NOTICE OF CITY COUNCIL MEETING

The Cedar Rapids City Council will meet in Regular Session on Tuesday, April 9, 2019 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

• Invocation
• Pledge of Allegiance
• Proclamations/Presentations
  ▶ Proclamation – National Arab American Heritage Month
  ▶ Proclamation – Fair Housing Month
  ▶ Proclamation – Sexual Assault Awareness Month
  ▶ Proclamation – National Work Zone Awareness Week

PUBLIC HEARINGS

1. A public hearing will be held to consider the submittal of the FY20 Consolidated Transit Funding Application to the Iowa Department of Transportation (IDOT) for federal and state transit funding assistance (Brad DeBrower). CIP/DID #TRN001-19

   a. Resolution authorizing the Transit Division to submit the FY20 Consolidated Transit Funding Application to the Iowa Department of Transportation (IDOT) for federal and state transit funding assistance.
2. A public hearing will be held to consider the proposed Amendment No. 1 to the Edgewood Town Center Urban Renewal Plan for the Edgewood Town Center Urban Renewal Area (Caleb Mason). CIP/DID #TIF-0028-2018
   a. Resolution approving Amendment No. 1 to the Urban Renewal Plan for the Edgewood Town Center Urban Renewal Area.
   b. First Reading: Ordinance amending Ordinance No. 003-19 relating to the collection of tax increment within the amended Edgewood Town Center Urban Renewal Area.

3. A public hearing will be held to consider the disposition of City-owned properties at 1028 and 1032 5th Street SE and inviting competitive redevelopment proposals (Lauren Freeman). CIP/DID #DISP-0025-2019
   a. Resolution authorizing the continuation of the disposition of City-owned properties at 1028 and 1032 5th Street SE and inviting competitive redevelopment proposals.

4. A public hearing will be held to consider the disposition of City-owned property at 720 1st Avenue NW and inviting competitive redevelopment proposals (Lauren Freeman). CIP/DID #DISP-0025-2019
   a. Resolution authorizing the continuation of the disposition of City-owned property at 720 1st Avenue NW and inviting competitive redevelopment proposals.

5. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 3rd Avenue SE from 1st Street to 5th Street Pavement Rehabilitation and One-Way to Two-Way Conversion project (estimated cost is $2,300,000) (Doug Wilson). (Paving for Progress) CIP/DID #3012155-06
   a. Resolution adopting plans, specifications, form of contract and estimated cost for the 3rd Avenue SE from 1st Street to 5th Street Pavement Rehabilitation and One-Way to Two-Way Conversion project.

6. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 2019 Downtown Sidewalk Repair and Intersection Improvement Project (estimated cost is $215,000) (Brenna Fall). CIP/DID #321546-02
   a. Resolution adopting plans, specifications, form of contract and estimated cost for the 2019 Downtown Sidewalk Repair and Intersection Improvement Project.

7. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the TIF 2nd St 1st-3rd Av UFG Land project (estimated cost is $108,000) (Brenna Fall). CIP/DID #321614-01
   a. Resolution adopting plans, specifications, form of contract and estimated cost for the TIF 2nd St 1st-3rd Av UFG Land project.
8. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Parks ADA DOJ Settlement Items Compliance project (estimated cost is $994,400) (Jeff Koffron). CIP/DID #PUR0219-184

   a. Resolution adopting plans, specifications, form of contract and estimated cost for the Parks ADA DOJ Settlement Items Compliance 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.*

9. Motion to approve the minutes.

10. Resolution consenting to the City Manager’s appointment of Gregory T. Smith as Chief of the City of Cedar Rapids Fire Department effective April 10, 2019. CIP/DID #HR0045

11. Resolution authorizing a three-year contract with the Cedar Rapids Association of Firefighters, Local 11. CIP/DID #HR0041

12. Resolution authorizing a three-year contract with the Chauffeurs, Teamsters and Helpers, Local 238. CIP/DID #HR0042

13. Resolution authorizing a three-year contract with the Cedar Rapids Police Bargaining Union. CIP/DID #HR0043

14. Resolution authorizing a three-year contract with the Amalgamated Transit Union, Local 638. CIP/DID #HR0044

15. Resolution amending the Section 8 Housing Choice Voucher Program, Public Housing Agency Administrative Plan for the City of Cedar Rapids, Iowa. CIP/DID #OB363680

17. Resolution amending the Historic Preservation Guidelines to rename them as the Historic Preservation Design Guidelines and address repairs for flat or low-pitched roofs. CIP/DID #OB8524

18. Resolution authorizing three Cedar Rapids Fire Department employees to attend Structural Collapse 1 and 2 training in Camp Douglas, WI, for a total amount of $10,400. CIP/DID #FIR0419-0043

19. Resolution authorizing a Cedar Rapids firefighter to attend Medical Specialist Training in Ocala, FL, for a total amount of $4,039. CIP/DID #FIR0419-0044

20. Resolution authorizing four Cedar Rapids firefighters to attend Advanced Exterior Structural Collapse Shoring Training in College Station, TX, for a total amount of $19,160. CIP/DID #FIR0419-0045

21. Resolution determining the necessity and setting dates of a public hearing for May 14, 2019 and consultation with affected taxing entities, and referral to the City Planning Commission for a report and recommendation on the proposed Urban Renewal Plan for the Commerce Park Urban Renewal Area. CIP/DID #TIF-0021-2018

22. Motions setting public hearing dates for:
   b. April 23, 2019 – to consider repealing Chapter 34 of the Municipal Code, Electrical Code, and enacting and adopting in lieu thereof a new Chapter 34 and the 2017 edition of the National Electrical Code with modifications. CIP/DID #BSD003-19
   e. April 23, 2019 – to consider repealing Chapter 51 the Municipal Code and enacting a new Chapter 51, Alcoholic Beverages, to clarify certain sections and remove outdated language and regulations covered by State Code. CIP/DID #OB337094
   f. April 23, 2019 – to consider renaming Bellamy Court NW to Bellamy Street NW northerly from Sandhurst Drive NW as requested by the Traffic Engineering Division. CIP/DID #STREET-028099-2018
   g. May 14, 2019 – to consider an Ordinance relating to the collection of tax increments within the proposed Commerce Park Urban Renewal Area generally located along and west of 6th Street SW and south of Capital Drive SW. CIP/DID #TIF-0021-2018

23. Motions setting public hearing dates and directing publication thereof, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by posting notice to bidders as required by law, and authorizing City officials or designees to receive and open bids and publicly announce the results for:
   a. April 23, 2019 – 21st Avenue SW from 12th Street to 13th Street Water Main, Drainage and Street Improvements project (estimated cost is $810,000). CIP/DID #304479-02
b. April 23, 2019 – Ellis Harbor Sidewalk Repairs project (estimated cost is $175,000). CIP/DID #PUR0319-192

c. April 23, 2019 – Ice Arena Parking and Stoops ADA Project (estimated cost is $235,713). CIP/DID #PUR0319-200

d. April 23, 2019 – Wright Brothers Boulevard SW at Interstate 380 Westbound Right Turn Lane project (estimated cost is $200,000). CIP/DID #301983-01

e. April 23, 2019 – Beaver Hollow Lift Station Improvements project (estimated cost is $490,000). CIP/DID #6550008-03

24. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
   a. Biaggi’s Ristorante Italiano, 320 Collins Road NE.
   b. Butcher Block Steakhouse, 568 Boyson Road NE.
   c. Casey’s General Store #2212, 130 41st Avenue Drive SW.
   d. Daisy’s Garage, 5240 Edgewood Road NE (adding permanent outdoor service area).
   e. El Paraiso Bar & Grill, 2730 Edgewood Road SW.
   f. Fong’s Pizza, 1006 3rd Street SE.
   g. Green Gable Inn, 1227 J Avenue NE.
   h. Hacienda Las Glorias, 715 1st Avenue SW.
   i. Hacienda Las Glorias II, 4317 Center Point Road NE.
   j. Iowa Brewing Company, 708 3rd Street SE.
   k. Moco Game Room & Hot Dog Bar, 1600 E Avenue NE (adding permanent outdoor service area).
   l. Murdoch Funeral Homes & Cremation Service, 520 Wilson Avenue SW.
   m. Paradise Bar & Grill, 5200 Fountains Drive NE (adding permanent outdoor service area).
   n. R G Books, 3611 1st Avenue SE.
   o. The Rewind, 1010 2nd Avenue SW (new – formerly Beaver Creek Saloon).
   p. Wild Hog Saloon & Eatery, 350 Commercial Drive, Walford (5-day permit for an event at Metro Harley Davidson, 2415 Westdale Drive SW).

25. Resolutions approving:
   a. Payment of bills. CIP/DID #FIN2019-01
   b. Payroll. CIP/DID #FIN2019-02

26. Resolution approving assessment action:
   a. Intent to assess – Water Division – delinquent municipal utility bills – 36 properties. CIP/DID #WTR040919-01

27. Resolution accepting project, approving Performance Bond and authorizing final payment:
   a. Water Pollution Control Sludge Screen Process Improvements project, final retainage payment in the amount of $127,859.77 and 2-year Performance Bond submitted by WRH, Inc. (original contract amount was $857,300; final contract amount is $925,664.29). CIP/DID #615212-03

28. Resolutions approving actions regarding purchases, contracts and agreements:
   a. Amendment No. 4 to the contract with Reliant Fire Apparatus, Inc. for fire apparatus parts and training for the Fire Department to reflect the additional cost for parts for an amount not to exceed $30,000 (original contract amount was $50,000; total contract amount with this amendment is $80,000). CIP/DID #PUR0515-231
   b. Master Agreement with Nuance Communications, Inc. for Winscribe software licensing, maintenance and support for an amount not to exceed $72,902. CIP/DID #132104-02
c. Amendment No. 1 to renew the contract with Croell Redi-Mix, Inc. for concrete products for various City departments for an annual amount not to exceed $60,000 (original contract amount was $60,000; renewal contract amount is $60,000). CIP/DID #PUR0318-141

d. Contract with Logan Contractors Supply for flexible crack and joint sealant for the Streets Division for an annual amount not to exceed $120,000. CIP/DID #PUR0319-199

e. Amendment No. 2 to renew contract with Cutting Edge Lawn and Landscapes, Inc. for median landscape maintenance for the Streets and Sewer Divisions for an annual amount not to exceed $60,000 (original contract amount was $45,000; renewal contract amount is $60,000). CIP/DID #PUR0118-115

f. Professional Services Agreement with CDM Smith Inc. for an amount not to exceed $101,595 for the Indian Creek Lift Station Improvements Study. CIP/DID #6150044-01

g. Amendment No. 6 to the Professional Services Agreement with HDR, Inc. for an amount not to exceed $64,400 for the modified scope of work for the WPCF Nutrient Removal and Solids Facilities Plan engineering services (original contract amount was $660,083; total contract amount with this amendment is $1,170,497). CIP/DID #6150011-01

h. Change Order No. 2 in the amount of $170,149.46 and extending the completion date to March 31, 2019 with Miron Construction Co., Inc. for the Downtown Walkway from the Convention Center Ramp to U.S. Bank project (original contract amount was $1,598,937.75; total contract amount with this amendment is $2,081,141.82). CIP/DID #635129-02

i. Change Order No. 5 in the amount of $112.40 with WRH, Inc. for the Quaker Oats Flood Control System project (original contract amount was $14,450,000; total contract amount with this amendment is $14,867,067.18). CIP/DID #3314520-30

j. Partial final payment in the amount of $294,997.20 to Williams Brothers Construction, Inc. for the Water Pollution Control Upgrades project. CIP/DID #615233-02

k. Escrowed funds request from Cedar Rapids Bank & Trust Company in the amount of $2,200 for the construction of the new sidewalk segment adjacent to Lots 139 and 140 of the Van Buren Heights subdivision. CIP/DID #3012074-03

l. Agreement Regarding Assignment of Funding Trust Agreement from Bankers Trust Company to UMB Bank in connection with the continued redevelopment of the Westdale Mall area. CIP/DID #OB812292

m. Semi-annual Economic Development Grant payment to New Bohemia Station, LLC in the amount of $7,623. CIP/DID #OB803603

n. Accepting a Warranty Deed and Concrete Pavement and Concrete Sidewalk Petition and Assessment Agreement from Archer Daniels Midland Co. for the dedication of street right-of-way along the east side of 26th Street SW and south of Highway 30. CIP/DID #PLSV-024148-2016

o. Purchase Agreement in the amount of $5,285 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Connie J. Copper-Render, Trustee of the Connie Copper-Render Revocable Trust u/d/o October 22, 2003, from land located at 2617 O Avenue NW in connection with the O Avenue NW Improvements Phase II & III from 16th Street NW to Edgewood Road NW project. (Paving for Progress) CIP/DID #3012121-00

p. Special Warranty Deed for right-of-way from Hy-Vee, Inc. for land located at 4035 Mount Vernon Road SE in connection with the Mount Vernon Road SE from 38th Street to East Post Road Roadway Improvements project. (Paving for Progress) CIP/DID #3012199-00
q. Accepting a Special Warranty Deed for the dedication of street right-of-way along the west half of Center Point Road NE and the south half of 42nd Street NE from Kwik Trip, Inc. CIP/DID #ASDP-026070-2018
r. Rescinding Resolution No. 0368-03-19, which authorized a Special Warranty Deed conveying City-owned property at 245 2nd Street SW to MH Legacy, LLC. CIP/DID #DISP-0021-2018
s. Assignment and Assumption Agreement and Special Warranty Deed with 245 Kingston, LLC for property at 245 2nd Street SW. CIP/DID #DISP-0021-2018
t. Resolution amending Resolution No. 0107-01-19 by correcting the subdivision name to Belmont Addition, and executing Corrective Quit Claim Deeds from the City of Cedar Rapids to Larry and Kay Jordan and to Bridgette N. Usher. CIP/DID #ROWV-025537-2017
u. Purchase Agreement in the amount of $1 and accepting an Easement for Drainage and a Temporary Grading Easement for Construction from Meth-Wick Community, Inc. from land located at 1300 13th St NW in connection with the 11th Street NW North of M Avenue Detention Basin Improvements project. CIP/DID #304427-00
v. Purchase Agreement in the amount of $2,465 and accepting a Permanent Easement for Retaining Wall and a Temporary Grading Easement for Construction from Joyce C. Steffan and Orville and Lesly Dickens from land located at 3124 O Avenue NW in connection with the O Avenue NW Improvements Phase II & III from 16th Street NW to Edgewood Road NW project. (Paving for Progress) CIP/DID #3012121-00
w. Awarding and approving contract in the amount of $1,050,990, bond and insurance of InRoads LLC for the 2019 Pavement Milling project (estimated cost is $425,000). (Paving for Progress) CIP/DID #301990-14

REGULAR AGENDA

29. Report on bids for Bender Pool ADA Compliance project (estimated cost is $676,300) (Jeff Koffron). CIP/DID #PUR0219-181

a. Resolution awarding and approving contract in the amount of $552,600, plus incentive up to $2,000, bond and insurance of Tricon General Construction, Inc. for the Bender Pool ADA Compliance project.

ORDINANCES

Second and possible Third Readings

30. Ordinance amending Chapter 61 of the Municipal Code, Traffic Regulations, by adding Section 61.139 regarding opening doors into moving traffic. CIP/DID #CD-0055-2019

32. Ordinance amending Chapter 9 of the Municipal Code, Streets, Alleys and Sidewalks, by deleting Section 9.07 and enacting a new Section 9.07 to clarify and update requirements for bicycles, e-bicycles and electric stand up scooters. CIP/DID #CD-0055-2019

33. Ordinance establishing the BraineTrust Urban Revitalization Area designation for the redevelopment of property at 1005 3rd Avenue SW and 328 Rockford Road SW. CIP/DID #URTE-0028-2018

34. Ordinance establishing the 245 2nd Street SW Urban Revitalization Area for the redevelopment of property at 245 2nd Street SW. CIP/DID #DISP-0021-2018

**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.

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 or event should contact the City Clerk’s Office at 319-286-5060 or 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: Transit

Presenter at Meeting: Brad DeBrower

Contact Person: Sandi Fowler Contact Person: Sandi Fowler
E-mail Address: S.Fowler@cedar-rapids.org

Description of Agenda Item: PUBLIC HEARINGS
A public hearing will be held to consider the submittal of the FY20 Consolidated Transit Funding Application to the Iowa Department of Transportation for federal and state transit funding assistance (Brad DeBrower).
CIP/DID # TRN001-19


Background: The FY20 Consolidated Transit Funding Application incorporates all elements necessary to apply for federal and state transit funding assistance. The application occurs on an annual basis and a public hearing is required for each application. The public hearing will cover all projects for which federal or state transit funding is being requested, including formula and discretionary funds for operating or capital projects.

The FY20 application will include the following projects and approximate funding amounts:
- Section 5307 FTA Operating Assistance for general operating costs - $2,698,000
- Section 5307 FTA Capital Assistance to replace 1 medium-duty bus - $126,000 (approximately 71% of the total cost of $177,450)
- Section 5310 formula allocation to support the general operating costs for ADA complementary paratransit service - $130,692
- State Transit Assistance for general operating costs - $643,726

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

Alternative Recommendation: NA

Time Sensitivity: The funding application is due to the Iowa DOT by May 1st.

Resolution Date: April 9, 2019
Budget Information: NA
Local Preference Policy: NA
Explanation: NA
Recommended by Council Committee: NA
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the FY20 Consolidated Transit Funding Application incorporates all elements necessary to apply for federal and state transit funding assistance;

WHEREAS, the application occurs on an annual basis and an authorizing resolution is required for each application;

WHEREAS, the FY20 application will include the following projects and approximate funding amounts:

- Section 5307 FTA Operating Assistance for general operating costs - $2,698,000
- Section 5307 FTA Capital Assistance to replace 1 medium-duty bus - $126,000 (approximately 71% of the total cost of $177,450)
- Section 5310 formula allocation to support the general operating costs for ADA complementary paratransit service - $130,692
- State Transit Assistance for general operating costs - $643,726

WHEREAS, the City of Cedar Rapids has sufficient non-federal funds to provide the local match for capital projects and at the time of delivery will have the funds to operate and maintain vehicles as purchased under this project; and

WHEREAS, it is requested that State Transit Assistance formula funding be advanced as allowed by law, to improve transit system cash flow; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager, or his/her designee, is authorized on behalf of the City of Cedar Rapids to apply for financial assistance and to enter into related contracts with the Iowa Department of Transportation and/or the Federal Transit Administration.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Caleb Mason

Contact Person: Jennifer Pratt

E-mail Address: J.Pratt@cedar-rapids.org

Cell Phone Number: 319-538-2552

Description of Agenda Item: PUBLIC HEARINGS
A public hearing will be held to consider the proposed Amendment No. 1 to the Edgewood Town Center Urban Renewal Plan for the Edgewood Town Center Urban Renewal Area (Caleb Mason). CIP/DID #TIF-0028-2018

a. Resolution approving Amendment No. 1 to the Urban Renewal Plan for the Edgewood Town Center Urban Renewal Area. CIP/DID #TIF-0028-2018

b. First Reading: Ordinance amending Ordinance No. 003-19 relating to the collection of tax increment with the amended Edgewood Town Center Urban Renewal Area. CIP/DID #TIF-0028-2018

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

Background: On January 22, 2019, the City Council authorized City participation in a development project proposed by New Buffalo Land Co. LLC and Randy Kuehl Honda which is adjacent to the Edgewood Town Center TIF.

The Amendment No. 1 to the URA Plan incorporates the new land and the proposed development project as an activity within the expanded Urban Renewal Area and provides for the collection of tax increment related to the proposed project.

Action/Recommendation: City staff recommends approval of resolution.

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

Time Sensitivity: NA

Resolution Date: April 9, 2019

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA
RESOLUTION NO. LEG_NUM_TAG

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 1 TO THE URBAN RENEWAL PLAN FOR THE EDGEWOOD TOWN CENTER URBAN RENEWAL AREA

WHEREAS, on January 22, 2019, the City Council of the City of Cedar Rapids, Iowa authorized Resolution No. 0056-01-19, which approved the Urban Renewal Plan (the “Original Plan”, and as so amended shall be referred to herein as the “Plan”) for the Edgewood Town Center Urban Renewal Area (the “Urban Renewal Area”); and

WHEREAS, this Urban Renewal Area includes and consists of an area of approximately 71.5 acres generally located between along and south of Blairs Ferry Road NE and along and west of Edgewood Road NE more particularly described as:

All of that portion of land within the Northeast Fractional Quarter of Section 6, Township 83 North, Range 7 West of the Fifth Principal Meridian, Linn County, Iowa described more or less as follows:

Beginning at the intersection of the centerline of Blairs Ferry Road NE with the West line of said Northeast Fractional Quarter of Section 6; Thence Easterly along the centerline of Blairs Ferry Road NE, a distance of 1,808 feet more or less to a point that is 60.00 feet distant as measured at right angles from the North end of the corner cutback located at a Northwest corner of Lot 2 of North River Village Fourth Addition; Thence Southerly 60.00 feet along a line perpendicular to the centerline of Blairs Ferry Road NE to the North end of the corner cutback located at the Northwest corner of said Lot 2; Thence Southwesterly 134.17 feet along the corner cutback and North line of said lot 2, to the East right-of-way line of Edgewood Road NE (75’ half-width); Thence Southerly along said East right-of-way line of Edgewood Road NE (also being the West lines of Lots 2 and 1 North River Village Fourth Addition, and the West lines of Lots A, 2, B, and 1 of North River Village Third Addition, and the West line of Parcel A of Plat of Survey No. 671, and the West lines of Lots 4 and 1 of North River Village First Addition), a distance of 1,586.90 feet more or less to a point common to the West line of Lot 1 of North River Village First Addition and the Highway 100 Exit Ramp right-of-way line as shown on said North River Village First Addition; Thence Southwesterly departing said East right-of-way line of Edgewood Road NE, 320 feet more or less to
the Southeast corner of Parcel A of Revised Plat of Survey No. 1821 also being a point on the North right-of-way line of State Highway 100 as was conveyed to the State of Iowa in Warranty Deed recorded in Book 8885, page 307; Thence Westerly along the North right-of-way line of State Highway 100 as per said Warranty Deed, a distance of 1,349 feet more or less to a point of intersection with the West line of the Northeast Fractional Quarter of said Section 6; Thence Northerly along said West line, a distance of 493 feet more or less to the North line of the South 51 ½ rods of the SW ¼ of the NW ¼ of said Section 6, also being the Southwest corner of Lot 2, Musil’s First Addition to Linn County, Iowa; Thence continuing Northerly along the West line of the Northeast Fractional Quarter of said Section 6 (also being the West line of Lot 2 of said Musil’s First Addition, and the West lines of Lots 2 and 1 and the Northerly extension thereof), a distance of 1,244 feet more or less to the Point of Beginning.

WHEREAS, City staff has caused there to be prepared a form of Amendment No. 1 to the Plan (“Amendment No. 1” or “Amendment”), a copy of which is attached hereto as Exhibit 1 and has been placed on file for public inspection in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to add additional land to the Area, update the list of eligible projects to be undertaken within the Area, and update the estimated division of revenue associated with the activities; and

WHEREAS, this proposed Amendment adds the following land:

All of that portion of land within the East Fractional Half of Section 6, Township 83 North, Range 7 West of the Fifth Principal Meridian, Linn County, Iowa described more or less as follows:

Beginning at a point common to the West line of Lot 1 of North River Village First Addition and the Highway 100 Exit Ramp right-of-way line as shown on said North River Village First Addition, said point also being on the East right-of-way line of Edgewood Road NE; Thence Southwesterly departing said East right-of-way line of Edgewood Road NE, 320 feet more or less to the Southeast corner of Parcel A of Revised Plat of Survey No. 1821 also being a point on the North right-of-way line of State Highway 100 as was conveyed to the State of Iowa in Warranty Deed recorded in Book 8885, page 307; Thence Westerly along the North right-of-way line of State Highway 100 as per said Warranty Deed, a distance of 1,349 feet more or less to a point of intersection with the West line of the East Fractional Half of said Section 6; Thence Southerly along said West line, a distance of 230 feet more or less to a point of intersection with the North line of Lot 1 of River Ridge North Office Park Fourth Addition; Thence Southeasterly along said North line of Lot 1 a distance of 141 feet more or less to the Northeast corner of said Lot 1 also being the Northwest corner of Lot 1 of River Ridge North Office Park Second Addition; Thence S 64°32'36" E along the Northeasterly line of last said Lot 1, a distance of 300.47 feet to the Northeast corner thereof; Thence S 42°26'51" W along the Southeasterly line of said Lot 1, a distance of 378.89 feet to the Southeast corner thereof; Thence continuing Southwesterly across North River Boulevard NE a distance of 60.00 feet to the South right-of-way line of said North River Boulevard NE also being a point on the North line of Lot 1 of River Ridge North Office Park First Addition; Thence Southeasterly along last said North line and South right-of-way line of North River Boulevard NE, a distance of 1,340 feet more or less to a point of intersection with the West right-of-way line of Edgewood Road NE; Thence due East across Edgewood Road NE, a distance of 160 feet more or less to a point on the East right-of-way line of Edgewood Road NE as it is depicted on Easement Acquisition Plat recorded in Book 8967 page 513 on file in the Linn County Recorder’s Office; Thence Northerly along said East right-of-way line, a distance of 473 feet more or less to the Southernmost point of that certain portion of land quitclaimed to the State of Iowa as per Quitclaim Deed recorded in
Book 1850 page 162; Thence Northerly along the following three (3) courses as shown on the Right-of-way Plat Exhibit “A” of said Quitclaim Deed;

Thence N 10°10' E a distance of 187.8 feet;

Thence N 21°29' E a distance of 101.6 feet;

Thence N 10°09 ½' E a distance of 52.6 feet to the Northernmost point of land described in said Quitclaim deed; Thence Northerly a distance of 478 feet more or less to the Point of Beginning.

WHEREAS, it is desirable that the area be developed as part of the overall development covered by the Plan, as amended; and

WHEREAS, by Resolution No. 0255-03-19, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Amendment be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held on Friday, March 22, 2019 at 10:00 a.m. and all responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the Economic Development Analyst filed herewith and attached as Exhibit 2 and by this reference incorporated herein, which report is in all respects approved; and

WHEREAS, by Resolution No. 0255-03-19, this Council also set a public hearing on the adoption of the proposed Amendment No. 1 for the meeting on April 9, 2019 commencing at 12:00 p.m. in the Council Chambers of City Hall, 101 First Street SE, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the Cedar Rapids Gazette and by mail to the affected taxing entities, which notice set forth the time and place for this hearing that nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 1, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in Amendment No. 1 concerning the area of the City of Cedar Rapids, State of Iowa, described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 2. This Council further finds:

1. There will be no displacement from the Edgewood Town Center Urban Renewal Area as a result of activities associated with the implementation of said Urban Renewal Plan.

2. The Plan, as amended, and Amendment No. 1 to the Plan, conform to the general plan for the development of the City as a whole; and

3. There are no areas of open land to be acquired by the City within the Edgewood Town Center Urban Renewal Area.

Section 3. That the Edgewood Town Center Urban Renewal Area, as amended, continues to be an economic development area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa; and that the rehabilitation, conservation,
redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That Amendment No. 1, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amendment No. 1 to the Edgewood Town Center Urban Renewal Plan for the City of Cedar Rapids, State of Iowa"; Amendment No. 1, is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of Amendment No. 1 with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, the Plan, as amended, shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Plan. The proposed Amendment No. 1 to the Urban Renewal Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Linn County, Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 1, as well as all resolutions previously adopted by this City Council related to the Plan be and the same are hereby ratified, confirmed and approved in all respects and remain in full force and effect.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
AMENDMENT NO. 1 TO THE URBAN RENEWAL PLAN
EDGECOMO TOWN CENTER URBAN RENEWAL AREA

Original Plan Adopted – January 22, 2019

Amendment No. 1 Approved by City Council

RESOLUTION NO. LEG_NUM_TAG

Community Development Department
City Hall
101 First Street SE
Cedar Rapids, Iowa 52401
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   1.1 PURPOSE AND BACKGROUND
   1.2 EDGEWOOD TOWN CENTER URBAN RENEWAL PLAN AMENDMENTS

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3.0 CITY INDEBTEDNESS

4.0 EFFECTIVE DATE

5.0 LAND USES AND DEVELOPMENT PLAN

6.0 REPEALER

7.0 SEVERABILITY
1.0 INTRODUCTION

1.1 Purpose and Background

The Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Edgewood Town Center Urban Renewal Area ("Area" or "Urban Renewal Area") was originally adopted on January 22, 2019 through Resolution No. 0056-01-19. The Urban Renewal Plan is being amended by this Amendment No. 1 ("Amendment") to update the list of eligible projects and add additional land to the Area. Except as modified by this Amendment, the provisions of the original Urban Renewal Plan are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control. Any subsections in the original Plan not mentioned in this Amendment shall continue to apply to the Plan.

1.2 Edgewood Town Center Urban Renewal Plan Amendments

Section XII of the Urban Renewal Plan provides that the Urban Renewal Plan may be amended from time to time to respond to development opportunities. The City Council may amend the Urban Renewal Plan as provided for under Chapter 403 of the Code of Iowa after first consulting with affected taxing agencies, the City Planning Commission and after first holding a public hearing. This Amendment is consistent with this provision.

3.0 AREA ADDED TO THE PROJECT AREA

The Urban Renewal Plan is being amended to add additional land which is described and illustrated in Attachment A.

3.0 PROPOSED URBAN RENEWAL PROJECT ACTIVITIES

In accordance with Chapter 403 of the Code of Iowa, Section XIV of the Urban Renewal Plan for the Edgewood Town Center Urban Renewal Area is hereby amended to add the following projects expected to be undertaken in the Area:

<table>
<thead>
<tr>
<th>Development Agreements</th>
</tr>
</thead>
<tbody>
<tr>
<td>The following private development projects are expected to be undertaken:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project</th>
<th>Description &amp; Rationale</th>
<th>Tax Increment</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Buffalo Land Co. LLC and Randy Kuehl Honda (Nan Ran, Inc.)</td>
<td>Master planned development located at the corner of N River Blvd NE, Edgewood Rd NE &amp; Hwy 100 including mixed-use residential/commercial facilities, and commercial car dealership with related site improvements and landscaping.</td>
<td>City is provided a reimbursement of tax increments generated by the improvements for each respective separately assessed building constructed as part of the project. The estimated total reimbursement of tax increments is anticipated to be $4,000,000</td>
</tr>
</tbody>
</table>

4.0 CITY INDEBTEDNESS

The specific amount of debt to be incurred by the updated urban renewal projects identified in this Amendment are outlined in Section 3 of this Amendment. The estimated project costs in this Amendment are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues.
from the Urban Renewal Area, as amended. Subject to the foregoing, the anticipated use of aggregate tax increment for the proposed urban renewal projects identified in this Amendment is estimated at $4,000,000.

Currently, the City of Cedar Rapids’ outstanding general obligation indebtedness is $271,585,000 (as of July 1, 2018). The Constitution of the State of Iowa limits the amount of City debt outstanding at any time to no more than five (5) percent of the value (as shown by the last certified state and county tax list) of all taxable property within the City. The City’s constitutional debt limit is $557,695,117 as of July 1, 2018.

5.0 EFFECTIVE DATE

This Amendment shall be deemed to be effective upon the adoption of a City Council Resolution approving the said amended Urban Renewal Plan. The Urban Renewal Plan, as so amended, shall remain in full force until amended or rescinded by the City Council.

6.0 REPEALER

Any parts of the previous Plan, as previously amended, in conflict with this Amendment are hereby repealed.

7.0 SEVERABILITY

If any part of the Amendment is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole, or any part of the Plan or this Amendment not determined to be invalid or unconstitutional.
Legal Description of Area Being Added

All of that portion of land within the East Fractional Half of Section 6, Township 83 North, Range 7 West of the Fifth Principal Meridian, Linn County, Iowa described more or less as follows:

Beginning at a point common to the West line of Lot 1 of North River Village First Addition and the Highway 100 Exit Ramp right-of-way line as shown on said North River Village First Addition, said point also being on the East right-of-way line of Edgewood Road NE; Thence Southwesterly departing said East right-of-way line of Edgewood Road NE, 320 feet more or less to the Southeast corner of Parcel A of Revised Plat of Survey No. 1821 also being a point on the North right-of-way line of State Highway 100 as was conveyed to the State of Iowa in Warranty Deed recorded in Book 8885, page 307; Thence Westerly along the North right-of-way line of State Highway 100 as per said Warranty Deed, a distance of 1,349 feet more or less to a point of intersection with the West line of the East Fractional Half of said Section 6; Thence Southerly along said West line, a distance of 230 feet more or less to a point of intersection with the North line of Lot 1 of River Ridge North Office Park Fourth Addition; Thence Southeasterly along said North line of Lot 1 a distance of 141 feet more or less to the Northeast corner of said Lot 1 also being the Northwest corner of Lot 1 of River Ridge North Office Park Second Addition; Thence S 64°32’36” E along the Northeasterly line of last said Lot 1, a distance of 300.47 feet to the Northeast corner thereof; Thence S 42°26’51” W along the Southeasterly line of said Lot 1, a distance of 378.89 feet to the Southeast corner thereof; Thence continuing Southwesterly across North River Boulevard NE a distance of 60.00 feet to the South right-of-way line of said North River Boulevard NE also being a point on the North line of Lot 1 of River Ridge North Office Park First Addition; Thence Southeasterly along last said North line and South right-of-way line of North River Boulevard NE, a distance of 1,340 feet more or less to a point of intersection with the West right-of-way line of Edgewood Road NE; Thence due East across Edgewood Road NE, a distance of 160 feet more or less to a point on the East right-of-way line of Edgewood Road NE as it is depicted on Easement Acquisition Plat recorded in Book 8967 page 513 on file in the Linn County Recorder’s Office; Thence Northerly along said East right-of-way line, a distance of 473 feet more or less to the Southernmost point of that certain portion of land quitclaimed to the State of Iowa as per Quitclaim Deed recorded in Book 1850 page 162; Thence Northerly along the following three (3) courses as shown on the Right-of-way Plat Exhibit “A” of said Quitclaim Deed;

Thence N 10°10’ E a distance of 187.8 feet;
Thence N 21°29’ E a distance of 101.6 feet;
Thence N 10°09 ½’ E a distance of 52.6 feet to the Northernmost point of land described in said Quitclaim deed; Thence Northerly a distance of 478 feet more or less to the Point of Beginning.
# Edgewood Town Center URA
## Base Values – 2018

<table>
<thead>
<tr>
<th>#</th>
<th>Owner</th>
<th>Class</th>
<th>Land</th>
<th>Dwelling</th>
<th>Improvement</th>
<th>Total</th>
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<td><strong>$3,571,800</strong></td>
<td><strong>$3,030,395</strong></td>
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Key:
- R - Residential
- C - Commercial
- A - Agricultural
To: City Council  
From: Caleb Mason, Economic Development Analyst  
Subject: Consultation with affected taxing agencies  
Amendment No. 1 to the Edgewood Town Center Urban Renewal Area Plan  
Date: March 22, 2019

REPORT ON CONSULTATION WITH AFFECTED TAXING AGENCIES AMENDMENT NO. 1  
TO THE EARHART LANE SW URBAN RENEWAL AREA

Chapter 403 of the Code of Iowa (“Urban Renewal Law”) outlines requirements for undertaking urban renewal projects and activities including the timely notice and consultation with affected taxing entities on the urban renewal activities and the division of revenue therein. In connection with the proposed Amendment No. 1 to the Urban Renewal Plan for the Edgewood Town Center Urban Renewal Area, after due and proper notice as required by the Urban Renewal Law, a consultation with affected taxing entities was held on Friday, March 22, 2019 at 10:00 a.m. in the Kranse Conference Room of City Hall. No representatives from any taxing entities were present and the consultation was closed at 10:20 a.m. In addition, no written comments have been received by the within seven (7) days of the consultation which require a written response on behalf of the City.
AN ORDINANCE AMENDING ORDINANCE NO. 003-19 PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE EDGEWOOD TOWN CENTER URBAN RENEWAL AREA OF THE CITY OF CEDAR RAPIDS, COUNTY OF LINN, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF CEDAR RAPIDS, COUNTY OF LINN, CEDAR RAPIDS COMMUNITY SCHOOL DISTRICT AND OTHER TAXING DISTRICTS, SHALL BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY SAID CITY IN CONNECTION WITH URBAN RENEWAL PROJECT ACTIVITIES UNDERTAKEN IN FURTHERANCE OF THE PLAN FOR THE EDGEWOOD TOWN CENTER URBAN RENEWAL AREA.

WHEREAS, the City Council (the “Council”) of the City of Cedar Rapids, Iowa (the “City”) has heretofore, in Ordinance No. 003-19, provided for the division of taxes within an area identified as the Edgewood Town Center Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, the City Council, after public notice and hearing and as prescribed by law and pursuant to Resolution No. ___04-19 passed and approved on the 9th day of April, 2019, Amendment No. 1 to the Urban Renewal Plan (the “Amendment No. 1”) for the Edgewood Town Center Urban Renewal Area (the “Urban Renewal Area”) which annexed property into the Urban Renewal Area and Urban Renewal Plan and identified certain projects and activities proposed with the Urban Renewal Area.

WHEREAS, expenditures and indebtedness are anticipated to be incurred by the City of Cedar Rapids, Iowa in the future to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan, as amended; and

WHEREAS, the City Council of the City of Cedar Rapids, Iowa desires to provide for the division of revenue from taxation in the Urban Renewal Area, as amended, in accordance with the provisions of Section 403.19 of the Code of Iowa.

WHEREAS, the following enactment is necessary to accomplish the objectives described in the premises.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that:
Section 1. The recitals contained hereinabove are found to be true and correct and incorporated herein.

Section 2: The Edgewood Town Center Urban Renewal Area described in Ordinance No. 003-19 is hereby replaced with the following legal description:

All of that portion of land within the Northeast Fractional Quarter of Section 6, Township 83 North, Range 7 West of the Fifth Principal Meridian, Linn County, Iowa described more or less as follows:

Beginning at the intersection of the centerline of Blairs Ferry Road NE with the West line of said Northeast Fractional Quarter of Section 6; Thence Easterly along the centerline of Blairs Ferry Road NE, a distance of 1,808 feet more or less to a point that is 60.00 feet distant as measured at right angles from the North end of the corner cutback located at a Northwest corner of Lot 2 of North River Village Fourth Addition; Thence Southerly 60.00 feet along a line perpendicular to the centerline of Blairs Ferry Road NE to the North end of the corner cutback located at the Northwest corner of said Lot 2; Thence Southwesterly 134.17 feet along the corner cutback and North line of said lot 2, to the East right-of-way line of Edgewood Road NE (75’ half-width); Thence Southerly along said East right-of-way line of Edgewood Road NE (also being the West lines of Lots 2 and 1 North River Village Fourth Addition, and the West lines of Lots A, 2, B, and 1 of North River Village Third Addition, and the West line of Parcel A of Plat of Survey No. 671, and the West lines of Lots 4 and 1 of North River Village First Addition), a distance of 1,586.90 feet more or less to a point common to the West line of Lot 1 of North River Village First Addition and the Highway 100 Exit Ramp right-of-way line as shown on said North River Village First Addition; Thence Southwesterly departing said East right-of-way line of Edgewood Road NE, 320 feet more or less to the Southeast corner of Parcel A of Revised Plat of Survey No. 1821 also being a point on the North right-of-way line of State Highway 100 as was conveyed to the State of Iowa in Warranty Deed recorded in Book 8885, page 307; Thence Westerly along the North right-of-way line of State Highway 100 as per said Warranty Deed, a distance of 1,349 feet more or less to a point of intersection with the West line of the Northeast Fractional Quarter of said Section 6; Thence Northerly along said West line, a distance of 493 feet more or less to the North line of the South 51 ½ rods of the SW ¼ of the NW ¼ of said Section 6, also being the Southwest corner of Lot 2, Musil’s First Addition to Linn County, Iowa; Thence continuing Northerly along the West line of the Northeast Fractional Quarter of said Section 6 (also being the West line of Lot 2 of said Musil’s First Addition, and the West lines of Lots 2 and 1 and the Northerly extension thereof), a distance of 1,244 feet more or less to the Point of Beginning.

AND

All of that portion of land within the East Fractional Half of Section 6, Township 83 North, Range 7 West of the Fifth Principal Meridian, Linn County, Iowa described more or less as follows:

Beginning at a point common to the West line of Lot 1 of North River Village First Addition and the Highway 100 Exit Ramp right-of-way line as shown on said North River Village First Addition, said point also being on the East right-of-way line of Edgewood Road NE; Thence Southwesterly departing said East right-of-way line of Edgewood Road NE, 320 feet more or less to the Southeast corner of Parcel A of Revised Plat of Survey No. 1821 also being a point on the North right-of-way line
of State Highway 100 as was conveyed to the State of Iowa in Warranty Deed recorded in Book 8885, page 307; Thence Westerly along the North right-of-way line of State Highway 100 as per said Warranty Deed, a distance of 1,349 feet more or less to a point of intersection with the West line of the East Fractional Half of said Section 6; Thence Southerly along said West line, a distance of 230 feet more or less to a point of intersection with the North line of Lot 1 of River Ridge North Office Park Fourth Addition; Thence Southeasterly along said North line of Lot 1 a distance of 141 feet more or less to the Northeast corner of said Lot 1 also being the Northwest corner of Lot 1 of River Ridge North Office Park Second Addition; Thence S 64°32'36" E along the Northeasterly line of last said Lot 1, a distance of 300.47 feet to the Northeast corner thereof; Thence S 42°26'51" W along the Southeasterly line of said Lot 1, a distance of 378.89 feet to the Southeast corner thereof; Thence continuing Southwesterly across North River Boulevard NE a distance of 60.00 feet to the South right-of-way line of said North River Boulevard NE also being a point on the North line of Lot 1 of River Ridge North Office Park First Addition; Thence Southeasterly along last said North line and South right-of-way line of North River Boulevard NE, a distance of 1,340 feet more or less to a point of intersection with the West right-of-way line of Edgewood Road NE; Thence due East across Edgewood Road NE, a distance of 160 feet more or less to a point on the East right-of-way line of Edgewood Road NE as it is depicted on Easement Acquisition Plat recorded in Book 8967 page 513 on file in the Linn County Recorder’s Office; Thence Northerly along said East right-of-way line, a distance of 473 feet more or less to the Southernmost point of that certain portion of land quitclaimed to the State of Iowa as per Quitclaim Deed recorded in Book 1850 page 162; Thence Northerly along the following three (3) courses as shown on the Right-of-way Plat Exhibit “A” of said Quitclaim Deed;

Thence N 10°10’ E a distance of 187.8 feet;

Thence N 21°29’ E a distance of 101.6 feet;

Thence N 10°09 ½’ E a distance of 52.6 feet to the Northernmost point of land described in said Quitclaim deed; Thence Northerly a distance of 478 feet more or less to the Point of Beginning.

Section 3: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to continue the division of taxes from property within the Edgewood Town Center Urban Renewal Area, as amended, under the provisions of Section 403.19 of the Code of Iowa, as amended. In the event that any provision of this Ordinance shall be determined to be contrary to law it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to the Edgewood Town Center Urban Renewal Area and the territory contained therein.

Section 4: This Ordinance shall be in effect after its final passage, approval and publication as provided by law.
Introduced this 9th day of April, 2019.

Attest:

ClerkSignature

MayorSignature
Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Lauren Freeman

Contact Person: Jennifer Pratt
E-mail Address: J.Pratt@cedar-rapids.org

Cell Phone Number: 538-2552

Description of Agenda Item: PUBLIC HEARINGS
A Public Hearing will be held to consider the disposition of City-owned properties at 1028 and 1032 5th Street SE and inviting competitive redevelopment proposals (Lauren Freeman). CIP/DID #DISP-0025-2019

a. Resolution authorizing the continuation of the disposition of City-owned properties at 1028 and 1032 5th Street SE and inviting competitive redevelopment proposals. CIP/DID #DISP-0025-2019

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

Background: The action initiates a request for proposals (RFP) for City-owned properties at 1028 and 1032 5th Street SE. The Development Committee reviewed and made a recommendation on March 12, 2019 to proceed with the competitive disposition process and inviting development proposals for this property.

The objectives of the Request of Proposal are as follows:

1. Financially viable redevelopment based on current market conditions
2. Design that enhances the character of the neighborhood
3. Project results in a community benefit

The proposals received will be evaluated based on the following evaluation criteria:

1. Developer Capacity and Project Feasibility
   a. Capacity, experience, and capability of the Proposer with similar projects
   b. Market feasibility
   c. Financial feasibility
   d. Timeline for redevelopment and build-out

2. Community Benefit
   a. Quality of architecture and design
   b. Enhanced sustainability features in the site and building design
   c. Innovative housing options to meet needs identified in the City’s comprehensive housing market analysis

3. Economic Impact
The following is the RFP timeline:

- March 12, 2019: City Council Development Committee
- April 9, 2019: Public Hearing & Resolution to invite competitive proposals
- June 7, 2019: 11:00 a.m. - Proposal Deadline
- June 21, 2019: Stakeholder panel selects proposal
- July 9, 2019: City Council consideration of preferred Developer

**Action/Recommendation:** City staff recommends adopting the Resolution.

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

**Time Sensitivity:** NA

**Resolution Date:** April 9, 2019

**Budget Information:** NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** Yes

**Explanation:** On March 12, 2019, the Development Committee reviewed the RFP process timeline and criteria and is recommending initiating the RFP as proposed by staff.
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Cedar Rapids City Council has determined it is in the public’s interest to initiate the disposition of City-owned parcels with local property addresses at 1028 and 1032 5th Street SE, and legally as described as follows:

The SE-ly 20 feet of Lot 4 and the NW-ly 20 feet of Lot 5, Block 18, Carpenters Third Addition to the Town of Cedar Rapids, Linn County, Iowa; and

Lot 5, excepting therefrom the NW-ly 20 feet, Block 18, Carpenters Third Addition to the Town of Cedar Rapids, Linn County, Iowa, subject nevertheless to easements, restrictions, covenants and conditions of record.

(the “Property”)

WHEREAS, the property is located in the Consolidated Central Urban Renewal Area; and

WHEREAS, the City Council has set forth objectives for the Property through a request for proposal (RFP), which will be available at the City’s Community Development Department and on the City’s website; and

WHEREAS, on April 9, 2019 in the City Council Chambers, 3rd Floor City Hall, 101 First Street SE, Cedar Rapids, Iowa, the Cedar Rapids City Council, after notice as required by law, held a public hearing to consider the disposition of the property; and

WHEREAS, the disposition and redevelopment of the Property is in accordance with the Urban Renewal Plan for the Consolidated Central Urban Renewal Area.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Council hereby authorizes the continuation of the disposition of excess City-owned property, described herein, and staff is to do all things reasonably necessary to invite competitive development proposals for the Property.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Lauren Freeman

Contact Person: Jennifer Pratt
E-mail Address: J.Pratt@cedar-rapids.org

Cell Phone Number: 538-2552

Description of Agenda Item: PUBLIC HEARINGS
A Public Hearing will be held to consider the disposition of City-owned property at 720 1st Avenue NW and inviting competitive redevelopment proposals (Lauren Freeman). CIP/DID #DISP-0025-2019

a. Resolution authorizing the continuation of the disposition of City-owned property at 720 1st Avenue NW and inviting competitive redevelopment proposals. CIP/DID #DISP-0025-2019

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

Background: The action initiates a request for proposals (RFP) for City-owned property at 720 1st Avenue NW. The Development Committee reviewed and made a recommendation on March 12, 2019 to proceed with the competitive disposition process and inviting development proposals for this property.

The objectives of the Request of Proposal are as follows:

1. Financially viable redevelopment based on current market conditions
2. Design that enhances the character of the neighborhood
3. Project results in a community benefit

The proposals received will be evaluated based on the following evaluation criteria:

1. Developer Capacity and Project Feasibility
   a. Capacity, experience, and capability of the Proposer with similar projects
   b. Market feasibility
   c. Financial feasibility
   d. Timeline for redevelopment and build-out

2. Community Benefit
   a. Quality of architecture and design
   b. Innovative sustainability features in the site and building design

3. Economic Impact
   a. Overall project investment
   b. Jobs created or retained
The following is the RFP timeline:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 12, 2019</td>
<td>City Council Development Committee</td>
</tr>
<tr>
<td>April 9, 2019</td>
<td>Public Hearing &amp; Resolution to invite competitive proposals</td>
</tr>
<tr>
<td>June 7, 2019</td>
<td>11:00 a.m. - Proposal Deadline</td>
</tr>
<tr>
<td>June 21, 2019</td>
<td>Stakeholder panel selects proposal</td>
</tr>
<tr>
<td>July 9, 2019</td>
<td>City Council consideration of preferred Developer</td>
</tr>
</tbody>
</table>

**Action/Recommendation:** City staff recommends adopting the Resolution.

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

**Time Sensitivity:** NA

**Resolution Date:** April 9, 2019

**Budget Information:** NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** Yes

**Explanation:** On March 12, 2019, the Development Committee reviewed the RFP process timeline and criteria and is recommending initiating the RFP as proposed by staff.
WHEREAS, the Cedar Rapids City Council has determined it is in the public’s interest to initiate the disposition of a City-owned parcel with a local property address at 720 1st Avenue NW, and legally as described as follows:

Lot 30, Block 6, Dean’s First Addition to Cedar Rapids, Iowa; and

All that part of the NE ¼ of Section 29-83-7, Linn County, Iowa more particularly described as follows: Beginning at the SE-ly corner of said Lot 30; thence S 64° 44’ 20” West 72.15 feet along the SE-ly line of said Lot 30 and the NW-ly right-of-way line of First Avenue West, to a point 25.00 feet in perpendicular distance SE-ly from the centerline of the existing Chicago, Northwestern Railroad tract; thence N 13° 32’ 20” East 233.15 feet along a line parallel with said tract; thence S 78° 17’ 09” East 34.45 feet; thence N 62° 27’ 38” East 5.90 feet; thence S 13° 32’ 20” West 120.98 feet along a line parallel with said track to the North corner of said Lot 30; thence S 0° 00’ 00” East 73.94 feet along the East line of said Lot 30 to the point of beginning;

And Lot 13 and Lot 14, excepting therefrom a strip of land 16 feet wide on the Easterly side of said Lot 14, Block 4, “Coopers” First Addition to Cedar Rapids, Linn County, Iowa; and

A strip of land in the SE ¼ of the NE ¼ of Section 29-83-7, lying between the right of way of the C. & N. W. Ry. Co. and Lots 13 and 14, Block 4, “Coopers” First Addition to Cedar Rapids, Linn County, Iowa, and extending from First Avenue in a Northerly direction to the alley lying between said First Avenue West and “A” Avenue West excepting that part of said premises conveyed to the City of Cedar Rapids by Deed recorded in Vol. 241, Page 242, records of Linn County, Iowa.

(the “Property”)

WHEREAS, the property is located in the Consolidated Central Urban Renewal Area; and

WHEREAS, the City Council has set forth objectives for the Property through a request for proposal (RFP), which will be available at the City’s Community Development Department and on the City’s website; and

WHEREAS, on April 9, 2019 in the City Council Chambers, 3rd Floor City Hall, 101 First Street SE, Cedar Rapids, Iowa, the Cedar Rapids City Council, after notice as required by law, held a public hearing to consider the disposition of the property; and

WHEREAS, the disposition and redevelopment of the Property is in accordance with the Urban Renewal Plan for the Consolidated Central Urban Renewal Area.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Council hereby authorizes the continuation of the disposition of excess City-owned property, described herein, and staff is to do all things reasonably necessary to invite competitive development proposals for the Property.
PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Doug Wilson, PE

Contact Person: Jennifer L. Winter, PE
E-mail Address: j.winter@cedar-rapis.org

Cell Phone Number: 319-538-1076

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 3rd Avenue SE from 1st Street to 5th Street Pavement Rehabilitation and One-Way to Two-Way Conversion (estimated cost is $2,300,000) (Paving for Progress).

Resolution adopting plans, specifications, form of contract and estimated cost for the 3rd Avenue SE from 1st Street to 5th Street Pavement Rehabilitation and One-Way to Two-Way Conversion project.
CIP/DID #3012155-06

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

Background: This project will include asphalt pavement improvements on 3rd Avenue SE from 1st Street to 5th Street, plus associated water main, storm sewer, pedestrian accommodations, and streetscaping improvements. The railroad crossing at the 4th Street corridor will also be modified to work towards the establishment of a railroad quiet zone in the downtown area. This project is the third of five eventual construction contracts to improve 3rd Avenue from 6th Street SW to 19th Street SE. Work from 6th Street SW to 1st Street was completed in 2017. Work on the bridge is currently underway. This and the remaining projects are scheduled to be finished in 2019.

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: Council may choose to defer, abandon, or repackage the project into additional phases.

Time Sensitivity: Normal
Resolution Date: April 9, 2019
Budget Information: 301/301000/3012155 SLOST; 625/625000/6250051-2016041 NA
Local Preference Policy: NA
Explanation: NA
Recommended by Council Committee: NA
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on March 26, 2019 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the 3rd Avenue SE from 1st Street to 5th Street Pavement Rehabilitation and One-Way to Two-Way Conversion project (Contract No. 3012155-06) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
3RD AVENUE SE FROM 1ST STREET TO 5TH STREET PAVEMENT REHABILITATION AND ONE-WAY TO TWO-WAY CONVERSION
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Brenna Fall, PE

Contact Person: Jennifer L. Winter, PE                      Cell Phone Number: 319-538-1076
E-mail Address: j.winter@cedar-rapis.org

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 2019 Downtown Sidewalk Repair and Intersection Improvement Project (estimated cost is $215,000).

Resolution adopting plans, specifications, form of contract and estimated cost for the 2019 Downtown Sidewalk Repair and Intersection Improvement Project.
CIP/DID #321546-02


Background: The approved 2019 Downtown Sidewalk Repair and Intersection Improvement Project includes sidewalk, sidewalk ramps and intersection improvements. The purpose of the program is to repair existing infrastructure in the Downtown area. Subject to receipt of acceptable bids, construction is scheduled to begin in June, 2019 and expected to be completed by the end of August, 2019.

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

Alternative Recommendation: If the resolution is not approved on April 9, 2019, work would be deferred and considered as part of a future sidewalk repair program.

Time Sensitivity: Must be acted upon April 9, 2019 to maintain the project schedule, and which must occur ahead of the project’s April 10, 2019 bid opening

Resolution Date: April 9, 2019

Budget Information: 321/321000/321546 NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on March 26, 2019 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the 2019 Downtown Sidewalk Repair and Intersection Improvement Project (Contract No. 321546-02) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Brenna Fall, PE

Director: Jennifer L. Winter, PE

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

Cell Phone Number: 319-538-1076

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 TIF 2nd St 1st-3rd Av UFG Land project (estimated cost is $108,000).

Resolution adopting plans, specifications, form of contract and estimated cost for the TIF 2nd St 1st-3rd Av UFG Land project.

CIP/DID #321614-01

**EnvisionCR Element/Goal:** GreenCR Goal 2: Have the best parks, recreation and trails system in the region.

**Background:** The project will construct a pocket park near UFG including concrete walks, fencing, signage, seating, and public art elements.

**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:** City Council has the option to defer the project but this may result in a cost increase.

**Time Sensitivity:** Must be acted upon April 9, 2019 to maintain the project schedule, and ahead of the project’s April 10 bid opening.

**Resolution Date:** April 9, 2019

**Budget Information:** 321/321000/321614

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on March 26, 2019 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for TIF 2nd St 1st-3rd Av UFG Land project (Contract No. 321614-01) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Jeff Koffron

**Contact Person:** Casey Drew  
**Cell Phone Number:** 319-538-1064  
**E-mail Address:** C.Drew@cedar-rapids.org

**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 Parks ADA DOJ Settlement Items Compliance project (estimated cost is $994,400) (Jeff Koffron).

- Resolution adopting plans, specifications, form of contract and estimated cost for the Parks ADA DOJ Settlement Items Compliance project.
  
  CIP/DID #PUR0219-184; 307303; 360111; 695130

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

**Background:**  
This is to hold a Public Hearing on the Parks ADA DOJ Settlement Items Compliance project. This project is to bring various Parks within Cedar Rapids into ADA compliance per the DOJ settlement agreement.

**Action/Recommendation:** Public Hearing

**Alternative Recommendation:**

**Time Sensitivity:** Medium

**Resolution Date:** April 9, 2019

**Budget Information:** 307303; 360111; 695130

**Local Preference Policy:** No  
**Explanation:** Public Improvement Project

**Recommended by Council Committee:** No  
**Explanation:** NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on March 26, 2019 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Parks ADA DOJ Settlement Items Compliance project for the Facilities Maintenance Services Division, and

WHEREAS, a public hearing was held, and

WHEREAS, no comments or objections to the 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 specifications, form of contract and estimated cost for said improvement be and the same are hereby adopted.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Human Resources

Presenter at Meeting: Teresa Feldmann

Contact Person: Teresa Feldmann E-mail Address: T.Feldmann@cedar-rapids.org

Cell Phone Number: 319-432-1434

Description of Agenda Item: CONSENT AGENDA
Resolution consenting to the City Manager’s appointment of Gregory T. Smith as Chief of the City of Cedar Rapids Fire Department effective April 10, 2019.
CIP/DID #HR0045

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

Background: After an extensive recruitment and interview process, the City Manager has appointed Gregory T. Smith as Chief of the City of Cedar Rapids Fire Department. Subject to the advice and consent of the City Council, this appointment will be effective on April 10, 2019, and Gregory T. Smith shall hold office as provided in Section 5.19 of the Cedar Rapids Municipal Code.

Action/Recommendation: City staff recommends approval of the resolution

Alternative Recommendation: NA

Time Sensitivity: NA

Resolution Date: April 9, 2019

Budget Information: NA

Local Preference Policy: NA
   Explanation: NA

Recommended by Council Committee: NA
   Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, On April 3, 2019 the City Manager, pursuant to Section 4.04 appointed Gregory T. Smith as the Chief of the City of Cedar Rapids Fire Department as shown by the City Manager’s letter attached hereto; and

WHEREAS, said appointment is subject to the advice and consent of the City Council.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Cedar Rapids City Council hereby gives its advice and consent to the City Manager’s appointment of Gregory T. Smith as Chief of the City of Cedar Rapids Fire Department, to hold office as provided in Section 5.19 of the Cedar Rapids Municipal Code and to be effective April 10, 2019.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
April 3, 2019

Gregory T. Smith  
2410 Spoonbill Drive  
Marion, Iowa 52302  

Re: Appointment as Chief of the City of Cedar Rapids Fire Department  

Dear Mr. Smith,  

As the Cedar Rapids City Manager, and subject to the advice and consent of the Cedar Rapids City Council, I hereby appoint you as the Chief of the City of Cedar Rapids Fire Department pursuant to Section 4.04 of the Charter of the City of Cedar Rapids, Iowa.  

The Cedar Rapids City Council will consider your appointment during its meeting on April 9, 2019 beginning at 12:00 p.m. in the City Council Chambers, 3rd Floor City Hall, 101 First Street S.E., Cedar Rapids, Iowa.  

Subject to the advice and consent of the City Council, this appointment will be effective on April 10, 2019, and you shall hold office as provided in Section 5.19 of the Cedar Rapids Municipal Code.  

Jeffrey A. Pomeranz, City Manager
Council Agenda Item Cover Sheet

Submitting Department: Human Resources

Presenter at Meeting: NA-Consent

Contact Person: Teresa Feldmann
E-mail Address: T.Feldmann@cedar-rapids.org

Cell Phone Number: 319-432-1434

Description of Agenda Item: CONSENT AGENDA
Resolution authorizing a three year contract with the Cedar Rapids Association of Firefighters.
CIP/DID #HR0041

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

Background: A Collective Bargaining agreement has been reached with the Cedar Rapids Association of Firefighters representing employees within the Fire Department. The contract contains the following financial provisions:

Wages: 4% Across the board increase year 1, 3.5% year 2, 3.5% year 3 (plus an additional .5% on top step).

Insurance: Traditional Plan: 18% contribution. If the employee participates in the Wellness program, the contribution is 10% in year 1, 10% in year 2 and 11% in year 3. Choice plan, 10 % employee contribution. Employee contribution can be discounted to 5% if the employee participates in the wellness plan.

Additionally, pursuant to Iowa Code Chapter 20, the parties agreed to remove prohibited bargaining subjects and negotiated the mandatory and permissible items.

Action/Recommendation: Approve resolution authorizing City Manager and clerk to sign the contract.

Alternative Recommendation: N/A

Time Sensitivity: Cedar Rapids Association of Firefighters ratified this contract; the City Council is required to approve the agreement

Resolution Date: April 9, 2019

Budget Information:

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
RESOLUTION NO.

WHEREAS, the City of Cedar Rapids, Iowa has negotiated a labor agreement for the term July 1, 2019 to June 30, 2022, with the Cedar Rapids Association of Firefighters as bargaining agent certified by the Public Employment Relations Board for certain employees of the Fire Department;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized and directed to sign said labor agreement with the Cedar Rapids Association of Firefighters, effective July 1, 2019 to June 30, 2022.

Attest:

MayorSignature

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Human Resources

Presenter at Meeting: NA - Consent

Contact Person: Teresa Feldmann
E-mail Address: T.Feldmann@cedar-rapids.org

Cell Phone Number: 319-432-1434

Description of Agenda Item: CONSENT AGENDA
Resolution authorizing a three year contract with the Chauffeurs, Teamsters and Helpers.
CIP/DID #HR0042

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

Background: A Collective Bargaining agreement has been reached with the Chauffeurs, Teamsters and Helpers representing employees within the Joint Communications Department. The contract contains the following financial provisions:

Wages: 3% Across the board increase each year of the contract

Additionally, pursuant to Iowa Code Chapter 20, the parties agreed to remove prohibited bargaining subjects and negotiated the mandatory and permissible items.

Action/Recommendation: Approve resolution authorizing City Manager and clerk to sign the contract.

Alternative Recommendation: N/A

Time Sensitivity: Chauffeurs, Teamsters and Helpers ratified this contract; the City Council is required to approve the agreement.

Resolution Date: April 9, 2019

Budget Information:

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids, Iowa has negotiated a labor agreement for the term July 1, 2019 to June 30, 2022, with the Chauffeurs, Teamsters and Helpers as bargaining agent certified by the Public Employment Relations Board for certain employees of the Joint Communications Department;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized and directed to sign said labor agreement with the Chauffeurs, Teamsters and Helpers, effective July 1, 2019 to June 30, 2022.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

**Submitting Department:** Human Resources

**Presenter at Meeting:** NA – Consent

**Contact Person:** Teresa Feldmann  
**E-mail Address:** T.Feldmann@cedar-rapids.org  
**Cell Phone Number:** 319-432-1434

**Description of Agenda Item:** CONSSENT AGENDA  
Resolution authorizing a three year contract with the Cedar Rapids Police Bargaining Union  
CIP/DID #HR0043

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

**Background:** A Collective Bargaining agreement has been reached with the Cedar Rapids Police Bargaining Union representing employees within the Police Department. The contract contains the following financial provisions:

**Wages:** 3% Across the board increase each year of the contract for non-sworn positions. And across the board increases for sworn officer positions of 4% year 1, 3.5% year 2 (plus an additional .5% on top step), 3.5% year 3.

**Insurance:** Traditional Plan: 18% contribution. If the employee participates in the Wellness program, the contribution is 10% in year 1, 10% in year 2 and 11% in year 3. Choice plan, 10% employee contribution. Employee contribution can be discounted to 5% if the employee participates in the wellness plan.

Additionally, pursuant to Iowa Code Chapter 20, the parties agreed to remove prohibited bargaining subjects and negotiated the mandatory and permissible items.

**Action/Recommendation:** Approve resolution authorizing City Manager and clerk to sign the contract.

**Alternative Recommendation:** N/A

**Time Sensitivity:** Cedar Rapids Police Bargaining Union ratified this contract; the City Council is required to approve the agreement

**Resolution Date:** April 9, 2019

**Budget Information:**

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

**Recommended by Council Committee:** NA  
**Explanation:** NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids, Iowa has negotiated a labor agreement for the term July 1, 2019 to June 30, 2022, with the Cedar Rapids Police Bargaining Union as bargaining agent certified by the Public Employment Relations Board for certain employees of the Police Department;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized and directed to sign said labor agreement with the Cedar Rapids Police Bargaining Union, effective July 1, 2019 to June 30, 2022.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Human Resources

Presenter at Meeting: NA - Consent

Contact Person: Teresa Feldmann
E-mail Address: T.Feldmann@cedar-rapids.org

Cell Phone Number: 319-432-1434

Description of Agenda Item: CONSENT AGENDA
Resolution authorizing a three year contract with the Amalgamated Transit Union.
CIP/DID #HR0044

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

Background: A Collective Bargaining agreement has been reached with the Amalgamated Transit Union representing employees within the Transit Department. The contract contains the following financial provisions:

Wages: 3% Across the board increase each year of the contract

Insurance: Traditional Plan: 18% contribution. If the employee participates in the Wellness program, the contribution is 10% in year 1, 10% in year 2 and 11% in year 3. Choice plan, 10 % employee contribution. Employee contribution can be discounted to 5% if the employee participates in the wellness plan.

Additionally, pursuant to Iowa Code Chapter 20, the parties agreed to remove prohibited bargaining subjects and negotiated the mandatory and permissible items.

Action/Recommendation: Approve resolution authorizing City Manager and clerk to sign the contract.

Alternative Recommendation: N/A

Time Sensitivity: Amalgamated Transit Union ratified this contract; the City Council is required to approve the agreement.

Resolution Date: April 9, 2019

Budget Information:

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids, Iowa has negotiated a labor agreement for the term July 1, 2019 to June 30, 2022, with the Amalgamated Transit Union as bargaining agent certified by the Public Employment Relations Board for certain employees of the Transit Department;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized and directed to sign said labor agreement with the Amalgamated Transit Union, effective July 1, 2019 to June 30, 2022.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Cedar Rapids
City of Five Seasons

Council Agenda Item Cover Sheet

Submitting Department: Community Development - Housing

Presenter at Meeting: Sara Buck

Contact Person: Jennifer Pratt
E-mail Address: J.Pratt@cedar-rapids.org
Cell Phone Number: 319-538-2552

Description of Agenda Item: CONSENT AGENDA
Resolution to consider amendments to the Section 8 Housing Choice Voucher (HCV) Program, Public Housing Agency (PHA) Administrative Plan for the City of Cedar Rapids, Iowa. CIP/DID #OB363680

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

Background: As the Public Housing Agency (PHA) for Linn and Benton Counties, the City of Cedar Rapids Housing Services Office administers the Section 8 Housing Choice Voucher (HCV) Program. The program is federally funded by the U.S. Department of Housing & Urban Development (HUD) and is designed to accommodate very low-income families and individuals with rental assistance for decent, safe, and sanitary housing, provided by private owners and rental agents. On average, the program assists 1,200 families with rent assistance per year.

Annually, HUD requires Public Housing Agencies to amend Administrative Plans to ensure consistency with current Federal, State and local regulations. In addition, discretionary amendments are proposed to address emerging issues or enhance service delivery. These amendments must be submitted to HUD, as part of the PHA Annual Plan.

The proposed changes listed below were reviewed and recommended by the Resident Advisory Board on January 15, 2019. This group is made up of current participants in the Section 8 Housing Choice Voucher (HCV) Program. The proposed changes were also reviewed and recommended by the Development Committee on February 19, 2019 and a public hearing was held on March 12, 2019.

Proposed Administrative Plan Changes:

Regulatory Updates
- Smoke Detectors - comply with new State requirements
- Housing Quality Standards - space standards per HUD regulation
**Discretionary Updates**

- Terminations / Denial of Assistance - reduce barriers to access housing assistance
- Local Preferences / Targeted Funding – order in which targeted funding applicants served
- Changes in Household – how changes/requests to add household members are reported
- Determining Family Unit Size - based on family composition
- Tenancy Approval - tenant/owner relationship and verifying legal property ownership
- Family Self-Sufficiency (FSS) Program Plan – operational improvements and adjustment to the Program Policy Committee board representation

The proposed changes were made available for review between February 20, 2019 - April 5, 2019. If approved, the changes will be forwarded to HUD as part of the Annual Plan, no later than April 17, 2019.

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

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

**Time Sensitivity:** The PHA Annual Plan, which includes Administrative Plan changes, is due to HUD by April 17, 2019.

**Resolution Date:** NA

**Budget Information:** NA

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

**Recommended by Council Committee:** Yes
- **Explanation:** Recommended by City Council Development Committee
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, The Department of Housing and Urban Development (HUD) requires entities responsible for administering Section 8 Housing Choice Voucher Programs to submit a 5-Year Plan and Annual Plan; and

WHEREAS, additionally, The Department of Housing and Urban Development (HUD) requires each entity to prepare an Administrative Plan, including the Family Self-Sufficiency Action Plan and the Homeownership Option Plan, that clearly outlines local policies and program regulations; and

WHEREAS, every year the Administrative Plan is reviewed and revised as necessary to reflect changes in local policy and regulations; and

WHEREAS, the Public Housing Agency (PHA) amendments to the Administrative Plan have been made available for public review from February 20, 2019 through April 5, 2019; and

WHEREAS, copies of these documents have been at the City Clerk's Office, Cedar Rapids Public Library, and the City of Cedar Rapids Housing Services Office; and

WHEREAS, the City of Cedar Rapids City Council conducted a Public Hearing on March 12, 2019 to hear input from the public; and

WHEREAS, Annual Plan, which include the Administrative Plan changes, are required to be submitted to The Department of Housing and Urban Development (HUD).

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that said Section 8 Housing Choice Voucher Program Public Housing Agency (PHA) Annual Plan and Administrative Plan are hereby adopted with final approval.

BE IT FURTHER RESOLVED that the Mayor of Cedar Rapids, Iowa is hereby authorized to execute all necessary documents for submission to The Department of Housing and Urban Development (HUD) Section 8 Housing Choice Voucher Program Public Housing Agency (PHA) Annual Plan and Administrative Plan amendments.
Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Adam Lindenlaub

Contact Person: Jennifer Pratt
E-mail Address: J.Pratt@cedar-rapids.org
Cell Phone Number: 538-2552

Description of Agenda Item: CONSENT AGENDA
Resolution adopting the Linn County Multi-Jurisdictional Hazard Mitigation Plan 2019. CIP/DID# CD-0028-2017

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

Background: The Linn County Multi-Jurisdictional Hazard Mitigation Plan 2019 is the update to the previous five-year plan that makes Cedar Rapids eligible for the Federal Emergency Management Agency’s (FEMA) Hazard Mitigation Assistance funding. The plan covers the time period of 2019 to 2024.

The East Central Iowa Council of Governments (ECICOG), under contract with Linn County, developed the plan. Development of the plan began in 2017. City Staff provided input from many areas of expertise, including Community Development, Fire, Parks & Recreation, Public Works, and Utilities departments. New to this iteration of the plan is a Localized Flooding Repetitive Loss Area Analysis (RLAA). Cedar Rapids created the RLAA to provide specific guidance on how to reduce damage from repetitive flooding and reduce National Flood Insurance Program (NFIP) claims. Having an RLAA increases the points received under the Community Rating System (CRS), which reduces flood insurance premiums for Cedar Rapids citizens.

Funding of the plan was provided by Cedar Rapids, Linn County, and Marion in addition to a grant from the Iowa Homeland Security and Emergency Management Department.

The plan draft has been reviewed and approved by the State, subject to a public comment period, and is currently under review by FEMA. The document can be viewed by clicking on the link below to ECICOG’s website:

Action/Recommendation: City staff recommends adoption of the Linn County Multi-Jurisdictional Hazard Mitigation Plan 2019.

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

Time Sensitivity: The plan should be adopted by local jurisdictions prior to close out of the grant in May of this year.
Resolution Date: April 9, 2019

Budget Information: NA

Local Preference Policy: NA
   Explanation: NA

Recommended by Council Committee: NA
   Explanation:
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Linn County Board of Supervisors has heretofore deemed it necessary and desirable to have a Hazard Mitigation Plan that identifies potential hazards and the actions that need to be taken to reduce or eliminate the long term risks to human life and property from those hazards for the citizens of Cedar Rapids; and

WHEREAS, a Regional Mitigation Plan, as defined in 44 CFR Section 201.6 is required for local jurisdictions that elect to participate in FEMA hazard mitigation programs as an applicant; and

WHEREAS, the Linn County Multi-Jurisdictional Hazard Mitigation Plan 2019 was funded by an HMGP planning grant; and

WHEREAS, the East Central Iowa Council of Governments (ECICOG), with the help of the Hazard Mitigation Planning Committee, has prepared the hazard mitigation plan;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa that the Linn County Multi-Jurisdictional Hazard Mitigation Plan 2019 be adopted.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Sylvia Bochner

Contact Person: Jennifer Pratt
E-mail Address: J.Pratt@cedar-rapids.org

Cell Phone Number: 538-2552

Description of Agenda Item: CONSENT AGENDA
Resolution amending the Historic Preservation Guidelines to rename as the Historic Preservation Design Guidelines and clarify roof repairs. CIP/DID# OB8524


Background: On August 14 2018, City Council adopted an update to the Cedar Rapids Historic Preservation Guidelines. As staff and the Commission have used the updated Guidelines, some areas for improvement have been identified. The Historic Preservation Commission reviewed and recommended the updates on March 14, 2019.

The first change is to add the word “design” to the title of the document. Generally, these guidelines are referred to as the Design Guidelines, and adding this word clarifies the purpose of the document.

The second change is to clarify recommended materials for flat roofs, as this situation is not currently addressed in the guidelines. This modification adds language that indicates that for flat or low-pitched roofs, modern roofing materials are appropriate to help prevent structural damage caused by poor drainage. This language is similar to the recommendations of the National Park Service’s Preservation Brief on “Roofing for Historic Buildings.”

Action/Recommendation: City staff recommends adopting the Resolution.

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

Time Sensitivity: NA

Resolution Date: April 9, 2019

Budget Information: NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on August 14 2018, City Council adopted an update to the Cedar Rapids Historic Preservation Guidelines; and

WHEREAS, as staff and the Historic Preservation Commission have used the updated Guidelines, some areas for improvement have been identified; and

WHEREAS, the amendments to the Guidelines clarify the title to specify “Design Guidelines” and address appropriate treatments for flat or low-pitched roofs;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa that the Cedar Rapids Historic Preservation Guidelines be amended.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Fire

Presenter at Meeting: Andrew Olesen

Contact Person: Andrew Olesen  
E-mail Address: a.olesen@cedar-rapids.org 
Cell Phone Number: 319-432-1437

Description of Agenda Item: CONSENT AGENDA
Resolution authorizing three Cedar Rapids Fire Department employees to attend Structural Collapse 1 & 2 training in Camp Douglas, Wisconsin, for a total amount of $10,400.
CIP/DID #FIR0419-0043

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

Background: The City of Cedar Rapids travel policy requires any travel expenses with a cost of $3,000 or more to be approved by the City Council. The travel costs for the Structural Collapse 1 & 2 training exceeds the amount of $3,000 and is hereby brought to the City Council for their approval. The training will provide these firefighters with the skills and knowledge in structural collapse to perform any and all duties on emergency scenes effectively and efficiently.

Action/Recommendation: The Fire Department recommends approval.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: April 9, 2019

Budget Information: 542102-7862-786200-786217

Local Preference Policy: N/A 
Explanation:

Recommended by Council Committee: 
Explanation:
RESOLUTION NO. LEG_NUM_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Cedar Rapids Fire Department has herewith authorized Tim Recker, Greg Brenneman and Chad Smothers to attend training: Structural Collapse 1 & 2 in Camp Douglas, Wisconsin. Funding for this travel will be from USAR 2017 grant funds 542102-7862-786200-786217, in the amount of $10,400.

LEG_PASSED_FAILED_TAG

MayorSignature

PASSED_DAY_TAG

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Fire

Presenter at Meeting: Andrew Olesen

Contact Person: Andrew Olesen                    Cell Phone Number: 319-432-1437
E-mail Address: a.olesen@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Resolution authorizing one Cedar Rapids firefighter, to attend Medical Specialist Training in Ocala, Florida, for a total amount of $4,039.
CIP/DID #FIR0419-0044

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

Background: City of Cedar Rapids travel policy requires any travel expenses with a cost of $3,000 or more be approved by City Council. The travel costs for the Medical Specialist training exceeds the amount of $3,000 and is hereby brought to City Council for their approval. The training provides necessary skills and certification to function in the event of an emergency.

Action/Recommendation: The Fire Department recommends approval.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: April 9, 2019

Budget Information: 542102-7862-786200-786218

Local Preference Policy: N/A
Explanation:

Recommended by Council Committee: N/A
Explanation:
RESOLUTION NO. LEG_NUM_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Cedar Rapids Fire Department has herewith authorized Andrew Engelken to attend training: Medical Specialist training from April 8 through April 13, 2019, in Ocala, Florida. Funding for this travel will be Fire Department Urban Search and Rescue Homeland Security Grant Funds in the amount of $4,039, Account #542102-7862-786200-786218.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Fire

Presenter at Meeting: Andrew Olesen

Contact Person: Andrew Olesen
E-mail Address: a.olesen@cedar-rapids.org

Cell Phone Number: 319-432-1437

Description of Agenda Item: CONSENT AGENDA
Resolution authorizing four Cedar Rapids firefighters, to attend Advanced Exterior Structural Collapse Shoring Training in College Station, Texas, for a total amount of $19,160.
CIP/DID #FIR0419-0045

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

Background: City of Cedar Rapids travel policy requires any travel expenses with a cost of $3,000 or more be approved by City Council. The travel costs for the Advanced Exterior Structural Collapse Shoring training exceeds the amount of $3,000 and is hereby brought to City Council for their approval. The training provides necessary skills and certification to function in the event of an emergency.

Action/Recommendation: The Fire Department recommends approval.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: April 9, 2019

Budget Information: 542102-7862-786200-786217

Local Preference Policy: N/A
Explanation:

Recommended by Council Committee:
Explanation:
RESOLUTION NO. LEG_NUM_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Cedar Rapids Fire Department has herewith authorized Corey Archer, Nathan Goodlove, Jesse Lennox and Kurt Kroemer to attend training: Advanced Exterior Structural Collapse Shoring training from April 28 through May 4, 2019, in College Station, Texas. Funding for this travel will be Fire Department Urban Search and Rescue Homeland Security Grant Funds in the amount of $19,160, Account #542102-7862-786200-786217.

1. Corey Archer - $4,790
2. Nathan Goodlove - $4,790
3. Jesse Lennox - $4,790
4. Kurt Kroemer - $4,790

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Caleb Mason

Contact Person: Jennifer Pratt
E-mail Address: J.Pratt@cedar-rapids.org

Cell Phone Number: 319-538-2552

Description of Agenda Item: CONSENT AGENDA
Resolution determining the necessity and setting dates of a public hearing for May 14, 2019 and consultation with affected taxing entities, and referral to the City Planning Commission for a report and recommendation on the proposed Urban Renewal Plan for the Commerce Park Urban Renewal Area. CIP/DID #TIF-0021-2018

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

Background: The action initiates the process to establish an Urban Renewal Area/TIF district. In 2018, the City Council authorized City participation for two (2) projects along Atlantic Drive SW proposed by 9920 Atlantic Prop, LLC, and 200 Prop, LLC, development companies managed by Tiffany Earl Williams. The projects qualify for the standard 10-year, 50% reimbursement of increased taxes under the City’s High Quality Jobs – Economic Development Program. The sites of the two projects were located in an expired TIF district which was dissolved in February 2019. The establishment of a new TIF provides a mechanism for the reimbursement of the increment taxes through the ordinance. The following is a timeline of the steps to establish the Urban Renewal Area:

- April 9  Resolution Setting a Public Hearing
- April 19 Consultation with affected taxing agencies
- April 25 City Planning Commission
- May 14 Public Hearing & 1st Ordinance Reading
- May 28 2nd and 3rd Ordinance Reading

Action/Recommendation: City staff recommends approval of resolution.

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

Time Sensitivity: NA

Resolution Date: April 9, 2019

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA
RESOLUTION NO. LEG_NUM_TAG

RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A PUBLIC HEARING, CONSULTATION WITH AFFECTED TAXING ENTITIES, AND REFERRAL TO PLANNING COMMISSION FOR A REPORT AND RECOMMENDATION ON THE PROPOSED URBAN RENEWAL PLAN FOR THE COMMERCE PARK URBAN RENEWAL AREA

WHEREAS, it is hereby found and determined that one or more economic development areas, as defined in Chapter 403, Code of Iowa, exist within the City of Cedar Rapids and rehabilitation, conservation, redevelopment, development, or combination thereof, of these areas are necessary in the interest of public health, safety, and welfare of the residents of the City; and

WHEREAS, this Council has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an Urban Renewal Area under Iowa Law and has caused there to be prepared a proposed Urban Renewal Plan (the “Plan”) for the Commerce Park Urban Renewal Area (the “Area” or “Urban Renewal Area”) described therein which proposed Plan is attached hereto as Exhibit 1; and

WHEREAS, this proposed Urban Renewal Area includes and consists of an area of approximately 251 acres, more or less, generally located between along and west of 6th Street SW and along and south of Wright Brothers Boulevard SW as illustrated in Exhibit A, and described as:

Being a portion of land located within Sections 20, 21, 28, and 29, all in Township 82 North, Range 7 West of the Fifth Principal Meridian, Linn County, Iowa described more or less as follows:

Beginning at the Southwest corner of the SE ¼ of said Section 20, also being the Northwest corner of the NE ¼ of said Section 29; Thence N 01°09’22” E along the West line of the SW ¼ of the SE ¼ of said Section 20, a distance of 107.82 feet to the North right-of-way line of Wright Brothers Boulevard SW also being the Southwest corner of Parcel B of Plat of Survey No. 663; Thence S 87°12’45” E along said North right-of-way line and the South line of said Parcel B, a distance of 1,472.55 feet to the Southeast corner of said Parcel B also being the Southwest corner of Lot 1 of Airport Commerce Park Second Addition; Thence continuing S 87°12’45” E along said North right-of-way line and the South line of said Lot 1, a distance of 180.91 feet; Thence S 83°31’45” E along said North right-of-way line and South line of said Lot 1, a distance of 69.60 feet to the Southeast corner of said Lot 1; Thence continuing S 83°31’45” E along said North right-of-way line, a distance of 599.77 feet along the South line of Atlantic Drive SW as shown on Airport Commerce Park Second Addition, the South line of Lots 1, 2 and A of Airport Commerce Park Third Addition, and a portion of Lot 1 of Airport Commerce Park Twelfth Addition (also being a portion of Parcel A of Plat of Survey No. 2314); Thence S 87°12’45” E along said North right-of-way line and South lines of Lot 1 of said Twelfth Addition and said Parcel A, a distance of 256.48 to the Southeast corner of last said Lot 1 and Parcel A also being a point on the West right-of-way line of 6th Street SW (Highway 965);

All bearings referenced to this point are as shown on Airport Commerce Park Second Addition;

Thence Northeasterly 273 feet more or less to the Northwest corner of the 0.08 acre triangular parcel dedicated as public road right-of-way as shown on Airport Park Third Addition;
Addition; Thence Southeasterly 176 feet more or less to the North end of the corner cutback located at the Northwest corner of Lot 1 of Capital First Addition also being a point on the South right-of-way line of Wright Brothers Boulevard SW; Thence through the following 3 courses as shown on said Capital First Addition;

1) Thence S 41°59’53” W, a distance of 229.64 feet along the corner cutback and North line of said Lot 1 to the East right-of-way line (60’ half-width) of 6th Street SW (Highway 965);

2) Thence S 03°36’27” E, a distance of 603.73 feet along said East right-of-way line to a point being 75’ half-width, and along the West line of Lot 1, Pester Drive and Lot 2 of said Capital First Addition, also being along a portion of the West line of Parcel A of Plat of Survey No. 1757 Revised;

3) Thence S 00°22’12” E, a distance of 471.24 feet along said East right-of-way line to a point being 60’ half-width, and along the West line of Lot 2 of said Capital First Addition, also being along a portion of the West line of last said Parcel A and a west line of Parcel B of Plat of Survey No. 1148;

Thence S 00°07’29” E, a distance of 431.50 feet along said East right-of-way line (60’ half-width) and West line of Lot 1 as shown on Mod Addition; Thence Southerly along said East right-of-way line and the West line of Lot 1 of Tate’s First Addition, a distance of 511.73 feet along a curve concave to the West and having a radius 34,440 feet; Thence Southerly 381 feet more or less along said East right-of-way line to the Northwest corner of Lot A of Hughes Group First Addition; Thence S 01°07’05” E, a distance of 907.02 feet along said East right-of-way line (60’ half-width) and West line of said Lot A as shown on Hughes Group First Addition; Thence S 15°09’35” E, a distance of 103.10 feet along said East right-of-way line to a point being 85’ half-width along the West line of said Lot A as shown on Hughes Group First Addition; Thence S 01°07’05” E, a distance of 315 feet more or less along said East right-of-way line (85’ half-width) and West line of said Lot A as shown on Hughes Group First Addition to a point of intersection with the North line of the SW ¼ of the SW ¼ of said Section 28; Thence Westerly 77 feet more or less along said North line to the Northwest corner of the SW ¼ of the SW ¼ of said section 28 also being the Northeast corner of the SE ¼ of the SE ¼ of said Section 29; Thence N 89°57’35” W, a distance of 1,297.04 feet along the North line of the SE ¼ of the SW ¼ of said Section 29 to the Northwest corner thereof, being the North line of Lot 2 as shown on Dar-T Second Addition, also being the North line of Lot 1 Mann First Addition and the North line of Lot 1 Mann Third Addition; Thence Westerly 1,297 feet more or less along the North line of the SW ¼ of the SE ¼ of said Section 29 to the Northwest corner thereof; Thence Northerly 1,330 feet more or less along the West line of the NW ¼ of the SW ¼ of said Section 29 to the Northwest corner thereof; Thence Northerly 2,650 feet more or less along the West Line of the NE ¼ of said Section 29 to the Northwest corner thereof and Point of Beginning. All bearings in this legal description are taken directly from recorded plats and may or may not have originated from the same basis of bearings.

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

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

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

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

1. That the consultation on the proposed Plan required by Section 403.5 of the Code of Iowa, as amended, shall be held on Friday, April 19, 2019, in the Kranse Conference Room, 2nd Floor City Hall, 101 First Street SE, Cedar Rapids, Iowa, at 10:00 A.M., and the Economic Development Analyst, or his delegate, is hereby appointed to serve as the designated representative of the City for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5.

2. That the City Clerk is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), along with a copy of this Resolution and the proposed Plan, the form of consultation notice is attached hereto as Exhibit 2.

3. That a public hearing shall be held on the proposed Plan before the City Council at its meeting which commences at 12:00 P.M. on May 14, 2019, in the Council Chambers, City Hall, 101 First Street SE, Cedar Rapids, Iowa.

4. That the proposed Plan for the Commerce Park Urban Renewal Area be submitted to the City Planning Commission for review and recommendation as to its conformity with the City’s Comprehensive Plan, EnvisionCR, which provides for the development of the City as a whole, with such recommendation to be submitted in writing to this Council within thirty (30) days of the date hereof.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Exhibit 1

URBAN RENEWAL PLAN

for the

COMMERCE PARK URBAN RENEWAL AREA

As Approved by City Council

Resolution No. ________

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

This Urban Renewal Plan (the “Urban Renewal Plan”) has been prepared by the City of Cedar Rapids, Iowa (the “City”) to provide for the development of the Commerce Park Urban Renewal Area (the “Project Area”) of the City, and to stimulate, through public actions, financings and commitments, private investment in the urban renewal Project Area. In order to achieve these objectives, the City shall undertake the urban renewal actions specified in this Urban Renewal Plan, pursuant to the powers granted to it under Chapters 403 and 15A of the Code of Iowa, 2019, as amended (the “Code”).

I. URBAN RENEWAL PLAN OBJECTIVES

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

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

II. DESCRIPTION OF PROJECT AREA

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

The Project Area consists of an approximately 251 acres, more or less, in the City of Cedar Rapids, Iowa and being described as follows:

and along and south of Wright Brothers Boulevard SW as illustrated in Exhibit A, and described as:

Being a portion of land located within Sections 20, 21, 28, and 29, all in Township 82 North, Range 7 West of the Fifth Principal Meridian, Linn County, Iowa described more or less as follows:
Beginning at the Southwest corner of the SE ¼ of said Section 20, also being the Northwest corner of the NE ¼ of said Section 29; Thence N 01°09'22" E along the West line of the SW ¼ of the SE ¼ of said Section 20, a distance of 107.82 feet to the North right-of-way line of Wright Brothers Boulevard SW also being the Southwest corner of Parcel B of Plat of Survey No. 663; Thence S 87°12'45" E along said North right-of-way line and the South line of said Parcel B, a distance of 1,472.55 feet to the Southeast corner of said Parcel B also being the Southwest corner of Lot 1 of Airport Commerce Park Second Addition; Thence continuing S 87°12'45" E along said North right-of-way line and the South line of said Lot 1, a distance of 180.91 feet; Thence S 83°31'45" E along said North right-of-way line and South line of said Lot 1, a distance of 69.60 feet to the Southeast corner of said Lot 1; Thence continuing S 83°31'45" E along said North right-of-way line, a distance of 599.77 feet along the South line of Atlantic Drive SW as shown on Airport Commerce Park Second Addition, the South line of Lots 1, 2 and A of Airport Commerce Park Third Addition, and a portion of Lot 1 of Airport Commerce Park Twelfth Addition (also being a portion of Parcel A of Plat of Survey No. 2314); Thence S 87°12'45" E along said North right-of-way line and South lines of Lot 1 of said Twelfth Addition and said Parcel A, a distance of 256.48 to the Southeast corner of last said Lot 1 and Parcel A also being a point on the West right-of-way line of 6th Street SW (Highway 965);

All bearings referenced to this point are as shown on Airport Commerce Park Second Addition;

Thence Northeasterly 273 feet more or less to the Northwest corner of the 0.08 acre triangular parcel dedicated as public road right-of-way as shown on Airport Park Third Addition; Thence Southeasterly 176 feet more or less to the North end of the corner cutback located at the Northwest corner of Lot 1 of Capital First Addition also being a point on the South right-of-way line of Wright Brothers Boulevard SW; Thence through the following 3 courses as shown on said Capital First Addition;

1) Thence S 41°59'53" W, a distance of 229.64 feet along the corner cutback and North line of said Lot 1 to the East right-of-way line (60’ half-width) of 6th Street SW (Highway 965);

2) Thence S 03°36'27" E, a distance of 603.73 feet along said East right-of-way line to a point being 75’ half-width, and along the West line of Lot 1, Pester Drive and Lot 2 of said Capital First Addition, also being along a portion of the West line of Parcel A of Plat of Survey No. 1757 Revised;

3) Thence S 00°22'12" E, a distance of 471.24 feet along said East right-of-way line to a point being 60’ half-width, and along the West line of Lot 2 of said Capital First Addition, also being along a portion of the West line of last said Parcel A and a west line of Parcel B of Plat of Survey No. 1148;

Thence S 00°07'29" E, a distance of 431.50 feet along said East right-of-way line (60’ half-width) and West line of Lot 1 as shown on Mod Addition; Thence Southerly along said East right-of-way line and the West line of Lot 1 of Tate’s First Addition, a distance of 511.73 feet along a curve concave to the West and having a radius 34,440 feet; Thence Southerly 381 feet more or less along said East right-of-way line to the Northwest corner of Lot A of Hughes Group First Addition; Thence S
4°07'05" E, a distance of 907.02 feet along said East right-of-way line (60’ half-width) and West line of said Lot A as shown on Hughes Group First Addition; Thence S 15°09'35" E, a distance of 103.10 feet along said East right-of-way line to a point being 85’ half-width along the West line of said Lot A as shown on Hughes Group First Addition; Thence S 01°07'05" E, a distance of 315 feet more or less along said East right-of-way line (85’ half-width) and West line of said Lot A as shown on Hughes Group First Addition to a point of intersection with the North line of the SW ¼ of the SW ¼ of said Section 28; Thence Westerly 77 feet more or less along said North line to the Northwest corner of the SW ¼ of the SW ¼ of said section 28 also being the Northeast corner of the SE ¼ of the SE ¼ of said Section 29; Thence N 89°57'35" W, a distance of 1,297.04 feet along the North line of the SE ¼ of the SE ¼ of said Section 29 to the Northwest corner thereof, being the North line of Lot 2 as shown on Dar-T Second Addition, also being the North line of Lot 1 Mann First Addition and the North line of Lot 1 Mann Third Addition; Thence Westerly 1,297 feet more or less along the North line of the SW ¼ of the SE ¼ of said Section 29 to the Northwest corner thereof; Thence Northerly 1,330 feet more or less along the West line of the NW ¼ of the SE ¼ of said Section 29 to the Northwest corner thereof; Thence Northerly 2,650 feet more or less along the West Line of the NE ¼ of said Section 29 to the Northwest corner thereof and Point of Beginning. All bearings in this legal description are taken directly from recorded plats and may or may not have originated from the same basis of bearings.

III. PROJECT AREA ACTIVITIES

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

1. To undertake and carry out urban renewal project activities through the execution of contracts and other instruments;

2. To arrange for or cause to be provided the construction or repair of public infrastructure improvements, including street, water, sanitary sewer and storm sewer systems, traffic signals, and public utilities or other facilities in connection with urban renewal projects;

3. To acquire property through a variety of means (purchase, lease, exchange, condemnation, donation or otherwise) and to hold, clear or prepare the property for redevelopment;

4. To dispose of property so acquired (by sale, lease, exchange or otherwise) for purposes of private redevelopment;

5. To provide financing to pay a portion of the cost of construction of new facilities and developments;

6. To undertake or cause to be undertaken the construction of specific site improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections and related activities, in connection with the disposition of property;

7. To make loans or grants to private persons or businesses for economic development purposes and for the creation of affordable housing on such terms as may be determined by the City Council;
8. To borrow money and provide security therefor;

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

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

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

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

IV. SPECIAL FINANCING ACTIVITIES

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

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

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

1. The construction of public improvements, such as streets, sanitary sewers, storm sewers, water mains, trails or sidewalks;

2. The funding of the “local match” required under State programs providing financial assistance to private developers; and

3. Provide loans or grants for the development of low-to-moderate income housing; and

4. The making of loans or grants to private businesses under Chapter 15A and 403 of the Code, including debt service payments on any bonds or notes issued to finance such loans or grants.
Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code in furtherance of the objectives of this Urban Renewal Plan.

V. PROPERTY ACQUISITION

All of the properties, besides existing public right-of-way or planned right-of-way, located within the Project Area are privately owned and the City does not presently intend to acquire any land in the Project Area for purposes of private development, other than property that will be dedicated and platted to the City for right-of-way. Areas may be identified for acquisition in the future for the following purposes:

1. To provide sites for needed private and public improvements or facilities in proper relationship to the projected demand for such facilities and in accordance with accepted criteria for the development of such facilities;

2. To assemble land into parcels of adequate size and shape to meet contemporary development needs and standards and to allow new construction to meet the objectives of this Urban Renewal Plan; or

3. To acquire any and all interests in any property within the Project Area which in any way dominates or controls usage of other real property proposed to be acquired.

VI. CLEARANCE AND DISPOSITION OF PROPERTY

All of the properties located within the Project Area are privately owned and the City does not presently intend to clear or dispose of property in the Project Area. If the City makes improvements in preparation for redevelopment or transfer of land to private developers, all improvements will be accomplished in accordance with the goals and objectives of this Urban Renewal Plan and in concert with other actions to ensure timely improvement of the land.

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

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

VII. LAND USE DEVELOPMENT & ZONING

The planning criteria to be used to guide the physical development of the Project Area are those standards and guidelines contained within the City’s Comprehensive Plan – EnvisionCR approved on January 27, 2015, as amended from time to time. Included in EnvisionCR is an adopted Future Land Use Map, attached hereto as Attachment B, which outlines the future land uses in the Project Area. The Project Area incorporates two future land uses – Urban Medium Intensity and Urban High Intensity, both of which are suitable for industrial and commercial growth.
In addition, as of January 1, 2019, the City will implement a new Chapter 32 – Zoning. A map of the zoning for the Project Area is attached hereto as Attachment C.

VIII. DEVELOPER REQUIREMENTS

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

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

2. Developers will submit plans and schedules for the proposed development to the City and will keep the City informed regarding progress on implementing these plans;

3. Any land purchased from the City can only be used for the purpose of development, and not for speculation;

4. Any ownership parcel made up in part of land acquired from the City will be built upon and improved in conformity with the objectives and provisions of this Urban Renewal Plan;

5. Construction of improvements will be initiated and completed within a reasonable time; and

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

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

IX. PROJECT AND CITY INDEBTEDNESS

The City may agree to make economic development grants any developer purchasing land for development in the Project Area in consideration for certain employment commitments and other covenants expected to be made by the developer. As such, the eventual level of City participation in both private and public improvements for the economic development of the Project Area cannot be fully determined at this time. However, the City has identified several projects, as identified in Section XIV herein, which propose the use of tax increments.

At the present time, it is anticipated that future City tax increment collections for project-related activities within the Project Area will not exceed $8,000,000.00 in aggregate amount
during the term of this Urban Renewal Plan. Proceeds of such tax increment collections are currently expected to be used to make economic development grants to the developer, and to fund public improvements along Edgewood Road NE and administrative-related costs incurred in connection with the identified projects in the Project Area.

Currently, the City of Cedar Rapids’ outstanding general obligation indebtedness is $271,585,000 (as of Fiscal Year 2019 beginning July 1, 2018). The Constitution of the State of Iowa limits the amount of City debt outstanding at any time to no more than five (5) percent of the value (as shown by the last certified state and county tax list) of all taxable property within the City. The City’s constitutional debt limit is $557,695,117 as of July 1, 2018.

X. STATE AND LOCAL REQUIREMENTS

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

XI. SEVERABILITY

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

XII. AMENDMENT OF URBAN RENEWAL PLAN

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

XIII. EFFECTIVE DATE

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

Development Agreements

The following are private redevelopment projects in the Project Area which being induced by grants and loans provided through the use of tax increments:

<table>
<thead>
<tr>
<th>Project</th>
<th>Description &amp; Rationale</th>
<th>Tax Increment</th>
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<tr>
<td>200 Prop, LLC, 9917 Atlantic Dr SW</td>
<td>Construction of a new warehouse/distribution facility and creation and maintenance of new jobs, including no less than 10 at the State High Quality Wage Threshold of $20.76/hr.</td>
<td>City to provide a reimbursement of 50% of the tax increments generated by the improvements for a period of 10-years for each respective separately assessed building constructed as part of the project. The estimated total reimbursement of tax increments is expected to be $100,000.</td>
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<tr>
<td>9920 Atlantic Prop, LLC, 9920 Atlantic Dr SW</td>
<td>Construction of a new warehouse/distribution facility and creation and maintenance of new jobs, including no less than 10 at the State High Quality Wage Threshold of $20.76/hr.</td>
<td>City to provide a reimbursement of 50% of the tax increments generated by the improvements for a period of 10-years for each respective separately assessed building constructed as part of the project. The estimated total reimbursement of tax increments is expected to be $350,000.</td>
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Public Improvements

Use of tax increments within the Project Area for improvements to streets, highways, avenues, public ways, and public grounds; installation of street lighting fixtures, connections and facilities; installation and repair of traffic signals and control devices; construction, reconstruction, and repair of sidewalks and pedestrian underpasses and overpasses; improvement and repair of bridges, culverts, retaining walls, viaducts, underpasses, grade crossing separations, and approaches; construction, reconstruction, repair, and relocation of sanitary sewer, storm sewer, water, and fiber optic infrastructure;

No projects identified at this time

Administration

The City expects to use tax increments for ongoing legal, consulting, recording, publication, administration and oversight of eligible projects, housing market analysis, project financial gap analysis reports, real estate appraisals, and other miscellaneous fees associated with projects occurring within the Project Area. Current administrative expenses are estimated to be $2,000.
LEGAL DESCRIPTION

Being a portion of land located within Sections 20, 21, 28, and 29, all in Township 82 North, Range 7 West of the Fifth Principal Meridian, Linn County, Iowa described more or less as follows:

Beginning at the Southwest corner of the SE ¼ of said Section 20, also being the Northwest corner of the NE ¼ of said Section 29; Thence N 01°09'22" E along the West line of the SW ¼ of the SE ¼ of said Section 20, a distance of 107.82 feet to the North right-of-way line of Wright Brothers Boulevard SW also being the Southwest corner of Parcel B of Plat of Survey No. 663; Thence S 87°12'45" E along said North right-of-way line and the South line of said Parcel B, a distance of 1,472.55 feet to the Southeast corner of said Parcel B also being the Southwest corner of Lot 1 of Airport Commerce Park Second Addition; Thence continuing S 87°12'45" E along said North right-of-way line and the South line of said Lot 1, a distance of 180.91 feet; Thence S 83°31'45" E along said North right-of-way line and South line of said Lot 1, a distance of 69.60 feet to the Southeast corner of said Lot 1; Thence continuing S 83°31'45" E along said North right-of-way line, a distance of 599.77 feet along the South line of Atlantic Drive SW as shown on Airport Commerce Park Second Addition, the South line of Lots 1, 2 and A of Airport Commerce Park Third Addition, and a portion of Lot 1 of Airport Commerce Park Twelfth Addition (also being a portion of Parcel A of Plat of Survey No. 2314); Thence S 87°12'45" E along said North right-of-way line and South lines of Lot 1 of said Twelfth Addition and said Parcel A, a distance of 256.48 to the Southeast corner of last said Lot 1 and Parcel A also being a point on the West right-of-way line of 6th Street SW (Highway 965);

All bearings referenced to this point are as shown on Airport Commerce Park Second Addition;

Thence Northeasterly 273 feet more or less to the Northwest corner of the 0.08 acre triangular parcel dedicated as public road right-of-way as shown on Airport Park Third Addition; Thence Southeasterly 176 feet more or less to the North end of the corner cutback located at the Northwest corner of Lot 1 of Capital First Addition also being a point on the South right-of-way line of Wright Brothers Boulevard SW; Thence through the following 3 courses as shown on said Capital First Addition;

1) Thence S 41°59'53" W, a distance of 229.64 feet along the corner cutback and North line of said Lot 1 to the East right-of-way line (60’ half-width) of 6th Street SW (Highway 965);

2) Thence S 03°36'27" E, a distance of 603.73 feet along said East right-of-way line to a point being 75’ half-width, and along the West line of Lot 1, Pester Drive and Lot 2 of said Capital First Addition, also being along a portion of the West line of Parcel A of Plat of Survey No. 1757 Revised;

3) Thence S 00°22'12" E, a distance of 471.24 feet along said East right-of-way line to a point being 60’ half-width, and along the West line of Lot 2 of said Capital First Addition, also being along a portion of the West line of last said Parcel A and a west line of Parcel B of Plat of Survey No. 1148;

Thence S 00°07'29" E, a distance of 431.50 feet along said East right-of-way line (60’ half-width) and West line of Lot 1 as shown on Mod Addition; Thence Southerly along said East right-of-way line and the West line of Lot 1 of Tate’s First Addition, a distance of 511.73 feet along a curve concave to the West and having a radius 34,440 feet; Thence Southerly 381 feet more or less along said East right-of-way line to the Northwest corner of Lot A of Hughes Group First Addition; Thence S 01°07'05" E, a distance of 907.02 feet along said East right-of-way line (60’ half-width) and West line of said Lot A as shown on Hughes Group First Addition; Thence S 15°09'35" E, a distance of 103.10 feet along said East right-of-way line to a point being 85’ half-width along the
West line of said Lot A as shown on Hughes Group First Addition; Thence S 01°07'05" E, a distance of 315 feet more or less along said East right-of-way line (85' half-width) and West line of said Lot A as shown on Hughes Group First Addition to a point of intersection with the North line of the SW ¼ of the SW ¼ of said Section 28; Thence Westerly 77 feet more or less along said North line to the Northwest corner of the SW ¼ of the SW ¼ of said section 28 also being the Northeast corner of the SE ¼ of the SE ¼ of said Section 29; Thence N 89°57'35" W, a distance of 1,297.04 feet along the North line of the SE ¼ of the SE ¼ of said Section 29 to the Northwest corner thereof, being the North line of Lot 2 as shown on Dar-T Second Addition, also being the North line of Lot 1 Mann First Addition and the North line of Lot 1 Mann Third Addition; Thence Westerly 1,297 feet more or less along the North line of the SW ¼ of the SE ¼ of said Section 29 to the Northwest corner thereof; Thence Northerly 1,330 feet more or less along the West line of the NW ¼ of the SE ¼ of said Section 29 to the Northwest corner thereof; Thence Northerly 2,650 feet more or less along the West Line of the NE ¼ of said Section 29 to the Northwest corner thereof and Point of Beginning. All bearings in this legal description are taken directly from recorded plats and may or may not have originated from the same basis of bearings.
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<td>38</td>
<td>Sun Greenhaw</td>
<td>R</td>
<td>$62,700</td>
<td>$135,900</td>
<td>$198,600</td>
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<td><strong>Total</strong></td>
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<td><strong>$8,899,700</strong></td>
<td><strong>$1,002,300</strong></td>
<td><strong>$33,586,090.43</strong></td>
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Key:
- R - Residential
- C - Commercial
- A - Agricultural
- O - Other
EXHIBIT 2

NOTICE OF A CONSULTATION TO BE HELD BETWEEN THE CITY OF CEDAR RAPIDS, STATE OF IOWA AND ALL AFFECTED TAXING ENTITIES CONCERNING THE PROPOSED URBAN RENEWAL PLAN FOR THE COMMERCE PARK URBAN RENEWAL AREA IN THE CITY OF CEDAR RAPIDS, STATE OF IOWA

The City of Cedar Rapids, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1) of the Code of Iowa, as amended, commencing at 10:00 A.M. on April 19, 2019, in the Kranse Conference Room, 2nd Floor City Hall, 101 First Street SE, Cedar Rapids, Iowa concerning a proposed Urban Renewal Plan, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the proposed Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the proposed Urban Renewal Area, and the duration of any bond issuance included in the Amendment.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Economic Development Analyst, or his delegate, as the designated representative of the City of Cedar Rapids, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the City Council of the City of Cedar Rapids, State of Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Dated this 9th day of April, 2019.

City Clerk, City of Cedar Rapids, State of Iowa
NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF A PROPOSED URBAN RENEWAL PLAN FOR AN URBAN RENEWAL AREA IN THE CITY OF CEDAR RAPIDS, STATE OF IOWA

The City Council of the City of Cedar Rapids, State of Iowa, will hold a public hearing before itself at its meeting which commences at 12:00 P.M. on May 14, 2019 in the Council Chambers, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to consider adoption of a proposed Urban Renewal Plan (the “Plan”) concerning an Urban Renewal Area in the City of Cedar Rapids, State of Iowa, legally described as follows:

Being a portion of land located within Sections 20, 21, 28, and 29, all in Township 82 North, Range 7 West of the Fifth Principal Meridian, Linn County, Iowa described more or less as follows:

Beginning at the Southwest corner of the SE ¼ of said Section 20, also being the Northwest corner of the NE ¼ of said Section 29; Thence N 01°09'22" E along the West line of the SW ¼ of the SE ¼ of said Section 20, a distance of 107.82 feet to the North right-of-way line of Wright Brothers Boulevard SW also being the Southwest corner of Parcel B of Plat of Survey No. 663; Thence S 87°12'45" E along said North right-of-way line and the South line of said Parcel B, a distance of 1,472.55 feet to the Southeast corner of said Parcel B also being the Southwest corner of Lot 1 of Airport Commerce Park Second Addition; Thence continuing S 87°12'45" E along said North right-of-way line and the South line of said Lot 1, a distance of 180.91 feet; Thence S 83°31'45" E along said North right-of-way line and South line of said Lot 1, a distance of 69.60 feet to the Southeast corner of said Lot 1; Thence continuing S 83°31'45" E along said North right-of-way line, a distance of 599.77 feet along the South line of Atlantic Drive SW as shown on Airport Commerce Park Second Addition, the South line of Lots 1, 2 and A of Airport Commerce Park Third Addition, and a portion of Lot 1 of Airport Commerce Park Twelfth Addition (also being a portion of Parcel A of Plat of Survey No. 2314); Thence S 87°12'45" E along said North right-of-way line and South lines of Lot 1 of said Twelfth Addition and said Parcel A, a distance of 256.48 to the Southeast corner of last said Lot 1 and Parcel A also being a point on the West right-of-way line of 6th Street SW (Highway 965);

All bearings referenced to this point are as shown on Airport Commerce Park Second Addition;

Thence Northeasterly 273 feet more or less to the Northwest corner of the 0.08 acre triangular parcel dedicated as public road right-of-way as shown on Airport Park Third Addition; Thence Southeasterly 176 feet more or less to the North end of the corner cutback located at the Northwest corner of Lot 1 of Capital First Addition also being a point on the South right-of-way line of Wright Brothers Boulevard SW; Thence through the following 3 courses as shown on said Capital First Addition;

1) Thence S 41°59'53" W, a distance of 229.64 feet along the corner cutback and North line of said Lot 1 to the East right-of-way line (60’ half-width) of 6th Street SW (Highway 965);
2) Thence S 03°36'27" E, a distance of 603.73 feet along said East right-of-way line to a point being 75' half-width, and along the West line of Lot 1, Pester Drive and Lot 2 of said Capital First Addition, also being along a portion of the West line of Parcel A of Plat of Survey No. 1757 Revised;

3) Thence S 00°22'12" E, a distance of 471.24 feet along said East right-of-way line to a point being 60' half-width, and along the West line of Lot 2 of said Capital First Addition, also being along a portion of the West line of last said Parcel A and a west line of Parcel B of Plat of Survey No. 1148;

Thence S 00°07'29" E, a distance of 431.50 feet along said East right-of-way line (60' half-width) and West line of Lot 1 as shown on Mod Addition; Thence Southerly along said East right-of-way line and the West line of Lot 1 of Tate’s First Addition, a distance of 511.73 feet along a curve concave to the West and having a radius 34,440 feet; Thence Southerly 381 feet more or less along said East right-of-way line to the Northwest corner of Lot A of Hughes Group First Addition; Thence S 01°07'05" E, a distance of 907.02 feet along said East right-of-way line (60' half-width) and West line of said Lot A as shown on Hughes Group First Addition; Thence S 15°09'35" E, a distance of 103.10 feet along said East right-of-way line to a point being 85' half-width along the West line of said Lot A as shown on Hughes Group First Addition; Thence S 01°07'05" E, a distance of 315 feet more or less along said East right-of-way line (85' half-width) and West line of said Lot A as shown on Hughes Group First Addition to a point of intersection with the North line of the SW ¼ of the SW ¼ of said Section 28; Thence Westerly 77 feet more or less along said North line to the Northwest corner of the SW ¼ of the SW ¼ of said section 28 also being the Northeast corner of the SE ¼ of the SE ¼ of said Section 29; Thence N 89°57'35" W, a distance of 1,297.04 feet along the North line of the SE ¼ of the SE ¼ of said Section 29 to the Northwest corner thereof, being the North line of Lot 2 as shown on Dar-T Second Addition, also being the North line of Lot 1 Mann First Addition and the North line of Lot 1 Mann Third Addition; Thence Westerly 1,297 feet more or less along the North line of the SW ¼ of the SE ¼ of said Section 29 to the Northwest corner thereof; Thence Northerly 1,330 feet more or less along the West line of the NW ¼ of the SW ¼ of said Section 29 to the Northwest corner thereof; Thence Northerly 2,650 feet more or less along the West Line of the NE ¼ of said Section 29 to the Northwest corner thereof and Point of Beginning. All bearings in this legal description are taken directly from recorded plats and may or may not have originated from the same basis of bearings. A copy of the Urban Renewal Plan is on file for public inspection in the office of the City Clerk, City Hall, City of Cedar Rapids, Iowa.

The City of Cedar Rapids, State of Iowa is the local public agency which, if such Plan is approved, shall undertake the urban renewal activities described in such Plan.

The general scope of the urban renewal activities under consideration in the Plan is to promote the growth and retention of qualified industries and businesses in the Urban Renewal Area through various public purpose and special financing activities outlined in the Plan. To accomplish the objectives of the Plan, and to encourage the further economic development of the Urban Renewal Area, the Amendment provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A of the Code of Iowa. The City also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The Plan provides that
the City may issue bonds or use available funds for purposes allowed by the Plan, as amended, and that tax increment reimbursement of the costs of urban renewal projects may be sought if and to the extent incurred by the City. The Plan also possible public infrastructure improvements to be undertaken by the City, and provides that the Plan may be amended from time to time.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the City Council of the City of Cedar Rapids, State of Iowa, as provided by Section 403.5 of the Code of Iowa.

Dated this 9th day of April, 2019.

______________________________
City Clerk, City of Cedar Rapids, State of Iowa
Council Agenda Item Cover Sheet

Submitting Department: Building Services

Presenter at Meeting: Duncan McCallum
E-mail Address: d.mccallum@cedar-rapids.org
Phone Number/Ext.: 319-286-5723

Alternate Contact Person: Kevin Ciabatti
E-mail Address: k.ciabatti@cedar-rapids.org
Phone Number/Ext.: 319-286-5841

Description of Agenda Item: Motions setting public hearings

CIP/DID #BSD001-19


Background: The Model International Code is published every three years. To keep current with the Model Codes, the State of Iowa, and other Iowa jurisdictions, it is important to adopt the 2018 Building Code. The primary focus of this adoption process was to develop a consistent Code with the surrounding communities. This was achieved by conducting coordination meetings with the jurisdictions in the region. We believe this enhances our customers’ experience by learning a more regionalized Code. The second focus was maintaining minimal Code Amendments. Attached is a matrix outlining changes to our proposed amendments.

The Building Services Department has met with and presented to the following groups: Building/Fire Board of Appeals (12/12/18), Developer’s Council (ongoing discussion, presentation on 3/13/19), Trade Unions (3/26/19), and Open House (3/25/19 and 3/26/19). Further, staff has engaged the surrounding Building Departments to coordinate similar Code language. These discussions occurred between throughout 2018 and remain ongoing. They have included Hiawatha, Marion and Linn County.


Alternative Recommendation: None recommended. In the past, we received official Insurance Service Organization (ISO) criticism and potential downgrade of ISO BCEG (Building Code Effectiveness Grading Scale) for delaying a Code adoption cycle of the latest published Model Code. ISO sets the insurance rating criteria for City businesses and residential property owner insurance rates. The ISO scale ranges from 1-10 with 1 being the highest rating. The City of Cedar Rapids ISO rating is currently a Class 4 for one- and two-family dwellings and a Class 3 for commercial and industrial properties.
Time Sensitivity: N/A
Resolution Date: N/A
Budget Information: N/A
Local Preference Policy: NA
   Explanation: NA
Recommended by Council Committee: NA
   Explanation: NA
Council Agenda Item Cover Sheet

Submitting Department: Building Services

Presenter at Meeting: Duncan McCallum
E-mail Address: d.mccallum@cedar-rapids.org
Phone Number/Ext.: 319-286-5723

Alternate Contact Person: Kevin Ciabatti
E-mail Address: k.ciabatti@cedar-rapids.org
Phone Number/Ext.: 319-286-5841

Description of Agenda Item: Motions setting public hearings
CIP/DID #BSD003-19


Background: The Model International Code is published every three years. To keep current with the Model Codes, the State of Iowa, and other Iowa jurisdictions, it is important to we adopt the 2017 Electrical Code. The primary focus of this adoption process was to develop a consistent Code with the surrounding communities. This was achieved by conducting coordination meetings with the jurisdictions in the region. We believe this enhances our customers’ experience by learning a more regionalized Code. The second focus was maintaining minimal Code amendments. Attached is a matrix outlining changes to our proposed amendments.

The Building Services Department has met with and presented to the following groups: Electrical Board of Appeals (12/19/18 and 2/10/19), Developer’s Council (ongoing discussion, presentation on 3/13/19), Trade Unions (3/26/19), Open House (3/25/19 and 3/26/19). Further, staff has engaged the surrounding Building Departments to coordinate similar Code language. These discussions occurred between throughout 2018 and remain ongoing. They have included Hiawatha, Marion and Linn County.


Alternative Recommendation: None recommended. In the past, we received official Insurance Service Organization (ISO) criticism and potential downgrade of ISO BCEG (Building Code Effectiveness Grading Scale) for delaying a Code adoption cycle of the latest published Model Code. ISO sets the insurance rating criteria for City businesses and residential property owner insurance rates. The ISO scale ranges from 1-10 with 1 being the highest rating. The City of Cedar Rapids ISO rating is currently a Class 4 for one- and two-family dwellings and a Class 3 for commercial and industrial properties.

Time Sensitivity: N/A
Resolution Date: N/A

Budget Information: N/A

Local Preference Policy: NA
   Explanation: NA

Recommended by Council Committee: Yes
   Explanation: NA
Council Agenda Item Cover Sheet

Submitting Department: Building Services

Presenter at Meeting: Duncan McCallum
E-mail Address: d.mccallum@cedar-rapids.org
Phone Number/Ext.: 319-286-5723

Alternate Contact Person: Kevin Ciabatti
E-mail Address: k.ciabatti@cedar-rapids.org
Phone Number/Ext.: 319-286-5841

Description of Agenda Item: Motions setting public hearings
CIP/DID #BSD002-19


Background: The Model International Code is published every three years. To keep current with the Model Codes, the State of Iowa, and other Iowa jurisdictions, it is important we adopt the 2018 Mechanical Code. The primary focus of this adoption process was to develop a consistent Code with the surrounding communities. This was achieved by conducting coordination meetings with the jurisdictions in the region. We believe this enhances our customers’ experience by learning a more regionalized Code. The second focus was maintaining minimal Code amendments. Attached is a matrix outlining changes to our proposed amendments.

The Building Services Department has met with and presented to the following groups: Mechanical Board of Appeals (6/11/18 and 11/7/18), Developer’s Council (ongoing discussion, presentation on 3/13/19), Trade Unions (3/26/19), and Open House (3/25/19 and 3/26/19). Further, staff has engaged the surrounding Building Departments to coordinate similar Code language. These discussions occurred between throughout 2018 and remain ongoing. They have included Hiawatha, Marion and Linn County.


Alternative Recommendation: None recommended. In the past, we received official Insurance Service Organization (ISO) criticism and potential downgrade of ISO BCEG (Building Code Effectiveness Grading Scale) for delaying a Code adoption cycle of the latest published Model Code. ISO sets the insurance rating criteria for City businesses and residential property owner insurance rates. The ISO scale ranges from 1-10 with 1 being the highest rating. The City of Cedar Rapids ISO rating is currently a Class 4 for one- and two-family dwellings and a Class 3 for commercial and industrial properties.

Time Sensitivity: N/A
Resolution Date: N/A

Budget Information: N/A

Local Preference Policy: NA
   Explanation: NA

Recommended by Council Committee: NA
   Explanation: NA
Council Agenda Item Cover Sheet

Submitting Department: Fire

Presenter at Meeting: Vance McKinnon

Contact Person: Vance McKinnon
E-mail Address: v.mckinnon@cedar-rapids.org

Description of Agenda Item: Motions setting public hearings
CIP/DID #FIR0319-0042


Background: The Model International Code is published every three years. To keep current with the Model Codes, the State of Iowa, and other Iowa jurisdictions, it is important we adopt the 2018 Fire Code. The primary focus of this adoption process was to develop a consistent Code with the surrounding communities. This was achieved by conducting coordination meetings with the jurisdictions in the region. We believe this enhances our customers' experience by learning a more regionalized Code. The second focus was maintaining minimal Code Amendments. Attached is a matrix outlining changes to our proposed amendments.

The Fire Marshal’s Office has met with and presented to the following groups: Building/Fire Board of Appeals (12/12/18), Developer’s Council (ongoing discussion, presentation on 3/13/19), Trade Unions (3/26/19), and Open House (3/25/19 and 3/26/19). Further, staff has engaged the surrounding Building Departments to coordinate similar Code language. These discussions occurred between throughout 2018 and remain ongoing. They have included Hiawatha, Marion and Linn County.


Alternative Recommendation: None recommended. In the past, we received official Insurance Service Organization (ISO) criticism and potential downgrade of ISO BCEG (Building Code Effectiveness Grading Scale) for delaying a Code adoption cycle of the latest published Model Code. ISO sets the insurance rating criteria for City businesses and residential property owner insurance rates. The ISO scale ranges from 1-10 with 1 being the highest rating. The City of Cedar Rapids ISO rating is currently a Class 4 for one- and two-family dwellings and a Class 3 for commercial and industrial properties. Our previous evaluations increased our commercial rating from a 4 to a 3 based largely upon the adoption of the latest model code year.

Time Sensitivity: N/A
Resolution Date: N/A

Budget Information: N/A

Local Preference Policy: N/A
   Explanation:

Recommended by Council Committee:
   Explanation:
Council Agenda Item Cover Sheet

Submitting Department: Police

Presenter at Meeting: Amanda Grieder  
E-mail Address: a.grieder@cedar-rapids.org

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

Phone Number/Ext.: 319 286-5714  
Cell Phone Number: 319-640-5518

Description of Agenda Item: Motions setting public hearings
Ordinance repealing existing Chapter 51 of the Municipal Code, and enacting in its place a new
Chapter 51 related to Alcoholic Beverages.

CIP/DID #OB337094

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

Background

In Iowa, most alcohol regulations are established by the State of Iowa Alcoholic Beverages
Division. However, certain alcohol regulations can be established by local authorities and
mainly focus on public safety and how a local authority processes applications. The proposed
changes to Chapter 51, Alcoholic Liquors and Beer, will update the City code by clarifying
certain sections and removing outdated language and regulations covered by State code.

The main changes identified are the following:

- Removed outdated language and removed items regulated in State code to prevent
duplication.

- Allow minors on licensed premise where alcohol constitutes more than 50% of gross
business until 9 pm (instead of 7 pm). The new code has no restrictions if minor is
accompanied by a parent, lawful guardian, or spouse over the age of twenty-one. Added
new section allowing an attendant (who must be at least 18) to remain in establishment if
assisting an adult person with a disability.

- Rescind separation distance requirements and reference new separation distance
requirements outlined in Chapter 32, zoning regulations.

- Revised section related to notice and hearing to fully outline the process a citizen would
use if they wanted to request a hearing.

- Streamlined application process:
➢ Background checks no longer required on renewals unless requested by PD due to change in criminal history, etc. Manager background checks are also no longer necessary on new or renewals.

➢ Updated language to match current process regarding timely filing of renewal applications if certain state regulations are met (submittal of application, payment and dram insurance if applicable).

➢ Notarized signature no longer required so application can be emailed (applicant signs certification clause on application stating that info is true and correct).

➢ Streamlined application (fewer questions).

➢ Created fillable application form which can be completed electronically and submitted via email.

• Clarified language regarding closing hours of establishment (not allowed on a licensed premise with on-site consumption after 2:15 am). No change in regulations, just clarified current language, which was not clear regarding on-site consumption).

**Action/Recommendation:** City staff recommends the approval of the motion to hold a Public Hearing and a First Reading of the Ordinance on April 23, 2019.

**Alternative Recommendation:** City Council may request additional information before voting on the ordinance.

**Time Sensitivity:** Due to the inconsistencies related to separation distance in Chapter 32 and current Chapter 51, it is recommended that this be acted upon as soon as possible.

**Resolution Date:** N/A

**Budget Information:** N/A

**Local Preference Policy:** NA

**Recommended by Council Committee:** NA

**Explanation:**
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Brenna Fall, PE

Contact Person: Jennifer L. Winter, PE
E-mail Address: j.winter@cedar-rapids.org

Cell Phone Number: 538-1076

Description of Agenda Item: Motions setting public hearings
Motion to set a public hearing for April 23, 2019 to consider renaming Bellamy Court NW to Bellamy Street NW, northerly from Sandhurst Drive NW as requested by the City of Cedar Rapids Traffic Engineering Division.
CIP/DID #STREET-028099-2018


Background: On December 13, 2018, the City Traffic Engineering Division submitted an application for renaming Bellamy Court NW to Bellamy Street NW, northerly from Sandhurst Drive NW, a distance of approximately 215 feet.

Per the requirements of City Ordinance No. 073-02, Section 33D.07.3 (c) of the Municipal Code (Procedures for Renaming Existing Streets), a public hearing will be held at City Council to rename a street. Per Section 33D.07 3. (d), the application, including any written or public comments from the public hearing will then be forwarded to the Development Services Department for review and comment.

The proposed name of Bellamy Street NW was chosen because of plans for adjacent future development are uncertain and the portion to be changed is an extension of Bellamy Street, which currently exists. This should result in reduced maintenance costs because only one street name sign would be needed at that intersection.

Action/Recommendation: The Public Works Department recommends discussing this request and providing public comment and any City Council recommendations to the City Development Services Department for review prior to further City Council consideration of the street name change request.

Alternative Recommendation: This item may be tabled and the City Traffic Engineering Division notified of the schedule delay.

Time Sensitivity: Normal

Ordinance Date: Proposed timeline:
1. Public Hearing Date: April 23, 2019; after which public comment is sent to
Development Services Department

2. Development Services Department review by May 2, 2019
3. Proposed First Reading of an Ordinance: May 28, 2019
4. Proposed Second, and possible Third, Reading of an Ordinance: June 11, 2019

**Budget Information:** NA

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

**Recommended by Council Committee:** NA
**Explanation:** NA
STREET NAME CHANGE
FROM BELLAMY COURT NW
TO BELLAMY STREET NW
Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Caleb Mason

Contact Person: Jennifer Pratt  
E-mail Address: J.Pratt@cedar-rapids.org  
Cell Phone Number: 319-538-2552

Description of Agenda Item: Motions setting public hearings
Motion setting a public hearing for May 14, 2019 to consider an Ordinance relating to the collection of tax increments within the proposed Commerce Park Urban Renewal Area generally located along and west of 6th Street SW and south of Capital Drive SW. CIP/DID #TIF-0021-2018

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

Background: The action initiates the process to establish an Urban Renewal Area/TIF district. In 2018, the City Council authorized City participation for two (2) projects along Atlantic Drive SW proposed by 9920 Atlantic Prop, LLC, and 200 Prop, LLC, development companies managed by Tiffany Earl Williams. The projects qualify for the standard 10-year, 50% reimbursement of increased taxes under the City’s High Quality Jobs – Economic Development Program. The sites of the two projects were located in an expired TIF district which was dissolved in February 2019. The establishment of a new TIF provides a mechanism for the reimbursement of the increment taxes through the ordinance. The following is a timeline of the steps to establish the Urban Renewal Area:
- April 9 Resolution Setting a Public Hearing
- April 19 Consultation with affected taxing agencies
- April 25 City Planning Commission
- May 14 Public Hearing & 1st Ordinance Reading
- May 28 2nd and 3rd Ordinance Reading

Action/Recommendation: City staff recommends approval of resolution.
Alternative Recommendation: City Council may table and request additional information.
Time Sensitivity: NA
Resolution Date: April 9, 2019
Budget Information: NA
Local Preference Policy: NA
Recommended by Council Committee: NA
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Dave Wallace, PE

Contact Person: Jennifer L. Winter, PE
E-mail Address: j.winter@cedar-rapids.org

Cell Phone Number: 319-538-1076

Description of Agenda Item: Motions filing plans and specifications
Motion setting public hearing date for April 23, 2019 and directing publication thereof, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by posting notice to bidders as required by law, and authorizing City officials or designees to receive and open bids and publicly announce the results on April 24, 2019 for the 21st Avenue SW from 12th Street to 13th Street Water Main, Drainage and Street Improvements project (estimated cost is $810,000).
CIP/DID #304479-02

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

Background: This project will replace water main, storm sewer and street pavement on 21st Avenue SW between 12th Street and 13th Street. A failing 66” culvert under the street will be replaced and upgraded to an 8’x4’ reinforced concrete box culvert. Minor sanitary sewer improvements will occur along with construction.

Action/Recommendation: The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for April 23, 2019 and advertising for bids by posting notice to bidders for the project.

Alternative Recommendation: Defer project to the future.

Time Sensitivity: Normal

Resolution Date: April 23, 2019

Budget Information:
301, 301000, 3012246 SLOST; $283,000
304, 304000, 304479 NA; $218,000
625, 625000, 625884-2018057 NA; $282,000
655, 655000, 6550082 NA; $30,000

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
1ST AVENUE SW FROM 1ST STREET TO 1ST STREET
WATER MAIN, DRAINAGE AND STREET IMPROVEMENTS PROJECT

CIP No. 0449

City of Five Seasons

Cadd File Name: W:\PROJECTS\CIP\04\0449 21st Ave SW west of 12th St SW culvert repair\0449-02\COUNCIL\council map.dwg
Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Steve Krug

Contact Person: Scott Hock
E-mail Address: S.Hock@cedar-rapids.org

Cell Phone Number: (319) 538-8256

Description of Agenda Item: Motions filing plans and specifications
April 23, 2019 – Ellis Harbor Sidewalk Repairs (estimated cost is $175,000).
CIP/DID #PUR0319-192; 312077

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

Background:
This project is for Ellis Harbor Sidewalk Repairs. Bid opening is scheduled for Wednesday, April 24, 2019 at 11:00 a.m. CDT.

Action/Recommendation: Set the public hearing.
Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Jeff Koffron

Contact Person: Casey Drew
E-mail Address: C.Drew@cedar-rapids.org

Cell Phone Number: (319) 538-1064

Description of Agenda Item: Motions filing plans and specifications
April 23, 2019 – Ice Arena Parking and Stoops ADA Project (estimated cost is $235,713).
CIP/DID #PUR0319-200; 555100

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

Background:
This project is for the Ice Arena Parking and Stoops ADA Project. Bid opening is scheduled for
Wednesday, April 24, 2019 at 11:00 a.m. CDT.

Action/Recommendation: Set the public hearing.
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Brenna Fall, P.E.

Contact Person: Jennifer L. Winter, PE
E-mail Address: j.winter@cedar-rapids.org

Cell Phone Number: 319-538-1076

Description of Agenda Item: Motions filing plans and specifications
Motion setting public hearing date for April 23, 2019 and directing publication thereof, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by posting notice to bidders as required by law, and authorizing City officials or designees to receive and open bids and publicly announce the results on April 24, 2019 for the Wright Brothers Boulevard SW at Interstate 380 Westbound Right Turn Lane project (estimated cost is $200,000).

CIP/DID #301983-01

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

Background: On March 12, 2019 the City Council approved entering into an agreement with Pilot Travel Centers LLC to receive funds for constructing this right turn lane along the north side of Wright Brothers Boulevard SW between I-380 and Earhart Lane. This project helps alleviate congestion during peak hours, resulting from increased traffic generated by the adjacent Pilot Travel Center development.

Subject to receipt of acceptable bids, the project will start in the summer of 2019 and is estimated to be completed in the fall.

Action/Recommendation: The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for April 23, 2019 and advertising for bids by posting notice to bidders for the project.

Alternative Recommendation: The Council could defer approval. However, this action would postpone the bid date and affect the construction schedule.

Time Sensitivity: Normal

Resolution Date: April 23, 2019

Budget Information: Dept ID 301000, Project 301983, NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Dave Wallace, PE

Contact Person: Jennifer L. Winter, PE
E-mail Address: j.winter@cedar-rapids.org

Cell Phone Number: 319-538-1076

Description of Agenda Item: Motions filing plans and specifications
Motion setting public hearing date for April 23, 2019 and directing publication thereof, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by posting notice to bidders as required by law, and authorizing City officials or designees to receive and open bids and publicly announce the results on May 1, 2019 for the Beaver Hollow Lift Station Improvements project (estimated cost is $490,000).

CIP/DID #6550008-03

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

Background: This project will acquire and replace an existing private sanitary sewer lift station with a new lift station that meets current City standards. Work will also include installation of approximately 1,200 feet of new 3" diameter force main pipe to serve the proposed lift station. The City of Cedar Rapids will own and maintain the new lift station at the conclusion of the project.

The proposed project is in accordance with City Council Resolution 1525-10-15 and the City’s Policy Regarding Public Ownership of Sanitary Sewer Lift Stations. At the completion of the project, residents served by the new lift station will pay up to a 40% surcharge on their sanitary sewer rates for a period of 10 years in accordance with the policy.

Action/Recommendation: The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for April 23, 2019 and advertising for bids by posting notice to bidders for the project.

Alternative Recommendation: Defer project to the future

Time Sensitivity: Normal

Resolution Date: April 23, 2019

Budget Information: 655, 655000, 6550008 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

Contact Person: Chief Jerman

E-mail Address: W.Jerman@cedar-rapids.org

Cell Phone Number: 319-640-5518

Description of Agenda Item: CONSENT AGENDA

a. Biaggi’s Ristorante Italiano, 320 Collins Road NE.
b. Butcher Block Steakhouse - Boyson Road, 568 Boyson Road NE.
c. Casey’s General Store #2212, 130 41ST Avenue Drive SW.
d. Daisy’s Garage, 5240 Edgewood Road NE (adding permanent outdoor service area).
e. El Paraiso Bar & Grill, 2730 Edgewood Road SW.
f. Fong’s Pizza, 1006 3rd Street SE.
g. Green Gable Inn, 1227 J Avenue NE.
h. Hacienda Las Glorias, 715 1st Avenue SW.
i. Hacienda Las Glorias II, 4317 Center Point Road NE.
j. Iowa Brewing Company, 708 3rd Street SE.
k. Moco Game Room & Hot Dog Bar, 1600 E Avenue NE (adding permanent outdoor service area).
l. Murdoch Funeral Homes & Cremation Service, 520 Wilson Avenue SW.
m. Paradise Bar & Grill, 5200 Fountains Drive NE (adding a permanent outdoor service area).
n. R G Books, 3611 1st Avenue SE.
o. The Rewind 1010 2nd Avenue SW (new – formerly Beaver Creek Saloon).
p. Wild Hog Saloon & Eatery, 350 Commercial Drive, Walford (5-day permit for an event at Metro Harley Davidson, 2415 Westdale Drive SW).

CIP/DID #OB1145716

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

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

Action/Recommendation: Approve applications as submitted.

Alternative Recommendation:

Time Sensitivity:

Resolution Date:

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

Recommended by Council Committee: (Click here to select)
Explanation: NA
Cedar Rapids Police Department Memorandum

To: Chief Jerman

From: Lt. Fields

Subject: Beer/Liquor License Applications Calls for Service Summary

Date: 4/3/2019

<table>
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<td>El Paraíso Bar &amp; Grill</td>
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<td>Moco Game Room &amp; Hot Dog Bar</td>
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<td>1600 E AVE NE</td>
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<td>Wild Hog Saloon &amp; Eatery</td>
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<td>350 Commercial DR</td>
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</table>
Council Agenda Item Cover Sheet

Submiting Department: Finance

Presenter at Meeting: Casey Drew

Contact Person: Casey Drew
E-mail Address: c.drew@cedar-rapids.org
Cell Phone Number: (319) 538-1064

Description of Agenda Item: Bills, payroll and funds
Resolutions approving:
   a. Payment of bills. CIP/DID #FIN2019-01
   b. Payroll. CIP/DID #FIN2019-02

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: 4-9-2019

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the attached listing of bills dated the 9th day of April, 2019, has been examined and approved by the proper departments,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City of Cedar Rapids Finance Director be and is hereby authorized and directed to draw checks on the City Treasurer in favor of the holders thereof and for the various amounts and that the money necessary for payment of the same is hereby appropriated from the different funds.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
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.

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<tr>
<th>Department</th>
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<th>Department</th>
<th>Total</th>
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<td>PW – Engineering</td>
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<td>Golf Operations</td>
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<td>Grand Total</td>
<td>$ 0</td>
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PASSED.DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:
ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Water
Presenter at Meeting: Steve Hershner
Contact Person: Steve Hershner
E-mail Address: SteveHe@cedar-rapids-org
Cell Phone Number: 538-1059

Description of Agenda Item: Intent and levy assessments
Intent to Assess – Utilities-Water Division – delinquent municipal utility bills – 36 properties.
CIP/DID #WTR040919-01

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) to the customer and property owner giving them 30 days to pay their delinquent municipal utility bill before the 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 hereby 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: 4/09/19
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 14th day of May, 2019. 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., May 14, 2019.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
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<th>Premise Address</th>
<th>District #</th>
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<td>3</td>
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$6,285.85 Grand Total

36 Number of Properties

$36.40 Balance Due - Low

$619.45 Balance Due - High
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.: 538-1059/270-5219

Description of Agenda Item: CONSENT AGENDA

Water Pollution Control Sludge Screen Process Improvements project, final retainage payment in the amount of $127,859.77 and approve the 2-year Performance Bond submitted by WRH, Inc., (original contract amount was $857,300; final contract amount is $925,664.29).

CIP/DID #615212-03

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

Background:
The project consisted of installing a Primary Sludge Screen (inclined rotary drum screen), washing press and miscellaneous associated appurtenances in the Belt Filter Press Area of the Solids Handling Building. The existing Primary Sludge Screen (stair screen) remained in the Second Floor Grit Room and the new Primary Sludge Screen was installed in an adjacent room. Additional work included: construction of screen operating platform, hoisting system, piping demolition, HVAC, plumbing, electrical and controls and miscellaneous associated work for a complete system.

There was one change order approved for this project in the amount of $68,364.29.

Action/Recommendation: The Utilities Department – Water Pollution Control Division staff recommends that City Council approve the resolution to accept the project and Performance Bond and authorize issuance of the final retainage payment to WRH, Inc., in the amount of $127,859.77, thirty days after acceptance in accordance with Iowa Code.

Alternative Recommendation: None

Time Sensitivity: 4-9-19

Resolution Date: 4-9-19

Budget Information:

1. Included in Current Budget Year: Yes, funding for the WPCF Primary Sludge Screen Process Improvements project is included in the FY17 and FY18 WPC CIP budget. Project costs will be coded to 553000-615-615000-615212.

2. Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison: There is currently $300,000 budgeted in the FY2017 CIP
budget and $800,000 in the proposed FY2018 CIP budget for the construction of the WPCF Primary Sludge Screen Process Improvements project. If needed, additional funds are available by adjusting other items in the CIP budget or from reserves.

3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project was publicly bid as a Capital Improvement Project.

**Local Preference Policy:** No  
**Explanation:** Capital Improvement Projects are not subject to local preference policy.

**Recommended by Council Committee:** NA  
**Explanation:** NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Utilities Department – Water Pollution Control Facility certifies contract work on the Water Pollution Control Sludge Screen Process Improvements project (Contract No. 615212-03) is substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated December 20, 2016 in the amount of $857,300 covering said work filed by WRH, Inc. and executed by Merchants Bonding Company provides a two-year correction period for defects in materials and workmanship, and

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

BE IT FURTHER RESOLVED, that the Utilities Department – Water Pollution Control Division staff recommends that the City Council approve the resolution in the amount of $127,859.77 to WRH, Inc. thirty days after acceptance in accord with the State of Iowa Code. The original contract amount was $857,300; final contract amount is $925,664.29.

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
Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Battalion Chief Brian Gibson

Contact Person: Assistant Fire Chief Curtis Hopper
E-mail Address: c.hopper@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Amendment No. 4 to the contract with Reliant Fire Apparatus, Inc. for fire apparatus parts and training for the Fire Department to reflect the additional cost for parts for an amount not to exceed $30,000 (original contract amount was $50,000; total contract amount with this amendment is $80,000).
CIP/DID #PUR0515-231

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

Background:
Reliant Fire Apparatus, Inc. provides a discount off list price for Pierce and other manufacturers parts. Also, Reliant provides tuition for two (2) Pierce provided service training classes per year.

This amendment is to add $30,000 to the contract due to an increase in the purchase of parts for repairs to the fire vehicles.

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: April 9, 2019

Budget Information: 071-071100-533102

Local Preference Policy: Yes
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Reliant Fire Apparatus, Inc. are parties to a contract for the annual as-needed purchase of fire apparatus parts and training for the Fire Department; and

WHEREAS, both parties have agreed to amend the contract to reflect an increase in the cost for parts for repair of the fire vehicles in the amount of $30,000; and

WHEREAS, the annual not to exceed amount for this contract renewal period (08/01/2018 - 07/31/2019) shall increase from $50,000 to $80,000; and

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

<table>
<thead>
<tr>
<th>Description</th>
<th>Authorization</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Term of Contract</td>
<td>Resolution No. 1091-07-15</td>
<td>08/01/2015 - 07/31/2016</td>
</tr>
<tr>
<td>Amendment No. 1 to renew Contract</td>
<td>Resolution No. 0924-07-16</td>
<td>08/01/2016 - 07/31/2017</td>
</tr>
<tr>
<td>Amendment No. 2 to renew Contract</td>
<td>Resolution No. 0918-07-17</td>
<td>08/01/2017 - 07/31/2018</td>
</tr>
<tr>
<td>Amendment No. 3 to renew Contract</td>
<td>Resolution No. 1026-08-18</td>
<td>08/01/2018 - 07/31/2019</td>
</tr>
<tr>
<td>Amendment No. 4 for increase</td>
<td>Pending</td>
<td>Effective 04/09/19</td>
</tr>
</tbody>
</table>

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Information Technology

Presenter at Meeting: Julie Macauley

Contact Person: Julie Macauley
E-mail Address: j.macauley@cedar-rapids.org

Cell Phone Number: 319-929-0594

Description of Agenda Item: Purchases, contracts and agreements
Master Agreement and Orders with Nuance Communications, Inc. for Winscribe licensing, software maintenance and support for an amount not to exceed $72,902.
CIP/DID #132104-02

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

Background: The Nuance product Dictaphone is currently being used by the Cedar Rapids Police Department officers for recording and transcription of case narratives. This product is at end of life and no longer being supported. Winscribe is the Nuance product replacing the previous Dictaphone product. The Information Technology Department is recommending replacement of this software and to have software maintenance and support on the new product.

There will be one master agreement #132104-02 for Winscribe and then two orders. Order number #CRPD001 is a five year maintenance agreement for the Winscribe for an annually amount of $13,099.20 totally $65,496. One benefit of entering a five-year agreement is that the City is then offered a twenty percent discount. Order number #CRPD002 is a one-time expense for implementing the Winscribe System. This purchase includes one-time licensing, hardware and implementation costs.

All three documents will need to be executed by the City Manager.

Action/Recommendation: City staff recommends approval of the resolution

Alternative Recommendation: No maintenance and support,

Time Sensitivity: N/A

Resolution Date: April 9, 2019

Budget Information: 132104

Local Preference Policy: NA
Explanation:

Recommended by Council Committee: NA
Explanation:
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Cedar Rapids Police Department uses Nuance Dictaphone software for recording and transcription of case narratives, and

WHEREAS, the current Nuance application Dictaphone is at end of life and being replaced with Nuance Winscribe, and

WHEREAS, the Police and Information Technology Departments have identified the need to upgrade and have support and maintenance of the dictation system, and

WHEREAS, the Cedar Rapids Department has identified the funding of 101-132104,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to execute the Master Agreement, Orders #CRPD001 and #CRPD001 as herein the agreements with Nuance as described herein.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Mike Duffy

**Contact Person:** Jen Winter  
**E-mail Address:** J.Winter@cedar-rapids.org  
**Cell Phone Number:** 319-538-1076

**Description of Agenda Item:** Purchases, contracts and agreements  
Amendment No. 1 to renew the contract with Croell Redi-Mix, Inc. for concrete products for various city departments for an annual amount not to exceed $60,000 (original contract amount was $60,000; renewal contract amount is $60,000).  
CIP/DID #PUR0318-141

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

**Background:** Croell Redi-Mix, Inc. was awarded the contract for as-needed purchases of concrete products through Resolution No. 0518-04-18. The contract period is May 1, 2019 through April 30, 2020 with three additional one-year renewal options remaining.

Croell Redi-Mix, Inc. held their prices firm for the renewal period. The estimated annual cost is $60,000. Public Works is the largest user of this contract, but all City departments can utilize it.

<table>
<thead>
<tr>
<th>Description of Product</th>
<th>Unit of Measure</th>
<th>Firm Fixed Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iowa DOT C-3</td>
<td>Cubic yard</td>
<td>$100.00 cu yd</td>
</tr>
<tr>
<td>Iowa DOT C-4</td>
<td>Cubic yard</td>
<td>$101.00 cu yd</td>
</tr>
<tr>
<td>Iowa DOT M-4</td>
<td>Cubic yard</td>
<td>$116.00 cu yd</td>
</tr>
<tr>
<td>Class C-4 PCC</td>
<td>Cubic yard</td>
<td>$101.00 cu yd</td>
</tr>
<tr>
<td>Class C-4 (WR-C 15%) PCC</td>
<td>Cubic yard</td>
<td>$101.00 cu yd</td>
</tr>
<tr>
<td>Flowable Mortar</td>
<td>Cubic yard</td>
<td>$76.00 cu yd</td>
</tr>
<tr>
<td>High Early (D-57)</td>
<td>Cubic yard</td>
<td>$105.00 cu yd</td>
</tr>
<tr>
<td>Class M4 PCC</td>
<td>Cubic yard</td>
<td>$116.00 cu yd</td>
</tr>
<tr>
<td>Sidewalk Mix 4000 psi</td>
<td>Cubic yard</td>
<td>$96.00 cu yd</td>
</tr>
<tr>
<td>Mudjacking Mix greater than 500 psi</td>
<td>Cubic yard</td>
<td>$108.00 cu yd</td>
</tr>
<tr>
<td>Winter Heating</td>
<td>Cubic yard</td>
<td>$6.00 cu yd</td>
</tr>
<tr>
<td>2% Chloride</td>
<td>Cubic yard</td>
<td>$5.00 cu yd</td>
</tr>
</tbody>
</table>

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

**Alternative Recommendation:**
Time Sensitivity: Medium

Resolution Date: April 9, 2019

Budget Information: Various department operating budgets

Local Preference Policy: Yes
   Explanation: Awarded vendor is certified local

Recommended by Council Committee: NA
   Explanation: NA
WHEREAS, the City of Cedar Rapids and Croell Redi-Mix, Inc. are parties to a contract for the annual as-needed purchase of concrete products for various City departments; 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, a summary of the contract is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Authorization</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Term of Contract</td>
<td>Resolution No. 0518-04-18</td>
<td>05/01/2018 - 04/30/2019</td>
</tr>
<tr>
<td>Amendment No. 1 to renew Contract</td>
<td>Pending</td>
<td>05/01/2019 - 04/30/2020</td>
</tr>
</tbody>
</table>

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
Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Mike Duffy

Contact Person: Jen Winter
E-mail Address: J.Winter@cedar-rapids.org

Cell Phone Number: 319-538-1076

Description of Agenda Item: Purchases, contracts and agreements
Contract with Logan Contractors Supply for flexible crack & joint sealant for the Street Division for an annual amount not to exceed $120,000.
CIP/DID #PUR0319-199

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

Background:
Logan Contractors Supply is the territorial distributor for the Crafco flexible crack and joint sealant products. These products are used by the Street Division for road repairs.

This contract is for the as-needed purchase and delivery of the products for the contract period May 1, 2019 - April 30, 2020. There are four additional one-year renewal options available. The annual estimated expenditure is $120,000.

Pricing Summary:

<table>
<thead>
<tr>
<th>Description</th>
<th>UOM</th>
<th>Unit Price</th>
<th>Delivery</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crafco flexible crack and joint sealant material</td>
<td>Pound</td>
<td>$0.59</td>
<td>1-5 days</td>
</tr>
<tr>
<td>Mastic One flexible crack and joint sealant material</td>
<td>Pound</td>
<td>$0.69</td>
<td>1-5 days</td>
</tr>
<tr>
<td>Rental of Crafco Patcher II</td>
<td>Month</td>
<td>$4,230</td>
<td>Delivery must be scheduled</td>
</tr>
</tbody>
</table>

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: April 9, 2019

Budget Information: Various project budgets

Local Preference Policy: Yes
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
RESOLUTION NO.  LEG_NUM_TAG

WHEREAS, the Street Division utilizes Crafco flexible crack and joint sealant material for road repairs; and

WHEREAS, Logan Contractors Supply is the territorial distributor of the Crafco material; and

WHEREAS, the Street Division desires to enter into a contract with Logan Contractors Supply for the as-needed purchase and delivery of Crafco sealant materials; and

WHEREAS, the contract period is May 1, 2019 - April 30, 2020 with four additional one-year renewal options; and

WHEREAS, the estimated annual expenditure is $120,000.

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Mike Duffy

Contact Person: Jen Winter  Cell Phone Number: 319-538-1076
E-mail Address: J.Winter@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Amendment No. 2 to renew contract with Cutting Edge Lawn and Landscapes, Inc. for Median Landscape Maintenance for the Streets & Sewer Divisions for an annual amount not to exceed $60,000 (original contract amount was $45,000; renewal contract amount is $60,000).
CIP/DID #PUR0118-115

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: Purchasing Services solicited bids for Median Maintenance Services and awarded the contract to Cutting Edge Lawn and Landscapes for the contract period April 1, 2018 through March 31, 2019 with 4 one-year renewal options. The City wishes to renew the contract with Cutting Edge Lawn and Landscapes for the renewal period of April 1, 2019 through March 31, 2020. This leave 3 one-year renewal options remaining on the contract.

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: April 9, 2019

Budget Information: Streets and Sewer Operating Budget

Local Preference Policy: Yes
Explanation: Cutting Edge is a certified local business

Recommended by Council Committee: NA
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Cutting Edge Lawn and Landscapes, Inc. are parties to a contract for median maintenance services for the Streets and Sewer Divisions; 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, a summary of the contract is as follows:

<table>
<thead>
<tr>
<th>Original Contract</th>
<th>Signed by the CITY on 03/29/2018</th>
<th>04/01/2018-03/31/2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amendment No. 1 to add services</td>
<td>Resolution No. 0943-07-18</td>
<td>Effective 06/15/2018</td>
</tr>
<tr>
<td>Amendment No. 2 to renew contract</td>
<td>Pending</td>
<td>04/01/2019-03/31/2020</td>
</tr>
</tbody>
</table>

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 2 to renew the contract as described herein.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Water Pollution Control

Presenter at Meeting: Steve Hershner

Contact Person: Steve Hershner
E-mail Address: SteveHe@cedar-rapids.org

Cell Phone Number: 538-1059

Description of Agenda Item: Purchases, contracts and agreements

Resolutions approving actions regarding Purchases/Contracts/Agreements:

  a. Professional Services Agreement with CDM Smith Inc. for an amount not to exceed $101,595 for the Indian Creek Lift Station Improvements Study.

CIP/DID #6150044-01

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

Background: The Indian Creek Lift Station is located at 5801 Otis Rd SE near the Indian Creek Nature Center. The facility was constructed in 1999 as part of the Anaerobic Pretreatment System Conveyance Facilities project. The lift station was designed as a three submersible pump system, with space to install a fourth pump at a later date. Each pump has a normal operating capacity of 1,100 gallons per minute (1.5 million gallons per day) and receives flow from the anaerobic gravity fed sewer.

Repairs to the facility were made in 2009 with the Indian Creek Corrosion Repairs project. Work included repairs to concrete deterioration and cracking, as well installation of a protective liner to the wet well.

20 years have elapsed since the original construction and it has been 10 years since a thorough inspection and assessment was made. The goal of this project is to clean, inspect, and evaluate the capacity, condition, functionality, and expected life cycle of the lift station and the nearby manhole diversion structure.

The evaluation shall review wet well sizing, pump capacity, structural integrity of the pump station and nearby manhole diversion structure, process and electrical equipment and piping condition, building and site conditions, and other relevant items. Study shall consider current flows and anticipated future flows into the lift station.

A report will be completed with detailed findings, rehabilitation vs. replacement alternatives, and recommendations for the facility, including budgetary construction cost estimates for each of the explored alternatives.
Action/Recommendation: The Utilities Department staff recommends approval of the Professional Services Agreement with CDM Smith Inc. for the Indian Creek Lift Station Improvements Study and that the City Manager and City Clerk be authorized to execute said Agreement.

Alternative Recommendation: None

Time Sensitivity: 4-9-19

Resolution Date: 4-9-19

Budget Information:

1. **Included in Current Budget Year?** Yes. The project will be funded from the FY 2019 Water Pollution Control Division Capital Improvement Projects budget.

2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently $50,000 in the FY2019 adjusted Capital Improvements Project budget and $52,000 in the proposed FY2020 Water Pollution Control Division Capital Improvement Projects budget for the Indian Creek Lift Station Improvements Study. If needed, additional funds are available by adjusting other items in the CIP budget or from reserves. The project will be coded to the following CIP fund: 553000-615-615000-x-x-6150044.

3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, statements of qualifications were requested from six engineering firms and evaluated by Utilities Department staff using objective criteria.

Local Preference Policy: Yes

Explanation: Consultant selection process gives preference to local firms.

Recommended by Council Committee: NA

Explanation: NA
WHEREAS, the Cedar Rapids Utilities Department – Water Pollution Control Division needs to have a comprehensive review and evaluation study done of the Indian Creek Lift Station located at 5801 Otis Road SE near the Indian Creek Nature Center, and

WHEREAS, 20 years have elapsed since the original construction and it has been 10 years since a thorough inspection and assessment was made. The goal of this project is to clean, inspect, and evaluate the capacity, condition, functionality, and expected life cycle of the lift station and the nearby manhole diversion structure, and

WHEREAS, six engineering firms were contacted for Statements of Qualifications to perform the study. The Utilities Department staff evaluated the qualifications of the responding firms and determined that the technical resources that CDM Smith Inc. could bring to the project best met the needs of the Utilities Department, and

WHEREAS, CDM Smith Inc. has proposed to furnish these services for an amount not to exceed $101,595.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Professional Services Agreement with CDM Smith Inc. for an amount not to exceed $101,595 for the Indian Creek Lift Station Improvements Study be hereby approved and that the City Manager and City Clerk be hereby authorized to execute said Agreement. Funding for the project is included in the FY19 and FY20 Water Pollution Control Division CIP budget. Project costs will be coded to 553000-615-615000-x-x-6150044.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Water Pollution Control

Presenter at Meeting: Steve Hershner

Contact Person: Steve Hershner
E-mail Address: SteveHe@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Amendment No. 6 to the Professional Services Agreement with HDR, Inc. for an amount not to exceed $64,400 for the modified scope of work for the WPCF Nutrient Removal and Solids Facilities Plan engineering services (original contract amount was $660,083; total contract amount with this amendment is $1,170,497).

CIP/DID #6150011-01

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: On November 17, 2015, the Cedar Rapids City Council approved a Professional Services Agreement with HDR, Inc. for engineering services to assist in development of the WPCF Nutrient Removal and Solids Facilities Plan. This Plan is intended to help the City address several upcoming requirements, including the Iowa Nutrient Reduction Strategy. The plan updates portions of the 2006 WPCF Master Plan and the 2011 Solids Facility Plan related to nutrient removal and solids handling and treatment. This is needed to reflect the changes that have taken place since these reports were issued.

Since entering the study phase of the project, it was determined that modifications to the original scope of engineering services are needed to address additional issues at the plant that were identified by staff during the study effort. The modifications to the previously amended scope of services will accommodate the following:

1. Development of a revenue and debt model to assist with evaluating impacts of proposed treatment alternatives.
2. To assist the City in applying for strategic funding for this project, specifically the 2019 round of Water Infrastructure Finance and Innovation Act (WIFIA) funding. This scope is for the initial activity required in the process – to submit a Letter of Interest.
3. To assist the City in being added to the Intended Use Plan (IUP) list and the associated potential for SRF funding.
4. To adjust the project schedule to accommodate these additional tasks.
Action/Recommendation: The Utilities Department – WPC Division recommends approval of Amendment No. 6 to the Professional Services Agreement with HDR, Inc. for the WPCF Nutrient Removal and Solids Facilities Plan engineering services and that the City Manager and City Clerk be authorized to execute said Agreement.

Alternative Recommendation: None

Time Sensitivity: 4-9-19

Resolution Date: 4-9-19

Budget Information:

1. Included in Current Budget Year. Yes, funding for the WPCF Nutrient Removal and Solids Facilities Plan is included in FY2019 and FY2020WPC budgets. Project costs will be coded to 925-553000-615-615000-6150011.

2. Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison: There is currently $250,000 in the adjusted FY2019 Capital Improvement Projects budget and $150,000 in the adjusted FY2020 Capital Improvement Projects budget for the WPCF Nutrient Removal and Solids Facilities Plan and DAF Improvements. If needed, additional funds are available by adjusting other items in the CIP budget or from reserves.

3. Purchasing Department used or Purchasing Guidelines followed: Yes, statements of qualifications were requested from multiple engineering firms and evaluated by Utilities Department staff using objective criteria.

Local Preference Policy: Yes
Explanation: Consultant Evaluation form gives preference to local consultants

Recommended by Council Committee: NA
Explanation: NA
WHEREAS, the City of Cedar Rapids Utilities Department – Water Pollution Control Division executed a Professional Services Agreement with HDR, Inc. for the WPCF Nutrient Removal and Solids Facilities Plan engineering services (Contract No. 6150011-01) for an amount not to exceed $660,083 by Resolution No. 1644-11-15 on November 17, 2015, and

WHEREAS, additional issues were identified by staff during the study phase of the project, and

WHEREAS, the Water Pollution Control Staff recommends approval of Amendment No. 6, to the Professional Services Agreement with HDR, Inc. for an amount not to exceed $64,400 for the WPCF Nutrient Removal and Solids Facilities Plan engineering services, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Amendment No. 6 to the Professional Services Agreement with HDR, Inc. for an amount not to exceed $64,400 for the WPCF Nutrient Removal and Solids Facilities Plan engineering services (Contract No. 6150011-01) be hereby approved and the City Manager and City Clerk be authorized to execute said amendment. The original contract amount was $660,083; total contract amount with this amendment is $1,170,497. To be funded from the FY2019 and FY2019 Water Pollution Control budget and coded to 553000-615-615000-6150011.
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Justin Holland

Contact Person: Jennifer L. Winter, PE  
E-mail Address: j.winter@cedar-rapids.org  
Cell Phone Number: 319-538-1076

Description of Agenda Item: Purchases, contracts and agreements
Authorizing execution of Change Order No. 2 in the amount of $170,149.46, and extending the completion date to March 31, 2019 with Miron Construction Co., Inc. for the Downtown Walkway from the Convention Center Ramp to U.S. Bank project (original contract amount was $1,598,937.75; total contract amount with this amendment is $2,081,141.82).
CIP/DID #635129-02

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.

- After redesigning the micropiles in July that were in conflict with the Alliant electric duct, two additional issues were discovered. A layer or ruble and obstructions at several micropile lines needed to be removed, and the footing of the US Bank building at a depth of 18’ encroached into the alley on average 2.5’, which interfered with the proposed micropiles closest to the building. The additional cost will cover the general contractors obligated time on the project based on how it was originally bid. T&M cost realized by the contractor during the redesign and the US Bank brick veneer exploration have been subtracted from the general contract total.
- Obstructions and a layer of ruble were removed at micropile lines E, D, E.8, & A. These obstructions were located deeper than the micropile sleeves that had previously been placed, resulting in the sleeves being removed and reinstalled after the obstructions were cleared. These obstructions were removed by traditional and hydro excavation.
- During the delay, Alliant energy removed the abandoned steam line located in the alley. The city requested that a representative of Miron was on-site while the work was taking place to ensure Alliant’s work did not interfere with the proposed micropiles and verify that the area was free of obstructions.
- The sanitary sewer in the alley was located incorrectly by city staff, which resulted in it being hit while drilling a micropile. An after-hours emergency repair was made quickly to prevent property owner damage in the downtown area.
A steel handrail was added to the interior of the skywalk to ensure ADA compliance. The minimum slope without a handrail is 5%. After finding a finished floor elevation discrepancy at the US Bank connection, the slope is now above 5%.

A concerning bulge in the brick veneer on the US Bank building warranted exploratory camera work in the cavity between the brick and existing CMU wall. US bank representatives were notified about the deficiencies and repaired them.

Originally the water main (item 13) was to be relocated so that it would not be in conflict with the proposed micropiles. Because of the revised micropile locations most of the water main stays in place. A small piece at the west end was relocated in conjunction with moving a service. Removing most of the water main quantity resulted in a renegotiated price to cover the fixed cost of the item. Item 13 will be deducted on the final change order.

The original contract documents included the City supplying the light fixtures for the skywalk. This issue was brought up during the bid phase, but it was too late to issue an addendum stating that they would be contractor supplied. By having the contractor supply the light fixtures it eliminates the logistics of the city having to supply them while also taking advantage of the contractors pricing ability. The contractor is still responsible for the installation as originally planned.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 1 submitted by Miron Construction.

**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:** April 9, 2019

**Budget Information:**
635/635000/635129
STP Federal-Aid Grant (STP-U-1187(781)-79-57)

**Local Preference Policy:** NA
**Explanation:** Project funding is through the federal-aid Surface Transportation Program (STP) and local preference is not allowed.

**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 $170,149.46, and extending the completion date to March 31, 2019 with Miron Construction for the Downtown Walkway from the Convention Center Ramp to U.S. Bank, Contract No. 635129-02. A cost summary of the contract changes for this project is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract Amount</td>
<td>$1,598,937.75</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>312,054.61</td>
</tr>
<tr>
<td>Change Order No. 2</td>
<td>170,149.46</td>
</tr>
<tr>
<td>Amended Contract Amount</td>
<td>$2,081,141.82</td>
</tr>
</tbody>
</table>

General ledger coding for this Change Order to be as follows: $312,054.61 635-635000-63585-635129

Attest:
ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department:  Public Works

Presenter at meeting:  Justin Holland

Contact Person:  Jennifer L. Winter, PE  Cell Phone Number:  319-538-1076
E-mail Address:  j.winter@cedar-rapids.org

Description of Agenda Item:  Purchases, contracts and agreements
Authorizing execution of Change Order No. 5 in the amount of $112,400 with WRH, Inc. for the Quaker Oats Flood Control System project (original contract amount was $14,450,000; total contract amount with this amendment is $14,867,067.18).
CIP/DID #3314520-30

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

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 base of the new wet well was poured 2.75’ higher than the plan indicated.  In lieu of retrofitting the already manufactured discharge piping at a cost to the contractor, the City agreed to accept the deduction of $1500.

Action/Recommendation:  The Public Works Department recommends approval of Change Order No. 5 submitted by WRH, 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:  April 9, 2019

Budget Information:  $1.73 million Federal EDA funds with the balance being GRI.

Local Preference Policy:  NA
Explanation:  NA

Recommended by Council Committee:  Yes
Explanation:  Flood Control Committee
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. 5 in the amount of $112.40 with WRH, Inc. for the Quaker Oats Flood Control System project, Contract No. 3314520-30. A cost summary of the contract changes for this project is as follows:

<table>
<thead>
<tr>
<th>Original Contract Amount</th>
<th>$14,200,000.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Incentive Value</td>
<td>250,000.00</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>341,057.09</td>
</tr>
<tr>
<td>Change Order No. 2</td>
<td>59,687.19</td>
</tr>
<tr>
<td>Change Order No. 3</td>
<td>13,461.30</td>
</tr>
<tr>
<td>Change Order No. 4</td>
<td>2,749.20</td>
</tr>
<tr>
<td>Change Order No. 5</td>
<td>112.40</td>
</tr>
<tr>
<td>Amended Contract Amount</td>
<td>$14,867,067.18</td>
</tr>
</tbody>
</table>

General ledger coding for this Change Order to be as follows: $112.40 331-331100-7972-3314520 GRI

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Water Pollution Control

Presenter at Meeting: Steve Hershner

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

Cell Phone Number: 538-1059/270-5219

Description of Agenda Item: Purchases, contracts and agreements
Partial final payment in the amount of $294,997.20 to Williams Brothers Construction, Inc. for the Water Pollution Control Odor Control Upgrades project.

CIP/DID #615233-02

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

**Background**: Construction has been substantially completed by Williams Brothers Construction, Inc., for the WPC Odor Control Upgrades project. The remaining $50,000 retainage will be held until final punch list items are completed and approved by the engineer.

**Action/Recommendation**: The Water Pollution Control Division recommends approval of the Resolution releasing partial final payment in the amount of $294,997.20 to Williams Brothers Construction, Inc.

**Alternative Recommendation**: If Council does not approve the partial final retainage release, the contractor will have to wait until the additional work is complete to receive the funds.

**Time Sensitivity**: 4-9-19

**Resolution Date**: 4-9-19

**Budget Information**:
1. **Included in Current Budget Year**: Yes. The project will be funded from the FY 2016, FY 2017, FY 2018, and FY 2019 WPC Division Capital Improvement Projects budget. The project will be coded to the following CIP funds: 553000-615-615000-x-x-615233, 615236, and 6150010.

2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison**: There is currently $500,000 budgeted in the FY2016 CIP budget, $2,300,000 planned in the FY 2017 budget, $3,050,000 planned in the FY 2018 budget and $1,200,000 planned in FY 2019 budget for the WPCF Odor Control Upgrades project.

3. **Purchasing Department used or Purchasing Guidelines followed**: Yes, the project is being publicly bid as a Capital Improvement Project.
Local Preference Policy: No
Explanation: Capital Improvement Projects are not subject to local preference policy.

Recommended by Council Committee: NA
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the work on the Water Pollution Control Odor Control Upgrades project (contract 615233-02) has been substantially completed by Williams Brothers Construction, Inc. in accordance with the plans and specifications and that the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of $294,997.20 to Williams Brothers Construction, Inc. as a partial final payment, and

BE IT FURTHER RESOLVED, that the remaining $50,000 retainage will be held until final punch list items are completed and approved by the engineer.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Brenna Fall

Contact Person: Jennifer L. Winter, PE
E-mail Address: j.winter@cedar-rapids.org

Cell Phone Number: 319-538-1076

Description of Agenda Item: Purchases, contracts and agreements
Resolution to follow-up per No.3 on Resolution No. 0158-01-96, requesting escrowed funds from Cedar Rapids Bank & Trust Company in the amount of $2,200 for the construction of the new sidewalk segment adjacent to Lots 139 and 140 of the Van Buren Heights Subdivision.
CIP/DID #3012074-03

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

Background: City of Cedar Rapids Council Resolution No. 0158-01-96 was approved on January 24, 1996. It stipulated a sum of $2,200 shall be escrowed for the construction of sidewalk at Lots 12 and 13 of the Van Buren Heights 12th Subdivision in Cedar Rapids, Iowa by the property owner with Guaranty Bank & Trust Company, which was acquired by Cedar Rapids Bank & Trust Company.

The Public Works Department observed Preliminary Plat 15-94 and City Council Resolution No. 0602-04-94 identified that Lots 12 and 13 were to be platted for Van Buren Heights 12th Addition. It was determined from the Final Plat recorded with the Linn County, Iowa Recorder (Book 3711, Page 185) that Lots 12 and 13 from the preliminary plat were final platted as Lots 139 and 140, respectively, on the Van Buren Heights 12th Addition final plat.

Per No. 3 of Resolution No. 0158-01-96, the escrowed funds shall be paid “to the City of Cedar Rapids upon request by resolution of the City Council”. Also, per No. 5 of Resolution No. 0158-01-96, the City will “use part or all of said funds to do the necessary work.” The Public Works Department has determined that the sidewalk can and should be constructed and the work will fully exceed $2,200, and as such will request the entire $2,200 from Cedar Rapids Bank & Trust Company.

Action/Recommendation: The Public Works Department recommends adoption of the resolution requiring the sum of $2,200 be submitted to the City of Cedar Rapids from Cedar Rapids Bank & Trust Company for the construction of the new sidewalk segment, per No. 3 of Council Resolution No. 0158-01-96.

Alternative Recommendation: If Council does not approve the Resolution to require the funds to be submitted for the sidewalk construction, an additional funding source would have to be identified for the construction of this segment.

Time Sensitivity: None
Resolution Date: April 9, 2019

Budget Information: 301/301000/3012074 NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
WHEREAS, the Final Plat approved by Resolution No. 0158-01-96 on January 24, 1996 and recorded with the Linn County, Iowa Recorder (Book 3711, Page 185) shows that Lots 12 and 13 from the preliminary plat were final platted as Lots 139 and 140, respectively, on the Van Buren Heights 12th Addition final plat, and

WHEREAS, item No. 1 as identified on Resolution No. 0158-01-96 stipulated that a sum of $2,200 shall be placed in escrow as security for the installation of sidewalks at Lots 12 and 13 of the Van Buren Heights 12th Subdivision in Cedar Rapids, Iowa by the property owner with Guaranty Bank & Trust Company, and

WHEREAS, Guaranty Bank & Trust Company was acquired by Cedar Rapids Bank & Trust Company, and

WHEREAS, Preliminary Plat 15-94 and City Council Resolution No. 0602-04-94 identified Lots 12 and 13 to be platted for Van Buren Heights 12th Addition, and

WHEREAS, per No. 3 of Resolution No. 0158-01-96, the escrowed funds shall be paid “to the City of Cedar Rapids upon request by resolution of the City Council,” and

WHEREAS, per No. 5 of Resolution No. 0158-01-96, the City will “use part or all of said funds to do the necessary work,” and

WHEREAS, the Public Works Department has determined that the $2,200 should be requested from Cedar Rapids Bank & Trust Company for the construction of the new sidewalk, now therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA: That per No. 3 item identified on Resolution No. 0158-01-96, Cedar Rapids Bank & Trust Company shall be required to pay the City $2,200 for the construction of the new sidewalk segment adjacent to Lots 139 and 140 of the Van Buren Heights Subdivision in Cedar Rapids, Iowa.
MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Michele Tamerius

Contact Person: Casey Drew
E-mail Address: C.Drew@cedar-rapids.org

Cell Phone Number: 319-538-1064

Description of Agenda Item: Purchases, contracts and agreements
Agreement Regarding Assignment of Funding Trust Agreement from Bankers Trust Company to UMB Bank in connection with the continued redevelopment of the Westdale Mall area. CIP/DID #OB812292 & ATT000016

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

Background:

Bankers Trust Company, Corporate Trust division was purchased by UMB Bank and has requested that the current contract for Funding Trust Agreement be assigned to UMB Bank.

UMB Bank (Assignee) will assume the liabilities and obligations of Bankers Trust Company (Assignor) under this Contract (continued redevelopment of the Westdale Mall area).

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

Alternative Recommendation: none

Time Sensitivity: medium

Resolution Date: 04/09/2019

Budget Information: n/a

Local Preference Policy: Yes
Explanation: NA

Recommended by Council Committee: No
Explanation: NA
RESOLUTION NO.  LEG_NUM_TAG

WHEREAS, Bankers Trust Company and the City of Cedar Rapids are parties to one Contract for Funding Trust Agreement; and

WHEREAS, UMB Bank (Assignee) desires to assume the liabilities and obligations of Bankers Trust Company (Assignor) under this contract, and the City desires to consent to such assignment and assumption upon the terms and conditions set forth in the Agreement Regarding Assignment of Funding Trust Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the above recommendation be approved and that the City Manager and the City Clerk be authorized to sign the Agreement Regarding Assignment of Funding Trust Agreement.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Caleb Mason

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

Phone Number/Ext.: 319 286-5047

Description of Agenda Item: Bills, payroll and funds
Resolution authorizing a Semi-Annual Economic Development Grant payment to New Bohemia Station, LLC in an amount of $7,623. CIP/DID #OB803603

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

Background: The resolution authorizes an additional payment of $7,623 to fulfill the City’s Semi-Annual Economic Development Grant payment to New Bohemia Station, LLC in accordance with the Development Agreement. In February, the City Council authorized payment in an amount of $18,488. The full ED Grant payment should be $26,111. This additional payment reconciles the total ED Grant payment for this period.

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

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

Time Sensitivity: Annual payments due per each individual Development Agreement.

Resolution Date: April 9, 2019

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

Local Preference Policy: NA

Recommended by Council Committee: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and New Bohemia Station, LLC (the “Developer”) entered into a Development Agreement (the “Agreement”) dated January 24, 2014, which set forth redevelopment requirements of the Developer and further provided for City payment of twenty (20) semi-annual Economic Development Grants; and

WHEREAS, the redevelopment improvements specified in the Agreement are entirely within the Riverside-Oakhill subarea of the Consolidated Central Urban Renewal Area as established by the City Council, through Resolution No. 2254-11-00, that is periodically amended; and

WHEREAS, on February 26, 2019 the City Council authorized a Semi-Annual Grant Payment in an amount of $18,448; and

WHEREAS, the previously authorized Semi-Annual Grant Payment was calculated in error and the amount owed to the Developer for this period is $26,111, and therefore a reconciling payment of $7,623 is owed to the Developer.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Finance Director and City Treasurer are hereby authorized to make an Economic Development Grant Payment to New Bohemia Station, LLC in the amount of $7,623 to be paid from the Consolidated Central Tax Increment Financing fund (Acct. # 7520-75200-752010).

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Development Services Department

Presenter at meeting: Tyrell Gingerich

Contact Person: Sandi Fowler  
E-mail Address: s.fowler@cedar-rapids.org  
Cell Phone Number: 319-538-1062

Description of Agenda Item: Purchases, contracts and agreements
Resolution accepting a Warranty Deed, Acquisition plat, groundwater hazard statement and Concrete Pavement and Concrete Sidewalk Petition and Assessment Agreement for the dedication of street right-of-way along the east side of 26th Street SW and south of Highway 30 as required prior to Plat of Survey No. 2113 approval as requested by Archer Daniels Midland Co.
CIP/DID #PLSV-024148-2016


Background: As a condition of plat of survey approval the City required an additional 7’ right-of-way dedication to make for a total 40’ half-width right-of-way along the east half of 26th Street SW adjacent to the Plat of Survey No. 2113 as requested by Archer Daniels Midland Co.

Action/Recommendation: The Development Services Department recommends accepting the additional right-of-way as required by the Subdivision Ordinance.

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

Time Sensitivity: NA

Resolution Date: April 9, 2019

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
Location Map:
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, as a requirement of Plat of Survey No. 2113 for property located at 4925 26th Street SW, property owner Archer Daniels Midland Co. submitted to the City the following executed documents:

1. Warranty Deed for 26th Street SW right-of-way dedication.
2. Groundwater Hazard Statement.
3. Concrete Pavement and Concrete Sidewalk Petition and Assessment Agreement

WHEREAS, the deed, the statement and Petition and Assessment Agreement 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, the Warranty Deed, Groundwater Hazard Statement, and Concrete Pavement and Concrete Sidewalk Petition and Assessment Agreement noted above be and the same are hereby accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen

Contact Person: Jennifer L. Winter, PE
E-mail Address: j.winter@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Resolution authorizing execution of a Purchase Agreement in the amount of $5,285 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Connie J. Copper-Render, Trustee of the Connie Copper-Render Revocable Trust u/d/o October 22, 2003, from land located at 2617 O Avenue NW in connection with the O Avenue NW Improvements Phase II & III from 16th Street NW to Edgewood Road NW project (Paving for Progress).
CIP/DID #3012121-00

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

Background: City Council previously approved funding towards the O Avenue NW Improvements Phase II & III from 16th Street NW to Edgewood Road NW project.

The right-of-way and temporary grading easement for construction are required to accommodate proposed roadway improvements, which utilize the Complete Streets Policy to develop a multimodal corridor. The project is funded by the Local Option Sales Tax (SLOST) approved for maintenance, repair, and reconstruction of City streets. Compensation amounts proposed are based on comparable land sales provided by a qualified appraiser.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of $5,285 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Connie J. Copper-Render, Trustee of the Connie Copper-Render Revocable Trust u/d/o October 22, 2003.

Alternative Recommendation: Do not proceed with acquiring the proposed right-of-way and easement and direct City staff to abandon or redesign the proposed O Avenue NW Improvements Phase II & III from 16th Street NW to Edgewood Road NW road improvements.
Time Sensitivity: Normal

Resolution Date: April 9, 2019

Budget Information: 301/301000/3012121 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 exists for right-of-way and a temporary grading easement for construction to accommodate the proposed facilities, and

WHEREAS, Connie J. Copper-Render, Trustee of the Connie Copper-Render Revocable Trust u/d/o October 22, 2003, of 1928 A Avenue NE, Cedar Rapids, Iowa, 52402, OWNER of the real property known and described as:

See Attached Acquisition Plat

has agreed to convey the necessary right-of-way and temporary grading easement for construction from land located at 2617 O Avenue NW, to the City of Cedar Rapids for consideration as follows:

<table>
<thead>
<tr>
<th>Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Right-of-Way</td>
<td>$2,915</td>
</tr>
<tr>
<td>Temporary Easement</td>
<td>$670</td>
</tr>
<tr>
<td>Damages</td>
<td>$1,700</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$5,285</strong></td>
</tr>
</tbody>
</table>

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for the O Avenue NW Improvements Phase II & III from 16th Street NW to Edgewood Road NW project (Fund 301, Dept ID 301000, Project 3012121 SLOST),

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 Trustee Warranty Deed, Groundwater Hazard Statement, Affidavit of Trustee, Transferee’s Affidavit, Declaration of Value, and Partial Release of Real Estate Mortgage be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
ACQUISITION PLAT
RIGHT-OF-WAY BEING CONVEYED TO THE CITY OF CEDAR RAPIDS
O AVENUE NW IMPROVEMENTS
PARCEL 37
2617 O AVENUE NW
CITY CONTRACT NO. 3012121-01

LEGAL DESCRIPTION:
A PARCEL OF LAND LOCATED IN NORTH 347 FEET OF THE EAST 104 FEET OF THE EAST 1/8 OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 83 NORTH, RAIL 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, Linn County, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 19, THENCE SOUTH 01° 36' 48" WEST, 40.01 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, THEN NORTHEAST 29° 26' 48" WEST, 104.00 FEET, THEN SOUTH 01° 36' 48" WEST, 40.01 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, THEN THE NORTHEAST 29° 26' 48" EAST, 104.00 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 4.161 SQUARE FEET OR 0.10 ACRES MORE OR LESS, INCLUDING 3,433 SQUARE FEET OR 0.09 ACRES MORE OR LESS OF EXISTING ROAD EASEMENT, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.


FIELD SURVEY COMPLETED: NOVEMBER 2014

JOEY A. BUDD, P.L.S.
License Number: 22847
My license renewal date is DECEMBER 31, 2020.
Pages or sheets covered by this seal.

10/1/19

Foth Infrastructure & Environment, LLC
3910 River Ridge Drive NE, Suite A
Cedar Rapids, IA 52402
Phone: (319) 366-9560 Fax: (319) 366-9531

Foth Project No. 14C091-05 Date: 2/5/2019

1 OF 1
O AVENUE NW PHASE II & III FROM 16TH STREET NW TO EDGEWOOD ROAD NW
Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen

Contact Person: Jennifer L. Winter, PE  
E-mail Address: j.winter@cedar-rapids.org  
Cell Phone Number: 319-538-1076

Description of Agenda Item: Purchases, contracts and agreements
Resolution accepting a Special Warranty Deed for right-of-way from Hy-Vee, Inc. for land located at 4035 Mt Vernon Road SE in connection with the Mount Vernon Road SE from 38th Street to East Post Road Roadway Improvements project (Paving for Progress).  
CIP/DID #3012199-00

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

Background: In a previous Fiscal Year, City Council approved funding towards the Mount Vernon Road SE from 38th Street to East Post Road Roadway Improvements project. This right-of-way is required to accommodate the proposed project. The project will utilize the Complete Streets Policy to develop a multimodal corridor and is funded by the Local Option Sales Tax (SLOST), approved for maintenance, repair and reconstruction of City streets.

Action/Recommendation: The Public Works Department recommends adopting the resolution accepting a Special Warranty Deed from Hy-Vee, Inc.

Alternative Recommendation: Do not proceed with acquiring the proposed right-of-way and direct City staff to abandon or reconfigure the Mount Vernon Road SE from 38th Street to East Post Road Roadway Improvements project.

Time Sensitivity: Normal

Resolution Date: April 9, 2019

Budget Information: 301/3010000/3012199 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 exists for additional right-of-way in order to accommodate the proposed facilities, and

WHEREAS, Hy-Vee, Inc., 4035 Mt Vernon Road SE, Cedar Rapids, Iowa, 52403, OWNER of the real property known and described as:

See attached Acquisition Plat

has agreed to convey the necessary right-of-way at 4035 Mt Vernon Road SE, to the City of Cedar Rapids for mutual benefit, and

WHEREAS, the City Council has allocated Capital Improvement funds for the Mount Vernon Road SE from 38th Street to East Post Road Roadway Improvements project (Fund 301, Dept ID 301000, Project 3012199, SLOST),

NOW THEREFORE, BE IT RESOLVED that the Special Warranty Deed from Hy-Vee, Inc. be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
MOUNT VERNON ROAD SE FROM 38TH STREET TO EAST POST ROAD REHABILITATION
Council Agenda Item Cover Sheet

Submitting Department: Development Services Department

Presenter at meeting: Tyrell Gingerich

Contact Person: Sandi Fowler
E-mail Address: s.fowler@cedar-rapids.org

Cell Phone Number: 319-538-1062

Description of Agenda Item: Purchases, contracts and agreements
Resolution accepting a Special Warranty Deed for the dedication of street right-of-way along the west half of Center Point Road NE and south half of 42nd Street NE from Kwik Trip, Inc.
CIP/DID #ASDP-026070-2018

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

Background: The proposed site plan for the convenience store showed a south bound right turn lane into the site that required additional right-of-way dedication to fit the turn lane and sidewalk within the street right-of-way. Also, additional right-of-way was requested at the corner to accommodate future signal relocation.

Action/Recommendation: The Development Services Department recommends accepting the additional right-of-way as required as a condition to site plan approval.

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

Time Sensitivity: NA

Resolution Date: April 9, 2019

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, a condition of site plan approval for property located at 4141 Center Point Road NE required property owner, Kwik Trip, Inc., to submit to the City the following executed document:

1. Special Warranty Deed for Center Point Road NE & 42nd Street NE right-of-way dedication.

WHEREAS, the deed, as submitted is 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, the Special Warranty Deed, noted above be and the same are hereby accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Caleb Mason

Contact Person: Jennifer Pratt
E-mail Address: J.Pratt@cedar-rapids.org
Cell Phone Number: 538-2552

Description of Agenda Item: Purchases, contracts and agreements
Resolution rescinding Resolution No. 0368-03-19. CIP/DID #DISP-0021-2018

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

Background: The Resolution rescinds action previously taken by City Council to approve a Special Warranty Deed to convey property at 245 2nd Street SW to MH Legacy, LLC. The developer is establishing a separate legal entity to develop the project and therefore the deed must be conveyed to the new entity. The Council will take a separate action to convey the property to the entity formed by the developer.

Action/Recommendation: City staff recommends adopting the Resolution.

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

Time Sensitivity: NA

Resolution Date: April 9, 2019

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on January 22, 2019, the City Council adopted Resolution No. 0104-01-19 authorizing a Development Agreement with MH Legacy, LLC (the “Developer”); and

WHEREAS, on March 26, 2019 the City Council approved Resolution No. 0368-03-19 authorizing execution of a Special Warranty Deed to effectuate conveyance of City-owned property at 245 2nd Street SW (the “Property”) to the Developer; and

WHEREAS, the Developer has advised the City that it intends to establish a new limited liability company, consisting of the same ownership, for purposes of acquiring and redeveloping the Property; and

WHEREAS, the City Council intends to consider by separate action an assignment of the Development Agreement and conveyance of the Property and therefore Resolution No. 0368-03-19 shall be rescinded in order to.

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Cedar Rapids, Iowa, that Resolution No. 0368-03-19 is hereby rescinded.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Caleb Mason

Contact Person: Jennifer Pratt
E-mail Address: J.Pratt@cedar-rapids.org

Cell Phone Number: 538-2552

Description of Agenda Item: Purchases, contracts and agreements
Resolution authorizing execution of an Assignment and Assumption Agreement and Special Warranty Deed with 245 Kingston, LLC. CIP/DID #DISP-0021-2018

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

Background: The Resolution authorizes an Assignment and Assumption Agreement and Special Warranty Deed with 245 Kingston LLC. The City previously entered into a Development Agreement with MH Legacy LLC for the disposition and redevelopment of City-owned property at 245 2nd Street SW. The Development Agreement and deed are being assigned to a separate legal entity established by the developer, consisting of the same ownership, for purposes of developing and owning the project. All provisions of the Development Agreement will remain in full force and effect with the new entity.

Action/Recommendation: City staff recommends adopting the Resolution.

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

Time Sensitivity: NA

Resolution Date: April 9, 2019

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Cedar Rapids City Council has determined it to be in the best interest of the public to initiate the disposition of City-owned property located at 245 2nd Street SW and described as follows:

NW-ly 10 feet of Lot 7, all of Lot 8, and the SE-ly 30 feet of Lot 9, Block 4, West Cedar Rapids, formerly Village or Town of Kingston, Linn County, Iowa (the “Property”)

WHEREAS, the Property is located in the Central Business Urban Renewal Area; and

WHEREAS, on July 24, 2018 in the City Council Chambers, 3rd Floor City Hall, 101 First Street SE, Cedar Rapids, Iowa, the Cedar Rapids City Council, after first having published notice of public hearing in the Cedar Rapids Gazette as required by law, held a public hearing to consider the disposition of the Property and adopted Resolution No. 0902-07-18 to continue the disposition and invite competitive redevelopment proposals for the Property; and

WHEREAS, on October 23, 2018, the City Council adopted Resolution No. 1378-10-18 accepting the redevelopment proposal from MW Properties, LLC and authorizing and directing staff to negotiate a Development Agreement for the sale and redevelopment of the Property; and

WHEREAS, on January 22, 2019, the City Council adopted Resolution No. 0104-01-19 authorizing a Development Agreement with MH Legacy, LLC (the “Developer”), a business entity related to MW Properties LLC, concerning disposition and redevelopment of the Property; and

WHEREAS, pursuant to the terms and conditions of the Development Agreement, the parties are now ready to close on the sale and purchase of the Property and a Special Warranty Deed has been prepared to effectuate the conveyance of the Property.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Special Warranty Deed is hereby approved and the City Manager and City Clerk, or their designees, are authorized to execute the same and the Resolution and deed are to be recorded in the office of the Linn County Recorder.
Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen

Contact Person: Jennifer L. Winter
E-mail Address: j.winter@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Resolution amending Resolution No. 0107-01-19 by correcting the subdivision name to Belmont Addition, and executing Corrective Quit Claim Deeds from the City of Cedar Rapids to Larry and Kay Jordan and to Bridgette N. Usher.
CIP/DID #ROWV-025537-2017

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

Background: Resolution No. 0107-01-19 approved execution of Quit Claim Deeds from the City of Cedar Rapids to Larry and Kay Jordan and to Bridgette N. Usher, which were subsequently recorded by the Linn County Recorder. After recording, a scrivener's error was discovered in the legal descriptions on the Quit Claim Deeds. In order to correct the error, the City must execute Corrective Quit Claim Deeds to Larry and Kay Jordan and to Bridgette N. Usher.

Action/Recommendation: The Public Works Department recommends adopting the resolution executing the Corrective Quit Claim Deeds to Larry and Kay Jordan and Bridgette N. Usher.

Alternative Recommendation: None.

Time Sensitivity: Normal

Resolution Date: April 9, 2019

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, on January 22, 2019 the City of Cedar Rapids City Council approved Resolution No. 0107-01-19, which authorized execution of a Quit Claim Deed from the City of Cedar Rapids to Larry and Kay Jordan for the real property legally described as:

The easterly 47 feet of the 50-foot wide excess street right-of-way located between and adjacent to Lot 7 and Lot 8, Belmont Addition, Linn County, Iowa, and

WHEREAS, on January 22, 2019 the City of Cedar Rapids City Council approved Resolution No. 0107-01-19, which authorized execution of a Quit Claim Deed from the City of Cedar Rapids to Bridgette N. Usher for the real property legally described as:

The westerly 3 feet of the 50-foot wide excess street right-of-way located between and adjacent to Lot 7 and Lot 8, Belmont Addition, Linn County, Iowa

WHEREAS, the Quit Claim Deeds were recorded in the office of the Linn County Recorder on February 11, 2019, and

WHEREAS, a scrivener’s error was subsequently discovered in the legal descriptions on the Quit Claim Deeds, and

WHEREAS, the Corrective Quit Claim Deeds have been executed by the City of Cedar Rapids with the corrected legal descriptions,

NOW THEREFORE, BE IT RESOLUTION BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Resolution No. 0107-01-19 be amended to correct the subdivision name, and

BE IT FURTHER RESOLVED, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Corrective Quit Claim Deeds and that they shall be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.
Attest:

ClerkSignature
RIGHT-OF-WAY VACATION AND DISPOSITION

BETWEEN 624 AND 628 41ST STREET NE
Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen

Contact Person: Jennifer L. Winter, PE  
E-mail Address: j.winter@cedar-rapids.org  
Cell Phone Number: 319-538-1076

Description of Agenda Item: Purchases, contracts and agreements
Resolution authorizing execution of a Purchase Agreement in the amount of $1 and accepting an Easement for Drainage, and a Temporary Grading Easement for Construction from Meth-Wick Community, Inc. f/k/a Meth-Wick Manor, from land located at 1300 13th St NW, in connection with the 11th Street NW North of M Avenue Detention Basin Improvements project.
CIP/DID #304427-00

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

Background: In a previous fiscal year, City Council approved funding towards the 11th Street NW North of M Avenue Detention Basin Improvements project. This easement for drainage and the temporary grading easement for construction are required to accommodate the proposed detention basin project.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of $1 and accepting an Easement for Drainage, and a Temporary Grading Easement for Construction from Meth-Wick Community, Inc. f/k/a Meth-Wick Manor.

Alternative Recommendation: Do not proceed with acquiring the proposed easement and direct City staff to abandon or reconfigure the proposed project.

Time Sensitivity: Normal

Resolution Date: April 9, 2019

Budget Information: 304/304000/304427 NA

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

Recommended by Council Committee: NA
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need exists for an easement for drainage and a temporary grading easement for construction to accommodate the proposed facilities, and

WHEREAS, Meth-Wick Community, Inc. f/k/a Meth-Wick Manor of 1300 13th St NW, Cedar Rapids, IA 52405, OWNER, of real property known and described as:

See attached Drainage Easement Plat

have agreed to convey the necessary easement for drainage and temporary grading easement for construction from land located at 1300 13th St NW, to the City of Cedar Rapids for the total sum of $1, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for the 11th Street NW North of M Avenue Detention Basin Improvements project (Fund 304, Dept. ID 304000, Project 304427, NA),

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

BE IT FURTHER RESOLVED that the Purchase Agreement and the Temporary 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 Easement for Drainage from Meth-Wick Community, Inc. f/k/a Meth-Wick Manor be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.
Attest:

ClerkSignature
DRAINAGE EASEMENT PLAT

EASEMENT DESCRIPTION
A PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 20, TOWNSHIP 63 NORTH, RANGE 50 WEST OF THE 5TH P.M., CITY OF CEDAR RAPIDS, Linn County, Iowa, described as follows:

COMMENCING at the west-erly corner of Lot 5, HARRISON SCHOOL FIRST ADDITION, an offi-cial plat in the city of cedar rapids, Linn County, Iowa, thence north 90°17' west, along the west li-ne of said Lot 5, a distance of 75.80 feet to the point of beginning; thence south 90°17' east, 102.95 feet; thence north 89°59' east, 49.52 feet; thence south 89°59' west, 301.44 feet; thence north 89°59' east, 24.22 feet; thence south 89°59' west, 164.44 feet to the point of beginning, containing 0.26 acres, more or less, subject to any and all easements of record.

CURVE TABLE

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<thead>
<tr>
<th>Curve No.</th>
<th>Delta</th>
<th>Radius</th>
<th>KC</th>
<th>Length</th>
<th>Tangent</th>
<th>Chord Bearing/Distance</th>
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<td>93.99</td>
<td>1.82</td>
<td>63°49' 57&quot; E 2.46</td>
<td></td>
</tr>
<tr>
<td>C2</td>
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<td>230.95</td>
<td>93.99</td>
<td>1.82</td>
<td>63°49' 57&quot; E 2.46</td>
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<tr>
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<td>45°17'</td>
<td>230.95</td>
<td>93.99</td>
<td>1.82</td>
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<td></td>
</tr>
</tbody>
</table>

LINE TABLE

<table>
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<th>Line No.</th>
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<th>Distance</th>
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<tbody>
<tr>
<td>L-1</td>
<td>N 87°10'38&quot; E</td>
<td>0.36 M.P.</td>
</tr>
</tbody>
</table>

DATE OF SURVEY
11-19-2018

BASIS OF BEARING
THE SOUTH LINE OF LOTS 30 & 31
AMBER'S THIRD ADDITION
ASSIGNED TO GEAR S 88°48'28" E

OWNER
WEST COMMUNITY, INC.
1005 7th Street
Cedar Rapids, IA 52401

PREPARED FOR
CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT
11TH STREET NW NORTH OF 4 M AVE DETENTION
BASIN IMPROVEMENTS
CONTRACT NUMBER J041427-03

* I certify that the land surveying work performed on the project was performed in strict accordance with the standards of practice and ethics prescribed by the board of registration for land surveyors of the state of Iowa.

Snyder & Associates, Inc.
1401 West 5th Street
Cedar Rapids, IA 52401

Licenses Number 1955

By licensed here on December 21, 2002

Sheet 1 of 1
Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen

Contact Person: Jennifer L. Winter, PE  
E-mail Address: j.winter@cedar-rapids.org  
Cell Phone Number: 319-538-1076

Description of Agenda Item: Purchases, contracts and agreements
Resolution authorizing execution of a Purchase Agreement in the amount of $2,465 and accepting a Permanent Easement for Retaining Wall, and a Temporary Grading Easement for Construction from Joyce C. Steffan (Contract Seller) and Orville and Lesly Dickens (Contract Buyers) from land located at 3124 O Avenue NW in connection with the O Avenue NW Improvements Phase II & III from 16th Street NW to Edgewood Road NW project (Paving for Progress).
CIP/DID #3012121-00

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

Background: City Council previously approved funding towards the O Avenue NW Improvements Phase II & III from 16th Street NW to Edgewood Road NW project.

The permanent easement for retaining wall, and temporary grading easement for construction are required to accommodate proposed roadway improvements, which utilize the Complete Streets Policy to develop a multimodal corridor. The project is funded by the Local Option Sales Tax (SLOST) approved for maintenance, repair, and reconstruction of City streets. Compensation amounts proposed are based on comparable land sales provided by a qualified appraiser.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of $2,465 and accepting a Permanent Easement for Retaining Wall, and a Temporary Grading Easement for Construction from Joyce C. Steffan (Contract Seller) and Orville and Lesly Dickens (Contract Buyers).

Alternative Recommendation: Do not proceed with acquiring the proposed easements and direct City staff to abandon or redesign the proposed O Avenue NW Improvements Phase II & III from 16th Street NW to Edgewood Road NW road improvements.
Time Sensitivity: Normal

Resolution Date: April 9, 2019

Budget Information: 301/301000/3012121 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 exists for a permanent easement for retaining wall and a temporary grading easement for construction to accommodate the proposed facilities, and

WHEREAS, Joyce C. Steffan of 2455 McCarthy Road SE, Cedar Rapids, Iowa 52403 (Contract Seller) and Orville and Lesly Dickens of 3124 O Avenue NW, Cedar Rapids, Iowa, 52405 (Contract Buyers), OWNERS of the real property known and described as:

See Attached Permanent Easement Exhibit

have agreed to convey the necessary permanent easement for retaining wall and temporary grading easement for construction from land located at 3124 O Avenue NW, to the City of Cedar Rapids for consideration as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Permanent Easement</td>
<td>$1,175</td>
</tr>
<tr>
<td>Temporary Easement</td>
<td>$290</td>
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<td>Damages</td>
<td>$1,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$2,465</strong></td>
</tr>
</tbody>
</table>

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for the O Avenue NW Improvements Phase II & III from 16th Street NW to Edgewood Road NW project (Fund 301, Dept ID 301000, Project 3012121 SLOST),

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 Permanent Easement for Retaining Wall from Joyce C. Steffan (Contract Seller) and Orville and Lesly Dickens (Contract Buyers) be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
PERMANENT EASEMENT

PERMANENT RETAINING WALL EASEMENT BEING CONVEYED TO THE CITY OF CEDAR RAPIDS
O AVENUE NW IMPROVEMENTS
PARCEL 245
3124 O AVENUE NW
CITY CONTRACT NO. 3012121-01

LEGAL DESCRIPTION:
A PARCEL OF LAND LOCATED IN LOT 1 OF EDLEMANS FOURTH ADDITION TO CEDAR RAPIDS,
IOWA, AS RECORDED IN BOOK 12, PAGE 369 OF THE Linn County Recorder’s Office,
IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1, THENCE NORTH 00° 49’ 17” WEST,
10.00 FEET ALONG THE WEST LINE OF SAID LOT 1, THENCE NORTH 89° 26’ 49” EAST, 55.96
FEET TO THE EAST LINE OF SAID LOT 1, THENCE SOUTH 00° 49’ 17” EAST, 10.00 FEET ALONG
SAID EAST LINE TO THE NORTH RIGHT-OF-WAY LINE OF O AVENUE NW, THENCE SOUTH 89°
26’ 49” WEST, 55.96 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE POINT OF
BEGINNING.

SAID PARCEL CONTAINS 586 SQUARE FEET OR 0.01 ACRES MORE OR LESS, SUBJECT TO
EASEMENTS AND RESTRICTIONS OF RECORD.

FOR THE PURPOSE OF THIS DESCRIPTION ALL BEARINGS AND DISTANCES ARE
REFERENCED TO NAD83(2011) A SPCS NORTH ZONE, US SURVEY FOOT (LINN COUNTY
CONTROL).

PROPERTY OWNER:
STEFFEN, JOYCE C.
DICKENS, ORVILLE R. (CONTRACT)
2456 MCCARTHY ROAD SE
CEDAR RAPIDS, IA 52403
BOOK 3642, PAGE 618

FIELD SURVEY COMPLETED: NOVEMBER 2014

I hereby certify that the 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 Professional Land Surveyor
under the laws of the State of Iowa.

JODY A. BUDEE, P.L.S.
License Number: 22847
My License renewal date is: DECEMBER 31, 2030
Pages or sheets covered by this seal:

Foth Infrastructures & Environment, LLC
3950 River Ridge Drive NE, Suite A
Cedar Rapids, IA 52402
Phone: 319-365-8500 Fax: 319-365-9031
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Doug Wilson, PE

Director: Jennifer L. Winter, PE
E-mail Address: j.winter@cedar-rapids.org

Cell Phone Number: 319-538-1076

Description of Agenda Item: REGULAR AGENDA
Resolution awarding and approving contract in the amount of $1,050,990 bond and insurance of InRoads LLC for the 2019 Pavement Milling Project (estimated cost is $425,000).
CIP/DID #301990-14

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

Background:
InRoads LLC, Des Moines, IA $1,050,990.00
L.L. Pelling Co. North Liberty, IA $1,271,560.00

InRoads LLC submitted the lowest of the bids received on March 13, 2019 for the 2019 Pavement Milling Project. The bid is within the approved budget. Construction work is expected to begin this spring and anticipated to be completed by September 27, 2019.

Action/Recommendation: The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of $1,050,990 bond and insurance of InRoads LLC for 2019 Pavement Milling Project. This cost reflects a bid for giving the option of concrete patching or asphalt patching; however, the contractor will only be performing concrete patching. Following the award of the bid, a change order will be issued to eliminate the asphalt work not being performed. The final contract amount following the change order will not exceed approximately $700,000.

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 April 9, 2019 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: April 9, 2019
Budget Information: 301/301000/301990 (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 February 26, 2019 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 2019 Pavement Milling Project (Contract No. 301990-14) 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 March 2, 2019 pursuant to which a public hearing was held on March 12, 2019, and

WHEREAS, the following bids were received, opened and announced on March 13, 2019 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 March 26, 2019:

InRoads LLC, Des Moines IA $1,050,990.00
L.L. Pelling Co., North Liberty, IA $1,271,560.00

WHEREAS, general ledger coding for this public improvement shall be as follows:

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. InRoads LLC 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 InRoads LLC is hereby accepted and the contract for this public improvement is hereby awarded to InRoads LLC.

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.

Attest:

ClerkSignature
2019 PAVEMENT MILLING PROJECT
Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Jeff Koffron

Contact Person: Casey Drew 
E-mail Address: C.Drew@cedar-rapids.org

Cell Phone Number: 319-538-1064

Description of Agenda Item: REGULAR AGENDA
Report on bids for the Bender Pool ADA Compliance project (estimated cost is $676,300) (Jeff Koffron).
   a. Resolution awarding and approving contract in the amount of $552,600, plus incentive up to $2,000, bond and insurance of Tricon General Construction, Inc. for the Bender Pool ADA Compliance project.
      CIP/DID #PUR0219-181; 324001

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

Background:
A public hearing was held on March 26, 2019 for the Bender Pool ADA Compliance project. This project is for performing ADA compliance repairs at Bender Pool as part of the DOJ settlement.

Purchasing Services publicly opened the bids on April 3, 2019 at 11:00 am CDT. Bids were received from one Contractor. The Facilities Maintenance Services Division recommends award to Tricon General Construction, Inc. as the overall lowest responsive and responsible bidder.

A contract will be issued to Tricon General Construction, Inc. The project is due to be completed by September 1, 2019.

Bid Results:

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Location</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tricon General Construction, Inc.</td>
<td>Cedar Rapids, IA</td>
<td>Base Bid $534,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Alternate $18,600</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total $552,600</td>
</tr>
</tbody>
</table>

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: April 9, 2019
Budget Information: 324001

Local Preference Policy: No
  Explanation: Public Improvement Project

Recommended by Council Committee: No
  Explanation: NA
April 9, 2019

TO: City Council, City of Cedar Rapids

RE: Report on bids as read for Bender Pool ADA Compliance Project, RFB #PUR0219-181; 324001

Bids were received on April 3, 2019 for the Bender Pool ADA Compliance project. This work mainly consists of performing ADA compliance repairs at Bender Pool as part of the DOJ settlement.

Funding for this project is 324001.

One bid was received on April 3, 2019. The bids have been carefully reviewed and it is recommended that the contract be awarded to Tricon General Construction, Inc. as the overall lowest responsive and responsible bidder. The cost of this project is $552,600.

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Location</th>
<th>Price</th>
</tr>
</thead>
</table>
| Tricon General Construction, Inc.     | Cedar Rapids, IA | Base Bid $534,000  
|                                       |              | Alternate $18,600  
|                                       |              | Total $552,600            |

Sincerely,

Heather Mell, CPPB
Purchasing Agent

cc: Jeff Koffron
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on March 12, 2019 the City Council adopted a motion that directed the City to post Notice to Bidders and publish notice of a public hearing on the specifications, form of contract and cost estimate for the Bender Pool ADA Compliance project for the City of Cedar Rapids, Iowa; and

WHEREAS, said Notice to Bidders was posted according to law and the Notice of a Public Hearing was published in the Cedar Rapids Gazette on March 16, 2019 pursuant to which a public hearing was held on March 26, 2019; and

WHEREAS, the following bids were received, opened and announced on April 3, 2019 by the City Purchasing Manager, or designee, and said officer has now reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on April 9, 2019:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tricon General Construction, Inc.</td>
<td>Base $534,000</td>
</tr>
<tr>
<td></td>
<td>Alternate $18,600</td>
</tr>
<tr>
<td></td>
<td>Total $552,600</td>
</tr>
</tbody>
</table>

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: $552,600, 324001

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

1. The recitals contained hereinabove are found to be true and correct.

2. The previous delegation to the City Purchasing Manager, or designee, to receive, open and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;

3. Tricon General Construction, Inc. is the lowest responsive, responsible bidder on said work and the City Purchasing Manager, or designee, has recommended that the City accept its Bid and award the contract to it;

4. Subject to approval of the Equal Employment Opportunity Officer and registration with the Department of Labor, the Bid of Tricon General Construction, Inc. is hereby accepted, and the contract for this public improvement is hereby awarded to Tricon General Construction, Inc.;

5. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements; and

BE IT FURTHER RESOLVED, that the bid securities of the unsuccessful bidders have been 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
Council Agenda Item Cover Sheet

Submitting Department: Police

Presenter at Meeting: Sgt. Graham Campshure, Police Department, and Sylvia Bochner, Planner, Community Development

Contact Person: Chief Jerman
E-mail Address: W.Jerman@cedar-rapids.org
Cell Phone Number: 319-640-5518

Description of Agenda Item: ORDINANCES – Second and possible Third Readings
Ordinance amending Chapter 61 (Traffic Regulations) of the Municipal Code to clarify and update requirements for bicycles, e-bicycles, and electric stand up scooters. CIP/DID#CD-0055-2019


Background: The ordinance amends Chapter 61 (Traffic Regulations) of the Municipal Code.

In May 2019, the City’s bike share system will begin operation. The first season of operations will run between May and October 2019. During this first year, the fleet will launch initially with 150 electric-assist bicycles, followed by 20 fat tire bikes based at Mt. Trashmore arriving later in the summer. Finally, a pilot program including 30 electric stand-up scooters will launch in late August of 2019. The goal of the pilot program will be to determine if e-scooters are a good fit for Cedar Rapids. The launch of this program is an opportunity to update the code to promote the safety of users of existing and emerging transportation modes.

The update to Chapter 61 (Traffic Regulations) adds a section on “Opening doors into moving traffic”, which prohibits opening a vehicle door without taking precautions to ensure that this action does not interfere with the movement of any other person or vehicle. “Dooring” accidents, in which a cyclist is struck by a quickly opened car door, are a danger to cyclists. Currently, Iowa Code does not include any language on “dooring” accidents. Adding this language to the municipal code is a recognized best practice for bicycle safety and is recommended by the Iowa Bicycle Coalition.

Action/Recommendation: Staff recommends approval of the ordinance.

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

Time Sensitivity: Should be in place by early May, when bike share launches

Resolution Date: NA

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 (TRAFFIC REGULATIONS)
OF THE MUNICIPAL CODE.

WHEREAS, in May 2019, the City’s bike share system will begin operation; and

WHEREAS, the launch of this system is an opportunity to update the municipal code to support the safety for users of both existing and emerging transportation modes; and

WHEREAS, quickly opening a vehicle door into traffic poses a specific threat to cyclists; and

WHEREAS, this amendment to the Municipal Code prohibits anyone from opening a door into moving traffic without taking precautions to ensure that this does not endanger any other person or vehicle;

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

Section 1. The Cedar Rapids Municipal Code is hereby amended by adding Section 61.139 to Chapter 61 as follows:

“61.139 - OPENING DOORS INTO MOVING TRAFFIC

No person shall open any door of a motor vehicle located on a street, highway, or park road without first taking precaution to ensure that this action does not interfere with the movement of traffic or endanger any other person or vehicle. In addition, no person shall leave open any door of a motor vehicle located on a highway for a period of time longer than necessary to load or unload passengers.”

Section 2. This Ordinance shall be in full force and effect upon publication.

Introduced this 26th day of March, 2019.
Council Agenda Item Cover Sheet

Submitting Department: Police

Presenter at Meeting: Sgt. Graham Campshure, Police Department, and Sylvia Bochner, Planner, Community Development

Contact Person: Chief Jerman
E-mail Address: W.Jerman@cedar-rapids.org

Cell Phone Number: 319-640-5518

Description of Agenda Item: ORDINANCES – Second and possible Third Readings
Ordinance amending Chapter 53 (Bicycle Regulations) of the Municipal Code to clarify and update requirements for bicycles, e-bicycles, and electric stand up scooters. CIP/DID#CD-0055-2019


Background: The ordinance amends Chapter 53 (Bicycle Regulations) of the Municipal Code.

In May 2019, the City’s bike share system will begin operation. The first season of operations will run between May and October 2019. During this first year, the fleet will launch initially with 150 electric-assist bicycles, followed by 20 fat tire bikes based at Mt. Trashmore arriving later in the summer. Finally, a pilot program including 30 electric stand-up scooters will launch in late August of 2019. The goal of the pilot program will be to determine if e-scooters are a good fit for Cedar Rapids. The launch of this program is an opportunity to update the code to promote the safety of users of existing and emerging transportation modes.

The update to Chapter 53 of the Municipal Code updates definitions to include the vehicle types that will be included in bike share. The definition of “bicycle” is updated to include e-bikes and match with Iowa Code. A definition of “electric stand up scooter” is also added, which matches proposed Iowa legislation.

The updates to this chapter also include amendments to add electric stand up scooters in the regulations that currently apply to bicycles. For example, any person travelling in the street or a bike lane, whether on a bicycle or an electric stand up scooter, shall have all of the rights and duties applicable to the driver of a motor vehicle, except those which by their nature have no application.

The only instance where regulations for electric stand up scooters and bicycles differ is that electric stand up scooters are required to ride in bike lanes or paths when they are provided. Cyclists may continue to choose between the bike lane or path or the roadway.

Action/Recommendation: Staff recommends approval of the ordinance.

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

Time Sensitivity: Should be in place by early May, when bike share launches
Resolution Date: NA
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 53 (BICYCLE REGULATIONS) OF THE MUNICIPAL CODE.

WHEREAS, in May 2019, the City’s bike share system will begin operation; and

WHEREAS, this system is made up of electric-assist bicycles and may include other transportation modes; and

WHEREAS, the launch of this system is an opportunity to update the Municipal Code to address emerging transportation modes; and

WHEREAS, the code updates provide definitions for emerging transportation modes and clarify the rights and responsibilities of users of these transportation modes.

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

Section 1. Section 53.01 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 53.01 is enacted in lieu thereof as follows:

“53.01 - DEFINITIONS.

“Bicycle” is defined as either of the following: (1) A device having two wheels and having at least one saddle or seat for the use of a rider which is propelled by human power. (2) A device having two or three wheels with fully operable pedals and an electric motor of less than seven hundred fifty watts (one horsepower), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden, is less than twenty miles per hour.

“Bicycle Lane” is defined as a designated area for bicycle usage identified by a painted line on one side with the curb defining the other side or with painted lines defining both sides. The lane is further identified by bike route signs conforming to the Iowa Manual on Uniform Traffic Control Devices.

“Bicycle Path” is an off the road facility normally constructed of asphalt or concrete over a stabilized base. The path is identified by bike route signs conforming to the Iowa Manual on Uniform Traffic Control Devices.

“Electric stand up scooter” means any device weighing less than one hundred pounds that is equipped with two or three wheels, handlebars, and a floorboard capable of supporting a standing rider, and which is solely powered by the rider or by an electric motor capable of propelling the device, with or without additional propulsion supplied by the rider, at a maximum speed on a paved level surface of no more than twenty miles per hour, or both.
Section 2. Section 53.07 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 53.07 is enacted in lieu thereof as follows:

“53.07 - REGULATION, OBSERVATION OF TRAFFIC RULES.

Any person riding a bicycle shall have all of the rights and all of the duties applicable to the driver of a motor vehicle as provided by law except as to the provisions which by their very nature can have no application.

While travelling in the street or a bike lane, any person riding an electric stand up scooter shall have all of the rights and all of the duties applicable to the driver of a motor vehicle as provided by law except as to the provisions which by their very nature can have no application.”

Section 3. Section 53.09 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 53.09 is enacted in lieu thereof as follows:

“53.09 - IMPROPER RIDING.

A person shall not operate a bicycle or an electric stand up scooter in a manner to indicate a willful or wanton disregard for the safety of persons or property.”

Section 4. Section 53.10 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 53.10 is enacted in lieu thereof as follows:

“53.10 - CARRYING ARTICLES.

No person riding a bicycle or an electric stand up scooter shall carry any article which prevents the driver from keeping at least one hand upon the handle bars.”

Section 5. Section 53.12 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 53.12 is enacted in lieu thereof as follows:

“53.12 - RIDING ON ROADWAYS.

(a) Persons riding bicycles or electric stand up scooters upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. Persons riding two abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane.

(b) When a bicycle path or lane exists adjacent to a roadway, a person operating a bicycle may use either the path, bicycle lane, or the roadway.

(c) When a bicycle path or lane exists adjacent to a roadway, a person operating an electric stand up scooter or skateboard shall use the path or bicycle lane, except for turning movements and when a bicycle lane is obstructed.”

Section 6. Section 53.13 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 53.13 is enacted in lieu thereof as follows:

“53.13 - RIDING IN BIKEWAYS.

No person shall ride or operate a bicycle or electric stand up scooter within a bicycle lane or path in any direction except that permitted by vehicular traffic traveling on the same
side of the roadway; provided that, bicycles may proceed either way along a lane or path where arrows or signs appear designating two-way bicycle traffic.”

Section 7. Section 53.14 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 53.14 is enacted in lieu thereof as follows:

“53.14 - RIDING ON SIDEWALK.

(a) No person, except for handicapped individuals with specially equipped bicycles, shall ride a bicycle or electric stand up scooter upon the sidewalk or walkway in the area extending from the west sidewalk on 2nd St SW to the east curb line of 5th Street East, both inclusive, and from the north sidewalk on 1st Ave to the south sidewalk on 16th Avenue Southwest, both inclusive, unless authorized signs specifically designate a sidewalk or walkway for bicycle use. The Department of Public Works is authorized to erect signs on any sidewalk or roadway within the city prohibiting the riding of bicycles or electric stand up scooters thereon.

(b) Whenever a person is riding a bicycle or electric stand up scooter upon a sidewalk, such a person shall yield the right-of-way to any pedestrian.”

Section 8. Section 53.15 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 53.15 is enacted in lieu thereof as follows:

“53.15 - EMERGING FROM ALLEY OR DRIVEWAY.

The rider of a bicycle or electric stand up scooter emerging from an alley, driveway, or building shall upon approaching a sidewalk or the sidewalk area extending across any alley-way, yield the right-of-way to all pedestrians on the sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles.”

Section 9. Section 53.17 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 53.17 is enacted in lieu thereof as follows:

“53.17 - BICYCLE LANE RIGHT-OF-WAY.

Operators of all vehicles shall yield the right-of-way to bicycles or electric stand up scooters duly operated in a designated bicycle lane, unless provisions of law establish other requirements and regulations at intersections and other places affecting such bicycle lanes, then such other provisions of law shall control.”

Section 10. Section 53.18 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 53.18 is enacted in lieu thereof as follows:

“53.18 - PARKING.

No person shall park a bicycle or an electric stand up scooter upon a street or alley in such a manner as to obstruct pedestrian or motor vehicle travel, or a curb ramp, building entrance, or fire hydrant. Any bicycle or electric stand up scooter parked on public property attached to a trash receptacle or street furniture shall be subject to being impounded as described in Section 53.20 of this chapter. Any bicycle or electric stand up scooter parked continuously for 7 days or more on public property attached to a pole, parking meter, sign, tree, or any other structure belonging to the City of Cedar Rapids shall be subject to being impounded as described in Section 53.20 of this chapter.”
Section 11. Section 53.19 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 53.19 is enacted in lieu thereof as follows:

“53.19 - LIGHTS, REFLECTORS, AND BRAKES.

(a) Reflectors Required. All bicycles and electric stand up scooters shall be equipped with red reflective surfaces visible at least 300 feet from the rear when in front of the lawful lower beams of headlights on a motor vehicle. In addition to such requirements, reflective materials may be mounted on each side of each pedal.

(b) Headlights at Night Required. All bicycles and electric stand up scooters used within the city limits shall, during the hours from sunset to sunrise, display a lamp on the front part of the bicycle; the lamp shall emit white light visible from a distance of at least three hundred feet from the front of the bicycle.

(c) Brakes. Every bicycle and electric stand up scooter shall be equipped with a brake or brakes which will enable its driver to stop the bicycle within 25 feet from a speed of 10 miles per hour on dry, level, clean pavement.”

Section 12. Section 53.20 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 53.20 is enacted in lieu thereof as follows:

“53.20 - IMPOUNDMENT.

Any person violating Section 53.06 or 53.18 so as to create a hazardous condition, may suffer his bicycle or electric stand up scooter to be impounded by the Police Department. If impounded, the bicycle or electric stand up scooter shall be released by the Police Department to the owner if proof of ownership is shown.”

Section 13. Section 53.21 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 53.21 is enacted in lieu thereof as follows:

“53.21 - DISPOSAL OF BICYCLES.

(a) Any bicycle or electric stand up scooter which is found, seized by, turned in to, or otherwise lawfully comes into the possession of the Cedar Rapids Police Department shall be disposed of in the manner set forth in this section and in accordance with Iowa Code 80.39.

(b) If the owner of the property is known, the Police Department shall notify the owner by certified mail to the owner’s last known address as to the location of the bicycle or electric stand up scooter.

(c) If the identity or address of the owner cannot be determined, notice by one publication in a newspaper of general circulation in the area where the property was found in sufficient notice.

(d) After ninety (90) days following the mailing or publication of the notice required by this section, if the owner is still unknown the department may dispose of the bicycles or electric stand up scooters in any lawful way, including but not limited to the following:

1. Selling the property at a public auction

2. Retaining the property for the department’s own use
3. Giving the property to another agency of government
4. Giving the property to an appropriate charitable organization
5. Destroying the property."

Section 14. This Ordinance shall be in full force and effect upon publication.

Introduced this 26th day of March, 2019.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Police

Presenter at Meeting: Sgt. Graham Campshure, Police Department, and Sylvia Bochner, Planner, Community Development

Contact Person: Chief Jerman
E-mail Address: W.Jerman@cedar-rapids.org

Cell Phone Number: 319-640-5518

Description of Agenda Item: ORDINANCES – Second and possible Third Readings
Ordinance amending Chapter 9 (Streets, Alleys and Sidewalks) of the Municipal Code to clarify and update requirements for bicycles, e-bicycles, and electric stand up scooters. CIP/DID#CD-0055-2019


Background: The ordinance amends Chapter 9 (Streets, Alleys and Sidewalks) of the Municipal Code.

In May 2019, the City’s bike share system will begin operation. The first season of operations will run between May and October 2019. During this first year, the fleet will launch initially with 150 electric-assist bicycles, followed by 20 fat tire bikes based at Mt. Trashmore arriving later in the summer. Finally, a pilot program including 30 electric stand-up scooters will launch in late August of 2019. The goal of the pilot program will be to determine if e-scooters are a good fit for Cedar Rapids. The launch of this program is an opportunity to update the code to promote the safety of users of existing and emerging transportation modes.

The update to Chapter 9 of the Municipal Code adds electric stand up scooters to the list of vehicles that are not permitted to ride where prohibited by signs or markings, or within the core neighborhoods. This update defines core neighborhoods as bounded by 1st Avenue and 16th Avenue, and 2nd St SW and 5th St SE. This boundary covers many high-traffic areas, such as Downtown, Kingston Village, NewBo, and Czech Village. The intent is to help prevent conflicts between cyclists and pedestrians. Markings will also be installed throughout this area as part of the “Walk your Wheels” campaign.

Action/Recommendation: Staff recommends approval of the ordinance.

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

Time Sensitivity: Should be in place by early May, when bike share launches

Resolution Date: NA

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 9 (STREETS, ALLEYS AND SIDEWALKS) OF THE MUNICIPAL CODE.

WHEREAS, in May 2019, the City’s bike share system will begin operation; and

WHEREAS, this system is made up of electric-assist bicycles and may include other transportation modes; and

WHEREAS, the launch of this system is an opportunity to update the Municipal Code to address emerging transportation modes; and

WHEREAS, the updates to Chapter 9 clarify where electric-assist bicycles and electric stand up scooters are and are not permitted to ride to prevent conflicts between cyclists and pedestrians.

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

Section 1. Section 9.07 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 9.07 is enacted in lieu thereof as follows:

“9.07 - BICYCLES, ROLLERSKATES, IN-LINE SKATES, AND SKATEBOARDS.

(a) It shall be unlawful for any person to operate, use or ride a bicycle, electric stand up scooter, tricycle, skateboard, rollerskates, in-line skates, sled or other coasting device on any public property where signs or markings prohibit such use, such as public parking lots, public parking ramps and the Tree of Five Seasons, owned by the City of Cedar Rapids.

(b) No person shall ride or operate a bicycle, electric stand up scooter, or skateboard on any public sidewalk in the area extending from the west sidewalk on 2nd St SW to the east curb line of 5th Street East, both inclusive, and from the north sidewalk on 1st Ave to the south sidewalk on 16th Avenue Southwest, both inclusive, as shown in the map below.
(c) Operators and users of all such devices shall yield the right-of-way to pedestrians using any public sidewalk, and shall not otherwise endanger or interfere with pedestrian traffic on any public sidewalk.

(d) The City Manager may designate certain streets where the operation or use of bicycles, electric stand up scooters, rollerskates, in-line skates, rollerskis, or skateboards may be allowed upon certain designated streets or sidewalks or other areas when guarded or barricaded.”

Section 2. This Ordinance shall be in full force and effect upon publication.
Introduced this 26th day of March, 2019.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Caleb Mason

Contact Person: Jennifer Pratt
E-mail Address: J.Pratt@cedar-rapids.org

Cell Phone Number: 319-538-2552

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

Second and possible Third Reading of an Ordinance establishing the BraineTrust Urban Revitalization Area designation. CIP/DID# URTE-0028-2018

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

Background: The ordinance establishes an Urban Revitalization Area for a redevelopment project at 1005 3rd Avenue SW & 328 Rockford Road SW. On December 18, 2018, the City Council approved financial participation in the proposed redevelopment project under the City’s Green Building – Economic Development Program. The following is a summary of the proposed project:

- $6.3 million capital investment
- Demolition of existing 9,195 sq. ft. commercial building
- Construction of a new, 3-story, 66,000 sq. ft. indoor self-storage facility
- LEED Certification & net zero energy

The establishment of the Urban Revitalization Area provides the mechanism for the project incentive through the Urban Housing – Economic Development Program, which provides a declining scale exemption, averaging 44% over a 10-year period. The properties’ current assessment is $171,000, yielding $3,584 in total taxes. Based on an estimated post-development value of $3 million, the following is an estimate of the expected total taxes to be collected and reimbursed taxes for the project:

- $1 million in total taxes generated over a 10-year period
  - $438,000 exempted over a 10-year period
  - $567,000 net taxes collected over a 10-year period

Action/Recommendation: City staff recommends approval of resolution.

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

Time Sensitivity: NA

Resolution Date: March 26, 2019

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA
ORDINANCE ESTABLISHING THE BRAINETRUST 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. 0303-03-19 establishing the BraineTrust Urban Revitalization Area (“BraineTrust Revitalization Area”) for the property legally described herein below; and

WHEREAS, the terms and conditions of Resolution No. 0303-03-19 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 BraineTrust Revitalization Area for the property with local property address of 1005 3rd Avenue SW and 328 Rockford Road SW and legally described as:

Lots 14, Block 1, Wood Lawn Park Addition to Cedar Rapids, Iowa; and
The North 26 feet of Lot 16 excepting therefrom the West 56 feet and the East 44 feet of Lot 18 and all of Lot 19, Block 1 Wood Lawn Park Addition to Cedar Rapids, Iowa; and
Lot 15 and the South 32 feet of Lot 16, Block 1, Wood Lawn Park Addition to Cedar Rapids, Iowa
(“Revitalization Area”)

is established as a revitalization area, and specifically an economic development area pursuant to Iowa Code Section 404.1(4) (2019), 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 BraineTrust Revitalization Area shall be eligible to receive an exemption from taxation as provided for in Iowa Code Section 404.3 (2018).

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 26th day of March, 2019.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Caleb Mason

Contact Person: Jennifer Pratt                  Cell Phone Number: 538-2552
E-mail Address: J.Pratt@cedar-rapids.org

Description of Agenda Item: ORDINANCES – Second and possible Third Readings
Second and possible Third Reading of an Ordinance establishing the 245 2nd Street SW Urban Revitalization Area. CIP/DID# DISP-0021-2018

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

Background: The Resolution and Ordinance establish the Urban Revitalization Area for City-owned property at 245 2nd Street SW, which is being sold to MH Legacy, LLC for redevelopment. On January 22, 2019, the City and Developer entered into a Development Agreement for the sale of the property for a proposed apartment building project. The project has been approved for the City’s standard housing incentive which provides for a 10-year, 100% exemption of increased taxes which are generated by the project. The establishment of the Urban Revitalization Area provides the mechanism for the tax exemption incentive.

Action/Recommendation: City staff recommends adopting the Resolution.

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

Time Sensitivity: NA

Resolution Date: March 26, 2019

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA
ORDINANCE NO. LEG_NUM_TAG

ORDINANCE ESTABLISHING THE 245 2ND STREET SW 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. 0304-03-19 establishing the 245 2nd Street SW Urban Revitalization Area (“245 2nd Street SW Revitalization Area”) for the property legally described herein below; and

WHEREAS, the terms and conditions of Resolution No. 0304-03-19 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 245 2nd Street SW Revitalization Area for the property with local property address of 245 2nd Street SW and legally described as:

NW-ly 10 feet of Lot 7, all of Lot 8, and the SE-ly 30 feet of Lot 9, Block 4, West Cedar Rapids, formerly Village or Town of Kingston, Linn County, Iowa

(“Revitalization Area”) is established as a revitalization area pursuant to Iowa Code § 404.1(4) and § 404.1(5) (2019), as well as a new revitalization area as contemplated by Cedar Rapids Municipal Code Section
Section 3. All qualified real estate within the 245 2nd Street SW Revitalization Area shall be eligible to receive an exemption from taxation as provided for in Iowa Code Section 404.3 (2019).

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 26th day of March, 2019.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature