevard NW from R-2, Single Family Residence Zone District, and C-3, Regional Commercial Zone District, to PUD-2, Planned Unit Development Two Zone District, as requested by Happel Enterprises LLC and the City of Cedar Rapids. CIP/DID #RZNE-024044-2016
 - b. December 20, 2016 – to consider granting a change of zone for property at 251 33rd Avenue SW from I-1, Light Industrial Zone District, to C-3, Regional Commercial Zone District, as requested by Kwik Trip, Inc. and Kevin and Connie Hupp. CIP/DID #RZNE-024038-2016
 - c. December 20, 2016 – to consider the vacation of public ways and grounds in and to the property described as a 4,365 square-foot access easement located at 1328 3rd Avenue SE as requested by St. Paul's United Methodist Church of Cedar Rapids. CIP/DID #EASE-023867-2016
 - d. December 20, 2016 – to consider the vacation and disposition of public ways and grounds in and to the property described as a 20-foot by 60-foot vacant parcel and a 20-foot by 190-foot vacant parcel of former alley right-of-way located easterly of and adjacent to the 5th Street SE right-of-way line and between 6th Avenue SE and 7th Avenue SE as requested by Staco Corporation. CIP/DID #ROWV-022157-2015
 - e. December 20, 2016 – to consider the vacation and disposition of public ways and grounds in and to the property described as a 10-foot by 100-foot parcel of excess alley right-of-way located southerly of and adjacent to 222 9th Street NW as requested by Rebecca Lain and Loran H. Lain, Jr. CIP/DID #ROWV-023482-2016
 - f. December 20, 2016 – to consider the vacation and disposition of public ways and grounds in and to the property described as a 4-foot by 135-foot strip of excess City-owned right-of-way located northerly of and adjacent to 141 34th Street Drive SE as requested by 1756 E Avenue, NE, LLC. CIP/DID #ROWV-022826-2016
16. Motion assessing a \$1,500 civil penalty for violation of State Code regarding the sale of cigarette/tobacco/nicotine/vapor products to minors against:
 - a. Hill Brothers Jiffy Mart, 1904 Mt. Vernon Road SE (third offense). CIP/DID #CIG002638-05-2016

17. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
 - a. Casey's General Store #3561, 1532 Ellis Boulevard NW (new – formerly Guppy's on the Go).
 - b. Cauchó, 1202 3rd Street SE (new – formerly the Chrome Horse).
 - c. Cedar River Landing, 301 F Avenue NW.
 - d. Fas Mart #5148, 550 Wilson Avenue SW.
 - e. Hy-Vee #5 Club Room, 3235 Oakland Road NE (transfer to the National Czech & Slovak Museum & Library, 1400 Inspiration Place SW, for an event on December 8, 2016).
 - f. Hy-Vee Food Store #7, 5050 Edgewood Road NE (5-day permit at PCI, 2020 10th Street SE, 3rd Floor Lounge, for an event on December 8, 2016).
 - g. Jersey's Pub & Grub, 200 1st Avenue NE.
 - h. Little Bohemia, 1317 3rd Street SE.
 - i. Mr. B's, 629 2nd Avenue SW.
 - j. Quarter Barrel Arcade & Brewery, 616 2nd Avenue SE.
 - k. The Station, 3645 Stone Creek Circle SW.
 - l. Wine Styles, 4201 42nd Street NE, Suite 170.
 - m. Winifred's Restaurant, 3847 1st Avenue SE.
 - n. Xaviers, 1401 1st Avenue SE (new – change to class B beer permit).
18. Resolutions approving:
 - a. Payment of bills. CIP/DID #FIN2016-01
 - b. Payroll. CIP/DID #FIN2016-02
19. Resolutions appointing, reappointing and thanking the following individuals:
 - a. Vote of thanks to Jason Cave for serving on the Building/Fire Board of Appeals. CIP/DID #OB375368
 - b. Vote of thanks to Amanda Hansen and Tiffany Robinson for serving on the Section 8 Housing Choice Voucher (HCV) Program Resident Advisory Board. CIP/DID #OB400545
 - c. Appointing Joe Mailander (effective through December 31, 2020) to the Corridor Metropolitan Planning Organization beginning January 1, 2017, when the City's membership increases. CIP/DID #OB542014
 - d. Reappointing Scott Olson and Jeffrey Pomeranz (effective through December 31, 2020) to the Corridor Metropolitan Planning Organization. CIP/DID #OB542014
 - e. Reappointing Jasmine Almoayed, Tariq Baloch, Angie Charipar, Ron Corbett, Brad DeBrower, Kris Gulick, Sven Leff, Ann Poe, Pat Shey, Justin Shields and Amy Stevenson as Alternate Representatives on the Corridor Metropolitan Planning Organization for a term of one year. CIP/DID #OB542014
20. Resolutions approving assessment actions:
 - a. Levy assessment – Water Division – delinquent municipal utility bills – 25 properties. CIP/DID #WTR102516-001
 - b. Levy assessment – Water Division – delinquent municipal utility bills – 22 properties. CIP/DID #WTR110116-001
 - c. Intent to assess – Water Division – delinquent municipal utility bills – 44 properties. CIP/DID #WTR120616-001
 - d. Levy assessment – Solid Waste & Recycling – clean-up costs – 16 properties. CIP/DID #SWM-012-16
 - e. Intent to assess – Solid Waste & Recycling – clean-up costs – 12 properties. CIP/DID #SWM-015-16

21. Resolutions accepting subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:
 - a. Water system improvements installed in Oakridge Estates 4th Addition, 2-year Maintenance Bond submitted by Rathje Construction Co. in the amount of \$82,924 and reimbursement to Flynn Homes, Inc. in the amount of \$8,482.50 for upsized water main. CIP/DID #2011053-01
 - b. Storm sewer in Wilderness Estates Ninth Addition and 2-year Maintenance Bond submitted by Bushman Excavating, Inc. in the amount of \$22,863. CIP/DID #FLPT-016586-2015
22. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
 - a. NW Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 3 project, final payment in the amount of \$93,658.58 and 4-year Performance Bond submitted by Rathje Construction Company (original contract amount was \$2,237,183.50; final contract amount is \$1,873,171.57). CIP/DID #SSD101-09
 - b. West Post Road NW from Gordon Avenue NW to E Avenue NW - Water Main Replacement project, final payment in the amount of \$33,139.68 and 4-year Performance Bond submitted by Ricklefs Excavating, Ltd. (original contract amount was \$687,789; final contract amount is \$662,793.50) **(Paving for Progress)** CIP/DID #3012120-03
23. Resolutions approving final plats:
 - a. Crescent View Fifth Addition for land located north of 74th Street NE at Crescent View Drive NE, Summerset Avenue NE, and Deer Run Drive NE extensions. CIP/DID #FLPT-023172-2016
 - b. Red Ball Second Addition for land located at 1000 Stoney Point Road NW. CIP/DID #FLPT-023981-2016
24. Resolutions approving actions regarding purchases, contracts and agreements:
 - a. Renewal of the Administrative Services Agreement with Application Software, Inc. for flexible spending services for the time period of January 1, 2017 to December 31, 2017 for an estimated cost not to exceed \$17,375. CIP/DID #HR0017
 - b. Amendment No. 1 to renew contract with Holmes Murphy and Associates for benefit consultant services for the Human Resources Department for an amount not to exceed \$180,000 (original contract amount was \$180,000; renewal contract amount is \$180,000). CIP/DID #0613-277
 - c. Contract with B.G. Brecke, Inc. for the Return Service Emergency Repair project for the Water Pollution Control Facility for an amount not to exceed \$550,000. CIP/DID #PUR1116-093
 - d. Amendment No. 5 to renew contract with Garrison Minerals, LLC for magnesium hydroxide 45% solution for the Water Pollution Control Facility for an annual amount not to exceed \$405,000 (original contract amount was \$175,000; renewal contract amount is \$405,000). CIP/DID #1112-117
 - e. Amendment No. 4 to renew contract with Hydrite Chemical Company for liquid magnesium bisulfite 30% for the Water Pollution Control Facility for an annual amount not to exceed \$320,000 (original contract amount was \$160,000; renewal contract amount is \$320,000). CIP/DID #1012-088
 - f. Amendment No. 4 to renew contract with Hydrite Chemical Company for nitric acid 41-degree technical grade liquid in totes for the Water Pollution Control Facility for an annual amount not to exceed \$50,000 (original contract amount was \$45,000; renewal contract amount is \$50,000). CIP/DID #0912-082

- g. Amendment No. 3 to renew contract with Hydro Solutions, Inc. for Anaerobic Micronutrient Solution for the Water Pollution Control Facility for an annual amount not to exceed \$85,000 (original contract amount was \$85,000; renewal contract amount is \$85,000). CIP/DID #1013-067
- h. Purchase order in the amount of \$62,957.48 to JWC Environmental for a new spare Muffin Monster Grinder at the Morgan Creek Lift Station. CIP/DID #WPC120616-01
- i. Amendment No. 4 to renew contract with K.A. Steel Chemicals, Inc. for sodium hydroxide 50% bulk for the Water Pollution Control Facility for an annual amount not to exceed \$150,000 (original contract amount was \$150,000; renewal contract amount is \$150,000). CIP/DID #1013-064
- j. Amendment No. 4 to renew contract with K.A. Steel Chemicals, Inc. for sodium hypochlorite 12% for the Water Pollution Control Facility for an annual amount not to exceed \$250,000 (original contract amount was \$250,000; renewal contract amount is \$250,000). CIP/DID #1013-068
- k. Contract with Matheson Tri-Gas, Inc. for liquid oxygen for the Water Pollution Control Facility for an annual amount not to exceed \$100,000. CIP/DID #PUR1016-066
- l. Amendment No. 4 to renew contract with Nalco Company for boiler and cooling water chemicals for the Water Pollution Control Facility for an annual amount not to exceed \$60,000 (original contract amount was \$60,000; renewal contract amount is \$60,000). CIP/DID #1013-065
- m. Amendment No. 4 to renew contract with Polydyne, Inc. for emulsion polymer clarifloc CE-939 for the Water Pollution Control Facility for an annual amount not to exceed \$350,000 (original contract amount was \$300,000; renewal contract amount is \$350,000). CIP/DID #1012-089
- n. Amendment No. 2 to renew contract with Polydyne, Inc. for polymer clarifloc C-321 for the Water Pollution Control Facility for an annual amount not to exceed \$475,000 (original contract amount was \$475,000; renewal contract amount is \$475,000). CIP/DID #1014-085
- o. Amendment No. 4 to renew contract with Ranch Cryogenics, Inc. for cryogenic oxygen system maintenance and repair services for the Water Pollution Control Facility for an annual amount not to exceed \$55,000 (original contract amount was \$55,000; renewal contract amount is \$55,000). CIP/DID #0813-031
- p. Amendment No. 3 to renew contract with U.S. Peroxide, LLC for hydrogen peroxide 50% technical grade for the Water Pollution Control Facility for an annual amount not to exceed \$100,000 (original contract amount was \$40,000; renewal contract amount is \$100,000). CIP/DID #1214-123
- q. Amendment No. 4 to renew contract with DPC Industries, Inc. for liquid chlorine for the Water Division and Water Pollution Control Facility for an annual amount not to exceed \$230,000 (original contract amount was \$227,000; renewal contract amount is \$230,000). CIP/DID #1014-083
- r. Contract with Mississippi Lime Company for quicklime for the Water Division and the Water Pollution Control Facility for an annual amount not to exceed \$1,800,000. CIP/DID #PUR1016-067
- s. Amendment No. 2 to renew contract with Carus Corporation for zinc orthophosphate for the Water Division for an annual amount not to exceed \$117,000 (original contract amount was \$117,000; renewal contract amount is \$117,000). CIP/DID #1014-080
- t. Amendment No. 3 to renew contract with Hawkins, Inc. for sodium silicofluoride for the Water Division for an annual amount not to exceed \$58,000 (original contract amount was \$58,000; renewal contract amount is \$58,000). CIP/DID #1213-099
- u. Amendment No. 1 to renew contract with Praxair, Inc. for liquid carbon dioxide for the Water Division for an annual amount not to exceed \$250,000 (original contract amount was \$250,000; renewal contract amount is \$250,000). CIP/DID #PUR1015-078

- v. Amendment No. 4 to renew contract with Tanner Industries, Inc. for anhydrous ammonia for the Water Division for an annual amount not to exceed \$125,000 (original contract amount was \$85,200; renewal contract amount is \$125,000). CIP/DID #1014-082
- w. Amending Resolution No. 1509-11-16, which authorized a Professional Services Agreement with Shoemaker & Haaland Professional Engineers in connection with the Center Point Road NE from J Avenue to Coe Road project, to correct the contract amount to \$386,369. **(Paving for Progress)** CIP/DID #3012094-03
- x. Amendment No. 5 to the Professional Services Agreement with Shive-Hattery, Inc. specifying an increased amount not to exceed \$17,630 for design services in connection with the Seminole Valley Road NE Improvements from Fords Crossing Road to 42nd Street project (original contract amount was \$215,280; total contract amount with this amendment is \$532,845). **(Paving for Progress)** CIP/DID #3012116-01
- y. Amendment No. 2 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$211,383 for design services in connection with the Tower Terrace Road from west of C Avenue to Alburnett Road project (original contract amount was \$691,616; total contract amount with this amendment is \$902,999). CIP/DID #301666-02
- z. Awarding and approving contract in the amount of \$74,090.20 plus incentive up to \$2,500, bond and insurance of Yordi Excavating, Inc. for the Penn Avenue NW at 1st Street Storm Sewer Improvements – Phase 2 project (estimated cost is \$48,390). CIP/DID #304459-01
- aa. Change Order No. 2 in the amount of \$57,763.64, plus 32 additional calendar days, with Dave Schmitt Construction Co., Inc. for the 7th Street SE from 4th Avenue SE to 12th Avenue SE Roadway Reconstruction and One-Way to Two-Way Conversion project (original contract amount was \$1,224,134.65; total contract amount with this amendment is \$1,285,365.56). **(Paving for Progress)** CIP/DID #3012111-04
- ab. Change Order No. 4 Final in the amount of \$3,207, plus 20 additional working days for Site 2, with Jasper Construction Services, Inc. for the 8th Avenue and 16th Avenue Bridges over the Cedar River Expansion Joint Replacement project (original contract amount was \$294,225; total contract amount with this amendment is \$352,628). **(Paving for Progress)** CIP/DID #305130-02
- ac. Change Order No. 2 in the amount of \$50,539.19 with Ricklefs Excavating, Ltd. for the 29th Street Drive SE from 1st Avenue to Tama Street Roadway Improvements (original contract amount was \$1,461,960.75; total contract amount with this amendment is \$1,515,229.94) **(Paving for Progress)** CIP/DID #3012126-02
- ad. Change Order No. 8 in the amount of \$30,652.67, plus 27 additional calendar days, with Rathje Construction Company for the 42nd Street NE from I-380 to Wenig Road NE Pavement and Water Main Rehabilitation (original contract amount was \$3,108,134.70; total contract amount with this amendment is \$3,414,221.18). **(Paving for Progress)** CIP/DID #3012092-02
- ae. Change Order No. 7 in the amount of \$650.84, plus 7 additional working days, with Horsfield Construction, Inc. for the 74th Street NE from White Ivy Place to C Avenue NE Roadway Improvements project (original contract amount was \$1,261,252.34; total contract amount with this amendment is \$1,443,469.36). **(Paving for Progress)** CIP/DID #3012050-02
- af. Change Order No. 2 in the amount of \$8,551.59 with Curtis Contracting Corp. for the 2015 Sidewalk Ramp Improvements project (original contract amount was \$109,033; total contract amount with this amendment is \$120,768.59) CIP/DID #3016016-02

- ag. Change Order No. 6 in the amount of \$43,352.29 with Pirc-Tobin Construction, Inc. for the B Avenue NW from Highland Drive NW to 8th Street NW Roadway Improvements project (original contract amount was \$1,913,406.54; total contract amount with this amendment is \$2,106,272.73). **(Paving for Progress)** CIP/DID #3012091-02
- ah. Change Order No. 2 in the amount of \$7,797.42, plus 10 additional working days, with Kleiman Construction, Inc. for the Cedar Rapids Police Department Firearms Range Improvements – Phase II project (original contract amount was \$637,328; total contract amount with this amendment is \$690,894.99). CIP/DID #310333-05
- ai. Change Order No. 3 in the amount of \$3,458.72 with Hunt Construction Co., Inc. for the Cedar Riverwalk 2nd Avenue to 3rd Avenue SE project (original contract amount was \$84,292.50; total contract amount with this amendment is \$96,143.19). CIP/DID #3315507-10
- aj. Change Order No. 4 in the amount of \$6,672.45, plus 27 additional working days, with Rathje Construction Company for the Seminole Valley Road NE – Sanitary Sewer Improvement Project, 42nd Street from Seminole Valley Road NE to Edgewood Road NE project (original contract was \$1,389,895.08; total contract amount with this amendment is \$1,434,639.49). **(Paving for Progress)** CIP/DID #3012116-02
- ak. Memorandum of Agreement with Monarch Research Project for a partnership on the 1,000 Acre Pollinator Initiative. CIP/DID #PKS008-16
- al. Amended Chapter 28E Agreement with the City of Marion and Linn County for an Environmental Assessment in connection with the Tower Terrace Road from west of C Avenue to Alburnett Road project. CIP/DID #301666-00
- am. Release of Phase II loan in the amount of \$1,125,000 in connection with the Development Agreement with Westdale CR Ventures #1, LLC and Frew Development Group, LLC for redevelopment of the former Westdale Mall site generally located at 2500 Edgewood Road SW. CIP/DID #OB812292
- an. Amendment No. 1 to the Development Agreement with Platinum Development, LLC for property at 523 B Avenue NW participating in the Single Family New Construction program. **(Flood)** CIP/DID #SFNC3-2016
- ao. Accepting an Affidavit for Water Service Line Reimbursement from Nadine C. Washington for monthly installment reimbursements for the replacement of the water service line at 600 13th Street NW. CIP/DID #WTR120616-002
- ap. Assignment Agreement, Air Rights Lease Agreement, and Flood Mitigation Facilities Access and Easement Agreement with Cedar Real Estate Group III, LLC in connection with the CRST building at 201 1st Street SE. CIP/DID #OB838345
- aq. Accepting a Bill of Sale and Special Warranty Deed from Cedar Real Estate Group III, LLC for the floodwall, pump station vault, and recreation trail in connection with the CRST building at 201 1st Street SE. CIP/DID #OB838345
- ar. Purchase Agreement in the amount of \$2,826 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Oakhill-Jackson Community Church from land located at 1202 10th Street SE in connection with the 12th Avenue SE Roadway and Utility Improvement from 7th Street SE to 400' East of 19th Street SE project. **(Paving for Progress)** CIP/DID #3012131-00
- as. Accepting a bid in the amount of \$1,200 from Orval Bell and Carel Jean Bell and approving a Quit Claim Deed for the disposition of the vacant lot located at 1314 1st Street SW. CIP/DID #PRD-023180-2016

REGULAR AGENDA

25. Report on bids for the Edgewood Road NW Intersection Improvements from E Avenue NW to F Avenue NW project (estimated cost is \$530,000) (Doug Wilson). **(Paving for Progress)**
CIP/DID #301689-03
 - a. Resolution awarding and approving contract in the amount of \$400,033 plus incentive up to \$10,000, bond and insurance of Trey Electric Corp. for the Edgewood Road NW Intersection Improvements from E Avenue NW to F Avenue NW project.
26. Report on bids for the Sinclair Detention Pond – Building Debris Removal and Asbestos Remediation project (estimated cost is \$1,800,000) (Rob Davis). CIP/DID #3316509-70
27. Discussion and Resolution authorizing negotiation of a Development Agreement with One Park Place, LLC for the redevelopment of City-owned property at 101 and 111 3rd Avenue SE, 312 1st Street SE and adjacent private property (Jennifer Pratt and Caleb Mason). CIP/DID #DISP-0004-2016

ORDINANCES

Second and possible Third Readings

28. Ordinance amending Chapter 71 of the Municipal Code, Erosion and Sediment Control for Construction Sites, to include a new permit fee schedule for major and minor erosion control permits, additional Stormwater Pollution Prevention Plan (SWPPP) requirements, and definition modifications and additions to support implementation of a new topsoil policy.
CIP/DID #43-17-012
 - a. Resolution adopting fees associated with erosion control permits, renewals and inspections in accordance with Chapter 71 of the Municipal Code, Erosion and Sediment Control for Construction Sites.
29. Ordinance amending Chapter 72 of the Municipal Code, Stormwater Management, to include topsoil requirements for both private and public developments for retaining and restoring soil quality for purposes of stormwater management. CIP/DID #43-17-012
30. Ordinance amending Chapter 61 of the Municipal Code, Traffic Regulations, relating to parking rates, fees, penalties and hours of operation, and to provide clarification of certain definitions.
CIP/DID #FIN2016-25
31. Ordinance granting a change of zone with a Preliminary Site Development Plan for property at 4625 and 4497 Tower Terrace Road NE from C-MU, Commercial Mixed Use Zone District, and A, Agriculture Zone District, to C-3, Regional Commercial Zone District, as requested by HJD Investments, L.L.C. CIP/DID #RZNE-023801-2016

32. Ordinance granting a change of zone for property at 116 15th Street NE from R-3D, Two Family Residence Zone District, to C-1, Mixed Neighborhood Convenience Zone District, as requested by Cameron S. West. CIP/DID #RZNE-023857-2016
33. Ordinance establishing the ReConserve of Iowa, Inc. Urban Revitalization Area designation east of Edgewood Road SW and south of 60th Avenue SW CIP/DID #URTE-0010-2016

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 Overland
5. Council member Poe
6. Council member Russell
7. Council member Shey
8. Council member Shields
9. Council member Weinacht

***** The City Council will meet immediately following the City Council Regular Session to discuss the City Attorney's and City Clerk's annual performance reviews. This meeting may be closed pursuant to Iowa Code Sections 21.5(1)(i) (2015).**

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City Council public meeting, should contact the City Clerk's Office at (319) 286-5060 or email cityclerk@cedar-rapids.org as soon as possible but no later than 48 hours before the event.

Agendas and minutes for Cedar Rapids City Council meetings can be viewed at www.cedar-rapids.org.



Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Vern Zakostelecky

Phone Number/Ext.: 319 286-5043

E-mail Address: v.zakostelecky@cedar-rapids.org

Alternate Contact Person: Joe Mailander

Phone Number/Ext.: 319 286-5822

E-mail Address: j.mailander@cedar-rapids.org

Description of Agenda Item: PUBLIC HEARINGS

A public hearing will be held to consider annexation of territory east of Ely Road SW and south of Ivanhoe Road as requested by Correll Land Development Corporation.

CIP/DID# ANNX-006261-2013

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

Background: Property Owner, Correll Land Development Corporation submitted a written application for voluntary annexation to the City of Cedar Rapids. The annexation is considered a "100% Voluntary Annexation Not Within an Urbanized Area". The total area to be annexed including public right-of-way is 70.9 acres. There is County right-of-way for Ivanhoe Road included in the annexation. State Code requires annexation of half-street right-of-way adjoining the subject property. The remaining Ivanhoe Road right-of-way included in this annexation is necessary to make the property contiguous to the City corporate limits. There is no railroad right-of-way adjoining this property that needs to be included. The property is undeveloped agriculture land and the property owner wishes to develop the property in the future with single-family homes. The property owner/future developer will be responsible to obtain City water and sanitary sewer to the site. All other City services including Police and Fire protection, street maintenance, and garbage and recycling collection are available due to this site being close in proximity to the City limits.

Notices will be mailed and published in accordance with State Code requirements. The annexation will not require approval by the Iowa Economic Development Authority City Development Board considering that the property is not within two miles of any other City. There is no non-consenting property owners involved in the annexation. If approved by City Council Resolution the application will be sent to the Iowa Secretary of State's Office for review.

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

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

Time Sensitivity: N/A.

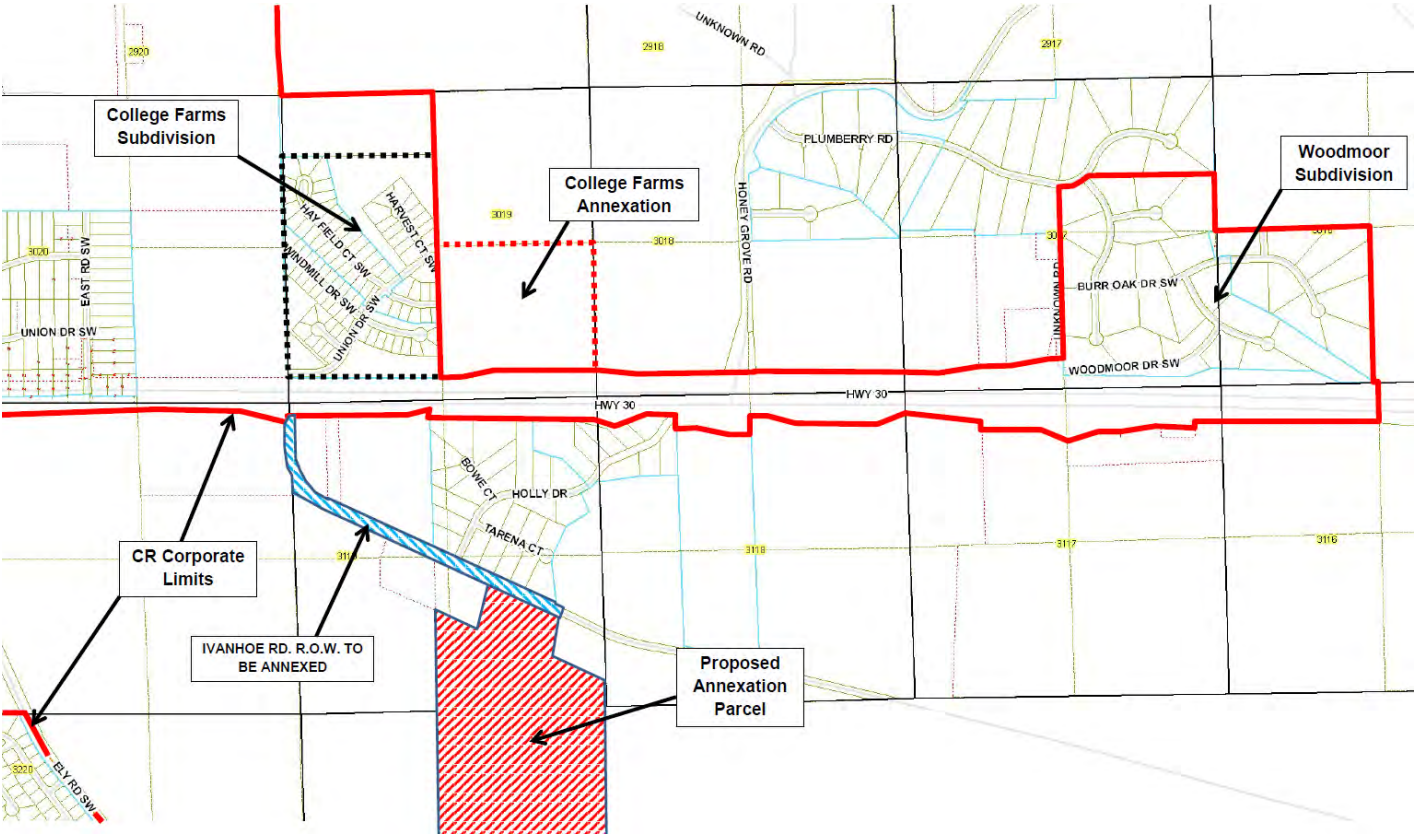
Resolution Date: December 6, 2016

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

Location Map



ANL DSD
CD BSD
ENG CLK
JC FIR
PD LC AUD
RCR PKS
SWM STR
TRN TED
WTR WPC
ANNX-006261-2013

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids, Iowa received an annexation application from Correll Land Development , LLC for the annexation of property located south of Ivanhoe Road and east of Ely Road SW, and

WHEREAS, it is in the best interest of the City of Cedar Rapids that the property legally described as:

CAMELBACK LEGAL DESCRIPTION:

Part of the South $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 12 and part of the North $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 13, all in 82-7, Linn County, Iowa described as follows:

Beginning at the North $\frac{1}{4}$ corner of said Section 13; thence South $01^{\circ}50'55''$ East, 1320.00 feet along the East line of the NW $\frac{1}{4}$ of said Section 13 to the SE corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 13; thence South $89^{\circ}11'57''$ West 1441.72 feet along the South line of the North $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 13 to a point; thence North $01^{\circ}50'52''$ West 1321.16 feet to a point on the North line of the NW $\frac{1}{4}$ of said Section 13; thence North $01^{\circ}57' 05''$ West 873.38 feet to the SW-ly corner of J. Minor First Addition to Linn County, Iowa; thence South $65^{\circ}54'21''$ East 354.31 feet along the Southerly line of said J. Minor First Addition to the SE-ly corner of said Addition; thence North $24^{\circ}05'48''$ East 319.92 feet along the Easterly line of said Addition to an Easterly corner of said Addition; thence North $69^{\circ}04'50''$ East 42.46 feet to an Easterly corner of said Addition; thence North $24^{\circ}13'40''$ East, 5.00 feet to a Easterly corner of said Addition and the SW-ly right-of-way line of Ivanhoe Road; thence South $66^{\circ}01'45''$ East, 99.91 feet along said SW-ly right-of-way line to a point; thence South $65^{\circ}26'21''$ East, 316.96 feet along said SW-ly right-of-way line to a point; thence North $20^{\circ}31'06''$ East, 5.00 feet along said SW-ly right-of-way line to a point; thence South $64^{\circ}36'48''$ East, 160.02 feet along said SW-ly right-of-way line to a point; thence South $09^{\circ}06'27''$ West, 488.94 feet to a point; thence South $73^{\circ}50'35''$ East, 543.62 feet to a point on the East line of the SW $\frac{1}{4}$ of said Section 12; thence South $01^{\circ}52'05''$ East, 150.78 feet along the East line of the SW $\frac{1}{4}$ of said Section 12 to the point of beginning.

be annexed to the City of Cedar Rapids at this time.

WHEREAS, the property is currently in the College Township Precinct and will be included in Cedar Rapids City Council District 5, Precinct No. CR42, County Supervisor District 2, State House District 69, State Senate District 35, Iowa Judicial District 6 and Iowa Congressional District 1 upon recordation of the annexation documents, and

WHEREAS, the property is undeveloped and has zero population,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the territory legally described above, along with road right-of-way for Ivanhoe Road, is hereby annexed by the City of Cedar Rapids, Iowa, in a manner provided by Chapter 368 of the Code of Iowa, 2005, and that said property shall become a part of the City of Cedar Rapids, Iowa.

BE IT FURTHER RESOLVED that the City Clerk be authorized and directed to file a copy of this resolution, together with the legal description and map of the property, with the appropriate agencies as specified by the Code of Iowa.

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

Phone Number/Extension: 5807

E-mail Address: r.rasmussen@cedar-rapids.org

Alternate Contact Person: Carol Morgan

Phone Number/Extension: 5092

E-mail Address: c.morgan@cedar-rapids.org

Description of Agenda Item: PUBLIC HEARINGS

To consider the vacation and disposition of public ways and grounds in and to the property described as a 10-foot by 140-foot parcel of excess City-owned right-of-way located easterly of and adjacent to 1616 6th Street SW and 602 18th Avenue SW as requested by Children on First, Inc.

First Reading: Ordinance vacating public ways and grounds described as a 10-foot by 140-foot parcel of excess City-owned right-of-way located easterly of and adjacent to 1616 6th Street SW and 602 18th Avenue SW as requested by Children on First, Inc.

CIP/DID #ROWV-023835-2016

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

Background: Children on First, Inc. has requested the vacation and disposition of a 10-foot by 140-foot parcel of excess City-owned right-of-way located easterly of and adjacent to 1616 6th Street SW and 602 18th Avenue SW. The City acquired this parcel from a former owner in 1970 for a possible road project that did not materialize, and the buildings have remained in this right-of-way for the past 46 years. The future project at this location does not require this right-of-way, and the applicant has requested that the City vacate and convey it back so that the buildings will no longer be located in the right-of-way. The Public Works Department recommends that this be conveyed at \$4,200 plus the standard 5% closing costs. There are no utilities in this parcel, therefore, no easements are necessary.

Action/Recommendation: The Public Works Department recommends holding the first reading of the ordinance to vacate this excess City-owned right-of-way.

Alternative Recommendation: Allow the buildings to remain in the right-of-way or require the applicant to remove the structures.

Time Sensitivity: Normal

Resolution Date: Proposed timeline as follows:

Public Hearing Date and 1st reading of Ordinance: December 6, 2016

2nd reading of Ordinance, possible 3rd reading and possible resolution passing: December 20, 2016

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

ENG
ASR
RCR
TRS
CD
TED
BSD
STR
IT

ROWV-023835-2016

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 10-foot by 140-foot parcel of excess City-owned right-of-way located easterly of and adjacent to 1616 6th Street SW and 602 18th Avenue SW (legally described as The Easterly Ten Feet of Lot 31, Block 18, Youngs Third Addition to Cedar Rapids, Linn County, Iowa)

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 6th day of December, 2016.

PASSED_DAY_TAG

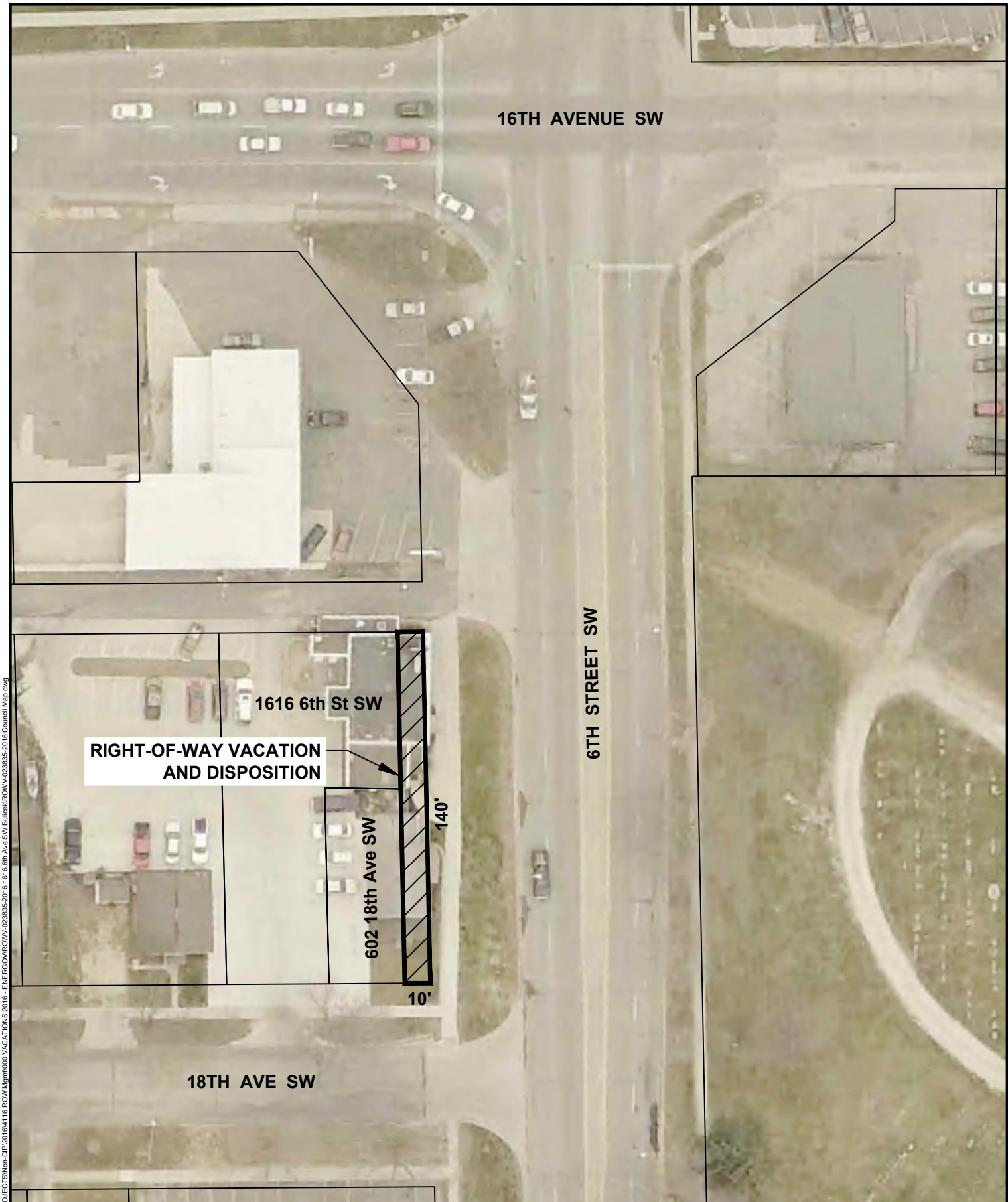
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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Cadd File Name: W:\PROJECTS\Non-CIP\2016\1616 ROW Mgmt\000 VACATIONS 2016 - ENRG\ROWV-023835-2016 1616 6th Ave SW Bulcock\ROWV-023835-2016 Council Map.dwg



**RIGHT-OF-WAY VACATION AND DISPOSITION
1616 6TH STREET SW AND 602 18TH AVENUE SW**



ROWV-023835-2016



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: PUBLIC HEARINGS

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 4th Street Railroad Right-of-Way Corridor Trackage Removal project (estimated cost is \$478,000).

CIP/DID #3012062-04

Resolution adopting plans, specifications, form of contract and estimated cost for the 4th Street Railroad Right-of-Way Corridor Trackage Removal project.

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

Background: This project involves removing unused railroad track which currently sits in the 4th Street SE corridor from 9th Avenue SE southerly to the Cedar River. Also included is minor concrete and utility work incidental to the railroad track removals. This work is being done in part as preparation for the future 16th Avenue SE extension project from 4th Street to 5th Street.

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

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

Time Sensitivity: Must be acted upon December 6, 2016 to maintain the project schedule, and which must occur ahead of the project's December 7, 2016 bid opening.

Resolution Date: December 6, 2016

Budget Information: 301/301000/3012062 (NA)

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on November 15, 2016 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the 4th Street Railroad Right-of-Way Corridor Trackage Removal project (Contract No. 3012062-04) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

PASSED_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: Tim Mroch, PE
E-mail Address: t.mroch@cedar-rapids.org

Phone Number/Extension: 5703

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 2017 Tree and Vegetation Removal project (estimated cost is \$80,000) **(Paving for Progress)**.
 CIP/DID #301990-10

Resolution adopting plans, specifications, form of contract and estimated cost for the 2017 Tree and Vegetation Removal project.

EnvisionCR Element/Goal: GreenCR Goal 1: Be stewards for the environment, promoting economic and social growth while restoring the relationship between the city and the natural environment.

Background: This project involves removing trees and vegetation in preparation for 2017 road construction projects. In order to remain in compliance with US Fish and Wildlife Service: 50 CFR Part 17, "Endangered and Threatened Wildlife and Plants; Threatened Species Status for the Northern Long-Eared Bat with 4(d) Rule, tree removals are preferably performed during the winter months when there is no chance endangered bat species are roosting in trees. Removals are possible during the warm months, but are complicated by additional US Fish and Wildlife oversight requirements which may threaten project schedules.

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

Alternative Recommendation: If this resolution is not passed, tree removals will need to be performed during months which threaten endangered bat species. This adds administrative difficulty and increases the chance of project delays.

Time Sensitivity: Must be acted upon December 6, 2016 to maintain the project schedule, and which must occur ahead of the project's December 7, 2016 bid opening.

Resolution Date: December 6, 2016

Budget Information: 301/301000/301990 (SLOST)

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on November 15, 2016 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the 2017 Tree and Vegetation Removal project (Contract No. 301990-10) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

PASSED_DAY_TAG

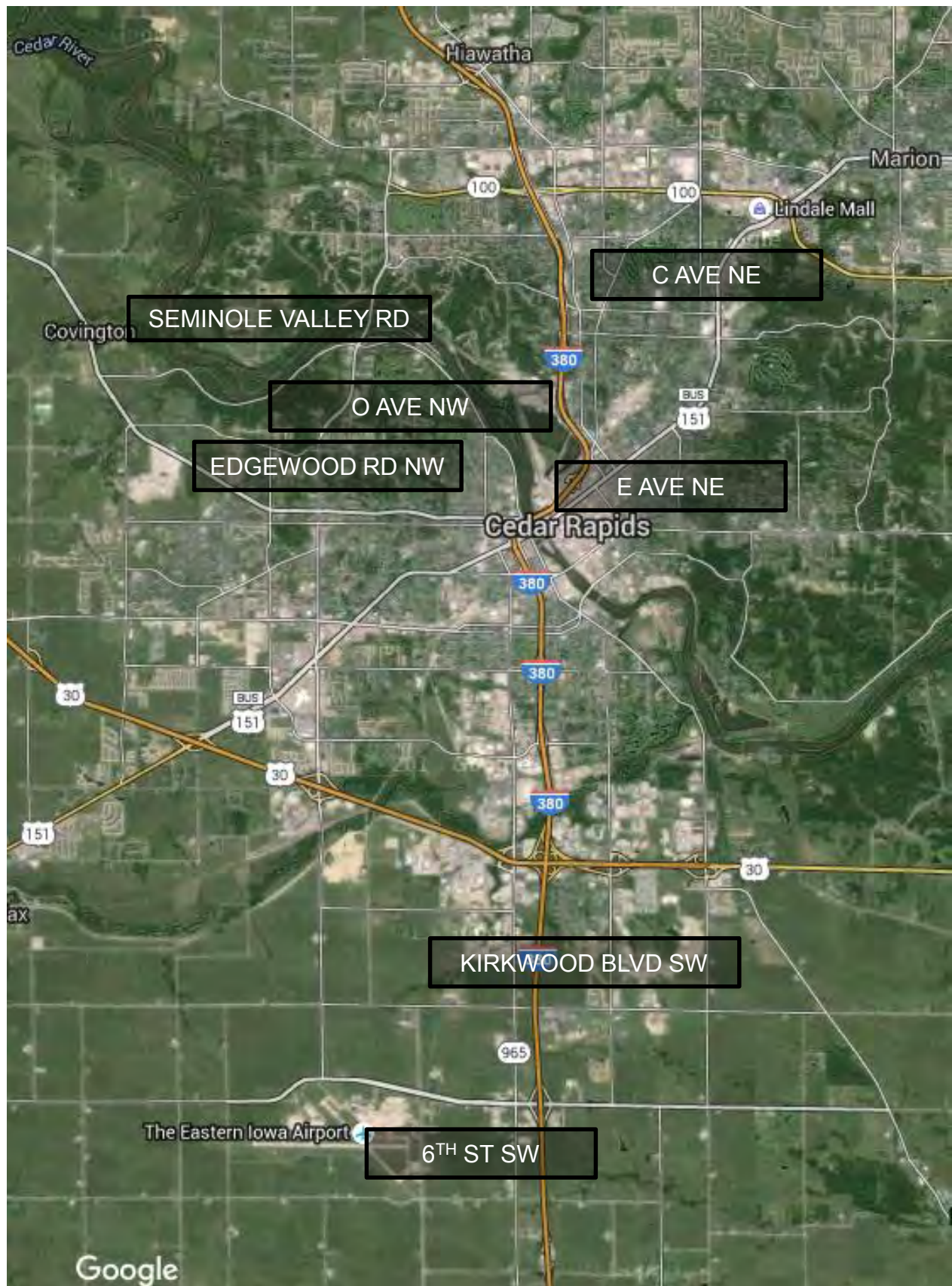
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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

Alternate Contact Person: Tim Mroch, PE
E-mail Address: t.mroch@cedar-rapids.org

Phone Number/Extension: 5703

Description of Agenda Item: CONSENT AGENDA

Preliminary resolution for the construction of turn lane improvements within the boundaries of the public right-of-way for the 6th Street SW Roadway Improvements from Linn County Line to Capital Drive project (**Paving for Progress**).
 CIP/DID #3012130-00

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

Background: The project will include patching of existing roadway, PCC overlay, turn lane improvements, and installation of shoulders to meet current design standards. The assessment will cover the costs of turn lane improvements, which are specific to proposed development adjacent to the 6th Street SW project.

The proposed resolution before City Council is the initial resolution in a series of resolutions (as shown on attached flow chart), which will lead to an assessment public hearing on this project. This resolution indicates there is a benefit and the City's intention to do some special assessment. Future resolutions, should the Council proceed with the process, will include property values and specific proposed assessments.

Two parcels will receive benefit from the turn lane improvements, but are not within the City of Cedar Rapids corporate boundary. The proposed resolution before City Council will align with resolution 1191-09-16 as adopted by City Council on September 13, 2016. Resolution 1522-11-16 was adopted on November 15, 2016 to enter into a 28E agreement with Linn County to allow the City of Cedar Rapids to complete assessments on parcels outside the City of Cedar Rapids corporate boundary.

The total estimated project cost is approximately \$2,720,000.

Action/Recommendation: The Public Works Department recommends adoption of the preliminary resolution for the construction of turn lane improvements in the City of Cedar Rapids, Iowa for the 6th Street SW Roadway Improvements from Linn County Line to Capital Drive.

Alternative Recommendation: If the resolution is not adopted, the assessment will not proceed. If the assessment does not proceed alternative funding will be necessary.

Time Sensitivity: Normal

Resolution Date: December 6, 2016

Budget Information: 301/301000/3012130 (SLOST)

Local Preference Policy: NA

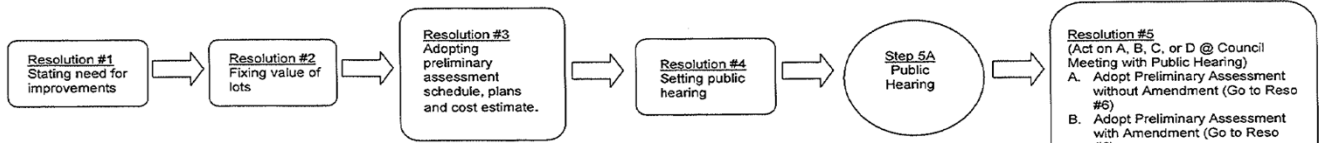
Explanation: NA

Recommended by Council Committee: NA

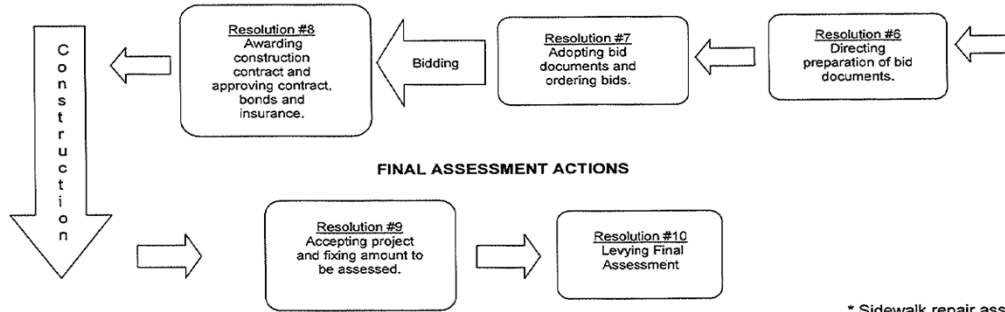
Explanation: NA

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

PRELIMINARY ASSESSMENT ACTIONS



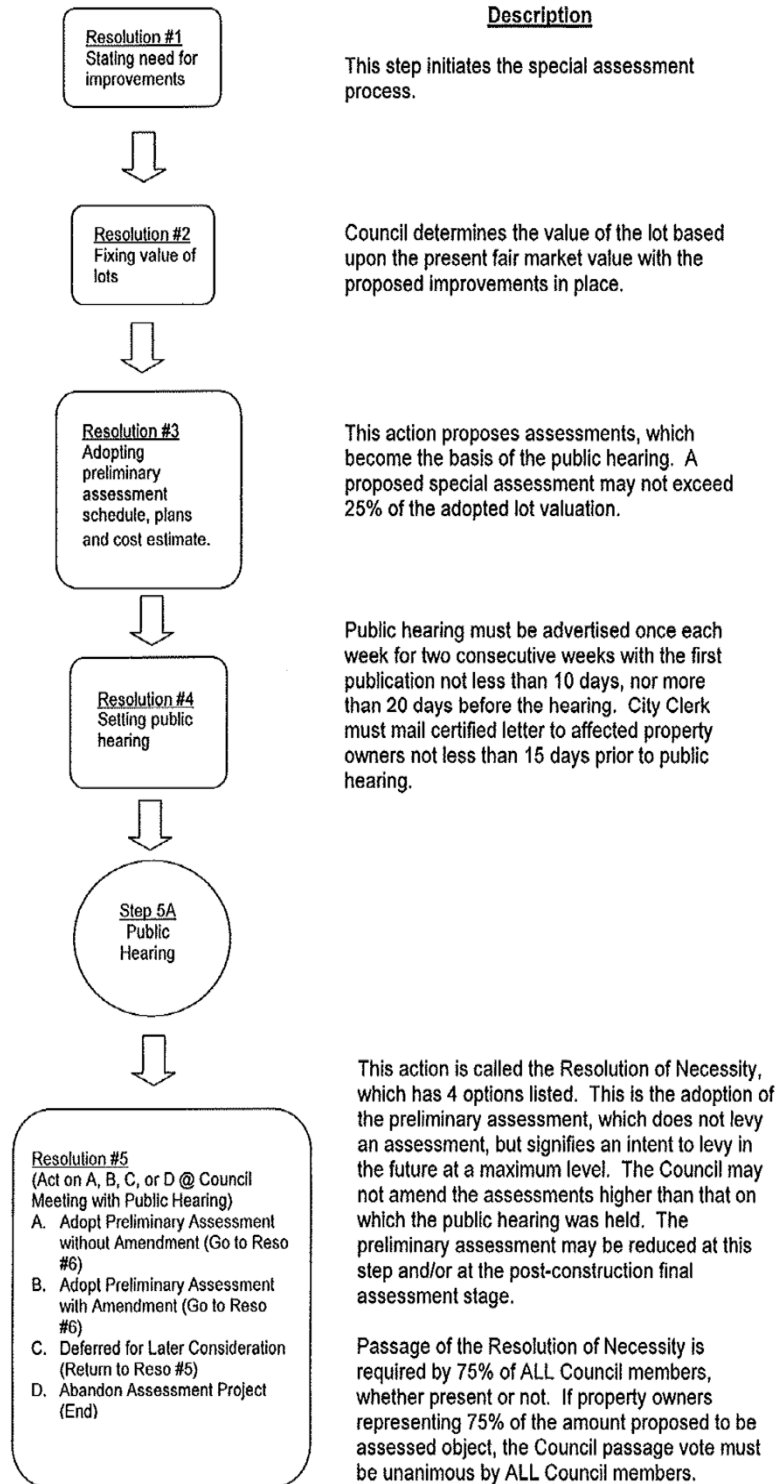
NORMAL DESIGN, BIDDING, AND CONSTRUCTION ACTIONS



FINAL ASSESSMENT ACTIONS

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

CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS PRELIMINARY ASSESSMENT



RESOLUTION NO. LEG_NUM_TAG

PRELIMINARY RESOLUTION FOR THE CONSTRUCTION
OF TURN LANE IMPROVEMENTS IN THE CITY OF CEDAR RAPIDS, IOWA

WHEREAS, this Council, after a study of the requirements, is of the opinion that it is necessary and desirable that Portland cement concrete pavement turn lanes be constructed within Cedar Rapids, Iowa, as hereinafter described, and

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

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Cedar Rapids, Iowa, construct Portland cement concrete pavement as hereinafter described, and

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

6th Street SW from Linn County Line to Capital Drive SW

, and

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

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

193210100100000	193217600100000
NE NE -EX RD Sec 32 Twp 82 R 7	SE NE Sec 32 Twp 82 R 7

, and

BE IT FURTHER RESOLVED that said improvement shall be designated as "6th Street SW Roadway Improvements from Linn County Line to Capital Drive SW", and such name shall be sufficient designation to refer to said improvement in all subsequent proceedings.

PASSED_DAY_TAG

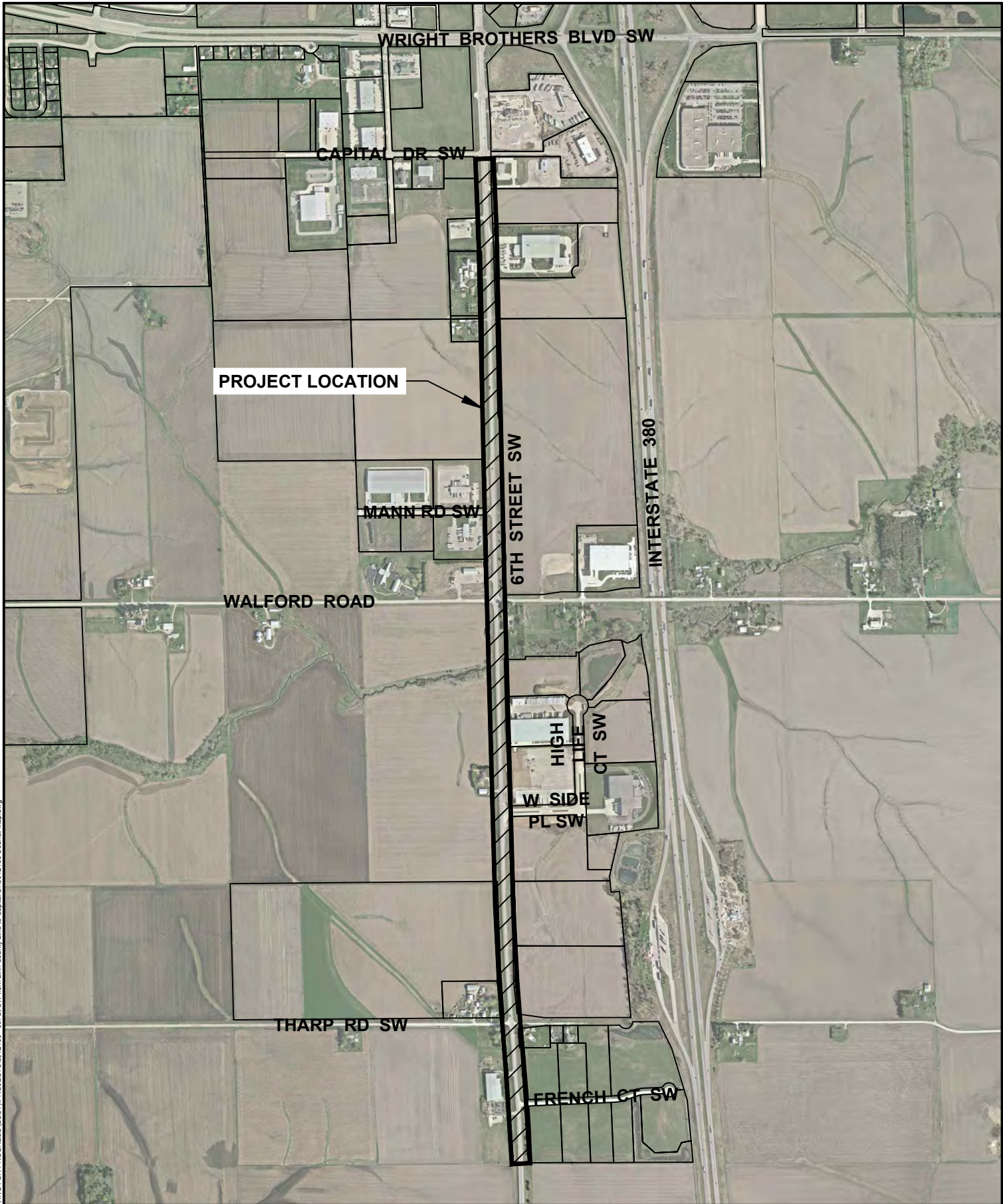
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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Cadd File Name: W:\PAVING FOR PROGRESS (LOST)\PROJECTS\3012130 - 6th St SW from Linn County Line to Capital Dr\3012130 Council Map.dwg



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Nate Kampman, PE
E-mail Address: n.kampman@cedar-rapids.org

Phone Number/Extension: 5628

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

Phone Number/Extension: 5153

Description of Agenda Item: CONSENT AGENDA

Preliminary resolution for the construction of sidewalk improvements for the 51st Street NE at Council Street NE Reconstruction project.
 CIP/DID #301491-00

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

Background: This project is to construct realignment of 51st Street NE to enable the redevelopment of 1510 and 1548 Collins Road NE at the northwest corner of Collins Road NE and Council Street NE. The 51st Street realignment is included in the Collins Road NE Environmental Assessment approved by the Federal Highway Administration in December 2009. Proposed sidewalk improvements are long the north side of 51st Street from Theisen's to Council Street, along the west side of Council Street from relocated 51st Street NE northerly to the existing sidewalk, and along the south side of Park Place NE from Council Street to Duffy Drive NE.

The proposed resolution before City Council is the initial resolution in a series of resolutions (as shown on attached flow chart), which will lead to an assessment public hearing on this project. This resolution indicates there is benefit and the City's intention to do some special assessment. Future resolutions, should the Council proceed with the process, will include property values and specific proposed assessments.

The total estimated project cost is approximately \$1,900,000. A combination of General Obligation Bonds and Tax Incremental Financing (TIF) funding will provide funding for the improvements.

Action/Recommendation: Public Works Department recommends adoption of the preliminary resolution for the construction of sidewalk improvements in the City of Cedar Rapids, Iowa for the 51st Street NE at Council Street NE Reconstruction Project.

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

Time Sensitivity: Normal

Resolution Date: December 6, 2016

Budget Information: CIP No. 301491

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

PRELIMINARY RESOLUTION FOR THE CONSTRUCTION
OF SIDEWALK IMPROVEMENTS IN THE CITY OF CEDAR RAPIDS, IOWA

WHEREAS, this Council, after a study of the requirements, is of the opinion that it is necessary and desirable that Portland cement concrete sidewalk be constructed within Cedar Rapids, Iowa, as hereinafter described, and

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

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Cedar Rapids, Iowa, construct Portland cement concrete sidewalk as hereinafter described, and

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

51st Street NE/Park Place NE from approximately 1,400 feet
west of Council Street NE to Duffy Drive NE

, and

BE IT FURTHER RESOLVED that Nate Kampman, P.E. of the Public Works Department, Cedar Rapids, Iowa, having authorized a professional engineering firm to prepare estimates, plans and specifications and Ament Design to prepare plats and schedules and otherwise to act in said capacity with respect to said project is hereby ordered to prepare and file with the Clerk preliminary plans and specifications and estimates of the total cost of the work and the plat and schedule of special assessments against benefited properties, and

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

14041-76004-00000	LANDS (LESS CITY) & (LESS E 574.85') & (LESS S 361.68') S OF RR SE NE STR/LB 4 83 7
14041-76005-00000	RAPOPORT'S NORTH (LESS CITY) LOT 1 & ALL STR/LB 2
14041-76006-00000	RAPOPORT'S NORTH LOT 3 & (LESS ST)S 50' STR/LB 4
14032-53001-00000	MILWAUKEE INDUSTRIAL PARK 9TH EX RD LOT 1

, and

BE IT FURTHER RESOLVED that said improvement shall be designated as 51st Street NE at Council Street NE Reconstruction, and such name shall be sufficient designation to refer to said improvement in all subsequent proceedings.

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

Phone Number/Extension: 5141

Alternate Contact Person: Lee Tippe, PE
E-mail Address: l.tippe@cedar-rapids.org

Phone Number/Extension: 5816

Description of Agenda Item: CONSENT AGENDA

Resolution rescinding Resolution 1376-10-16 and approving a new Preliminary Resolution for Construction of driveway improvements and sanitary sewer service replacements for the O Avenue NW Improvements Phase I from 16th Street NW to Ellis Boulevard NW project (**Paving for Progress**).

CIP/DID #3012121-00

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

Background:

On October 25, 2016, Council approved Resolution 1376-10-16 which included assessments for new sidewalks along the project corridor, as well as driveway improvements and sanitary sewer service replacements. This resolution rescinds and replaces Resolution 1376-10-16 so that the costs of new and/or reconstructed sidewalks will not be assessed to property owners.

This project includes replacement of Orangeburg sanitary sewer service lines. In keeping with City policy that sanitary sewer services are the responsibility of the served property owner, replacement costs will be assessed to the property owner. Additionally, two (2) driveways will be paved or expanded where they are not currently paved. The cost of these improvements will also be assessed to the property owners. The remaining project scope includes full roadway and storm sewer reconstruction and replacement of water main.

The proposed resolution before City Council is the initial resolution in a series of resolutions (as shown on attached flow chart), which will lead to an assessment public hearing on this project. This resolution indicates there is benefit in the City's intention to consider special assessments. Should the Council proceed with the process; future resolutions will include property values and specific proposed assessments. The total estimated project cost is approximately \$4,378,000.

Action/Recommendation:

Public Works Department recommends rescinding Resolution 1376-10-16, and further recommends adoption of the Preliminary Resolution for the Construction of sanitary sewer service replacements and driveway improvements in the City of Cedar Rapids, Iowa for the O Avenue NW Improvements Phase I from 16th Street NW to Ellis Boulevard NW project.

Alternative Recommendation:

If resolution is not adopted, the assessments will not proceed. The sanitary sewer service

replacements and driveway improvements will need to be funded by the project or abandoned.

Time Sensitivity: Normal

Resolution Date: December 6, 2016

Budget Information: 301/301000/3012121 (SLOST)

Local Preference Policy: NA

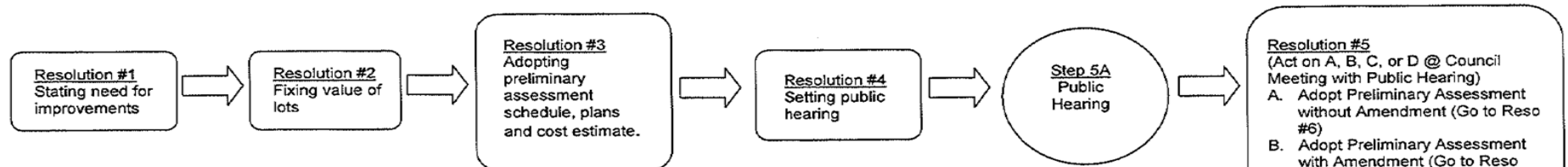
Explanation: Publicly funded roadway project.

Recommended by Council Committee: NA

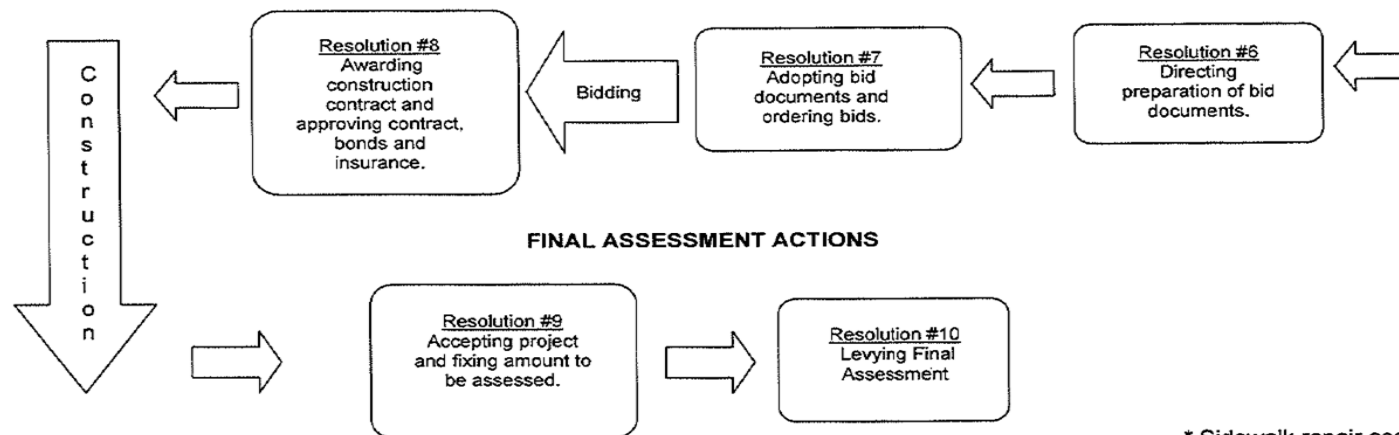
Explanation: Project approved previously under Paving for Progress.

FLOWCHART FOR CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS* SUMMARY

PRELIMINARY ASSESSMENT ACTIONS



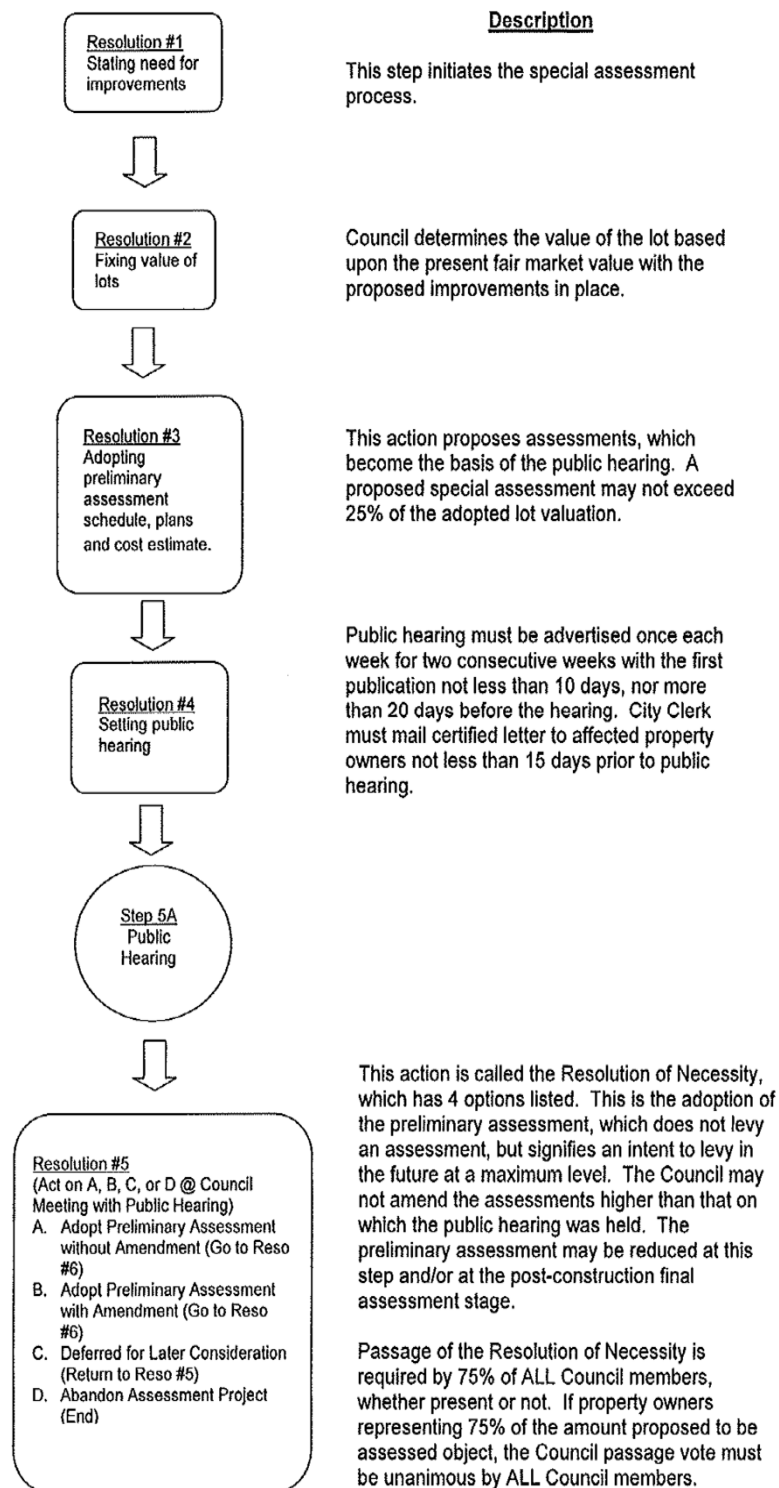
NORMAL DESIGN, BIDDING, AND CONSTRUCTION ACTIONS



FINAL ASSESSMENT ACTIONS

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

CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS PRELIMINARY ASSESSMENT



RESOLUTION NO. LEG_NUM_TAG

RESOLUTION RESCINDING RESOLUTION NO. 1376-10-16
AND APPROVING A NEW PRELIMINARY RESOLUTION FOR THE CONSTRUCTION
OF SANITARY SEWER SERVICE AND DRIVEWAY IMPROVEMENTS
IN THE CITY OF CEDAR RAPIDS, IOWA

WHEREAS, Resolution No. 1376-10-16 approved on October 25, 2016 will be rescinded in its entirety, replacing it with the following:

WHEREAS, this Council, after a study of the requirements, is of the opinion that it is necessary and desirable that existing bituminous fiber (Orangeburg) sanitary sewer services (located beneath roadways proposed to receive rehabilitation) be removed and replaced within Cedar Rapids, Iowa, as hereinafter described, and

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

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

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Cedar Rapids, Iowa, remove and replace bituminous fiber (Orangeburg) sanitary sewer services as hereinafter described, construct new driveways as hereinafter described, and

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

O Avenue NW, from 16th Street NW to Ellis Boulevard NW

,and

BE IT FURTHER RESOLVED that Nathan G. Kampman, P.E. of the Public Works Department, Cedar Rapids, Iowa, having authorized Foth Infrastructure and Environment, a professional engineering firm, to prepare estimates, plans and specifications and to prepare plats and schedules and otherwise to act in said capacity with respect to said project is hereby ordered to prepare and file with the Clerk preliminary plans and specifications and estimates of the total cost of the work and the plat and schedule of special assessments against benefited properties, and

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

Sanitary Sewer Improvements

142027601300000 LANDS (LESS ST) 2 70' E 1090' N 10AC SE NW STR/LB 20 83 7	142012901900000 BEVERLY HILL STR/LB 18
142027601100000 LANDS (LESS ST) W 124' E 940' N 10AC SE NW STR/LB 20 83 7	142012901500000 BEVERLY HILL STR/LB 14
142027601000000 LANDS (LESS ST) & LESS S 100') W 126' E 816' N 10AC SE NW STR/LB 20 83 7	142020402500000 DENNIS 1ST LOTS 10 & STR/LB 11
142027600700000 EMERY'S 1ST STR/LB 8	142020402200000 DENNIS 1ST STR/LB 8
142027600600000 EMERY'S 1ST STR/LB 7	142020402100000 DENNIS 1ST STR/LB 7
142015400200000 A.P. #233 STR/LB 16	142020301200000 IRR SUR VW 20-83-7 (LESS N 80' E 100') & (LESS W320')
142013101400000 ELLIS PARK 2ND STR/LB 15 2	

Driveway Improvements

142013001600000 ELLIS PARK 1ST STR/LB 15 2	142020402200000 DENNIS 1ST STR/LB 8
---	--

, and

BE IT FURTHER RESOLVED that said improvement shall be designated as "O Avenue NW Improvements Phase I From 16th Street NW to Ellis Boulevard NW", and such name shall be sufficient designation to refer to said improvement in all subsequent proceedings.

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

Phone Number/Extension: 5628

Alternate Contact Person: Tim Mroch, PE
E-mail Address: t.mroch@cedar-rapids.org

Phone Number/Extension: 5703

Description of Agenda Item: CONSENT AGENDA

Resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Seminole Valley Road NE Improvements from Fords Crossing Road to 42nd Street project (**Paving for Progress**).
 CIP/DID #3012116-00

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

Background: This project proposes to improve surface conditions on Seminole Valley Road NE, adjust the road profile, install sidewalk in select infill areas, and add widened shoulders for pedestrian and bicycle routes.

When infrastructure construction by the City has benefited adjacent land, it has been the City's practice to assess for the benefit they receive. If not assessed, the City is essentially increasing property value at the cost of taxpayers. City Council passed the first, preliminary resolution for the construction of improvements on May 24, 2016 and an amendment to the preliminary resolution on June 14th, 2016.

The proposed resolution is part of a series of resolutions (as shown on the attached flow chart), which will lead to an assessment public hearing on this project. This resolution adopts the preliminary assessment plat and schedule, including lot valuations, and project cost opinion.

This resolution establishes the lot valuations as shown on preliminary assessment schedule under the column "Council Valuations". Per Iowa Code, a special assessment levied cannot exceed 25 percent of the lot valuation. A valuation must be the present fair market value of the property with the proposed public improvement completed. Developed parcels 1-9 shown on the attached plat are recommended to use the City Assessor property value.

Action/Recommendation: The Public Works Department recommends adoption of the resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Seminole Valley Road NE Improvements from Fords Crossing Road to 42nd Street project.

Alternative Recommendation: If resolution is not adopted, the assessment will not proceed. The project will then require funding by general obligation funds, or this portion of the project abandoned.

Time Sensitivity: Normal

Resolution Date: December 6, 2016

Budget Information: 301/301000/3012116 (SLOST)

Local Preference Policy: NA

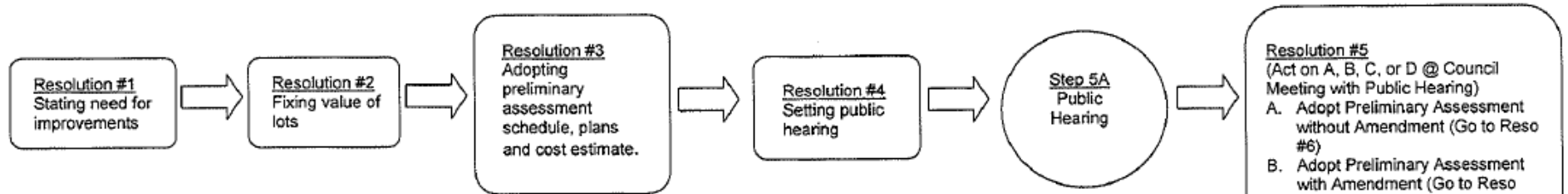
Explanation: NA

Recommended by Council Committee: NA

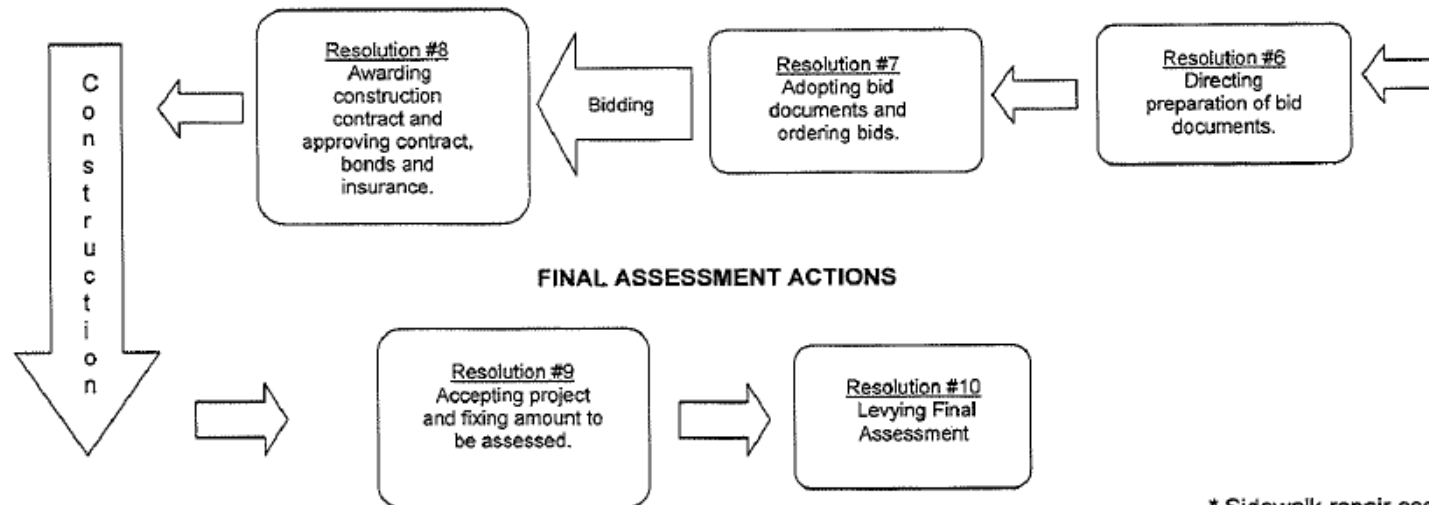
Explanation: NA

FLOWCHART FOR CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS* SUMMARY

PRELIMINARY ASSESSMENT ACTIONS



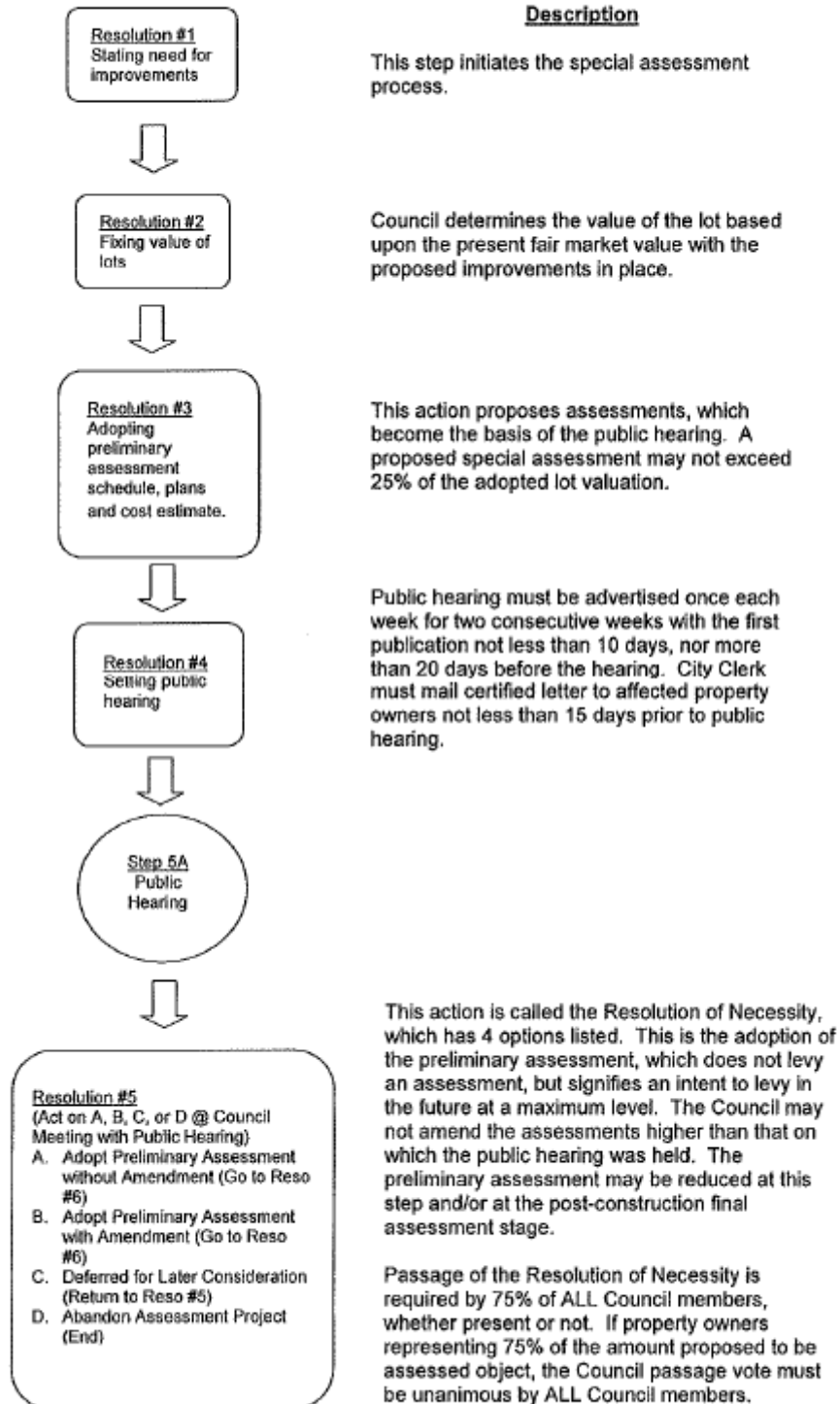
NORMAL DESIGN, BIDDING, AND CONSTRUCTION ACTIONS



FINAL ASSESSMENT ACTIONS

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

CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS
PRELIMINARY ASSESSMENT



RESOLUTION NO. LEG_NUM_TAG

RESOLUTION FIXING VALUE OF LOTS AND ADOPTING PRELIMINARY PLAT AND
SCHEDULE, ESTIMATE OF COST AND PROPOSED PRELIMINARY PLANS AND
SPECIFICATIONS FOR THE CONSTRUCTION OF THE SEMINOLE VALLEY ROAD NE
IMPROVEMENTS FROM FORDS CROSSING ROAD TO 42ND STREET,
(CIP No. 3012116-00)

WHEREAS, this Council after full investigation has arrived at a determination of the value of each lot located within the Seminole Valley Road NE Improvements from Fords Crossing Road to 42nd Street project, said valuation being set forth in a preliminary schedule entitled "Preliminary Assessment Schedule", under the column therein headed "Property Valuation", and

WHEREAS, this Council has caused to be prepared preliminary plat, schedule and estimate of cost, together with preliminary plans and specifications, for the construction of the Seminole Valley Road NE Improvements from Fords Crossing Road to 42nd Street project and this Council has fixed the valuations of the property proposed to be assessed as shown therein, and

WHEREAS, the Council finds that each lot separately assessed in the schedule of assessments meets the definition of a lot as described in Iowa Code Section 384.37(5) or in the case of lots consisting of multiple parcels that the parcels have been assembled into a single unit for the purpose of use or development, and

WHEREAS, said plat and schedule, estimate of cost and preliminary plans and specifications appear to be proper for the purpose intended, and

WHEREAS, said improvements will be constructed according to the Cedar Rapids Metropolitan Area Standard Specifications for Public Improvements,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that said schedule of values, hereinabove referred to, be and the same is adopted as the valuation of the lots, with the proposed public improvements completed, within the boundaries of said improvements and the Clerk is hereby directed to deliver the same to Erv Mussman, Shive-Hattery, Inc., the Engineer, for said project, said Engineer to insert said values in the schedule of assessments which is to be prepared and filed with this Council, and

BE IT FURTHER RESOLVED, that said plat and schedule, estimate of cost and preliminary plans and specifications be and the same are hereby adopted as the proposed plat, schedule, estimate of cost and preliminary plans and specifications for said improvements and are hereby ordered placed on file with the Clerk for public inspection, and

BE IT FURTHER RESOLVED, that the boundaries of the District for the making of said improvements, as shown in the Engineer plat, be and the same are hereby fixed as the boundaries of said Seminole Valley Road NE Improvements from Fords Crossing Road to 42nd Street project.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



PROJECT LOCATION



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5875

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

Phone Number/Extension: 5807

Description of Agenda Item: CONSENT AGENDA

Resolution establishing additional right-of-way on City-owned property located at 1732 Wilson Avenue SW in connection with the 18th Street SW Extension Project from Wilson Avenue SW to 13th Avenue SW.

CIP/DID # 301500-00

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

Background: The City Council previously approved funding towards the 18th Street SW Extension Project from Wilson Avenue SW to 13th Avenue SW.

The City of Cedar Rapids acquired the property at 1732 Wilson Avenue SW in connection with the 18th Street SW Extension Project from Wilson Avenue SW to 13th Avenue SW. The west property line extends to the centerline of 18th Street SW. It is the City's desire to dispose of the property. The City needs to establish additional right-of-way for the roadway or the new property owner will own the underlying fee title to the centerline of the road.

Action/Recommendation: The Public Works Department recommends establishing additional right-of-way on City-owned property at 1732 Wilson Avenue SW.

Alternative Recommendation: Do not proceed with establishing additional right-of-way. When the property is disposed the new property owner will own the land to the centerline of 18th Street SW.

Time Sensitivity: Normal

Resolution Date: December 6, 2016

Budget Information: 301/301000/301500 (NA)

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, the Public Works Director has determined the need for additional right-of-way exists in order to accommodate the 18th Street SW Extension Project from Wilson Avenue SW to 13th Avenue SW, and

WHEREAS, the City of Cedar Rapids, Iowa, OWNER of the real property known as 1732 Wilson Avenue SW and described as:

See Attached Acquisition Plat

, and

WHEREAS, the Public Works Director recommends the City establish additional right-of-way from City-owned property required for the 18th Street SW Extension Project from Wilson Avenue SW to 13th Avenue SW,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the additional right-of-way is hereby established and the attached Acquisition Plat 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

ACQUISITION PLAT

18TH STREET SW EXTENSION

Prepared by R. Rodney Klien

Anderson-Bogert Engineers & Surveyors, Inc.

4001 River Ridge Dr. N.E. Cedar Rapids, Iowa 52402 (319) 377-4629



0 60

NOTES:

1. DISTANCES ARE IN FEET AND DECIMALS THEREOF.

2. BEARINGS HEREON ARE BASED UPON IOWA STATE PLANE NAD 83 NORTH ZONE.

Legal Description

RIGHT-OF-WAY ACQUISITION OVER PART OF THE WEST 83.00 FEET OF THE SOUTH 234.20 FEET OF THE SW1/4 OF THE NW1/4 OF SECTION 32, TOWNSHIP 83 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE ABOVE DESCRIBED PARCEL SAID POINT BEING ON THE WEST, LINE OF THE SW1/4 OF THE NW1/4 OF SAID SECTION 32;

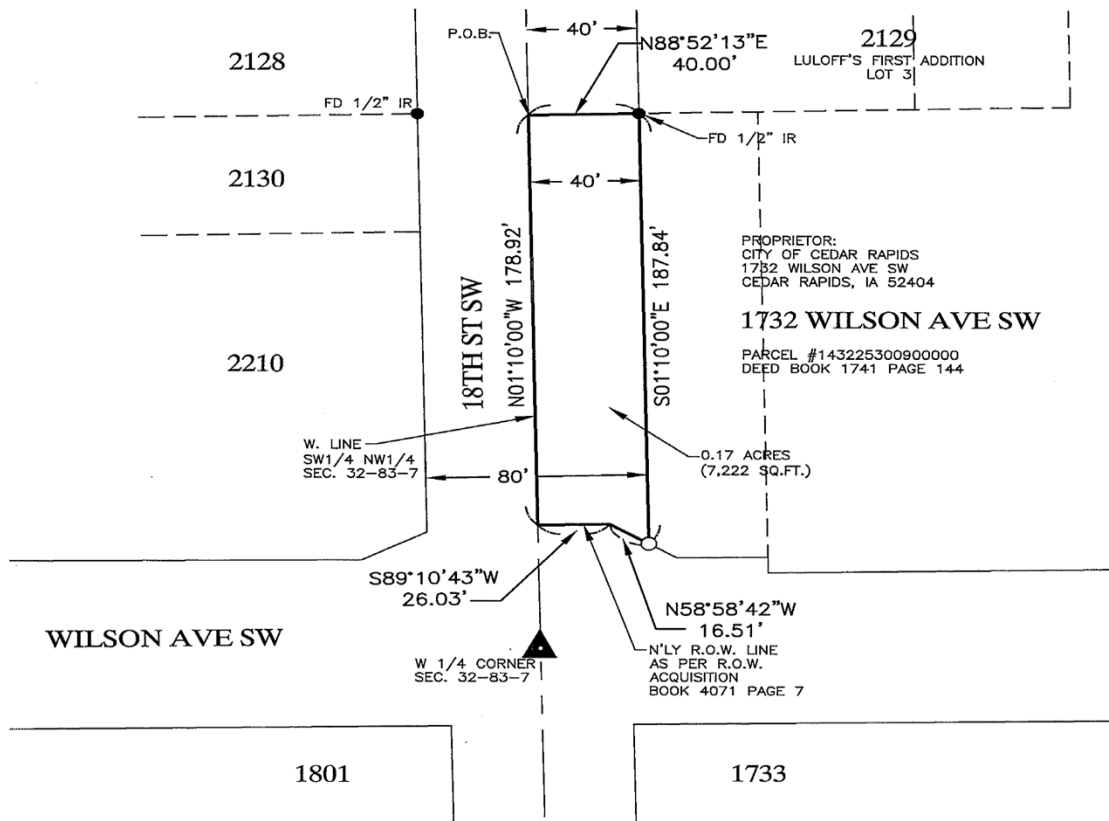
THENCE N88°52'13"E, 40.00 FEET ALONG THE NORTH LINE OF SAID PARCEL;

THENCE S01°10'00"E, 187.84 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF WILSON AVENUE SW;

THENCE N58°58'42"W, 16.51 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE;

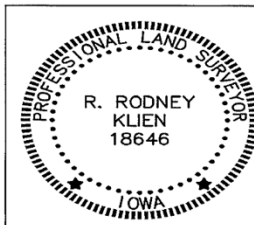
THENCE S89°10'43"W, 26.03 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE WEST LINE OF THE SW1/4 OF THE NW1/4 OF SAID SECTION 32;

THENCE N01°10'00"W, 178.92 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING. PARCEL CONTAINS 0.17 ACRES (7,222 SQ.FT.) MORE OR LESS.



Legend

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



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

SIGNED: *R. Rodney Klien* DATE: 10-26-16
R. RODNEY KLIEN IOWA REG. NO. 18646

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2017

PAGES OR SHEETS COVERED BY THIS SEAL:
THIS SHEET

ACQUISITION PLAT

1732 Wilson Ave SW

Project Number: 209054

Drawn By: M.S. Approved By: R.R.K.
Date: 10/26/16 Scale: 1"=80'

Field Book #: 307

CEDAR RAPIDS
City of Five Seasons

Client:

ANDERSON BOGERT

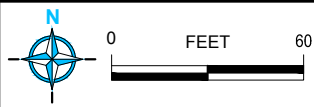
Sheet No.
1
Of
1



Cadd File Name: W:\PROJECTS\CI\30113011500\301500 Council Map.dwg



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





Council Agenda Item Cover Sheet

Submitting Department: Treasury

Presenter at Meeting: Michele Tamerius
E-mail Address: m.tamerius@cedar-rapids.org

Phone Number/Ext.: 5113

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

Phone Number/Ext.: 5097

Description of Agenda Item: CONSENT AGENDA

Resolution approving bond disclosure policy.

CIP/DID #FIN2016-29

EnvisionCR Element/Goal: (Click here to select)
--

Background:

Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended (the "Rule"), imposes requirements upon the City's municipal securities offerings including providing an official statement and a continuing disclosure agreement with the purchaser or underwriter in connection with each new issuance of obligations which fall within the Rule. The Policy establishes procedures and protocols designed to assist in ensuring future City compliance with the Rule, related to the preparation of its primary and secondary disclosures for existing and future municipal securities issued by the City. The policy also includes certain training for appropriate officials involved in the City's disclosure processes. The policy supplements existing finance department's standard operating procedures on disclosure.

Action/Recommendation: Approve

Alternative Recommendation: Don't approve and revise

Time Sensitivity: High

Resolution Date: 12/6/2016

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, is a political subdivision, organized and existing under and by virtue of the constitution and laws of the State of Iowa who routinely sells municipal securities to underwriters, and

WHEREAS, Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended (the "Rule"), imposes requirements upon the City's municipal securities offerings including providing an official statement and a continuing disclosure agreement with the purchaser or underwriter in connection with each new issuance of obligations which fall within the Rule, and

WHEREAS, to provide a protocol for future compliance with the Rule, the City has prepared a Bond Disclosure Policy outlining procedures related to the preparation of its primary and secondary disclosures for existing and future municipal securities issued by the City.

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

Section 1. The Bond Disclosure Policy attached hereto as Exhibit 1 is hereby adopted and approved.

Section 2. The Finance Director identified as the Disclosure Coordinator therein is hereby approved and shall take any and all action necessary to properly implement the Policy.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Exhibit 1

City of Cedar Rapids, Iowa

BOND DISCLOSURE POLICY

Article I

General Overview

This Bond Disclosure Policy ("Policy") of the City of Cedar Rapids, Iowa (the "City") is intended to establish a framework for compliance by the City with its disclosure and/or contractual obligations with respect to the securities it issues pursuant to the requirements of the Securities Exchange Act of 1934, as amended, and the Securities Act of 1933, as amended, including, in particular, Rule 15c2-12, as amended (the "Rule"), promulgated under the Securities Exchange Act of 1934, as amended, and other applicable rules, regulations and orders.

Section 1.01. Background. The City has issued and expects to continue to issue bonds, notes and other obligations in the public debt markets and, in connection therewith, to issue offering documents and to enter into continuing disclosure undertakings to update financial and operating information contained in the offering documents at least annually, and to file timely notices of certain events with the MSRB through EMMA. Investors rely on the filings in deciding whether to buy, hold or sell the obligations.

Under federal securities laws, the City must exercise reasonable care to avoid material misstatements or omissions in preparing official statements that are used to sell debt obligations in primary offerings, and it may not knowingly or recklessly include material misstatements or misleading statements in other public statements while its obligations are outstanding. Knowledge of any officer or employee of the City as well as information in files of the City may be imputed to the City. Disclosure Counsel opinions may help to establish care, but are no defense to an action for failing to disclose or misstating a known material fact.

Section 1.02. Purposes. The purposes of this Policy are to formally confirm and enhance existing policies and procedures regarding compliance with federal securities laws relating to disclosure in order (i) to facilitate compliance with applicable laws and existing contracts when preparing and distributing disclosure documents in connection with offerings of debt obligations and continuing disclosure documents, (ii) to reduce exposure of the City and its officials and employees to liability for damages and enforcement actions based on misstatements and omissions in disclosure documents, (iii) to reduce borrowing costs by promoting good investor relations, (iv) to avoid damage to residents of the City and other third parties from misstatements or omissions in disclosure documents, and (v) to comply with the Order.

Section 1.03. Policy. It is the policy of the City to comply fully with applicable securities laws regarding disclosure in connection with the issuance of Obligations and with the terms of its Disclosure Agreements.

Section 1.04. Definitions. In addition to the terms defined above, the following capitalized terms shall have the following meanings:

- (A) "Annual Filing" shall have the meaning set forth in Section 4.01 of this Policy.
- (B) "CAFR" means the Comprehensive Annual Financial Report of the City.
- (C) "Disclosure Agreement" means the provisions of each continuing disclosure certificate, or other agreement of the City, by which the City undertakes to provide financial and operating data periodically, and timely notices of certain events, to the MSRB under the Rule.
- (D) "Disclosure Coordinator" means the individual designated in Section 2.01 of this Policy.
- (E) "Disclosure Counsel" means legal counsel (which may be bond counsel retained under separate engagement for a series of Obligations) engaged for the purpose of assisting the City in meeting its primary and secondary market disclosure obligations.
- (F) "Disclosure Working Group" means the individuals described in Section 2.02 of this Policy.
- (G) "EMMA" means the Electronic Municipal Market Access system of the MSRB. Information regarding submissions to EMMA is available at <http://emma.msrb.org/>, which address may be changed by the MSRB from time to time.
- (H) "Event Notice" means the notice described in Section 5.01 of this Policy.
- (I) "Fiscal Year" means the fiscal year of the City, beginning on July 1 and ending on the following June 30.
- (J) "MSRB" means the Municipal Securities Rulemaking Board or any other board or entity which succeeds to the functions currently delegated to the Municipal Securities Rulemaking Board by the Rule.
- (K) "Municipal Advisor" means a municipal advisor engaged for the purpose of assisting with the City's structuring and sale of Obligations.

(L) "Obligations" means any bonds, notes and other debt obligations or securities that are issued by, or whose payment is guaranteed by, the City that are sold to or otherwise held or traded in by the public and subject to the Rule¹.

(M) "Official Statement" shall mean any preliminary or final official statement issued in connection with a primary offering of Obligations.

(N) "Order" means Order No. 10141, dated August 24, 2016, Instituting Cease-and-Desist Proceedings Pursuant to Section 8A of the Securities Act of 1933, Making Findings, and Imposing Remedial Sanctions and a Cease-and-Desist Order, issued by the SEC in connection with its investigation of the City pursuant to the Municipalities Continuing Disclosure Cooperation Initiative.

(O) "SEC" means the United States Securities and Exchange Commission.

Article II

Key Participants and Responsibilities

Section 2.01. Disclosure Coordinator. By adoption of this Policy, the City hereby appoints the Finance Director to act as the Disclosure Coordinator for the City.

Section 2.02. Disclosure Working Group. The Disclosure Coordinator, along with the Municipal Advisor, shall serve as the Disclosure Working Group under this Policy. The Disclosure Working Group shall implement the procedures set forth in this Policy when preparing preliminary and final Official Statements, Annual Filings and Event Notices under this Policy, including consultation with engaged Disclosure Counsel, if any.

Article III

Official Statements

Section 3.01. Preliminary Consultations. Whenever the City Council determines to issue a series of Obligations, the Disclosure Working Group shall determine whether an Official Statement will be prepared.

Section 3.02. Establishing Scope and Process. Once it has been has determined that an Official Statement will be prepared, at the beginning of the disclosure process, the Disclosure Working Group will (a) determine (with input from the City's underwriters, in the case of a negotiated offering) what information should be disclosed in the Official

¹ Various offerings are fully or partially exempt from the continuing disclosure provisions under the Rule. Offerings with an aggregate original principal amount of less than \$1 million, offerings sold prior to July 3, 1995, and offerings sold by an issuer directly to investors without using a broker, dealer, or municipal securities dealer as an underwriter or placement agent are fully exempt from all continuing disclosure provisions under the Rule, unless the City voluntarily agrees to provide continuing disclosure for an otherwise exempt issue.

Statement to present fairly a description of the source of repayment and security for the Obligations being offered, including related financial and operating information (which may include a discussion of material risks related to investment in the Obligations), (b) assign responsibilities for assembling and verifying the information, and (c) establish a schedule for producing the information and the Official Statement that will afford sufficient time for final review by the Disclosure Working Group and the approvals required by this Policy.

Section 3.03. Assembling Current Information. To the extent they determine necessary, the Disclosure Working Group shall (a) identify City employees who are likely to know or be able to obtain and verify required information, (b) request that they assemble, verify and forward information and also notify the Disclosure Coordinator of any other fact they believe may be important to investors, and (c) establish a reasonable but sufficient deadline for producing the information. The Disclosure Working Group, or a designated member thereof, shall produce a draft of the Official Statement based on the information collected or received.

Official Statements issued by the City within five years of the Order shall include a clear and conspicuous statement of the terms of the Order.

Section 3.04. Review for Accuracy and Completeness. Based on information known or reported to them, for each Official Statement related to the sale of Obligations, the Disclosure Working Group shall ensure that: (a) this Policy was followed, (b) the material facts in the Official Statement appear to be consistent with those known to the members of the Disclosure Working Group and (c) the Official Statement does not omit any material fact that is necessary to be included to prevent the Official Statement from being misleading to investors. The Disclosure Coordinator shall take such action as may be necessary, based on feedback from the Disclosure Working Group, to enable the Disclosure Working Group to conclude that this Policy was followed and that the Official Statement is accurate and complete in all material respects.

Section 3.05. Final Approval. The Disclosure Working Group shall approve the final draft of the preliminary Official Statement prior to release of such for the sale of Obligations. The Disclosure Coordinator thereafter shall submit the preliminary Official Statement to the City Council for review and approval. The City Council shall undertake such review as deemed necessary by the City Council, following consultation with the Disclosure Coordinator, to fulfill the City Council's responsibilities under applicable federal and state securities laws. The preliminary Official Statement will be updated with final sale results (rates, re-offering yields, CUSIPS, purchaser, insurance, as applicable) for circulation in accordance with the Rule.

Article IV

Annual Filings

Section 4.01. Working Group. The Disclosure Working Group shall cause to be prepared the annual financial information and operating data required to be filed with the MSRB pursuant to the Disclosure Agreements (the "Annual Filing"). The Annual Filings are generally required to include (i) certain updated financial and operating information, and (ii) the City's audited financial statements. All of the required information may be included in the City's CAFR for the most recently completed Fiscal Year, in which case the Annual Filing may consist of a copy of the CAFR.

Section 4.02. Assembling Current Information. The Disclosure Coordinator shall (a) confirm and maintain (updated after every issuance or defeasance of a series of Obligations) a list of all financial information and operating data required to be filed with the MSRB pursuant to each of the Disclosure Agreements; (b) assign responsibilities to officers and employees for periodically assembling and verifying the data; (c) request that responsible parties assemble, verify, and forward data to the Disclosure Coordinator and notify the Disclosure Coordinator if they have learned of any other fact that they consider to be material with respect to the information provided; and (d) establish a schedule for producing the data (and the Annual Filing document) that will afford sufficient time for final review by the Disclosure Working Group and the Disclosure Coordinator and the approvals required by this Policy. The Disclosure Coordinator shall distribute drafts of the Annual Filing to the Disclosure Working Group for review together with a description of the process used to compile it.

Section 4.03. Review for Process, Accuracy, and Completeness. The members of the Disclosure Working Group shall ensure a review of the Annual Filing drafts and Disclosure Coordinator process description is completed to determine whether, based on information known or reported to them: (a) this Policy was followed, (b) the material facts in the Annual Filing appear to be consistent with those known to the members of the Disclosure Working Group, and (c) the Annual Filing does not omit any material fact that is necessary to be included to prevent the Annual Filing from being misleading to investors. The Disclosure Coordinator shall take such action as may be necessary, based on feedback from the Disclosure Working Group, to enable the Disclosure Working Group to conclude that this Policy was followed and that the Annual Filing is accurate and complete in all material respects.

Section 4.04. Final Approval. The Disclosure Working Group shall have approved the data incorporated into any Annual Filing.

Section 4.05. Posting. Once the Annual Filing has been finalized, the Disclosure Coordinator shall cause the Annual Filing to be filed with the MSRB through EMMA by the deadline established by the Disclosure Agreements. The Disclosure Coordinator shall exercise reasonable care to ensure the Annual Filing is completed in the format and with the identifying information required by the Disclosure Agreements, including applicable CUSIP numbers for the Obligations. The documents, reports and notices required to be

submitted to the MSRB pursuant to this Policy shall be submitted through EMMA in an electronic format, and shall be accompanied by identifying information, in the manner prescribed by the MSRB, or in such other manner as is consistent with the Rule. A description of the format and information presently used to make filings with EMMA is included in Exhibit B to this Policy. All documents submitted to the MSRB through EMMA that are identified by specific reference to documents already available to the public on the EMMA website or filed with the SEC shall be clearly identified by cross reference.

Section 4.06. Failure to File Notice. If the event the City does not have audited financial statements available by the filing deadline imposed by the Disclosure Agreement, the Disclosure Coordinator shall cause the City's unaudited financial statements to be submitted with a "failure to file notice" posted to EMMA in accordance with the Rule. The failure to file notice for annual financial information shall include information describing the nature and/or cause of the failure to meet the contractual deadline and, if available, an approximate timeframe for when the complete annual financial information is expected to be submitted. Audited financial statements shall be filed on EMMA as soon as they are available.

If updated financial and operating information is not posted by the filing deadline, the Disclosure Coordinator shall cause a "failure to file notice" to be posted to EMMA in accordance with the Rule. The failure to file notice for the financial and operating information shall include information describing the nature and/or cause of the failure to meet the contractual deadline.

Article V

Listed Event Filings

Section 5.01. Identification of Reportable Events. The Disclosure Coordinator shall maintain a list of events of which the City is required to provide notice to the MSRB (each, an "Event Notice") pursuant to the Disclosure Agreements. The current list of such events is attached to this Policy as Exhibit A ("Listed Event(s)"). The Disclosure Coordinator shall (a) identify officers and employees of the City (other than the Disclosure Working Group), if any, who are most likely to first obtain knowledge of the occurrence of such events and (b) request in writing that such other officers and employees notify the Disclosure Coordinator immediately after learning of any such event, regardless of materiality, and repeat such request in periodic reminders.

Section 5.02. Preparation of Event Notice. The Disclosure Coordinator shall (a) assess the materiality of any reported event with the assistance of Disclosure Counsel (reportable under the Disclosure Agreements only if material) and, if notice of the event must be given (or if no materiality standard applied to that particular event); (b) prepare an Event Notice giving notice of the event; and (c) except for notices of a rating change, bond call, or defeasance, forward the draft Event Notice to the Disclosure Working Group for their review.

Section 5.03. Posting. The Disclosure Coordinator shall cause the Event Notice to be filed with the MSRB through EMMA by the deadline established by the Disclosure Agreements or, if the facts cannot be correctly and fairly described by the deadline, then as soon thereafter as possible. The Disclosure Coordinator shall exercise reasonable care to ensure Event Notices are filed in the format and with the identifying information required by the Disclosure Agreements, including CUSIP numbers for the applicable Obligations.

Section 5.04. Failure to File Notice. If an Event Notice required under a Disclosure Agreement is not timely filed, the Disclosure Coordinator shall cause a "failure to file notice" to be posted to EMMA in accordance with the Rule. The failure to file notice for Event Notices shall include information describing the nature and/or cause of the failure to meet the contractual deadline.

Article VI

Miscellaneous

Section 6.01. Documents to be Retained. The Disclosure Coordinator shall be responsible for causing records demonstrating compliance with this Policy to be retained. Such records may include compilations or summaries of the actions taken to prepare, check and approve an Official Statement, Annual Filing or Event Notice, as applicable; records evidencing the comments or actions of the Disclosure Working Group in connection with a particular filing or document; or records describing the process followed by the Disclosure Coordinator or Disclosure Working Group to prepare a particular filing. The Disclosure Coordinator shall cause to be retained an electronic or paper file ("Transcript") for each Official Statement, Annual Filing and Event Notice that the City completes and files on the EMMA system. Each Transcript shall include final versions of documents submitted to the MSRB through EMMA. Transcripts shall be maintained for no less than five (5) years after the retirement of applicable Obligations.

Section 6.02. Education and Training. The Disclosure Coordinator and each City officer or employee designated as responsible for periodically assembling and verifying the data in connection with the preparation and filing of disclosure documents under this Policy shall undergo periodic training. The City Council also shall receive periodic training and/or materials prepared by or with the assistance of Disclosure Counsel to assist the City Council in understanding and performing their responsibilities under this Policy. Such training sessions may include a review of this Policy, the City's disclosure obligations under applicable federal and state securities laws, including the Listed Events in Exhibit A, the meaning of "material", and the disclosure responsibilities and potential liabilities of City staff and members of the City Council. Such training sessions may include presentations by Disclosure Counsel, teleconferences, attendance at seminars or conferences where disclosure responsibilities are discussed, and/or previously recorded presentations on disclosure-related topics. The Disclosure Coordinator shall retain

records evidencing or summarizing the training provided or completed, as well as attendance by City staff and officials as required herein.

Section 6.03. Public Statements Regarding Financial Information. Whenever the City makes statements or releases information relating to its finances to the public that is reasonably expected to reach investors and the trading markets (including, without limitation, all Event Notices, statements in the annual financial reports, and other financial reports and statements of the City), the City is obligated to ensure that such statements and information are accurate and complete in all material aspects. The Disclosure Coordinator shall assist the Mayor, City Manager and City Council in ensuring that such statements and information are accurate and not misleading in any material aspect.

Section 6.04. Website Posting. The City's CAFRs are posted on the City's website (www.cedar-rapids.org). The Disclosure Coordinator shall ensure that investment-related information published on the City's website includes appropriate cautionary statements designed to notify the public that, among other things, the City website is not intended to be a substitute for information available on EMMA.

Section 6.05. Dissemination Agent. The responsibilities of the Disclosure Coordinator to make certain filings with the MSRB under Articles IV (Annual Filings) and V (Event Notices) may be delegated internally by means of the Finance Department-approved procedures, or by contract to a dissemination agent under terms approved by the City Council.

Section 6.06. Periodic Review of Policy.

This Policy shall be reviewed periodically by the Disclosure Working Group, which may make recommendations for changes at any time to the City Council so that this Policy fosters better compliance with applicable law, results in better information to investors, or makes procedures required by this Policy more efficient.

Approved this 6th day of December, 2016.

EXHIBIT A

LISTED EVENTS*

For securities (subject to Rule 15c2-12) issued on or after December 1, 2010, or for variable rate demand bonds that are converted from a mode currently exempted from rule 15c2-12 to a mode not so exempted on or after December 1, 2010, the following events automatically trigger a requirement to file on EMMA within ten (10) business days of their occurrence, without regards to the materiality of the event:

1. principal and interest payment delinquencies
2. unscheduled draws on debt service reserves reflecting financial difficulty
3. unscheduled draws on credit enhancements reflecting financial difficulty
4. substitution of credit or liquidity providers, or their failure to perform
5. adverse tax opinions or events affecting the tax-exempt status of the security
6. tender offers
7. defeasances
8. rating changes
9. bankruptcy, insolvency, receivership or similar event of the obligated person
10. failure to provide in a timely manner notice to provide required annual financial information by the date specified in any continuing disclosure undertaking

The following events trigger a requirement to file notice of their occurrence on EMMA within a reasonable period of time after their occurrence, once they are determined to be material by the Disclosure Coordinator:

1. non-payment related defaults
2. modifications to the rights of security holders
3. bond calls
4. release, substitution or sale of property securing repayments of the securities

5. the consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms
6. appointment of a successor or additional trustee or the change of name of a trustee

** The listed events are subject to change by the SEC.*

EXHIBIT B

Suggested Practices in Submitting Annual Financial Information to EMMA*

Annual Financial Information is to be submitted to EMMA as follows:

- through the EMMA Dataport;
- in one or more electronic word-searchable portable document format files configured to permit documents to be saved, viewed, printed and retransmitted by electronic means ("properly formatted pdf file"); and
- indexed by the submitter as "Annual Financial Information and Operating Data" – this EMMA indexing category should be used for all submissions consisting of one or both parts of an annual financial information submission. A submission should be indexed in EMMA by the submitter as "Annual Financial Information and Operating Data" if it consists of complete annual financial information (including audited financial statements and/or the CAFR).
- indexed by the submitter as "Audited Financial Statements or CAFR" for the annual audit.

If the audited financial statements have not been prepared in time to meet the deadline:

- file unaudited financial statements with a notice to the effect that the unaudited financial statements are being provided pending completion of audited financial statements and that the audited financial statements will be submitted to EMMA when they have been prepared.

If annual financial information is provided by reference to other submitted documents file:

- a notice that includes specific reference to a document available on the EMMA website or the SEC (such as, but not limited to, an official statement), to the extent that such document in fact includes the information required to be include in the annual financial information; and
- the submitter should confirm that such document in fact is available from the EMMA website or the SEC and should include in such notice (A) a textual description of the document that includes the required information, with sufficient detail for a reasonable person to determine the precise document being referenced, and (B) an active hyperlink to the pdf file of such document as then posted on the EMMA website or to the SEC's EDGAR system; further, if such document includes audited financial

statements, the submitter should also index such submission as "Audited Financial Statements or CAFR" in addition to (but not instead of) "Annual Financial Information and Operating Data" unless the submitter submits such audited financial statements separately to EMMA.

Failure to file notices are to be submitted to EMMA as follows:

- through the EMMA Dataport;
- as an electronic word-searchable and properly formatted pdf file; and
- indexed by the submitter as "Failure to Provide Annual Financial Information."

** The above procedures are subject to change by the MSRB.*

01270675-4\10120-000



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen

Phone Number/Extension: 5807

E-mail Address: r.rasmussen@cedar-rapids.org

Alternate Contact Person: Jen Winter

Phone Number/Extension: 5803

E-mail Address: j.winter@cedar-rapids.org

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 program to assist with Right of Way acquisitions.
CIP/DID #49-17-006

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. This program has increased the demand for property acquisition.

The Public Works Department needs an additional employee to assist with real estate acquisition 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: December 6, 2016

Budget Information: Paving for Progress

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, the Public Works Department needs an additional employee to assist with real estate activities specifically for right-of-way acquisitions relating to the Paving for Progress 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 program.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Information Technology

Presenter at Meeting: Nic Roberts
E-mail Address: n.roberts@cedar-rapids.org

Phone Number/Ext.: 5088

Alternate Contact Person: Travis Vivian
E-mail Address: t.vivian@cedar-rapids.org

Phone Number/Ext.: 5678

Description of Agenda Item: CONSENT AGENDA

Amendment to Resolution 1058-08-16 authorizing Systems Analyst Alan Sholes to attend Lenel OnGuard training in Seattle, WA from September 18-23, 2016.

CIP/DID #IT2016-012

EnvisionCR Element/Goal: InvestCR Goal 2: Cultivate a skilled workforce by providing cutting-edge training and recruiting talented workers.

Background: The City of Cedar Rapids utilizes Lenel OnGuard software suite as the primary security access software. As this application changes and is enhanced by new features, IT staff need to stay current with changes. This training enabled Alan to stay current with new software features and provide system administration.

Action/Recommendation: The Information Technology Department recommends that City Council approve Alan Sholes amended Business Travel Report for Lenel OnGuard training in Seattle, WA from September 18-23, 2016 for the total revised amount of \$4337.18.

Alternative Recommendation: none

Time Sensitivity:

Resolution Date: 12/6/2016

Budget Information: 542102-101-109130

Local Preference Policy: NA
Explanation:

Recommended by Council Committee:
Explanation:

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Alan Sholes, Information Technology Systems Analyst, attended the Lenel OnGuard training in Seattle, WA from September 18-23, 2016, and

WHEREAS, the trip was approved on August 9th, 2016 by Resolution No. 1058-08-16, and

WHEREAS, the estimated costs were \$4,292.00, and

WHEREAS, the actual total trip costs were \$4,337.18

WHEREAS, the difference in costs was due to additional costs associated with registration for the training that were not known when providing an estimate, and

WHEREAS, the formal training provided to Alan Sholes expanded his knowledge base of the Lenel OnGuard Software.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Business Travel Report submitted by Alan Sholes be hereby approved, as amended, for his attendance at the Lenel OnGuard training in Seattle, WA from September 18-23, 2016 with a total amount of \$4,337.18. The trip cost was funded from the Information Technology budget funding source 542101-101-109130.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Police

Presenter at Meeting: Sgt. Jeremy Paulsen
E-mail Address: j.paulsen@cedar-rapids.org

Phone Number/Ext.: 286-5403

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

Phone Number/Ext.: 286-5374

Description of Agenda Item: CONSENT AGENDA

Motion authorizing publication of a public notice that on December 20, 2016 a resolution will be considered to execute a three year Lease Agreement with the Cedar Rapids Airport Commission for use of a storage building by the Police Department for the storage of large and long term evidentiary items at property located at 10400 18th Street SW.
 CIP/DID #PD0014

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

Background: The Police Department has a need for the use of this storage building to properly secure and store large and long term evidentiary items.

Action/Recommendation: The Police Department recommends that the City Council approve publication of a public notice reference this lease agreement.

Alternative Recommendation: N/A

Time Sensitivity: Immediate action is recommended

Resolution Date: 12/20/16

Budget Information: 521100-101-132303

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: Development Services

Presenter at Meeting: Vern Zakostelecky

Phone Number/Ext.: 319 286-5043

E-mail Address: v.zakostelecky@cedar-rapids.org

Alternate Contact Person: Joe Mailander

Phone Number/Ext.: 319 286-5822

E-mail Address: j.mailander@cedar-rapids.org

Description of Agenda Item: Motions setting public hearings

Motion setting a public hearing for December 20, 2016 to consider granting a change of zone for property at 1871 and 1895 Ellis Boulevard NW from R-2, Single Family Residence Zone District and C-3, Regional Commercial Zone District to PUD-2, Planned Unit Development Zone District as requested by Happel Enterprises LLC and City of Cedar Rapids.

CIP/DID #RZNE-024044-2016

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

Background: The project will be reviewed by the Ellis Area Overlay District on November 28th, 2016 and the City Planning Commission on December 8, 2016. Both of their recommendations will be noted in the City Council cover sheet for the public hearing.

The property is located in the Ellis Area Overlay District and the proposed development is 4-story residential housing structure. The ground level will be parking and the other 3-levels will include 27 residential dwelling unit. 54 parking spaces will be provides. Since the project is adjacent to the Cedar River a floodwall will be incorporated. The property is shown in the "Flood Control Study Area" on the Future Land Use Map in the Comprehensive Plan. This Land Use Typology Area states that "Development or establishment of new uses should not be permitted unless it is determined that they will have no impact on the Future Flood Control System." Conversely, this project will contribute to construction of a portion of the flood control system, so the proposed use is in accord with the goals and objectives of Envision CR, the City's Comprehensive Plan.

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

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

Time Sensitivity: NA

Resolution Date: NA

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

Location Map





Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: David Houg

Phone Number/Ext.: 319 286-5168

E-mail Address: daveh@cedar-rapids.org

Alternate Contact Person: Vern Zakostelecky

Phone Number/Ext.: 319 286-5043

E-mail Address: v.zakostelecky@cedar-rapids.org

Description of Agenda Item: Motions setting public hearings

Motion setting a public hearing for December 20, 2016 to consider granting a change of zone for property at 251 33rd Avenue SW from I-1, Light Industrial Zone District to C-3, Regional Commercial Zone District as requested by Kwik Trip, Inc. and Kevin and Connie Hupp.

CIP/DID #RZNE-024038-2016

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

Background: The request for rezoning of this property was reviewed by the City Planning Commission on November 17, 2016 and unanimously recommended for approval.

The applicant proposes development of a 9,022 s.f. convenience store including car wash and diesel fueling stations.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> City staff reviewed the application and recommends approval of the rezoning request.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission reviewed the application on November 17, 2016 and unanimously recommended approval.
City Council consideration	<ul style="list-style-type: none"> A Public Hearing to allow for public input and the First Reading of the Ordinance to be scheduled for December 20, 2016. Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.

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

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

Time Sensitivity: NA

Resolution Date: NA

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

Location Map





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5807

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

Phone Number/Extension: 5092

Description of Agenda Item: Motions setting public hearings

Motion to set a public hearing for December 20, 2016 to consider the vacation of public ways and grounds in and to the property described as a 4,365 square-foot access easement located at 1328 3rd Avenue SE as requested by St. Paul's United Methodist Church of Cedar Rapids.

CIP/DID #EASE-023867-2016

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

Background: St. Paul's United Methodist Church has requested the vacation of a 4,365 square-foot access easement at 1328 3rd Avenue SE and is dedicating a new access easement which aligns with the existing drive aisle through their parking lot.

Action/Recommendation: The Public Works Department recommends approving the vacation of this access easement.

Alternative Recommendation: Require St. Paul's United Methodist Church to continue with the current easement which is not in alignment with the existing drive aisle through the parking lot.

Time Sensitivity: Normal

Resolution Date: Proposed timeline as follows:
 Public Hearing Date and possible resolution passing: December 20, 2016

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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**1328 3RD AVENUE SE
ACCESS EASEMENT VACATION
AND PROPOSED ACCESS EASEMENT**



EASE-023876-2016



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen

Phone Number/Extension: 5807

E-mail Address: r.rasmussen@cedar-rapids.org

Alternate Contact Person: Carol Morgan

Phone Number/Extension: 5092

E-mail Address: c.morgan@cedar-rapids.org

Description of Agenda Item: Motions setting public hearings

Motion to set a public hearing for December 20, 2016 to consider the vacation and disposition of public ways and grounds in and to the property described as a 20-foot by 60-foot vacant parcel and a 20-foot by 190-foot vacant parcel of former alley right-of-way located easterly of and adjacent to the 5th Street SE right-of-way line and between 6th Avenue SE and 7th Avenue SE as requested by Staco Corporation.

CIP/DID #ROWV-022157-2015

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

Background: In May of 2003, City Council passed Resolution 1176-05-03 which approved the construction of a parking lot encroaching over portions of the alley located between 5th and 6th Streets SE and between 6th and 7th Avenues SE. A condition of the resolution was that the petitioner complete the vacation of the alley right-of-way after its approval, however the formal action to vacate was not completed at that time. These vacation and disposition proceedings will complete the process which was started in 2003. Staco has agreed to pay a total of \$6,000 plus standard 5% closing costs for this former alley right-of-way.

Action/Recommendation: The Public Works Department recommends approving the vacation and disposition of this excess City-owned right-of-way.

Alternative Recommendation: Allow Staco Corporation to continue with the encroachments and not place these parcels on the tax roll.

Time Sensitivity: Normal

Resolution Date: Proposed timeline as follows:

Public Hearing Date and possible 1st reading of Ordinance: December 20, 2016

2nd reading of Ordinance, possible 3rd reading and possible resolution passing: January 10, 2017

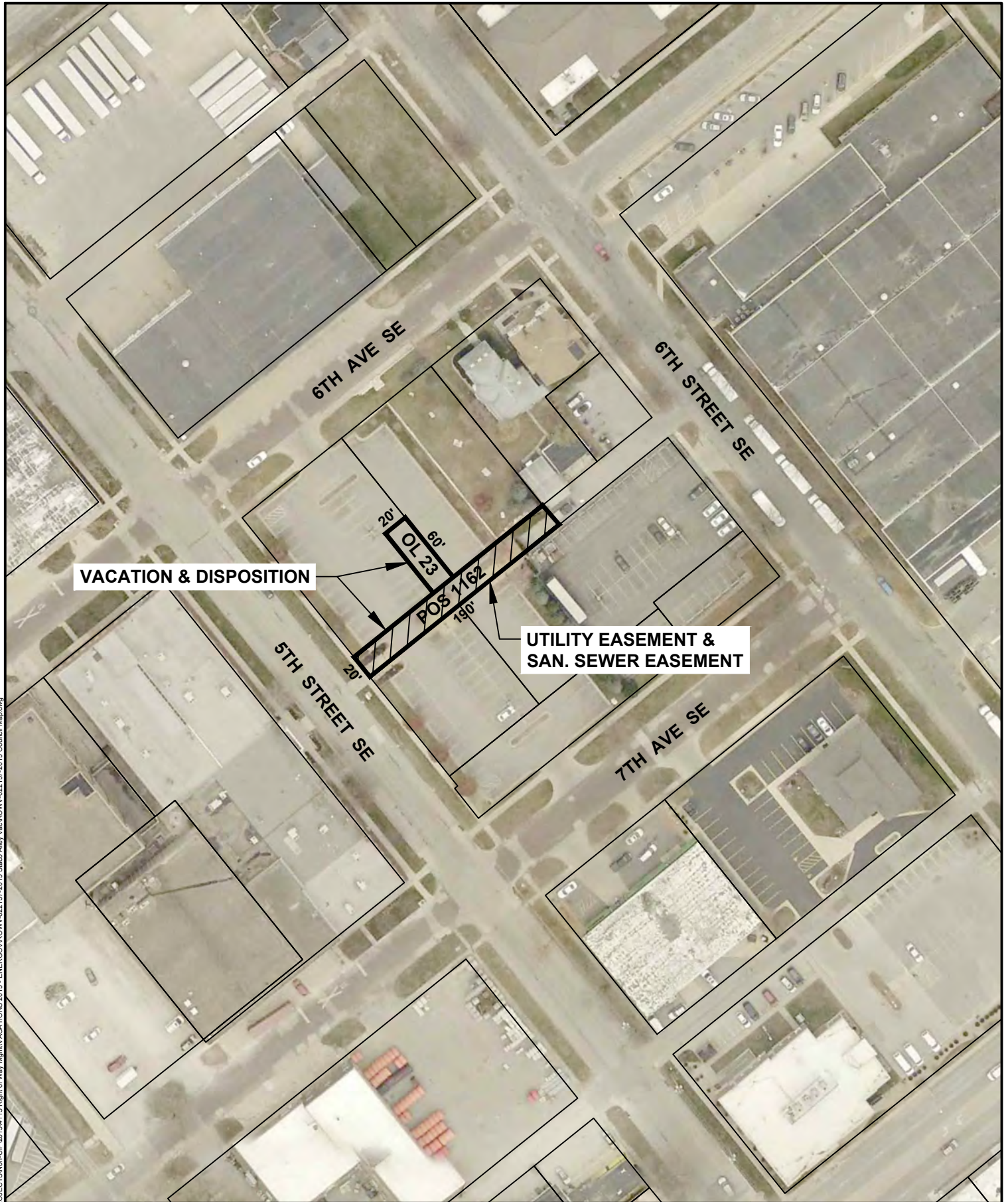
Budget Information: NA

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

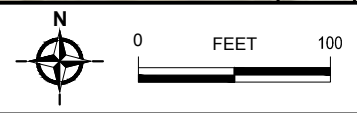
Explanation: NA



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20'x190' ALLEY AND 20'x60' OUTLOT
VACATION AND DISPOSITION



ROWV-022157-2015



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen

Phone Number/Extension: 5807

E-mail Address: r.rasmussen@cedar-rapids.org

Alternate Contact Person: Carol Morgan

Phone Number/Extension: 5092

E-mail Address: c.morgan@cedar-rapids.org

Description of Agenda Item: Motions setting public hearings

Motion to set a public hearing for December 20, 2016 to consider the vacation and disposition of public ways and grounds in and to the property described as a 10-foot by 100-foot parcel of excess alley right-of-way located southerly of and adjacent to 222 9th Street NW as requested by Rebecca Lain and Loran H. Lain, Jr.

CIP/DID #ROWV-023482-2016

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

Background: Rebecca Lain and Loran Lain have requested that the City vacate the 10-foot wide former alley adjacent to their home at 222 9th Street NW. This alley has not been in use for several years, and the City previously installed a barricade in front of the alley in order to prohibit vehicular traffic. An easement for sanitary sewer will be established to accommodate existing sewer facilities, and the Lains have agreed to pay a total of \$1,320 plus standard 5% closing costs of \$66 for this former alley right-of-way.

Action/Recommendation: The Public Works Department recommends approving the vacation and disposition of this excess City-owned right-of-way.

Alternative Recommendation: Continue to hold and maintain this vacant alley and not place it on the tax roll.

Time Sensitivity: Normal

Resolution Date: Proposed timeline as follows:

Public Hearing Date and possible 1st reading of Ordinance: December 20, 2016

2nd reading of Ordinance, possible 3rd reading and possible resolution passing: January 10, 2017

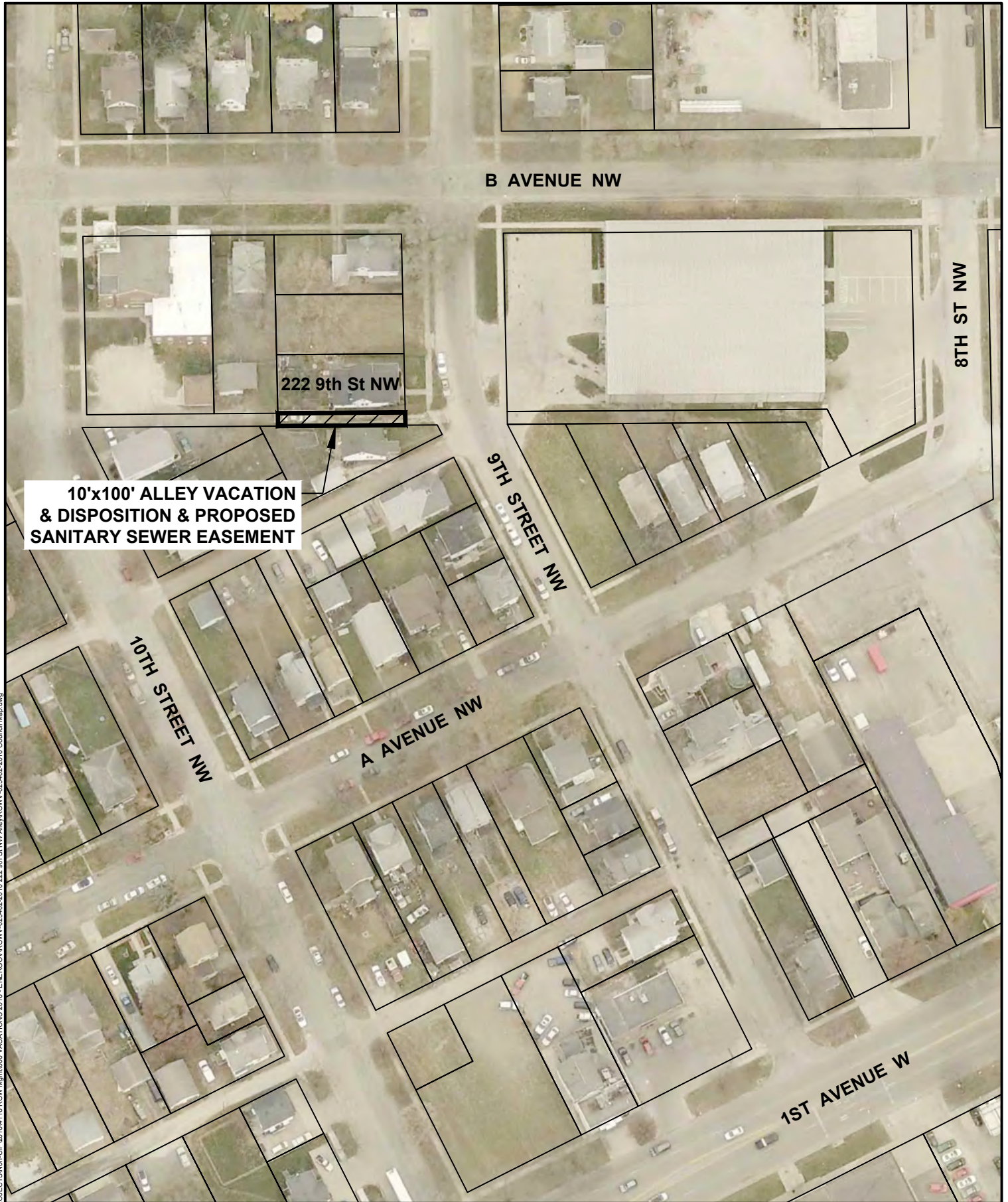
Budget Information: NA

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

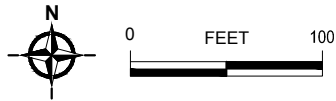
Explanation: NA



**10'x100' ALLEY VACATION
& DISPOSITION & PROPOSED
SANITARY SEWER EASEMENT**



**10'x100' ALLEY VACATION AND DISPOSITION
AND PROPOSED SANITARY SEWER EASEMENT
222 9TH STREET NW**



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Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen

Phone Number/Extension: 5807

E-mail Address: r.rasmussen@cedar-rapids.org

Alternate Contact Person: Carol Morgan

Phone Number/Extension: 5092

E-mail Address: c.morgan@cedar-rapids.org

Description of Agenda Item: Motions setting public hearings

Motion to set a public hearing for December 20, 2016 to consider the vacation and disposition of public ways and grounds in and to the property described as a 4-foot by 135-foot strip of excess City-owned right-of-way located northerly of and adjacent to 141 34th Street Drive SE as requested by 1756 E. Avenue, NE, LLC.

CIP/DID #ROWV-022826-2016

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

Background: 1756 E. Avenue, NE, LLC recently purchased this property and was nearing completion of the renovations when City inspections determined that portions of the concrete front access to the original building were located within the right-of-way. In order to allow the front access to remain in place, the applicant has requested that the City vacate a 4' strip of excess right-of-way. There are no utilities located within this excess right-of-way, and the applicant is paying \$1,550 plus standard 5% closing costs of \$78 for this 4' strip.

Action/Recommendation: The Public Works Department recommends vacating this excess right-of-way in order to accommodate the existing structure.

Alternative Recommendation: Require the applicant to remove the front entrance to the building or continue to allow the entrance to encroach into the right-of-way.

Time Sensitivity: Normal

Resolution Date: Proposed timeline as follows:

Public Hearing Date and possible 1st reading of Ordinance: December 20, 2016

2nd reading of Ordinance, possible 3rd reading and possible resolution passing: January 10, 2017

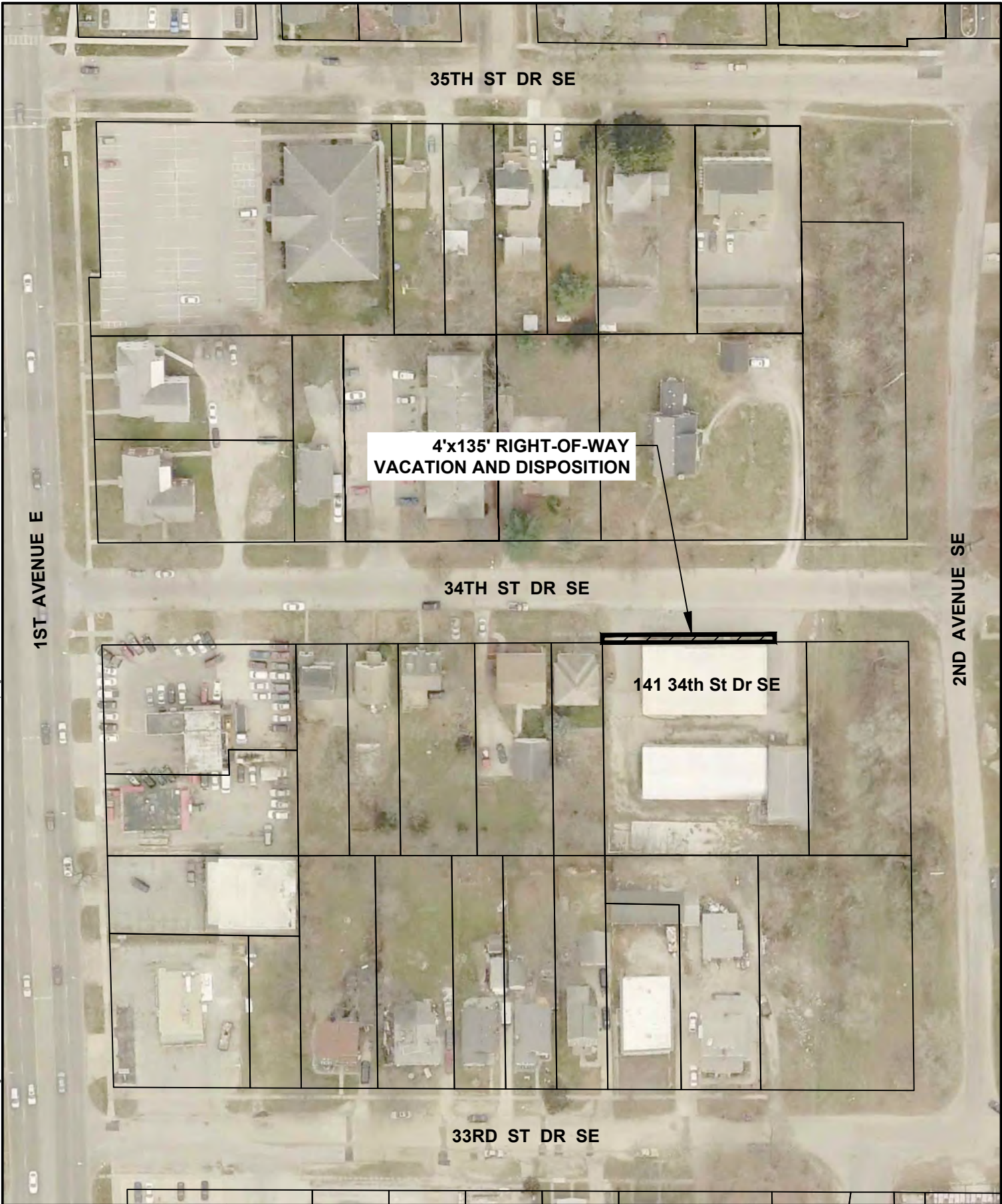
Budget Information: NA

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

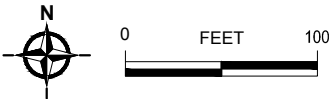
Explanation: NA



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**4'x135' RIGHT-OF-WAY VACATION AND DISPOSITION
141 34TH STREET DRIVE SE**



ROWV-022826-2016



Council Agenda Item Cover Sheet

Submitting Department: City Clerk

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

Phone Number/Ext.: 5374

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

Phone Number/Ext.: 5272

Description of Agenda Item: CONSENT AGENDA

Motion assessing a \$1500 civil penalty for violation of the State Code regarding the sale of cigarette/tobacco/nicotine/vapor products to a minor against Hill Brothers Jiffy Mart, 1904 Mt. Vernon Road SE (third offense).
 CIP/DID #CIG002638-05-2016

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

Background: On November 4, 2016, Robert F. Thornton pled guilty to selling tobacco to persons under 18 years of age in the Sixth Judicial District Court, Docket No. CR 907178-201617438 of violation Iowa Code Section 453A.2(1). The said offense occurred on or about November 1, 2016 on the premises at Hill Brothers Jiffy Mart, 1904 Mt. Vernon Road SE.

At the time of the above violation, Robert F. Thornton was an employee of a State of Iowa Retail Cigarette/Tobacco/Nicotine/ Vapor Permit holder. Being the third conviction of a violation of this section within a period of three years, as per Iowa Code section 453A.22(2)(c), the licensee who violates said section shall be assessed a civil penalty in the amount of \$1500.00 and serve a 30 day suspension.

The permit holder has signed the consent to the assessment and waived their right to a hearing. Hill Brothers Jiffy Mart will be serving their suspension from January, 10, 2017 through February, 8, 2017.

Action/Recommendation: Assess the civil penalty to continue the process for accurate record keeping/documentation.

Alternative Recommendation: If the local authority does not pursue the civil penalty, the state will do so. However, they will also keep the money from the civil penalties. The permit holder has paid their civil penalty to the City of Cedar Rapids. Per Iowa State Code the civil penalty is mandatory.

Time Sensitivity: Local licensing authorities will have 60 days from the time the underlying violation of selling tobacco to a minor is adjudicated before assessing the civil penalty against the retailer. If local authorities fail to act within 60 days, the prosecution is automatically transferred to the state. See Iowa § 453A.22(4).

Resolution Date: NA

Budget Information: NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA



Council Agenda Item Cover Sheet

Submitting Department: City Clerk

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

Phone Number/Ext.: 5374

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

Phone Number/Ext.: 5274

Description of Agenda Item: Alcohol licenses

- a) Casey's General Store #3561, 1532 Ellis Boulevard NW (new – formerly Guppy's on the Go).
- b) Caucho, 1202 3rd St SE (new – formerly the Chrome Horse).
- c) Cedar River Landing, 301 F Avenue NW.
- d) Fas Mart #5148, 550 Wilson Avenue SW.
- e) Hy-Vee #5 Club Room, 3235 Oakland Road NE (transfer to the National Czech & Slovak Museum & Library, 1400 Inspiration Place SW, for an event on December 8, 2016).
- f) Hy-Vee Food Store #7, 5050 Edgewood Road NE (5-day permit for an event at PCI, 2020 10th Street SE, 3rd Floor Lounge, on December 8, 2016).
- g) Jersey's Pub & Grub, 200 1st Avenue NE.
- h) Little Bohemia, 1317 3rd Street SE.
- i) Mr. B's, 629 2nd Avenue SW.
- j) Quarter Barrel Arcade & Brewery, 616 2nd Avenue SE.
- k) The Station, 3645 Stone Creek Circle SW.
- l) Wine Styles, 4201 42nd Street NE, Suite 170.
- m) Winifred's Restaurant, 3847 1st Avenue SE.
- n) Xaviers, 1401 1st Avenue SE (new-change to class B-beer permit).

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: November 29, 2016

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Casey's General Store #3561 1532 ELLIS BLVD NW	0	0	0	0
Cauchó 1202 3rd St SE	0	0	0	0
Cedar River Landing 301 F AVE NW	34	0	0	5
Fas Mart #5148 550 WILSON AVE SW	177	0	1	12
Hy-Vee #5 Club Room 3235 OAKLAND RD NE	0	0	0	0
Hy-Vee Food Store #7 5050 EDGEWOOD RD NE	0	0	0	0
Little Bohemia 1317 3RD ST SE	7	0	0	0
Mr. B's 629 2ND AVE SW	37	0	0	18
Quarter Barrel Arcade & Brewery 616 2ND AVE SE	7	0	0	1
The Station 3645 Stone Creek CIR SW	85	0	0	1
Wine Styles Tasting Station 4201 42ND ST NE	9	0	0	0
Winifred's Restaurant 3847 1ST AVE SE	4	0	0	0
Xaviers 1401 1ST AVE E	9	0	0	2



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:
E-mail Address:

Phone Number/Ext.: 5007

Description of Agenda Item: Bills, payroll and funds

Resolutions approving:

- a. Payment of bills. CIP/DID #FIN2016-01
- b. Payroll. CIP/DID #FIN2016-02

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

Background: The bi-weekly listings of bills, payrolls and fund transfers have been examined and approved by the proper departments.

Action/Recommendation: Authorize the Finance Department to issue payments and payroll checks and transfer funds as per the resolution listings.

Alternative Recommendation: NA

Time Sensitivity: Normal

Resolution Date: 12-6-2016

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	Department	Total
Animal Control	\$ 50,913.89	Human Resources	\$ 73,000.09
Aquatics Operation	\$ 12,594.29	Information Technology	\$ 171,328.15
Attorney	\$ 41,711.03	Joint Communications	\$ 137,512.19
Building Services Division	\$ 145,922.05	Parks Operations	\$ 241,009.95
CD – Federal Programs	\$ 73,318.18	Police	\$ 1,419,484.27
Cedar Rapids Public Library	\$ 239,454.70	Public Works	\$ 15,610.43
City Band	\$ 0,000.00	Public Works – Engineering	\$ 237,184.84
City Manager	\$ 93,854.05	Purchasing Service	\$ 23,821.10
Civil Rights	\$ 25,977.24	Recreation	\$ 58,527.21
Clerk	\$ 24,605.81	Sewer Operations	\$ 111,470.45
Community Develop – DOD	\$ 64,337.55	Street Operations	\$ 271,691.05
Council	\$ 13,785.21	Traffic Engineering	\$ 106,822.30
Development Services	\$ 75,340.87	Transit	\$ 227,766.07
Facilities Maint Service	\$ 97,330.91	Treasury Operations	\$ 25,227.76
Finance	\$ 30,387.63	Utilities	\$ 26,774.39
Finance – Analysts	\$ 31,139.43	Utilities – Solid Waste	\$ 213,251.86
Financial Operations	\$ 85,998.48	Veterans Memorial	\$ 35,480.59
Fire	\$ 1,071,718.78	Water Operations	\$ 558,816.37
Five Seasons Parking	\$ 15,323.31	Water Pollution Control	\$ 380,044.01
Fleet Maintenance	\$ 158,018.58		
Golf Operations	\$ 58,890.47	Grand Total	\$ 6,745,445.54

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

Resolutions thanking the following individuals:

- a. Vote of thanks to Jason Cave for serving on the Building/Fire Board of Appeals.

CIP/DID #OB375368

- b. Vote of thanks to Amanda Hansen and Tiffany Robinson for serving on the Section 8 Housing Choice Voucher (HCV) Program Resident Advisory Board.

CIP/DID #OB400545

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply
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Background: This agenda includes a vote of thanks for a member of the Building/Fire Board of Appeals who recently submitted a letter of resignation and votes of thanks for two members of the Section 8 Housing Choice Voucher (HCV) Program Resident Advisory Board who are no longer eligible to serve.

Action/Recommendation: Approve resolution as presented.

Alternative Recommendation:

Time Sensitivity: None

Resolution Date: December 6, 2016

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Jason Cave has devoted considerable time and effort as a member of the Building/Fire Board of Appeals,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that a vote of thanks and appreciation be and is hereby provided to Jason Cave for serving as a member of the Building/Fire Board of Appeals.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Amanda Hansen and Tiffany Robinson have devoted considerable time and effort as members of the Section 8 Housing Choice Voucher (HCV) Program Resident Advisory Board,

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

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
 Resolutions appointing and reappointing the following individuals:

- a. Appointing Joe Mailander (effective through December 31, 2020) to the Corridor Metropolitan Planning Organization beginning January 1, 2017, when the City's membership increases.

CIP/DID #OB542014

- b. Reappointing Scott Olson and Jeffrey Pomeranz (effective through December 31, 2020) to the Corridor Metropolitan Planning Organization.

CIP/DID #OB542014

- c. Reappointing Jasmine Almoayed, Tariq Baloch, Angie Charipar, Ron Corbett, Brad DeBrower, Kris Gulick, Sven Leff, Ann Poe, Pat Shey, Justin Shields and Amy Stevenson as Alternate Representatives on the Corridor Metropolitan Planning Organization for a term of one year.

CIP/DID #OB542014

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

Background: The City of Cedar Rapids is a member of the Corridor Metropolitan Planning Organization ("MPO"), and pursuant to the Corridor MPO's By-Laws the City's membership will increase to nine representatives effective January 1, 2017. As a result, this agenda includes an appointment for a new member and also the reappointment of two members whose terms were expiring.

Annually, per the Corridor MPO's By-Laws, the City of Cedar Rapids must also designate individuals to serve as alternate representatives that shall be authorized to participate and vote in all matters before the Corridor MPO in the absence of a regular member representative.

Action/Recommendation: Approve resolution as presented

Alternative Recommendation:

Time Sensitivity: None

Resolution Date: December 6, 2016

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 ("the City") is a member of the Corridor Metropolitan Planning Organization ("MPO"), and

WHEREAS, the MPO is governed by a Policy Board of Directors comprised of representatives from the member organizations, including eight from the City; and

WHEREAS, pursuant to the MPO's By-Laws the City's membership on the MPO's Policy Board will increase to 9 representatives effective January 1, 2017; and

WHEREAS, as a result it is necessary for the City of Cedar Rapids to designate a ninth representative to the MPO's Policy Board; and

WHEREAS, Joe Mailander has been previously appointed to be an Alternate Representative and it would be appropriate to appoint him to MPO's Policy Board.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Joe Mailander will continue to serve as an Alternate Representative to the MPO Policy Board until January 1, 2017 at which time he shall hereby be appointed to the Corridor MPO's Policy Board of Directors as a representative of the City of Cedar Rapids for a term beginning January 1, 2017 and expiring December 31, 2020.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

A P P O I N T M E N T

I, Ron Corbett, Mayor of the City of Cedar Rapids, in accordance with Section 2.06 of the Home Rule Charter, and subject to the advice and consent of the Cedar Rapids City Council hereby reappoint the following individuals to serve on the Corridor Metropolitan Planning Organization for the terms as indicated or until a successor is appointed and qualified:

<u>Commissioner</u>	<u>Term Beginning</u>	<u>Term Expiration</u>
Scott Olson	01/01/2017	12/31/2020
Jeffrey Pomeranz	01/01/2017	12/31/2020

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 Scott Olson and Jeffrey Pomeranz to the Corridor Metropolitan Planning Organization for the terms indicated above is hereby given.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

A P P O I N T M E N T

I, Ron Corbett, Mayor of the City of Cedar Rapids, in accordance with Section 2.06 of the Home Rule Charter, and subject to the advice and consent of the Cedar Rapids City Council hereby reappoint the following individuals to serve as Alternate Representatives on the Corridor Metropolitan Planning Organization for the term of one year or until a successor is appointed and qualified:

Alternate Representatives

Jasmine Almoayed
Tariq Baloch
Angie Charipar
Ron Corbett
Brad DeBrower
Kris Gulick
Sven Leff
Ann Poe
Pat Shey
Justin Shields
Amy Stevenson

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 Jasmine Almoayed, Tariq Baloch, Angie Charipar, Ron Corbett, Brad DeBrower, Kris Gulick, Sven Leff, Ann Poe, Pat Shey, Justin Shields and Amy Stevenson as Alternate Representatives on the Corridor Metropolitan Planning Organization for the term indicated above is hereby given.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



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 – 25 properties.

CIP/DID #WTR102516-001

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. 1385-10-16 on October 25, 2016.

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 by council resolution and collect the delinquent municipal bills by another process or system.

Time Sensitivity: Normal

Resolution Date: 12/06/16

Budget Information: N/A

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

SPECIAL ASSESSMENTS

WHEREAS, the City Council of the City of Cedar Rapids, Iowa has heretofore passed a Resolution of Intent to Assess various properties in the City of Cedar Rapids, Iowa for delinquent municipal utility service charges (water, sewer and storm sewer), penalties and Iowa sales tax, and

WHEREAS, a listing of the various properties for said delinquent utility service charges has been filed with the City Clerk and notice of assessment has been given to the property owners.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that there be and is hereby levied an assessment against various properties for the amounts shown on the attached listing and made a part of this resolution, and

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

SPECIAL ASSESSMENTS (TO BE LIENED) 12/06/16

			SPECIAL ASSESSMENTS 12/06/16
			LIEN INTENTS 10/25/16
#		Balance Due	Premise Address
1		\$ 225.56	12 33RD AVE SW
2		\$ 141.17	180 22ND AVE SW
3		\$ 53.99	205 27TH ST NW
4		\$ 158.66	229 11TH ST NW
5		\$ 119.56	259 19TH AVE SW
6		\$ 958.40	312 16TH ST NE
7		\$ 121.98	346 ROCKFORD RD SW
8		\$ 188.08	417 LEWELLEN DR NW
9		\$ 186.96	424 2ND ST SW
10		\$ 120.26	428 9TH ST NW
11		\$ 137.96	603 2ND ST SW
12		\$ 223.11	719 31ST ST SE
13		\$ 225.56	800 19TH ST SE
14		\$ 85.62	1000 E AVE NW
15		\$ 459.64	1003 6TH ST SE
16		\$ 73.31	1007 E AVE NW
17		\$ 204.79	1320 M ST SW
18		\$ 116.65	1425 3RD AVE SE
19		\$ 100.48	1542 WASHINGTON AVE SE
20		\$ 695.92	1551 6TH AVE SE
21		\$ 258.73	1785 MALLORY ST SW
22		\$ 264.64	2532 1ST AVE NE
23		\$ 390.88	3926 1ST AVE NW
24		\$ 85.59	4619 1ST AVE SW #5
25		\$ 82.64	6410 CREEKSIDE DR NE #9
		\$ 5,680.14	Grand Total
		25	Number of Properties
		\$ 53.99	Balance Due - Low
		\$ 958.40	Balance Due - High



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 – 22 properties.

CIP/DID #WTR110116-001

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. 1438-11-16 on November 1, 2016.

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 by council resolution and collect the delinquent municipal bills by another process or system.

Time Sensitivity: Normal

Resolution Date: 12/06/16

Budget Information: N/A

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

SPECIAL ASSESSMENTS

WHEREAS, the City Council of the City of Cedar Rapids, Iowa has heretofore passed a Resolution of Intent to Assess various properties in the City of Cedar Rapids, Iowa for delinquent municipal utility service charges (water, sewer and storm sewer), penalties and Iowa sales tax, and

WHEREAS, a listing of the various properties for said delinquent utility service charges has been filed with the City Clerk and notice of assessment has been given to the property owners.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that there be and is hereby levied an assessment against various properties for the amounts shown on the attached listing and made a part of this resolution, and

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

SPECIAL ASSESSMENTS (TO BE LIENED) 12/06/16

			SPECIAL ASSESSMENTS 12/06/16
			LIEN INTENTS 11/01/16
#		Balance Due	Premise Address
1	\$	158.19	218 8TH AVE SW
2	\$	166.31	229 SINCLAIR AVE SE
3	\$	219.94	363 16TH ST SE
4	\$	158.03	383 17TH ST SE
5	\$	271.58	1058 10TH AVE SE
6	\$	120.35	1121 21ST AVE SW
7	\$	79.62	1233 32ND ST NE
8	\$	101.53	1702 13TH AVE SW
9	\$	211.71	1831 RIDGEWOOD TER SE
10	\$	130.78	1847 B AVE NE
11	\$	62.57	2103 BEVER AVE SE
12	\$	66.04	2108 SUGAR CREEK DR NW #A
13	\$	196.00	2210 12TH ST SW
14	\$	94.29	2305 RIVER BLUFF DR NW #309
15	\$	39.05	2601 12TH AVE SW
16	\$	98.78	2918 JOHNSON AVE NW
17	\$	48.57	2919 OUTLOOK DR SW
18	\$	67.89	3828 F AVE NW
19	\$	222.44	3924 B AVE NE
20	\$	87.72	5025 1ST AVE SW #16
21	\$	115.60	5029 LOUISA ST NE
22	\$	129.03	5743 OHIO ST SW
	\$	2,846.02	Grand Total
		22	Number of Properties
	\$	39.05	Balance Due - Low
	\$	271.58	Balance Due - High



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 – 44 properties.

CIP/DID #WTR120616-001

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 by council resolution and collect the delinquent municipal bills by another process or system.

Time Sensitivity: Normal

Resolution Date: 12/06/16

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 10th day of January, 2017 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., January 10, 2017.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

LIEN INTENTS (SPECIAL ASSESSMENTS) 12/06/16

LIEN INTENTS 12/06/16			
#		Balance Due	Premise Address
1		\$ 119.25	19 JULIA ANNE DR NW
2		\$ 38.81	112 4TH ST NW
3		\$ 68.82	148 BOWLING ST SW
4		\$ 118.87	206 3RD ST SW
5		\$ 136.60	275 JOHNSON AVE NW
6		\$ 359.40	390 25TH ST SE
7		\$ 77.64	403 32ND ST NE
8		\$ 62.10	460 JACOLYN DR NW
9		\$ 228.09	703 G AVE NW
10		\$ 122.56	727 DOWS RD SE
11		\$ 300.02	901 WESTWOOD DR NW
12		\$ 1,108.04	909 16TH AVE SE
13		\$ 236.29	1022 8TH ST NW
14		\$ 59.89	1103 9TH ST SE
15		\$ 78.13	1103 HILLSIDE DR NW
16		\$ 42.30	1104 15TH ST SE
17		\$ 37.72	1117 8TH ST NW
18		\$ 284.50	1242 3RD AVE SE
19		\$ 258.77	1261 5TH AVE SE
20		\$ 231.90	1518 12TH AVE SE
21		\$ 271.51	1524 7TH AVE SE
22		\$ 142.84	1528 WASHINGTON AVE SE
23		\$ 97.65	1617 B AVE NE
24		\$ 80.54	1621 2ND ST SW
25		\$ 116.79	1629 9TH ST NW
26		\$ 115.28	1631 32ND ST NE
27		\$ 41.88	1719 GRANDE AVE SE
28		\$ 228.47	1721 9TH ST NW
29		\$ 86.64	1736 D AVE NE
30		\$ 68.22	2127 29TH ST NW #1
31		\$ 41.27	2141 CHANDLER ST SW
32		\$ 116.28	2201 D ST SW
33		\$ 40.03	2407 B AVE NE
34		\$ 105.30	2411 2ND AVE SE
35		\$ 48.69	2710 O AVE NW - UPPER
36		\$ 72.46	2849 OLD RIVER RD SW
37		\$ 114.87	2930 WENIG RD NE
38		\$ 208.98	3233 1ST AVE SE
39		\$ 247.25	3235 DAIRYDALE CT SE
40		\$ 194.20	3300 IRIS AVE NW
41		\$ 44.83	3509 ELM AVE SE

				LIEN INTENTS 12/06/16
#		Balance Due		Premise Address
42		\$ 104.20		3707 H AVE NE
43		\$ 211.16		4636 NORTHWOOD DR NE
44		\$ 90.40		7414 WORCESTER RD, PALO IA
		\$ 6,859.44		Grand Total
		44		Number of Properties
		\$ 37.72		Balance Due - Low
		\$ 1,108.04		Balance Due - High



Council Agenda Item Cover Sheet

Submitting Department: Solid Waste and Recycling

Presenter at Meeting: Mark Jones

Phone Number/Ext.: 4191

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: Intent and levy assessments

Resolutions approving assessment actions:

- a. Levy Assessment – Solid Waste & Recycling – clean-up costs – 16 properties.

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

(Note: The Intent to Assess Resolution was approved at the Council Meeting on October 11, 2016 & October 25, 2016).

CIP/DID #SWM-012-16 & CIP/DID #SWM-013-16

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

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

The Notice of Intent to Assess these properties were approved by Resolution No. 1346-10-16 passed on October 11, 2016 & Resolution No. 1383-10-16 passed on October 25, 2016.

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

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

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

Time Sensitivity:

Resolution Date: 12-6-16

Budget Information:

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: No

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

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

NUISANCE ABATEMENTS

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that there be and is hereby levied an assessment against the lots, parts of lots and parcels of ground for the amounts shown in said assessments, which invoiced listing attached is made a part of this resolution, and the names of the owners are shown thereon so far as practicable, and

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

LEVY ASSESSMENT (TO BE LIENED) 12/6/16

				LEVY ASSESSMENT 12/6/16
				INTENT TO ASSESS 10/11/16 & 10/25/16
#		Balance Due		Premise Address
1		493.25		1006 – 17 th St NE
2		614.25		212 Park Ct SE
3		487.25		1129 I Ave NE
4		336.25		1509 B Ave NE
5		560.00		1555 – 7 th Ave SE
6		1,783.48		1321 – 20 th Ave SW
7		313.75		808 – 5 th Ave SW
8		261.25		3201 Soutter Ave SE
9		298.75		2752 A Ave NE
10		283.75		500 – 17 th St SE
11		348.75		501 – 14 th St SE
12		332.25		227 – 4 th Ave SW
13		360.25		220 – 5 th St NW
14		319.75		1616 B Ave NW
15		472.75		1825 – 5 th Ave SE
16		769.75		402 – 2 nd St SW
		\$8,035.48		Grand Total
		16		Number of Properties



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 – 12 properties.

CIP/DID #SWM-015-16

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 an "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: 12/6/16

Budget Information:

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: No

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

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

NUISANCE ABATEMENTS

WHEREAS, 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 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 pm, January 4, 2017.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

INTENT TO ASSESS 12/6/16

INTENT TO ASSESS 12/6/16			
#		Balance Due	Premise Address
1		298.75	1626 – 5 th Ave SE
2		261.25	1840 Higley Ave SE
3		280.75	1700 – 1 st Ave NW
4		261.25	113 – 36 th Ave SW
5		313.75	826 – 7 th St SW
6		285.25	1809 Mary Beth Ave NW
7		455.25	1212 – 8 th St NW
8		2,323.50	1708 Park Ave SE
9		535.25	3926 – 1 st Ave NW
10		70.00	1810 – 4 th Ave SE
11		283.75	700 G Ave NW
12		1,892.50	1110 – 15 th St SW
		\$7,261.25	Grand Total
		12	Number of Properties



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 Oakridge Estates 4th Addition and approving the 2-Year Maintenance Bond, submitted by Rathje Construction Co. in the amount of \$82,924 and authorizing reimbursement to Flynn Homes, Inc., in the amount of \$8,482.50 for upsized water main.

CIP/DID #2011053-01

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

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. This bond helps to insure proper installation of infrastructure that will allow the city to provide quality water service.

On occasion, the Water Division will request that the developer/contractor install water mains larger than what is needed to adequately serve the new development. These requests are made in order to plan for future growth and development and to ensure there is sufficient transmission capacity for fire protection and general water distribution purposes. In these instances, the Water Division will reimburse the Developer/Contractor for the additional cost of materials incurred for the larger diameter water main. The amount to be reimbursed is calculated on the basis of the Water Division's actual bid unit prices for materials purchased that year and per development agreement.

The Developer, Flynn Homes, was granted permission by the Water Division to install 8-inch, 12-inch, and 6-inch water mains, services, and appurtenances for Oakridge Estates 4th Addition (Project No. 2011053). The Contractor, Rathje Construction Co. has installed 738.5 feet of 12-inch DIP water main, 182 feet of 8-inch DIP water main, 446 feet of 6-inch DIP water main, services and appurtenances on Oakridge Court SE and 38th Street SE.

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 Oakridge Estates 4th Addition

(Project No. 2011053); the Contractors 2-year Maintenance Bond submitted by Rathje Construction Co. in the amount of \$82,924; and authorizing reimbursement to Flynn Homes, Inc., in the amount of \$8,482.50 for upsized water main.

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

Time Sensitivity: None, routine item

Resolution Date: 12/6/2016

Budget Information:

1. **Included in Current Year Budget.** Funded from FY17 CIP budget for Water Main Extensions and the general ledger coding is 553000-625-625000-6252011053-625884.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The CIP budget for FY17 Water Main Extensions is \$1,350,000 and the amount expended to date is \$146,599.91.

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA



CITY OF CEDAR RAPIDS

Utilities - Water Division

Calculation of Reimbursement For Upsizing Water Main

Project: Oakridge Estates 4th Addition - 2011053

Developer: Flynn Homes

MATERIAL COST FOR OVERSIZED WATER MAIN

				CRWD Prices	
	Item	Units	Quantity	Unit Price	Total
1.	12" DIP	Ft.	650	\$33.17	\$21,560.50
SUBTOTAL					\$21,560.50

MATERIAL COST FOR STANDARD 8" PIPE

2.	8" DIP	Ft.	650	(\$20.12)	(\$13,078.00)
SUBTOTAL					(\$13,078.00)

Total reimbursement to Developer **\$8,482.50**

Note: Prices based on FY 2017 Annual Material Quote

The amount to be reimbursed is calculated on the basis of the Water Division's actual bid unit prices for materials purchased that year.

Chapter 12.05c(2)

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Flynn Homes, Inc. was granted permission by the Utilities Department - Water Division to install 6-inch, 8-inch and 12-inch DIP water mains, services and appurtenances on Oakridge Court SE and 38th Street SE, all in Oakridge Estates 4th Addition (Project No. 2011053), to the City of Cedar Rapids, Iowa, and

WHEREAS, said work has now been completed and Rathje Construction Co. of Marion, Iowa, as Principal, has submitted a 2-Year Maintenance Bond (No. 54212781) executed by United Fire & Casualty Company, as Surety, in the sum of \$82,924.00 (Eighty Two Thousand Nine Hundred Twenty Four Dollars and No/100) covering said work.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the water mains, services and appurtenances installed in Oakridge Estates 4th Addition (Project No. 2011053) be hereby accepted, and that the developer be paid \$8,482.50 from the Utilities - Water Division FY17 CIP budget (main extensions) for reimbursement for the oversized water main installed, and

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Justin Holland

Phone Number/Extension: 5766

E-mail Address: j.holland@cedar-rapids.org

Alternate Contact Person: Pat Wieneke

Phone Number/Extension: 5724

E-mail Address: p.wieneke@cedar-rapids.org

Description of Agenda Item: Maintenance bonds

Resolution accepting storm sewer in Wilderness Estates Ninth Addition and approving 2-year Maintenance Bond submitted by Bushman Excavating, Inc. in the amount of \$22,863.

CIP/DID #FLPT-016586-2015

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

Background: This item is for acceptance of a maintenance bond from Bushman Excavating, Inc. for storm sewer improvements. The construction has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bond provided represents the construction value of the infrastructure improvements based on the developer's contract price for the infrastructure improvements.

Action/Recommendation: The Public Works Department recommends adoption of the Resolution to accept the maintenance bond as submitted from Bushman Excavating, Inc.

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

Time Sensitivity: Normal

Resolution Date: December 6, 2016

Budget Information: Private

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Bushman Excavating, Inc. has constructed storm sewer in Wilderness Estates Ninth Addition, and

WHEREAS, said work has now been completed, and Bushman Excavating, Inc. has filed a 2-year Maintenance Bond, executed by Nationwide Mutual Insurance Company in the sum of \$22,863 covering said work, now therefore

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

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Justin Holland
E-mail Address: j.holland@cedar-rapids.org

Phone Number/Extension: 5766

Alternate Contact Person: Jason Junk
E-mail Address: j.junk@cedar-rapids.org

Phone Number/Extension: 5724

Description of Agenda Item: Accept projects

Resolution accepting project, authorizing final payment in the amount of \$93,658.58 and approving the 4-year Performance Bond submitted by Rathje Construction Company for the NW Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 3 project (original contract amount was \$2,237,183.50; final contract amount is \$1,873,171.57).
 CIP/DID #SSD101-09

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

Background: Construction has been substantially completed by Rathje Construction Company for the NW Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 3 project. This is an approved Capital Improvements Project (CIP No. SSD101-09) with a final construction contract amount of \$1,873,171.57. Funding resources for this project were approved in FY 16 and prior years and the project is completed within the approved budget.

Action/Recommendation: The Public Works Department recommends adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of \$93,658.58.

Alternative Recommendation: There is no alternative recommendation but an alternative action is to not accept the project. If the project is not accepted, the project cannot be closed out (retainage cannot be released to Contractor, 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: December 6, 2016

Budget Information: FEMA PW # SSD101-09 FLOOD (\$3,524,960)

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City Engineer certifies construction contract work on the NW Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 3 project (Contract No. SSD101-09), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated November 3, 2016 in the amount of \$2,220,183.50 covering said work filed by Rathje Construction Company and executed by United Fire & Casualty Company provides a 4-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$2,220,183.50
Possible Incentive	17,000.00
Change Order No. 1	(340,011.93)
Removal of Original Incentive Value	(17,000.00)
Additional Disincentive and/or Liquidated Damages	<u>(7,000.00)</u>
Amended Contract Amount	\$1,873,171.57

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 NW Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 3 project, (SSD101-09) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$93,658.58 to Rathje Construction Company as final payment.

The final contract price is \$1,873,171.57 distributed as follows: \$1,873,171.57 330-330240-18511-SSD101 FLOOD, 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: Justin Holland

Phone Number/Extension: 5766

E-mail Address: j.holland@cedar-rapids.org

Alternate Contact Person: Jason Junk

Phone Number/Extension: 5724

E-mail Address: j.junk@cedar-rapids.org

Description of Agenda Item: Accept projects

Resolution accepting project, authorizing final payment in the amount of \$33,139.68 and approving the 4-year Performance Bond submitted by Riclefs Excavating, Ltd for the West Post Road NW from Gordon Avenue NW to E Avenue NW – Water Main Replacement Project (original contract amount was \$687,789; final contract amount is \$662,793.50) **(Paving for Progress)**.

CIP/DID #3012120-03

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

Background: Construction has been substantially completed by Ricklefs Excavating, Ltd. for the West Post Road NW from Gordon Avenue NW to E Avenue NW – Water Main Replacement Project. This is an approved Capital Improvements Project (CIP No. 3012120-03) with a final construction contract amount of \$662,793.50. Funding resources for this project were approved in FY 16 and prior years and the project is completed within the approved budget.

Action/Recommendation: The Public Works Department recommends adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of \$33,139.68.

Alternative Recommendation: There is no alternative recommendation but an alternative action is to not accept the project. If the project is not accepted, the project cannot be closed out (retainage cannot be released to Contractor, 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: December 6, 2016

Budget Information: 625884-2015026 NA

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 West Post Road NW from Gordon Avenue NW to E Avenue NW – Water Main Replacement Project (Contract No. 3012120-03), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated June 23, 2015 in the amount of \$667,789 covering said work filed by Ricklefs Excavating, Ltd. 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	\$667,789.00
Original Incentive Value	20,000.00
Change Order No. 1	600.00
Change Order No. 2	661.50
Change Order No. 3	(11,257.00)
Removal of Original Incentive	(10,000.00)
Addition of Disincentive and/or Liquidated Damages	<u>(\$5,000.00)</u>
Amended Contract Amount	\$662,793.50

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 West Post Road NW from Gordon Avenue NW to E Avenue NW – Water Main Replacement Project, (Contract No. 3012120-03) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$33,139.68 to Ricklefs Excavating, Ltd. as final payment.

The final contract price is \$662,793.50 distributed as follows: \$662,793.50; 625-625000-625884-6252015069, 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: Development Services

Presenter at Meeting: Joe Mailander

Phone Number/Ext.: 319 286-5822

E-mail Address: j.mailander@cedar-rapids.org

Alternate Contact Person: John Reasoner

Phone Number/Ext.: 319 286-5806

E-mail Address: j.reasoner@cedar-rapids.org

Description of Agenda Item: Final plats

Resolution approving the Final Plat of Crescent View Fifth Addition for land located north of 74th Street NE at Crescent View Drive NE, Summerset Avenue NE, and Deer Run Drive NE extensions.

CIP/DID #FLPT-023172-2016

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

Background: The property owner submitted the Final Plat of Crescent View Fifth Addition to Cedar Rapids, Linn County, Iowa in conformance with the preliminary plat approved by the City. Development Services Department staff reviewed the submittal and determined it complies with applicable preliminary plat conditions and applicable requirements for final plats. The final plat contains forty six (46) lots and a total plat area of 16.58 acres.

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

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

Time Sensitivity: NA

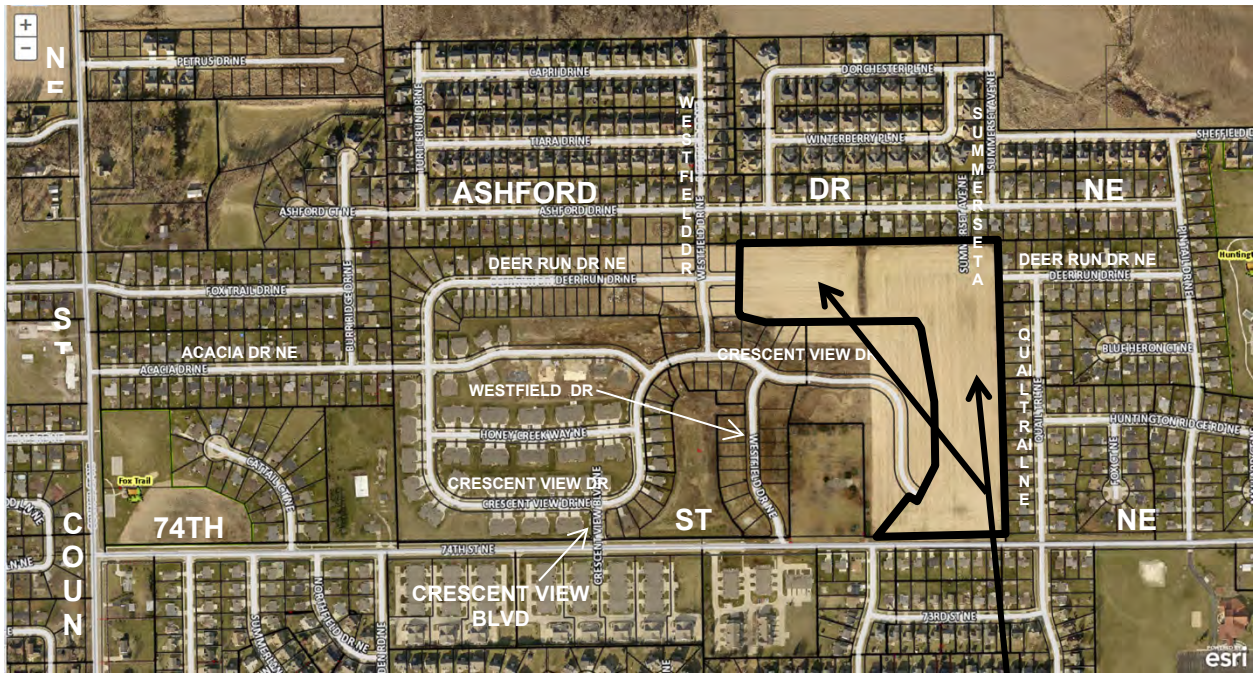
Resolution Date: December 6, 2016

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

LOCATION MAP



Location of the
Final Plat of
Crescent View 5th
Addition

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, A PLAT OF CRESCENT VIEW FIFTH ADDITION IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA containing Forty-four (44) numbered lots, Lot 1 through Lot 44, and Two (2) lettered lots, Lot 'A' and Lot 'B', all inclusive, has been filed with the City Clerk and after consideration of the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and

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

1. Development Agreement
2. Concrete Pavement and Concrete Sidewalk Petition and Assessment Agreement

and

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

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

1. The City Council concurs with the recommendation of the Development Services Department, and specifically finds that the proposed plat is in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and also specifically Cedar Rapids Municipal Code Chapter 31, the Subdivision Ordinance.
2. The Mayor and City Council hereby accept the executed agreement(s), as noted above.
3. Said plat and dedication of said Crescent View Fifth Addition in the City of Cedar Rapids, Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Cedar Rapids, Iowa, and the dedication to the public of all lands within the plat that are designated for streets, more specifically Lot A (74th Street NE, Crescent View Drive NE, Summerset Avenue NE and Deer Run Drive NE) and Lot B (Storm Water Management and other public purposes) is hereby approved and accepted and the dedication of the public easements for the purposes shown on the final plat is hereby approved and accepted, and the City Clerk is hereby directed to certify this resolution of approval and affix the same to said plat as by law provided.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Amy Stevenson, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution is a true and correct copy of the Resolution as passed by the City Council of the City of Cedar Rapids, Iowa, on this 6th day of December, 2016.

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Joe Mailander

Phone Number/Ext.: 319 286-5822

E-mail Address: j.mailander@cedar-rapids.org

Alternate Contact Person: John Reasoner

Phone Number/Ext.: 319 286-5806

E-mail Address: j.reasoner@cedar-rapids.org

Description of Agenda Item: Final plats

Resolution approving the Final Plat of Red Ball Second Addition for land located at 1000 Stoney Point Road NW.

CIP/DID #FLPT-023981-2016

EnvisionCR Element/Goal: GrowCR Goal 2: Manage Growth.

Background: The property owner submitted the Final Plat of Red Ball Second Addition to Linn County, Iowa in accordance with a 28E agreement between the City of Cedar Rapids and Linn County for the review and processing of plats within two miles of the Cedar Rapids corporate limits. Development Services Department staff reviewed the submittal and determined it complies with applicable requirements for final plats. The final plat contains five (5) lots and a total plat area of 33.72 acres.

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

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

Time Sensitivity: NA

Resolution Date: December 6, 2016

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

LOCATION MAP

Location of the Final
Plat of Red Ball
Second Addition to
Linn County



RESOLUTION NO. LEG_NUM_TAG

WHEREAS, A PLAT OF RED BALL SECOND ADDITION TO LINN COUNTY, IOWA containing five (5) lots, numbered 1-4 (both inclusive) and one lettered lot, Lot A, and has been filed with the City Clerk and after consideration of the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and

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

1. Agreement to Annex
2. Concrete Pavement and Concrete Sidewalk Petition and Assessment Agreement
3. Agreement to Connect to City Sanitary Sewer Facilities
4. Sanitary Sewer Petition and Assessment Agreement
5. Deed Restriction

and

WHEREAS, the agreements as submitted are recommended for approval by the City Development Services Department, and

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

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Amy Stevenson, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution is a true and correct copy of the Resolution as passed by the City Council of the City of Cedar Rapids, Iowa, on this 6th day of December, 2016.

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Human Resources

Presenter at Meeting: NA--Consent

Phone Number/Ext.: 5019

E-mail Address: c.huber@cedar-rapids.org

Alternate Contact Person: Bonnie Pisarik

Phone Number/Ext.: 5078

E-mail Address: b.pisarik@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing the renewal of the Administrative Services Agreement with Application Software, Inc. for flexible spending services for the time period of January 1, 2017 to December 31, 2017 for an estimated cost not to exceed \$17,375.

CIP/DID #HR0017

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

Background: Application Software, Inc. (ASI) has Flexible Benefit Services for the City of Cedar Rapids for the period January 1, 2012 through December 31, 2015. Their services increased the efficiency of benefit administration and they have also consistently offered enhanced employee services. The renewal terms of the Administrative Services Agreement with ASI for the City's Flexible Spending Benefit state that the Agreement may renew for successive periods of 12 months and the Administrative Fees stated in the Administrative Services Agreement with ASI will not be increasing.

Action/Recommendation: Approve the twelve month renewal and associated fees for the Administrative Agreement between Application Software, Inc. and the City of Cedar Rapids for Flexible Spending Benefits for the period 1/1/2017 to 12/31/2017.

Alternative Recommendation: Request staff complete additional research and provide additional options.

Time Sensitivity:

Resolution Date: 12/6/2016

Budget Information: The employer paid flexible spending administrative fees (\$4.00 per month per each employee account) are paid out of the operating budgets of City Departments.

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, through Resolution No. 1485-11-11 the City of Cedar Rapids and Application Software, Inc. (ASI) entered into an agreement to have ASI provide Flexible Spending Benefit Services to the City of Cedar Rapids, and

WHEREAS, Resolution No. 1485-11-11 stated that those services would run through December 31, 2014, and

WHEREAS, the renewal terms of the Administrative Services Agreement with ASI for the City's Flexible Spending Benefit state that the Agreement may renew for successive periods of 12 months, and

WHEREAS, the Administrative Fees stated in the Administrative Services Agreement with ASI will not be increasing, and

WHEREAS, these rates are reflected in the Administrative Services Agreement with an estimated cost of \$17,375 for the employer paid flexible spending administrative fees and services for a one year period from January 1, 2017 to December 31, 2017, to be paid out of the operating budgets of City Departments, and

WHEREAS, the Human Resources Department recommends a renewal of the Administrative Agreement for the City's Flexible Spending Benefit with ASI for the twelve month time period of January 1, 2017 to December 31, 2017;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the twelve-month renewal and associated fees for the Administrative Services Agreement by and between Application Software, Inc. and the City of Cedar Rapids for the period 1/1/2017 to 12/31/2017 is approved.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:
ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Conni Huber

Phone Number/Ext.: 5019

E-mail Address: c.huber@cedar-rapids.org

Alternate Contact Person:

Phone Number/Ext.:

E-mail Address:

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 1 to renew contract with Holmes Murphy and Associates for benefit consultant services for the Human Resources Department for an amount not to exceed \$180,000 (original contract amount was \$180,000; renewal contract amount is \$180,000).

CIP/DID #0613-277

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

Background: The services that Holmes Murphy and Associates will provide to the City are as follows:

1. RFP Preparation, Issuance and Analysis
2. Implementation of new Third Party Administrators
3. Servicing of Account

Action/Recommendation: Authorize the City Manager and the City Clerk to execute Amendment No. 1 as described herein.

Alternative Recommendation: none

Time Sensitivity: medium

Resolution Date: 12-06-16

Budget Information: Health Fund

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 Holmes Murphy and Associates are parties to a contract for benefit consultant services for the Human Resources Department; and

WHEREAS, both parties have agreed to renew the contract for an additional three-year period for a total amount not to exceed \$180,000; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 1557-09-13	01/01/14 – 12/31/16
Amendment No. 1 to renew contract	Resolution Pending	01/01/17 – 12/31/19

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 1 to renew the contract as described herein.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Jonathan Mouw
E-mail Address: j.mouw@cedar-rapids.org

Phone Number/Ext.: 5296

Alternate Contact Person: Diane Muench
E-mail Address: d.muench@cedar-rapids.org

Phone Number/Ext.: 5023

Description of Agenda Item: Purchases, contracts and agreements
 Contract with B.G. Brecke, Inc. for the Return Service Emergency Repair project for the Water Pollution Control Facility for an amount not to exceed \$550,000.
 CIP/DID #PUR1116-093

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

Background:

The return sewer main collapsed at the Water Pollution Control Facility, causing the collapse of a large section of roadway, limiting plant access and operation. B.G. Brecke, Inc. is under a separate contract working at the WPC Facility and is available to perform the emergency repairs to the sewer main and roadway.

The estimated not to exceed cost of the repairs is \$550,000. B.G. Brecke, Inc. will be compensated on a time and material basis per the pricing below. Payment and Performance bonds will also be provided by the Contractor.

Job Classification	Firm Fixed Hourly Rate
Foreman/Supervisor	
Standard hourly rate	\$76.70
Overtime hourly rate	\$105.95
Double time hourly rate	\$135.20
Journeyman	
Standard hourly rate	\$73.55
Overtime hourly rate	\$101.10
Double time hourly rate	\$128.60
Apprentice/Laborer	
Standard hourly rate	\$50.85
Overtime hourly rate	\$67.10
Double time hourly rate	\$80.90
Welder	
Standard hourly rate	\$73.55
Overtime hourly rate	\$101.10
Double time hourly rate	\$128.60

Job Classification	Firm Fixed Hourly Rate
Pipefitter	
Standard hourly rate	\$73.55
Overtime hourly rate	\$101.10
Double time hourly rate	\$128.60
Millwright	
Standard hourly rate	\$70.95
Overtime hourly rate	\$92.40
Double time hourly rate	\$110.75
Boiler Technician	
Standard hourly rate	\$76.70
Overtime hourly rate	\$105.95
Double time hourly rate	\$135.20
Chemical Technician	
Standard hourly rate	\$75.80
Overtime hourly rate	\$104.80
Double time hourly rate	\$133.75
HVAC Technician	
Standard hourly rate	\$75.80
Overtime hourly rate	\$104.80
Double time hourly rate	\$133.75
Engineer	
Standard hourly rate	\$137.60
Excavation Supervisor	
Standard hourly rate	\$67.00
Overtime hourly rate	\$90.00
Double time hourly rate	\$111.00
Operator	
Standard hourly rate	\$65.00
Overtime hourly rate	\$87.00
Double time hourly rate	\$108.00
Backhoe with Operator	
Standard hourly rate	\$125.00
Overtime hourly rate	\$145.00
Double time hourly rate	\$165.00
Dump Truck with Driver	
Standard hourly rate	\$125.00
Overtime hourly rate	\$145.00
Double time hourly rate	\$165.00
Pipelayer	
Standard hourly rate	\$62.00
Overtime hourly rate	\$82.00
Double time hourly rate	\$101.00
Percentage charged for materials over invoice	10%
Days/hours for standard hourly rate	M-F 7a-3:30p
Days/hours for overtime hourly rate	M-F 3:30p-12a; Sat 7a-3:30p
Days/hours for double time hourly rate	M-F 12-7a; Sat 3:30p-7a; Sun, Holiday

Equipment	Firm Fixed Rate
Excavator, 8000 lbs., mini with attachments	\$50.00/hour
Excavator, 15,000 lbs., C60 with attachments	\$60.00/hour

Equipment	Firm Fixed Rate
Excavator, 62,000 lbs., without attachments	\$120.00/hour
Excavator, 100,000 lbs., without attachments	\$145.00/hour
Rubber tire loader with attachments	\$75.00/hour
Tractor backhoe with attachments	\$60.00/hour
Skid steer tracked with attachments	\$65.00/hour
Single axle dump truck	\$60.00/hour
Tandem axle dump truck	\$90.00/hour
Service truck	\$25.00/hour
3500-watt generator	\$20.00/hour
2" pump with hose	\$65.00/day
Large trench box	\$160.00/day
Small trench box	\$110.00/day
Steel plates	\$45.00/day per sheet
Steel sheeting	\$18.00/day per sheet
Rock box	\$100.00/day
Air compressor	\$90.00/day
24" pipe plug/bladder, each	\$70.00/day
36" pipe plug/bladder, each	\$82.00/day
500 gallon fuel barrel	\$125.00/week
Quickie saw	\$35.00/day
Concrete blankets, non-electric, each	\$25.00/day
Concrete walk behind saw	\$2.50/LF
Concrete bucket	\$100.00/day
Subcontractor	
McMurrin Trucking, Contractor #C109557	Cost + 10%

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

Alternative Recommendation:

Time Sensitivity: High

Resolution Date: December 6, 2016

Budget Information: 611028-511100-611028

Local Preference Policy: Yes

Explanation: NA

Recommended by Council Committee: No

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the return sewer main collapsed at the Water Pollution Control Facility, causing the collapse of a large section of roadway, limiting plant access and operation; and

WHEREAS, B.G. Brecke, Inc. is under a separate contract working at the WPC Facility and is available to perform the emergency repairs to the sewer main and roadway; and

WHEREAS, the estimated cost of the repairs is \$550,000; and

WHEREAS, a contract has been prepared for B.G. Brecke, Inc. to perform the emergency repairs.

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Finance - Purchasing

Presenter at Meeting: Aaron Orcutt
E-mail Address: a.orcutt@cedar-rapids.org

Phone Number/Ext.: 5044

Alternate Contact Person: Diane Muench
E-mail Address: d.muench@cedar-rapids.org

Phone Number/Ext.: 5023

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 5 to renew contract with Garrison Minerals, LLC for magnesium hydroxide 45% solution for the Water Pollution Control Facility for an annual amount not to exceed \$405,000 (original contract amount was \$175,000; renewal contract amount is \$405,000).

CIP/DID #1112-117

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

Background: Magnesium hydroxide is used to adjust the pH of the raw waste that is processed in the on-site anaerobic treatment process. The pH is critical both to the viability of the anaerobic bacteria that are employed to treat the waste and also raise the waste water pH within the plant. The pH of the effluent stream to the river must be maintained within state permit requirements.

The contract period is January 1, 2017 through December 31, 2017. This is the fifth year of the contract; there are no renewal options remaining so this chemical will be re-bid for 2018.

Garrison Minerals, LLC held their pricing firm for the renewal period at \$463 per dry ton, delivered. The estimated contract amount is \$405,000.

Action/Recommendation: Authorize the City Manager and the City Clerk to execute Amendment No. 5 as described herein.

Alternative Recommendation: None

Time Sensitivity: Medium

Resolution Date: December 6, 2016

Budget Information: 531104-611-611001

Local Preference Policy: Yes
Explanation: No local company submitted a bid

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Garrison Minerals, LLC are parties to a contract for the annual as-needed purchase of magnesium hydroxide 45% solution for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$405,000; and

WHEREAS, the renewal period is January 1, 2017 through December 31, 2017; and

WHEREAS, a summary of the contract is as follows:

Description	Resolution	Dates
Initial Term of Contract	Resolution No. 0057-01-13	01/01/2013 - 12/31/2014
Amendment No. 1 to renew Contract	Resolution No. 1974-12-13	01/01/2014 - 12/31/2014
Amendment No. 2 to renew Contract	Resolution No. 1661-12-14	01/01/2015 - 12/31/2015
Amendment No. 3 to increase product used	Resolution No. 0940-06-15	Effective 06/23/2015
Amendment No. 4 to renew Contract	Resolution No. 1800-12-15	01/01/2016 - 12/31/2016
Amendment No. 5 to renew Contract	Pending	01/01/2017 - 12/31/2017

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 5 to renew the contract as described herein.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Finance - Purchasing

Presenter at Meeting: Aaron Orcutt

Phone Number/Ext.: 5044

E-mail Address: a.orcutt@cedar-rapids.org

Alternate Contact Person: Diane Muench

Phone Number/Ext.: 5023

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

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 4 to renew contract with Hydrite Chemical Company for liquid magnesium bisulfite 30% for the Water Pollution Control Facility for an annual amount not to exceed \$320,000 (original contract amount was \$160,000; renewal contract amount is \$320,000).

CIP/DID #1012-088

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

Background: The Water Pollution Control Facility utilizes liquid magnesium bisulfite 30% (HSO₃)₂ with a 28-32% range for dechlorination during the disinfection period. Dechlorination is a state permit requirement.

The contract period is January 1, 2017 through December 31, 2017. This is the fifth year of the contract; no renewal options remain so this chemical will be re-bid for 2018.

Hydrite Chemical Company held their pricing firm for the renewal period at \$14.00 per CWT, delivered. This contract contains a quarterly price adjustment clause. The estimated contract amount is \$320,000.

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: December 6, 2016

Budget Information: 531104-611-611001

Local Preference Policy: Yes

Explanation: No local company submitted a bid

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Hydrite Chemical Company are parties to a contract for the annual as-needed purchase of liquid magnesium bisulfite 30% for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$320,000; and

WHEREAS, the renewal period is January 1, 2017 through December 31, 2017; and

WHEREAS, a summary of the contract is as follows:

Description	Resolution	Dates
Initial Term of Contract	Resolution No. 1696-12-12	01/01/2013 - 12/31/2013
Amendment No. 1 to renew Contract	Resolution No. 1967-12-13	01/01/2014 - 12/31/2014
Amendment No. 2 to renew Contract	Resolution No. 1663-12-14	01/01/2015 - 12/31/2015
Amendment No. 3 to renew Contract	Resolution No. 1801-12-15	01/01/2016 - 12/31/2016
Amendment No. 4 to renew Contract	Pending	01/01/2017 - 12/31/2017

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 4 to renew the contract as described herein.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Finance - Purchasing

Presenter at Meeting: Aaron Orcutt
E-mail Address: a.orcutt@cedar-rapids.org

Phone Number/Ext.: 5044

Alternate Contact Person: Diane Muench
E-mail Address: d.muench@cedar-rapids.org

Phone Number/Ext.: 5023

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 4 to renew contract with Hydrite Chemical Company for nitric acid 41-degree technical grade liquid in totes for the Water Pollution Control Facility for an annual amount not to exceed \$50,000 (original contract amount was \$45,000; renewal contract amount is \$50,000).

CIP/DID #0912-082

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

Background: The Nitric removes inorganic material and the caustic (Acid) removes the organics from the inorganic scale from the Low Pressure oxidation (LPO) units. The LPO is used by the Water Pollution Control Facility to heat treat the sludge.

The Contract period is January 1, 2017 through December 31, 2017. This is the fifth year of the Contract; there are no renewal options remaining so this chemical will be re-bid for 2018.

Hydrite Chemical Company held their pricing firm for the renewal period at \$25.60 per CWT, delivered. This contract contains a quarterly price adjustment clause. The estimated Contract amount is \$50,000.

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: December 6, 2016

Budget Information: 531104-611-611001

Local Preference Policy: Yes
Explanation: No local company submitted a bid

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Hydrite Chemical Company are parties to a contract for the annual as-needed purchase of nitric acid 41-degree technical grade liquid in totes for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$50,000; and

WHEREAS, the renewal period is January 1, 2017 through December 31, 2017; and

WHEREAS, a summary of the contract is as follows:

Description	Resolution	Dates
Initial Term of Contract	Resolution No. 1697-12-12	01/01/2013 - 12/31/2013
Amendment No. 1 to renew Contract	Resolution No. 1966-12-13	01/01/2014 - 12/31/2014
Amendment No. 2 to renew Contract	Resolution No. 1660-12-14	01/01/2015 - 12/31/2015
Amendment No. 3 to renew Contract	Resolution No. 1802-12-15	01/01/2016 - 12/31/2016
Amendment No. 4 to renew Contract	Pending	01/01/2017 - 12/31/2017

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 4 to renew the contract as described herein.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Aaron Orcutt
E-mail Address: a.orcutt@cedar-rapids.org

Phone Number/Ext.: 5044

Alternate Contact Person: Diane Muench
E-mail Address: d.muench@cedar-rapids.org

Phone Number/Ext.: 5023

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 3 to renew contract with Hydro Solutions, Inc. for anaerobic micronutrient solution for the Water Pollution Control Facility for an annual amount not to exceed \$85,000 (original contract amount was \$85,000; renewal contract amount is \$85,000).

CIP/DID #1013-067

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

Background:

The anaerobic micronutrient solution is made from an exact formula of 11 different chemicals. The APT micronutrient helps sustain bacteria life in the process. It is a mixture that has many needed minerals that help support the APT system.

The contract period is January 1, 2017 through December 31, 2017. This is the fourth year of the contract; there is one additional one-year renewal option remaining.

Hydro Solutions, Inc. agreed to hold their pricing firm for the renewal period at \$5,156.25 per 275-gallon tote, delivered. The estimated annual cost of this contract is \$85,000.

Action/Recommendation: Authorize the City Manager and the City Clerk to execute Amendment No. 3 as described herein.

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: December 6, 2016

Budget Information: 531104-611-611001

Local Preference Policy: Yes

Explanation: Hydro Solutions, Inc. is not a certified local vendor

Recommended by Council Committee: No

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Hydro Solutions, Inc. are parties to a contract for the annual as-needed purchase of anaerobic micronutrient solution for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$85,000; and

WHEREAS, the renewal period is January 1, 2017 through December 31, 2017; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 2002-12-13	01/01/2014 - 12/31/2014
Amendment No. 1 to renew Contract	Resolution No. 1666-12-14	01/01/2015 - 12/31/2015
Amendment No. 2 to renew Contract	Resolution No. 1803-12-15	01/01/2016 - 12/31/2016
Amendment No. 3 to renew Contract	Pending	01/01/2017 - 12/31/2017

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 3 to renew the contract as described herein.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Water Pollution Control

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

Phone Number/Ext.: 5281

Alternate Contact Person: Mark Potter
E-mail Address: m.potter@cedar-rapids.org

Phone Number/Ext.: 5288

Description of Agenda Item: Purchases, contracts and agreements

Purchase order in the amount of \$62,957.48 to JWC Environmental for a new spare Muffin Monster Grinder at the Morgan Creek Lift Station.

CIP/DID #WPC120616-01

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

Background: The Muffin Monster Grinders are critical to protect any valves and pumps from large debris going downstream. This new grinder will be the spare grinder at Morgan Creek Lift Station.

JWC Environmental is the manufacturer of these grinders and the sole source for rebuilds.

The Water Pollution Control Facility requested a quote from JWC Environmental. JWC Environmental submitted a quote in the amount of \$62,957.48 for labor, parts, materials, and round trip freight for the new spare Muffin Monster Grinder.

Action/Recommendation: The Water Pollution Control Facility staff recommends approval of the Resolution authorizing a purchase order to JWC Environmental for the new spare Muffin Monster Grinder in the amount of \$62,957.48.

Alternative Recommendation: N/A

Time Sensitivity: 12-6-16

Resolution Date: 12-6-16

Budget Information: Funded from FY2017 services and operations budget and coded to 533101-611-611002-611028.

Local Preference Policy: No
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, JWC Environmental is the manufacturer of the Muffin Monster Grinders and the sole source for rebuilds, and

WHEREAS, the Muffin Monster Grinders are essential to grind up substances that may interfere with the operation, and

WHEREAS, the Water Pollution Control Facility requested a quote from JWC Environmental for a new spare Monster Muffin Grinder at the Morgan Creek Lift Station, and

WHEREAS, JWC Environmental submitted a quote in the amount of \$62,957.48 for labor, parts, materials, and round trip freight for a new spare Muffin Monster Grinder, and

WHEREAS, the Water Pollution Control Facility's staff recommends that a purchase order be issued in the amount of \$62,957.48 to JWC Environmental for a new spare Muffin Monster Grinder,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Water Pollution Control Facility be hereby authorized to issue a purchase order to JWC Environmental in the amount of \$62,957.48 for a new spare Muffin Monster Grinder at the Morgan Creek Lift Station. To be funded from Water Pollution Control Facility's FY2017 services and operations budget and coded to 533101-611-611002-611028.

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: Aaron Orcutt
E-mail Address: a.orcutt@cedar-rapids.org

Phone Number/Ext.: 5044

Alternate Contact Person: Diane Muench
E-mail Address: d.muench@cedar-rapids.org

Phone Number/Ext.: 5023

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 4 to renew contract with K.A. Steel Chemicals, Inc. for sodium hydroxide 50% Bulk for the Water Pollution Control Facility for an annual amount not to exceed \$150,000 (original contract amount was \$150,000; renewal contract amount is \$150,000).

CIP/DID #1013-064

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

Background The Sodium Hydroxide is used in two different applications at WPC. One tank is located in the Solids Dewatering Building and its purpose is to maintain an 11.0 pH on the wet chemical scrubber. The second application is at the Anaerobic Pretreatment Facility. The chemical is used to maintain an 8.0 pH in the sulfur removal scrubber.

The Contract period is January 1, 2017 through December 31, 2017. This is the fourth year of the Contract; there is one additional one-year renewal option remaining.

K.A. Steel Chemicals, Inc. increased their pricing by 18% for the renewal period from \$533 per dry ton, delivered, to \$633. The estimated Contract amount is \$150,000.

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: December 6, 2016

Budget Information: 531104-611-611001

Local Preference Policy: Yes
Explanation: No local company submitted a bid

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and K.A. Steel Chemicals, Inc. are parties to a contract for the annual as-needed purchase of sodium hydroxide 50% bulk for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$150,000; and

WHEREAS, the renewal period is January 1, 2017 through December 31, 2017; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 2001-12-13	01/01/2014 - 12/31/2014
Amendment No. 1 to renew Contract	Resolution No. 1658-12-14	01/01/2015 - 12/31/2015
Amendment No. 2 to renew Contract	Resolution No. 1805-12-15	01/01/2016 - 12/31/2016
Amendment No. 3 for increase in use	Signed by the CITY 04/21/2016	Effective 12/01/2015
Amendment No. 4 to renew Contract	Pending	01/01/2017 - 12/31/2017

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 4 to renew the contract as described herein.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Finance - Purchasing

Presenter at Meeting: Aaron Orcutt

Phone Number/Ext.: 5044

E-mail Address: a.orcutt@cedar-rapids.org

Alternate Contact Person: Diane Muench

Phone Number/Ext.: 5023

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

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 4 to renew contract with K.A. Steel Chemicals, Inc. for sodium hypochlorite 12% for the Water Pollution Control Facility for an annual amount not to exceed \$250,000 (original contract amount was \$250,000; renewal contract amount is \$250,000).

CIP/DID #1013-068

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

Background The Water Pollution Control Facility uses sodium hypochlorite in its operations for the odor control scrubbers.

The contract period is January 1, 2017 through December 31, 2017. This is the fourth year of the contract; there is one additional one-year renewal option remaining.

K.A. Steel Chemicals, Inc. held their pricing firm for the renewal period at \$0.62 per gallon, delivered. The estimated contract amount is \$250,000.

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: December 6, 2016

Budget Information: 531104-611-611001

Local Preference Policy: Yes

Explanation: No local company submitted a bid

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and K.A. Steel Chemicals, Inc. are parties to a contract for the annual as-needed purchase of sodium hypochlorite 12% for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$250,000; and

WHEREAS, the renewal period is January 1, 2017 through December 31, 2017; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 2000-12-13	01/01/2014 - 12/31/2014
Amendment No. 1 to renew Contract	Resolution No. 1671-12-14	01/01/2015 - 12/31/2015
Amendment No. 2 to renew Contract	Resolution No. 1804-12-15	01/01/2016 - 12/31/2016
Amendment No. 3 to correct price	Signed by the CITY 01/16/16	Effective 01/01/2016
Amendment No. 4 to renew Contract	Pending	01/01/2017 - 12/31/2017

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 4 to renew the contract as described herein.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Aaron Orcutt

Phone Number/Ext.: 5044

E-mail Address: a.orcutt@cedar-rapids.org

Alternate Contact Person: Diane Muench

Phone Number/Ext.: 5023

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

Description of Agenda Item: Purchases, contracts and agreements

Contract with Matheson Tri-Gas, Inc. for Liquid Oxygen for the Water Pollution Control Facility for an annual amount not to exceed \$100,000.

CIP/DID #PUR1016-066

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

Background: Purchasing Services solicited bids on behalf of the Water Pollution Control Facility for the as-needed purchase and delivery of liquid oxygen. Liquid oxygen is utilized by WPC for its operations during Cryogenics Facility Maintenance and to meet higher waste demand days.

Three bids were received and WPC recommends award to Matheson Tri-Gas, Inc. as the overall lowest responsive and responsible bidder. The estimated annual expenditure is \$100,000 based on an estimated usage of 615,000 pounds of Liquid Oxygen.

The contract period is January 1, 2017 through December 31, 2017. There are four additional one-year renewal options remaining.

Bids received

Company Name	Location	Price per Pound
Matheson Tri-Gas, Inc.	Cedar Rapids	\$0.39
Airgas USA LLC	Cedar Rapids	\$0.44
Praxair, Inc.	Burr Ridge, IL	\$0.53

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: December 6, 2016

Budget Information: 531104-611-611001

Local Preference Policy: Yes

Explanation: Matheson Tri-Gas, Inc. is a certified local vendor

Recommended by Council Committee: No

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids Purchasing Services Division issued a Request for Bid for the as-needed purchase and delivery of liquid oxygen on behalf of the Water Pollution Control Facility; and

WHEREAS, bids were received from three Vendors; and

WHEREAS, the Water Pollution Control Facility recommends that the contract be awarded to Matheson Tri-Gas, Inc. as the overall lowest responsive and responsible bidder for an annual amount not to exceed \$100,000; and

WHEREAS, a one-year contract with the option of four one-year renewal periods has been prepared for the contract period January 1, 2017 through December 31, 2017.

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Finance - Purchasing

Presenter at Meeting: Aaron Orcutt

Phone Number/Ext.: 5044

E-mail Address: a.orcutt@cedar-rapids.org

Alternate Contact Person: Diane Muench

Phone Number/Ext.: 5023

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

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 4 to renew contract with Nalco Company for boiler and cooling water chemicals for the Water Pollution Control Facility for an annual amount not to exceed \$60,000 (original contract amount was \$60,000; renewal contract amount is \$60,000).

CIP/DID #1013-065

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

Background: The Water Pollution Control Facility uses various different chemicals for the boiler and cooling water systems. These chemicals are necessary for WPC operations water treatment to boilers to eliminate scale and remove oxygen from boiler feed water that would cause pitting of boiler tubes. In cooling water towers, WPC uses chemical biocides to eliminate biological growth that would cause heat exchanger plugging.

The Contract period is January 1, 2017 through December 31, 2017. This is the fourth year of the Contract; there is one additional one-year renewal option remaining.

Nalco Company has agreed to hold their pricing firm for the five chemicals for calendar year 2017. The estimated Contract amount is \$60,000.

	Description	Price per Pound, Delivered
ST-70	Biocide for cooling towers	\$3.59/lb, 55-gallon drum
3dt147	Scale and corrosion inhibitor	\$3.67/lb, 55-gallon drum
22341	Boiler scale inhibitor	\$2.31/lb, 200-gallon transfer
1720	Oxygen scavenger	\$2.56/lb, 55-gallon transfer
8338	Closed loop inhibitor	\$6.21/lb, 15-gallon drum

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: December 6, 2016

Budget Information: 531104-611-611001

Local Preference Policy: Yes

Explanation: No local company submitted a bid

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Nalco Company are parties to a contract for the annual as-needed purchase of boiler and cooling water chemicals for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$60,000; and

WHEREAS, the renewal period is January 1, 2017 through December 31, 2017; and

WHEREAS, a summary of the contract is as follows:

Description	Resolution	Dates
Initial Term of Contract	Resolution No. 2007-12-13	01/01/2014 - 12/31/2014
Amendment No. 1 to renew Contract	Resolution No. 1665-12-14	01/01/2015 - 12/31/2015
Amendment No. 2 for increased product used	Resolution No. 1056-07-15	Effective 07/15/2015
Amendment No. 3 to renew Contract	Resolution No. 1806-12-15	01/01/2016 - 12/31/2016
Amendment No. 4 to renew Contract	Pending	01/01/2017 - 12/31/2017

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 4 to renew the contract as described herein.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Finance - Purchasing

Presenter at Meeting: Aaron Orcutt
E-mail Address: a.orcutt@cedar-rapids.org

Phone Number/Ext.: 5044

Alternate Contact Person: Diane Muench
E-mail Address: d.muench@cedar-rapids.org

Phone Number/Ext.: 5023

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 4 to renew contract with Polydyne, Inc. for emulsion polymer clarifloc CE-939 for the Water Pollution Control Facility for an annual amount not to exceed \$350,000 (original contract amount was \$300,000; renewal contract amount is \$350,000).

CIP/DID #1012-089

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

Background: Emulsion polymer is used in the dewatering process to prepare the sludge prior to centrifuging. The polymer coagulates the sludge's solids and allows the water to separate from the sludge. The centrifuge will spin out the large heavy particles of solids (maybe 25%), but with the addition of polymer, over 95% of the solids can be recovered from the sludge. This makes the process much more efficient and saves money, since solids not recovered would have to be reprocessed.

The contract period is January 1, 2017 through December 31, 2017. This is the fifth year of the contract; no renewal options remain.

Polydyne, Inc. agreed to hold their pricing firm for the renewal period at \$1.02 per pound, delivered. The estimated annual cost of this contract is \$350,000.

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: December 6, 2016

Budget Information: 531104-611-611001

Local Preference Policy: Yes
Explanation: No local company submitted a bid

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Polydyne, Inc. are parties to a contract for the annual as-needed purchase of emulsion polymer clarifloc CE-939 for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$350,000; and

WHEREAS, the renewal period is January 1, 2017 through December 31, 2017; and

WHEREAS, a summary of the contract is as follows:

Description	Resolution	Dates
Initial Term of Contract	Resolution No. 0698-12-12	01/01/2013 - 12/31/2013
Amendment No. 1 to renew Contract	Resolution No. 1980-12-13	01/01/2014 - 12/31/2014
Amendment No. 2 to renew Contract	Resolution No. 1664-12-14	01/01/2015 - 12/31/2015
Amendment No. 3 to renew Contract	Resolution No. 1807-12-15	01/01/2016 - 12/31/2016
Amendment No. 4 to renew Contract	Pending	01/01/2017 - 12/31/2017

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 4 to renew the contract as described herein.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Aaron Orcutt

Phone Number/Ext.: 5044

E-mail Address: a.orcutt@cedar-rapids.org

Alternate Contact Person: Diane Muench

Phone Number/Ext.: 5023

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

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 2 to renew contract with Polydyne, Inc. for polymer clarifloc C-321 for the Water Pollution Control Facility for an annual amount not to exceed \$475,000 (original contract amount was \$475,000; renewal contract amount is \$475,000).

CIP/DID #1014-085

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

C-321 polymer is a chemical used by the Water Pollution Control Facility for dewatering of sludge on the gravity belt thickeners, belt filter presses and dissolved air floatation thickeners. Polydyne, Inc. is the sole source provider of polymer clarifloc C-321.

The contract period is January 1, 2017 through December 31, 2017. This is the third year of the contract; two additional one-year renewal options remain.

Polydyne, Inc. agreed to hold their pricing firm for the renewal period at \$0.12 per pound, delivered. The estimated annual expenditure for this contract period is \$475,000.

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: December 6, 2016

Budget Information: 531104-611-611001

Local Preference Policy: Yes

Explanation: Polydyne, Inc. is not a certified local vendor

Recommended by Council Committee: No

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Polydyne, Inc. are parties to a contract for the annual as-needed purchase of polymer clarifloc C-321 for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$475,000; and

WHEREAS, the renewal period is January 1, 2017 through December 31, 2017; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 1685-12-14	01/01/2015 - 12/31/2015
Amendment No. 1 to renew Contract	Resolution No. 1808-12-15	01/01/2016 - 12/31/2016
Amendment No. 2 to renew Contract	Pending	01/01/2017 - 12/31/2017

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 2 to renew 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: Jeff Visek
E-mail Address: j.visek@cedar-rapids.org

Phone Number/Ext.: 4667

Alternate Contact Person: Diane Muench
E-mail Address: d.muench@cedar-rapids.org

Phone Number/Ext.: 5023

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 4 to renew contract with Ranch Cryogenics, Inc. for Cryogenic Oxygen System Maintenance and Repair Services for the Water Pollution Control Facility for an annual amount not to exceed \$55,000 (original contract amount was \$55,000; renewal contract amount is \$55,000).

CIP/DID #0813-031

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

Background: Ranch Cryogenics, Inc. was awarded the contract for as-needed cryogenic oxygen system maintenance and repair services. This resolution is to renew the contract for the period December 1, 2016 through November 30, 2017 for an annual not to exceed \$55,000.

Action/Recommendation: Authorize the City Manager and the City Clerk to execute Amendment No. 3 as described herein.

Alternative Recommendation: None

Time Sensitivity: Medium

Resolution Date: December 6, 2016

Budget Information: 522105-611-611002-611017

Local Preference Policy: Yes

Explanation: No local company submitted a bid

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Ranch Cryogenics, Inc. are parties to a contract for the annual as-needed Cryogenic Oxygen System Maintenance and Repair Services for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$55,000; and

WHEREAS, the contract renewal period is December 1, 2016 through November 30, 2017; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 1900-12-13	12/03/2013 - 11/30/2014
Amendment No. 1 to renew Contract	Resolution No. 1587-11-14	12/01/2014 - 11/30/2015
Amendment No. 2 for increased volume	Resolution No. 1632-11-15	Effective 10/01/2015
Amendment No. 3 to renew Contract	Resolution No. 1707-12-15	12/01/2015 - 11/30/2016
Amendment No. 4 to renew Contract	Pending	12/01/2016 - 11/30/2017

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 4 to renew 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: Aaron Orcutt
E-mail Address: a.orcutt@cedar-rapids.org

Phone Number/Ext.: 5044

Alternate Contact Person: Diane Muench
E-mail Address: d.muench@cedar-rapids.org

Phone Number/Ext.: 5023

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 3 to renew contract with U.S. Peroxide, LLC for hydrogen peroxide 50% technical grade for the Water Pollution Control Facility for an annual amount not to exceed \$100,000 (original contract amount was \$40,000; renewal contract amount is \$100,000).

CIP/DID #1214-123

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply
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Background: Hydrogen peroxide is used in a tank at the final lift building. Peroxide is injected into the waste activated stream in order to reduce the amount of hydrogen sulfide that occurs in the gravity belt thickener process.

The contract period is January 1, 2017 through December 31, 2017. This is the third year of the contract; there are two additional one-year renewal options remaining.

U.S. Peroxide, LLC held their pricing firm for this renewal period at \$2.92 per gallon, delivered. The estimated contract amount is \$100,000.

Action/Recommendation: Authorize the City Manager and the City Clerk to execute Amendment No. 3 as described herein.

Alternative Recommendation: None

Time Sensitivity: Medium

Resolution Date: December 6, 2016

Budget Information: 531104-611-611001

Local Preference Policy: Yes
Explanation: No local company submitted a bid

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and U.S. Peroxide, LLC are parties to a contract for the annual as-needed purchase of hydrogen peroxide 50% technical grade for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$100,000; and

WHEREAS, the renewal period is January 1, 2017 through December 31, 2017; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 0080-01-15	01/14/2015 - 12/31/2015
Amendment No. 1 to increase product used	Resolution No. 0938-06-15	Effective 06/23/2015
Amendment No. 2 to renew Contract	Resolution No. 1809-12-15	01/01/2016 - 12/31/2016
Amendment No. 3 to renew Contract	Pending	01/01/2017 - 12/31/2017

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 3 to renew 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: Kathy Bierman
E-mail Address: k.bierman@cedar-rapids.org

Phone Number/Ext.: 5973

Alternate Contact Person: Diane Muench
E-mail Address: d.muench@cedar-rapids.org

Phone Number/Ext.: 5023

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 3 to renew contract with DPC Industries, Inc. for liquid chlorine for the Water Division and Water Pollution Control Facility for an annual amount not to exceed \$230,000 (original contract amount was \$227,000; renewal contract amount is \$230,000).

CIP/DID #1014-083

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

Background: This chemical is used as one part of a two part disinfection system to control harmful microorganisms, control taste and odor, oxidation of organics and inorganics and the suppression of microbiological growths in the distribution system. Liquid chlorine is used by the Water Pollution Control Facility and both Water Treatment Plants.

The Contract period is January 1, 2017 through December 31, 2017. This is the third year of the Contract; there are two additional one-year renewal options remaining.

DPC Industries, Inc. increased their pricing for the renewal period by \$20 per ton to \$456 per ton, delivered. The estimated Contract amount is \$230,000.

Action/Recommendation: Authorize the City Manager and the City Clerk to execute Amendment No. 3 as described herein.

Alternative Recommendation: None

Time Sensitivity: Medium

Resolution Date: December 6, 2016

Budget Information: Account #531104-611611001 for the Water Pollution Control Facility and 531104-621-621001 for the Water Division

Local Preference Policy: Yes

Explanation: No local company submitted a bid

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and DPC Industries, Inc. are parties to a contract for the annual as-needed purchase of liquid chlorine for the Water Division and Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$230,000; and

WHEREAS, the renewal period is January 1, 2017 through December 31, 2017; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 1767-12-14	01/01/2015 - 12/31/2015
Amendment No. 1 to renew Contract	Resolution No. 1797-12-15	01/01/2016 - 12/31/2016
Amendment No. 2 to add safety training	Signed by the CITY 04/21/2016	Effective 03/15/2016
Amendment No. 3 to renew Contract	Pending	01/01/2017 - 12/31/2017

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 3 to renew the contract as described herein.

PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Kathy Bierman

Phone Number/Ext.: 5973

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

Alternate Contact Person: Diane Muench

Phone Number/Ext.: 5023

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

Description of Agenda Item: Purchases, contracts and agreements

Contract with Mississippi Lime Company for quicklime for the Water Division and the Water Pollution Control Facility for an annual amount not to exceed \$1,800,000.

CIP/DID #PUR1016-067

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

Background:

Purchasing Services solicited bids on behalf of the Water Division and Water Pollution Control Facility for the purchase and delivery of quicklime. This chemical is used to reduce (soften) carbonate hardness in the treatment process. This process reduces the amount of household detergents needed as well as helps control scale formation in water pipes and on plumbing fixtures. Some industries may find softened water beneficial in their processes.

Bids were received from four Vendors. Both the Water Division and Water Pollution Control Facility recommend award to Mississippi Lime Company as the overall lowest responsive and responsible Vendor with a price of \$134.70 per ton, delivered. The estimated annual usage is 13,750 tons for a total contract amount of \$1,800,000.

The contract period is January 1, 2017 through December 31, 2017. Four additional one-year renewal options remain.

Bids received:

Company name	Location	Firm fixed price per ton
Mississippi Lime Company	St. Louis	\$134.70
Graymont Western Lime, Inc.	West Bend, WI	\$164.00
Lhoist North America of Missouri	St. Geneview, MO	\$258.50
Carmeuse Lime, Inc.	Pittsburgh	\$280.40

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: December 6, 2016

Budget Information: Account #531104-611611001 for the Water Pollution Control Facility and 531104-621-621001 for the Water Division

Local Preference Policy: Yes

Explanation: No local company submitted a bid

Recommended by Council Committee: No

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids Purchasing Services Division issued a Request for Bid for the as-needed purchase and delivery of quicklime on behalf of the Water Division and Water Pollution Control Facility; and

WHEREAS, bids were received from four Vendors; and

WHEREAS, the Water Division and Water Pollution Control Facility recommends that the contract be awarded to Mississippi Lime Company as the overall lowest responsive and responsible bidder, in the amount of \$134.70 per ton; and

WHEREAS, the estimated annual usage is 13,750 tons, for a total contract amount of \$1,800,000; and

WHEREAS, a contract has been prepared for Mississippi Lime Company for the contract period January 1, 2017 through December 31, 2017.

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

PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Finance - Purchasing

Presenter at Meeting: Kathy Bierman
E-mail Address: k.bierman@cedar-rapids.org

Phone Number/Ext.: 5973

Alternate Contact Person: Diane Muench
E-mail Address: d.muench@cedar-rapids.org

Phone Number/Ext.: 5023

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 2 to renew contract with Carus Corporation for zinc orthophosphate for the Water Division for an annual amount not to exceed \$117,000 (original contract amount was \$117,000; renewal contract amount is \$117,000).

CIP/DID #1014-080

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

Background: This chemical is used to control lead corrosion. Water Operations is required by their operating permit to maintain an orthophosphate residual of 0.5 mg/l or greater.

The contract period is January 1, 2017 through December 31, 2017. This is the third year of the contract; there are two additional one-year renewal options remaining.

Carus Corporation held their pricing firm for the renewal period at \$0.50 per pound, delivered. The estimated contract amount is \$117,000.

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: December 6, 2016

Budget Information: 531104-621-621001

Local Preference Policy: Yes
Explanation: No local company submitted a bid

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Carus Corporation are parties to a contract for the annual as-needed purchase of zinc orthophosphate for the Water Division; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$117,000; and

WHEREAS, the renewal period is January 1, 2017 through December 31, 2017; and

WHEREAS, a summary of the contract is as follows:

Description	Resolution	Dates
Initial Term of Contract	Resolution No. 1691-12-14	01/01/2015 - 12/31/2015
Amendment No. 1 to renew Contract	Resolution No. 1793-12-15	01/01/2016 - 12/31/2016
Amendment No. 2 to renew Contract	Pending	01/01/2017 - 12/31/2017

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 2 to renew 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: Kathy Bierman
E-mail Address: k.bierman@cedar-rapids.org

Phone Number/Ext.: 5973

Alternate Contact Person: Diane Muench
E-mail Address: d.muench@cedar-rapids.org

Phone Number/Ext.: 5023

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 3 to renew contract with Hawkins, Inc. for sodium silicofluoride for the Water Division for an annual amount not to exceed \$58,000 (original contract amount was \$58,000; renewal contract amount is \$58,000).

CIP/DID #1213-099

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

Background: This chemical is added to the water supply to help prevent dental cavities.

The contract period is January 1, 2017 through December 31, 2017. This is the fourth year of the contract; there is one additional one-year renewal option remaining.

Hawkins, Inc. held their pricing firm for the renewal period at \$0.45 per pound, delivered. The estimated contract amount is \$58,000.

Action/Recommendation: Authorize the City Manager and the City Clerk to execute Amendment No. 3 as described herein.

Alternative Recommendation: None

Time Sensitivity: Medium

Resolution Date: December 6, 2016

Budget Information: 531104-621-621001

Local Preference Policy: Yes
Explanation: No local company submitted a bid

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Hawkins, Inc. are parties to a contract for the annual as-needed purchase of sodium silicofluoride for the Water Division; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$58,000; and

WHEREAS, the renewal period is January 1, 2017 through December 31, 2017; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 0091-01-14	01/01/2014 - 12/31/2014
Amendment No. 1 to renew Contract	Resolution No. 1657-12-14	01/01/2015 - 12/31/2015
Amendment No. 2 to renew Contract	Resolution No. 1794-12-15	01/01/2016 - 12/31/2016
Amendment No. 3 to renew Contract	Pending	01/01/2017 - 12/31/2017

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 3 to renew the contract as described herein.

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LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Kathy Bierman
E-mail Address: k.bierman@cedar-rapids.org

Phone Number/Ext.: 5973

Alternate Contact Person: Diane Muench
E-mail Address: d.muench@cedar-rapids.org

Phone Number/Ext.: 5023

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 1 to renew contract with Praxair, Inc. for liquid carbon dioxide for the Water Division for an annual amount not to exceed \$250,000 (original contract amount was \$250,000; renewal contract amount is \$250,000).

CIP/DID #PUR1015-078

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

Background:

Liquid carbon dioxide is used to restore the carbonate balance of the softened water and to adjust the pH to between 8.0 and 8.4 as required by Water Operations' operating permit.

The contract period is January 1, 2017 through December 31, 2017. This is the second year of the contract; three additional one-year renewal options remain.

Praxair, Inc. held their pricing firm for the renewal period at \$129.50 per ton, delivered. The estimated contract amount is \$250,000.

Action/Recommendation: Authorize the City Manager and the City Clerk to execute Amendment No. 1 as described herein.

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: December 6, 2016

Budget Information: 531104-621-621001

Local Preference Policy: Yes

Explanation: No local company submitted a bid

Recommended by Council Committee: No

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Praxair, Inc. are parties to a contract for the annual as-needed purchase of liquid carbon dioxide for the Water Division; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$250,000; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 1795-12-15	01/01/2016 - 12/31/2016
Amendment No. 1 to renew Contract	Pending	01/01/2017 - 12/31/2017

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 1 to renew the contract as described herein.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Finance - Purchasing

Presenter at Meeting: Kathy Bierman
E-mail Address: k.bierman@cedar-rapids.org

Phone Number/Ext.: 5973

Alternate Contact Person: Diane Muench
E-mail Address: d.muench@cedar-rapids.org

Phone Number/Ext.: 5023

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 4 to renew contract with Tanner Industries, Inc. for anhydrous ammonia for the Water Division for an annual amount not to exceed \$125,000 (original contract amount was \$85,200; renewal contract amount is \$125,000).

CIP/DID #1014-082

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

Background: This chemical is used in conjunction with chlorine to form monochloramine, the final disinfectant. Water Operations is required by their operating permit to maintain the combined chlorine (chloramines) residual of 1.5 mg/l or greater in the distribution system.

The contract period is January 1, 2017 through December 31, 2017. This is the third year of the contract; there are two additional one-year renewal options remaining.

Tanner Industries, Inc. held their pricing firm for the renewal period at \$1,440 per ton, delivered. The estimated contract amount is \$125,000.

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: December 6, 2016

Budget Information: 531104-621-621001

Local Preference Policy: Yes
Explanation: No local company submitted a bid

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Tanner Industries, Inc. are parties to a contract for the annual as-needed purchase of anhydrous ammonia for the Water Division; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$125,000; and

WHEREAS, the renewal period is January 1, 2017 through December 31, 2017; and

WHEREAS, a summary of the contract is as follows:

Description	Resolution	Dates
Initial Term of Contract	Resolution No. 1686-12-14	01/01/2015 - 12/31/2015
Amendment No. 1 to renew Contract	Resolution No. 1796-12-15	01/01/2016 - 12/31/2016
Amendment No. 2 for volume of product	Resolution No. 1706-12-15	Effective 11/01/2015
Amendment No. 3 for volume of product	Resolution No. 1444-11-16	Effective 10/12/2016
Amendment No. 4 to renew Contract	Pending	01/01/2017 - 12/31/2017

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 4 to renew the contract as described herein.

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MayorSignature

Attest:

ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: Public Works

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

Phone Number/Extension: 5141

Alternate Contact Person: Jennifer Selby, PE
E-mail Address: j.selby@cedar-rapids.org

Phone Number/Extension: 5622

Description of Agenda Item: Purchases, contracts and agreements

Resolution amending Resolution No. 1509-11-16 to correct the contract amount to \$386,369 for the Professional Services Agreement with Shoemaker & Haaland Professional Engineers in connection with the Center Point Road NE from J Avenue to Coe Road project (original contract amount was \$384,369; revised contract amount with the amended Resolution is \$386,369)

(Paving for Progress).

CIP/DID #3012094-03

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

Background: Resolution No. 1509-11-16 authorized execution in the amount of \$384,369 of the Professional Services Agreement (PSA) with Shoemaker & Haaland Professional Engineers. The contract received last-minute required revisions, increasing the total contract amount to \$386,369. The total amount, correctly stated in the revised fully executed original contract, is \$386,369; the PSA was fully executed on November 17, 2016.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing correction of the contract amount of \$386,369 of the Professional Services Agreement with Shoemaker & Haaland Professional Engineers.

Alternative Recommendation: If the resolution authorizing correction of the contract amount is not executed, Council will direct staff to review other options to correct this discrepancy.

Time Sensitivity: Normal

Resolution Date: December 6, 2016

Budget Information: 301/301000/3012094 (SLOST)
 625/625000/6250051-2017023 (NA)

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA.

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on November 15, 2016 City Council approved Resolution No. 1509-11-16 authorizing Shoemaker & Haaland Professional Engineers to provide professional services for Contract No. 3012094-03 in the amount of \$384,369 and

WHEREAS, the not to exceed contract amount listed in Resolution No. 1509-11-16 was incorrectly stated as \$384,369, not \$386,369,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Resolution No. 1509-11-16 be amended to reflect the correct contract amount of \$386,369 for the Center Point Road NE from J Avenue to Coe Road project (Contract No. 3012194-03) and is hereby approved, and the City Manager and City Clerk's execution of the Professional Services Agreement is hereby ratified and approved. Amended summary of this contract is as follows:

Fund 301, Dept ID 301000, Project 3012094 (SLOST)	\$259,528
Fund 625, Dept ID 625000, Project 6250051-2017023 (NA)	\$126,841

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MayorSignature

Attest:

ClerkSignature

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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: Tim Mroch, PE
E-mail Address: t.mroch@cedar-rapids.org

Phone Number/Extension: 5703

Description of Agenda Item: Purchases, contracts and agreements
 Resolution authorizing execution of Amendment No. 5 to the Professional Services Agreement with Shive-Hattery, Inc. specifying an increased amount not to exceed \$17,630 for design services in connection with the Seminole Valley Road NE Improvements from Fords Crossing Road to 42nd Street project (original contract amount was \$215,280; total contract amount with this amendment is \$532,845) **(Paving for Progress)**.
 CIP/DID #3012116-01

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

Background: This project includes the reconstruction of Seminole Valley Road NE from Fords Crossing Road to 42nd Street. The amendment will add staking of tree removal areas, right-of-way surveys necessary to comply with new State law, additional design tasks for full reconstruction of parts of Seminole Valley Road, and site visits during construction.

Action/Recommendation: The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 5 of the Professional Services Agreement with Shive-Hattery, Inc. specifying an increased amount not to exceed \$17,630.

Alternative Recommendation: The City of Cedar Rapids does not have a survey department to complete the staking. The alternatives are to use a different consulting firm to complete the work or abandon the project.

Time Sensitivity: Normal

Resolution Date: December 6, 2016

Budget Information: 301/301000/3012116 (SLOST)

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids entered into a Professional Services Agreement with Shive-Hattery, Inc. to provide design services for the Seminole Valley Road NE Improvements from Fords Crossing Road to 42nd Street on December 16, 2014, and

WHEREAS, changes in the Scope of Services are required for additional surveying, revisions in the plan drawings, and plats for Seminole Valley Road NE from Fords Crossing Road to 42nd Street,

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. 5 to the professional services agreement with Shive-Hattery, Inc. in the amount of \$17,630 for the Seminole Valley Road NE Improvements from Fords Crossing Road to 42nd Street. A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$215,280
Amendment No. 1	\$119,455
Amendment No. 2	\$65,800
Amendment No. 3	\$92,750
Amendment No. 4	\$21,930
Amendment No. 5	\$17,630
<hr/>	
Amended Contract Amount	\$532,845

General ledger coding for this amendment to be as follows:

Fund 301, Dept ID 301000 Project 3012116 (SLOST)	\$17,630
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MayorSignature

Attest:

ClerkSignature

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PROJECT LOCATION



Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Nate Kampman, PE
E-mail Address: n.kampman@cedar-rapids.org

Phone Number/Extension: 5628

Alternate Contact Person: Gary Petersen
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. 2 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$211,383 for design services in connection with the Tower Terrace Road from west of C Avenue to Alburnett Road project (original contract amount was \$691,616; total contract amount with this amendment is \$902,999).

CIP/DID #301666-02

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

Background: The City entered into a Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. on September 23, 2014 to provide professional services related to the Tower Terrace Road from west of C Avenue to Alburnett Road project.

Per the requirements of the Iowa DOT, an Environmental Assessment is required to meet the conditions of the Federal Aid grants associated with the project. This work builds on the field work already completed in an effort to obtain environmental concurrence from the Federal Highway Administration (FHWA) for a simpler Categorical Exclusion clearance. However, the FHWA has determined an Environmental Assessment will be required, necessitating amending the Scope of Services and Schedule to the original Professional Services Agreement.

Action/Recommendation: The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 2 of the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$211,383.

Alternative Recommendation: The City Council could choose to not approve Amendment 2 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc., and request City staff to negotiate a Professional Services Agreement with a different scope of services as directed by City Council.

Time Sensitivity: Normal

Resolution Date: December 6, 2016

Budget Information: CIP 301666, NA

Local Preference Policy: Yes

Explanation: NA

Recommended by Council Committee: Yes

Explanation: Project updates have been provided to City Council Infrastructure Committee.

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on September 23, 2014 City Council approved the execution of Contract No. 301666-02 with Anderson-Bogert Engineers & Surveyors, Inc. to provide professional services related to the Tower Terrace Road from west of C Avenue to Alburnett Road project, and

WHEREAS, it is necessary to amend the Scope of Services and Schedule to the original Agreement to add an Environmental Assessment to meet the conditions of the Federal Aid grants associated with the 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. 2 to the engineering consultant agreement with Anderson-Bogert Engineers & Surveyors, Inc. in the amount of \$211,383 for the Tower Terrace Road from west of C Avenue to Alburnett Road, Contract No. 301666-02. A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$691,616.00
Amendment No. 1	\$0.00
Amendment No. 2	\$211,383.00
	<hr/>
Amended Contract Amount	\$902,999.00

General ledger coding for this amendment to be as follows:

Fund 301, Dept ID 301000 Project 301666	\$211,383
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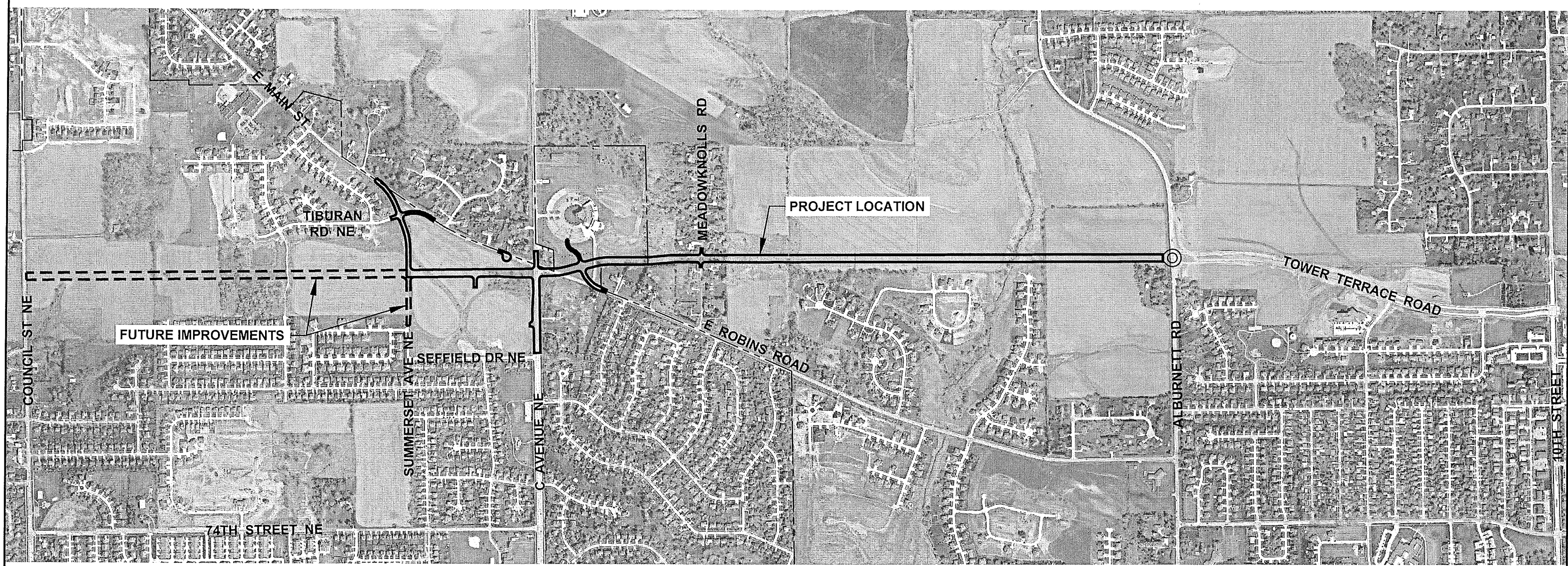
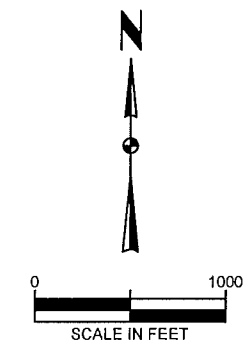
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MayorSignature

Attest:

ClerkSignature

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**TOWER TERRACE ROAD NE
FROM SUMMERSSET AVENUE NE TO ALBURNETT ROAD**





Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Dave Wallace, PE

Phone Number/Extension: 5814

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

Alternate Contact Person: Loren Snell, PE

Phone Number/Extension: 5804

E-mail Address: l.snell@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Resolution awarding and approving contract in the amount of \$74,090.20 plus incentive up to \$2,500, bond and insurance of Yordi Excavating, Inc. for the Penn Avenue NW at 1st Street Storm Sewer Improvements – Phase 2 project. Engineer's estimated cost is \$48,390. CIP/DID #304459-01

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

Background:

Yordi Excavating, Inc., Cedar Rapids, IA	\$ 74,140.20
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	\$105,780.00

Yordi Excavating, Inc. submitted the lowest of the bids received on November 14, 2016 for the Penn Avenue NW at 1st Street Storm Sewer Improvements – Phase 2 project. The bid is within the approved budget. Construction work is anticipated to begin this winter and be completed within 30 working days.

The Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of Yordi Excavating, Inc. was corrected to be \$74,090.20, based on the unit prices submitted and the correct bid quantity totals.

Yordi Excavating, Inc., Cedar Rapids, IA	\$74,090.20
Possible Incentive	<u>\$ 2,500.00</u>
Total Award	\$76,590.20

Action/Recommendation: The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$74,090.20 plus incentive up to \$2,500, bond and insurance of Yordi Excavating, Inc. for the Penn Avenue NW at 1st Street Storm Sewer Improvements – Phase 2 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: December 6, 2016

Budget Information: 304459 \$60,000.00
 304990 \$18,590.20

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, the following competitive quotations were received, opened, and announced on November 14, 2016 by the City Engineer, or designee, for the Penn Avenue NW at 1st Street Storm Sewer Improvements – Phase 2 (Contract No. 304459-01):

Yordi Excavating, Inc., Cedar Rapids, IA	\$ 74,140.20
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	\$105,780.00

, and

WHEREAS, the Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of Yordi Excavating, Inc. was corrected to be 74,090.20, based on the unit prices submitted and the correct bid quantity totals.

Yordi Excavating, Inc., Cedar Rapids, IA	\$74,090.20
Original Incentive Value	<u>2,500.00</u>
Total Award	\$76,590.20

, and

WHEREAS, general ledger coding for this public improvement project shall be as follows: \$76,590.20 304-304000-304459

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

1. The bids received as reported above are hereby ratified and accepted;
2. Irregularities and/or technicalities in bids received and corrected according to the contract requirements are hereby waived;
3. Yordi Excavating, Inc. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its corrected competitive quotation and award the contract to it;
4. Subject to registration with the Department of Labor, the Competitive Quotation of Yordi Excavating, Inc. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Yordi Excavating, Inc.
5. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that 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.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Justin Holland
E-mail Address: j.holland@cedar-rapids.org

Phone Number/Extension: 5766

Alternate Contact Person: Jason Junk
E-mail Address: j.junk@cedar-rapids.org

Phone Number/Extension: 5724

Description of Agenda Item: Purchases, contracts and agreements
 Authorizing Change Order No. 2 in the amount of \$57,763.64, plus 32 additional calendar days, with Dave Schmitt Construction Co., Inc. for the 7th Street SE from 4th Avenue SE to 12th Avenue SE Roadway Reconstruction and One-Way to Two-Way Conversion project. (original contract amount was \$1,224,134.65; total contract amount with this amendment is \$1,285,365.56). **(Paving for Progress)**.
 CIP/DID #3012111-04

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 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. Additional cost for adding ADA compliant ramps, a storm sewer intake and with a new manhole connection in the middle of 8th St. Also, included is upgrading the pedestrian push buttons, relocating an existing driveway, new pavement markings and symbols. Flaggers were needed due to backing off of 8th Ave onto 7th St while work was being completed.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 2 submitted by Dave Schmitt Construction Co., 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: December 6, 2016

Budget Information: 301/301000/3012111 SLOST
 625/6250000/6250051-2014088

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 \$57,763.64, plus 32 additional calendar days, with Dave Schmitt Construction Co., Inc. for the 7th Street SE from 4th Avenue SE to 12th Avenue SE Roadway Reconstruction and One-Way to Two-Way Conversion project, Contract No. 3012111-04. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,174,134.65
Original Incentive Value	50,000.00
Change Order No. 1	.00
Change Order No. 2	2,812.08
Change Order No. 3	655.19
Change Order No. 4	57,763.64
	<hr/>
Amended Contract Amount	\$1,285,365.56

General ledger coding for this Change Order to be as follows: \$57,763.64 301-301000-7970-3012111

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Justin Holland
E-mail Address: j.holland@cedar-rapids.org

Phone Number/Extension: 5766

Alternate Contact Person: Jason Junk
E-mail Address: j.junk@cedar-rapids.org

Phone Number/Extension: 5724

Description of Agenda Item: Purchases, contracts and agreements
 Authorizing Change Order No. 4 Final in the amount of \$3,207, plus 20 additional working days for Site 2, with Jasper Construction Services, Inc. for the 8th Avenue and 16th Avenue Bridges over the Cedar River Expansion Joint Replacement project (original contract amount was \$294,225; total contract amount with this amendment is \$352,628). **(Paving for Progress)**
 CIP/DID #305130-02

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 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. Replacement of a portion of the expansion joint on the 12th Ave Bridge was required and added 3 working days to Site 2. Vertical face sidewalk and curb repair was added due to the extent of the deteriorated curb on both the north and south sides of the bridge (3 working days added for this work). The access manhole in the 8th Ave Bridge was cracked and posed a safety threat, contractor purchased and installed the new lid. 12 working days were added for sidewalk overrun on 8th Ave Bridge and 2 working days were added for excessive rain while working of 8th Ave Bridge.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 5 Final submitted by Jasper Construction Services, 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: December 6, 2016

Budget Information: Dept ID 305000, Project 305093, NA
 Dept ID 305000, Project 305130, NA
 Dept ID 305000, Project 305130, 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. 4 Final in the amount of \$3,207, plus 20 additional working days for Site 2, with Jasper Construction Services, Inc. for the 8th Avenue and 16th Avenue Bridges over the Cedar River Expansion Joint Replacement project, Contract No. 305130-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$289,225.00
Original Incentive Value	5,000.00
Change Order No. 1	15,560.00
Change Order No. 2	10,692.00
Change Order No. 3	28,944.00
Change Order No. 4 Final	<u>3,207.00</u>
Amended Contract Amount	\$352,628.00

General ledger coding for this Change Order to be as follows: \$3,207 305-305000-30585-305130

PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Justin Holland
E-mail Address: j.holland@cedar-rapids.org

Phone Number/Extension: 5766

Alternate Contact Person: Jason Junk
E-mail Address: j.junk@cedar-rapids.org

Phone Number/Extension: 5724

Description of Agenda Item: Purchases, contracts and agreements
 Authorizing Change Order No. 2 in the amount of \$50,539.19 with Ricklefs Excavating, Ltd. for the 29th Street Drive SE from 1st Avenue to Tama Street Roadway Improvements project (original contract amount was \$1,461,960.75; total contract amount with this amendment is \$1,515,229.94). **(Paving for Progress)**.
 CIP/DID #3012126-02

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. 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. 2 submitted by Ricklefs Excavating, Ltd.

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: December 6, 2016

Budget Information: 301/301000/3012126 SLOST
 625/6250000/6250051-2014028 NA
 655/655000/655939 NA

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 \$50,539.19 with Ricklefs Excavating, Ltd. for the 29th Street Drive SE from 1st Avenue to Tama Street Roadway Improvements project, Contract No. 3012126-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,421,960.75
Original Incentive Value	40,000.00
Change Order No. 1	2,730.00
Change Order No. 2	50,539.19
	<hr/>
Amended Contract Amount	\$1,515,229.94

General ledger coding for this Change Order to be as follows: \$50,539.19; \$35,620.00 625-625000-6250051-6252016028, \$14,919.19 301-301000-7970-3012126

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: Justin Holland

Phone Number/Extension: 5766

E-mail Address: j.holland@cedar-rapids.org

Alternate Contact Person: Jason Junk

Phone Number/Extension: 5724

E-mail Address: j.junk@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Authorizing Change Order No. 8 in the amount of \$30,652.67, plus 27 additional calendar days, with Rathje Construction Company for the 42nd Street NE from I-380 to Wenig Road NE Pavement and Water Main Rehabilitation (original contract amount was \$3,108,134.70; total contract amount with this amendment is \$3,414,221.18) **(Paving for Progress)**.
CIP/DID #3012092-02

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 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 vehicle heads were installed per plan. The lane configurations were changed during construction so the vehicle heads were in alignment with the lane lines. MUTCD requires left turn signal heads to be centered on the lane they are controlling. 6 calendar days were added due to excessive rainfall in August. 10 calendar days were added due to excessive rainfall in September. 11 calendar days were added due to being pulled off the project for flood preparation.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 8 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: December 6, 2016

Budget Information: 301/3012092/3012092 SLOST

306/306000/306074 NA

625/6250000/6250051-2014059 NA

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. 8 in the amount of \$30,652.67, plus 27 additional calendar days, with Rathje Construction Company for the 42nd Street NE from I-380 to Wenig Road NE Pavement and Water Main Rehabilitation, Contract No. 3012092-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$2,948,134.70
Original Incentive Value	160,000.00
Change Order No. 1	26,418.30
Change Order No. 2	12,113.13
Change Order No. 3	7,393.28
Change Order No. 4	34,902.40
Change Order No. 5	18,306.31
Change Order No. 6	52,548.84
Change Order No. 7	123,751.55
Change Order No. 8	<u>30,652.67</u>
Amended Contract Amount	\$3,414,221.18

General ledger coding for this Change Order to be as follows: \$30,652.67; \$27,418.67 301-301000-7970-3012092, \$3,234.00 306-306000-30685-306274

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: Justin Holland

Phone Number/Extension: 5766

E-mail Address: j.holland@cedar-rapids.org

Alternate Contact Person: Jason Junk

Phone Number/Extension: 5724

j.junk@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing Change Order No. 7 in the amount of \$650.84, plus 7 additional working days, with Horsfield Construction, Inc. for the 74th Street NE from White Ivy Place to C Avenue NE Roadway Improvements project (original contract amount was \$1,261,252.34; total contract amount with this amendment is \$1,443,469.36) (**Paving for Progress**).

CIP/DID #3012050-02

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

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 contractor requested a change of manhole castings to provide a better fit on top of the existing manhole. 7 working days were added for WCD #3, not included on Change Order #5, for work related to the Developer requesting installation of water and sewer services prior to paving the street.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 7 submitted by Horsfield 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: December 6, 2016

Budget Information: 301/3012050/3012050 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. 7 in the amount of \$650.84, plus 7 additional working days, with Horsfield Construction, Inc. for the 74th Street NE from White Ivy Place to C Avenue NE Roadway Improvements project, Contract No. 3012050-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,225,252.34
Original Incentive Value	36,000.00
Change Order No. 1	46,082.44
Change Order No. 2	2,800.00
Change Order No. 3	70,095.48
Change Order No. 4	1,152.00
Change Order No. 5	37,777.73
Change Order No. 6	23,658.53
Change Order No. 7	<u>650.84</u>
Amended Contract Amount	\$1,443,459.36

General ledger coding for this Change Order to be as follows: \$650.84 301-301000-7970-3012050 SLOST

PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Justin Holland

Phone Number/Extension: 5766

E-mail Address: j.holland@cedar-rapids.org

Alternate Contact Person: Jason Junk

Phone Number/Extension: 5724

E-mail Address: j.junk@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing Change Order No. 2 Final deducting the amount of \$8,551.59 with Curtis Contracting Corp. for the 2015 Sidewalk Ramp Improvements project (original contract amount was \$109,033; total contract amount with this amendment is \$120,768.59).

CIP/DID #3016016-02

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

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. 2 Final 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: December 6, 2016

Budget Information: \$89,266 301/301000/3016016 NA, \$90,155 301/301000/18401/3016016 ADA

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 Final deducting the amount of \$8,551.59 with Curtis Contracting Corp. for the 2015 Sidewalk Ramp Improvements project, Contract No. 3016016-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$104,033.00
Possible Incentive Value	5,000.00
Change Order No. 1	20,287.28
Change Order No. 2 Final	<u>(8,551.59)</u>
Amended Contract Amount	\$120,768.69

General ledger coding for this Change Order to be as follows: \$(8,551.59); \$(6,934.40) 301-301000-18401-306016, \$(1,617.19) 301-301000-30185-3016016

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MayorSignature

Attest:

ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Justin Holland

Phone Number/Extension: 5766

E-mail Address: j.holland@cedar-rapids.org

Alternate Contact Person: Jason

Phone Number/Extension: 5847

E-mail Address: r.betts@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Authorizing Change Order No. 6 in the amount of \$43,352.29 with Pirc-Tobin Construction, Inc. for the B Avenue NW from Highland Drive NW to 8th Street NW Roadway Improvements project (original contract amount was \$1,913,406.54; total contract amount with this amendment is \$2,106,272.73) **(Paving for Progress)**.

CIP/DID #3012091-02

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 original estimate was 300 CY Unclassified Excavation and Embankment which was vastly underestimated. After the project was resurveyed, we found the quantity was short by 1159 CY.

Action/Recommendation: The Public Works Department recommends approval of Change Order No.6 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: December 6, 2016

Budget Information: 301/301000/3012091 (SLOST)
625/6250000/6250051-625016014 NA

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. 6 in the amount of \$43,352.29 with Pirc-Tobin Construction, Inc. for the B Avenue NW from Highland Drive NW to 8th Street NW Roadway Improvements, Contract No. 3012091-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,783,406.54
Possible Incentive Value	130,000.00
Change Order No. 1	104,822.60
Change Order No. 2	6,950.15
Change Order No. 3	19,000.00
Change Order No. 4	17,006.25
Change Order No. 5	1,734.90
Change Order No. 6	<u>43,352.29</u>
Amended Contract Amount	\$2,106,272.73

General ledger coding for this Change Order to be as follows: \$43,352.29; \$36,252.29 301-301000-7970-3012091, \$7,100.00 625-625000-6250051-6252016014

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Justin Holland
E-mail Address: j.holland@cedar-rapids.org

Phone Number/Extension: 5766

Alternate Contact Person: Jason Junk
E-mail Address: j.junk@cedar-rapids.org

Phone Number/Extension: 5724

Description of Agenda Item: Purchases, contracts and agreements
 Authorizing Change Order No. 2 in the amount of \$7,797.42, plus 10 additional working days, with Kleiman Construction, Inc. for the Cedar Rapids Police Department Firearms Range Improvements – Phase II project (original contract amount was \$637,328; total contract amount with this amendment is \$690,894.99).
 CIP/DID #310333-05

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

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 existing range tower was going to be removed in phase 3 but it was in the way to complete phase 2 work so the City asked to remove the tower in phase 2. Action Target changed some of their equipment so a larger subpanel and breaker was needed. The area where the precast concrete and the cast in place concrete met was not protected with any lumber and panels so this was added to the contract.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 2 submitted by Kleiman 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: December 6, 2016

Budget Information: 310333 – Partner Agency Contributions and City Bonds

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 \$7,797.42, plus 10 additional working days, with Kleiman Construction, Inc. for the Cedar Rapids Police Department Firearms Range Improvements – Phase II project, Contract No. 310333-05. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$632,328.00
Original Incentive Value	5,000.00
Change Order No. 1	45,769.57
Change Order No. 2	7,797.42

Amended Contract Amount	\$690,894.99
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General ledger coding for this Change Order to be as follows: \$7,797.42 310-310000-310333

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: Justin Holland
E-mail Address: j.holland@cedar-rapids.org

Phone Number/Extension: 5766

Alternate Contact Person: Jason Junk
E-mail Address: j.junk@cedar-rapids.org

Phone Number/Extension: 5724

Description of Agenda Item: Purchases, contracts and agreements
 Authorizing Change Order No. 3 in the amount of \$3,458.72 with Hunt Construction Co., Inc. for the Cedar Riverwalk 2nd Avenue to 3rd Avenue SE project (original contract amount was \$84,292.50; total contract amount with this amendment is \$96,143.19).
 CIP/DID #3315507-10

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. 3 submitted by Hunt Construction Co., 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: December 6, 2016

Budget Information: GRI - \$80,000

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 \$3,458.72 with Hunt Construction Co., Inc. for the Cedar Riverwalk 2nd Avenue to 3rd Avenue SE project, Contract No. 3315507-10. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$84,292.50
Change Order No. 1	8,192.29
Change Order No. 2	199.68
Change Order No. 3	3,458.72
	<hr/>
Amended Contract Amount	\$96,143.19

General ledger coding for this Change Order to be as follows: \$3,458.72 331-331100-7972-3315507

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Justin Holland
E-mail Address: j.holland@cedar-rapids.org

Phone Number/Extension: 5766

Alternate Contact Person: Jason Junk
E-mail Address: j.junk@cedar-rapids.org

Phone Number/Extension: 5724

Description of Agenda Item: Purchases, contracts and agreements
 Authorizing Change Order No. 4 in the amount of \$6,672.45, plus 27 additional working days, with Rathje Construction Company for the Seminole Valley Road NE – Sanitary Sewer Improvement Project, 42nd Street from Seminole Valley Road NE to Edgewood Road NE project (original contract amount was \$1,389,895.08; total contract amount with this amendment is \$1,434,639.49) **(Paving for Progress)**.
 CIP/DID #3012116-02

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 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. 16 calendar days added due to excessive rainfall in August and September which is cited in Section SC- 18.03 Consideration for extra work or delays in the project manual. The contractor was pulled off-site 11 calendar days to help the city with flood preparation.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 4 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: December 6, 2016

Budget Information: 301/301000/3012116 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. 4 in the amount of \$6,672.45, plus 27 additional calendar days, with Rathje Construction Company for the Seminole Valley Road NE – Sanitary Sewer Improvement Project, 42nd Street from Seminole Valley Road NE to Edgewood Road NE project, Contract No. 3012116-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,349,895.08
Original Incentive Value	40,000.00
Change Order No. 1	5,240.70
Change Order No. 2	38,437.31
Change Order No. 3	4,393.95
Change Order No. 4	6,672.45
Addition of Disincentive and/or Liquidated Damages	(10,000.00)

Amended Contract Amount	\$1,434,639.49
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General ledger coding for this Change Order to be as follows: \$6,672.45; \$1,690.65 301-301000-7970-3012116, \$4.80 301-301000-7970-3012147, \$4,977.00 655-655000-65585-6550017

PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Parks

Presenter at Meeting: Daniel Gibbins
E-mail Address: d.gibbins@cedar-rapids.org

Phone Number/Ext.: 5768

Alternate Contact Person: Sven Leff
E-mail Address: s.leff@cedar-rapids.org

Phone Number/Ext.: 5739

Description of Agenda Item: CONSENT AGENDA

Memorandum of Agreement between the City of Cedar Rapids and Monarch Research Project ("MRP") for the 1,000 Acre Pollinator Initiative.

CIP/DID #PKS008-16

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: Parks and Recreation has partnered with the Monarch Research Project (MRP) non-profit organization to achieve conversion of up to 500 acres of non-productive City lands to pollinator prairie habitat during the next five years. This agreement will allow the City to accept funding in 2017 from MRP of approximately \$182,000 for the purchase of native seed, herbicide and seeding contract labor.

Action/Recommendation: Authorize City Manager to sign Memorandum of Agreement

Alternative Recommendation: NA

Time Sensitivity: Normal

Resolution Date: December 6, 2016

Budget Information: NA

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

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

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Monarch Research Project (“MRP”) established on October 9, 2015, is organized to address the plight of the endangered Monarch butterfly. MRP seeks to cultivate communities of engaged citizens to aid in Monarch repopulation and in the restoration of Pollinator Zones – more specifically referred to as the “1,000 Acre Pollinator Initiative”, and

WHEREAS, The City of Cedar Rapids (“City”), a State of Iowa municipality seeks to partner with MRP to utilize municipal land for Monarch and Pollinator projects through the “1,000 Acre Pollinator Initiative”, and

WHEREAS, MRP has the funding capacity and City has land, expertise and human resources to assist in the “1,000 Acre Pollinator Initiative”,

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 a Memorandum of Agreement between the City of Cedar Rapids and Monarch Research Project for the purpose of restoring pollinator zones for the Monarch butterfly .

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LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Nate Kampman, PE
E-mail Address: n.kampman@cedar-rapids.org

Phone Number/Extension: 5628

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 an Amended Chapter 28E Agreement with the City of Marion and Linn County for an Environmental Assessment in connection with the Tower Terrace Road from west of C Avenue to Alburnett Road project.
 CIP/DID #301666-00

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

Background: A 28E Agreement was executed with the City of Marion and Linn County on September 24, 2014 in connection with the proposed Tower Terrace Road from west of C Avenue to Alburnett Road project. The purpose of the 28E Agreement was to define project responsibilities and financing for design, right-of-way acquisition, and construction of the project(s). Paragraph 3 of the original 28E Agreement indicated that the 28E Agreement would be amended prior to additional environmental studies. The Iowa Department of Transportation (IDOT) has classified the project as needing an Environmental Assessment required to meet the conditions of the Federal-Aid grants associated with the project, which requires amending the 28E Agreement. The additional engineering services for the environmental assessment and investigation for future sanitary sewer service to the Meadowknolls subdivision is included in Amendment No. 2 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. included on the December 6, 2016 City Council agenda. Cedar Rapids portion of the \$211,383 fee in Amendment No. 2 is \$126,270.

In addition, the Corridor Metropolitan Planning Organization (CMPO) has approved an additional \$868,000 of STP funding for the project(s) requiring a revision in the financing portion of the 28E Agreement.

Action/Recommendation: The Public Works Department recommends adopting execution of the Amended 28E Agreement with the City of Marion, and Linn County for the required Environmental Assessment.

Alternative Recommendation: Restructure the Amended 28E Agreement as directed by the City Council.

Time Sensitivity: Normal

Resolution Date: December 6, 2016

Budget Information: CIP No. 301666, NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on September 23, 2014 City Council approved the execution of Contract No. 301666-02 with Anderson-Bogert Engineers & Surveyors, Inc. to provide professional services related to the Tower Terrace Road from west of C Avenue to Alburnett Road project, and

WHEREAS, it is necessary to amend the Scope of Services and Schedule to the original Agreement to add an Environmental Assessment to meet the conditions of the Federal Aid grants associated with the 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. 2 to the engineering consultant agreement with Anderson-Bogert Engineers & Surveyors, Inc. in the amount of \$211,383 for the Tower Terrace Road from west of C Avenue to Alburnett Road, Contract No. 301666-02. A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$691,616.00
Amendment No. 1	\$0.00
Amendment No. 2	\$211,383.00
	<hr/>
Amended Contract Amount	\$902,999.00

General ledger coding for this amendment to be as follows:

Fund 301, Dept ID 301000 Project 301666, NA	\$211,383
---	-----------

PASSED_DAY_TAG

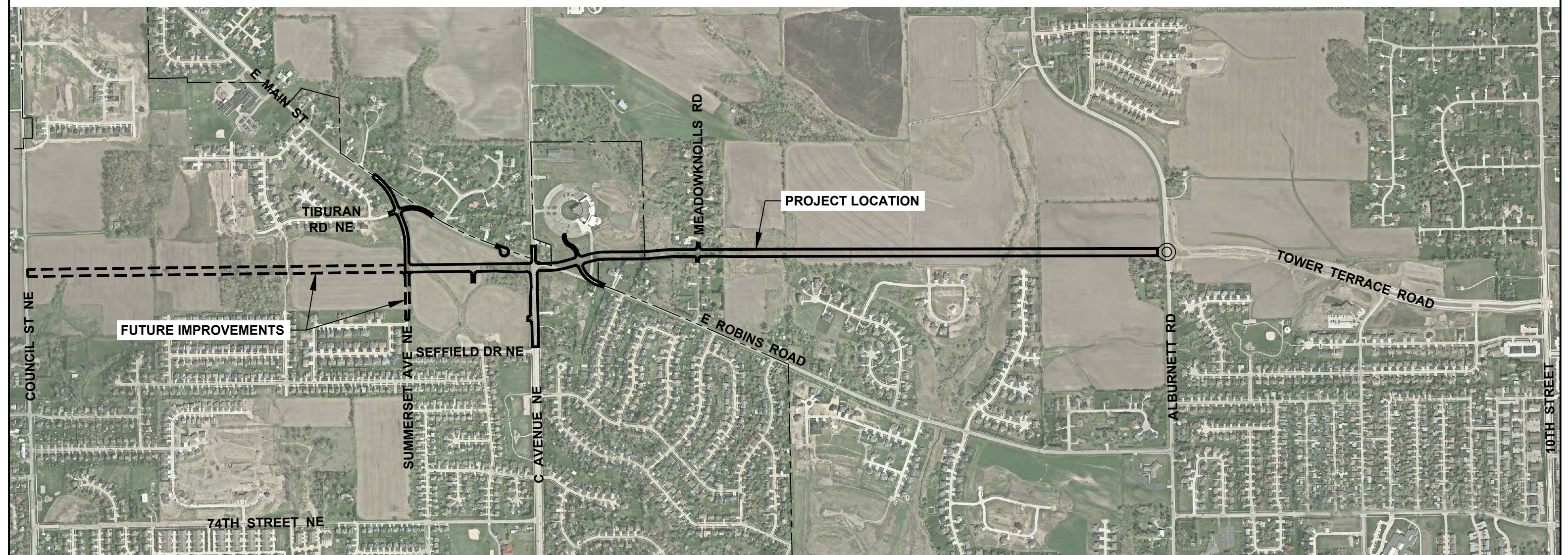
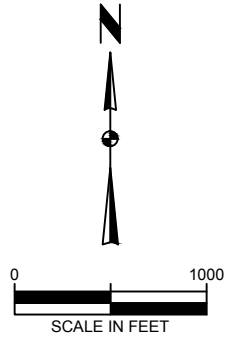
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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



**TOWER TERRACE ROAD NE
FROM SUMMERSET AVENUE NE TO ALBURNETT ROAD**





Council Agenda Item Cover Sheet

Submitting Department: Finance

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

Phone Number/Ext.: 319 286-5097

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 the release of Phase II loan in the amount of \$1,125,000 to the Development Agreement with Westdale CR Ventures #1, LLC and Frew Development Group, LLC for redevelopment of the former Westdale Mall site generally located at 2500 Edgewood Road SW.

CIP/DID #OB812292

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

Background: On June 23, 2015, the City Council approved an amendment to the Westdale Development Agreement which provided that Westdale CR Ventures #1, LLC and Frew Development Group, LLC enter into a loan with Cedar Rapids Bank & Trust for up to \$11,500,000 for the purpose of financing the construction of the Minimum Improvements. As part of that amendment, the City entered into a Guaranty Agreement for the bank loan with specific terms and conditions. The Phase One loan of \$7,000,000 was previously distributed to the developer.

The Phase Two Loan disbursement is contingent upon compliance with all of the terms of the Bank Loan and Development Agreement, as well as meeting financial metrics set forth in the Guaranty Agreement. On June 14, 2016, a partial loan disbursement of \$2,250,000, or one-half of the \$4,500,000 Phase Two Loan was made to the Frew Development Group, LLC. On September 13, 2016, another partial disbursement of \$1,125,000 was made to the Frew Development Group, LLC.

Based on the redevelopment progress to date, including the hotel, 100% of the development required for the Phase Two Loan has been completed. The Frew Development Group, LLC has requested approval of the final payment of the Phase II loan final in the amount of \$1,125,000.

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

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

Time Sensitivity: NA

Resolution Date: December 6, 2016

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on May 14, 2013 through Resolution No. 0811-05-13, the City Council approved execution of a Development Agreement with Westdale CR Ventures #1, LLC and Frew Development Group, LLC for the redevelopment of the former Westdale Mall site, a 71-acre infill site located at 2500 Edgewood Road SW, for the purpose of encouraging a master-planned mixed-use development; and

WHEREAS, the City and Developer subsequently entered into and executed a First Amendment to the Original Agreement dated as of December 17, 2013 (the "First Amendment"); and

WHEREAS, the City and Developer subsequently entered into and executed a Second Amendment to the Original Agreement dated as of June 23, 2015 (the "Second Amendment"); and

WHEREAS, the City and Developer subsequently entered into and executed a Third Amendment to the Original Agreement dated as of April 12, 2016 (the "Third Amendment" and together with the Original Agreement, the First Amendment, and the Second Amendment, referred to herein as the "Development Agreement"); and

WHEREAS, the City and Developer subsequently entered into and executed a Fourth Amendment to the Original Agreement dated as of June 24, 2016 (the "Fourth Amendment" and together with the Original Agreement, the First Amendment, the Second Amendment, and the Third Amendment, referred to herein as the "Development Agreement"); and

WHEREAS, the City and Developer subsequently entered into and executed a Fifth Amendment to the Original Agreement dated as of September 13, 2016 (the "Fifth Amendment" and together with the Original Agreement, the First Amendment, the Second Amendment, the Third Amendment and the Fourth Amendment, referred to herein as the "Development Agreement"); and

WHEREAS, the Frew Development Group, LLC has requested a final disbursement in the amount of \$1,125,000, representing the remaining portion of the Phase Two Loan, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and is authorized and directed to approve the final payment of the Phase II loan for Westdale CR Ventures #1, LLC and Frew Development Group, LLC.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Community Development - Housing

Presenter at Meeting: Ali Suntken
E-mail Address: a.suntken@cedar-rapids.org

Phone Number/Ext.: 319 286-5893

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

Phone Number/Ext.: 319 286-5852

Description of Agenda Item: Purchases, contracts and agreements
 Resolution authorizing execution of Amendment No. 1 to the Development Agreement with Platinum Development, LLC for property at 523 B Avenue NW participating in the Single Family New Construction program (**FLOOD**).
 CIP/DID #SFNC3-2016

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

Background: On February 24, 2015, City Council approved execution of a Development Agreement with Platinum Development, LLC for property at 523 B Avenue NW as part of Round 4 of the Single Family New Construction program. Amendment No. 1 to the Development Agreement will shift funding from Round 4 of the program to Round 3, in order to accommodate conditions of the Development Property and to allow for unit characteristics that better meet the needs of the home buyer. Additional conditions of Amendment No. 1 include a maximum sales price of \$180,000 and clarifications to program rules and guidelines to be acknowledged by the developer.

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: December 6, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on January 4, 2012, the City Council passed Resolution 0116-01-12 approving the administrative plan and local program guidelines for the third phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the parties have entered into a Development Agreement dated February 24, 2015 (the "Agreement") pursuant to the terms of which, the Developer has agreed to construct a single-family home at 523 B Avenue NW for participation in the Single Family New Construction program ("Program"); and

WHEREAS, the City and Developer wish to amend the Agreement to reflect, among other things, a change in the Program funding round and maximum sales price, which together with those terms in the Agreement remaining in full force and effect will allow for unit characteristics that better meet the needs of the home buyer; and

WHEREAS, City approval of the Changes will allow the Project to proceed.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in this First Amendment, and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, as of the Effective Date and thereafter, it is agreed as follows:

- 1) The Developer's participation in the Single Family New Construction program Round 4 is hereby rescinded and replaced with participation in the Single Family New Construction program Round 3 ("SFNC Round 3").
 - a. The Developer's participation in SFNC Round 3 will be according the Program Guidelines for SFNC Round 3.
- 2) Section 3.3 (b) of the Agreement shall be amended by the deletion thereof and in its place a new Section 3.3 (b) is substituted as follows:
 - (b) The Developer covenants and agrees that the sales price of the Development Property upon completion of the Improvements shall not exceed One Hundred and Eighty Thousand Dollars and 00/100 (\$180,000.00).
- 3) Except as expressly amended by this First Amendment, all terms and conditions of the Agreement remain in full force and effect.

BE IT FURTHER RESOLVED that Amendment No. 1 to the Development Agreement by and between the Developer and the City is hereby approved and the City Manager and City Clerk are authorized to execute the Amendment on behalf of the City.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Water

Presenter at Meeting: Steve Hershner

Phone Number/Ext.: 5281

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

Alternate Contact Person: Kevin Kirchner

Phone Number/Ext.: 5902

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

Description of Agenda Item: CONSENT AGENDA

Resolution accepting the Affidavit for Water Service Line Reimbursement from Nadine C. Washington, property owner, to reimburse the City on a monthly installment basis for the replacement of the water service line at 600 13th Street NW.

CIP/DID #WTR120616-002

Routine business - EnvisionCR Does not apply

Background: In the Cedar Rapids Municipal Code, Chapter 12 – Water Service, 12.14 - Installation of Service Pipes, it states that the property owners are responsible for service pipes and fixtures from the street water/sewer main to the premises including the corporation.

When these service pipes or lines need to be replaced or repaired, it is the property owners' responsibility to hire a licensed plumber to make such repairs.

In extenuating circumstances, the Utilities Department – Water Division assists property owners with the service line replacement. In those cases, the Water Division obtains pricing, pays for the service, and allows the property owners to repay the Utilities Department in monthly installments. Nadine C. Washington, owner of the property at 600 13th Street NW, has requested that the Utilities Department – Water Division help her replace the water service line to her property.

The Utilities Department requested three quotes for the water service line replacement and B. G. Brecke, Inc. of Cedar Rapids submitted the low quote of \$2,930. Ms. Washington has executed an Affidavit agreeing to reimburse the Utilities Department for the \$2,930 water service line replacement fee on a monthly installment basis for 60 months at an interest rate of 7% per annum. Her minimum monthly payments will be \$58.02.

Failure to reimburse the Utilities Department for these costs in a timely manner may result in the termination of water service to this property and/or the imposition of a lien upon the property as provided for in accordance with Chapter 12 (Water Service) of the Cedar Rapids Municipal Code and in accordance with Sections 384.84 and 384.93 of the Code of Iowa.

Action / Recommendation: The Utilities Department recommends that the Resolution accepting the Affidavit for Service Line Reimbursement be hereby approved and the City Clerk's office be directed to record said Affidavit with the Linn County Recorder.

Alternative Recommendation (if applicable): The City Council could decide not to accept the Affidavit for Service Line Reimbursement and Ms. Washington would need to find other financing or be without water service.

Resolution Date: 12/06/16

Budget Information: N/A

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Cedar Rapids Municipal Code, Chapter 12 – Water Service, 12.14 - Installation of Service Pipes, states that the property owners are responsible for service pipes and fixtures from the street water main to the premises including the corporation and when these service pipes or lines need to be replaced or repaired, it is the property owners' responsibility to hire a licensed plumber to make such repairs, and

WHEREAS, in extenuating circumstances, the Utilities Department – Water Division assists property owners with the service line replacement. In those cases, the Water Division obtains pricing, pays for the service, and allows the property owners to repay the Utilities Department in monthly installments, and

WHEREAS, Nadine C. Washington, owner of the property at 600 13th Street NW, has requested that the Utilities Department – Water Division help her replace the water service line to her property, and

WHEREAS, Nadine C. Washington has signed an Affidavit acknowledging and agreeing to reimburse the Cedar Rapids Utilities Department – Water Division on a monthly installment basis for 60 months for the costs incurred to replace the water service line.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Affidavit for Service Line Reimbursement executed by Nadine C. Washington to reimburse the Cedar Rapids Utilities Department – Water Division on a monthly installment basis for the costs incurred to replace the water service line at 600 13th Street NW be hereby approved, and

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Caleb Mason

Phone Number/Ext.: 319 286-5188

E-mail Address: c.mason@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext.: 319 286-5047

E-mail Address: j.pratt@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of Assignment Agreement, Air Rights Lease Agreement, and Flood Mitigation Facilities Access and Easement Agreement with Cedar Real Estate Group III, LLC in connection with the CRST building at 201 1st Street SE.

CIP/DID # OB838345

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

Background: The Resolution authorizes execution of three agreements in connection with the CRST facility at 201 1st Street SE. The agreements are ancillary documents which were outlined in the Development Agreement and Lease Purchase approved by City Council on June 10, 2014 and August 26, 2016, respectively.

The agreements include the following:

- Assignment Agreement – assigns all rights and benefits of construction and material warranties provided by Ryan Companies US, Inc. from Cedar Real Estate Group III, LLC to the City with respect to the floodwall and pumpstation vault.
- Air Rights Lease Agreement – provides an air rights lease to permit the cantilevered portion of the building over City property.
- Flood Mitigation Facilities Access and Easement Agreement – provides the City with perpetual access onto and within the CRST facility to maintain and operate the City's floodwall and pumpstation which are incorporated into the facility.

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

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

Time Sensitivity: NA

Resolution Date: December 6, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on June 10, 2014 the City and Cedar Real Estate III, LLC (the "Developer") entered into a Development Agreement (the "Agreement") for the Developer's construction of an 11-story office building CRST World Headquarters (the "CRST Facility") building at 201 1st Street SE (the "Property") which incorporates a floodwall and pump station vault as part of the City's Flood Control System, and

WHEREAS, on August 24, 2016 the City and Developer in to a Lease Purchase Agreement (the "LPA") providing for the City's lease and purchase of certain flood mitigation measures which were incorporated into the CRST Facility and riverside trail improvements on the Property constructed by the City, and

WHEREAS, the City has provided notice to the Developer, in accordance with Agreement and LPA, to exercise its option to purchase the floodwall, pump station vault, and recreation trail, and

WHEREAS, in accordance with the terms of the Agreement and LPA, an Assignment Agreement, Air Rights Lease Agreement, and Flood Mitigation Facilities Access and Easement Agreement (collectively the "Transfer Documents") have been prepared as part of the transfer of the floodwall, pump station vault, and recreation trail, and

WHEREAS, the Transfer Documents are 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 Assignment Agreement, Air Rights Lease Agreement, and Flood Mitigation Facilities Access and Easement Agreement are hereby approved.
2. The City Manager and City Clerk, or their designees, are authorized to execute the Assignment Agreement, Air Rights Lease Agreement, and Flood Mitigation Facilities Access and Easement Agreement, and the Air Rights Lease Agreement and Flood Mitigation Facilities Access and Easement Agreement are to be recorded in the office of the Linn County, Iowa Recorder.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

Attest:

ClerkSignature

MayorSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Caleb Mason

Phone Number/Ext.: 319 286-5188

E-mail Address: c.mason@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext.: 319 286-5047

E-mail Address: j.pratt@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Resolution accepting a Bill of Sale and Special Warranty Deed from Cedar Real Estate Group III, LLC for the floodwall, pump station vault, and recreation trail in connection with the CRST building at 201 1st Street SE.

CIP/DID # OB838345

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

Background: The Resolution accepts the Bill of Sale and Special Warranty Deed ("Transfer Documents") for the floodwall, pump station vault, and riverside trail which were incorporated into the CRST facility at 201 1st St SE. The Transfer Documents are being delivered in accordance with the terms and conditions of the Development Agreement and Lease Purchase approved by City Council on June 10, 2014 and August 26, 2014, respectively. Upon consummation of the transfer, which is anticipated to occur December 15, 2016, the City will own the floodwall, pump station vault, and riverside trail.

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

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

Time Sensitivity: NA

Resolution Date: December 6, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on June 10, 2014 the City and Cedar Real Estate III, LLC (the "Developer") entered into a Development Agreement (the "Agreement") for the Developer's construction of an 11-story office building CRST World Headquarters (the "CRST Facility") building at 201 1st Street SE (the "Property") which incorporates a floodwall and pump station vault as part of the City's Flood Control System, and

WHEREAS, on August 24, 2016 the City and Developer in to a Lease Purchase Agreement (the "LPA") providing for the City's lease and purchase of certain flood mitigation measures which were incorporated into the CRST Facility and riverside trail improvements on the Property constructed by the City, and

WHEREAS, the City has provided notice to the Developer, in accordance with Agreement and LPA, to exercise its option to purchase the floodwall, pump station vault, and recreation trail, and

WHEREAS, in accordance with the terms of the Agreement and LPA, a Bill of Sale and Special Warranty Deed have been prepared by the Developer to effectuate the conveyance of the floodwall, pump station vault, and a recreation trail which is situation on a portion of the Property, and

WHEREAS, the City Council is desirous of accepting the Bill of Sale and Special Warranty Deed in accordance with the terms outlined in the Agreement and LPA.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City hereby accepts the Bill of Sale and Special Warranty Deed, subject to all of the review requirements contained in the Agreement and LPA, and the City Manager and City Clerk, or their designees, are authorized to do those things reasonably necessary to effectuate this Resolution.

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: Amanda Vande Voorde

Phone Number/Extension: 5994

E-mail Address: a.vandevoorde@cedar-rapids.org

Alternate Contact Person: Rita Rasmussen

Phone Number/Extension: 5807

E-mail Address: r.rasmussen@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$2,826 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Oakhill-Jackson Community Church from land located at 1202 10th Street SE in connection with the 12th Avenue SE Roadway and Utility Improvement from 7th Street SE to 400' East of 19th Street SE project (**Paving for Progress**).

CIP/DID # 3012131-00

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

Background: The City Council approved funding towards the 12th Avenue SE Roadway and Utility Improvement from 7th Street SE to 400' East of 19th Street SE project.

The right-of-way and easement are required to accommodate the proposed roadway improvements. Compensation amounts proposed are based on an appraisal of the subject property, provided by a qualified appraiser and a review appraiser's recommendation hired by the City.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$2,826 and accepting a Warranty Deed and Temporary Grading Easement for Construction from Oakhill-Jackson Community Church.

Alternative Recommendation: Do not proceed with acquiring the proposed right-of-way and temporary grading easement for construction and direct City staff to abandon or reconfigure the roadway improvements.

Time Sensitivity: Normal

Resolution Date: 12/6/2016

Budget Information: 301/301000/3012131 (SLOST)

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, the Public Works Director has determined the need for additional right-of-way and a Temporary Grading Easement for Construction exists in order to accommodate the proposed facilities, and

WHEREAS, Oakhill-Jackson Community Church, 1202 10th Street SE, Cedar Rapids, Iowa 52403, OWNER, of the real property known and described as:

See Attached Acquisition Plat

in the City of Cedar Rapids, Linn County, Iowa, has agreed to convey the necessary right-of-way and a Temporary Grading Easement for Construction at 1202 10th Street SE, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$2,396
Temporary Easement	\$430
TOTAL	<hr/> \$2,826

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the right-of-way and a Temporary Grading Easement for Construction in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for 12th Avenue SE Roadway and Utility Improvement from 7th Street SE to 400' East of 19th Street SE project (Fund 301, Dept ID 301000, Project 3012131),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that the Warranty Deed and Groundwater Hazard Statement from Oakhill-Jackson Community Church be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

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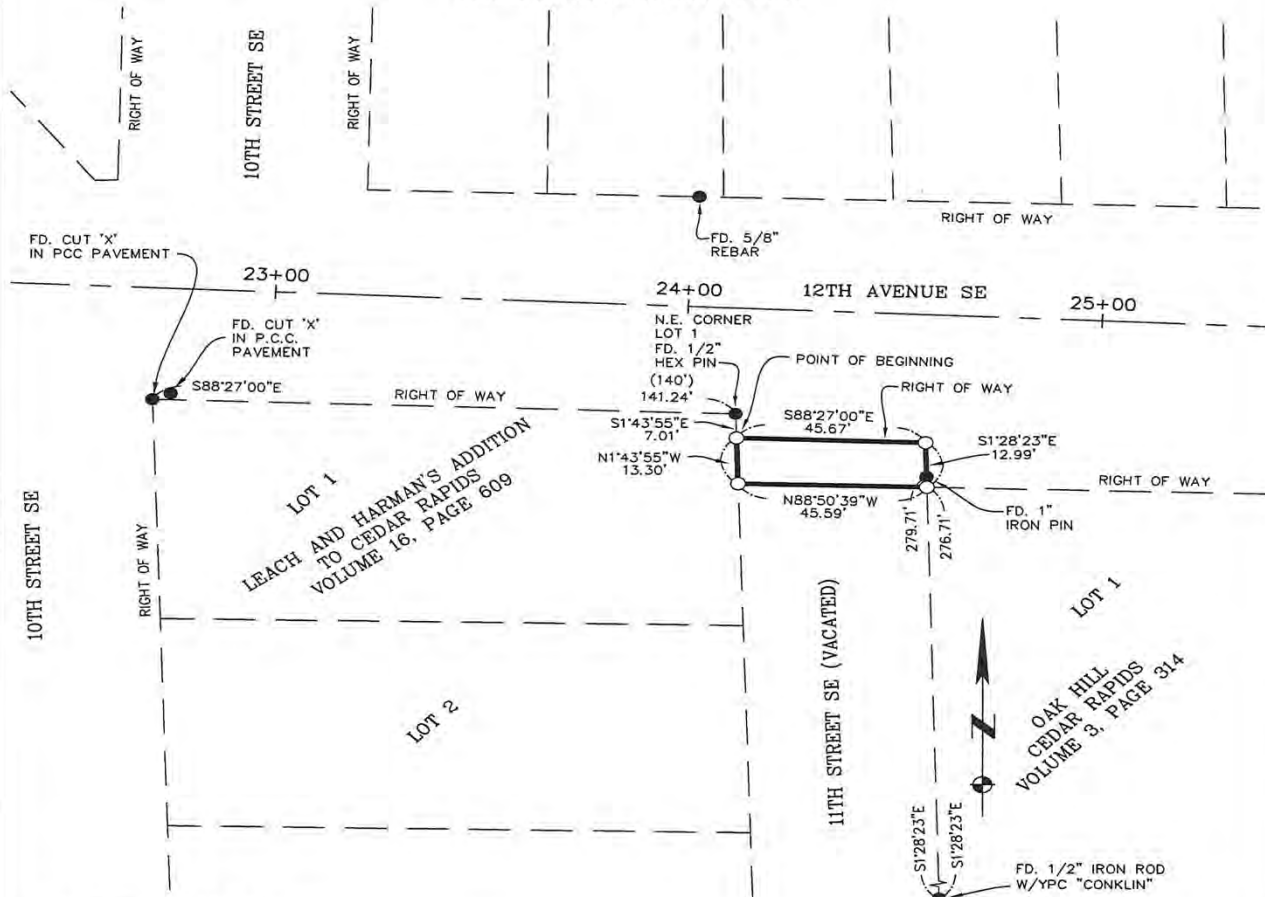
MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

EXHIBIT
ACQUISITION PLAT
PART OF VACATED 11TH STREET S.E.
SOUTHERLY OF 12TH AVENUE S.E.
CEDAR RAPIDS, LINN COUNTY IOWA



SURVEY LEGEND

○	SET 1/2" REBAR W/ YELLOW PLASTIC CAP NO. 18769 OR AS NOTED
●	FD. SURVEY MONUMENT AS NOTED
()	RECORDED AS
YPC	YELLOW PLASTIC CAP
---	PLAT OR SURVEY BOUNDARY
---	EXISTING LOT LINE
---	PROPOSED STREET ALIGNMENT

LEGAL DESCRIPTION:

PART OF VACATED 11TH STREET S.E., LEACH AND HARMANS ADDITION TO CEDAR RAPIDS AS RECORDED IN VOLUME 16, PAGE 609 AND OAK HILL AS RECORDED IN VOLUME 3, PAGE 314, BOTH IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, SAID LEACH AND HARMANS ADDITION; THENCE S1'43'55"E 7.01 FEET ALONG THE EAST LINE OF SAID LOT 1 AND THE FORMER WESTERLY RIGHT OF WAY OF 11TH STREET S.E. AND THE SOUTHERLY RIGHT OF WAY OF 12TH AVENUE S.E. TO THE POINT OF BEGINNING; THENCE S88°27'00"E 45.67 FEET ALONG SAID SOUTHERLY RIGHT OF WAY TO THE FORMER EAST RIGHT OF WAY OF SAID 11TH STREET S.E.; THENCE S1'28'23"E 12.99 FEET ALONG SAID FORMER EAST RIGHT OF WAY; THENCE N88°50'39"W 45.59 FEET TO THE SAID FORMER WEST RIGHT OF WAY OF 11TH STREET S.E. AND SAID EAST LINE OF LOT 1; THENCE N1'43'55"W 13.30 FEET ALONG SAID FORMER WEST RIGHT OF WAY AND SAID EAST LINE TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 599 SQ.FT., SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

SURVEY WORK
PERFORMED:
9/2/15

SURVEY PREPARED FOR:

CITY OF CEDAR RAPIDS IOWA

OWNER/PROPRIETOR:

OAKHILL- JACKSON COMMUNITY CHURCH
1202 10TH STREET S.E.
CEDAR RAPIDS, IA 52401

SURVEYOR:

RYAN R. REMLING L.S.
HALL & HALL ENGINEERS, INC.
1850 BOYSON ROAD
HIAWATHA, IOWA 52233
(319)-362-9548



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Signed: *[Signature]* Date: 9/9/16

RYAN R. REMLING, L.S. 18769
My license renewal date is December 31, 2017

Pages or sheets covered by this seal: THIS SHEET ONLY

Project Number: 9969-15-7
Sheet: 1 of 1
Scale: 1" = 40'
Field Book No: 213
Date: 9/9/16

Sheet Title:

EXHIBIT
ACQUISITION PLAT
PART OF VACATED 11TH STREET S.E.
SOUTHERLY OF 12TH AVENUE S.E.
CEDAR RAPIDS, LINN COUNTY IOWA

HALL & HALL ENGINEERS, INC.

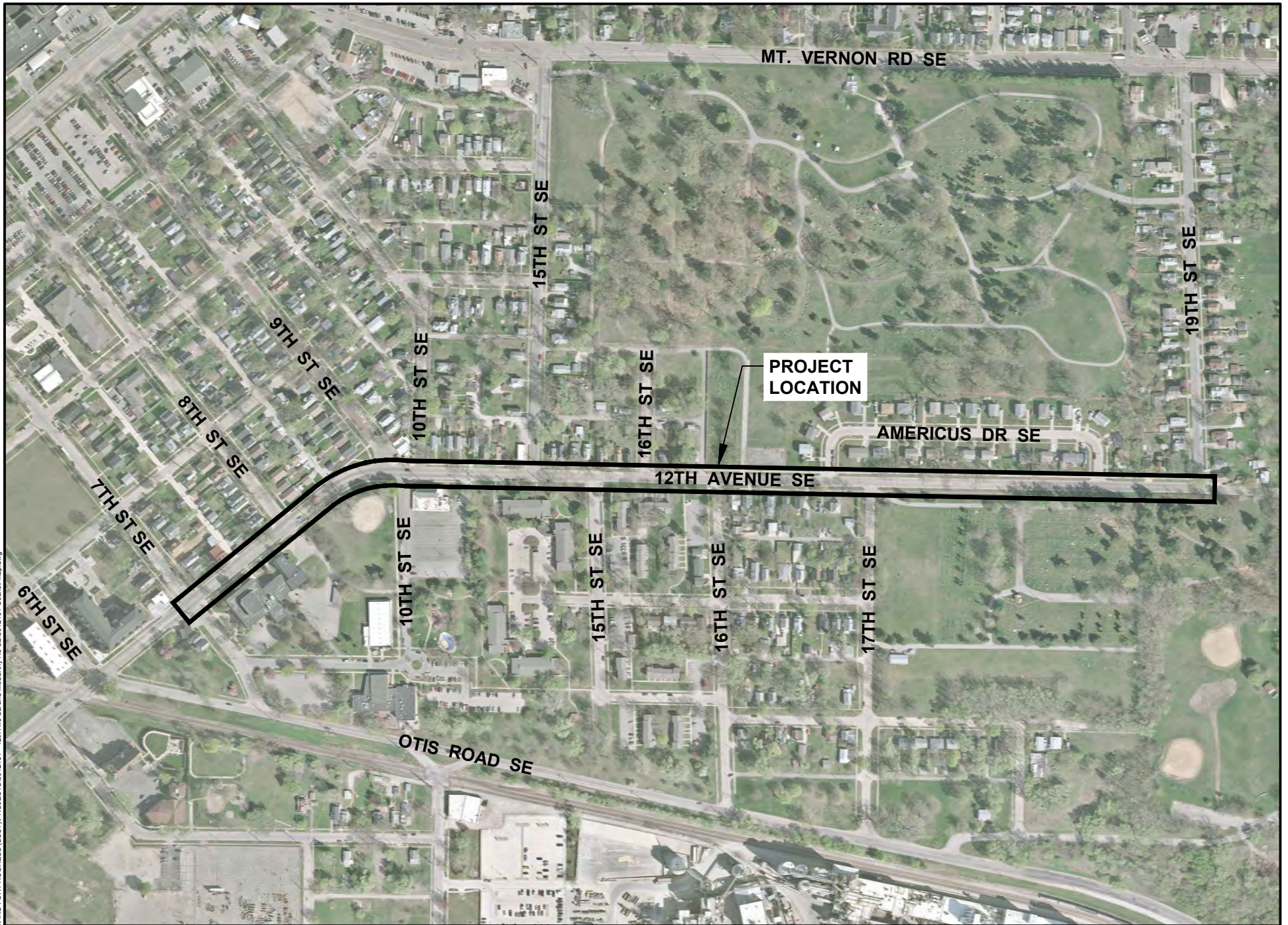
Leaders in Land Development Since 1953

1850 BOYSON ROAD, HIAWATHA, IOWA 52233
PHONE: (319) 362-9548 FAX: (319) 362-7595

CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE
LAND SURVEYING • LAND DEVELOPMENT PLANNING



Designed by: KWD Drawn by: KWD Checked by: L





Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at Meeting: Rita Rasmussen

Phone Number/Ext.: 5807

E-mail Address: r.rasmussen@cedar-rapids.org

Alternate Contact Person: Carol Morgan

Phone Number/Ext.: 5092

E-mail Address: c.morgan@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Resolution accepting a bid in the amount of \$1,200 from Orval Bell and Carel Jean Bell and approving a Quit Claim Deed for the disposition of the vacant lot located at 1314 1st Street SW.

CIP/DID #PRD-023180-2016

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

Background: The City of Cedar Rapids acquired this parcel in July of 2010 through the Voluntary Property Acquisition Program and received interest from the public to dispose of this vacant lot to adjacent parcel owners. A Public Hearing was held on August 9, 2016, and Council approved the resolution to continue with the disposition of this parcel. The parcel was offered for sale by sealed bid for a minimum of 30 days to the adjacent parcel owners, with the condition that the lot must be combined with an adjacent parcel to make one tax parcel.

On November 10, 2016, an acceptable offer for \$1,200 was received from Orval and Carel Jean Bell, owners of 1310 1st Street SW.

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

Action/Recommendation: The Public Works Department recommends accepting the bid and proceeding with the disposition.

Alternative Recommendation: Continue to hold and incur expenses for the maintenance of this vacant lot and opt to not place this parcel back on the tax roll.

Time Sensitivity: Normal

Resolution Date: December 6, 2016

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 Council desires to dispose of the real property located at 1314 1st Street SW, Cedar Rapids, Iowa, and legally described as:

S-ly 31 2/3 Feet N-ly 63 1/3 Feet Lots 4 and 5, now vacated Block 9, May, Fero & Gainers
Addition to West Cedar Rapids

, and

WHEREAS, the City Council previously authorized the disposition of this City-owned vacant lot by sealed bid to the adjacent property owners, and

WHEREAS, said parcel shall be combined with adjacent property so as to constitute a single zoning lot, and

WHEREAS, the City of Cedar Rapids offered this property for sale by sealed bid for a period in excess of 30 days, and

WHEREAS, the City of Cedar Rapids received a bid on November 10, 2016 from Orval Bell and Carel Jean Bell (owners of 1310 1st Street SW, Cedar Rapids, Iowa 52404) in the amount of \$1,200 for this real property, and

WHEREAS, the Public Works Director recommends the City Council accept the bid received from Orval Bell and Carel Jean Bell for this property, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the consideration of \$1,200 to be paid by Orval Bell and Carel Jean Bell for the property to be conveyed is good, adequate, fair and valuable, and that the bid shall be accepted, and

BE IT FURTHER RESOLVED that a Quit Claim Deed from the City of Cedar Rapids, Iowa to Orval Bell and Carel Jean Bell shall be executed by the City Manager and City Clerk and be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

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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
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Phone Number/Extension: 5141

Alternate Contact Person: Tim Mroch, PE
E-mail Address: t.mroch@cedar-rapids.org

Phone Number/Extension: 5703

Description of Agenda Item: REGULAR AGENDA

Report on bids and resolution awarding and approving contract in the amount of \$400,033 plus incentive up to \$10,000, bond and insurance of Trey Electric Corp. for the Edgewood Road NW Intersection Improvements from E Avenue NW to F Avenue NW project (estimated cost is \$530,000. (Doug Wilson)
CIP/DID #301689-03

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

Background:

Trey Electric Corp. Marion, IA	\$400,033.00
Incentive up to	\$ 10,000.00
Total	\$410,033.00
Price Industrial Electric, Inc., Robins, IA	\$447,467.30
Voltmer, Inc., Decorah, IA	\$460,803.45
Ricklefs Excavating, Ltd. Anamosa, IA	\$515,719.50

Trey Electric Corp. submitted the lowest of the bids received on November 30, 2016 for the Edgewood Road NW Intersection Improvements from E Avenue NW to F Avenue NW project. The bid is within the approved budget. Construction work is expected to begin this spring and anticipated to be completed within 80 working days.

Action/Recommendation: The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$400,033 plus incentive up to \$10,000, bond and insurance of Trey Electric Corp. for the Edgewood Road NW Intersection Improvements from E Avenue NW to F Avenue NW 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 December 6, 2016 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: December 6, 2016

Budget Information: 301/301000/301689 (SLOST)

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on November 1, 2016 the City Council adopted a motion that directed the City to post notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the Edgewood Road NW Intersection Improvements from E Avenue NW to F Avenue NW (Contract No. 301689-03) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice to bidders was posted according to law and the notice of public hearing was published in the Cedar Rapids Gazette on November 5, 2016 pursuant to which a public hearing was held on November 15, 2016, and

WHEREAS, the following bids were received, opened and announced on November 30, 2016 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 December 6, 2016:

Trey Electric Corp. Marion, IA	\$400,033.00
Incentive up to	<u>\$ 10,000.00</u>
Total	\$410,033.00
Price Industrial Electric, Inc., Robins, IA	\$447,467.30
Voltmer, Inc., Decorah, IA	\$460,803.45
Ricklefs Excavating, Ltd. Anamosa, IA	\$515,719.50

WHEREAS, general ledger coding for this public improvement shall be as follows: \$410,033; \$76,553 301-301000-7970-301689; \$333,480 306-306000-306270

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. Trey Electric Corp. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;
3. Subject to registration with the Department of Labor, the Bid of 2. Trey Electric Corp. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Trey Electric Corp.
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

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

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

PASSED_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: Jen Winter, PE
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Phone Number/Extension: 5803

Description of Agenda Item: REGULAR AGENDA

Bids were received on November 30, 2016 for the Sinclair Detention Pond – Building Debris Removal and Asbestos Remediation project (estimated cost is \$1,800,000). A report of bids received from the City officer conducting the bid opening is attached.
CIP/DID #3316509-70

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

Background: As part of the Cedar River Flood Control System (FCS), levees, walls, gates and pump stations will be constructed to protect the both the east and west banks of the Cedar River from flooding similar to that which was seen in 2008. The City Council adopted the Cedar River FCS Master Plan on June 23, 2015, which includes the Sinclair area FCS.

The Sinclair levee is the first phase contract of this project and will run from the south property line of the African American Museum to Alliant's River Run substation, with a gap at 16th Avenue SW for a future gate structure, and encompassing all of the former Sinclair Meatpacking site. The levee will average approximately 13-17 feet high.

A paved 12 foot wide trail will be on top from 16th Avenue to the south. Interior drainage (dry side of the levee) will be handled with a combination of detention basin and pump station, which is the second construction phase contract. Masaryk Park will be effectively removed by the new levee and the monuments and green space will be re-situated in a future phase. These two phases begin late 2016/early 2017 and comprise \$14 million expenses, with \$11.5 million being reimbursed by CDBG Disaster Recovery grant. The balance is paid by general obligation bonds.

This bid package is the third of three phases and is not part of the CDBG project. It is a \$2 million locally funded project to remove building debris buried adjacent to the detention basin being constructed in Phase 2. This debris includes asbestos containing material. This project is being done to allow detention basin expansion to handle:

- Intense rain fall at the 5-year storm (current detention basin meets US Army Corps 3 month runoff standard) per the FCS Master Plan requirements
- Runoff from re-development of the Sinclair site

The building debris prevented the full construction of the detention basin in the phase 2 construction contract. While the current detention basin size and pump size meets US Army Corps standards, the FCS Master Plan has determined increased standards to 5 year rainfall storm standard is appropriate. With that 5 year rainfall design, there is a 1/100th chance per year (analogous to the 100 year storm) that there will be a 5 year rainfall behind the levee when the storm sewer gates to the river are closed off due to river flooding.

All three phases of this project are scheduled for completion at the end of 2017.

Action/Recommendation: Noted on attached bid report.

Alternative Recommendation: None

Time Sensitivity: Normal

Resolution Date: None

Budget Information: GOB funded. Not GRI eligible, due to CDBG grant requirements for no other grant to be on the Sinclair property.

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: Yes

Explanation: Flood Control Committee



November 30, 2016

City Council
City of Cedar Rapids

RE: Report on bids as read for the Sinclair Detention Pond – Building Debris Removal and Asbestos Remediation, Contract Number 3316509-70

Dear City Council:

Bids were received on November 30, 2016 for the Sinclair Detention Pond – Building Debris Removal and Asbestos Remediation project as follows:

Holst Trucking & Excavating, Inc., LeClaire, IA	\$1,790,810.00
D.W. Zinser Company, Walford, IA	\$1,904,772.05
Earth Services & Abatement, Inc., Des Moines, IA	\$3,608,058.15

The engineers cost opinion for this work is \$1,800,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT



Lee J. Tippe, P.E.
Project Engineer II

LJT/cap

cc: Jennifer L. Winter, P.E. Public Works Director
Nathan Kampman, P.E., City Engineer

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



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: Caleb Mason
E-mail Address: c.mason@cedar-rapids.org

Phone Number/Ext.: 319 286-5188

Description of Agenda Item: REGULAR AGENDA

Discussion and Resolution authorizing negotiation of a Development Agreement with One Park Place, LLC for the redevelopment of City-owned property at 101 and 111 3rd Avenue SE, 312 1st Street SE and adjacent private property (Jennifer Pratt/Caleb Mason).
 CIP/DID #DISP-0004-2016

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

Background: The Resolution authorizes staff to negotiate a Development Agreement with One Park Place, LLC, for the redevelopment of City-owned property at 101 and 111 3rd Avenue SE, 312 1st Street SE and adjacent privately owned property under site control by the developer.

On May 24, 2016 the City Council directed staff to pursue third-party financial analysis of the One Park Place project based on the scope and complexity of the proposed project. The National Development Corporation (NDC) has assisted the City in the evaluation of the project's financials. On November 9, 2016 the NDC submitted its findings of the financial analysis, concluding that the project is financially viable and the gap for public participation in the project is \$20.5 million.

Staff is recommending negotiating a Development Agreement with One Park Place, LLC including the following terms:

- Purchase Price of the City property is to be \$630,000 per an appraisal
- City participation:
 - No upfront payment
 - Up to \$5 million upon project completion (estimated in 2020), consistent with State statutes and secured with a Minimum Assessment Agreement
 - Remaining \$15.5 million gap to be monetized by the developer and reimbursed through tax increments, with an estimated financing cost of \$20 million
 - Tax reimbursements are not to exceed 20 years
- Minimum Assessment agreement which provides minimum tax increment payments which cover principal and interest debt payments of monetized TIF
- Commercial financing approval a condition of closing on property transfer
- Building is to include flood mitigation measures

In concert with the negotiation of the Development Agreement, the developer is to obtain and provide the City with additional documentation to be reviewed and evaluated by staff. The documentation was cited by the NDC as key documentation which should be reviewed before final approval of the project. The documentation includes:

- Third party reports
 - For-sale market data
 - Rental housing market data
 - Commercial rental data
 - Hotel market data
- Proprietary Financial Information
 - Projected terms of investment from lenders on permanent financing
 - Post-development appraisal
- Ownership structure of One Park Place, LLC
 - Breakdown of percentage interest of individual and parties
 - Individual roles in providing construction completion, operating deficit guarantees, and any other guarantees for commercial financing.

Upon acceptable review of the above documentation, the Development Agreement will be brought to City Council for its consideration.

The following are the key elements of the proposed One Park Place project:

- \$103 Million investment
- 28-story, mixed use facility:
 - Restaurant – 1st & 28th floor
 - Grocery – 1st floor
 - Parking – 2nd to 7th floors
 - Hotel – 11th to 15 floors
 - Apartments (60) – 16th to 21st floors
 - Condominiums (30) – 22nd to 27th floors
- Public terrace on 10th floor

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: December 6, 2016

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids City Council has determined it is in the public interest to dispose of excess City-owned located at 101 and 111 3rd Avenue SW, and 312 1st Street SE (the "Properties") and invite competitive proposals for their sale and redevelopment, and

WHEREAS, a motion was passed on February 9, 2016 to conduct a public hearing, and notice of said public hearing was published on February 13, 2016 and on February 23, 2016 at the City Council Chambers, 3rd Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, the Cedar Rapids City Council, held a public hearing to consider the disposition of said Properties, as required by law, and

WHEREAS, the City received three (3) proposals for the redevelopment of the Properties, and

WHEREAS, a review panel consisting of City staff and representatives from commercial lending, architecture, construction, hospitality, and downtown property owner, reviewed the proposals in accordance with the objectives and criteria set forth in the request for proposal, and

WHEREAS, the review panel recommended the City Council to pursue the development project proposed by One Park Place, LLC subject to further analysis of the financial aspects of the project and acceptable form of City participation in the proposed project, and

WHEREAS, on May 24, 2016 the City Council directed staff to perform further due diligence evaluating the financial feasibility of the proposed One Park Place, LLC project including any third-party review and validation, and

WHEREAS, the National Development Council (the "NDC") has assisted the City providing third-party analysis of the proposed One Park Place, LLC project, and

WHEREAS, the NDC has submitted its analysis finding that the project, at this point in the project's development, is financially feasible and that the gap for public participation in the project is \$20.5 million, and

WHEREAS, the City Council desires to pursue negotiations of a Development Agreement which secures the City participation of up to \$20.5 million, subject to the receipt of acceptable documentation, to be reviewed and approved by City staff, which documents may include, but are not limited to, the following:

- Third Party Reports
 - For-sale housing market data
 - Rental housing market data
 - Commercial rental data
 - Hotel market data
- Proprietary Financial Information
 - Project terms of investment from lenders on permanent financing
 - Post-development appraisal

- Ownership structure of One Park Place, LLC
 - Breakdown of percentage interest of individuals and parties
 - Roles of individuals and parties for construction completion, operation, operating deficit guarantees, and any other guarantees for commercial financing.

WHEREAS, the City Council is desirous of negotiating a Development Agreement that may include, but are not limited to, the following preliminary terms and conditions:

- Purchase Price of the City-owned property is to be \$630,000 per an appraisal
- City Participation to address the identified \$20.5 million gap:
 - No upfront payment
 - Up to \$5 million provided upon project completion in accordance with State statutes
 - Minimum Assessment Agreement will be implemented
 - Remaining gap of up to \$15.5 to be monetized by the developer with private financing and reimbursed through tax increments, including estimated financing costs
 - Reimbursement of tax increments shall not exceed 20-years
- Commercial financing approval prior to closing on transfer of City property
- Building is to include flood mitigation measures at 1 foot above the base flood elevation

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager, or designee, is authorized to negotiate a Development Agreement with One Park Place, LLC which effectuates this Resolution and review additional documentation as provided for herein and at such time as the terms of the Development Agreement are clear and definite that it be brought to City Council for its consideration.

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: Jennifer Winter
E-mail Address: j.winter@cedar-rapids.org

Phone Number/Extension: 5803

Alternate Contact Person: Cara Matteson
E-mail Address: c.matteson@cedar-rapids.org

Phone Number/Extension: 5604

Description of Agenda Item: ORDINANCES – Second and possible Third Readings
Second and Possible Third Reading: Ordinance amending Chapter 71 of the Municipal Code, Erosion and Sediment Control for Construction Sites, to include a new permit fee schedule for major and minor erosion control permits, additional Stormwater Pollution Prevention Plan (SWPPP) requirements, and definition modifications and additions to support implementation of a new topsoil policy. CIP/DID # 43-17-012

Resolution authorizing adopting fees associated with erosion control permits, renewals and inspections in accordance with Chapter 71 of the Cedar Rapids Municipal Code, Erosion and Sediment Control for Construction Sites.

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: The proposed amendment requires that existing topsoil be retained and uniformly distributed on private and public development sites, as well as implementation of a Soil Quality Plan. A Soil Quality Plan may be any of eight soil management methods outlined in the Iowa Stormwater Management Manual (Chapter 5, Section 6, Part F,) or Topsoil Method. These requirements are intended to ensure the benefits of healthy soil that removal, disturbance, and construction activity diminishes or eliminates. Quality soil promotes the infiltration of stormwater and decreases runoff, thereby decreasing flooding, erosion, protecting water quality and habitat, and providing homeowner benefits.

Action / Recommendation: Adoption by Council as an amendment to Chapter 71-Erosion and Sediment Control for Construction Sites, effective January 1, 2017.

Adoption by Council as an amendment to Chapter 72-Stormwater Management of Municipal Code, effective January 1, 2017.

Approve Resolution to adopt resolution fees associated with erosion control permits, renewals, inspections, and the review and processing of any necessary documents.

Alternative Recommendation:

Time Sensitivity: Normal

Resolution Date: December 6, 2016

Budget Information (if applicable):

Local Preference Policy: Applies ☐ Exempt ☒

Explanation:

Recommended by Council Committee: Yes ☒ No ☐ N/A ☐

Explanation (if necessary): Approved at Infrastructure Committee 7/19/2016; 1st reading at 11/15/16 Council Meeting was approved 8-0

ORDINANCE NO. LEG_NUM_TAG

AN ORDINANCE AMENDING CHAPTER 71 (EROSION AND SEDIMENT CONTROL FOR CONSTRUCTION SITES) OF THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, BY REPEALING CERTAIN SUBSECTIONS THEREFROM AND ENACTING SUBSTITUTIONS IN LIEU THERE OF ESTABLISHING A SOIL QUALITY REQUIREMENT.

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

Section 71.02 - Definitions. That section 71.02 of the Municipal Code, City of Cedar Rapids, be modified as follows:

Remove the following definitions due to lack of usage within Chapter 71:

“Building Official” means the Director of Community Development, or Building Trades Manager, or their designee.

“Erosion Control Officer” means the City Engineer, Building Official, or designee.

Use definitions below to replace existing definitions:

“Development” means the improvement or disturbance of land from its existing state by construction activities, including publically-funded improvements.

“Land disturbing activities” means construction activity associated with development to include but not limited to clearing, grading, excavating, filling, compacting, paving, buildings, or exposing earthen material on a site.

“Minor Erosion Control Permit” means a permit issued by the City of Cedar Rapids to engage in land-disturbing activities on a site of greater than one-quarter acre and less than one acre disturbed area, and all new single family dwellings.

Add the following definitions:

“City Public Works Official” means Civil Engineer, City Stormwater Official, or designee.

“City Stormwater Official” means the Stormwater Coordinator, Environmental Specialist – Stormwater, or designee.

“Director” means the Public Works Director.

“Soil Quality Plan” means a method, or group of methods, selected from the Iowa Stormwater Management Manual (Chapter 5, Section 6, Part F) or Topsoil Method as indicated on the Major or Minor Erosion Control Permit, and approved by the Director or designee.

“Topsoil” as defined in the current version of the Iowa Department of Natural Resources National Pollutant Discharge Elimination System General Permit No. 2.

“Topsoil Method” means preserving, stockpiling, and restoring pre-development topsoil (as defined herein) to an average depth of 4”. Sites may be subject to soil testing for performance data collection.

Section 71.03 – Major Erosion Control Permit Required. That section 71.03 (b), (d), (e), and (f) of the Municipal Code, City of Cedar Rapids, be repealed and replaced in kind with the following:

- (b) All major erosion control permits shall be issued by the City Public Works Department upon approval of a completed application for erosion control permit on a form provided by the city. The application shall be signed by the title holder of the site, together with the applicant, if different from the title holder.
- (d) A major erosion control permit application shall include the following:
 - a. A completed application for erosion control permit on a form provided by the City Engineering Department.
 - b. A SWPPP conforming to:
 - i. The requirements of this chapter, and the requirements of General Permit No. 2
 - ii. If a SWPPP for the site has previously been submitted to the city and has not been modified, the applicant shall submit a signed and dated statement that the SWPPP has not been modified, in which case the SWPPP need not be resubmitted.
 - c. Payment of the permit fee.
 - d. Indication of a Soil Quality Plan to be implemented on site.
 - i. If the site is a residential development with lots to be sold after public improvements are constructed then a Soil Quality Plan need not be indicated on the Major Erosion Control Permit. The residential development must still comply with all other applicable portions of Chapter 72.
- (e) Major erosion control permits for publicly-funded improvements shall be issued by the City Stormwater Official upon approval of a completed application for an erosion control permit.
- (f) The permittee shall provide the Stormwater Official with all material submitted as part of a notice of discontinuation when such a notice is filed with the Iowa DNR.

Section 71.04 – Minor Erosion Control Permit Required. That section 71.04 of the Municipal Code, City of Cedar Rapids, be repealed and replaced with the following:

- (a) Sites or common plans of development or sale that will result in a disturbed area of greater than one-quarter of an acre but less than one acre and all new single family dwellings shall obtain a minor erosion control permit prior to any land-disturbing activity, except:
 - 1. Filling or construction within floodplain limits as established by the Federal Emergency Management Agency and in the Cedar Rapids Floodplain Management Ordinance will require a separate additional permit under that ordinance, in addition to the permits required by this chapter.
 - 2. The following activities are exempt from the requirements of this chapter:
 - A. Crop production activities;
 - B. Cemetery graves;
 - C. Emergencies posing an immediate danger to life or property, or substantial flood or fire hazards;

- D. Total fill quantity of less than 25 cubic yards in a 12 month time period;
- (b) All minor erosion control permits shall be issued by the City Public Works Official upon approval of a completed application for an erosion control permit on a form provided by the city. The application shall be signed by the title holder(s) of the site, together with the applicant, if different from the title holder(s).
 - (c) Minor erosion control permits for publicly-funded improvements shall be issued by the City Stormwater Official upon approval of a completed application for an erosion control permit.
 - (d) A minor erosion control permit application shall include the following:
 - 1. A completed application for an erosion control permit on a form provided by the city.
 - 2. Payment of the permit fee.
 - 3. Indication of a Soil Quality Plan to be implemented on site.
 - 4. Submission of any transfer agreement for partial or complete ownership of the General Permit No.2 provisions.
 - A. If complete ownership of the General Permit No. 2 provisions are transferred than the entity accepting ownership must obtain all required permits and submit all required documents.
 - 5. Submittal of a SWPPP to accompany a copy of the owner's individual NPDES General Permit No.2 is required if the new owner has agreed in writing to be solely responsible for compliance with the provisions of the General Permit No. 2 as referenced in Section 71.07
 - 6. A dimensioned drawing including the following:
 - A. Property address and legal description;
 - B. Property lines and any existing easements of record;
 - C. Limits of area of land-disturbing activities;
 - D. Existing and proposed ground elevations (2-foot maximum interval);
 - E. Proposed sediment controls description and placement;
 - F. Concrete washout facility;
 - G. Rock entrance drive;
 - H. Display future lot drainage design.
 - I. Other information as required by the Public Works Official

Section 71.07 – SWPPP Required. That section 71.07 of the Municipal Code, City of Cedar Rapids, be repealed and replaced with the following:

- (a) Sites with land-disturbing activities shall fall into one of three categories as determined by the Public Works Official as set forth herein below:
 - 1. Individual lots not part of a larger development disturbing less than one acre shall not require submittal of a SWPPP. However, the owner of a site is required to plan and implement erosion control measures as described in the brochure "Erosion Control for Small Site Development." The Public Works and Building Departments shall make this brochure available.
 - A. The Public Works Official may require an acceptable SWPPP for sites with a disturbed area less than one acre in cases warranted by site conditions. Such site conditions may include, but are not limited to:
 - 1) Site contains slopes of 9 percent or greater;

- 2) Site is adjacent to a water body or open drainage channel;
 - 3) The site has been identified as having severe erosion or as creating a significant impact on adjacent properties, water bodies, or open drainage channels due to erosion and sediment deposition.
2. Individual lots disturbing less than an acre associated with a larger development retaining a General Permit No.2 where the new owner of the lot has agreed in writing to be solely responsible for compliance with the provisions of the General Permit No. 2 shall submit a SWPPP to accompany their individual General Permit No.2 for that lot.
 3. Sites with a disturbed area greater than or equal to one acre shall require an acceptable SWPPP meeting the requirements of this chapter, certified by a design professional, and approved by the Public Works Official.
- (b) The SWPPP must be reviewed and approved by the Public Works Official prior to the commencement of land-disturbing activities.
- (c) The city's acceptance of a SWPPP does not constitute approval of Design Standards Manual exceptions unless specifically requested and approved by the Public Works Official.

Section 71.08 – SWPPP Requirements. That section 71.08 of the Municipal Code, City of Cedar Rapids, be repealed and replaced with the following:

- (a) Every SWPPP submitted to the city in support of an application for a major erosion control permit:
1. Shall contain complete 24-hour contact information for the site owner and the person in responsible charge of providing and maintaining sedimentation and erosion control for the site. The permittee shall inform the Stormwater Official within 7 calendar days of any change in this contact information.
 2. Shall comply with all current minimum mandatory requirements for a SWPPP promulgated by the Iowa DNR in connection with General Permit No. 2, including those published as Summary Guidance for General Permit No. 2 by the Iowa DNR. The City Public Works Official may develop policies modifying these requirements for sites with a disturbed area less than one acre.
 3. Shall comply with all other applicable state or federal permit requirements in existence at the time of application.
 4. The applicant, or a third party, shall be required to utilize the interactive website provided by the City to retain SWPPP documents, document weekly SWPPP inspections, and record all land disturbance activity, sediment/erosion control practices, and good housekeeping practices.
 5. Shall include a drainage plan prepared according to the Design Standards Manual. The drainage plan shall be accompanied by a drainage report prepared according to the City Engineering Department Drainage Report Process Handbook. This handbook shall be available in the City Public Works Department. The drainage report shall at a minimum demonstrate the design of proposed grading, erosion, and sediment control if constructed per plan is not expected to adversely impact adjacent properties.
 6. Shall be prepared by a design professional as defined herein;

7. Shall include within the SWPPP a signed and dated certification by the person preparing the SWPPP that the SWPPP complies with all requirements of this section; and
 8. Provide multiple erosion control phase plans for the following development categories:
 - A. Commercial / Industrial Development
 - 1) Grading Phase
 - 2) Construction Phase
 - 3) Final Stabilization Phase
 - B. Residential Development
 - 1) Grading Phase
 - 2) Infrastructure Phase
 - 3) Lot Development Phase (Final Stabilization Phase)
- (b) The SWPPP shall be modified by a design professional (as defined herein) as required in General Permit No. 2. Any modification of a SWPPP shall meet the requirements above.

Section 71.09 – SWPPP Review and Approval Procedure. That section 71.09 of the Municipal Code, City of Cedar Rapids, be repealed and replaced with the following:

- (a) The applicant shall submit a SWPPP for the site, meeting the requirements established in the Design Standards Manual, to the City Public Works Official for review and approval, as follows:
1. The Public Works Official shall review the submittal for compliance with the requirements of a SWPPP as set forth in the Design Standards Manual. Following the review, the Public Works Official may return comments to the design professional.
 2. Following receipt of comments from the Public Works Official, the applicant shall provide a revised submittal to the Public Works Official in accordance with any requested revisions.
 3. The Public Works Official may require supporting documentation as needed to demonstrate conformance with these requirements. Issuance of an erosion control permit may be delayed pending receipt of the documentation.
 4. If the submittal is complete, and meets the requirements as set forth herein, the Public Works Official shall approve the plan.

Section 71.11 – Inspection, Notice to Comply, and Notice of Violation. That section 71.11 of the Municipal Code, City of Cedar Rapids, be repealed and replaced with the following:

- (a) The Stormwater Official may inspect the site in response to reports from third parties or at other times, at the Stormwater Official's discretion.
- (b) The Stormwater Official may issue a notice to comply to the responsible party or parties, describing any problems and specifying a date and time by which compliance must be achieved.
1. The Stormwater Official may modify a notice to comply and may authorize, in writing, an extension to the specified date and time by which compliance must be achieved.
 2. Failure to achieve compliance by the specified date and time is a violation of this section.

- (c) The Stormwater Official shall, upon determination of any violation of this section, issue a notice of violation in writing to the responsible party or parties, indicating the nature of the violation and ordering the action necessary to correct it.
1. The notice of violation may:
 - A. Order the discontinuance of any illegal work, specifying a date and time for such discontinuance;
 - B. Require the repair and cleanup of any damage done due to failure to comply with General Permit No. 2, specifying a date and time for completion of repair and cleanup;
 - C. Order the withholding of any building or occupancy permits for the site; and
 - D. Order the discontinuance of any or all work at the site, including at the Stormwater Official's discretion work not directly related to the cause and prevention of erosion and sedimentation, except work necessary to achieve compliance and to repair and clean up damage, specifying a date and time for such discontinuance to commence and conditions for such discontinuance to cease.
 2. Failure to comply with any order in a notice of violation is an additional violation. Each day of such failure constitutes a separate violation.
 3. The Stormwater Official may modify a notice of violation and may authorize, in writing, an extension to the specified dates and times therein.
 4. The notice of violation shall, where necessary or appropriate, recommend to the City Attorney the institution of legal or equitable actions that may be required for the enforcement of this section.
- (d) Communication to a responsible party's employee, partner, attorney, agent, contractor, or subcontractor shall be regarded as communication to the responsible party for the purpose of this section.
- (e) Communication to one responsible party shall be regarded as communication to each responsible party for the purpose of this section.

Section 71.12 – Powers of Authority for Inspection. That section 71.12 of the Municipal Code, City of Cedar Rapids, be repealed and replaced with the following:

- (a) **Right of Entry.** The Stormwater Official and authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this chapter. The applicant, owner, or titleholder shall be deemed to have consented to such entry by submission of an application for any permit or plan contemplated in this chapter. Barring or delaying such inspection is a violation of this section.
- (b) The Stormwater Official shall have access to and be able to copy any records that must be kept under the conditions of General Permit No. 2 within 3 business hours, where a business hour is any hour between 8:00 a.m. and 3:30 p.m. on a non-holiday weekday.

Section 71.15 – Appeals. That section 71.15 of the Municipal Code, City of Cedar Rapids, be repealed and replaced with the following:

Anyone claiming to be aggrieved by any determination made by the Stormwater Official may within 20 days of the date of such determination appeal to the City Manager or designee and in writing state his or her reasons for requesting such order to be rescinded or modified. The City Manager or designee shall review the determination of the Stormwater Official, and if reasonable grounds exist, shall modify, withdraw or order compliance with said determination. Anyone claiming to be aggrieved by the determination made by the City Manager or designee shall have such rights of appeal as provided by the law.

Introduced this 15th day of November, 2016.

PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on December 6, 2016, the Cedar Rapids City Council authorized amending Chapter 71, Erosion and Sediment Control for Construction Sites, of the Municipal Code of Cedar Rapids, which in part authorizes the City Council to adopt by resolution fees associated with erosion control permits, renewals, inspections, and the review and processing of any necessary documents.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that in accordance with Chapter 71 of the Cedar Rapids Municipal Code, the Schedule of Erosion Control Permit Fees is hereby set forth in the attached schedule and shall be in full force and effect January 1, 2017.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

**SCHEDULE OF EROSION CONTROL PERMIT FEES
TO BECOME EFFECTIVE JANUARY 1, 2017**

Erosion Control Permit Fees

- a. Major Erosion Control Permit \$200.00
(Greater than or equal to 1 acre of land disturbing activity)
- b. Minor Erosion Control Permit \$100.00
(All new single family dwelling and land disturbing activities greater than or equal to 0.25 acres and less than 1 acre)

Part II - Miscellaneous Fees

- a. Permit renewal 50% of original permit fee
- b. Expired permit renewal 100% of original permit fee
- c. Failure to pull a permit 2x the original permit fee

Part III - General

- a. Work before Permit: Where work for which a permit is required by this Code is started prior to obtaining said permit the permit fee shall be doubled, but the payment of such double fee shall not relieve any person from fully complying with the requirements of this Code in the execution of the work, nor from any other fees or penalties prescribed by law or ordinance.
- b. Refund. The Stormwater Official may authorize the refunding of all or a portion of the permit fee when no work has been done under a permit issued in accordance with this code.

No fee shall be eligible for refunding after the permit has expired.

- c. Waiver of Fees. No fee shall be waived, except for buildings owned and used exclusively by the City, provided no federal funding is utilized. Waiver of fees for any buildings not meeting these requirements or for a Use of Streets permit shall require a resolution of the City Council.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Jennifer Winter
E-mail Address: j.winter@cedar-rapids.org

Phone Number/Extension: 5803

Alternate Contact Person: Cara Matteson
E-mail Address: c.matteson@cedar-rapids.org

Phone Number/Extension: 5604

Description of Agenda Item: ORDINANCES – Second and possible Third Readings
Second and Possible Third Reading: Ordinance amending Chapter 72 of the Municipal Code, Stormwater Management, to include topsoil requirements for both private and public developments for retaining and restoring soil quality for purposes of stormwater management. CIP/DID # 43-17-012

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: The proposed amendment requires that existing topsoil be retained and uniformly distributed on private and public development sites, as well as implementation of a Soil Quality Plan. A Soil Quality Plan may be any of eight soil management methods outlined in the Iowa Stormwater Management Manual (Chapter 5, Section 6, Part F,) or Topsoil Method. These requirements are intended to ensure the benefits of healthy soil that removal, disturbance, and construction activity diminishes or eliminates. Quality soil promotes the infiltration of stormwater and decreases runoff, thereby decreasing flooding, erosion, protecting water quality and habitat, and providing homeowner benefits.

Action / Recommendation: Adoption by Council as an amendment to Chapter 72-Stormwater Management of Municipal Code, effective January 1, 2017.

Alternative Recommendation:

Time Sensitivity: Normal

Resolution Date: December 6, 2016

Budget Information (if applicable):

Local Preference Policy: Applies ☐ Exempt ☒
Explanation:

Recommended by Council Committee: Yes ☒ No ☐ N/A ☐

Explanation (if necessary): Approved at Infrastructure Committee 7/19/2016; first reading at 11/15/16 Council Meeting was approved 8-0

ORDINANCE NO. LEG_NUM_TAG

AN ORDINANCE AMENDING CHAPTER 72 (STORMWATER MANAGEMENT) OF THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, BY REPEALING CERTAIN SUBSECTIONS THEREFROM AND ENACTING SUBSTITUTIONS IN LIEU THERE OF ESTABLISHING A SOIL QUALITY REQUIREMENT.

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

Section 72.102(a) - Definitions. That section 72.102(a) of the Municipal Code, City of Cedar Rapids, be modified by changing and adding the following definitions:

15. Development means the improvement or disturbance of land from its existing state by construction activities, including publically-funded improvements.
43. Soil Quality Management Plan means a method selected from the Iowa Stormwater Management Manual (Chapter 5, Section 6, Part F) or Topsoil Method as defined herein. The soil quality plan is indicated on the Major or Minor Erosion Control Permit Application, and approved by the Director or designee.
44. Iowa Stormwater Management Manual means the current Iowa Stormwater Management Manual publication, by whatever name, as amended by the Iowa Department of Natural Resources in collaboration with Iowa Stormwater Education Partnership and other partners.
45. Topsoil as defined in the current version of the Iowa Department of Natural Resources National Pollutant Discharge Elimination System General Permit No. 2.
46. Topsoil Method means preserving, stockpiling, and restoring pre-development topsoil (as defined herein) to an average depth of 4". Sites may be subject to soil testing for performance data collection.
47. City Stormwater Official means the Sewer Operations Manager, Stormwater Coordinator, Environmental Specialist, Erosion Control Specialist, or designee.

Section 72.203 – Stormwater Management Requirements. That section 72.203 (d), (g) & (h) of the Municipal Code, City of Cedar Rapids, be modified by removal of the existing language and replacing it with the following:

- (d) For site(s) on which privately owned and maintained stormwater detention and/or conveyance facilities are located, the property owner shall be responsible for the following:
 1. Certification of the private stormwater facilities by a Civil Engineer every five years and submitted to the City Stormwater Official

- a) The certification must list the designed storage volume and release rate for the facility and certify the facility's current storage volume and release rate, as applicable, are at or better than the design values.
- 2. Control of weeds, insects, and sediment accumulation.
- 3. All future grading, repairs, and maintenance.
- 4. Maintenance of the minimum stormwater detention volume, as approved by the City.
- 5. Maintenance of the detention basin control structure(s) and discharge pipe(s) to ensure the maximum theoretical stormwater release rate, as approved by the City Engineer, is not increased.
- (g) The City Stormwater Official may inspect the site(s) at any time to determine compliance with these regulations. If deemed necessary by the City Stormwater Official, the property owner shall provide certification by a licensed Civil Engineer verifying the minimum stormwater detention volume and the maximum theoretical stormwater release rate, as the requirements established in the Design Standards Manual and are in conformance with the approved design.
- (h) Upon determination that a site is not in compliance with these regulations, the City Stormwater Official may issue an order to comply. The order shall describe the problem and specify a date whereby the work must be completed, and indicate the penalties to be assessed for further noncompliance.

Section 72.205 – Soil Quality Requirements. That section 72.205 of the Municipal Code, City of Cedar Rapids, be added to state the following:

- (a) All development shall occur in compliance with an approved Soil Quality Management Plan. Sites where mass grading has commenced and sites where grading has been completed prior to January 1, 2017 may be exempt at the discretion of the City Stormwater Official.
- (b) Publicly-funded Capital Improvement Projects shall retain existing topsoil on site and re-distribute the topsoil in a uniform manner prior to, or as part of, the implementation of the Soil Quality Management Plan.
- (c) Residential development and redevelopment projects shall retain existing topsoil on site and distribute the topsoil in a uniform manner after all public improvements are complete and prior to the sale of any individual lots. If developer retains all lots for development, topsoil shall be distributed in a uniform manner prior to, or as part of the implementation of the Soil Quality Management Plan per lot.
- (d) Commercial and industrial developments shall retain existing topsoil on site and distribute the topsoil in a uniform manner prior to, or as part of, the implementation of the Soil Quality Management Plan.
- (e) Sod will be considered as part of soil depth of no more than 1-inch.
- (f) An approved Soil Quality Management Plan is required prior to the issuance of foundation permits or building permits.
- (g) A Soil Quality Management Plan shall be implemented on all disturbed pervious areas of the site. Site exceptions may be made by approval of the City Stormwater Official.
- (h) The City Stormwater Official may inspect the site(s) at any time to determine if the site is in compliance with the submitted Soil Quality Management Plan.
- (i) Sites may be subject to soil testing for performance data collection.
- (j) Upon determination that a site is not in compliance with these regulations outlined in Chapter 72, the City Stormwater Official may proceed with enforcement as outlined in Chapter 71.11 and Chapter 71.14.

Introduced this 15th day of November, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Finance

Presenter at Meeting: Casey Drew

Phone Number/Ext.: 5097

E-mail Address: c.drew@cedar-rapids.org

Alternate Contact Person:

Phone Number/Ext.: 5007

E-mail Address:

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

Ordinance amending Chapter 61 of the Cedar Rapids Municipal code related to parking rates, fees, penalties and hours of operation and to provide clarification to certain definitions.

CIP/DID # FIN2016-25

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

Background: Ordinance chapter 61 of the Cedar Rapids Municipal code was amended to update the following items:

- Definition of centralized pay station
- Definition of parking meter
- Parking meter zones for congested traffic areas and downtown core
- Authority to designate parking spaces and parking meters
- Parking meter rates
- Metered parking lots
- Non-metered parking lots
- Parking meter violations
- Ticketing and payment of parking violations
- Parking violation administrative review panel
- Hours of operation

Action/Recommendation: Adopt ordinance amending Chapter 61 of the Municipal Code related to parking rates, fees, penalties and hours of operation and to provide clarification to certain definitions.

Alternative Recommendation: City Council may request additional information.

Time Sensitivity: Normal

Resolution Date: 12-6-2016

Budget Information: NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

ORDINANCE NO. LEG_NUM_TAG

AN ORDINANCE AMENDING CHAPTER 61 OF THE CEDAR RAPIDS MUNICIPAL CODE RELATING TO PARKING RATES, FEES, PENALTIES AND HOURS OF OPERATION AND PROVIDE CLARIFICATION AS TO CERTAIN DEFINITIONS CONTAINED THEREIN

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Chapter 61 of the Cedar Rapids Municipal Code is amended as follows:

Section 1. Section 61.001 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 61.001 is enacted in lieu thereof as follows:

“61.001 DEFINITIONS

Terms used in this Chapter have the following meanings:

Alley: A thoroughfare laid out, established and platted as such, by constituted authority.

Authorized emergency vehicle: A vehicle of the fire department, police vehicle, ambulance, or emergency vehicle of the United States, this state or of any municipality and any privately owned ambulance, rescue or disaster vehicle designated or authorized by the Commissioner of Public Safety of the State of Iowa.

Business district: That territory in the City contiguous to and including a street when 50 percent or more of the frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business.

Chauffeur: A person who operates a motor vehicle in the transportation of persons, including school busses, for wages, compensation or hire, or any person who operates a truck tractor, road tractor or any motor truck which is required to be registered at a gross weight classification exceeding five tons, or any such motor vehicle exempt from registration which would be within such gross weight classification if not so exempt except when such operation by the owner or operator is occasional and merely incidental to his principal business.

Subject to the provisions of Section 321.179 of the Code of Iowa, a farmer or his hired help shall not be deemed a chauffeur, when operating a truck owned by him, and used exclusively in connection with the transportation of his own products or property.

Centralized Paystation: A device which allows users of multiple different parking spaces to pay for parking at the same location by entering a parking space number and inserting payment therefor.

Combination or combination of vehicle: A group consisting of two or more motor vehicles, or a group consisting of a motor vehicle and one or more trailers, semitrailers or vehicles, which are coupled or fastened together for the purpose of being moved on the highway as a unit.

Controlled-access facility: Every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the Iowa State Highway Commission.

Council's Designee: A person or entity designated by Resolution of the Cedar Rapids City Council as the party responsible for carrying out certain parking requirements of this Chapter.

Crosswalk: That portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections, or, any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Driver: A person who drives or is in actual physical control of a vehicle.

Intersection: The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two streets or highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different streets or highways joining at any other angle may come in conflict.

Individual parking space: The portion of the paved surface of the street of sufficient length and depth from the sidewalk curb to accommodate a vehicle to be parked as shall be specified and marked off by the Department of Public Safety.

Laned highway: A street or highway the roadway of which is divided into three or more clearly marked lanes for vehicular traffic.

Meter Patrol Officer: An employee of the Council's Designee whose job duties include enforcing any parking requirements of this Chapter.

Method of measurement: In determining a business district, residence district, school district or suburban district, the linear measure of the plot of ground upon which the building is located abutting upon the street shall be deemed "frontage occupied by the building," and the phrase "frontage on such street for a distance of 300 feet or more" shall mean the total frontage on both sides of the street for such distance.

Motor vehicle: A vehicle which is self-propelled but not including vehicles known as trackless trolleys which are propelled by electric power obtained from overhead trolley wires, but not operated upon rails. The terms "car" or "automobile" shall be synonymous with the term "motor vehicle."

Official traffic control device: Any sign, signal, marking, or device not inconsistent with this Chapter or the laws of Iowa, which are placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

Operator: A person, other than a chauffeur, who is in actual physical control of a motor vehicle upon a street or highway.

Owner: A person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or mortgagor shall be deemed the owner for the purpose of this Chapter.

Parking Meter: One or more of the following: (1) A device or devices which shall indicate thereon the length of time during which a vehicle may be parked in a particular place and which shall have as part thereof a receptacle or chamber for receiving and storing U.S. coins, a slot or place in which said coins may be deposited; a timing mechanism to indicate the passage of the interval of time which shall have lapsed and brief instructions as to its operation; and/or (2) a sign or combination of signs containing a parking space number and an instruction to use that number at a Centralized Paystation.

Parking or parked: The standing of a vehicle upon any street, alley or public way in the City whether occupied or not.

Peace officer: Any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations in addition to its meaning in Section 748.3 of the Code of Iowa.

Pedestrian: Any person afoot.

Private road or driveway: Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

Railroad sign or signal: Any sign, signal or device in the City erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

Railroad train: A railroad engine with or without cars coupled thereto, operated upon rails.

Residence district: That territory in the City which is contiguous to and including a street, not comprising a business, suburban or school district where forty percent or more of the frontage on any such street for a distance of 300 feet or more is occupied by dwellings or by dwellings and buildings in use for business.

Right-of-way: The privilege of the immediate use of the street.

Roadway: That portion of a street or highway improved, designed or ordinarily used for vehicular travel.

Safety zone: The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

School bus: A vehicle operated for the transportation of children to or from school, except privately owned vehicles, not operated for compensation, or used exclusively in the transportation of the children in the immediate family of the driver.

School district: That territory in the City contiguous to and including a street for a distance of 200 feet in either direction from a schoolhouse.

School zone: As used in this Chapter, the term school zone shall have the same meaning as is set forth in the "Manual on Uniform Traffic Control Devices" as adopted and amended from time to time by the Iowa Department of Transportation, provided, however, that to constitute a school zone for purposes of this Chapter, the area in question shall also be posted with signs in accordance with said Manual.

Semi-trailer: A vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle. Whenever the word trailer occurs in this Chapter it shall be construed to also include "semi-trailer."

Sidewalk: That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

Standing: Any stopping of a vehicle, whether occupied or not.

Stop: When required means complete cessation of movement.

Stop or stopping: When prohibited means any stopping of a vehicle except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control sign or signal.

Street or highway: The entire width between property lines of every way or place of whatever nature in the City when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic. The word highway as used in this Chapter shall be synonymous with the word street.

Suburban district: All other territory in the City not included in the business, school, or residence districts.

Through, or thru highway: A street or highway or portion thereof at the entrances to which vehicular traffic from intersecting streets or highways is required by law or ordinance to stop before entering or crossing the same and when stop signs are erected as provided by law or such entrances are controlled by a police officer or traffic control signal. The term "arterial" shall be synonymous with "through" or "thru" when applied to the streets of the City.

Trailer: A vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

Traffic: Pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances, either singly or together while using any street for purpose of travel.

Truck tractor: A motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Vehicle: A device in, upon, or by which any person or property is or can be transported or drawn upon a street, highway, or sidewalk, excepting devices moved by human power or used exclusively upon stationary rails or tracks."

Section 2. Section 61.105 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 61.105 is enacted in lieu thereof as follows:

"61.105 - PARKING METER ZONES

(a) **Congested Traffic Areas.** The congested traffic area is hereby declared to be:

B Avenue N.E., from 1st Street N.E. to 3rd Street N.E.;

A Avenue N.E., from 1st Street N.E. to 10th Street N.E.;

1st Avenue E., from 1st Street E. to 16th Street E.;

2nd Avenue S.E., from 1st Street S.E. to 10th Street S.E.;

3rd Avenue S.E., from 1st Street S.E. to 10th Street S.E.;

4th Avenue S.E., from 1st Street S.E. to 10th Street S.E.;

5th Avenue S.E., from 1st Street S.E. to 10th Street S.E.;

6th Avenue S.E., from 1st Street S.E. to 10th Street S.E.;

7th Avenue S.E., from the Red Cedar River to 10th Street S.E.;

1st Street E., from B Avenue N.E. to 8th Avenue S.E.;

2nd Street E., from B Avenue N.E. to 9th Avenue S.E.;

3rd Street E., from B Avenue N.E. to 9th Avenue S.E.;

4th Street S.E., from 3rd Avenue S.E. to 5th Avenue S.E.;

5th Street E., from A Avenue N.E. to 8th Avenue S.E.;

6th Street E., from A Avenue N.E. to 8th Avenue S.E.;

7th Street E., from A Avenue N.E. to 8th Avenue S.E.;

8th Street E., from A Avenue N.E. to 8th Avenue S.E.;

10th Street E., from A Avenue N.E. to 8th Avenue S.E.;

The bridge and approaches thereto from B Avenue and 1st Street N.E., to F Avenue and 1st Street N.W.;

1st Avenue, including the bridge and approaches thereto, from 1st Street E. to 3rd Street W.;

2nd Avenue, including the bridge and approaches thereto, from 1st Street S.E. to 3rd Street S.W.;

3rd Avenue, including the bridge and approaches thereto, from 1st Street S.E. to 3rd Street S.W.;

1st Street W. from F Avenue N.W. to 4th Avenue S.W.;

2nd Street W. from A Avenue N.W. to 4th Avenue S.W.;

3rd Street W. from A Avenue N.W. to 4th Avenue S.W.

(b) **Downtown Core.** The downtown core area is hereby declared to be:

1st Avenue E., from 1st Street E. to 10th Street E.;

2nd Avenue S.E., from 1st Street S.E. to 10th Street S.E.; loop

3rd Avenue S.E., from 1st Street S.E. to 10th Street S.E.; loop

4th Avenue S.E., from 1st Street S.E. to 10th Street S.E.; loop

5th Avenue S.E., from 1st Street S.E. to 10th Street S.E.; loop

16th Avenue S.E., from 1st Street S.E. to 10th Street S.E.; loop

7th Avenue S.E., from the Red Cedar River to 10th Street S.E.; loop

1st Street E., from B Avenue N.E. to 8th Avenue S.E.; loop

2nd Street E., from B Avenue N.E. to 9th Avenue S.E.; loop

3rd Street E., from B Avenue N.E. to 9th Avenue S.E.; loop

4th Street S.E., from 3rd Avenue S.E. to 5th Avenue S.E.; loop

5th Street E., from A Avenue N.E. to 8th Avenue S.E.; loop

6th Street E., from A Avenue N.E. to 8th Avenue S.E.; loop

7th Street E., from A Avenue N.E. to 8th Avenue S.E.; loop

8th Street E., from A Avenue N.E. to 8th Avenue S.E.; loop

10th Street E., from A Avenue N.E. to 8th Avenue S.E.; loop

1st Avenue, including the bridge and approaches thereto, from 1st Street E. to 3rd Street W.; bridge loop the rest fringe

2nd Avenue, including the bridge and approaches thereto, from 1st Street S.E. to 3rd Street S.W.; bridge loop the rest fringe

3rd Avenue, including the bridge and approaches thereto, from 1st Street S.E. to 3rd Street S.W.; bridge loop the rest fringe

(c) **Designation of Individual Parking Spaces.** The City Manager, or the Council's Designee, shall designate and mark off such individual parking spaces as he or she deems proper along the streets in the congested traffic area and the downtown core area for the parking of vehicles. At each place where individual parking spaces are so marked off, each vehicle shall be parked entirely within an individual parking space.

(d) **Parking Meters to be Installed.** The City Manager, or the Council's Designee, shall place, install and remove Parking Meters or signs upon the curb side or in the vicinity of

individual parking spaces designated and marked off in the congested area and the downtown core area where parking is restricted. All such Parking Meters or signs shall be under the management, supervision and control of the City and/or the Council's Designee.

(e) **Meter Rates.** Where a vehicle may be parked in an individual parking space and where a Parking Meter has been installed, the person parking such vehicle shall deposit suitable funds in the Parking Meter or Centralized Paystation, in accordance with the rate specified on the Parking Meter or at the Centralized Paystation. The parking rates for such Parking Meters and Centralized Paystations are as follows:

On-Street	Meter Hourly Rates
Congested Traffic Areas	\$1.00 / hr
Downtown Core	\$1.00 / hr
Food Truck Parking in Any On-Street Metered Spot(s)	\$5.00 per meter per day

(f) The City Council or the Council's Designee shall from time to time determine the length of time that parking is permissible in an individual parking space for which a Parking Meter is installed upon the deposit of such funds in the Parking Meter or Centralized Paystation as hereinbefore provided.

(g) **Hours of Operation.** The provisions of this section apply to vehicles parked or standing upon such streets between the hours of 9:00 a.m. and 6:00 p.m. on each day except Saturdays and Sundays and holidays and except where appropriate signs are posted upon the direction of the City Manager or the Council's Designee in the manner provided herein indicating extended hours of Parking Meter use beyond the hours prescribed above.

(h) **Temporary Permit Parking.** The City Manager or the Council's Designee may authorize temporary permit parking for all locations with a Parking Meter and, when such a temporary permit is issued, shall establish the effective dates of said permit. The fee for each such permit shall be \$125.00. When properly displayed, the permit shall authorize parking at all on-street and off-street Parking Meter spaces, except at spaces identified as handicapped, reserved, no parking or loading spaces, during the hours established in subsection (g) of this section. Said permit parking shall not require the deposit of funds in the Parking Meters or Centralized Paystation as established in subsection (e) of this section."

Section 3. Section 61.106 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 61.106 is enacted in lieu thereof as follows:

"61.106 - MUNICIPAL PARKING FACILITIES

(a) **Establishment.** All parking structures or lots and off-street parking areas, ramps and underground facilities owned and operated by the City and/or the Council's Designee are hereby declared to be municipal parking facilities.

(b) **Designation of Individual Parking Spaces.** The City or Council's Designee shall designate and mark off such individual parking spaces for the parking of vehicles in the municipal parking facilities as traffic conditions require. At each place where individual parking spaces are marked off, each vehicle shall be parked entirely within an individual parking space. Where angle parking is provided, the front of the vehicle shall be nearest to the Parking Meter and it shall be illegal to back a vehicle into such a parking space.

(c) **Regulations.** The City or the Council's Designee shall establish such regulations as may be necessary to designate the manner in which vehicles shall enter and leave the various municipal parking facilities and the manner in which they shall be driven thereon. The City or the Council's Designee shall post signs in an appropriate and noticeable place or places to notify the public of said regulations, and thereafter all violations thereof shall be subject to the penalty provided for violation of this Chapter.

(d) **Trucks.** No person shall drive or park a semi-truck on a municipal parking facility.

(e) **Towing Away Vehicles.** Any vehicle parking in any municipal parking facility for a period longer than 24 hours shall constitute a nuisance and the City or the Council's Designee may move the vehicle off the parking facility to a storage place as provided in Section 61.103 of this Chapter at the vehicle owner's expense.

(f) **Metered Parking Structures or Lots.** The City or the Council's Designee shall place, install and remove Parking Meters for individual parking spaces designated and marked off in the parking areas where parking is restricted and subject to regulation by Parking Meters. Whenever a vehicle shall be parked in an individual parking space where a Parking Meter has been installed, the person parking such vehicle shall deposit such funds in the Parking Meter or the Centralized Paystation. Notice to the public shall be given by appropriate signs in a conspicuous place either on the Parking Meter, the Centralized Paystation or in the immediate vicinity of the Parking Meter or Centralized Paystation setting forth the length of time for which parking is permitted and the conditions thereof. Any vehicle which remains in an individual parking space after the time prescribed shall be illegally parked. For metered parking structures or lots the hourly rates charged shall be as follows:

Parking Structures	
1st Street	\$.60
3rd Avenue	\$.75 (1 st hour free)
4th Avenue	\$.75
Five Seasons	\$.75 (1 st hour free)
GTC	\$.75
Plaza	\$.60
Convention Center	\$.75 (1 st hour free)
Southside	\$.75

Lots	
Lot 7	\$.60
Lot 9	\$.60
Lot 10	\$.60

Lot 12	\$.60
Lot 15	\$.60
Lot 26A	\$.60
Lot 26B	\$.60

Other Rates applicable to Lots and Parking Structures	
Daily max fee	\$12.00
Lost Ticket fee	\$12.00
Event Parking	\$2 - \$10 per day based event
Hooded Meters	\$10 per day
Meter Placard	\$2 per day

The hours of operation in metered parking lots shall be 24 hours each day unless signs are posted in the manner provided herein indicating different hours of operation.

(g) **Nonmetered Parking Facilities.** The City or the Council's Designee shall designate and mark off such individual parking spaces for the parking of vehicles in the nonmetered facilities as may be required. At each place where individual parking spaces are marked off, each vehicle shall be parked entirely within an individual parking space. No vehicle shall be backed into an individual parking space. The monthly rates for parking at City-owned non-metered parking lots shall be as follows:

LOCATION	Non ACH RATES	ACH RATES
1st St Parking Ramp	\$58.00	\$48.00
GTC	\$80.00	\$70.00
4th Ave Parking Ramp	\$65.00	\$55.00
3rd Ave Parking Ramp	\$70.00	\$60.00
Five Seasons Parking Ramp	\$65.00	\$55.00
Southside Ramp	\$95.00	\$85.00
Convention Center Ramp	\$95.00	\$85.00
Lot 3	\$35.00	\$25.00
Lot 7	\$35.00	\$25.00
Lot 9	\$50.00	\$40.00
Lot 10	\$50.00	\$40.00

Lot 12	\$50.00	\$40.00
Lot 20	\$35.00	\$25.00
Lot 24	\$50.00	\$40.00
Lot 33 (Old Library Lot)	\$58.00	\$48.00
Lot 40+ Ext	\$58.00	\$48.00
Lot 42	\$58.00	\$48.00
Lot 44 & Lot 44 preferred	\$45.00	\$35.00
ONSTREET ZONE PARKING (DISPLACED OUT OF 1ST STREET RAMP)	\$58.00	\$48.00
ONSTREET ZONE PARKING	\$85.00	\$75.00
ONSTREET - "CARTE BLANCHE"	\$125.00	\$115.00
Reserved Monthly Parking Spaces	\$110.00	\$110.00

Municipal employees may park at a lesser amount than the above rates if authorized by resolution of the City Council.”

Section 4. Section 61.107 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 61.107 is enacted in lieu thereof as follows:

“61.107 PARKING METER VIOLATIONS.

(a) **Evidence.** Parking is prohibited in any parking space on a street or in a municipal parking facility where a Parking Meter and/or other sign is installed and displays instructions as to how fees for that parking space shall be paid, unless said fees are properly paid at the time of parking as provided herein. Any vehicle parking in contravention of this provision shall be deemed illegally parked. The fact that a vehicle is in an individual parking space when the time signal on the Parking Meter of the same shows no parking permitted unless a deposit of a proper funds is made as herein provided shall be deemed prima facie evidence of the unlawful parking of such motor vehicle by its operator or owner.

(b) **Overtime Parking.** No person shall cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked beyond the period of legal parking time established for any parking space on a street or in a municipal parking facility where a Parking Meter and/or other sign is installed which indicates a limit on the parking time.

(c) **Meter Violation.** No person shall permit a vehicle to remain or be placed in any parking place adjacent to any Parking Meter on a street or in a municipal parking facility or lot while the meter fee provided for herein is unpaid or the time paid for has expired.

(d) **Separate Offenses.** Each consecutive hour during one calendar day that a vehicle remains illegally parked as above provided shall be a separate and distinct offense under this Chapter. The first offense shall conclude one hour after the time a ticket charging said offense is issued, which time shall be noted on the ticket, and a separate and new offense shall occur during each one hour period thereafter.

(e) **Penalty.** The penalty for offenses for meter or nonmeter parking violations shall be as prescribed in Section 61.110 of this Chapter.”

Section 5. Section 61.110 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 61.110 is enacted in lieu thereof as follows:

“61.110 - TICKETING AND PAYMENT OF PARKING VIOLATION.

(a) In the event of a meter or non-meter parking violation, it shall be the duty of the police officers and Meter Patrol Officers to report:

1. The parking violations involved.
2. In the event of a Parking Meter violation, the number of each Parking Meter or space which indicates that the vehicle occupying the parking space adjacent to such Parking Meter is or has been parked in violation of any of the provisions of Section 61.105, 61.106 and 61.107.
3. The state license number of such vehicle.
4. The time during which such vehicle is or was parked in violation of any of the provisions of this Chapter, and the time the ticket was issued.
5. Any other fact or facts, knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.

(b) Each police officer or Meter Patrol Officer shall either attach to such vehicle or mail a notice to the owner or operator of that vehicle that their vehicle has been parked in violation of this Chapter and instructing the owner or operator to report to the Parking Office in regard to such violation or to deposit the ticket with the amount designated on the ticket as a fine for the particular offense in one of the several parking citation courtesy boxes located throughout the City.

Each owner or operator may within 3 days of the time of such notice was attached to the vehicle, or within 10 days after notice is mailed, pay at the Parking Office or through the parking citation courtesy boxes or online via the Parking Office's website, a penalty of \$25.00 for the first violation cited and \$25.00 for each subsequent violation cited at the same location, except that meter violations shall be cited at \$10.00 and overtime parking violations shall be cited at \$15.00, except an automobile renting and leasing agency shall have 3 days from the time they receive notice from the Parking Office of the offense to make payment at the rate of \$10.00 for meter violations cited and \$15.00 for overtime parking violations cited and if payment is not made within said 3-day period, then the lessor shall pay at the rates prescribed herein the same as the operator or owner would be required to do if the vehicle

were not leased or rented; the foregoing provisions on automobile renting and leasing agencies shall not relieve the operator of such vehicle from all other provisions of this Chapter or from arrest and citation before the District Court.

In the event any such penalties are not paid by 5:00 p.m. on the 30th day following the offense, the owner or operator shall then pay an additional \$5.00 for each offense. In addition, if payment is not made within said required period, the owner or operator, or an officer of a corporation owning such rented or leased vehicle, or any owner of such rented or leased vehicle shall be subject to arrest and/or citation before the Iowa District Court, and to the misdemeanor penalties, plus court costs, provided for violations of the provisions of Chapter 61 of the Cedar Rapids Municipal Code. The total penalties for all offenses at one parking space in one calendar day by the same person shall not exceed the maximum misdemeanor penalty of a fine not exceeding \$625.00 or imprisonment not exceeding 30 days.

(c) The penalty for an owner or operator violating Section 61.095 Snow Routes and Section 61.095A Residential Snow Emergency Alternate Side Parking shall be \$25.00. The penalty for an owner or operator violating Sections 61.087 Parallel Parking at Curb, 61.088 Angle Parking, 61.090 Stopping, Standing or Parking Prohibited, 61.090A Illegal Off-Street Parking, 61.090B Fire Lanes, 61.092 Theaters, Hotels and Auditoriums, 61.096 Parking Large Vehicles, 61.097 Parking of Livestock or Poultry Trucks, 61.098 Limitations on Parking, 61.100 Unauthorized Signs for Loading Spaces, 61.101 Parking in Alleys, 61.102 Using Streets for Storage, 61.103 Removing Vehicles from Streets, and 61.104 Taxi Stands shall be \$25.00. For violating 61.134 Handicapped Parking Spaces, the owner or operator shall pay a penalty of \$100.00.

(d) The various locations of the parking citation courtesy boxes shall be established by the Council's Designee and said locations may be changed from time to time by notification to the public by the Parking Office.

(e) The Council's Designee shall designate the location or locations of the Parking Office and its operating hours; such location or locations and operating hours may be changed from time to time as announced by the Council's Designee.

(f) **Parking Violation Administrative Review Panel.** A Parking Violation Administrative Review Panel shall be established to hear all requests for appeals of on- and off-street public parking tickets issued in violation of the Municipal Code Sections 61.087, 61.088, 61.090, 61.092, 61.098, 61.100, 61.101, 61.104, 61.105, 61.106, 61.107, and 61.134.

The Administrative Review Panel hereby established shall have 3 members appointed by the Mayor with the advice and consent of the City Council. Two members shall be recommended for appointment by the Council's Designee and will each serve three (3) year terms. The third member shall be the Chief of Police or his or her designee. The Administrative Review Panel will meet at least once monthly to adjudicate appeals made by motor vehicle operators. All appeals must be filed with the Parking Office within 10 days of receipt of a ticket. The Administrative Review Panel will render a decision and notify the motor vehicle operator accordingly. If the person disagrees with the decision, he/she may appeal to the courts as provided by law. The specific operating rules and procedures of the Administrative Review Panel shall be established by resolution of the City Council."

Section 6. 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 other than that affected by such decision.

Section 7. All ordinances or parts of ordinances in conflict with any provision of this Ordinance are hereby repealed.

Section 8. 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 a part of said Code as provided by law.

Section 9. This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 15th day of November, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: David Houg

Phone Number/Ext.: 319 286-5168

E-mail Address: daveh@cedar-rapids.org

Alternate Contact Person: Vern Zakostelecky

Phone Number/Ext.: 319 286-5043

E-mail Address: v.zakostelecky@cedar-rapids.org

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

Ordinance granting a change of zone with a Preliminary Site Development Plan for property at 4625 & 4497 Tower Terrace Road NE from C-MU, Commercial Mixed Use Zone District and A, Agriculture Zone District to C-3, Regional Commercial Zone District as requested by HJD Investments, L.L.C.

CIP/DID #RZNE-023801-2016

EnvisionCR Element/Goal: GrowCR Goal 2: Manage Growth.

Background: The request for rezoning of this property was reviewed by the City Planning Commission on October 27, 2016 and unanimously recommended for approval.

The property is currently developed as Twisters Gymnastics, Inc. The applicant wishes to expand the operation with 2 additional buildings and outdoor volleyball courts. Conditional Use approval for “outdoor amusement” will be required should the rezoning request be granted.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> City staff reviewed the application and recommends approval of the rezoning request.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission reviewed the application on October 27, 2016 and made a recommendation for approval to City Council.
City Council consideration	<ul style="list-style-type: none"> A Public Hearing to allow for public input and the First Reading of the Ordinance was held November 15, 2016. Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.

Action/Recommendation: City staff recommends approval of the Second and possible Third Reading.

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

Time Sensitivity: NA

Resolution Date: NA
Budget Information: NA
Local Preference Policy: NA
Recommended by Council Committee: NA

Location Map



	DSD
WTR	BSD
ENG	STR
FIR	TED
CLK	PKS
	RCR
«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;

C & H COUNTRY ACRES 1ST STR/LB 1 & 2

and located at 4625 and 4497 Tower Terrace Road NE, now zoned C-MU, Commercial Mixed Use Zone District and A, Agriculture Zone District, and as shown on the "District Map," be rezoned and changed to C-3, Regional Commercial Zone District, and that the property be used for such purposes as outlined in the C-3, Regional Commercial 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. That this site shall be developed in compliance with the provisions of the Flood Plain Management Ordinance.
2. Design guidelines and standards as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.
3. Effective screening shall be provided and maintained per provisions of the Zoning Ordinance where adjacent to an "R" District or a variance be obtained.
4. 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.
5. Roof top mechanicals must be screened so as not to be visible from the street.

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 15th day of November, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

ACCEPTANCE OF CONDITIONS OF REZONING
ORDINANCE NO. _____

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

Dated this 31 day of Oct, 2016.

HJD INVESTMENTS, LLC



Signature

Tala Hajeed

Printed name

Owner

Printed title



Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: David Houg

Phone Number/Ext.: 319 286-5168

E-mail Address: daveh@cedar-rapids.org

Alternate Contact Person: Vern Zakostelecky

Phone Number/Ext.: 319 286-5043

E-mail Address: v.zakostelecky@cedar-rapids.org

Description of Agenda Item: ORDINANCES – Second and possible Third Readings
Ordinance granting a change of zone for property at 116 15th Street NE from R-3D, Two Family Residence Zone District to C-1, Mixed Neighborhood Convenience Zone District as requested by Cameron S. West.
CIP/DID #RZNE-023857-2016

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 October 27, 2016 and unanimously recommended for approval.

The property is located in the Mound View Neighborhood. The applicant wishes to restore a fire damaged mixed-use building. The ground floor will be commercial with 2 residential units above.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> City staff reviewed the application and recommends approval of the rezoning request.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission reviewed the application on October 27, 2016 and made a recommendation for approval to City Council.
City Council consideration	<ul style="list-style-type: none"> A Public Hearing to allow for public input and the First Reading of the Ordinance was held on November 15, 2016. Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.

Action/Recommendation: City staff recommends approval of the Second and possible Third Reading.

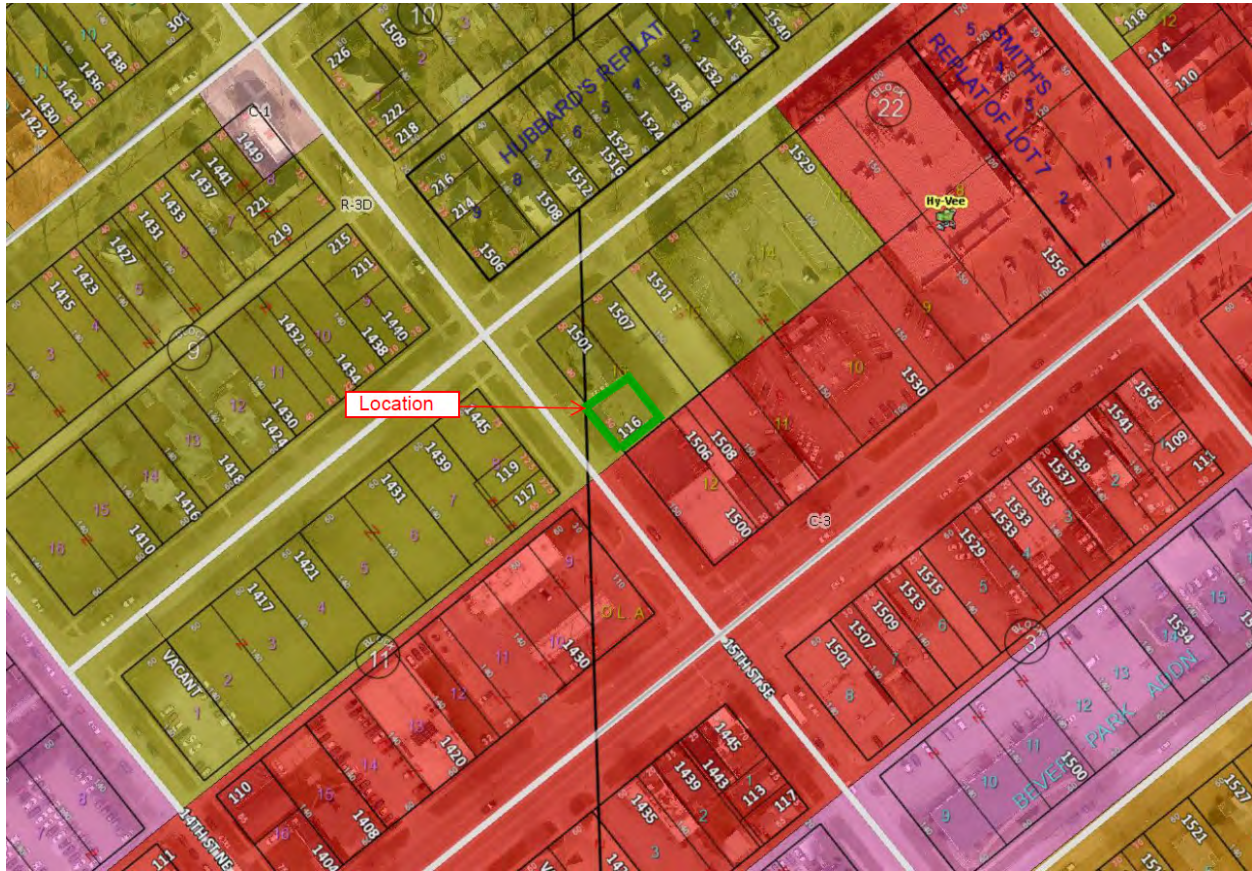
Alternative Recommendation: City Council may table and request further information.

Time Sensitivity: NA

Resolution Date: NA

Budget Information: NA
Local Preference Policy: NA
Recommended by Council Committee: NA

Location Map



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;

BEVER'S 2ND SE 50' NW 140' SW 50' STR/LB 16 22

and located at 116 15th Street NE, now zoned R-3D, Two Family Residence Zone District, and
as shown on the "District Map," be rezoned and changed to C-1, Mixed Neighborhood
Convenience Zone District, and that the property be used for such purposes as outlined in the
C-1, Mixed Neighborhood Convenience 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. That prior to occupancy of the structure, it must be inspected and comply with applicable codes, including, but not limited to, building, electrical, mechanical and plumbing, and a certificate of occupancy must be obtained.
2. Lighting fixtures shall be shielded in a manner that shall not direct illumination on adjacent residential properties, or on any public right-of-way as per Subsection 32.05.030.B. of the Zoning Ordinance.
3. Signage is not being reviewed at this time. Sign permit applications must be submitted and approved and permits obtained prior to erection of signage (Subsection 32.06.020 & 32.06.030 is the sign regulation in the Zoning Ordinance).
4. Roof top mechanicals shall be screened so as not to be visible from the street. Screening is not required for the top of the roof-top mechanicals. Acceptable exterior wall materials are brick, stone, and split face block masonry, cementitious siding, EIFS, glass, metal (flat, perforated, composite, or ribbed less than 8" OC), architectural paneling, or other similar high quality materials.

5. Any proposed enclosure for the dumpster will need be a full screen enclosure including the gates and preferably designed using the same building material as the principal building as per Subsection 32.05.030.A.7. of the Zoning Ordinance. Please note that chain link with privacy slats does not satisfy this requirement.

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 15th day of November, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

ACCEPTANCE OF CONDITIONS OF REZONING
ORDINANCE NO. _____

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

Dated this 25th day of October, 2016.

CAMERON S. WEST

Cameron West
Signature

Cameron West
Printed name

owner
Printed title



Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Caleb Mason

Phone Number/Ext.: 319 286-5188

E-mail Address: c.mason@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext.: 319 286-5047

E-mail Address: j.pratt@cedar-rapids.org

Description of Agenda Item: ORDINANCES – Second and possible Third Readings
Ordinance establishing the ReConserve of Iowa, Inc. Urban Revitalization Area designation east of Edgewood Road SW and south of 60th Avenue SW.
CIP/DID #URTE-0010-2016

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

Background: On July 26, 2016 the City Council adopted a Resolution of Support authorizing sponsorship of an application to the Iowa Economic Development Authority (IEDA) for state funds and authorizing the required local match participation through an Urban Revitalization Tax Exemption (URTE) for the proposed ReConserve of Iowa, Inc. project.

ReConserve is constructing a 61,000 square foot industrial facility located near the intersection of 60th Ave SW and Edgewood Rd SW. ReConserve was previously located in rural Linn County until a fire destroyed its facility in October 2015.

ReConserve processes grain-based food waste products such as bread, cereal, cookies, crackers, chips, and pasta, into registered feed ingredients for livestock feed. As a post-production processing company, ReConserve works with multiple local food manufacturers as a value-added industry.

The process used to create the feed product involves a dry grinding and drying process. The volatile organic compounds (VOCs) from the breakdown of the product evaporate into the air, which is the source of odor in the process. To address odor emissions, the facility will include a regenerative thermal oxidizer (RTO) which burns the VOCs at high temperatures using natural gas. This process is expected to remove 98-99% of the odor from the process.

Project Details:

- New 61,000 sq. ft. industrial facility
- \$12.3 Million total Capital Investment
 - \$6.8 Million in site development and construction
- 24 Jobs new to Cedar Rapids, 15 jobs meeting High Quality Wage threshold
- Approximately \$851,500 in yearly wages

This project qualifies for the City's Local Match Program which would leverage \$244,800 in in tax credits through the State's High Quality Jobs program. The partial tax exemption is a ten-year, declining scale exemption averaging 44% per year, applied only to the increased property valuation. Upon the completion of the project, the 10-year City incentive provided under the URTE is as follows:

- \$995,700 in total tax revenues collected over a 10-year period
- \$585,300 deferred as tax exempt over a 10-year period.

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: NA

Resolution Date: NA

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

ORDINANCE NO. LEG_NUM_TAG

ORDINANCE ESTABLISHING THE
RECONSERVE OF IOWA, INC. URBAN REVITALIZATION AREA

WHEREAS, Chapter 404 of the Code of Iowa allows the Cedar Rapids City Council to enact ordinances designating areas of Cedar Rapids as urban revitalization areas; and

WHEREAS, such urban revitalization areas, once designated, allow for qualified real estate located within such areas to be eligible for exemption from taxation based on the actual value added by improvements thereto; and

WHEREAS, Chapter 17A of the Cedar Rapids Municipal Code establishes the procedures to be followed in the designation of urban revitalization areas in Cedar Rapids in accordance with Chapter 404 of the Code of Iowa; and

WHEREAS, in accordance with both Chapter 404 of the Code of Iowa and Chapter 17A of the Cedar Rapids Municipal Code, and following public hearing and notice as required by applicable law, the Cedar Rapids City Council has adopted a Resolution No. 1268-09-16 establishing the ReConserve of Iowa, Inc. Urban Revitalization Area ("ReConserve of Iowa, Inc. Revitalization Area") for the property legally described herein below; and

WHEREAS, the terms and conditions of Resolution No. 1268-09-16 are by this reference incorporated herein as if set out in full.

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

Section 1. The Recitals contained herein above are hereby adopted by this reference and incorporated herein.

Section 2. The ReConserve of Iowa, Inc. Revitalization Area for the property legally described as:

**A part of the SW ¼ NW ¼ of Section 18, Township 82 North, Range 7 West of the 5th Principal Meridian, City of Cedar Rapids, Linn County, Iowa described as follows:
Beginning at the NE corner of Cech's Edgewood First Addition to said City;
thence N89°52'20"E along the north line of said SW ¼ NW ¼, 887.80 feet;
thence S00°00'58"E, 547.04 feet;
thence S90°00'00"W, 464.64 feet;**

thence W-ly on an arc of 195.08 feet of a 339.99-foot radius curve to the right, having a chord length of 192.42 feet bearing N73°33'45"W;
thence NW-ly on an arc of 74.25 feet of a 410.00-foot radius curve to the left, having a chord length of 74.15 feet bearing N62°18'46"W;
thence S22°29'57"W, 70.00 feet;
thence W-ly on an arc of 134.27 feet of a 340.00-foot radius curve to the left, having a chord length of 133.40 feet bearing N78°48'52"W;
thence S89°52'20"W, 287.80 feet to the west line of said SW ¼ NW ¼;
thence N02°03'41"W along said west line, 70.04 feet to the SW corner of said Addition;
thence N89°52'20"E along the south line of said Addition, 290.16 feet to the SE corner of said Addition;
thence N02°03'41"W along the east line of said Addition, 425.23 feet to the Point of Beginning, containing 11.13 acres which includes 0.05 acres of road right of way.

The above described property is to be known as Parcel A, Plat of Survey No. 2089

is established as a revitalization area, and specifically an economic development area pursuant to Iowa Code Section 404.1(4) (2016), as well as a new revitalization area as contemplated by Cedar Rapids Municipal Code Section 17A.06, though it will not be added as a new division to the existing listing of previously established areas contained within said section.

Section 3. All qualified real estate within the ReConserve of Iowa, Inc. Revitalization Area shall be eligible to receive an exemption from taxation as provided for in Iowa Code Section 404.3 (2016).

Section 4. 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 5. All ordinances or parts of ordinances in conflict herewith are repealed.

Section 6. This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 27th day of September, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG