“Cedar Rapids is a vibrant urban hometown – a beacon for people and businesses invested in building a greater community now and for the next generation.”

NOTICE OF CITY COUNCIL MEETING

The Cedar Rapids City Council will meet in Regular Session on Tuesday, September 25, 2018 at 5:30 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.)

AGENDA

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations
  - Proclamation – Safety Awareness (Yvonne Aubrey)
  - Proclamation – National Disability Employment Awareness Month (Bernie Walther)

PUBLIC HEARINGS

1. A public hearing will be held to consider the proposed Amendment No. 1 to the Urban Renewal Area Plan for the Westdale Urban Renewal Area (Caleb Mason). CIP/DID #OB812292
   a. Resolution approving Amendment No. 1 to the Urban Renewal Plan for the Westdale Urban Renewal Area.

2. A public hearing will be held to consider the proposed Amendment No. 7 to the Development Agreement with Westdale CR Ventures, #1, LLC and others regarding the continued redevelopment of the Westdale Mall area (Casey Drew). CIP/DID #OB812292
   a. Resolution authorizing execution of Amendment No. 7 to the Development Agreement and related documents with Westdale CR Ventures, #1, LLC and others regarding the continued redevelopment of the Westdale Mall area.
   b. Resolution authorizing the appropriation of funds for the replenishment of a reserve fund held by NBH Bank relating to a loan made to an affiliate of Westdale CR Ventures #1, LLC, to refinance certain improvements made within the Westdale Mall Urban Renewal Area pursuant to a Development Agreement between the City and such developer.
3. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Bever Avenue SE East of Bever Lane Storm Sewer Replacement project (estimated cost is $160,000) (Dave Wallace). CIP/DID #304485-01
   a. Resolution adopting plans, specifications, form of contract and estimated cost for the Bever Avenue SE East of Bever Lane Storm Sewer Replacement project.

4. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Rockhurst Drive SW Regional Detention Basin – Streambank Mitigation at Noelridge Park project (estimated cost is $190,000) (Sandy Pumphrey). CIP/DID #304079-05
   a. Resolution adopting plans, specifications, form of contract and estimated cost for the Rockhurst Drive SW Regional Detention Basin – Streambank Mitigation at Noelridge Park project.

5. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the WPC Intermediate & Final Lift Stations HVAC Improvements project (estimated cost is $912,000) (Steve Hershner). CIP/DID #6150029-02
   a. Resolution adopting plans, specifications, form of contract and estimated cost for the WPC Intermediate & Final Lift Stations HVAC Improvements project.

6. A public hearing will be held to consider the proposed specifications, form of contract and estimated cost for the Bike Share System Equipment project (estimated cost is $570,000) (Bill Micheel). CIP/DID #PUR0818-028
   a. Resolution adopting specifications, form of contract and estimated cost for the Bike Share System Equipment 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.

7. Motion to approve the minutes.

8. Resolution adopting amendments to the Administrative Plan for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program. CIP/DID #OB246513

9. Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the C Avenue NE from Collins Road to 40th Street Pavement Reconstruction project. (Paving for Progress) CIP/DID #3012008-00

10. Resolution referring to the Linn County Compensation Commission the acquisition of Permanent Sanitary Sewer Easements from vacant land located north of East Robins Road NE and west of Alburnett Road, owned by Antoinette M. Kloubec, trustee of the Vernon D. Kloubec Testamentary Trust, and Antoinette M. Kloubec and Lori A. Kloubec, trustees of the Antoinette M. Kloubec Revocable Living Trust, in connection with the C Avenue NE (East of) and East Robins Road (North of) Sanitary Sewer Extension project. CIP/DID #6550053-00

11. Resolution amending the portion of Resolution No. 1278-09-15 that established two-way stop control at the intersection of 3rd Avenue and 3rd Street SW, and establishing all-way stop control at this intersection instead. CIP/DID #60-19-031

12. Resolution authorizing the removal of the school crosswalk on the north approach of the intersection of Johnson Avenue and Wiley Boulevard NW and the addition of crosswalks on the south and west approaches to accommodate students at Hoover Elementary School. CIP/DID #60-19-011

13. Resolution eliminating a Parking Meter Technician position in accordance with the Parking Agreement with Downtown Parking Management Inc. CIP/DID #FIN2018-32

14. Resolution rescinding Resolution No. 1081-08-18, which authorized three Fire Department employees to attend Structural Collapse 1 and 2 training in Camp Douglas, WI. CIP/DID #FIR0818-12345

15. 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. October 9, 2018 – Cedar Rapids East Gateway Sign project (estimated cost is $175,000). CIP/DID #PUR0818-050
   b. October 9, 2018 – FY 2019 Tree and Vegetation Removal Project (estimated cost is $119,000). CIP/DID #301990-17
   c. October 9, 2018 – FY19 Sanitary Sewer Point Repairs project (estimated cost is $190,000). CIP/DID #655996-15
   d. October 9, 2018 – Czech Village Levee & Gatewells – 16th Avenue SW to Bowling Street SW project (estimated cost is $5,000,000). CIP/DID #3313530-21
e. October 9, 2018 – Sinclair Levee Plaza and Monuments project (estimated cost is $180,000). CIP/DID #3316509-73

16. Motion assessing civil penalties for violation of State Code regarding the sale of alcohol to minors against:
   a. Kwik Star #581, 251 33rd Avenue SW (first offense – $500). CIP/DID #LIQR003497-08-2017
   b. Pilot Travel Center #1092, 8950 Earhart Lane SW (first offense – $500). CIP/DID #LIQR003682-04-2018

17. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
   a. Benz Beverage Depot, 501 7th Avenue SE (5-day permit for an event).
   b. BoTown Entertainment, 219 16th Avenue SE (5-day permit for an event).
   c. Bricks Bar & Grill, 320 2nd Avenue SE.
   d. Chrome Horse Slophouse & Saloon, 1201 3rd Street SE (5-day permit for an event at 319 Motors, 2702 6th Street SW).
   e. Coe College, 1220 1st Avenue NE.
   f. Cooter’s, 729 1st Avenue SW.
   g. Hazzard County Saloon, 329 2nd Avenue SE (permanent transfer to 402 2nd Avenue SE, former Goodyear location).
   h. Lancer Lanes, 3203 6th Street SW.
   i. Leonardo’s Pizza, 2228 16th Avenue SW.
   j. NewBo City Market, 1100 3rd Street SE.
   k. Oyama Sushi Japanese Steakhouse, 5350 Council Street NE.
   l. Paradise Bar & Grill, 5200 Fountains Drive NE (new – formerly Tanner’s/Drizzy’s Bar & Grill).
   m. Paramount Theatre/Orchestra Iowa, 119 and 123 3rd Avenue SE.
   n. Pub 217, 217 3rd Street SE.
   o. Shores Event Center, 700 16th Street NE.
   p. Veterans of Foreign Wars Post #788, 3240 Southgate Place SW.
   q. Westside Lounge, 325 Edgewood Road NW.

18. Resolutions approving:
   a. Payment of bills. CIP/DID #FIN2018-01
   b. Payroll. CIP/DID #FIN2018-02
   c. Transfer of funds. CIP/DID #FIN2018-03

19. Resolutions appointing and thanking the following individuals:
   a. Appointing Jonathan Berger (effective through June 30, 2020) to the Visual Arts Commission. CIP/DID #OB572855
   b. Appointing Greg Smith (effective through December 31, 2018) to the Cedar Rapids/Linn County Solid Waste Agency Board. CIP/DID #OB534305
   c. Vote of thanks to Rebecca Stonawski for serving on the Parks, Waterways & Recreation Commission. CIP/DID #OB1187380
   d. Vote of thanks to Mark English for serving on the Cedar Rapids/Linn County Solid Waste Agency Board. CIP/DID #OB534305

20. Resolutions approving the special event applications for:
   a. CR Porchfest (including road closures) on September 29, 2018. CIP/DID #SPEC-000667-2018
b. The Five Seasons Invitational Marching Band Festival (includes road closures) on September 29, 2018. CIP/DID #SPEC-002966-2018

c. Cedar Rapids Food Truck Festival (includes road closures) on October 6, 2018. CIP/DID #SPEC-002967-2018

d. State Marching Band Festival (includes road closures) on October 6, 2018. CIP/DID #SPEC-002970-2018

e. Especially for You Race Against Breast Cancer (includes road closures) on October 7, 2018. CIP/DID #SPEC-002977-2018

21. Resolutions approving assessment actions:
   a. Intent to assess – Solid Waste & Recycling – clean-up costs – three properties. CIP/DID #SWM-014-18
   b. Levy assessment – Solid Waste & Recycling – clean-up costs – five properties. CIP/DID #SWM-011-18
   c. Intent to assess – Water Division – delinquent municipal utility bills – 42 properties. CIP/DID #WTR092518-01
   d. Levy assessment – Water Division – delinquent municipal utility bills – 16 properties. CIP/DID #WTR081418-01

22. Resolutions accepting subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:
   a. Sanitary sewer at Reconserv of Iowa and 2-year Maintenance Bond submitted by BWC Excavating, L.C. in the amount of $165,800. CIP/DID #ASDP-023756-2016
   b. Water system improvements in 27th Street SE and 2-year Maintenance Bond submitted by Bushman Excavating Inc. in the amount of $21,809.92. CIP/DID #2016069-01

23. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
   a. 33rd Avenue SW East of 18th Street Storm Sewer Improvements project and 4-year Performance Bond submitted by Connolly Construction, Inc. (original contract amount was $43,011.10; final contract amount is $45,429.08). CIP/DID #304471-02
   b. 58th Avenue Court SW Sanitary Sewer Improvements project, final payment in the amount of $7,574.24 and 4-year Performance Bond submitted by B.G. Brecke, Inc. (original contract amount was $66,155; final contract amount is $151,484.77). CIP/DID #6550028-01
   c. 2018 Sanitary Sewer Service Repair project, final payment in the amount of $3,240.78 and 4-year Performance Bond submitted by B.G. Brecke, Inc. (original contract amount was $116,478; final contract amount is $64,815.68). CIP/DID #6550057-01
   d. Forest Drive SE North of Cottage Grove Avenue Sanitary Sewer Replacement project, final payment in the amount of $2,553.71 and 4-year Performance Bond submitted by B.G. Brecke, Inc. (original contract amount was $50,595; final contract amount is $51,074.21). CIP/DID #655996-16
   e. FY18 Downtown Sidewalk Repair Project Contract No. 1 and 4-year Performance Bond submitted by Christner Concrete, LLC (original contract amount was $59,672; final contract amount is $55,908). CIP/DID #321546-01

24. Resolutions approving actions regarding purchases, contracts and agreements:
   a. Contract with Reischauer Land Services, Inc. for senior agent right of way acquisition support services for the Engineering Division for 18 months for an amount not to exceed $350,000. CIP/DID #PUR0818-046
b. Contract with Pierce Manufacturing for a Velocity pumper fire truck for the Fire Department in the amount of $618,669.24. CIP/DID #FIR0918-2001

c. Contract with BladeWorks for snow removal services for the Facilities Maintenance Services Division for two years for an annual amount not to exceed $55,000. CIP/DID #PUR0818-044

d. Contract with Midwest Lawn and Landscape for 2018-2019 tree planting for the Parks and Recreation Department for an amount not to exceed $202,370.50. CIP/DID #PUR0718-009

e. Contract with Mailing Services, Inc. for mailing services for the Water Division for an annual amount not to exceed $205,000. CIP/DID #PUR0918-054

f. Amendment No. 3 to renew the contract with Crawford Quarry for storage of lime sludge for the Water Division for an annual amount not to exceed $280,000 (original contract amount was $179,000; renewal contract amount is $280,000). CIP/DID #PUR1216-121

g. Amendment No. 2 to renew the contract with Gillespie & Powers, Inc. for as-needed incinerator maintenance services for the Water Pollution Control Facility for two years for an annual amount not to exceed $75,000. CIP/DID #PUR0616-209

h. Amendment No. 2 to the contract with Wulfekuhle Injection & Pumping, Inc. for land application of biosolids for the Water Pollution Control Facility for two years for an annual amount not to exceed $200,000 (original contract amount was $200,000; renewal contract amount is $200,000). CIP/DID #0814-026

i. Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed $232,250 for design services in connection with the 3rd Avenue SE from 1st Street to 19th Street roadway improvements project. (Paving for Progress) CIP/DID #3012155-04

j. Amendment No. 1 to the Federal Lobbying Services Agreement with Kutak Rock, LLP in the amount of $33,000 to extend the term of the contract (original contract amount was $27,500; total contract amount with this amendment is $60,500); and rescinding Resolution No. 1174-09-18, which listed an incorrect amount for the additional cost. CIP/DID #OB1326044

k. Change Order No. 1 in the amount of $66,410.50, plus 15 additional calendar days, with Iowa Bridge & Culvert, LC for the 6th Street SW Box Culvert Extension project (original contract amount was $237,130.72; total contract amount with this amendment is $303,541.22). (Paving for Progress) CIP/DID #3012130-02

l. Change Order No. 5 to the contract with Tricon General Construction, Inc. for the ADA Ramps and Skywalk Improvements Group 1 project for the Facilities Maintenance Services Division to extend the term of the contract and to reflect the additional cost for repairs for an amount not to exceed $36,880.49 (original contract amount was $243,000; total contract amount with this amendment is $296,321.88). CIP/DID #PUR0717-021

m. Change Order No. 2 in the amount of $80,613.28 with Rathje Construction Company for the CEMAR Trail: Phase 1C and H Avenue NE and 16th Street NE from Oakland Road to D Avenue PCC Pavement with HMA Resurfacing and PCC Sidewalk/Trail project (original contract amount was $1,659,070.64; total contract amount with this amendment is $1,744,418.92). (Paving for Progress) CIP/DID #3012175-02

n. Change Order No. 2 in the amount of $41,726.60, plus 14 additional calendar days, with Hunt Construction Company, Inc. for the FY 2018 Sidewalk Repair Program – Contract No. 2 project (original contract amount was $152,076.80; total contract amount with this amendment is $206,339.40). CIP/DID #3017018-02
Change Order No. 4 in the amount of $15,928.22 with Boomerang Corp. for the Johnson Avenue NW Improvements from 1st Avenue SW to Midway Drive NW project (original contract amount was $5,276,786.90; total contract amount with this amendment is $5,390,657.06). *(Paving for Progress)* CIP/DID #3012043-02

Change Order No. 9 in the amount of $64,296.48 with Rathje Construction Company for the Memorial Drive SE from Mount Vernon Road to Bever Avenue Roadway and Utility Improvements project (original contract amount was $2,961,441.41; total contract amount with this amendment is $3,125,737.81). *(Paving for Progress)*

CIP/DID #301379-02

Change Order No. 4 in the amount of $6,571.38 with Tricon General Construction for the NW Gateway/Memorial Plaza project (original contract amount was $366,100; total contract amount with this amendment is $507,316.08). CIP/DID #307233-01

Change Order No. 6 to the contract with Garling Construction, Inc. for the Police Station & Shooting Range ADA Compliance project for the Facilities Maintenance Services Division to extend the completion date of the project and reflect changes to the scope of work for an amount not to exceed $11,944.89 (original contract amount was $327,900; total contract amount with this amendment is $454,421.96). CIP/DID #PUR0717-002

Change Order No. 1 in the amount of $341,057.09 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 $1,781,057.09). CIP/DID #3314520-30

Change Order No. 9 (Final) deducting the amount of $63,736.06 with Langman Construction, Inc. for the Waconia Avenue SW from Waconia Lane to Willow Creek Drive Sanitary Sewer, Water Main, Street and Sidewalk Improvements project (original contract amount was $3,156,051.62; total contract amount with this amendment is $3,044,257.84). CIP/DID #301942-01

Memorandum of Understanding with the Iowa Soybean Association, Land O'Lakes SUSTAIN and Quantified Ventures for a feasibility study of an alternative funding mechanism for the installation of best management practices on agricultural land in the Middle Cedar River Watershed. CIP/DID #OB1292684-01

Amendments to contracts and agreements with Schissel, LLC for the Kingstons MFNC Round 6 project, in conjunction with amendments to Grant No. 08-DRH-008 with the Iowa Economic Development Authority, awarding an additional $45,007 for storm water management. CIP/DID #08-DRH-008

Commitment to Award and Accept Funds from the Iowa Homeland Security and Emergency Management Division in the amount of $190,000 for the Cedar Rapids Division of Iowa Task Force 1. CIP/DID #FIR0918-0041

Grant application to the Iowa Department of Transportation for a Federal Recreational Trails program grant to fund the overlay of a section of the Hoover Nature Trail. CIP/DID #307070

Special Warranty Deed conveying City-owned property at 1606, 1614, 1618, 1626, 1628, 1632, 1634, 1642, and 1646 Ellis Boulevard NW to The Depot Development, LLC. CIP/DID #DISP-0011-2017

Amending Resolution No. 0475-04-17 to correct the legal description and accepting a Corrective Warranty Deed from Emma Squires, Scott Squires, Ollie M. Williams, Shirley A. Browning, Rose H. Merritt, and Julious L. Williams for the real property located at 1227 5th Street SE in connection with the 16th Avenue SE from 2nd Street to 5th Street Pavement Improvement project. *(Paving for Progress)* CIP/DID #3012154-00
aa. Accepting a Warranty Deed for right-of-way, an Easement for Public Utility, an Easement for Storm Sewer and Drainage, and a Temporary Grading Easement for Construction from FH Development LLC from vacant land located west of, parallel to, and adjacent to the proposed Earhart Lane extension, in conjunction with the Earhart Lane SW from Walford Road to Wright Brothers Boulevard Roadway Extension – Phase 1 project. CIP/DID #301965-00

ab. Purchase Agreement in the amount of $25,500 and accepting Permanent Sanitary Sewer Easements from Stella Mae Easker, Douglas C. Easker and Cynthia A. Easker, as co-trustees of the Douglas C. Easker Revocable Trust dated November 20, 2015, and Cynthia A. Easker and Douglas C. Easker, as co-trustees of the Cynthia A. Easker Revocable Trust dated November 20, 2015, from vacant land located north of East Robins Road NE and west of Alburnett Road in connection with the C Avenue NE (East of) and East Robins Road (North of) Sanitary Sewer Extension project. CIP/DID #6550053-00

ac. Purchase Agreement in the amount of $805 and accepting a Permanent Utility Easement and a Temporary Grading Easement for Construction from Justin J. Huffman from land located at 1665 29th Street NE in connection with the Center Point Road NE from 29th Street to J Avenue Intersection Reconstruction and One-Way to Two-Way Conversion project. (Paving for Progress) CIP/DID #3012094-00

ad. Purchase Agreement in the amount of $6,750 and accepting a Permanent Sanitary Sewer Easement from Ivan L. McBride, Lyn M. McBride, Jeanette E. McBride-Dearborn and David H. Dearborn from vacant land located north of East Robins Road NE and west of Alburnett Road in connection with the C Avenue NE (East of) and East Robins Road (North of) Sanitary Sewer Extension project. CIP/DID #6550053-00

REGULAR AGENDA

25. Discussion and Resolution authorizing additional City participation in the Northtowne Market redevelopment project and directing staff to negotiate Amendment No. 2 to the Development Agreement with Hunter Companies LLC for the former Nash Finch property along Blairs Ferry Road NE (Caleb Mason). CIP/DID #OB1300915

ORDINANCES

Second and possible Third Readings

26. Ordinance granting a change of zone for property located at 1718 Center Point Road NE from O-S, Office/Service Zone District, to R-3, Single Family Residence Zone District, as requested by Virgil A. Henley and Janice E. Henley. CIP/DID #RZNE-027524-2018

27. Ordinance granting a change of zone for property located east of 80th Street SW and north of 16th Avenue SW from A, Agriculture Zone District, to PUD-1, Planned Unit Development One Zone District, as requested by B.N.K.D, Inc. and the Lawrence A. Schulte Trust. CIP/DID #RZNE-027364-2018
28. Ordinance granting a change of zone for property located at 1005 Blairs Ferry Road NE from I-1, Light Industrial Zone District, to PUD-1, Planned Unit Development One Zone District, as requested by Hunter Companies LLC. CIP/DID #RZNE-027485-2018

29. Ordinance vacating public ways and grounds in and to the property described as the 50-foot by 200-foot parcel of excess street right-of-way located southwesterly of and adjacent to 69 16th Avenue SW, between 16th and 17th Avenues SW, as requested by the City and the Czech Village Association. CIP/DID #ROWV-026722-2018

30. Ordinance vacating public ways and grounds in and to the property described as the 40-foot by 115-foot parcel of excess street right-of-way located southwesterly of and adjacent to 1505 B Street SW as requested by the City and the Czech Village Association. CIP/DID #ROWV-026721-2018

31. Ordinance vacating public ways and grounds in and to the property described as the 20-foot by 175-foot parcel of excess street right-of-way located northwesterly of and adjacent to 1702 C Street SW as requested by the City and the Czech Village Association. CIP/DID #ROWV-026770-2018

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: 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: PUBLIC HEARINGS
A public hearing will be held to consider the proposed Amendment No. 1 to the Urban Renewal Area Plan for the Westdale Urban Renewal Area (Caleb Mason). CIP/DID #OB812292

a. Resolution approving Amendment No. 1 to the Urban Renewal Plan for the Westdale Urban Renewal Area. CIP/DID #OB812292

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

Background:
The public hearing and Resolution adopt Amendment No. 1 to the Westdale Urban Renewal Area plan (“Plan Amendment”). The URA Plan Amendment updates the expected amount of TIF revenue expected to be expended in the duration of the TIF related to the Westdale redevelopment project, which is up to $45 million. As part of the process to amend the URA Plan, a notice was provided to affected taxing agencies regarding a consultation on the Plan Amendment. No comments or objections were received by the taxing agencies on the Plan Amendment.

The Plan Amendment provides the statutory authority for the City Council to take action on an amendment to the Development Agreement for the Westdale redevelopment project, which is being considered by a separate action.

Action/Recommendation: City staff recommends adopting the Resolution
Alternative Recommendation: City Council may table and request additional information.

Time Sensitivity: NA
Resolution Date: September 5, 2018
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 WESTDALE URBAN RENEWAL AREA

WHEREAS, by Resolution No. 0435-03-13, adopted March 26, 2013, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Westdale Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Linn County; and

WHEREAS, this Urban Renewal Area currently includes and consists of:

A part of the following described land lying in the Northwest Quarter of Section 6, Township 82 North, Range 7, the Southwest Quarter and Northwest Quarter of Section 31, Township 83 North, Range 7, the Northeast Quarter and the Southeast Quarter of Section 36, Township 83 North, Range 8, and the Northwest Quarter of Section 1, Township 82 North, Range 8 West of the 5th P.M and including all of Auditors Plat Number 492, Montgomery Ward First Addition and Edgewood Station First Addition, all in the City of Cedar Rapids, Linn County, Iowa and more particularly described as:

Commencing at the point of intersection of the East Right of Way line of said Edgewood Road and the Northwesterly Right of Way line of said Williams Boulevard;

Thence Southwesterly to the point of intersection of the West Right of Way line of said Edgewood Road and the Northwesterly Right of Way line of said Williams Boulevard;

Thence Southwesterly along the Northwesterly Right of Way line of said Williams Boulevard to a point of intersection with the Easterly Right of Way line of said Wiley Boulevard;

Thence Southwesterly to the point of intersection of the Northwesterly Right of Way line of said Williams Boulevard and the Westerly Right of Way line of said Wiley Boulevard;
Thence Southeasterly to the point of intersection of the Southeasterly Right of Way line of said Williams Boulevard and the Southwesterly Right of Way line of said Wiley Boulevard;

Thence Southeasterly along the Southwesterly Right of Way line of said Wiley Boulevard to a point on a curve in the said Southwesterly Right of Way line, said point being a point of intersection with a line radial to the said curve and the North end of a curve on the South Right of Way line of said 29th Avenue, SW;

Thence Northeasterly along said radial line to the said North end of the curve on the South Right of Way line of said 29th Avenue SW;

Thence East along the South Right of Way of Said 29th Avenue, SW to a point of intersection with the West Right of Way line of said Edgewood Road;

Thence East to the point of intersection of the South line of said 29th Avenue, SW and the East Right of Way line of said Edgewood Road;

Thence North to the point of intersection of the North Right of Way line of said 29th Avenue, SW and the East Right of Way line of said Edgewood Road;

Thence North along the East Right of Way line of said Edgewood Road to the point of intersection with the Southeasterly Right of Way line of said Williams Boulevard;

Thence North to the East Right of Way line of said Edgewood Road and the Northwesterly Right of Way line of said Williams Boulevard and 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 update the list of eligible projects to be undertaken within the Area; and

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

WHEREAS, this proposed Amendment No. 1 adds no new land; and

WHEREAS, by Resolution No. 1135-09-18, 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 Monday, September 10, 2018 at 10 a.m. and all responses to the recommendations made by the affected taxing agencies, 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. 1135-09-18, this Council also set a public hearing on the adoption of the proposed Amendment No. 1 for the meeting on September 25, 2018 commencing at 5:30 p.m. in the Council Chambers of City Hall, 101 First Street SE, and due and property notice of the public hearing was give, as provided by law, by timely publication in the Cedar Rapids Gazette, 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 as follows:

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:

A. A feasible method exists for the relocation of any families who may be displaced from the Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

B. 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

C. With reference to any portion of the Urban Renewal Area, as amended, which is to be developed for non-residential uses, the City Council hereby determines that such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the Westdale 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 Westdale 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 Westdale 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.
AMENDMENT NO. 1

to the

URBAN RENEWAL PLAN

for the

WESTDALE URBAN RENEWAL AREA

City of Cedar Rapids, Iowa

Original Plan Adopted – 2013
Amendment No. 1 Adopted – 2018
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Introduction</td>
<td>1</td>
</tr>
<tr>
<td>II. Update to Previously Approved Urban Renewal Project</td>
<td>1</td>
</tr>
<tr>
<td>III. City Indebtedness</td>
<td>2</td>
</tr>
<tr>
<td>IV. Land Uses and Development Plans</td>
<td>2</td>
</tr>
<tr>
<td>V. Severability Clause</td>
<td>2</td>
</tr>
</tbody>
</table>
AMENDMENT NO. 1 TO THE WESTDALE URBAN RENEWAL PLAN

I. INTRODUCTION

The Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Westdale Urban Renewal Area ("Area" or "Urban Renewal Area") was originally adopted in 2013 and is being amended by this Amendment No. 1 ("Amendment") to update the list of eligible projects. This Amendment adds no new 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.

II. UPDATE TO PREVIOUSLY APPROVED URBAN RENEWAL PROJECT

The project approved in the original Plan was described as follows:

At the present time, the City expects to provide one or more economic development grants to or for the benefit of a private developer in an aggregate amount of $5 million to assist with the construction of on-site amenities within the Project Area to benefit the public, and provide additional economic development grants to such developer equal in amount to 100% of the tax increment revenues derived from the taxable improvements constructed in the Project Area, less the amount required to repay all City indebtedness relating to the redevelopment of the Project Area, for a period of not less than 12 years, all in accordance with a development agreement to be negotiated between the City and such private developer, in consideration for certain employment commitments and other covenants expected to be made by the developer (referred to as the "Frew Project"). The City also may enter into development agreements with other private developers constructing taxable improvements within the Project Area, under which similar grants may be made by the City. As such, the eventual level of City participation in both private and public improvements for the redevelopment of the Project Area cannot be fully determined at this time. However, to the extent that new tax increment revenues are generated and other appropriate funding sources are identified, the City may undertake other project-related activities in the future.

At the present time, it is anticipated that future City tax increment collections for indebtedness incurred with all projects, including the Frew Project, will not exceed $25,000,000 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 as described above and to reimburse the City for any other project-related costs incurred in connection with the development of the Project Area.

The project has been initiated and is continuing. The City issued its 2014B General Obligation Bonds to fund a $5,000,000 grant to the Developer, which remains outstanding. Additionally, the Developer has incurred infrastructure loans in furtherance of the project. The Developer proposes to refinance outstanding indebtedness with a new $21.75 million loan which will release restrictive loan covenants limiting its ability to develop, and free up some operational cash flows in the short term. However, in order to support the continued redevelopment of the Area, the maximum amount of tax increment that may be used in support of the project must be increased to $45,000,000. In addition, the new lender requires a City Guaranty which will obligate replenishment of the debt service reserve fund for the new loan. Due to the nature of the project and the rebate incentive, the actual cost of the project could change due to a variety of factors, including but not limited to changes in tax levies or rates, changes in tax laws, changes in assessed values, and other factors.
III. CITY INDEBTEDNESS

A specific amount of debt to be incurred for the Updated Urban Renewal Project (Amendment No. 1) has not yet been determined. The City previously issued its 2014B Taxable General Obligation Bonds, in part to fund the $5,000,000 grant to the for various infrastructure improvements. Additionally, the proposed amendment to the Development Agreement would obligate annual rebates to Developer through fiscal year 2035/36 equal in amount to 100% of the tax increment revenues derived from the taxable improvements constructed in the Project Area, less the amount required to repay any City advances under the City Guaranty (and retire the City Bonds issued for the project). This document is for planning purposes only. 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 Updated Urban Renewal Project as described above is estimated not to exceed $45,000,000.

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.

IV. LAND USES AND DEVELOPMENT PLAN

Cedar Rapids has a general plan for the physical development of the City as a whole outlined in EnvisionCR, adopted January 27, 2015 and amended on March 28, 2017. The goals and objectives of the Urban Renewal Plan, as amended, including the urban renewal project updated in this Amendment, are in conformity with EnvisionCR.

This Urban Renewal Plan does not in any way replace or modify the City’s current land use planning or zoning regulation process.

The need, if any, for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area is set forth in the Plan, as amended. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

V. SEVERABILITY CLAUSE

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.
Exhibit 2

To: City Council
From: Caleb Mason, Economic Development Analyst
Subject: Consultation with affected taxing agencies – Westdale URA Amendment No. 1
Date: September 18, 2018

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 agencies 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 Westdale Urban Renewal Area, after due and proper notice as required by the Urban Renewal Law, a consultation with affected taxing agencies was held on Monday, September 10, 2018 at 10:00 a.m. in the Kranse Conference Room of City Hall. No representatives from any taxing agencies 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.
Council Agenda Item Cover Sheet

Submitting Department: Finance

Presenter at Meeting: Casey Drew

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

Description of Agenda Item: PUBLIC HEARINGS

A public hearing will be held to consider the proposed Amendment No. 7 to the Development Agreement with Westdale CR Ventures, #1, LLC and others regarding the continued redevelopment of the Westdale Mall area.

a. Amendment No. 7 to the Development Agreement and related documents with Westdale CR Ventures, #1, LLC and others regarding the continued redevelopment of the Westdale Mall area.

b. Resolution authorizing and directing actions by the city manager with respect to the preparation of requests to the city council for appropriation of funds for the replenishment of a reserve fund held by NBH bank relating to a loan made to an affiliate of Westdale CR Ventures #1, LLC, to refinance certain improvements made within the Westdale Mall Urban Renewal Area pursuant to a development agreement between the city and such developer.

CIP/DID #OB812292; ATT000016

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

Background: The Developer is refinancing its existing loans. Pursuant to the existing Development Agreement, the City provides economic development grants to the Developer and is a limited guarantor of one of the Developer’s current loans. The Amendment obligates the City, subject to Developer’s performance, to provide Economic Development Grants to the Developer, payable in semi-annual installments in June and December each year through the term of the Amendment, June 1, 2036. Economic Development Grants are payable solely and only from Tax Increments derived from the property taxes paid and received by the City into the Westdale Mall Urban Renewal Tax Increment Revenue Fund, collected from the Development Property and Minimum Improvements under authority of Ordinance No. 023-13 (originally approved April 23, 2013), and shall be calculated in accordance with the Amendment. The Economic Development Grants received from the City will be assigned to Developer’s new lender. A condition of the new loan requires the City to approve a Moral Obligation Resolution, committing the City to replenish any shortfall in a Reserve Fund established for repayment of the loan, in the event Economic Development Grants were insufficient to pay the annual debt service. The City’s obligation to replenish the Reserve Fund is subject to the right of annual non-appropriation. The aggregate amount of Tax Increments utilized in furtherance of the Project shall not exceed $45,000,000. Other documents to be considered and approved by the City Council are:
1. Amended and Restated Minimum Assessment Agreement
2. Funding Trust Agreement
3. Absolute Assignment and Agreement

Action/Recommendation:

Alternative Recommendation: None

Time Sensitivity: High

Resolution Date:

Budget Information: NA

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

Recommended by Council Committee: (Click here to select)
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

The City Council of the City of Cedar Rapids, Iowa, met in regular session, in the Council Chambers, Third Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, at 5:30 P.M., on September 25, 2018. There were present Mayor Bradley G. Hart, in the chair, and the following named Council Members:

Marty Hoeger, Ann Poe, Scott Olson, Tyler Olson, Scott Overland, Dale Todd, Ashley Vanorny and Susie Weinacht.

Absent: ______

* * * * * * *
The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the proposal to approve and authorize execution of Amendment No. 7 to the Development Agreement by and between the City of Cedar Rapids and Westdale CR Ventures #15, LLC, Frew Development Group, LLC, and Westdale CR Ventures #1, LLC, and that notice of the proposed action by the Council to enter into said Amendment No. 7 had been published pursuant to the provisions of chapters 362 and 403 of the Code of Iowa.

The Mayor then asked the Clerk whether any written objections had been filed by any City resident or property owner to the proposed action. The Clerk advised the Mayor and the Council that ______ written objections had been filed. The Mayor then called for oral objections and ______ were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

Whereupon, the Mayor declared the hearing on the proposal to approve and authorize execution of Amendment No. 7 to the Development Agreement by and between the City of Cedar Rapids and Westdale CR Ventures #15, LLC, Frew Development Group, LLC, and Westdale CR Ventures #1, LLC to be closed.

The Council then considered the proposed action and the extent of objections thereto.
RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF AMENDMENT NO. 7 TO THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF CEDAR RAPIDS AND WESTDALE CR VENTURES #15, LLC, FREW DEVELOPMENT GROUP, LLC, AND WESTDALE CR VENTURES #1, LLC ANDRELATED DOCUMENTS

WHEREAS, the City Council previously found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Urban Renewal Plan (the “Plan” or “Urban Renewal Plan”) for the Westdale Urban Renewal Area (the “Area” or “Urban Renewal Area”) by Resolution No. 0435-03-13, adopted March 26, 2013, and pursuant to Resolution No. ______-18, adopted on September 25, 2018, the Council amended the Plan, which Plan, as amended, is on file in the office of the Recorder of Linn County; and

WHEREAS, the City previously authorized a Development Agreement by and between the City and Frew Development Group, LLC and Westdale CR Ventures #1, LLC (together, the “Developer”) dated May 14, 2013 (the “Original Agreement”), concerning the redevelopment of the Westdale Mall, located within the Urban Renewal Area (the “Project”); and

WHEREAS, the City and Developer previously amended the Original Agreement on December 17, 2013, June 23, 2015, April 12, 2016, June 14, 2016, September 13, 2016, and June 27, 2017. Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Original Agreement, as amended; and

WHEREAS, in Amendment No. 7, Developer proposes to restructure outstanding Developer indebtedness for the Project, fund an escrow and economically defease the City Bonds previously issued for the Project, and provide funds for certain City-approved operational costs of the Developer associated with the Project; and

WHEREAS, Developer has made arrangements for its 2018 Bank Loan with NBH Bank in the amount of $21,750,000 for these purposes; and

WHEREAS, a condition of the 2018 Bank Loan requires the City commit to replenish any draws upon the Reserve Fund for the life of the 2018 Bank Loan, subject to a right of annual appropriation, and other limitations within an agreed upon Moral Obligation Resolution; and

WHEREAS, Iowa Code Chapters 15A and 403 (the "Urban Renewal Law") authorize cities to make grants, loans, guarantees, incentives and financial assistance for economic development in furtherance of the objectives of an urban renewal project and to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of said Chapters, and to levy taxes and assessments for such purposes; and

WHEREAS, the Council has determined that Amendment No. 7 is in the best interests of the City and the residents thereof and that the performance by the City of its obligations thereunder is a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that Amendment No. 7 and the City’s performance thereunder is in furtherance of appropriate economic development activities and objectives of the City within the meaning of Chapters 15A and 403 of the Iowa Code taking into account any or all of the factors set forth in Chapter 15A, to wit:

a. Businesses that add diversity to or generate new opportunities for the Iowa economy should be favored over those that do not.

b. Development policies in the dispensing of the funds should attract, retain, or expand businesses that produce exports or import substitutes or which generate tourism-related activities.
c. Development policies in the dispensing or use of the funds should be targeted
toward businesses that generate public gains and benefits, which gains and
benefits are warranted in comparison to the amount of the funds dispensed.

d. Development policies in dispensing the funds should not be used to attract a
business presently located within the state to relocate to another portion of the
state unless the business is considering in good faith to relocate outside the state
or unless the relocation is related to an expansion which will generate significant
new job creation. Jobs created as a result of other jobs in similar Iowa businesses
being displaced shall not be considered direct jobs for the purpose of dispensing
funds.

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

Section 1. That the performance by the City of its obligations under Amendment No. 7,
including but not limited to providing Economic Development Grants to Developer through fiscal
year 2035/36 to be funded by Tax Increment created by the Project, and committing to replenish
draws upon the Reserve Fund in accordance with the Moral Obligation Resolution in connection
with the Developer’s 2018 Bank Loan for the restructure of certain outstanding Developer debt
previously incurred for the Project, funding an escrow of City Bonds previously issued for the
Project, and funding certain City-approved operational costs of the Developer for the Project
under the terms set forth in Amendment No. 7, and that the Development Agreement, as
amended, be and is hereby declared to be a public undertaking and purpose and in furtherance
of the Plan and the Urban Renewal Law and, further, that Amendment No. 7 and Development
Agreement, as amended, and the City’s performance thereunder is in furtherance of appropriate
economic development activities and objectives of the City within the meaning of Chapters 15A
and 403 of the Iowa Code, taking into account the factors set forth therein.

Section 2. That the aggregate amount of Tax Increment utilized in furtherance of the
Project shall not exceed $45,000,000, and based upon the factors outlined in Chapter 15A of the
Code of Iowa, the Council hereby determines the public gains and benefits received as a result
of the Project are commensurate with the expenditure of public funds to this level.

Section 3. That the form and content of Amendment No. 7, the provisions of which are
incorporated herein by reference, and the related Absolute Assignment and Agreement, Amended
and Restated Minimum Assessment Agreement and Funding Trust Agreement, be and the same
hereby are in all respects authorized, approved and confirmed, and the Acting City Manager and
the City Clerk be and they hereby are authorized, empowered and directed to execute, attest,
seal and deliver Amendment No. 7 for and on behalf of the City in substantially the form and
content now before this meeting, but with such changes, modifications, additions or deletions
therein as shall be approved by such officers, and that from and after the execution and delivery
of Amendment No. 7, the City Manager, Acting City Manager and the City Clerk are hereby
authorized, empowered and directed to do all such acts and things and to execute all such
documents as may be necessary to carry out and comply with the provisions of the Development
Agreement, as amended by Amendment No. 7, as executed.
PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
CERTIFICATE

STATE OF IOWA  )
COUNTY OF LINN  ) SS

I, the undersigned City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 25th day of September, 2018.

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

(SEAL)
RESOLUTION NO. LEG_NUM_TAG

A RESOLUTION AUTHORIZING AND DIRECTING ACTIONS BY THE CITY MANAGER WITH RESPECT TO THE PREPARATION OF REQUESTS TO THE CITY COUNCIL FOR APPROPRIATION OF FUNDS FOR THE REPLENISHMENT OF A RESERVE FUND HELD BY NBH BANK RELATING TO A LOAN MADE TO AN AFFILIATE OF WESTDALE CR VENTURES #1, LLC, TO REFINANCE CERTAIN IMPROVEMENTS MADE WITHIN THE WESTDALE MALL URBAN RENEWAL AREA PURSUANT TO A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND SUCH DEVELOPER.

WHEREAS, in furtherance of the objectives of Chapter 403 of the Code of Iowa, as amended, the City of Cedar Rapids, Iowa (the “City”) is engaged in carrying out urban renewal activities in an area known as the Westdale Mall Urban Renewal Area (the “Urban Renewal Area”); and

WHEREAS, Westdale CR Ventures #1, LLC, an Iowa limited liability company ("Westdale CR"), and Frew Development Group, LLC, a Colorado limited liability company ("Frew," and together with Westdale CR, the “Developer”), have acquired the right to develop certain property located within the Urban Renewal Area; and

WHEREAS, the City, the Developer, and the Borrower (as hereinafter defined) (by its execution of Amendment No. 7 to the below defined Development Agreement) have entered into a Development Agreement dated as of May 14, 2013, as amended on December 17, 2013, June 23, 2015, April 12, 2016, June 14, 2016, September 13, 2016, June 27, 2017, and September 25, 2018 (collectively, the “Development Agreement”), wherein the Developer and the Borrower have agreed, inter alia, to construct certain Minimum Improvements (as defined in the Development Agreement) and the City has agreed, inter alia, to make certain Economic Development Grants (as defined in the Development Agreement) to the Developer and the Borrower, subject to the terms and provisions of the Development Agreement; and

WHEREAS, on the date hereof, the City has outstanding its “Cedar Rapids, Iowa, Taxable General Obligation Urban Renewal Bonds, Series 2014B (State of Iowa Exempt)” in the aggregate principal amount of $9,230,000 (the “City Bonds”), a portion of the proceeds of which were used to make the City Grant (as defined in the Development Agreement); and

WHEREAS, on the date hereof, the Developer has outstanding two construction loans with Cedar Rapids Bank and Trust Company (“CRBT”) (collectively, the “Developer Loans”) pursuant to a Construction Loan Agreement dated as of June 25, 2015, as amended on July 10, 2017, between the Developer and CRBT; and

WHEREAS, the Developer, has determined to refinance $4,620,000 aggregate principal amount of the City Bonds (such amount being the portion thereof related to the City Grant) and to also refinance the Developer Loans; and

WHEREAS, NBH Bank, a Colorado state-chartered bank (the “Lender”), is willing to make a loan to Westdale CR Ventures #15, LLC, an Iowa limited liability company (the “Borrower”), which is an affiliate of Westdale CR, in the aggregate principal amount of $21,750,000 (the “Loan”) for the purposes of: (i) defeasing and/or refunding the portion of the City Bonds related to the City Grant; (ii) paying and cancelling the Developer Loans; (iii) paying certain operational and
other costs of the Developer, as directed by the Borrower and the City; (iv) funding a debt service reserve for the Loan; and (v) paying certain costs incurred in making and documenting the Loan, all as is more specifically set forth herein; and

WHEREAS, the Loan shall be made to the Borrower pursuant to a Loan Agreement dated the date of its delivery between the Lender and the Borrower (the “Loan Agreement”); and

WHEREAS, the Loan shall be payable from and secured solely by the collateral set forth in the Loan Agreement, which consists primarily of an assignment of the Economic Development Grants payable by the City to the Developer under the Development Agreement; and

WHEREAS, the Loan Agreement will establish a reserve fund (the “Reserve Fund”) that will be funded initially with the proceeds of the Loan in the amount of the Reserve Requirement (defined in the Loan Agreement as $2,260,000); and

WHEREAS, the Loan Agreement will require that the Reserve Fund be maintained in the amount of the Reserve Requirement for so long as the Loan is outstanding for use as a reserve against deficiencies in the payment of the principal of or interest on the Loan; and

WHEREAS, the Loan Agreement will also establish a surplus fund (the “Surplus Fund”) that will not be funded with the proceeds of the Loan but rather by excess revenue derived from the Economic Development Grants accumulated over time until the total amount on deposit in the Surplus Fund equals the Maximum Surplus Amount (defined in the Loan Agreement as $2,175,000); and

WHEREAS, the Loan Agreement will require that the Surplus Fund be maintained in the amount of the Maximum Surplus Amount for so long as the Loan is outstanding for use as a reserve against deficiencies in the payment of the principal of or interest on the Loan and further require that excess revenue derived from the Economic Development Grants accumulated over time be deposited into the Surplus Fund at any time the balance in the Surplus Fund is less than the Maximum Surplus Amount; and

WHEREAS, the Loan Agreement will require that amounts on deposit in the Surplus Fund be utilized to pay the principal of and interest on the Loan before any amounts on deposit in the Reserve Fund are used for the same purpose; and

WHEREAS, the Loan Agreement contemplates that if, on June 2nd of each year, the amount on deposit in the Reserve Fund is less than the Reserve Requirement, the Lender shall notify the City of any deficiency by no later than June 10 of such year and request that the City replenish the Reserve Fund to the Reserve Requirement no later than June 30 of such year; and

WHEREAS, the City Council wishes to make a non-binding statement of its present intent with respect to the appropriation of funds for the replenishment of the Reserve Fund, and to authorize and direct the City Manager to take certain actions for the purpose of causing requests for such appropriations to be presented to the City Council for consideration; and

WHEREAS, the City Council wishes to make a non-binding statement of its present intent to, when requested, budget and appropriate a sufficient amount of funds to replenish the Reserve Fund to the Reserve Requirement; and

WHEREAS, the City acknowledges that the adoption of this resolution is a condition precedent to the Lender’s making of the Loan to the Borrower.
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
CEDAR RAPIDS, IOWA:

Section 1. Appropriations to Replenish Reserve Fund.

A. Provided the City is notified by the Lender of any deficiency in the Reserve Fund
on or prior to June 10 of each year, the City Manager shall prepare and submit to the City Council
a budget amendment, if necessary, and a related request for an appropriation of a sufficient
amount of funds to replenish the Reserve Fund to the Reserve Requirement by not later than
June 30 of such year. It is the present intention and expectation of the City Council to budget and
appropriate such funds as requested, within the limits of available funds and revenues, but this
declaration of intent shall not be binding upon the City Council or any future City Council in any
future fiscal year of the City. The City Council may determine in its sole discretion, but shall never
be required, to budget for and make the appropriations so requested. All sums budgeted and
appropriated by the City Council for such purpose shall be transferred by the City to the Lender
for deposit by the Lender in the Reserve Fund.

B. The obligation of the City hereunder to replenish the Reserve Fund shall be an
obligation limited to currently budgeted funds, and not a general obligation or other indebtedness
of the City, or a pledge of its full faith or credit under the meaning of any constitutional or statutory
debt limitation, and shall be subject in all respects to the City’s right of non-appropriation reserved
hereunder. This resolution shall not, directly or indirectly, obligate the City to make payments
during any fiscal year beyond the fiscal year for which funds have been appropriated by the City
Council. Following any event of non-appropriation, the City shall not be obligated to make
payment from any source of any amount due in respect of replenishing the Reserve Fund beyond
those amounts previously appropriated by the City Council for that purpose, and the City shall not
be liable to the Lender for any remaining amounts due under the Loan Agreement or for any
costs, damages (including but not limited to consequential damages) or expenses incurred by the
Lender as a result of the exercise by the City of its right of non-appropriation. The right of non-
appropriation reserved to the City hereunder is intended by the parties, and shall be construed at
all times, so as to ensure nothing provided in this Section 1 shall create or constitute a debt or
liability of the City under the constitution and statutes of the State of Iowa. In the event any of the
provisions of this resolution are determined by a court of competent jurisdiction to create, cause,
or result in the creation of legal indebtedness of the City, the application and enforcement of such
provision(s) shall be deemed suspended as of the date of such determination, and the obligation
of the City created hereunder shall be construed and applied in a manner preserving the foregoing
intent of the parties, and no event of default shall be deemed to have occurred as a result of the
suspension of any such provision(s). If any provision of this resolution is so suspended, the
suspension shall not affect other provisions or application of the City’s obligation created
hereunder provided such can be given effect without the suspended provision. To this end, the
provision of this Resolution are severable.

Section 2. Limitation to Loan. Unless otherwise expressly provided by a subsequent
resolution of the City Council, the provisions of this Resolution shall apply only to the Reserve
Fund established in connection with the Loan.

Section 3. No Repeal. This resolution may not be repealed or amended until the Lender
has advised the City in writing that the Loan has been repaid in full or unless the Lender consents
to such amendment or repeal in writing.

Section 4. General Repealer. All prior resolutions, or parts thereof, inconsistent herewith
are hereby repealed to the extent of such inconsistency.

Section 5. Effectiveness. This Resolution shall take effect immediately upon its passage.
Attest:

ClerkSignature

MayorSignature
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-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 Bever Avenue SE East of Bever Lane Storm Sewer Replacement project (estimated cost is $160,000).

Resolution adopting plans, specifications, form of contract and estimated cost for the Bever Avenue SE East of Bever Lane Storm Sewer Replacement project.
CIP/DID #304485-01

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

Background: This project will replace a failing storm sewer culvert which is located between Bever Avenue SE and Green Valley Terrace. The project will also relocate an existing area intake and repair joint sections of an upstream 48-inch storm sewer. Replacing the culvert pipe will also correct an erosion issue that may worsen if no action is taken.

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

Alternative Recommendation: Defer project to the future.

Time Sensitivity: Must be acted upon September 25, 2018 to maintain the project schedule, and which must occur ahead of the project’s October 3, 2018 bid opening.

Resolution Date: September 25, 2018

Budget Information: 304, 304000, 304485 NA: $160,000

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
RESOLUTION NO. 304485-01

WHEREAS, on September 11, 2018 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Bever Avenue SE East of Bever Lane Storm sewer Replacement project (Contract No. 304485-01) 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

LEG_PASSED

Attest:

ClerkSignature

MayorSignature
BEVER AVENUE SE EAST OF BEVER LANE
STORM SEWER REPLACEMENT
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Sandy Pumphrey, 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 Rockhurst Drive SW Regional Detention Basin – Streambank Mitigation at Noelridge Park project (estimated cost is $190,000).

Resolution adopting plans, specifications, form of contract and estimated cost for the Rockhurst Drive SW Regional Detention Basin – Streambank Mitigation at Noelridge Park project. CIP/DID #304079-05

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

Background: This regional detention basin project was identified as one of the top three priority projects for the City to pursue under the Stormwater Master Plan. This project, however, requires wetland and streambank mitigation to occur as regulated by the US Army Corp of Engineers. For cost effectiveness, it was determined that wetland mitigation should occur via the purchase of credits from a mitigation bank, which has already occurred. However, streambank credits aren’t currently competitively priced. It therefore makes financial sense for the City to do a streambank mitigation project within City limits, which also benefits one of our own parks.

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: Abandon the construction project and purchase streambank mitigation credits from a mitigation bank.

Time Sensitivity: Must be acted upon September 25, 2018 to maintain the project schedule, and which must occur ahead of the project’s September 26, 2018 bid opening.

Resolution Date: September 25, 2018

Budget Information: 304079 NA

Local Preference Policy: NA  
Explanation: NA

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

WHEREAS, on September 11, 2018 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Rockhurst Drive SW Regional Detention Basin – Streambank Mitigation at Noelridge Park project (Contract No. 304079-05) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Water Pollution Control

Presenter at Meeting: Steve Hershner

Alternate Contact Person: Steve Hershner

Cell Phone Number: 538-1059/270-5219

E-mail Address: Steve.He@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 WPC Intermediate & Final Lift Stations HVAC Improvements project (estimated cost is $912,000) (Steve Hershner).

Resolution adopting plans, specifications, form of contract and estimated cost for the WPC Intermediate & Final Lift Stations HVAC Improvements project.

CIP/DID #6150029-02

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

Background:
The WPC Facility started a series of projects in 2012 to upgrade various deficient HVAC systems that were found at the plant. The issues found varied: from corroded equipment, to changes in building codes, equipment reaching the end of expected life, and buildings being repurposed to accommodate different plant processes. The projects were prioritized in order of criticality to the continuing functioning of the plant and were programmed into future CIP plans.

This project covers the last of the HVAC issues that were identified in 2012. A range of smaller buildings are covered by the project. It includes: the Chemical Storage Building, Intermediate Lift Station, Final Lift Station, Solids Pump Building Basement, and O₂ Generation Building Electrical Room. The buildings all have simplified HVAC systems compared to the previous projects. The goal of the project is correct the existing deficiencies with the HVAC systems in these buildings and bring the ventilation rates up to what is required by current building codes.

A pre-bid meeting was held September 24, 2018. Bids will be opened and publicly announced on October 10, 2018.

Action/Recommendation: The Utilities Department – Water Pollution Control Division staff recommends approval of the resolution adopting the plans, specifications, form of contract and estimated cost for the WPC Intermediate & Final Lift Stations HVAC Improvements project.

Alternative Recommendation: None
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 budgets. The project will be coded to the following CIP funds: 553000-615-615000-x-x-6150029-NA.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison**: There is currently $700,000 budgeted in the Water Pollution Control Division CIP budget for the purchase and construction of the improvements as listed in the WPC Intermediate & Final Lift Stations HVAC Improvements project. Additional funds can be shifted from other Capital Improvement projects, if needed.
3. **Purchasing Department used or Purchasing Guidelines followed**: Yes, the project is being bid as a Capital Improvement Project using Purchasing Department standards.

**Local Preference Policy**: NA
**Explanation**: Capital Improvement projects are exempt from Local Preference Policy.

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

WHEREAS, on September 11, 2018 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the WPC Intermediate & Final Lift Stations HVAC Improvements project (6150029-02) 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 improvements 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: Bill Micheel

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

Description of Agenda Item: PUBLIC HEARINGS
A public hearing will be held to consider the proposed specifications, form of contract and estimated cost for the Bike Share System Equipment project (estimated cost is $570,000) (Bill Micheel).

   a. Resolution adopting specifications, form of contract and estimated cost for the Bike Share System Equipment project.
      CIP/DID #PUR0818-028; 115200

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

Background:
This project is for the purchase of equipment for a bike share system, including bikes, stations, kiosks, and signage. Bid opening is scheduled for Wednesday, October 3, 2018 at 11:00 a.m. CDT.

Action/Recommendation: Public Hearing

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: September 25, 2018

Budget Information: 115200

Local Preference Policy: No
   Explanation: Public Improvement Project

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

WHEREAS, on September 11, 2018 there was filed in the Office of the City Clerk proposed specifications, form of contract and estimated cost for the Bike Share System Equipment project for the Community Development Department, 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: Community Development - Housing

Presenter at Meeting: Sara Buck

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 amendments to the Administrative Plan for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME).
CIP/DID #OB246513

EnvisionCR Element/Goal: StrengthenCR Goal 3: Adopt policies that create choices in housing types and prices throughout the City.

Background: The City of Cedar Rapids has been a recipient of Community Development Block Grant (CDBG) funding for over 40 years, and a participating jurisdiction in the HOME Investment Partnership Program since 1994. As a condition of receiving funds, the City is required to adopt, and follow, an Administrative Plan that describes program requirements and administrative processes on activities undertaken through the CDBG and HOME programs.

HUD routinely releases information regarding new requirements and updated processes and procedures for administering the CDBG and HOME programs, requiring the City to update its Administrative Plan. Additionally, local changes are made to the programs administered, which require updates to the plan. These changes can be minor or include revamped program guidelines.

The current changes proposed:

Comprehensive Rehabilitation Program
- Establish an annual application process that would open on the first Monday in October. A predetermined number of applications would be accepted, based on the funding level for the year.

- Define historic structures as properties 50-years old or older, rather than built prior to 1960, to be consistent with the original intent of the policy.

- Decrease the required contribution of households. For example, a household with assets of less than $15,000 would be required to contribute between 0-2% of the total project cost, rather than the current range of 1-20%.

- Cap total project costs at $35,000 (or 50% of pre-rehab assessed value), rather than allowing unlimited soft costs. This improves predictability of the number of projects to be
completed each year.

Minor Repair Program
- Raise the minimum general maintenance item from $300 to $500.
- Establish asset limit of $25,000, in non-retirement assets, to align with other City administered programs.

First-Time Homebuyer
- Set the first Monday of October as the annual opening for Program applications. Accept applications until all funds are committed.
- Establish asset limit of $25,000, in non-retirement assets, to align with other City administered programs.
- Decrease homebuyer contribution from 1-3% of the purchase price to $500 - $1,500, based on non-retirement asset totals.
- Incorporate recently released HUD guidance on consider household expenses, in addition to housing income and debt-to-income ratios.

Action/Recommendation: Staff recommends the approval of resolution.

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

Time Sensitivity: Approval would allow staff to begin accepting applications for internal programs October 1, 2018.

Resolution Date: September 25, 2018

Budget Information: NA

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

Recommended by Council Committee: Yes
Explanation: Recommendation of approval by Development Committee
RESOLUTION NO. LEG_NUM_TAG

RESOLUTION AMENDING THE ADMINISTRATIVE PLAN
FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
AND HOME INVESTMENT PARTNERSHIP PROGRAMS

WHEREAS, the City of Cedar Rapids, Iowa (City) is qualified as an entitlement community to annually receive funds from the Community Development Block Grant (CDBG) and HOME Investment Partnership Program, and may qualify for other HUD grant programs; and

WHEREAS, the City of Cedar Rapids has adopted and follows an Administrative Plan as required by HUD for receipt of entitlement funds; and

WHEREAS, the City is required to amend its Administrative Plan as needed based on regulatory changes and guidance from HUD; and

WHEREAS, the City intends its Administrative Plan to provide clarity and transparency with regards to CDBG and HOME fund administration; and

WHEREAS, the City wants to ensure program participants have the ability to access property equity for emergency health and safety needs; and

WHEREAS, the City intends to commence Owner-Occupied Comprehensive and First Time Homebuyer Programs annually on the First Monday of October; and

WHEREAS, the City notes that required regulatory updates and minor changes do not require City Council action;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that said proposed amended Administrative Plan is hereby adopted with final approval, and made a part of this resolution.

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-rapids.org

Cell Phone Number: 538-1076

Description of Agenda Item: CONSENT AGENDA
Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the C Avenue NE from Collins Road to 40th Street Pavement Reconstruction project (Paving for Progress).
CIP/DID #3012008-00

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

Background: Construction has been substantially completed by Pirc-Tobin Construction, Inc. for the subject project. This is a previously approved Capital Improvements Project (CIP No. 3012008-02) with a total cost of completed work to date of $2,268,279.98. Amount proposed to be assessed to 5 benefiting properties is $25,339. The preliminary assessment amount of $120,330 was approved by City Council on September 27, 2016. The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements. In conformance with the provisions of the Iowa Code for special assessment (Chapter 384) proposes a resolution to levy the final assessment. The final assessment amount is less than the preliminary assessment amount due to the City adopting a new Sidewalk Construction Special Assessment Policy in March of 2017 which eliminated the sidewalk assessments for all residential parcels.

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

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

Time Sensitivity: Must be acted on by September 25, 2018 due to assessment schedule per State code timeline.

Resolution Date: September 25, 2018

Budget Information: 301/301000/3012008 SLOST

Local Preference Policy: NA
Explanation: NA

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

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

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

That after full consideration of the final schedule of assessments and accompanying plat showing the assessments proposed to be made for the construction of the C Avenue NE from Collins Road to 40th Street Pavement Reconstruction, within the City, under contract with Pirc-Tobin Construction, Inc. of Alburnett, Iowa, which final plat and schedule was filed in the office of the Clerk on the 18th day of September said assessments are hereby corrected by making the following changes and reductions:

<table>
<thead>
<tr>
<th>NAME OF PROPERTY</th>
<th>OWNER AND DESCRIPTION OF PROPERTY</th>
<th>PROPOSED ASSESSMENT</th>
<th>FINAL ASSESSMENT</th>
<th>CONDITIONAL DEFICIENCY, IF ANY</th>
<th>CORRECTED ASSESSMENT</th>
<th>CONDITIONAL DEFICIENCY, IF ANY</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

BE IT FURTHER RESOLVED, that said assessments of an amount subject to the provisions of Section 384.60, Code of Iowa, shall be payable in ten (10) equal annual installments and shall bear interest at the rate of 9 percent per annum, the maximum rate permitted by law, from the date of the acceptance of the improvements; the first installment of each assessment, or total amount thereof, if it be less than the amount subject to the provisions of Section 384.60 Code of Iowa, with interest on the whole assessment from date of acceptance of the work by the Council, shall become due and payable on July 1, 2019; succeeding annual installments, with interest on the whole unpaid amount, shall respectively become due on July 1st annually thereafter, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. Said assessments shall be payable at the office of the City Treasurer, in full or in part and without interest within thirty days after the date of the first publication of the notice of the filing of the final plat and schedule of assessments to the County Treasurer of Linn County, Iowa.
BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to certify said final plat and schedule to the County Treasurer of Linn County, Iowa, and to publish notice of said certification once each week for two consecutive weeks in the Cedar Rapids Gazette, a newspaper printed wholly in the English language, published in Cedar Rapids, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said schedule with the County Treasurer, the Clerk shall also send by ordinary mail to all property owners whose property is subject assessment a copy of said notice, said mailing to be on or before the date of the second publication of the notice, all as provided and directed by Code Section 384.60, Code of Iowa.

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

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
NOTICE OF FILING OF THE FINAL PLAT AND SCHEDULE OF ASSESSMENTS AGAINST BENEFITED PROPERTIES FOR THE CONSTRUCTION OF THE C AVENUE NE FROM COLLINS ROAD TO 40TH STREET PAVEMENT RECONSTRUCTION PROJECT WITHIN THE CITY OF CEDAR RAPIDS, IOWA

TO THE PERSONS OWNING LAND LOCATED WITHIN THE DISTRICT DESCRIBED AS THE C AVENUE NE FROM COLLINS ROAD TO 40TH STREET PAVEMENT RECONSTRUCTION PROJECT WITHIN THE CITY OF CEDAR RAPIDS, IOWA:

Consisting of the properties which are described as follows:

<table>
<thead>
<tr>
<th>Parcel Number</th>
<th>Property Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>14034-06001-00000</td>
<td>PARCREST LOT 1 BLK 7</td>
</tr>
<tr>
<td>14023-26003-00000</td>
<td>A.P. #471 LOT 4</td>
</tr>
<tr>
<td>14023-26014-00000</td>
<td>LINGE'S 1ST N 25' LOT 3 &amp; ALL LOT 4</td>
</tr>
<tr>
<td>14023-26015-00000</td>
<td>LINGE'S 1ST N 47.5 LOT 2 &amp; S 45' LOT 3</td>
</tr>
<tr>
<td>14023-51001-00000</td>
<td>S 1/2 SW EX ASSOC REALTY CO., LINDALE PLAZA INC. &amp; AP 79 &amp; EX PT DESC V1262 P610 BNG APPROX 110' X 200' NEAR E SIDE &amp; EX S 200' N 733.5' W 300' E 714.51' NW OF BLVD - EX RD. SEC 02 TWP 83 R 7</td>
</tr>
</tbody>
</table>

The extent of the work completed on the C Avenue NE from Collins Road to 40th Street Pavement Reconstruction project is as follows:

Concrete paving; crack & seat roadway rehabilitation with asphalt overlay; new water main, valves, hydrants and services; new storm sewer pipe and intakes; sidewalk and ADA curb ramps; driveways; pavement markings; tree plantings; and sodding.

You are hereby notified that the final plat and schedule of assessments against benefited properties within the District described as the C Avenue NE from Collins Road to 40th Street Pavement Reconstruction project, for the construction of sanitary sewer service and/or sidewalk improvements, has been adopted and levied by the Council of Cedar Rapids, Iowa, and that said plat and schedule of assessments has been certified to the County Treasurer of Linn County, Iowa. Assessments of $500 or more are payable in ten (10) equal annual installments, with interest on the unpaid balance, all as provided in Section 384.65, City Code of Iowa. Conditional deficiency assessment, if any, may be levied against the applicable property for the same period of years as the assessments are made payable.

You are further notified that assessments may be paid in full or in part without interest at the office of the City Treasurer at any time within thirty days after the date of the first publication of this notice of the filing of the final plat and schedule of assessments with the County Treasurer. Unless said assessments are paid in full within said thirty day period, all unpaid assessments will draw
annual interest computed at 9 percent (commencing on the date of acceptance of the work) computed to the next December 1st following the due dates of the respective installments. Each installment will be delinquent on September 30th following its due date on July 1st in each year. Property owners may elect to pay any annual installment semiannually in advance.

All properties located within the boundaries of the C Avenue NE from Collins Road to 40th Street Pavement Reconstruction project, above described have been assessed for the cost of the making of said improvements, the amount of each assessment, and the amount of any conditional deficiency assessment having been set out in the schedule of assessments and plat accompanying the same, which are now on file in the office of the County Treasurer of Linn County, Iowa. For further information you are referred to said plat and schedule of assessments.

This Notice given by direction of the Council of the City of Cedar Rapids, Iowa, as prescribed by Code Section 384.60 of the City Code of Iowa.

____________________________________
Amy Stevenson
Clerk of the City of Cedar Rapids, Iowa
CERTIFICATE OF LEVY OF SPECIAL ASSESSMENTS
TO BE MADE BY THE CLERK OF CEDAR RAPIDS, IOWA,
AND FILED WITH THE COUNTY TREASURER OF LINN COUNTY,
IOWA AND THE CITY OFFICER CHARGED WITH ISSUANCE OF
BUILDING PERMITS

STATE OF IOWA
COUNTY OF LINN

I, Amy Stevenson, Clerk of the City of Cedar Rapids, County of Linn, State of Iowa, do hereby certify that at a meeting of the Council of Cedar Rapids, Iowa, held on the 25th day of September, the said Council did levy special assessments for and on account of the cost of construction of the C Avenue NE from Collins Road to 40th Street Pavement Reconstruction project, under contract with Pirc-Tobin Construction, Inc. of Alburnett, Iowa, on the following or portions thereof, in said Municipality, to-wit:

<table>
<thead>
<tr>
<th>PARCREST LOT 1 BLK 7</th>
<th>A.P. #471 LOT 4</th>
<th>LINGE’S 1ST N 25’ LOT 3 &amp; ALL LOT 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>14034-06001-00000</td>
<td>14023-26003-00000</td>
<td>14023-26014-00000</td>
</tr>
<tr>
<td>14023-26015-00000</td>
<td>14023-51001-00000</td>
<td></td>
</tr>
<tr>
<td>LINGE’S 1ST N 47.5 LOT 2 &amp; S 45’ LOT 3</td>
<td>S 1/2 SW EX ASSOC REALTY CO., LINDALE PLAZA INC. &amp; AP 79 &amp; EX PT DESC V1262 P610 BNG APPROX 110’ X 200’ NEAR E SIDE &amp; EX S 200’ N 733.5’ W 300’ E 714.51’ NW OF BLVD - EX RD. SEC 02 TWP 83 R 7</td>
<td></td>
</tr>
</tbody>
</table>

That the district benefited and assessed for this cost of the improvement is described as follows:

C Avenue NE from Collins Road to 40th Street

I further certify that the said assessments of $500 or more are payable in ten (10) equal annual installments, together with interest thereon at the rate of 9 percent per annum computed to December 1st following the due date of each installment. Interest commences on August 14, 2018, the date of acceptance of the work. The first annual installment, or the full amount of assessments less than $500.00, are due and payable on July 1st following the date of levy of these assessments as set forth above (unless this certification is made within less than thirty days prior to July 1st) and is subject to the provisions of Section 384.65, City Code of Iowa, with respect to lien, delinquent dates, interest, penalties and years of payment.

Special assessment deficiencies as set forth in the Schedule of Assessments are conditionally levied and are certified pursuant to Code Section 384.63. The period for amortization of special assessment deficiencies established by law and by action of the City Council is ten (10) years.

Assessments may be paid in full or in part at the office of the City Treasurer, within thirty days of the first publication of the notice of this filing of the final assessment schedule.
IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the 25th day of September 2018.

ClerkSignature

I hereby certify that on the _____ day of ____________________, 20___, there was filed with me as County Treasurer of Linn County, State of Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on September 25, 2018.

____________________________________
County Treasurer

I hereby certify that on the _____ day of ____________________, 20___, there was filed with me as Building Permit Official of the City of Cedar Rapids, Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on September 25, 2018.

_______________________________________
Building Permit Official of the City of Cedar Rapids, Iowa
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: CONSENT AGENDA
Resolution referring to the Linn County Compensation Commission the acquisition of Permanent Sanitary Sewer Easements from vacant land located north of East Robins Road NE and west of Alburnett Road, owned by Antoinette M. Kloubec, Trustee of the Vernon D. Kloubec Testamentary Trust, and Antoinette M. Kloubec and Lori A. Kloubec, Trustees of the Antoinette M. Kloubec Revocable Living Trust, in connection with the C Avenue NE (East of) and East Robins Road (North of) Sanitary Sewer Extension project.
CIP/DID #6550053-00

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

Background: The easements are required to accommodate the proposed C Avenue NE (East of) and East Robins Road (North of) Sanitary Sewer Extension project. Negotiations to acquire the necessary easements have failed to progress with the City due to a non-responsive property owner. In order to protect the City’s project letting, the City will file an application for eminent domain proceedings. Until the Compensation Commission Hearing, negotiations can continue between both parties with the goal of reaching a mutually agreeable settlement to conclude this transaction. If a settlement is reached prior to the hearing, the eminent domain proceedings will terminate.

Referring this matter to the Linn County Compensation Commission is in accordance with the eminent domain proceedings to allow the City to obtain the required easements. This action is an expediency to maintain the construction schedule. The City will offer mediation to the property owner.

Action/Recommendation: The Public Works Department recommends that the City Council approve the referral to the Linn County Compensation Commission to obtain the required Permanent Sanitary Sewer Easements from vacant land located north of East Robins Road NE and west of Alburnett Road owned by Antoinette M. Kloubec, Trustee of the Vernon D. Kloubec Testamentary Trust, and Antoinette M. Kloubec and Lori A. Kloubec, Trustees of the Antoinette M. Kloubec Revocable Living Trust.

Alternative Recommendation: Do not refer this matter to the Linn County Compensation Commission to obtain the required Permanent Sanitary Sewer Easements and direct City staff to abandon or reconfigure.
Time Sensitivity: Normal

Resolution Date: September 25, 2018

Budget Information: 655/655000/6550053-00

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

Recommended by Council Committee: (Click here to select)
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need exists for Permanent Sanitary Sewer Easements in order to accommodate the C Avenue NE (East of) and East Robins Road (North of) Sanitary Sewer Extension project, (CIP No. 6550053-00), and

WHEREAS, the easements that are required are located on vacant land located north of East Robins Road NE and west of Alburnett Road, owned by Antoinette M. Kloubec, Trustee of the Vernon D. Kloubec Testamentary Trust, and Antoinette M. Kloubec and Lori A. Kloubec, Trustees of the Antoinette M. Kloubec Revocable Living Trust, and

WHEREAS, the City has made good faith efforts to acquire the necessary easements, but negotiations have failed to progress between the City and the property owner, and

WHEREAS, the Public Works Director has determined it is in the best interest of the City to refer this matter to the Linn County Compensation Commission to establish the fair value in order for the City to acquire the Permanent Sanitary Sewer Easements, and

WHEREAS, the City Council has allocated Capital Improvement funds for the C Avenue NE (East of) and East Robins Road (North of) Sanitary Sewer Extension (Fund 655, Dept ID 655000, Project 6550053 NA), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, the City Attorney is hereby authorized and directed to refer this property easement acquisition matter to the Linn County Compensation Commission to determine the fair compensation value and allow the property to be acquired with the following description:

See attached Sanitary Sewer Plat – Exhibit A
See attached Sanitary Sewer Plat – Exhibit B

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
SANITARY SEWER PLAT

PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26 IN TOWNSHIP 84 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 26; THENCE S01°23'29"E ALONG THE WESTERN LINE OF THE SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, A DISTANCE OF 509.72 FEET TO THE POINT OF BEGINNING; THENCE S01°28'29"E, A DISTANCE OF 54.15 FEET; THENCE S09°50'50"E, A DISTANCE OF 1291.40 FEET; THENCE N00°00'01"E, A DISTANCE OF 50.00 FEET; THENCE N89°59'59"W, A DISTANCE OF 1288.77 FEET; THENCE N44°14'05"W, A DISTANCE OF 5.77 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINS 1.5 ACRES MORE OR LESS.

INDEX LEGEND

Location: SE 1/4 NE 1/4 Section 26, Township 84 North, Range 7 West, Monroe Township, Linn County, Iowa
Requestor: City of Cedar Rapids
Proprietor: Vernon D. Kloubec & Antoinette M. Tivarts
Surveyor: Thomas E. Hageebe
Company: HBK Engineering, LLC

NOTE:
1. BASIS OF BEARINGS IS GPS MEASUREMENTS IN THE IOWA STATE PLANE COORDINATE SYSTEM NORTH ZONE NAD83.
2. LINEAR DIMENSIONS ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.

SANITARY SEWER PLAT

PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26 ALL IN TOWNSHIP 84 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA
MONROE TOWNSHIP, LINN COUNTY, IOWA
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at Meeting: John Witt, P.E., PTOE

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

Cell Phone Number: 319-538-1076

Description of Agenda Item: CONSENT AGENDA
Resolution authorizing amending the portion of Resolution No. 1278-09-15 that established two-way stop control at the intersection of 3rd Avenue and 3rd Street SW; and establishing all-way stop control at this intersection instead.
CIP/DID #60-19-031

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

Background: Public Works Department completed a traffic study at the intersection of 3rd Avenue and 3rd Street SW to determine if a change in stop control was warranted. The results from the study found the intersection meets the warrant for an all-way stop and should be converted from two-way stop control to all-way stop control.

Action/Recommendation: The Public Works Department recommends rescinding Resolution No. 1278-09-15, which established “two-way stop control at the intersection of 3rd Street and 3rd Avenue SW, stopping 3rd Avenue SW for 3rd Street SW”, and establishing all-way stop control at the intersection of 3rd Avenue and 3rd Street SW.

Alternative Recommendation: Should the Council determine not to approve the proposed all-way stop control, the existing two-way stop control will remain.

Time Sensitivity: Normal

Resolution Date: September 25, 2018

Budget Information: N/A

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

Recommended by Council Committee: (Click here to select)
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, a traffic study was completed at the intersection of 3rd Avenue and 3rd Street SW to determine if a change in stop control was warranted. The results from the study found the intersection meets the warrant for an all-way stop, and

WHEREAS, the Public Works Department recommends amending that portion of Resolution No. 1278-09-15 which established two-way stop control at the intersection of 3rd Street and 3rd Avenue SW, stopping traffic on 3rd Avenue SW for 3rd Street SW; and establishing all-way stop control at the intersection of 3rd Avenue and 3rd Street SW, and

WHEREAS, that portion of Resolution No. 1278-09-15 which rescinded Resolution No. C-6732 still stands.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that portion of Resolution No. 1278-09-15 which established two-way stop control at the intersection of 3rd Street and 3rd Avenue SW, stopping traffic on 3rd Avenue SW for 3rd Street SW, be amended, and that all-way stop control be established at the intersection of 3rd Avenue and 3rd Street SW.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
RESCIND TWO-WAY STOP CONTROL AND ESTABLISH ALL-WAY STOP CONTROL AT THE INTERSECTION OF 3RD AVENUE AND 3RD STREET SW
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at Meeting: John Witt, P.E., PTOE

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

Description of Agenda Item: CONSENT AGENDA
Resolution authorizing removing the school crosswalk on the north approach of the intersection of Johnson Avenue and Wiley Boulevard NW, and adding crosswalks on the south and west approaches to accommodate students at Hoover Elementary School.
CIP/DID #60-19-011

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

Background: Sidewalk is being added to the south side of Johnson Avenue SW as part of a Paving for Progress project (CIP No. 3012043-02). Due to the addition of the sidewalk, the walking paths of students to Hoover Elementary School will change and result in the need for a school crosswalk on the south side of Johnson Avenue and Wiley Boulevard SW.

In addition, a pedestrian and turning movement count study at the intersection of Johnson Avenue and Wiley Boulevard NW has been completed for Hoover Elementary School. The study has identified the need to remove the school crosswalk on the north approach of the intersection, and add school crosswalks on the south and west approaches, resulting in three school crosswalks at this intersection – on the west, east and south approaches.

Action/Recommendation: The Public Works Department recommends approving the resolution to amend the resolution that established a school crosswalk on the north and east approaches at the intersection of Johnson Avenue and Wiley Boulevard NW, by removing the school crosswalk on the north approach and adding crosswalks on the south and west approaches to accommodate students at Hoover Elementary School.

Alternative Recommendation: Should the Council determine not to approve the proposed school crosswalk location, the existing school crosswalk locations will remain.

Time Sensitivity: Normal
Resolution Date: September 25, 2018
Budget Information: N/A
Local Preference Policy: (Click here to select)  
Explanation: NA
Recommended by Council Committee: (Click here to select)  
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, sidewalk is being installed on the south side of Johnson Avenue SW with the Paving for Progress project (CIP No. CIP No. 3012043-02), west of Wiley Boulevard SW, and

WHEREAS, the Traffic Engineering Division of the Public Works Department conducted a pedestrian and turning movement count study at the intersection of Johnson Avenue and Wiley Boulevard NW for Hoover Elementary School, and

WHEREAS, the changes to the sidewalk configuration and the pedestrian study has identified the need to remove the school crosswalk on the north approach of the intersection of Johnson Avenue and Wiley Boulevard NW, and to add a school crosswalk on the south approach and the west approach, resulting in three total crosswalks, one each on the west, south and east approaches, and

WHEREAS, the Traffic Engineering Division of the Public Works Department has recommended authorizing the changes to the school crosswalk locations at the intersection of Johnson Avenue and Wiley Boulevard NW as explained herein.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the existing school crosswalk on the north approach of the intersection of Johnson Avenue and Wiley Boulevard NW is hereby approved for removal, and

BE IT FURTHER RESOLVED that the addition of school crosswalk locations on the east and south approaches at the intersection of Johnson Avenue and Wiley Boulevard NW, resulting in three school crosswalk locations to accommodate students at Hoover Elementary School, be and is hereby approved.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
ALTER CROSS WALK LOCATIONS

HOOVER ELEMENTARY INTERSECTION OF JOHNSON AVENUE AND WILEY BLVD NW

REMOVE CROSS WALK LOCATION

ADD CROSS WALK LOCATIONS

CROSS WALK LOCATION TO REMAIN
Council Agenda Item Cover Sheet

Submitting 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: CONSENT AGENDA
Resolution eliminating the Parking Meter Technician position in accordance with the Parking Agreement.
CIP/DID #FIN2018-32

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

Background: On February 8, 2011 the City entered into an agreement with Downtown Parking Management Inc (DPMI). In relation to the agreement, City parking employees could elect to continue employment with the City or to become employees of DPMI. If employees elected to continue employment with the City, upon the employee’s retirement, position elimination due to work duties no longer performed by parking system, or other termination of employment based on performance in accordance with the union contract, the City position was to be eliminated and DPMI may elect to transfer the position under their management.

An employee who elected to continue employment with the City has now left employment with the City. As it relates to the agreement, the City will eliminate the City parking position. Upon approval of this resolution, 3 City parking employee positions remain.

Action/Recommendation: Approve resolution

Alternative Recommendation: N/A

Time Sensitivity: NA

Resolution Date: September 25, 2018

Budget Information: N/A

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

Recommended by Council Committee: (Click here to select)
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Resolution No. 0108-02-11 approved an agreement between the City of Cedar Rapids and Downtown Parking Management Inc. (DPMI), and

WHEREAS, this agreement specified that upon a City parking employee’s retirement, elimination, or other termination, the City parking position would be eliminated and transferred to DPMI, and

WHEREAS, a City parking employee in the position of Parking Meter Technician has left employment with the City,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City parking position of Parking Meter Technician be eliminated and transferred to DPMI.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Fire

Presenter at Meeting: Greg Smith

Contact Person: Greg Smith
E-mail Address: g.smith@cedar-rapids.org

Cell Phone Number: 319-431-3807

Description of Agenda Item: CONSENT AGENDA
Rescinding Resolution No. 1081-08-18, which authorized three Cedar Rapids Fire Department employees to attend Structural Collapse 1 & 2 training in Camp Douglas, Wisconsin.
CIP/DID #FIR0818-12345

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 was 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.

The Structural Collapse 1 & 2 training in Wisconsin was cancelled due to low enrollment. The training company believes this training will be rescheduled for Spring 2019.

Action/Recommendation: The Fire Department recommends approval.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: 8/28/18

Budget Information: N/A

Local Preference Policy: N/A
Explanation: 

Recommended by Council Committee: 
Explanation:
RESOLUTION NO. 1081-08-18

WHEREAS, Resolution No. 1081-08-18 authorized Tim Recker, Greg Brenneman and Chad Smothers to attend training: Structural Collapse 1 & 2 training in Camp Douglas, Wisconsin.

WHEREAS, due to low enrollment the Structural Collapse 1 & 2 training has been cancelled and it is anticipated it will be rescheduled in Spring, 2019.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Resolution No. 1081-08-18 is rescinded.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Brent Schlotfeldt

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
October 9, 2018 – Cedar Rapids East Gateway Sign project (estimated cost is $175,000).
CIP/DID #PUR0818-050; 353049

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

Background: This project is to construct and install the East Gateway Sign for the Facilities Maintenance Services Division. The bid opening will take place on October 10, 2018. The estimated completion date is May 31, 2019 at an estimated cost of $175,000.

Action/Recommendation: Set the public hearing
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-rapids.org

Cell Phone Number: 319-538-1076

Description of Agenda Item: Motions filing plans and specifications
Motion setting public hearing date for October 9, 2018 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 October 10, 2018 for the FY 2019 Tree and Vegetation Removal Project (estimated cost is $119,000).
CIP/DID #301990-17

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

Background: The US Fish and Wildlife Service enacted its Section 4(d) rule to protect the Northern Long-Eared Bat, which has habitat in Cedar Rapids. To comply, the City of Cedar Rapids is doing tree removals required for its 2019 construction projects during the winter to eliminate the risk of accidentally removing a tree with roosting bats during the warm season. This project will address tree and vegetation removal required for five capital improvement projects.

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 October 9, 2018 and advertising for bids by posting notice to bidders for the project.

Alternative Recommendation: Tree removals may be done during the warm season, but with the additional requirement the affected trees be inspected by a wildlife expert prior to removal.

Time Sensitivity: Normal

Resolution Date: October 9, 2018

Budget Information: 301/301990/301990-17 NA; 301/301000/3012236 SLOST; 301/301000/3012131 SLOST; 325/325000/325069 NA; 325/325000/325036 NA]; 655/655000/6550066 NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
FY 2019 TREE AND VEGETATION REMOVAL PROJECT
301990-17
Motions setting public hearings
Motion setting public hearing date for October 9, 2018 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 October 17, 2018 for the FY19 Sanitary Sewer Point Repairs project (estimated cost is $190,000).
CIP/DID #655996-15

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

Background: This project will correct sanitary sewer defects found during routine televising operations. The purpose of the project is to repair damaged areas of sanitary sewer to maintain functionality. The available funding for this activity is $211,550 and is subject to receipt of acceptable bids. Construction is scheduled to begin no later than April 22, 2019 and is anticipated to be completed by July 2019.

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 October 9, 2018 and advertising for bids by publishing notice to bidders for the project.

Alternative Recommendation: Defer the project until a future time.

Time Sensitivity: Normal

Resolution Date: October 9, 2018

Budget Information: 655996 NA - $211,550

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

Recommended by Council Committee: (Click here to select)
Explanation: NA
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Rob Davis, PE, ENVSP

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 October 9, 2018 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 the Flood Control Program Manager or designee to receive and open bids and publicly announce the results on October 24, 2018 for the Czech Village Levee & Gatewells – 16th Avenue SW to Bowling Street SW project (estimated cost is $5,000,000).

CIP/DID #3313530-21

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

Background: As part of the Cedar River Flood Control System (FCS), levees, walls, gates and pump stations will be constructed to protect the both the east and west banks of the Cedar River from flooding similar to that which was seen in 2008. The City Council adopted the Cedar River FCS Master Plan on June 23, 2015, which includes the Czech Village area.

The City has completed a $3.5 million utility relocation and a $2.2 million smaller subset of the Czech Village levee which included building a detour for the Cedar River Trail before the main levee segment up to 16th Avenue is bid.

It is beneficial to bid this contract to complete the levee portion of the flood control system in Czech Village.

This contract 3313530-21 is the second above ground levee to be bid on the west side of the Cedar River. It generally consists of an earthen levee and sanitary sewer gatewells. Construction is scheduled to start spring 2019 and complete fall 2020.

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 the Czech Village Levee & Gatewells – 16th Avenue SW to Bowling Street SW project and advertising for bids by posting notice to bidders for the project.

Alternative Recommendation: None. This project is in accordance with the adopted FCS Master Plan, current on-going utility relocation and agreement with the Linn County Solid Waste Agency.

Time Sensitivity: Normal
Resolution Date: October 9, 2018

Budget Information: GRI

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: Flood Control Committee reviewed this project, but a vote was not requested as the project is in accordance with the adopted FCS Master Plan.
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Rob Davis, PE, ENVSP

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 October 9, 2018, 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 the Food Control Program Manager or designee to receive and open bids and publicly announce the results on October 24, 2018, for the Sinclair Levee Plaza and Monuments project (estimated cost is $180,000).

CIP/DID #3316509-73

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

Background: The Sinclair Levee Plaza and Monuments project intends to restore park monuments and amenities that have been removed as a result of the flood control system, as well as construct a plaza area along 16th Avenue SE and memorial benches on top of the Sinclair Levee. The project sites are located at 16th Avenue and 2nd Street SE and along the Sinclair Levee from 10th Avenue to 10th Street. Construction is anticipated to begin in the spring of 2019 and be completed in summer 2019.

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 the Sinclair Levee Plaza and Monuments project and advertising for bids by posting notice to bidders for the project.

Alternative Recommendation: None – consistent with Flood Control System Master Plan.

Time Sensitivity: Normal

Resolution Date: October 9, 2018

Budget Information: GRI

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: Was not reviewed by Flood Control Committee as plans are in accordance with FCS Master Plan
SINCLAIR LEVEE PLAZA AND MONUMENTS

PROJECT AREAS

CEDAR RAPIDS
City of Five Seasons®

PROJECT # 3316509-73
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
Motion assessing civil penalties for violation of State Code regarding the sale of alcohol to minors against:
  a. Kwik Star #581, 251 33rd Avenue SW (first offense - $500).
    CIP/DID #LIQR003497-08-2017
  b. Pilot Travel Center #1092, 8950 Earhart Lane SW (first offense - $500).
    CIP/DID #LIQR003682-04-2018

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

Background: Civil penalties are statutory and cannot be waived by the local authority. If the local authority does not pursue the civil penalty then the state will do so and retain the money.

On July 19, 2018, Mary Elizabeth Spore pled guilty to selling alcohol to persons under 21 years old in the Sixth Judicial District Court, Docket No. 1350942180628138505-201809690, violation of Iowa Code Section 123.49(2)(h). (sale of alcohol to a person under the legal age) The said offense occurred on or about June 28, 2018 on the premises at KWIK STAR # 581, 251 33rd Avenue SW.

On August 20, 2018, Ter’ri Charmaine Richardson pled guilty to selling alcohol to persons under 21 years old in the Sixth Judicial District Court, Docket No. 13509421806281423056-201809692, violation of Iowa Code Section 123.49(2)(h). (sale of alcohol to a person under the legal age) The said offense occurred on or about June 28, 2018 on the premises at PILOT TRAVEL CENTER #1092, 8950 Earhart Lane SW.

Since these violations occurred after January 1, 1998 and this being the first violation of this section within a period of two (2) years, as per Iowa Code section 123.50(3)(a), as amended provides that a licensee who violates said section shall be assessed a civil penalty in the amount of $500.00;

Iowa Code section 123.39, as amended, provides that local authorities shall retain such civil penalties if the proceeding to impose the penalty is conducted by the local authority.

The City of Cedar Rapids, pursuant to the authority of the above cited sections, intends to impose a civil penalty in the amount of $500.00 to the above listed locations.
Action/Recommendation: Assess civil penalty  (The licensees have already submitted payment of the civil penalties.)

Alternative Recommendation: Civil penalties are statutory and cannot be waived by the local authority. If the local authority does not pursue the civil penalty then the state will do so and retain the money.

Time Sensitivity: The hearing was waived and the licensee has consented to the assessment of the civil penalty for the violation of State Code regarding the sale of alcohol to minors. Payment of these civil penalties has been received.

Resolution Date:  

Budget Information:  

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

Recommended by Council Committee: (Click here to select)  
Explanation: NA
Council Agenda Item Cover Sheet

Submitting Department: 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. Benz Beverage Depot, 501 7th Avenue SE (5-day permit for the Cedar Rapids Food Truck Festival).
b. Bo Mac's, 219 16th Avenue SE (BoTown Entertainment -5-day permit for an event).
c. Bricks Bar & Grill, 320 2nd Avenue SE.
d. Chrome Horse Slophouse & Saloon, 1201 3rd Street SE (5-day permit for an event at 319 Motors, 2702 6th Street SW).
e. Coe College, 1220 1st Avenue NE.
f. Cooter’s, 729 1st Avenue SW.
g. Hazzard County Saloon, 329 2nd Avenue SE (permanent transfer to 402 2nd Avenue SE, former Goodyear location).
h. Lancer Lanes, 3203 6th Street SW.
i. Leonardo’s Pizza, 2228 16th Avenue SW.
j. NewBo City Market, 1100 3rd Street SE.
k. Oyama Sushi Japanese Steakhouse, 5350 Council Street NE.
l. Paradise Bar & Grill, 5200 FOUNTAINS Drive NE (New – Formerly Tanner’s / Drizzy’s Bar & Grill).
m. Paramount Theatre / Orchestra Iowa, 119 & 123 3rd Avenue SE.
n. Pub 217, 217 3rd Street SE.
o. Shores Event Center, 700 16th Street NE.
p. Veterans of Foreign Wars Post #788, 3240 Southgate Place SW.
q. Westside Lounge, 325 Edgewood Road NW.

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:** Sgt. Mike Wallerstedt  
**Subject:** Beer/Liquor License Applications Calls for Service Summary  
**Date:** 9/19/2018

<table>
<thead>
<tr>
<th>Business Name/Address</th>
<th>Total Calls</th>
<th>Public Intox</th>
<th>Intox Driver</th>
<th>Disturbances</th>
</tr>
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<tbody>
<tr>
<td>Benz Beverage Depot 501 7TH AVE SE</td>
<td>3</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Bo Mac's 219 16TH AVE SE</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Bricks Bar &amp; Grill 320 2ND AVE SE</td>
<td>42</td>
<td>0</td>
<td>0</td>
<td>7</td>
</tr>
<tr>
<td>Coe College 1220 1ST AVE NE</td>
<td>102</td>
<td>0</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>Cooter's 729 1ST AVE SW</td>
<td>27</td>
<td>1</td>
<td>1</td>
<td>6</td>
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<tr>
<td>Hazzard County Saloon 329 2ND AVE SE</td>
<td>141</td>
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<td>1</td>
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<tr>
<td>Lancer Lanes 3203 6TH ST SW</td>
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<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Leonardo's Pizza 2228 16TH AVE SW</td>
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<td>0</td>
<td>0</td>
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<tr>
<td>NewBo City Market 1100 3RD ST SE</td>
<td>460</td>
<td>0</td>
<td>1</td>
<td>5</td>
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<tr>
<td>Oyama Sushi Japanese Steakhouse 5350 COUNCIL ST NE</td>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Paradise Bar &amp; Grill 5200 FOUNTAINS DR NE</td>
<td>0</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>Paramount Theatre / Orchestra Iowa 119 &amp; 123 3RD AVE SE</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Pub 217 217 3RD ST SE</td>
<td>127</td>
<td>2</td>
<td>0</td>
<td>27</td>
</tr>
</tbody>
</table>
Shores Event Center 14 1 0 0 700 16TH ST NE
Veterans of Foreign Wars Post #788 0 0 0 0 3240 SOUTHGATE PL SW
Westside Lounge 24 0 0 7 325 EDGEWOOD RD NW
Council Agenda Item Cover Sheet

Submitting Department: Finance

Presenter at Meeting: Casey Drew

Contact Person: Casey Drew
E-mail Address: c.drew@cedar-rapids.org
Phone Number/Ext.: 5097

Description of Agenda Item: Bills, payroll and funds

Resolutions approving:
  a. Payment of bills. CIP/DID #FIN2018-01
  b. Payroll. CIP/DID #FIN2018-02
  c. Transfer of funds. CIP/DID #FIN2018-03

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: 9-25-2018

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

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

WHEREAS, the following payrolls have been examined and approved by the proper departments, therefore,

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

<table>
<thead>
<tr>
<th>Department</th>
<th>Total</th>
<th>Department</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal Control</td>
<td>$27,541.57</td>
<td>Human Resources</td>
<td>$23,513.60</td>
</tr>
<tr>
<td>Aquatics Operation</td>
<td>$23,436.03</td>
<td>Information Technology</td>
<td>$93,188.90</td>
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<tr>
<td>Attorney</td>
<td>$22,461.98</td>
<td>Joint Communications</td>
<td>$62,543.67</td>
</tr>
<tr>
<td>Building Services Division</td>
<td>$75,237.30</td>
<td>Parks Operations</td>
<td>$108,738.93</td>
</tr>
<tr>
<td>CD – Federal Programs</td>
<td>$28,870.93</td>
<td>Police</td>
<td>$737,970.94</td>
</tr>
<tr>
<td>CR Public Library</td>
<td>$118,278.90</td>
<td>Public Works</td>
<td>$10,690.20</td>
</tr>
<tr>
<td>City Band</td>
<td>$0.00</td>
<td>PW – Engineering</td>
<td>$147,507.11</td>
</tr>
<tr>
<td>City Manager</td>
<td>$49,832.64</td>
<td>Purchasing Service</td>
<td>$11,056.12</td>
</tr>
<tr>
<td>Civil Rights</td>
<td>$10,704.55</td>
<td>Recreation</td>
<td>$42,475.74</td>
</tr>
<tr>
<td>Clerk</td>
<td>$12,567.07</td>
<td>Sewer Operations</td>
<td>$97,286.86</td>
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<tr>
<td>CD – DOD</td>
<td>$33,002.87</td>
<td>Street Operations</td>
<td>$180,859.30</td>
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<tr>
<td>Council</td>
<td>$7,072.94</td>
<td>Traffic Engineering</td>
<td>$55,724.16</td>
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<tr>
<td>Development Services</td>
<td>$40,596.42</td>
<td>Transit</td>
<td>$124,331.68</td>
</tr>
<tr>
<td>Facilities Maint Service</td>
<td>$55,336.18</td>
<td>Treasury Operations</td>
<td>$13,314.64</td>
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<tr>
<td>Finance</td>
<td>$27,045.41</td>
<td>Utilities</td>
<td>$13,885.45</td>
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<tr>
<td>Finance – Analysts</td>
<td>$11,037.85</td>
<td>Utilities – Solid Waste</td>
<td>$105,575.73</td>
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<tr>
<td>Financial Operations</td>
<td>$49,234.25</td>
<td>Veterans Memorial</td>
<td>$19,028.27</td>
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<tr>
<td>Fire</td>
<td>$456,746.35</td>
<td>Water Operations</td>
<td>$302,411.66</td>
</tr>
<tr>
<td>Five Seasons Parking</td>
<td>$5,583.20</td>
<td>Water Pollution Control</td>
<td>$200,149.44</td>
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<tr>
<td>Fleet Maintenance</td>
<td>$82,101.72</td>
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<tr>
<td>Golf Operations</td>
<td>$36,341.73</td>
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<tr>
<td></td>
<td></td>
<td>Grand Total</td>
<td>$3,523,282.29</td>
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PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:
ClerkSignature
RESOLUTION NO. LEG_NUM_TAG

TRANSFER OF FUNDS

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Director is hereby authorized and directed to transfer funds as follows:

<table>
<thead>
<tr>
<th>Journal Date</th>
<th>Journal ID #</th>
<th>Long Description</th>
<th>Account</th>
<th>Fund</th>
<th>Project</th>
<th>Debit / (Credit)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018-08-31</td>
<td>AIEADS200</td>
<td>To transfer funds from Contingency to Historical Rehab Fund and TIF project funding within the TIF for Rehab purposes</td>
<td>571100</td>
<td>101</td>
<td></td>
<td>25,000.00</td>
</tr>
<tr>
<td>2018-08-31</td>
<td>AIEADS200</td>
<td>To transfer funds from Contingency to Historical Rehab Fund and TIF project funding within the TIF for Rehab purposes</td>
<td>483001</td>
<td>7104</td>
<td>719400</td>
<td>(25,000.00)</td>
</tr>
<tr>
<td>AIEADS200 Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2018-08-31</td>
<td>AIEADS200R</td>
<td>To reverse transfer funds from Contingency to Historical Rehab Fund and TIF project funding within the TIF for Rehab purposes</td>
<td>483001</td>
<td>7104</td>
<td>719400</td>
<td>25,000.00</td>
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<tr>
<td>2018-08-31</td>
<td>AIEADS200R</td>
<td>To reverse transfer funds from Contingency to Historical Rehab Fund and TIF project funding within the TIF for Rehab purposes</td>
<td>571100</td>
<td>101</td>
<td></td>
<td>(25,000.00)</td>
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<td>AIEADS200R Total</td>
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<tr>
<td>2018-08-31</td>
<td>AIEADS202</td>
<td>To transfer funds for income support to Low Income assistance programs from fund 7876</td>
<td>483001</td>
<td>101</td>
<td></td>
<td>(395.00)</td>
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<tr>
<td>2018-08-31</td>
<td>AIEADS202</td>
<td>To transfer funds for income support to Low Income assistance programs from fund 7876</td>
<td>571100</td>
<td>7876</td>
<td></td>
<td>395.00</td>
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<tr>
<td>AIEADS202 Total</td>
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<td></td>
<td></td>
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<tr>
<td>2018-08-31</td>
<td>AJERI200</td>
<td>To transfer funds of Streets LOST</td>
<td>483001</td>
<td>301</td>
<td>3012115</td>
<td>(315,123.65)</td>
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<tr>
<td>2018-08-31</td>
<td>AJERI200</td>
<td>To transfer funds of Streets LOST</td>
<td>483001</td>
<td>301</td>
<td>3012121</td>
<td>(202,268.26)</td>
</tr>
<tr>
<td>2018-08-31</td>
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<td>301</td>
<td>3012181</td>
<td>(92,560.96)</td>
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<tr>
<td>2018-08-31</td>
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<td>301</td>
<td>3012175</td>
<td>(48,871.87)</td>
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<tr>
<td>2018-08-31</td>
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<td>301</td>
<td>3012154</td>
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<td>3012127</td>
<td>(26,204.12)</td>
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<td>3012120</td>
<td>(23,867.40)</td>
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<td>2018-08-31</td>
<td>AJERI200</td>
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<td>301</td>
<td>3012155</td>
<td>(20,000.00)</td>
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<tr>
<td>2018-08-31</td>
<td>AJERI200</td>
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<td>301</td>
<td>3012228</td>
<td>(12,547.26)</td>
</tr>
<tr>
<td>2018-08-31</td>
<td>AJERI200</td>
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<td>483001</td>
<td>301</td>
<td>3012222</td>
<td>(12,970.02)</td>
</tr>
<tr>
<td>2018-08-31</td>
<td>AJERI200</td>
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<td>301</td>
<td>3012230</td>
<td>(10,990.51)</td>
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<tr>
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<td>301</td>
<td>3012198</td>
<td>(7,750.00)</td>
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<tr>
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<td>301</td>
<td>3012102</td>
<td>(7,690.93)</td>
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<td>3012242</td>
<td>(7,210.06)</td>
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<td>3012148</td>
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<td>301</td>
<td>3012148</td>
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<td>301</td>
<td>3012039</td>
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<tr>
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<td>301</td>
<td>3012149</td>
<td>(4,942.00)</td>
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<tr>
<td>2018-08-31</td>
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<td>301</td>
<td>3012153</td>
<td>(4,829.07)</td>
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<tr>
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<td>301</td>
<td>3012235</td>
<td>(3,100.66)</td>
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<tr>
<td>2018-08-31</td>
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<td>301</td>
<td>3012126</td>
<td>(706.47)</td>
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<tr>
<td>2018-08-31</td>
<td>AJERI200</td>
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<td>3012241</td>
<td>(263.19)</td>
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<td>3012231</td>
<td>(231.37)</td>
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<td>3012089</td>
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<td>301</td>
<td>3012244</td>
<td>(11.02)</td>
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<td>3012245</td>
<td>(6.93)</td>
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<td>3012043</td>
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<tr>
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<td>301966</td>
<td>686.13</td>
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<td>(5,902.79)</td>
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<td>3012300</td>
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<td>571100</td>
<td>7970</td>
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<td>1,933,703.32</td>
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<td>2018-08-31</td>
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<td>301963</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(0.00)</td>
</tr>
</tbody>
</table>
**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Director is hereby authorized and directed to transfer funds as follows:**

<table>
<thead>
<tr>
<th>Journal Date</th>
<th>Journal ID #</th>
<th>Account</th>
<th>Fund</th>
<th>Project</th>
<th>Debit / (Credit)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018-08-31</td>
<td>AE*RRR01</td>
<td>571100</td>
<td>011</td>
<td>011002</td>
<td>87,877.00</td>
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<tr>
<td>2018-08-31</td>
<td>AE*RRR01</td>
<td>483001</td>
<td>353</td>
<td>353048</td>
<td>(87,877.00)</td>
</tr>
</tbody>
</table>

**AJERRR001 Total**

| 2018-08-31   | AE*RRR02     | 483001  | 081  | 353048  | 12,040.00        |
| 2018-08-31   | AE*RRR02     | 483001  | 081  | 661     | (12,040.00)      |
| 2018-08-31   | AE*RRR02     | 483001  | 151  | 353048  | 46,956.00        |
| 2018-08-31   | AE*RRR02     | 483001  | 011  | 353048  | (46,956.00)      |
| 2018-08-31   | AE*RRR02     | 571100  | 359  | 3590009002 | 480,196.00 |
| 2018-08-31   | AE*RRR02     | 483001  | 081  | 353048  | (480,196.00)     |

**AJERRR002 Total**

| 2018-08-31   | AE*RRR03     | 571100  | 7972 | 2,279,512.56 |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (156,96)        |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (142,108.57)    |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (443,38)        |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (11,941.14)     |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (19,829.16)     |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (941,69)        |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (4,994,440)     |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (2,573,230.60)  |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (2,040.36)      |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (9,485.00)      |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (7,593.95)      |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (459,723.58)    |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (2,452.00)      |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (4,873.49)      |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (265,265.42)    |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (7,661.13)      |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (6,165.46)      |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (377,415.49)    |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (10,847.90)     |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (3,825.61)      |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (684,120.65)    |
| 2018-08-31   | AE*RRR03     | 483001  | 331  | 3331300 | (330.00)        |

**AJERRR003 Total** 0.00

| 2018-08-31   | AE*RRR04     | 571100  | 671  | 175,000.00 |
| 2018-08-31   | AE*RRR04     | 483001  | 304  | 304996   | (5,000.00)      |
| 2018-08-31   | AE*RRR04     | 483001  | 304  | 304808   | (10,583.33)     |
| 2018-08-31   | AE*RRR04     | 483001  | 304  | 304429   | (4,166.67)      |
| 2018-08-31   | AE*RRR04     | 483001  | 304  | 304615   | (4,166.67)      |
| 2018-08-31   | AE*RRR04     | 483001  | 304  | 304851   | (8,333.33)      |
| 2018-08-31   | AE*RRR04     | 483001  | 304  | 304990   | (17,500.00)     |
| 2018-08-31   | AE*RRR04     | 483001  | 304  | 304155   | (8,333.33)      |
| 2018-08-31   | AE*RRR04     | 483001  | 304  | 304417   | (5,833.33)      |
| 2018-08-31   | AE*RRR04     | 483001  | 304  | 304458   | (20,833.33)     |
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Director is hereby authorized and directed to transfer funds as follows:

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<th>Journal Date</th>
<th>Journal ID #</th>
<th>Long Description</th>
<th>Account</th>
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Page 3
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Director is hereby authorized and directed to transfer funds as follows:

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<th>Journal Date</th>
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<th>Account</th>
<th>Fund</th>
<th>Project</th>
<th>Debit / (Credit)</th>
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<td>To transfer funds for debt payments</td>
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<td>447</td>
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<td>4,724.91</td>
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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Director is hereby authorized and directed to transfer funds as follows:

<table>
<thead>
<tr>
<th>Journal Date</th>
<th>Journal ID #</th>
<th>Long Description</th>
<th>Account</th>
<th>Fund</th>
<th>Project</th>
<th>Debit / (Credit)</th>
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<td>RECUR144</td>
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<td>RECUR158</td>
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<td>(3,250.00)</td>
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<td>2018-08-31</td>
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<td></td>
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<td>(2,063.33)</td>
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<td>5,090.00</td>
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<td>2018-08-31</td>
<td>RECUR170</td>
<td>To fund PW director position and Street sweeping with Sewer funds</td>
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<td>101</td>
<td></td>
<td>(2,163.48)</td>
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<tr>
<td>2018-08-31</td>
<td>RECUR170</td>
<td>To fund PW director position and Street sweeping with Sewer funds</td>
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<td>101</td>
<td></td>
<td>(37,500.00)</td>
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<td>To fund PW director position and Street sweeping with Sewer funds</td>
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<td>1,081.74</td>
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<tr>
<td>2018-08-31</td>
<td>RECUR170</td>
<td>To fund PW director position and Street sweeping with Sewer funds</td>
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<td>671</td>
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<td>38,581.74</td>
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<td><strong>RECUR170 Total</strong></td>
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<td></td>
<td>483001</td>
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<td></td>
<td>(2,163.48)</td>
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<td>2018-08-31</td>
<td>RECUR175</td>
<td>To transfer funds from TIF to SSMID Downtown District</td>
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<td>484.33</td>
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<td>2018-08-31</td>
<td>RECUR178</td>
<td>To transfer funds for shared administrative position</td>
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<td>3,339.48</td>
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<td>RECUR178</td>
<td>To transfer funds for shared administrative position</td>
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<td>3,339.48</td>
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<td><strong>RECUR178 Total</strong></td>
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<td>483001</td>
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<td>(2,431.41)</td>
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<td>2018-08-31</td>
<td>RECUR181</td>
<td>To transfer funds from Utilities to City Manager for Position 2590 and $2K in discretionary expenses relating to Communication Services</td>
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<td>2,431.41</td>
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<td>RECUR181</td>
<td>To transfer funds from Utilities to City Manager for Position 2590 and $2K in discretionary expenses relating to Communication Services</td>
<td>571300</td>
<td>641</td>
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<td>2,431.41</td>
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<tr>
<td>2018-08-31</td>
<td>RECUR181</td>
<td>To transfer funds from Utilities to City Manager for Position 2590 and $2K in discretionary expenses relating to Communication Services</td>
<td>571300</td>
<td>641</td>
<td></td>
<td>2,431.41</td>
</tr>
<tr>
<td>2018-08-31</td>
<td>RECUR181</td>
<td>To transfer funds from Utilities to City Manager for Position 2590 and $2K in discretionary expenses relating to Communication Services</td>
<td>483001</td>
<td>101</td>
<td></td>
<td>(7,294.23)</td>
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<td>582.67</td>
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<td>2018-08-31</td>
<td>RECUR186</td>
<td>To transfer funds from TIF to SSMID Medical District</td>
<td>571300</td>
<td>7523</td>
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<td>3,479.33</td>
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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Director is hereby authorized and directed to transfer funds as follows:

<table>
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<tr>
<th>Journal Date</th>
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<th>Long Description</th>
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<th>Fund</th>
<th>Project</th>
<th>Debit / (Credit)</th>
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<td>To transfer funds from TIF to SSMID Medical District</td>
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<td>430.92</td>
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<td>RECUR186</td>
<td>To transfer funds from TIF to SSMID Medical District</td>
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<td>(2,492.92)</td>
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<td><strong>RECUR186 Total</strong></td>
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<td>2018-08-31</td>
<td>RECUR189</td>
<td>To transfer funds from Waters to Development Svc for Position 1009 $2K discr</td>
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<td>(8,567.88)</td>
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<td><strong>RECUR189 Total</strong></td>
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<td>RECUR189</td>
<td>Transfer from WPC to ED fund</td>
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<td>1071</td>
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<td>20,833.33</td>
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<td>Transfer from WPC to ED fund</td>
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<td>671</td>
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<td>20,833.33</td>
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<td>2018-08-31</td>
<td>RECUR189</td>
<td>Transfer from WPC to ED fund</td>
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<td>671</td>
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<td>20,833.33</td>
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<td>RECUR189</td>
<td>Transfer from WPC to ED fund</td>
<td>483001</td>
<td>7957</td>
<td></td>
<td>(20,833.33)</td>
</tr>
<tr>
<td>2018-08-31</td>
<td>RECUR189</td>
<td>Transfer from WPC to ED fund</td>
<td>483001</td>
<td>7957</td>
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<td>(41,666.66)</td>
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<td><strong>RECUR189 Total</strong></td>
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<td>2018-08-31</td>
<td>RECUR192</td>
<td>To fund PW staff for work on non CIP related Storm Sewer</td>
<td>483001</td>
<td>1071</td>
<td></td>
<td>(10,060.60)</td>
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<tr>
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<td>RECUR192</td>
<td>To fund PW staff for work on non CIP related Storm Sewer</td>
<td>571100</td>
<td>671</td>
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<td>10,060.60</td>
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<td><strong>RECUR192 Total</strong></td>
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<td></td>
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<tr>
<td>2018-08-31</td>
<td>RECUR193</td>
<td>To transfer funds from Water to IT for IT Sys Analyst Pos 2751</td>
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<td>1071</td>
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<td>(7,576.97)</td>
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<tr>
<td>2018-08-31</td>
<td>RECUR193</td>
<td>To transfer funds from Water to IT for IT Sys Analyst Pos 2751</td>
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<td>671</td>
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<td>7,576.97</td>
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<td>RECUR194</td>
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<td>RECUR194</td>
<td>To transfer funds from TIF to SSMID Czech Village-New Bo District</td>
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<td>7704</td>
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<td>(257.75)</td>
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<td><strong>RECUR194 Total</strong></td>
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<td>2018-08-31</td>
<td>RECUR195</td>
<td>To transfer funds from Parks to Facilities for FM ADA Specialist Pos 2424</td>
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<tr>
<td>2018-08-31</td>
<td>RECUR195</td>
<td>To transfer funds from Parks to Facilities for FM ADA Specialist Pos 2424</td>
<td>571100</td>
<td>1071</td>
<td></td>
<td>7,529.30</td>
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<tr>
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<td><strong>RECUR195 Total</strong></td>
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<td></td>
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<td>2018-08-31</td>
<td>RECUR196</td>
<td>Funding of Risk Pos 963 and 2849</td>
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<td>(8,152.92)</td>
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<tr>
<td>2018-08-31</td>
<td>RECUR196</td>
<td>Funding of Risk Pos 963 and 2849</td>
<td>571100</td>
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<td>2,853.52</td>
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<td>Funding of Risk Pos 963 and 2849</td>
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<td>4,076.46</td>
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<td>RECUR196</td>
<td>Funding of Risk Pos 963 and 2849</td>
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<td>1,222.94</td>
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<td><strong>RECUR196 Total</strong></td>
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**Grand Total**: 0.00
Council Agenda Item Cover Sheet

Submitting Department: City Clerk

Presenter at Meeting: Amy Stevenson

Contact Person: Amy Stevenson                                      Phone Number: 319-286-5061
E-mail Address: AmyS@cedar-rapids.org

Description of Agenda Item: Boards and commissions
Resolutions appointing and thanking the following individuals:
      CIP/DID #OB572855
   b. Appointing Greg Smith (effective through December 31, 2018) to the Cedar Rapids/Linn
      County Solid Waste Agency Board.
      CIP/DID #OB534305
   c. Vote of thanks to Rebecca Stonawski for serving on the Parks, Waterways & Recreation
      Commission.
      CIP/DID #OB1187380
   d. Vote of thanks to Mark English for serving on the Cedar Rapids/Linn County Solid Waste
      Agency Board.
      CIP/DID #OB534305

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

Background: This agenda includes appointments to fill vacancies on the Visual Arts Commission and
the Cedar Rapids/Linn County Solid Waste Agency Board. This agenda also includes a vote of thanks
for a member of the Parks, Waterways & Recreation Commission who recently submitted a letter of
resignation and a vote of thanks for a member of the Cedar Rapids/Linn County Solid Waste Agency
Board who recently retired.

Action/Recommendation: Approve resolutions as presented.

Alternative Recommendation:

Time Sensitivity: None

Resolution Date: September 25, 2018

Budget Information: NA

Local Preference Policy: NA
   Explanation: NA

Recommended by Council Committee: NA
   Explanation: NA
APPOINTMENT

I, Bradley G. Hart, Mayor of the City of Cedar Rapids, in accordance with Section 2.06 of the Home Rule Charter, and subject to the advice and consent of the Cedar Rapids City Council hereby appoint the following individual to serve on the Visual Arts Commission for the term as indicated or until a successor is appointed and qualified:

<table>
<thead>
<tr>
<th>Commissioner</th>
<th>Term Beginning</th>
<th>Term Expiration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jonathan Berger</td>
<td>09/25/2018</td>
<td>06/30/2020</td>
</tr>
</tbody>
</table>

RESOLUTION NO. LEG_NUM_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the advice and consent of the City Council to the Mayor’s appointment of Jonathan Berger to the Visual Arts Commission for the term indicated above is hereby given.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
APPOINTMENT

I, Bradley G. Hart, Mayor of the City of Cedar Rapids, in accordance with Section 2.06 of the Home Rule Charter, and subject to the advice and consent of the Cedar Rapids City Council hereby appoint the following individual to serve on the Cedar Rapids/Linn County Solid Waste Agency Board for the term as indicated or until a successor is appointed and qualified:

<table>
<thead>
<tr>
<th>Commissioner</th>
<th>Term Beginning</th>
<th>Term Expiration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greg Smith</td>
<td>09/25/2018</td>
<td>12/31/2018</td>
</tr>
</tbody>
</table>

RESOLUTION NO. LEG_NUM_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the advice and consent of the City Council to the Mayor’s appointment of Greg Smith to the Cedar Rapids/Linn County Solid Waste Agency Board for the term indicated above is hereby given.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Rebecca Stonawski has devoted considerable time and effort as a member of the Parks, Waterways & Recreation Commission,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that a vote of thanks and appreciation be and is hereby provided to Rebecca Stonawski for serving as a member of the Parks, Waterways & Recreation Commission.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
WHEREAS, Mark English has devoted considerable time and effort as a member of the Cedar Rapids/Linn County Solid Waste Agency Board,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that a vote of thanks and appreciation be and is hereby provided to Mark English for serving as a member of the Cedar Rapids/Linn County Solid Waste Agency Board.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: City Manager

Presenter at Meeting: Angie Charipar

Contact Person: Angie Charipar
E-mail Address: A.Charipar@cedar-rapids.org

Cell Phone Number: 319-286-5090

Description of Agenda Item: Special events
CR Porchfest (including road closures) on September 29, 2018.
CIP/DID #SPEC-000667-2018

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

Background: Referencing the Special Event application received for the above special event which is requesting permission to hold activities with a street closure, approval is recommended subject to the conditions stated on the attached resolution.

Action/Recommendation: Approve resolution for the event.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: 9/25/18

Budget Information:

Local Preference Policy: NA
Explanation: NA

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

WHEREAS, Nicole Gerdes, on behalf of Windy Meadow Circle NE, has requested approval to conduct the CR Porchfest on Saturday, September 29, 2018 from 3:00pm to 8:00pm (not including set-up and tear down), and

WHEREAS, the applicant request approval to close the following streets:

~ The northerly, westerly and southerly legs of Windy Meadow Circle NE from Windy Meadow Circle NE and Windy Meadow Lane NE where they intersect on the northeast corner to Windy Meadow Circle NE and Windy Meadow Lane NE at where they intersect at the southeast corner

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, approval of this event is recommended subject to the following conditions:

1. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.

2. If applicant alters the above location or intends to use a different location, a separate event application approval may be required with the new location detailed.

3. In case of an emergency construction project or utility project, route may need to be revised, Traffic Engineering will work with the applicant.

4. No trails or sidewalks are closed for the event

5. Applicant shall not use any equipment that penetrates or damages the City street or sidewalk surface. All tents, stages, and other structures shall be water barrel or sand weight supported.

6. Applicant’s insured traffic control contractor shall provide all barricades/traffic controls required by the City for the temporary street closure. All barricades/traffic controls must conform to the requirements of the Manual on Uniform Traffic Control Devices. Applicant shall provide the name and phone number of the company providing the barricades/traffic controls to the Police Department and Traffic Engineering a minimum of one week prior to the event.

7. Applicant agrees that any signage required for this event will be done with prior approval of the City Building Services Division and any required permits will be obtained.

8. Applicant agrees that any pavement markings or signage required for this event will be done with prior approval of the City Traffic Engineering Division, and no permanent markings of any type will be permitted. Any signage and/or markings used must be removed immediately following the event.
   a. Sidewalk chalk is acceptable for chalk art on public sidewalks OTHER THAN sidewalks in and adjacent to City parks.
   b. Chalk paint shall not be applied to any city street or sidewalk.
9. Applicant shall provide adequate adult volunteers at all intersections and other locations to assist with walk event instructions, event monitoring, and event participant safety. Volunteers are NOT authorized to direct vehicular traffic at any time.

10. Applicant shall provide written notification, a minimum of 48 hours before the event, to all affected property owners adjoining the barricaded street closures and/or temporary no parking, (to help minimize traffic conflicts between motorists and participants). Written notification shall include information on the event including event location, event date, start and finish times, and the name and telephone number of the Applicant’s contact person. A copy of this written notification shall be provided to the City Manager's Office.

11. For questions related to road closure or temporary no parking after hours and on weekends, contact number is 319-360-1144.

12. Applicant shall contact the Cedar Rapids Police Department at least 15 to 30 days prior to the event to hire off-duty police officers, as required by the Police Department to attend barricades at street closures, to assist with traffic control at designated intersections, and for event security. Contact Sgt. Dale Moyle (319-286-5329) to arrange officers. Event Organizer will hire 2 off-duty police officers to provide traffic control and maintain barricades.

   2 officers from 3:00pm - 8:00pm @ $49.00/hour = $490.00
   (This is an estimate, final cost depends on actual time of event)

13. Applicant is aware of the existence and requirements of the Municipal Noise Ordinance (Chapter 56 of the Cedar Rapids City Code) as relates to the intent to provide amplified music at the event.

14. Applicant shall make themselves aware of the state and city codes pertaining to disorderly conduct and disturbing the peace. The Police Department will reserve the right to terminate the event if complaints are received.

15. Applicant will supply trash bags and receptacles and is responsible for removing all associated trash from city property. Any cost associated with clean up done by the City will be billed to the applicant.

16. Applicant shall provide adequate restroom facilities including ADA accessible restrooms (5% or no less than 1).

17. Applicant agrees to defend, indemnify, and save the City of Cedar Rapids harmless from all liability and place on file with the City Manager’s Office, a certificate of liability insurance with policy limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa, and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

18. Applicant shall provide for adequate crowd control and security in order to provide a safe and secure environment.

19. Applicant is required to comply with all applicable City, State and Federal Americans with Disabilities Act (ADA) Requirements. The event must provide reasonable accommodations to the programs, services and activities of the event to ensure accessibility to all individuals with disabilities. This shall include, but not limited to, parking, restrooms, routes, transportation, vendors and booths.

20. Applicant shall provide an emergency contingency plan in case the event needs to be canceled, postponed, or relocated due adverse weather conditions.
Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: City Manager

Presenter at Meeting: Angie Charipar

Contact Person: Angie Charipar
E-mail Address: A.Charipar@cedar-rapids.org

Cell Phone Number: 319-286-5090

Description of Agenda Item: Special events
The Five Seasons Invitational Marching Band Festival (includes road closures) on September 29, 2018. CIP/DID #SPEC-002966-2018

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

Background: Referencing the Special Event application received for the above special event which is requesting permission to hold activities with a street closure, approval is recommended subject to the conditions stated on the attached resolution.

Action/Recommendation: Approve resolution for the event.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: 9/25/18

Budget Information:

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
WHEREAS, Thad Driskell, on behalf of the Cedar Rapids Community School District, has requested approval to conduct the Five Seasons Invitational Marching Band Festival on Saturday, September 29, 2018 from 3:00pm to 10:00pm (not including set-up and tear down), and

WHEREAS, the applicant request approval to close the following streets:

~Center Drive SW between 15th Street SW and Kurt Warner Drive SW

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, approval of this event is recommended subject to the following conditions:

1. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.

2. If applicant alters the above route or intends to use a different route, a separate event application approval may be required with the new route detailed.

3. In case of an emergency construction project or utility project, route may need to be revised, Traffic Engineering will work with the applicant.

4. Applicant’s insured traffic control contractor shall provide all barricades/traffic controls required by the City for the temporary street closure. All barricades/traffic controls must conform to the requirements of the Manual on Uniform Traffic Control Devices. Applicant shall provide the name and phone number of the company providing the barricades/traffic controls to the Police Department and Traffic Engineering a minimum of one week prior to the event.

5. Applicant agrees that any signage required for this event will be done with prior approval of the City Building Services Division and any required permits will be obtained.

6. Applicant agrees that any pavement markings or signage required for this event will be done with prior approval of the City Traffic Engineering Division, and no permanent markings of any type will be permitted. Any signage and/or markings used must be removed immediately following the event.
   a. Sidewalk chalk is acceptable for chalk art on public sidewalks OTHER THAN sidewalks in and adjacent to City parks.
   b. Chalk paint shall not be applied to any city street or sidewalk.

7. Applicant shall provide adequate adult volunteers at all intersections and other locations to assist with walk event instructions, event monitoring, and event participant safety. Volunteers are NOT authorized to direct vehicular traffic at any time.

8. Applicant shall provide written notification, a minimum of 48 hours before the event, to all affected property owners adjoining the barricaded street closures and/or temporary no parking, (to help minimize traffic conflicts between motorists and race participants). Written notification shall include information on the event including event route, event date, start and finish times, and the name and telephone number of the Applicant’s contact person. A copy of this written notification shall be provided to the City Manager’s Office.
9. For questions related to road closure or temporary no parking after hours and on weekends, contact number is 319-360-1144.

10. Applicant shall contact the Cedar Rapids Police Department at least 15 to 30 days prior to the event to hire off-duty police officers, as required by the Police Department to attend barricades at street closures, to assist with traffic control at designated intersections, and for event security. Contact Sgt. Dale Moyle (319-286-55329) to arrange officers. Applicant will be required to hire one (1) off-duty officer @ $49.00/hour to work from 2:00pm - 11:pm. Total cost = $441.00 This is an estimate based on the approximate end time of the event. The amount will be adjusted to reflect the actual end time of the event.

11. Applicant and participants shall comply with all existing parking regulations on all adjacent areas of public property.

12. If food is served and/or sold at the event, the applicant (or vendors) shall meet all applicable requirements of the Linn County Health Department and the City Code.

13. Food vendors must contact Linn County Public Health at 319-892-6000 in advance of the event for required permits and guidelines (permits available at www.linncounty.org/health). The event organizer shall obtain copies of submitted temporary food service applications from food vendors prior to the event.

14. Applicant will supply trash bags and receptacles and is responsible for removing all associated trash from city property. Any cost associated with clean up done by the City will be billed to the applicant.

15. Applicant agrees to defend, indemnify, and save the City of Cedar Rapids harmless from all liability and place on file with the City Manager’s Office, a certificate of liability insurance with policy limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa, and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

16. Applicant shall provide for adequate crowd control and security in order to provide a safe and secure environment.

17. Applicant is required to comply with all applicable City, State and Federal Americans with Disabilities Act (ADA) Requirements. The event must provide reasonable accommodations to the programs, services and activities of the event to ensure accessibility to all individuals with disabilities. This shall include, but not limited to, parking, restrooms, routes, transportation, vendors and booths.

18. Applicant shall provide an emergency contingency plan in case the event needs to be canceled, postponed, or relocated due adverse weather conditions.
MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: City Manager

Presenter at Meeting: Angie Charipar

Contact Person: Angie Charipar
E-mail Address: A.Charipar@cedar-rapids.org

Cell Phone Number: 319-286-5090

Description of Agenda Item: Special events
Cedar Rapids Food Truck Festival (includes street closures) on October 6, 2018.
CIP/DID #SPEC-002967-2018

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

Background: Referencing the Special Event application received for the above special event which is requesting permission to hold activities with a street closure, approval is recommended subject to the conditions stated on the attached resolution.

Action/Recommendation: Approve resolution for the event.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: 9/25/18

Budget Information:

Local Preference Policy: NA
Explanation: NA

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

WHEREAS, Matt Hanlin, on behalf of Benz Properties LLC, has requested approval to conduct the Cedar Rapids Food Truck Festival on Saturday, October 6, 2018 from 1:00pm to 6:00pm (not including set-up and tear down), and

WHEREAS, the applicant request approval to close the following streets:

~7th Avenue SE from 5th Street SE to 6th Street SE
~5th Street SE from 7th Avenue SE to the north ROW line of the alley between 7th Avenue SE and 8th Avenue SE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, approval of this event is recommended subject to the following conditions:

1. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.

2. If applicant alters the above route or intends to use a different route, a separate event application approval may be required with the new route detailed.

3. In case of an emergency construction project or utility project, route may need to be revised, Traffic Engineering will work with the applicant.

4. Applicant’s insured traffic control contractor shall provide all barricades/traffic controls required by the City for the temporary street closure. All barricades/traffic controls must conform to the requirements of the Manual on Uniform Traffic Control Devices. Applicant shall provide the name and phone number of the company providing the barricades/traffic controls to the Police Department and Traffic Engineering a minimum of one week prior to the event.

5. For traffic and pedestrian safety purposes, the City Traffic Engineering Division will approve temporary “No Parking” signs, meeting City specifications, to be placed along the following streets for this event:

~7th Avenue SE from 5th Street SE to 6th Street SE
~5th Street SE from 7th Avenue SE to the north ROW line of the alley between 7th Avenue SE and 8th Avenue SE

a. The appropriate signs, as specified by the Traffic Engineering Division, will be installed, maintained and removed by an insured traffic control contractor that will be hired and paid by Applicant. Signs shall be stake mounted and a minimum size of 24” X 18”, spaced at a maximum distance of 75’ apart on all listed streets.

b. The temporary “No Parking” signs shall be installed by the traffic control contractor no earlier than Friday, October 5, 2018, and removed no later than Sunday, October 7, 2018.

c. The Applicant shall provide advance written notification to adjacent property owners on the above named streets of the event dates and times and the temporary “No Parking” posting. A copy of the notice shall be provided to the Traffic Engineering Division prior to the event.

6. Applicant agrees that any pavement markings or signage required for this event will be done with prior approval of the City Traffic Engineering Division, and no permanent
markings of any type will be permitted. Any signage and/or markings used must be removed immediately following the event.

a. Sidewalk chalk is acceptable for chalk art on public sidewalks OTHER THAN sidewalks in and adjacent to City parks.
b. Chalk paint shall not be applied to any city street or sidewalk.

7. Applicant agrees that any signage required for this event will be done with prior approval of the City Building Services Division and any required permits will be obtained.

8. The outermost event fencing shall be no closer than two (2) feet from all public sidewalks to avoid obstructing a public sidewalk or impeding pedestrian traffic.

9. Applicant shall provide adequate adult volunteers at all intersections and other locations to assist with walk event instructions, event monitoring, and event participant safety. Volunteers are NOT authorized to direct vehicular traffic at any time.

10. Applicant shall provide written notification, a minimum of 48 hours before the event, to all affected property owners adjoining the barricaded street closures and/or temporary no parking, (to help minimize traffic conflicts between motorists and race participants). Written notification shall include information on the event including event route, event date, start and finish times, and the name and telephone number of the Applicant’s contact person. A copy of this written notification shall be provided to the City Manager’s Office.

11. For questions related to road closure or temporary no parking after hours and on weekends, contact number is 319-360-1144.

12. Applicant shall contact and inform the United States Post Office of the street closings, date and hours 1 week in advance of the event and shall provide notification to the City Manager’s office and/or the Public Works Department, Traffic Division.

13. Applicant shall comply with all existing parking regulations on all adjacent areas of public property.

14. Applicant shall contact the Cedar Rapids Police Department at least 15 to 30 days prior to the event to hire off-duty police officers, as required by the Police Department to attend barricades at street closures, to assist with traffic control at designated intersections, and for event security. Contact Sgt. Dale Moyle (319-286-5329) to arrange officers. Applicant will be required to hire one (1) off-duty officer @ $49.00 from 11:00am - 7:00pm Total + $392.00 This is an estimate based on the anticipated end time of the event. Total will be adjusted if the event runs long.

15. No minors shall be allowed in the alcohol service area.

16. Applicant will contact Fire Marshal Vance McKinnon at 319-286-5862 to acquire an Outdoor Place of Assembly permit as required for the outdoor service area and request the appropriate inspections prior to the event taking place.

17. Applicant shall have a discernible area as required by the Police Department. No alcoholic beverages shall be carried beyond the discernible area.

18. Regarding the use of tents, stages, etc. on public property:
   Applicant shall adhere to City guidelines established for items requiring supports and/or restraints:
   a. Applicant shall obtain City approval before any drilling, excavation, or construction is begun on City property. Applicant shall initiate advance contact with Public Works
Department to provide exact locations of any potential new holes on public property prior to drilling.
b. Applicant shall contact Iowa One Call, well in advance of the event, for all underground utility locations relative to any required drilling.
c. Applicant shall utilize the same holes previously drilled in street and sidewalk surfaces (both asphalt and concrete) for all support and restraint devices when possible.
d. Applicant shall contact Public Works Department for details of required post-event treatment of surfaces. Applicant shall complete required post-event treatment of all areas of drilling, excavation, or construction.

19. If food is served and/or sold at the event, the applicant (or vendors) shall meet all applicable requirements of the Linn County Health Department and the City Code.

20. Food vendors must contact Linn County Public Health at 319-892-6000 in advance of the event for required permits and guidelines (permits available at www.linncounty.org/health). The event organizer shall obtain copies of submitted temporary food service applications from food vendors prior to the event.

21. Applicant will supply trash bags and receptacles and is responsible for removing all associated trash from city property. Any cost associated with clean up done by the City will be billed to the applicant.

22. Applicant shall provide adequate restroom facilities including ADA accessible restrooms (5% or no less than 1).

23. Applicant agrees to defend, indemnify, and save the City of Cedar Rapids harmless from all liability and place on file with the City Manager’s Office, a certificate of liability insurance with policy limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa, and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

24. Applicant shall provide for adequate crowd control and security in order to provide a safe and secure environment.

25. Applicant is required to comply with all applicable City, State and Federal Americans with Disabilities Act (ADA) Requirements. The event must provide reasonable accommodations to the programs, services and activities of the event to ensure accessibility to all individuals with disabilities. This shall include, but not limited to, parking, restrooms, routes, transportation, vendors and booths.

26. Applicant shall provide an emergency contingency plan in case the event needs to be canceled, postponed, or relocated due adverse weather conditions.
PASSED_DAY_TAG
LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: City Manager

Presenter at Meeting: Angie Charipar

Contact Person: Angie Charipar  
E-mail Address: A.Charipar@cedar-rapids.org  
Cell Phone Number: 319-286-5090

Description of Agenda Item: Special events  
State Marching Band Festival (includes road closures) on October 6, 2018.  
CIP/DID #SPEC-002970-2018

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

Background: Referencing the Special Event application received for the above special event which is requesting permission to hold activities with a street closure, approval is recommended subject to the conditions stated on the attached resolution.

Action/Recommendation: Approve resolution for the event.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: 9/25/18

Budget Information:

Local Preference Policy: NA  
Explanation: NA

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

WHEREAS, Thad Driskell, on behalf of the Cedar Rapids Community School District, has requested approval to conduct the State Marching Band Festival on Saturday, October 6th from 8:00am to 6:00pm (not including set-up and tear down), and

WHEREAS, the applicant request approval to close the following streets:

~ Center Drive SW between 15th Street SW and Kurt Warner Drive SW

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, approval of this event is recommended subject to the following conditions:

1. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.

2. If applicant alters the above route or intends to use a different route, a separate event application approval may be required with the new route detailed.

3. In case of an emergency construction project or utility project, route may need to be revised, Traffic Engineering will work with the applicant.

4. Applicant’s insured traffic control contractor shall provide all barricades/traffic controls required by the City for the temporary street closure. All barricades/traffic controls must conform to the requirements of the Manual on Uniform Traffic Control Devices. Applicant shall provide the name and phone number of the company providing the barricades/traffic controls to the Police Department and Traffic Engineering a minimum of one week prior to the event.

5. Applicant agrees that any signage required for this event will be done with prior approval of the City Building Services Division and any required permits will be obtained.

6. Applicant agrees that any pavement markings or signage required for this event will be done with prior approval of the City Traffic Engineering Division, and no permanent markings of any type will be permitted. Any signage and/or markings used must be removed immediately following the event.
   a. Sidewalk chalk is acceptable for chalk art on public sidewalks OTHER THAN sidewalks in and adjacent to City parks.
   b. Chalk paint shall not be applied to any city street or sidewalk.

7. Applicant shall provide adequate adult volunteers at all intersections and other locations to assist with walk event instructions, event monitoring, and event participant safety. Volunteers are NOT authorized to direct vehicular traffic at any time.

8. Applicant shall provide written notification, a minimum of 48 hours before the event, to all affected property owners adjoining the barricaded street closures and/or temporary no parking, (to help minimize traffic conflicts between motorists and race participants). Written notification shall include information on the event including event route, event date, start and finish times, and the name and telephone number of the Applicant’s contact person. A copy of this written notification shall be provided to the City Manager’s Office.
9. For questions related to road closure or temporary no parking after hours and on weekends, contact number is 319-360-1144.

10. Applicant and participants shall comply with all existing parking regulations on all adjacent areas of public property.

11. Applicant shall contact the Cedar Rapids Police Department at least 15 to 30 days prior to the event to hire off-duty police officers, as required by the Police Department to attend barricades at street closures, to assist with traffic control at designated intersections, and for event security. Contact Sgt. Dale Moyle (319-286-5329) to arrange officers. Applicant will be required to hire one (1) off-duty officer @ $49.00/ hour to work from 7:00am - 7:00pm. Total cost = $588.00 This is an estimate based on the anticipated end time of the event. The amount will be adjust to reflect the actual end time of the event.

12. If food is served and/or sold at the event, the applicant (or vendors) shall meet all applicable requirements of the Linn County Health Department and the City Code.

13. Food vendors must contact Linn County Public Health at 319-892-6000 in advance of the event for required permits and guidelines (permits available at www.linncounty.org/health). The event organizer shall obtain copies of submitted temporary food service applications from food vendors prior to the event.

14. Applicant will supply trash bags and receptacles and is responsible for removing all associated trash from city property. Any cost associated with clean up done by the City will be billed to the applicant.

15. Applicant shall provide adequate restroom facilities including ADA accessible restrooms (5% or no less than 1).

16. Applicant agrees to defend, indemnify, and save the City of Cedar Rapids harmless from all liability and place on file with the City Manager’s Office, a certificate of liability insurance with policy limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa, and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

17. Applicant shall provide for adequate crowd control and security in order to provide a safe and secure environment.

18. Applicant is required to comply with all applicable City, State and Federal Americans with Disabilities Act (ADA) Requirements. The event must provide reasonable accommodations to the programs, services and activities of the event to ensure accessibility to all individuals with disabilities. This shall include, but not limited to, parking, restrooms, routes, transportation, vendors and booths.

19. Applicant shall provide an emergency contingency plan in case the event needs to be canceled, postponed, or relocated due adverse weather conditions.
Attest:

ClerkSignature

MayorSignature
Council Agenda Item Cover Sheet

Submitting Department: City Manager

Presenter at Meeting: Angie Charipar

Contact Person: Angie Charipar
E-mail Address: A.Charipar@cedar-rapids.org

Cell Phone Number: 319-286-5090

Description of Agenda Item: Special events
Especially for You Race Against Breast Cancer (includes road closures) on October 7, 2018. CIP/DID #SPEC-002977-2018

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

Background: Referencing the Special Event application received for the above special event which is requesting permission to hold activities with a street closure, approval is recommended subject to the conditions stated on the attached resolution.

Action/Recommendation: Approve resolution for the event.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: 6/26/18

Budget Information:

Local Preference Policy: NA
Explanation: NA

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

WHEREAS, Jeff Decker, on behalf of Mercy Medical Center, has requested approval to conduct the Especially for You Race Against Breast Cancer on Sunday, October 7th, 2018 from 8:00am to 12:00pm (not including set-up and tear down), and

WHEREAS, the applicant request approval to close the following streets:

~10th Street SE from alley (not inclusive) between 3rd Avenue SE and 4th Avenue SE to 9th Avenue SE (3 AM to 9 AM)
~5th Avenue SE from 10th Street SE southwesterly 350’ +/- (3 AM to 9 AM)
~9th Avenue SE from 6th Street SE to Mt Vernon Road SE
~Mt Vernon Rd SE from 9th Avenue SE to 15th Street SE
~15th Street SE from Mt Vernon Rd SE to 12th Avenue SE
~12th Avenue SE from 15th Street SE to 16th Street SE
~16th Street SE from 12th Avenue SE to 15th Avenue SE
~15th Avenue SE from 7th Street SE to 16th Street SE
~3rd Street SE from 10th Avenue SE to 16th Avenue SE (4 AM to noon)
~6th Street SE from 8th Avenue SE to 10th Avenue SE
~7th Street SE from 10th Avenue SE to 15th Avenue SE
~9th Street SE from 10th Avenue SE to 12th Avenue SE
~10th Avenue SE from 6th Street SE to 9th Street SE
~4th Street SE from 12th Avenue SE to 16th Avenue SE
~11th Avenue SE from 2nd Street SE to 4th Street SE
~12th Avenue SW/SE from C Street SE to 9th Street SE, 12th Avenue SE from 2nd Street SE to 15th Avenue SE (4 AM to noon)
~16th Avenue SW/SE from C Street SW to 4th Street SE (4 AM to noon)
~C Street SW from 12th Avenue SW to 16th Avenue SW

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, approval of this event is recommended subject to the following conditions:

1. The 5K route:
   Start at 10th Street SE and 6th Avenue SE, continue southeast on 10th Street SE to 9th Avenue SE, turn northeast on 9th Avenue SE to Mt Vernon Rd SE, turn east on Mt Vernon Rd SE to 15th Street SE, turn south on 15th Street SE to 12th Avenue SE, turn east on 12th Avenue SE to 16th Street SE, turn south on 16th Street SE to 15th Avenue SE, turn west on 15th Avenue SE to 7th Street SE, turn northwest on 7th Street SE to 12th Avenue SE, turn northeast on 12th Avenue SE to 9th Street SE, turn northwest on 9th Street SE to 10th Avenue SE, turn southwest on 10th Avenue SE to 7th Street SE, turn southeast on 7th Street SE to 12th Avenue SE, turn southwest on 12th Avenue SE to 4th Street SE, turn southeast on 4th Street SE to 16th Avenue SE, turn southwest on 16th Avenue SE and continue to the Bridge of Lions (16th Avenue Bridge) crossing the bridge to 16th Avenue SW and continuing on 16th Avenue SW to C Street SW, turn northwest on C Street SW to 12th Avenue SW, turn northeast on 12th Avenue SW and continue to the 12th Avenue Bridge crossing the bridge and continuing on 12th Avenue SE to the finish just northeast of 2nd Street SE.

Family Fun Walk:
Start at 10th Street SE and 6th Avenue SE, continue southeast on 10th Street SE to 9th Avenue SE, turn southwest on 9th Avenue SE to 6th Street SE, turn southeast on 6th Street SE to 10th Avenue SE, turn northeast on 10th Avenue SE to 7th Street SE, turn
southeast on 7th Street SE to 12th Avenue SE, turn southwest on 12th Avenue SE to the finish, just southwest of 4th Street SE.

2. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.

3. If applicant alters the above route or intends to use a different route, a separate event application approval may be required with the new route detailed.

4. In case of an emergency construction project or utility project, route may need to be revised, Traffic Engineering will work with the applicant.

5. Applicant’s insured traffic control contractor shall provide all barricades/traffic controls required by the City for the temporary street closure. All barricades/traffic controls must conform to the requirements of the Manual on Uniform Traffic Control Devices. Applicant shall provide the name and phone number of the company providing the barricades/traffic controls to the Police Department and Traffic Engineering a minimum of one week prior to the event.

6. Applicant shall contact the City Public Works Department to provide advance notice regarding any crane or other heavy equipment usage to determine bridge and road load restrictions and related traffic control.

7. For traffic and pedestrian safety purposes, the City Traffic Engineering Division will approve temporary “No Parking” signs, meeting City specifications, to be placed along the following streets for this event:
   - 10th Street SE from alley (not inclusive) between 3rd Avenue SE and 4th Avenue SE to 9th Avenue SE (3 AM to 9 AM)
   - 5th Avenue SE from 10th Street SE southwesterly 350’ +/- (3 AM to 9 AM)
   - 9th Avenue SE from 6th Street SE to Mt Vernon Road SE
   - Mt Vernon Rd SE from 9th Avenue SE to 15th Street SE
   - 15th Street SE from Mt Vernon Rd SE to 12th Avenue SE
   - 12th Avenue SE from 15th Street SE to 16th Street SE
   - 16th Street SE from 12th Avenue SE to 15th Avenue SE
   - 15th Avenue SE from 7th Street SE to 16th Street SE
   - 3rd Street SE from 10th Avenue SE to 16th Avenue SE (4 AM to noon)
   - 6th Street SE from 8th Avenue SE to 10th Avenue SE
   - 7th Street SE from 10th Avenue SE to 15th Avenue SE
   - 9th Street SE from 10th Avenue SE to 12th Avenue SE
   - 10th Avenue SE from 6th Street SE to 9th Street SE
   - 4th Street SE from 12th Avenue SE to 16th Avenue SE
   - 11th Avenue SE from 2nd Street SE to 4th Street SE
   - 12th Avenue SW/SE from C Street SE to 9th Street SE, 12th Avenue SE from 2nd Street SE to 15th Avenue SE (4 AM to noon)
   - 16th Avenue SW/SE from C Street SW to 4th Street SE (4 AM to noon)
   - C Street SW from 12th Avenue SW to 16th Avenue SW
   a. The appropriate signs, as specified by the Traffic Engineering Division, will be installed, maintained and removed by an insured traffic control contractor that will be hired and paid by Applicant. Signs shall be stake mounted and a minimum size of 24” X 18”, spaced at a maximum distance of 75’ apart on all listed streets.
   b. The temporary “No Parking” signs shall be installed by the traffic control contractor no earlier than Saturday, October 6, 2018, and removed no later than Monday, October 8, 2018.
c. The Applicant shall provide advance written notification to adjacent property owners on the above named streets of the event dates and times and the temporary “No Parking” posting. A copy of the notice shall be provided to the Traffic Engineering Division prior to the event.

8. Applicant will be responsible for contacting both the Union Pacific Railroad and the Cedar Rapids & Iowa City Railway to assure no conflicts will occur during the event at any railroad grade crossings that intersect with the race routes.

9. Applicant agrees that any pavement markings or signage required for this event will be done with prior approval of the City Traffic Engineering Division, and no permanent markings of any type will be permitted. Any signage and/or markings used must be removed immediately following the event.
   a. Sidewalk chalk is acceptable for chalk art on public sidewalks OTHER THAN sidewalks in and adjacent to City parks.
   b. Chalk paint shall not be applied to any city street or sidewalk.

10. Applicant shall provide written notification, a minimum of 48 hours before the event, to all affected property owners adjoining the barricaded street closures and/or temporary no parking, (to help minimize traffic conflicts between motorists and race participants). Written notification shall include information on the event including event route, event date, start and finish times, and the name and telephone number of the Applicant’s contact person. A copy of this written notification shall be provided to the City Manager’s Office.

11. Applicant shall provide adequate adult volunteers at all intersections and other locations to assist with walk event instructions, event monitoring, and event participant safety. Volunteers are NOT authorized to direct vehicular traffic at any time.

12. Participants shall observe all traffic control devices and traffic regulations unless otherwise directed by a uniformed police officer.

13. Applicant shall comply with all existing parking regulations on all adjacent areas of public property.

14. For questions related to road closure or temporary no parking after hours and on weekends, contact number is 319-360-1144.

15. Applicant shall contact the Cedar Rapids Police Department at least 15 to 30 days prior to the event to hire off-duty police officers, as required by the Police Department to attend barricades at street closures, to assist with traffic control at designated intersections, and for event security. Contact Sgt. Dale Moyle (319-286-5329) to arrange officers. The Police Department will provide the off-duty officer contact name and cell number to applicant prior to the event.
   Event will hire 2 Commanders (4.5 hrs each), 4 Officers @ 0300 for the starting line set up (6 hrs each), 4 Officers @ 0400 for finish line/post race set up (8 hrs each), 3 EOD Officers @ 0600 for sweep (3 hrs each) and 20 Officers @ 0715 for the race course traffic control (3 hrs each).
   Estimated cost for Officers based on 2017 hours is $6611.00.
   2 Commanders: $54 per hour at 13 hours
   31 Officers: $49 per hour at 125 hours

16. Vehicles on park grass are strictly prohibited without prior permission by the Parks Superintendent or designee. Applicant shall not obstruct the public sidewalk or impede normal pedestrian traffic. A minimum sidewalk clearance width of five (5) feet shall be maintained on all public sidewalks adjacent to the event site. Vehicles within the park are strictly prohibited. Vending on turf is restricted to 2 wheeled cart types, no vehicles or
heavy equipment is allowed on turf, all products including grease and gray water must be disposed of offsite by the Vendor.

17. Applicant shall upon completion of the event, clean up all areas associated with the event and shall reimburse the City for damage to any portion of public property. Event Participants shall use standard trail courtesies and yield appropriate right-of-way to non-event trail traffic. Any temporary signs placed along the event must be at least 2' away from the edge of the trail and must be removed the day of the event.

18. Please note that all events are responsible to provide additionally desired park tables and receptacles beyond what is standardly available and in place within City Parks. Additional tables, trash cans, trash bags, servicing of trash cans and removal of event related trash, event fencing, hoses, etc. must be provided by the event applicant. Events are also not allowed to move park furniture and receptacles in order to fulfill additional needs by the event.

19. Upon completion of event, all areas associated with the event will be cleaned up. All permanent Park trash receptacles must have trash removed by the event and bags replaced the day of the event. All park grounds that see event crowds must be inspected by the event for any trash, litter, temporary event signs, etc., which must be removed the day of the event before park closing hours. Needed additional trash or debris cleanup by Parks staff will be billed to the event for reimbursement.

20. Applicant will supply trash bags and receptacles and is responsible for removing all associated trash from city property. Any cost associated with clean up done by the City will be billed to the applicant.

21. If food is served and/or sold at the event, the applicant (or vendors) shall meet all applicable requirements of the Linn County Health Department and the City Code.

22. Food vendors must contact Linn County Public Health at 319-892-6000 in advance of the event for required permits and guidelines (permits available at www.linncounty.org/health). The event organizer shall obtain copies of submitted temporary food service applications from food vendors prior to the event.

23. Applicant shall provide adequate restroom facilities including ADA accessible restrooms (5% or no less than 1).

24. Applicant agrees to defend, indemnify, and save the City of Cedar Rapids harmless from all liability and place on file with the City Manager’s Office, a certificate of liability insurance with policy limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa, and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

25. Applicant shall provide for adequate crowd control and security in order to provide a safe and secure environment.

26. Applicant is required to comply with all applicable City, State and Federal Americans with Disabilities Act (ADA) Requirements. The event must provide reasonable accommodations to the programs, services and activities of the event to ensure accessibility to all individuals with disabilities. This shall include, but not limited to, parking, restrooms, routes, transportation, vendors and booths.

27. Applicant shall provide an emergency contingency plan in case the event needs to be canceled, postponed, or relocated due adverse weather conditions.
Attest:

ClerkSignature

MayorSignature
Council Agenda Item Cover Sheet

Submitting Department: Solid Waste and Recycling

Presenter at Meeting: Mark Jones

Contact Person: Steve Hershner
E-mail Address: s.hershner@cedar-rapids.org
Cell Phone Number: 319-538-1059

Description of Agenda Item: CONSENT AGENDA

   1. Resolutions approving assessment actions:

CIP/DID #SWM-014-18

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

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

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

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

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

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

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

Time Sensitivity:
Resolution Date: 9/25/2018

Budget Information:

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: No
Explanation: NA
WHEREAS, the City Council of the City of Cedar Rapids, Iowa, has heretofore passed a Resolution to assess property for the following:

NUISANCE ABATEMENTS

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

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the intent to assess against the property and for the amounts shown on the attached listing, will be made by the City Council after 30 days of the date passed, and notice was given by mailing to the owners of the described and enumerated tracts, a notice of this proposed assessment, stating the amount of the assessment and the description of the property, and on what account, and that objections to said proposed assessment may be filed prior to 3:30 pm, October 24, 2018.

Attest:

ClerkSignature
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Council Agenda Item Cover Sheet

Submitting Department: Solid Waste and Recycling

Presenter at Meeting: Mark Jones

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

Cell Phone Number: 319-538-1059

Description of Agenda Item: Intent and levy assessments

Resolutions approving assessment actions:

Authorize the Solid Waste & Recycling Division to Levy Assessments (to lien various properties for delinquent nuisance abatements).
(Note: The Intent to Assess Resolution was approved at the Council Meeting on August 14, 2018).

CIP/DID #SWM-011-18

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

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

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

The Notice of Intent to Assess these properties were approved by Resolution No. 0993-08-18 passed on August 14, 2018.

Following approval of the "Levy Assessment" Resolution, the nuisance abatement information will be certified with the Linn County Treasurer. This becomes a “Special Assessment” against the properties and has equal precedence to property taxes.
Action/Recommendation: The Solid Waste and Recycling Division recommends that the Resolution to Levy Assessments be approved.

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

Time Sensitivity:

Resolution Date: 9/25/2018

Budget Information:

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: No
Explanation: NA
WHEREAS, the City Council of the City of Cedar Rapids, Iowa, has heretofore passed a Resolution to assess property for the following:

NUISANCE ABATEMENTS

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

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

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
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Council Agenda Item Cover Sheet

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

Description of Agenda Item: Intent and levy assessments
Intent to Assess – Utilities-Water Division – delinquent municipal utility bills – 42 properties.
CIP/DID #WTR092518-01

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: 9/25/18
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 13th day of November, 2018 and notice was given by mailing to the owners of the properties, a notice of this proposed assessment, stating the amount of the assessment and the description of the property, and on what account, and that objections to said proposed assessment may be filed prior to 11:00 a.m., November 13, 2018.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
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| 42        | Number of Properties |

| $35.58 | Balance Due - Low |

| $467.12 | Balance Due - High |
Council Agenda Item Cover Sheet

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

Description of Agenda Item: Intent and levy assessments
CIP/DID #WTR081418-01

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

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

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

The Notice of Intent to Assess the properties was approved by City Council Resolution No. 0994-08-18 on August 14, 2018.

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

Action / Recommendation: The Utilities Department – Water Division recommends that the Resolution to levy Special Assessments be 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: 9/25/18
Budget Information: N/A
Local Preference Policy: NA
Explanation: NA
Recommended by Council Committee: NA
Explanation: NA
RESOLUTION NO.  LEG_NUM_TAG

SPECIAL ASSESSMENTS

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

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

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

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
## SPECIAL ASSESSMENTS 9/25/18

### LIEN INTENTS 8/14/18

<table>
<thead>
<tr>
<th>#</th>
<th>Balance Due</th>
<th>Premise Address</th>
<th>District #</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$ 173.16</td>
<td>271 BOICE RD NW</td>
<td>CR4</td>
</tr>
<tr>
<td>2</td>
<td>$ 259.33</td>
<td>923 39TH ST SE</td>
<td>CR3</td>
</tr>
<tr>
<td>3</td>
<td>$ 114.94</td>
<td>927 C AVE NW</td>
<td>CR5</td>
</tr>
<tr>
<td>4</td>
<td>$ 110.31</td>
<td>1012 9TH ST SE</td>
<td>CR3</td>
</tr>
<tr>
<td>5</td>
<td>$ 103.18</td>
<td>1021 9TH ST SE</td>
<td>CR3</td>
</tr>
<tr>
<td>6</td>
<td>$ 405.53</td>
<td>1025 20TH ST SE</td>
<td>CR3</td>
</tr>
<tr>
<td>7</td>
<td>$ 203.54</td>
<td>1032 9TH ST SE</td>
<td>CR3</td>
</tr>
<tr>
<td>8</td>
<td>$ 113.24</td>
<td>1511 C AVE NW</td>
<td>CR5</td>
</tr>
<tr>
<td>9</td>
<td>$ 169.12</td>
<td>1552 7TH AVE SE</td>
<td>CR3</td>
</tr>
<tr>
<td>10</td>
<td>$ 294.42</td>
<td>1602 12TH AVE SE</td>
<td>CR3</td>
</tr>
<tr>
<td>11</td>
<td>$ 406.38</td>
<td>1711 14TH AVE SW</td>
<td>CR5</td>
</tr>
<tr>
<td>12</td>
<td>$ 210.47</td>
<td>2523 1ST AVE SE</td>
<td>CR2</td>
</tr>
<tr>
<td>13</td>
<td>$ 503.83</td>
<td>2617 MATTHEW DR SW</td>
<td>CR5</td>
</tr>
<tr>
<td>14</td>
<td>$ 472.35</td>
<td>2920 NEEDLES RD SE</td>
<td>CR2</td>
</tr>
<tr>
<td>15</td>
<td>$ 72.56</td>
<td>4730 MIDWAY DR NW</td>
<td>CR4</td>
</tr>
<tr>
<td>16</td>
<td>$ 216.14</td>
<td>5651 CEDAR DR NW</td>
<td>CR4</td>
</tr>
</tbody>
</table>

$ 3,828.50 Grand Total

16 Number of Properties

$ 62.56 Balance Due - Low

$ 503.83 Balance Due - High
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at Meeting: Justin Holland

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

Description of Agenda Item: Maintenance bonds
Resolution accepting sanitary sewer at Reconserve of Iowa and approving 2-year Maintenance Bond submitted by BWC Excavating, L.C. in the amount of $165,800.
CIP/DID #ASDP-023756-2016

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

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

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

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

Time Sensitivity: Normal

Resolution Date: September 25, 2018

Budget Information: Private

Local Preference Policy: NA
Explanation: NA

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

WHEREAS, BWC Excavating, L.C. has constructed sanitary sewer at Reconserve of Iowa, and

WHEREAS, said work has now been completed, and BWC Excavating, L.C. has filed a 2-year Maintenance Bond, executed by North American Specialty Insurance Company in the sum of $165,800 covering said work, now therefore

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

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
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: Maintenance bonds
Water system improvements installed in 27th Street SE and 2-year Maintenance Bond submitted by Bushman Excavating, Inc. in the amount of $21,809.92. CIP/DID #2016069-01

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

Background: Developers/Contractors are required to furnish and install water distribution systems to serve new developments. Upon completion of these public system improvements, a maintenance bond is required, covering the first two years in service. This bond helps to insure proper installation of infrastructure that will allow the city to provide quality water service.

The Developer, John Faurote, was granted permission by the Water Division to install 8-inch water mains, services, and appurtenances in 27th Street SE (Project No. 2016069). The Contractor, Bushman Excavating, Inc. has installed 384 feet of 8-inch DIP water main, services and appurtenances in 27th Street SE.

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

Action/Recommendation: The Utilities Department – Water Division is recommending acceptance of the water system improvements installed in 27th Street SE (Project No. 2016069) and the Contractor’s 2-year Maintenance Bond #712151, submitted by Bushman Excavating, Inc. in the amount of $21,809.92.

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

Time Sensitivity: None, routine item
Resolution Date: 9/25/2018
Budget Information: N/A
Local Preference Policy: NA
Explanation: NA
Recommended by Council Committee: NA
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, John Faurote, was granted permission by the Utilities Department - Water Division to install 384 feet of 8-inch DIP water main, services and appurtenances in 27th Street SE (Project No. 2016069), to the City of Cedar Rapids, Iowa, and

WHEREAS, said work has now been completed and Bushman Excavating, Inc. of Fairfax, Iowa, as Principal, has submitted a 2-Year Maintenance Bond (No. 712151) executed by AMCO Insurance Company, as Surety, in the sum of $21,809.92 (Twenty One Thousand Eight Hundred Nine Dollars and 92/100) covering said work.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the water mains, services and appurtenances installed in 27th Street SE (Project No. 2016069), be hereby accepted, and

BE IT FURTHER RESOLVED that the 2-Year Maintenance Bond filed by Bushman Excavating, Inc., as Principal, and executed by AMCO Insurance Company, as Surety, be hereby approved and filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
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: Accept projects
Resolution accepting project and approving the 4-year Performance Bond submitted by Connolly Construction, Inc. for the 33rd Avenue SW East of 18th Street Storm Sewer Improvements project (original contract amount was $43,011.10; final contract amount is $45,429.08).
CIP/DID #304471-02

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

Background: Construction has been substantially completed by Connolly Construction, Inc. for the 33rd Avenue SW East of 18th Street Storm Sewer Improvements project. This is an approved Capital Improvements Project (CIP No. 304471-02) with a final construction contract amount of $45,429.08. Funding resources for this project were approved in FY19 and prior years and the project is completed within the approved budget.

Action/Recommendation: The Public Works Department recommends adoption of the Resolution to accept the project and performance bond submitted by Connolly Construction, Inc.

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

Time Sensitivity: Normal

Resolution Date: September 25, 2018

Budget Information (if applicable): NA

Local Preference Policy: NA

Recommended by Council Committee: Yes ☒ No ☐ N/A ☐

Explanation (if necessary):
RESOLUTION NO.  LEG_NUM_TAG

WHEREAS, the City Engineer certifies construction contract work on the 33rd Avenue SW East of 18th Street Storm Sewer Improvements project (Contract No. 304471-02), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond dated July 5, 2018 in the amount of $38,011.10 covering said work filed by Connolly Construction, Inc. and executed by Merchants Bonding Company (Mutual) provides a 4-year correction period for defects in materials and workmanship, and

WHEREAS, the final cost summary 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>$38,011.10</td>
</tr>
<tr>
<td>Original Incentive Value</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>$2,417.98</td>
</tr>
<tr>
<td>Amended Contract Amount</td>
<td>$45,429.08</td>
</tr>
</tbody>
</table>

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that based on the City Engineer’s recommendation, the 33rd Avenue SW East of 18th Street Storm Sewer Improvements project, (Contract No. 304471-02) be and the same is hereby accepted as being substantially completed.

The final contract price is $45,429.08 distributed as follows: 304-304000-30485-304471 NA

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: 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: Accept projects
Resolution accepting project, authorizing final payment in the amount of $7,574.24 and approving the 4-year Performance Bond submitted by B.G. Brecke, Inc. for the 58th Avenue Court SW Sanitary Sewer Improvements project (original contract amount was $66,155; final contract amount is $151,484.77).
CIP/DID #6550028-01

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

Background: Construction has been substantially completed by B.G. Brecke, Inc. for the 58th Avenue Court SW Sanitary Sewer Improvement project. This is an approved Capital Improvements Project (CIP No. 6550028-01) with a final construction contract amount of $151,484.77. Funding resources for this project were approved in FY19 and prior years and the project is completed within the approved budget.

Action/Recommendation: The Public Works Department recommends adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of $7,574.24.

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

Time Sensitivity: Normal

Resolution Date: September 25, 2018

Budget Information: 6550028 NA - $77,294.70

Local Preference Policy: NA
Explanation: NA

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

WHEREAS, the City Engineer certifies construction contract work on the 58th Avenue Court SW Sanitary Sewer Improvements project (Contract No. 6550028-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond dated October 24, 2017 in the amount of $66,155 covering said work filed by B.G. Brecke, Inc. and executed by United Fire & Casualty Company provides a 4-year correction period for defects in materials and workmanship, and

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

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract Amount</td>
<td>$66,155.00</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>$85,329.77</td>
</tr>
<tr>
<td>Amended Contract Amount</td>
<td>$151,484.77</td>
</tr>
</tbody>
</table>

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that based on the City Engineer’s recommendation, the 58th Avenue Court SW Sanitary Sewer Improvements project, (Contract No. 6550028-01) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of $7,574.24 to B.G. Brecke, Inc. as final payment.

The final contract price is $151,484.77 distributed as follows: 655-655000-65585-6550028

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: 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: Accept projects
Resolution accepting project, authorizing final payment in the amount of $3,240.78 and approving
the 4-year Performance Bond submitted by B.G. Brecke, Inc. for the 2018 Sanitary Sewer Service
Repair project (original contract amount was $116,478; final contract amount is $64,815.68).
CIP/DID #6550057-01

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

Background: Construction has been substantially completed by B.G. Brecke, inc. for the 2018
Sanitary Sewer Service Repair project. This is an approved Capital Improvements Project (CIP
No. 6550057-01) with a final construction contract amount of $64,815.68. Funding resources for
this project were approved in FY19 and prior years and the project is completed within the
approved budget.

Action/Recommendation: The Public Works Department recommends adoption of the
Resolution to accept the project and performance bond and issue final payment to the contractor
in the amount of $3,240.78.

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

Time Sensitivity: Normal

Resolution Date: September 25, 2018

Budget Information: 655/655000/6550057 NA

Local Preference Policy: NA
Explanation: NA

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

WHEREAS, the City Engineer certifies construction contract work on the 2018 Sanitary Sewer Service Repair project (Contract No. 6550057-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond dated March 27, 2018 in the amount of $115,978 covering said work filed by B.G. Brecke, Inc. and executed by United Fire & Casualty Company provides a 4-year correction period for defects in materials and workmanship, and

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

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract Amount</td>
<td>$115,978.00</td>
</tr>
<tr>
<td>Original Incentive Value</td>
<td>500.00</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>1,710.65</td>
</tr>
<tr>
<td>Change Order No. 2 Final</td>
<td>(53,372.97)</td>
</tr>
<tr>
<td>Amended Contract Amount</td>
<td>$64,815.68</td>
</tr>
</tbody>
</table>

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that based on the City Engineer’s recommendation, the 2018 Sanitary Sewer Service Repair project, (Contract No. 6550057-01) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of $3,240.78 to B.G. Brecke, Inc. as final payment.

The final contract price is $64,815.68 distributed as follows: 655-655000-65585-6550057

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: 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: Accept projects
Resolution accepting project, authorizing final payment in the amount of $2,553.71 and approving the 4-year Performance Bond submitted by B.G. Brecke, Inc. for the Forest Drive SE North of Cottage Grove Avenue Sanitary Sewer Replacement project (original contract amount was $50,595; final contract amount is $51,074.21).
CIP/DID #655996-16

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

Background: Construction has been substantially completed by B.G. Brecke, Inc. for the Forest Drive SE North of Cottage Grove Avenue Sanitary Sewer Replacement project. This is an approved Capital Improvements Project (CIP No. 655996-16) with a final construction contract amount of $51,074.21. Funding resources for this project were approved in FY19 and prior years and the project is completed within the approved budget.

Action/Recommendation: The Public Works Department recommends adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of $2,553.71.

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

Time Sensitivity: Normal

Resolution Date: September 25, 2018

Budget Information: 655996

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City Engineer certifies construction contract work on the Forest Drive SE North of Cottage Grove Avenue Sanitary Sewer Replacement project (Contract No. 655996-16), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond dated June 20, 2018 in the amount of $48,095 covering said work filed by B.G. Brecke, Inc. and executed by United Fire & Casualty Company provides a 4-year correction period for defects in materials and workmanship, and

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

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract Amount</td>
<td>$48,095.00</td>
</tr>
<tr>
<td>Original Incentive Value</td>
<td>$2,500.00</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>$479.21</td>
</tr>
<tr>
<td>Amended Contract Amount</td>
<td>$51,074.21</td>
</tr>
</tbody>
</table>

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that based on the City Engineer’s recommendation, the Forest Drive SE North of Cottage Grove Avenue Sanitary Sewer Replacement (Contract No. 655996-16) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of $2,553.71 to B.G. Brecke, Inc. as final payment.

The final contract price is $51,074.21 distributed as follows: $51,074.21 655-655000-65585-655996

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: 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: Accept projects

Resolution accepting project and approving the 4-year Performance Bond submitted by Christner Concrete, LLC for the FY18 Downtown Sidewalk Repair Project Contract No. 1 (original contract amount was $59,672; final contract amount is $55,908).

CIP/DID #321546-01


Background: Construction has been substantially completed by Christner Concrete, LLC for the FY18 Downtown Sidewalk Repair Project Contract No. 1. This is an approved Capital Improvements Project (CIP No. 321546-01) with a final construction contract amount of $55,908. Funding resources for this project were approved in FY19 and prior years and the project is completed within the approved budget.

Action/Recommendation: The Public Works Department recommends adoption of the Resolution to accept the project and performance bond submitted by Christner Concrete, LLC.

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

Time Sensitivity: Normal

Resolution Date: September 25, 2018

Budget Information: 321546 NA

Local Preference Policy: NA
Explanation: NA

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

WHEREAS, the City Engineer certifies construction contract work on the FY 18 Downtown Sidewalk Repair Project Contract No. 1 (Contract No. 321546-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond dated September 26, 2017 in the amount of $57,672 covering said work filed by Christner Concrete, LLC and executed by Western National Mutual Insurance Co. provides a 4-year correction period for defects in materials and workmanship, and

WHEREAS, the final cost summary 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>$57,672</td>
</tr>
<tr>
<td>Original Incentive Value</td>
<td>2,000</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>(1,764)</td>
</tr>
<tr>
<td>Removal of Original Incentive Value</td>
<td>(2,000)</td>
</tr>
<tr>
<td>Amended Contract Amount</td>
<td>$55,908</td>
</tr>
</tbody>
</table>

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that based on the City Engineer’s recommendation, the FY 18 Downtown Sidewalk Repair Project Contract No. 1, (Contract No. 321546-01) be and the same is hereby accepted as being substantially completed.

The final contract price is $55,908 distributed as follows: $55,908 321-321000-32185-321546

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: Rita Rasmussen

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 Reischauer Land Services, Inc. for the Right of Way Acquisition Support Services - Senior Agent for the Engineering Division for 18 months for an amount not to exceed $350,000. CIP/DID #PUR0818-046

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

Background:
Purchasing Services solicited proposals on behalf of the Engineering Division for a Right of Way Acquisition Support Services - Senior Agent. One proposal was received and the Engineering Division recommends award to Reischauer Land Services, Inc.

The contract period will be October 1, 2018 - March 30, 2020. There are no renewal options. The estimated cost for the 18-month contract is $350,000.

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: September 25, 2018

Budget Information: Miscellaneous Acquisition Projects

Local Preference Policy: Yes
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
WHEREAS, the City of Cedar Rapids Purchasing Services Division issued a Request for Proposal for Right of Way Acquisition Support Services - Senior Agent on behalf of the Engineering Division; and

WHEREAS, one Vendor submitted a proposal; and

WHEREAS, the Real Estate Manager has reviewed the submittal and determined the Vendor meets the requirements and therefore recommends that the contract be awarded to Reischauer Land Services, Inc. in the amount of $350,000; and

WHEREAS, a contract has been prepared for the contract period October 1, 2018 through March 30, 2020.

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: Fire

Presenter at Meeting: Greg Smith

Contact Person: Greg Smith  
E-mail Address: G.Smith@cedar-rapids.org  
Cell Phone Number: (319) 431-3807

Description of Agenda Item: Purchases, contracts and agreements
Resolution authorizing City Manager to execute contract with Pierce Manufacturing for the purchase of one Velocity Pumper Fire Truck for the Fire Department; purchase price from Capital Improvement Fund is $618,669.24. 
CIP/DID #FIR0918-2001

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

Background: The Fire Department established a truck committee that worked in conjunction with fire department staff and Fleet Services representatives to conceptualize functional needs and created design specifications for a replacement pumper truck. The truck committee and Fleet Services representatives concur that continuing to purchase from Pierce as the preferred manufacturer provides the best value to the City. Pierce Manufacturing has been in business since 1913, is a technology leader, and provides excellent after-sale customer support. Cedar Rapids has purchased fire pumpers, aerial trucks and Quint apparatus from Pierce since 1988. The fire pumper truck is being purchased to replace a similar vehicle that is old and has become increasingly less effective to operate as the City’s primary pumper truck. The purchase is part of a comprehensive, multi-year fleet replacement plan.

Action/Recommendation: The Fire Department recommends approval of this purchase.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: 09/25/2018

Budget Information: 554000-308-308000, Project #308187

Local Preference Policy: N/A

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 City Manager is hereby authorized to execute the contract with Pierce Manufacturing, 2600 American Drive, P.O. Box 201, Appleton, WI 54913, for the purchase of one Velocity Pumper Fire Truck to be supplied to the City of Cedar Rapids for a total purchase price of $618,669.24. This purchase price includes a discount for a 50% payment at contract entry of $5602.00 and a chassis discount in the amount of $11,326.00. Funds for this purchase are from CIP Account 554000-308-308000, Project #308187.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Chuck Goss

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
Contract with BladeWorks for Snow Removal Services for the Facilities Maintenance Services Division for two years for an annual amount not to exceed $55,000.
CIP/DID #PUR0818-044

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

Background: Purchasing Services solicited bids on behalf of the Facilities Maintenance Services Division for Snow Removal Services. BladeWorks was the only vendor to respond. A contract will be established with BladeWorks for the period of October 1, 2018 through September 30, 2020 with one additional two-year renewal option.

Bids were received from:

<table>
<thead>
<tr>
<th>Company</th>
<th>Item Description</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>BladeWorks, Cedar Rapids, IA</td>
<td>Firm fixed hourly rate for work requiring heavy equipment</td>
<td>$75</td>
</tr>
<tr>
<td></td>
<td>Firm fixed hourly rate for work that does not require heavy equipment</td>
<td>$40</td>
</tr>
<tr>
<td></td>
<td>Firm fixed rate for labor and salt material for parking areas at the Downtown Library</td>
<td>$150</td>
</tr>
<tr>
<td></td>
<td>Firm fixed rate for labor and salt material for parking areas at the NW Recreation Center</td>
<td>$150</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: September 25, 2018

Budget Information: 151-151000

Local Preference Policy: Yes
Explanation: BladeWorks is a certified Local Business

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

WHEREAS, the City of Cedar Rapids Purchasing Services Division issued a Request for Bid for Snow Removal Services on behalf of the Facilities Maintenance Services Division; and

WHEREAS, bids were received from one Contractor; and

WHEREAS, the Facilities Maintenance Services Division recommends that the contract be awarded to BladeWorks as the overall lowest responsive and responsible bidder for an annual amount not to exceed $55,000; and

WHEREAS, a two-year contract with the option of one two-year renewal period has been prepared for the contract period October 1, 2018 through September 30, 2020.

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: Todd Fagan

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

Cell Phone Number: 319-538-8256

Description of Agenda Item: Purchases, contracts and agreements
Contract with Midwest Lawn and Landscape for 2018-2019 Tree Planting for the Parks and Recreation Department for an amount not to exceed $202,370.50.
CIP/DID #PUR0718-009

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 on behalf of the Parks and Recreation Department for the purchase and installation of trees with two (2) vendors responding. Midwest Lawn & Landscape was the lowest bidder with their total bid of $202,370.50.

Bids were received from:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Midwest Lawn and Landscape</td>
<td>Hiawatha, IA</td>
<td>$202,370.50</td>
</tr>
<tr>
<td>Smitty’s Lawn and Landscape</td>
<td>Fort Dodge, IA</td>
<td>$325,193.00</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: September 25, 2018

Budget Information: 309995

Local Preference Policy: Yes
Explanation: Midwest Lawn and Landscape is a certified local business

Recommended by Council Committee: NA
Explanation: NA
WHEREAS, the City of Cedar Rapids Purchasing Services Division issued a Request for Bid for 2018-2019 Tree Planting on behalf of the Parks and Recreation Department; and

WHEREAS, bids were received from two Vendors; and

WHEREAS, the Parks and Recreation Department recommends that the contract be awarded to Midwest Lawn and Landscape as the overall lowest responsive and responsible bidder, in the amount of $202,370.50; and

WHEREAS, a contract has been prepared for Midwest Lawn and Landscape for the contract period September 25, 2018 through June 30, 2019.

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.

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Kevin Kirchner

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

Cell Phone Number: (319) 538-1059

Description of Agenda Item: Purchases, contracts and agreements
Contract with Mailing Services Inc. for Mailing Services for the Water Division for an annual amount not to exceed $205,000.
CIP/DID #PUR0918-054

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

Background: The Water Division mails approximately 340,000 municipal utility statements annually. Purchasing Services solicited bids for mailing services in 2010 which included the daily processing and mailing of these statements. Mailing Services, Inc. was the only company who submitted a bid. They have agreed to continue providing mailing services through September 30, 2019 with no increase in price. The estimated annual expenditure is $205,000. The City will be charged for the exact quantity of statements processed.

Rather than continuing to extend the contract from 2010, a new contract has been prepared by Purchasing Services for the period of October 1, 2018 through September 30, 2019 to update the contract language and terms and conditions.

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

Alternative Recommendation:

Time Sensitivity: Normal

Resolution Date: September 25, 2018

Budget Information: 621-621008-542108

Local Preference Policy: Yes
Explanation: Mailing Services, Inc. is a certified local business.

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

WHEREAS, the City of Cedar Rapids Purchasing Services Division issued a Request for Bid for Mailing Services in 2010 on behalf of the Water Division; and

WHEREAS, a contract was executed with Mailing Services, Inc., the only bidder; and

WHEREAS, the final renewal option of the current contract will expire on September 30, 2018; and

WHEREAS, the Water Division recommends that the City enter a new contract with Mailing Services, Inc. to continue providing mailing services for an annual amount not to exceed $205,000; and

WHEREAS, a contract has been prepared for Mailing Services, Inc. for the contract period October 1, 2018 through September 30, 2019, with four one-year renewal options available.

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: Tariq Baloch

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

Cell Phone Number: 319-538-1059

Description of Agenda Item: Purchases, contracts and agreements
Amendment No. 3 to renew the contract with Crawford Quarry for storage of Lime Sludge for the Water Division for an annual amount not to exceed $280,000 (original contract amount was $179,000; renewal contract amount is $280,000).
CIP/DID #PUR1216-121

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

Background:
Water Division employees remove lime sludge from the J Avenue Water Treatment Plant east lagoon and haul that sludge to Crawford Quarry for storage. The contract period is November 1, 2018 through October 31, 2019. This is the third year of the contract; two renewal options remain.

Crawford Quarry held their pricing firm at $14 per ton. The estimated amount of lime sludge to be stored is 20,000. Crawford Quarry will be compensated for the actual amount delivered by the City.

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: September 25, 2018

Budget Information: 521108-6214-621001-62107

Local Preference Policy: Yes
Explanation: Crawford Quarry is a certified local vendor

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

WHEREAS, the City of Cedar Rapids and Crawford Quarry are parties to a contract for the annual as-needed storage of lime sludge for the Water Division; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period to be November 1, 2018 through October 31, 2019 for an annual amount not to exceed $280,000; 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. 0035-01-17</td>
<td>01/10/17 - 10/31/17</td>
</tr>
<tr>
<td>Amendment No. 1 for additional quantity</td>
<td>Resolution No. 0197-02-17</td>
<td>Effective 02/06/17</td>
</tr>
<tr>
<td>Amendment No. 2 to renew Contract</td>
<td>Resolution No. 1442-10-17</td>
<td>11/01/17 - 10/31/18</td>
</tr>
<tr>
<td>Amendment No. 3 to renew Contract</td>
<td>Pending</td>
<td>11/01/18 - 10/31/19</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. 3 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: Roy Hesemann

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

Cell Phone Number: 319-538-1059

Description of Agenda Item: Purchases, contracts and agreements Amendment No. 2 to renew contract with Gillespie & Powers, Inc. for as needed Incinerator Maintenance Services for the Water Pollution Control Facility for two years for an annual amount not to exceed $75,000.
CIP/DID #PUR0616-209

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

Background: The City entered into a contract with Gillespie and Powers, Inc. for as-needed Incinerator Maintenance Services for two years, October 1, 2016-September 20, 2018. This is to renew the contract for an additional two-year time period of October 1, 2018-September 30, 2020. There is one additional two-year renewal period remaining on the contract. The not to exceed price is $75,000 annually; $150,000 for the two-year contract period.

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: September 25, 2018

Budget Information: 521108-611-611002-611026

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

Recommended by Council Committee: NA
Explanation: NA
WHEREAS, the City of Cedar Rapids and Gillespie & Powers, Inc. are parties to a contract for as-needed Incinerator Maintenance Services for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional two-year period for an annual amount not to exceed $75,000; and

WHEREAS, a summary of the contract is as follows:

| Original Contract | Resolution No. 1301-09-16 | 10/01/2016-09/30/2018 |
| Amendment No. 1 (add rates) | Signed by the CITY 05/11/2017 | Effective 04/28/2017 |
| Amendment No. 2 (renew contract) | Pending | 10/1/2018-09/30/2020 |

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: Purchasing

Presenter at Meeting: John Ernst

Contact Person: Steve Hershner  
E-mail Address: SteveHe@cedar-rapids.org  
Cell Phone Number: 319-538-1059

Description of Agenda Item: Purchases, contracts and agreements
Amendment No. 2 to the contract with Wulfekuhle Injection & Pumping, Inc. for Land Application of Biosolids for the Water Pollution Control Facility for two years for an annual amount not to exceed $200,000 (original contract amount was $200,000; renewal contract amount is $200,000). CIP/DID #0814-026

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

Background:
Wulfekuhle Injection & Pumping, Inc. is the contractor to perform land application of biosolids. Biosolids are incinerated in the WPC multi-hearth incinerator. When the incinerator is shut down for maintenance, the biosolids are either land applied as a fertilizer on farm fields or hauled to a landfill.

The contract period is October 1, 2018 through September 30, 2020. There are no-year contract renewal options remaining. The annual not to exceed price is $200,000 ($400,000 for the two-year contract period).

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: September 25, 2018

Budget Information: 521108-611-611001-611043

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

Recommended by Council Committee: (Click here to select)
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Wulfekuhle Injection & Pumping, Inc. are parties to a contract for the annual as-needed land application of biosolids for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional two-year period for an annual amount not to exceed $200,000 (two year amount of $400,000); and

WHEREAS, the contract period is October 1, 2018 through September 30, 2020 with no renewal options remaining; and

WHEREAS, a summary of the contract is as follows:

<table>
<thead>
<tr>
<th>Original Contract</th>
<th>Resolution No. 1327-09-14</th>
<th>10/01/2014 - 09/30/2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amendment No. 1 (contract renewal)</td>
<td>Resolution No. 1355-10-16</td>
<td>10/01/2016 - 09/30/2018</td>
</tr>
<tr>
<td>Amendment No. 2 (contract renewal)</td>
<td>Pending</td>
<td>10/01/2018 - 09/30/2020</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. 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: Public Works

Presenter at meeting: Doug Wilson, 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: Purchases, contracts and agreements
Resolution authorizing execution of a Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed $232,250 for design services in connection with the 3rd Avenue SE from 1st Street to 19th Street Roadway Improvements project (Paving for Progress).
CIP/DID #3012155-04

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

Background: Resolution 1505-10-15 tasked Anderson-Bogert with designing improvements for 3rd Avenue from 6th Street SW to 5th Street SE. By the end of 2018, construction between 6th Street SW and the 3rd Avenue Bridge will be complete. Preliminary design has identified sufficient additional needs on the remaining portion of the project that a new contract is warranted.

Contract 3012155-04 replaces the scope of services for 3rd Avenue SE from 1st Street to 5th Street identified in contract 3012155-01, and extends the project area to 19th Street. Design services will include rehabilitating the pavement between 1st Street and 5th Street, and converting the entire length of the road to two-way operation. Other design such as replacing storm sewer inlets, adding bike lanes, fixing deteriorated crosswalks, a proposed roundabout at or near 15th Street, minor streetscaping, and other pedestrian-related improvements are included.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Anderson-Bogert Engineers & Surveyors, Inc.

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

Time Sensitivity: Normal
Resolution Date: September 25, 2018
Budget Information: 301/3012155/3012155-04 SLOST
Local Preference Policy: No
Explanation: NA
Recommended by Council Committee: No
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City Engineer has determined it is in the best interest of the City to outsource professional services relating to the project below, and

WHEREAS, the City Engineer has determined Anderson-Bogert Engineers & Surveyors, Inc. is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed $232,250, and

WHEREAS, the City Engineer recommends the City enter into Contract No. 3012155-04 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for the 3rd Avenue SE from 1st Street to 19th Street Roadway Improvements project (Fund 301, Dept ID 301000, Project 3012155 SLOST),

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:
ClerkSignature
3RD AVENUE SE FROM 1ST STREET TO 19TH STREET ROADWAY IMPROVEMENTS

PROJECT AREA

PROJECT # 3012155-04
Council Agenda Item Cover Sheet

Submitting Department: City Manager

Presenter at Meeting: Angie Charipar

Contact Person: Angie Charipar
E-mail Address: A.Charipar@cedar-rapids.org

Cell Phone Number: 319-538-2316

Description of Agenda Item: Purchases, contracts and agreements
Amendment No. 1 to the Federal Lobbying Services Agreement with Kutak Rock, LLP in the amount of $33,000 to extend the term of the contract (original contract amount was $27,500; total contract amount with this amendment is $60,500) and to rescind Resolution No. 1174-09-18, which listed an incorrect amount for the additional cost.
CIP/DID #OB1326044

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

Background: On May 5, 2017, the City entered into a one-year Federal Lobbyist Services Agreement with Kutak Rock, LLP to help secure Congressional appropriations for the Cedar Rapids Flood Risk Management Project for a not-to-exceed amount of $27,500.

The City of Cedar Rapids wishes to amend Agreement 101000-03 with Kutak Rock, LLP. Amendment No. 1 to the agreement extends the contract for an additional year and adds a not-to-exceed amount of $33,000 for a total contract not-to-exceed amount of $60,500. Resolution No. 1174-09-18 to authorize an increase in the contract amount listed an incorrect amount and will be rescinded.

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

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

Time Sensitivity: N/A

Resolution Date: September 25, 2018

Budget Information: 101000

Local Preference Policy: NA
Explanation: NA

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

WHEREAS, on May 5, 2017, the City entered into a one-year Federal Lobbyist Services Agreement with Kutak Rock, LLP to help secure Congressional appropriations for the Cedar Rapids Flood Risk Management Project for a not-to-exceed amount of $27,500; and

WHEREAS, Amendment No. 1 to the agreement extends the contract for an additional year and adds a not-to-exceed amount of $33,000 for a total contract not-to-exceed amount of $60,500; and

WHEREAS, Resolution No. 1174-09-18 to authorize an increase in the contract amount listed an incorrect amount and will be rescinded; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Resolution No. 1174-09-18 is rescinded and the City Manager is authorized to execute Amendment No. 1 to the Federal Lobbyist Services Agreement with Kutak Rock, LLP.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

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
Resolution authorizing Change Order No. 1 in the amount of $66,410.50, plus 15 additional calendar days, with Iowa Bridge & Culvert, LC for the 6th Street SW Box Culvert Extension project (original contract amount was $237,130.72; total contract amount with this amendment is $303,541.22) (Paving for Progress).

CIP/DID #3012130-02

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

Background: This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. The existing water main depth is 1’ below the flow line of the creek and will be located under the box culvert extension, if not relocated. Additional work added to lower and reroute the water main so it will not be affected by the culvert extension. The new contract times are as follows: Early Start – July 31, 2018, Late Start – August 14, 2018; Milestone – September 29, 2018 (seeding). After the existing culvert was de-watered, it was discovered the bottom of the culvert required additional patching.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 1 submitted by Iowa Bridge & Culvert, LC.

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

Time Sensitivity: Normal

Resolution Date: September 25, 2018

Budget Information: 301/301000/3012130 SLOST

304/304000/304449 NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 1 in the amount of $66,410.50, plus 15 additional calendar days, with Iowa Bridge & Culvert, LC for the 6th Street SW Box Culvert Extension, Contract No. 3012130-02. 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>$232,130.72</td>
</tr>
<tr>
<td>Original Incentive Value</td>
<td>5,000.00</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>66,410.50</td>
</tr>
<tr>
<td>Amended Contract Amount</td>
<td>$303,541.22</td>
</tr>
</tbody>
</table>

General ledger coding for this Change Order to be as follows: $6,300 304-304000-30485-304449, $60,110.50 625-625000-625884-6252018060

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting:

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
Change Order No. 5 to the contract with Tricon General Construction, Inc. for the ADA Ramps and Skywalk Improvements Group 1 project for the Facilities Maintenance Services Division to extend the term of the contract and to reflect the additional cost for repairs for an amount not to exceed $36,880.49 (original contract amount was $243,000; total contract amount with this change order is $296,321.88).
CIP/DID #PUR0717-021

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

Background:
Tricon General Construction, Inc. is the contractor for the ADA Ramps and Skywalk Improvements Group 1 project for the Facilities Maintenance Services Division. Additional work was required in the ramps to make them ADA compliant. The cost for this additional work is $36,880.49, Change Order No. 5. The completion date of the contract is also being extended to September 30, 2018.

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: September 25, 2018

Budget Information:

Local Preference Policy: No
Explanation: Public Improvement Project

Recommended by Council Committee: NA
Explanation: NA
WHEREAS, the City of Cedar Rapids and Tricon General Construction, Inc. are parties to a contract for the ADA Ramps and Skywalk Improvements Group 1 project for the Facilities Maintenance Services Division; and

WHEREAS, both parties have agreed to amend the contract to reflect additions to the Scope of Work in the amount of $36,880.49; and

WHEREAS, the contract completion date is being extended from September 15, 2018 to September 30, 2018; and

WHEREAS a summary of the Contract is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract</td>
<td>$243,000.00</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>$10,128.94 Additional Scope of Work; Signed by the CITY 04/27/18</td>
</tr>
<tr>
<td>Change Order No. 2</td>
<td>$0 Extend completion date; Signed by the CITY 05/18/18</td>
</tr>
<tr>
<td>Change Order No. 3</td>
<td>$6,312.45 Additional Scope of Work; Signed by the CITY 06/14/18</td>
</tr>
<tr>
<td>Change Order No. 4</td>
<td>$0 Extend completion date; Signed by the CITY 08/15/18</td>
</tr>
<tr>
<td>Change Order No. 5</td>
<td>$36,880.49 Additional Scope of Work</td>
</tr>
<tr>
<td>Total</td>
<td>$296,321.88 Not to exceed, except by written change order</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 Change Order No. 5 to amend the contract as described herein.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

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
Resolution authorizing Change Order No. 2 in the amount of $80,613.28 with Rathje Construction Company for the CEMAR Trail: Phase 1C and H Avenue NE and 16th Street NE from Oakland Road to D Avenue PCC Pavement with HMA Resurfacing and PCC Sidewalk/Trail project (original contract amount was $1,659,070.64; total contract amount with this amendment is $1,744,418.92) (Paving for Progress).
CIP/DID #3012175-02

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

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.

- Curb grinding was added in order to leave good condition curb and gutter in place.
- Additional pavement replacement area added to project. See revised Sheet D.06(R). Removal of railroad tracks needed to complete this work. Removal from approximately Sta. 137+06 to approximately Sta. 139+10.
- Storm sewer revision requires removal of large diameter brick storm sewer to allow for installation of relocated 10” sanitary sewer. (Revised Sheet D.05(R).
- Granular backfill needed for installation of 10” sanitary sewer and for backfill for areas of 84” diameter brick storm sewer.
- Installation of modified sanitary sewer manhole SSMH-1 base at Sta. 139+43. The manhole was modified to provide for connection to existing 21” sanitary sewer that was encased in concrete at this location.
- Sanitary manhole SSMH-1 on Sheet MSS.04 was originally planned to be located at Sta. 139+44, 26.75’R. It was approved and ordered prior to plan revisions and was unused.
- Project revisions relocated the sanitary sewer SSMH-1. An existing 21” clay sanitary sewer was found to be encased in field poured concrete. Exploratory excavation was needed to determine the diameter size of sanitary sewer manhole needed in the revision location.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 2 submitted by Rathje Construction Company.
**Alternative Recommendation:** If Council does not approve the change order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

**Time Sensitivity:** Normal

**Resolution Date:** September 25, 2018

**Budget Information:** 301/301000/3012175 (SLOST), 301/301000/3012175 (NA), 325/325000/325012 (NA), 655/655000/6550037 (NA), 625/625000/6250051-2016059 (NA)

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

**Recommended by Council Committee:** NA  
**Explanation:** NA
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 $80,613.28 with Rathje Construction Company for the CEMAR Trail: Phase 1C and H Avenue NE and 16th Street NE from Oakland Road to D Avenue PCC Pavement with HMA Resurfacing and PCC Sidewalk/Trail, Contract No. 3012175-02. 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>$1,659,070.64</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>4,735</td>
</tr>
<tr>
<td>Change Order No. 2</td>
<td>80,613.28</td>
</tr>
<tr>
<td>Amended Contract Amount</td>
<td>$1,744,418.92</td>
</tr>
</tbody>
</table>

General ledger coding for this Change Order to be as follows: $37,971.05 301-301000-30185-3012175, $5,010 301-301000-7970-3012175, $4,729.53 325-325000-32586-325012, $5,111.70 625-625000-6250051-6252016059, $27,791 655-655000-65585-6550037
CEMAR TRAIL: PHASE 1C AND H AVENUE NE AND 16TH STREET NE FROM OAKLAND ROAD TO D AVENUE PCC PAVEMENT WITH HMA RESURFACING AND PCC SIDEWALK/TRAIL
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
Resolution authorizing Change Order No. 2 in the amount of $41,726.60, plus 14 additional calendar days, with Hunt Construction Company, Inc. for the FY 2018 Sidewalk Repair Program – Contract No. 2 project (original contract amount was $152,076.80; total contract amount with this amendment is $206,339.40).
CIP/DID #3017018-02

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. All quantities added to remove and replace pavement, curb and gutter, driveways and sidewalks affected by the Cedar Rapids Water department to perform emergency repairs of water main breaks.

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

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

Time Sensitivity: Normal

Resolution Date: September 25, 2018

Budget Information: 301/301000/3017018 NA

Local Preference Policy: No
Explanation: NA

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

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 2 in the amount of $41,726.60, plus 14 additional calendar days, with Hunt Construction Company, Inc. for the FY 18 Sidewalk Repair Program – Contract No. 2, Contract No. 3017018-02. 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>$150,076.80</td>
</tr>
<tr>
<td>Original Incentive Value</td>
<td>2,000.00</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>12,536.00</td>
</tr>
<tr>
<td>Change Order No. 2</td>
<td>41,726.60</td>
</tr>
</tbody>
</table>

Amended Contract Amount $206,339.40

General ledger coding for this Change Order to be as follows: $41,726.60 621-621004-6212019009

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

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
Resolution authorizing Change Order No. 4 in the amount of $15,928.22 with Boomerang Corp. for the Johnson Avenue NW Improvements from 1st Avenue SW to Midway Drive NW project (original contract amount was $5,276,786.90; total contract amount with this amendment is $5,390,657.06) (Paving for Progress).
CIP/DID #3012043-02

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

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

- Flowable Mortar was necessary to abandon the existing sanitary sewer in place and avoid digging up the private yard and fence at 164 Autumn Woods Drive NW.
- Sanitary Sewer was added to the project, requiring core drilling and replacing the flowline of the existing sanitary manhole at Johnson Avenue and Autumn Woods Drive.
- Sanitary Sewer Manholes were added to the project to re-route the sanitary sewer around the private property at 164 Autumn Woods Drive NW.
- An existing storm sewer manhole was not called out for adjustment on the plans. The top needed to be rebuilt to match new pavement elevation.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 4 submitted by Boomerang Corp.

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

Time Sensitivity: Normal

Resolution Date: September 25, 2018
**Budget Information:**
301/301000/3012043 SLOST*; 625/625000/6250051-2016017 NA; 655/655000/6550063 NA
*Includes TSIP grant

**Local Preference Policy:** NA  
**Explanation:** Code of Iowa applies for bidding publicly funded capital projects.

**Recommended by Council Committee:** Yes  
**Explanation:** Project previously approved by Infrastructure Committee as a Paving for Progress project.
RESOLUTION NO. LEG_NUM_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 4 in the amount of $15,928.22 with Boomerang Corp. for the Johnson Avenue NW Improvements from 1st Avenue SW to Midway Drive NW, Contract No. 3012043-02. 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>$5,053,786.90</td>
</tr>
<tr>
<td>Original Incentive Value</td>
<td>223,000.00</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>3,740.00</td>
</tr>
<tr>
<td>Change Order No. 2</td>
<td>81,200.00</td>
</tr>
<tr>
<td>Change Order No. 3</td>
<td>13,001.94</td>
</tr>
<tr>
<td>Change Order No. 4</td>
<td>15,928.22</td>
</tr>
<tr>
<td>Amended Contract Amount</td>
<td>$5,390,657.06</td>
</tr>
</tbody>
</table>

General ledger coding for this Change Order to be as follows: $4,142.46 301-301000-7970-3012043, $11,785.76 655-655000-65585-6550063

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
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
Resolution authorizing Change Order No. 9 in the amount of $64,296.48 with Rathje Construction Company for the Memorial Drive SE from Mount Vernon Road to Bever Avenue Roadway and Utility Improvements project (original contract amount was $2,961,441.41; total contract amount with this amendment is $3,128,190.81) (Paving for Progress).
CIP/DID #301379-02

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

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

- Design Standard updates since the design of this project warranted changing the subbase thickness in some areas from 6 inches to 12 inches thick.
- Poor existing trench material could not be used as structural backfill. It needed to be replaced with granular material.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 8 submitted by Rathje Construction Company.

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

Time Sensitivity: Normal

Resolution Date: September 25, 2018
Budget Information: 301/301000/301379 SLOST
625/625000/625884-2015026 NA
655/655000/6550043 NA

Local Preference Policy: NA
Explanation: NA
Recommended by Council Committee: NA
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 9 in the amount of $64,296.48 with Rathje Construction Company for the Memorial Drive SE from Mount Vernon Road to Bever Avenue Roadway and Utility Improvements, Contract No. 301379-02. A cost summary of the contract changes for this project is as follows:

<table>
<thead>
<tr>
<th>Change Order No.</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract Amount</td>
<td>$2,952,941.41</td>
</tr>
<tr>
<td>Original Incentive Value</td>
<td>8,500.00</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>625.00</td>
</tr>
<tr>
<td>Change Order No. 2</td>
<td>42,410.95</td>
</tr>
<tr>
<td>Change Order No. 3</td>
<td>1,875.00</td>
</tr>
<tr>
<td>Change Order No. 4</td>
<td>1,928.50</td>
</tr>
<tr>
<td>Change Order No. 5</td>
<td>12,570.80</td>
</tr>
<tr>
<td>Change Order No. 6</td>
<td>4,617.90</td>
</tr>
<tr>
<td>Change Order No. 7</td>
<td>18,779.75</td>
</tr>
<tr>
<td>Change Order No. 8</td>
<td>19,645.02</td>
</tr>
<tr>
<td>Change Order No. 9</td>
<td>64,296.48</td>
</tr>
</tbody>
</table>

Amended Contract Amount $3,128,190.81

General ledger coding for this Change Order to be as follows: $59,915.98 301-301000-7970-301379, $1,390.50 625-625000-6250051 $2,990 655-655000-65585-6550043

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
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
Resolution authorizing Change Order No. 4 in the amount of $6,571.38 with Tricon General Construction for the NW Gateway/Memorial Plaza project (original contract amount was $366,100; total contract amount with this amendment is $407,316.08). CIP/DID #307233-01


Background: This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. The additional stone veneer on the arch columns and paint on the wave wall require the anti-graffiti coating to ensure a lasting finish. The additional plantings will disguise the electrical meter and cabinet that fastened to the back of the wave wall.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 4 submitted by Tricon General 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: September 25, 2018

Budget Information: 307233 – Consolidated Central TIF

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: Yes
Explanation: Flood Control Committee reviewed concept and recommended its approval to full City Council, before it voted to approve plans and specifications. No review by Committee was made relative to bid vs. cost opinion.
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 4 in the amount of $6,571.38 with Tricon General Construction for the NW Gateway/Memorial Plaza, Contract No. 307233-01. 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>$350,600.00</td>
</tr>
<tr>
<td>Original Incentive Value</td>
<td>15,500.00</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>7,080.78</td>
</tr>
<tr>
<td>Change Order No. 2</td>
<td>(9,019.24)</td>
</tr>
<tr>
<td>Change Order No. 3</td>
<td>36,583.16</td>
</tr>
<tr>
<td>Change Order No. 4</td>
<td>6,571.38</td>
</tr>
<tr>
<td>Amended Contract Amount</td>
<td>$407,316.08</td>
</tr>
</tbody>
</table>

General ledger coding for this Change Order to be as follows: $6,571.38 307-307000-307233 NA

Attest:

ClerkSignature
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: Purchases, contracts and agreements
Change Order No. 6 to the contract with Garling Construction, Inc. for Police Station & Shooting Range ADA Compliance project for the Facilities Maintenance Services Division to reflect the additional cost for changes to the scope of work to make the facilities ADA compliant for an amount not to exceed $11,944.89 and to extend the completion date of the project (original contract amount was $327,900; total contract amount with this change order is $444,201.96).  
CIP/DID #PUR0717-002

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

Background:
Garling Construction, Inc. was awarded the contract through Resolution No. 1277-09-17 for the Police Department and Shooting Range ADA Compliance project.  Additional work needs to be performed at both locations to make them ADA compliant.  Change Order No. 6 is to add $11,944.89 to the contract.  In addition, the completion date of the project is being extended to November 30, 2018.

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: September 25, 2018

Budget Information:

Local Preference Policy: No
Explanation: Public Improvement Project

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

WHEREAS, the City of Cedar Rapids and Garling Construction, Inc. are parties to a contract for Police Station & Shooting Range ADA Compliance project for the Facilities Maintenance Services Division; and

WHEREAS, both parties have agreed to amend the contract to reflect additional work in order to bring the Police Department and Shooting Range into ADA compliance in the amount of $11,944.89; and

WHEREAS, the completion date of the project is being extended to November 30, 2018; and

WHEREAS a summary of the Contract is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Resolution No.</th>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract</td>
<td></td>
<td></td>
<td>$327,900.00</td>
</tr>
<tr>
<td>Change Order No. 1 for additional scope</td>
<td></td>
<td>Signed by the CITY 01/05/18</td>
<td>$9,991.92</td>
</tr>
<tr>
<td>Change Order No. 2 to extend the completion date</td>
<td></td>
<td>Signed by the CITY 01/18/18</td>
<td>$0.00</td>
</tr>
<tr>
<td>Change Order No. 3 for additional scope</td>
<td>Resolution No. 0632-05-18</td>
<td></td>
<td>$80,032.19</td>
</tr>
<tr>
<td>Change Order No. 4 for additional scope</td>
<td>Resolution No. 0960-07-18</td>
<td></td>
<td>$14,332.96</td>
</tr>
<tr>
<td>Change Order No. 5 to extend completion date</td>
<td></td>
<td>Signed by the CITY 08/15/18</td>
<td>$0.00</td>
</tr>
<tr>
<td>Change Order No. 6 for additional scope</td>
<td>Pending</td>
<td></td>
<td>$11,944.89</td>
</tr>
<tr>
<td>Total, not to exceed except by written amendment</td>
<td></td>
<td></td>
<td>$444,201.96</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 Change Order No. 6 to amend the contract as described herein.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
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
Resolution authorizing Change Order No. 1 in the amount of $341,057.09 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 $14,791,057.09).

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.

- At the request of the DoubleTree Hotel and to alleviate any confusion with the temporary parking, 30 “Quaker Parking Only” signs were installed.
- The original contract documents did not include integral colored concrete.  In order to maintain the overall flood control system aesthetic plan, the color will be added.  Rejected loads will not be paid. The precast water main vault paneling, cast in place vault cap and footings are excluded.
- Three additional colored mock ups will be produced for approval.  Stain is included. Additional labor and material to match the tie hole patching color to the rest of the walk.
- The increase of estimated sheet piling is based on payment per quantity furnished vs. installed which was changed at bidding as well as quantities not included in the original contract for the areas around the pump stations.

Action/Recommendation:  The Public Works Department recommends approval of Change Order No. 1 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:  September 25, 2018
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. 1 in the amount of $341,057.09 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>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract Amount</td>
<td>$14,200,000.00</td>
</tr>
<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>Amended Contract Amount</td>
<td>$14,791,057.09</td>
</tr>
</tbody>
</table>

General ledger coding for this Change Order to be as follows: $341,057.09 331-331100-7972-3314520 GRI

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at Meeting: Justin Holland

Contact: 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 Change Order No. 9 (Final) deducting the amount of $63,736.06 with Langman Construction, Inc. for the Waconia Avenue SW from Waconia Lane to Willow Creek Drive Sanitary Sewer, Water Main, Street and Sidewalk Improvements project (original contract amount was $3,156,051.62; total contract amount with this amendment is $3,044,257.84).
CIP/DID #301942-01


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

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 9 (Final) submitted by Langman Construction, Inc.

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

Time Sensitivity: Normal

Resolution Date: September 25, 2018

Budget Information:
CIP 655026: $2,389,966.25, CIP 6250051-2016070: $426,842.00, CIP 301942: $1,229,675.60

Local Preference Policy: NA
Explanation: NA

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

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 9 Final deducting the amount of $63,736.06 with Langman Construction, Inc. for the Waconia Avenue SW from Waconia Lane to Willow Creek Drive Sanitary Sewer, Water Main, Street and Sidewalk Improvements, Contract No. 301942-01. 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>$3,096,051.62</td>
</tr>
<tr>
<td>Original Incentive Value</td>
<td>60,000.00</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>16,229.38</td>
</tr>
<tr>
<td>Change Order No. 2</td>
<td>4,370.38</td>
</tr>
<tr>
<td>Change Order No. 3</td>
<td>12,919.86</td>
</tr>
<tr>
<td>Change Order No. 4</td>
<td>44,969.86</td>
</tr>
<tr>
<td>Change Order No. 5</td>
<td>14,703.73</td>
</tr>
<tr>
<td>Change Order No. 6</td>
<td>(159,559.19)</td>
</tr>
<tr>
<td>Change Order No. 7</td>
<td>3,023.16</td>
</tr>
<tr>
<td>Change Order No. 8 Rev.</td>
<td>35,285.10</td>
</tr>
<tr>
<td>Change Order No. 9 Final</td>
<td>(63,736.06)</td>
</tr>
<tr>
<td>Removal of Original Incentive</td>
<td>(20,000.00)</td>
</tr>
<tr>
<td>Amended Contract Amount</td>
<td>$3,044,257.84</td>
</tr>
</tbody>
</table>

General ledger coding for this Change Order to be as follows: ($33,989.59) 301-301000-30185-301942, ($318.94) 625-625000-625908, ($29,427.53) 655-655000-65585-655026

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

Alternate Contact Person: Steve Hershner

Cell Phone Number: 538-1059

E-mail Address: Steve.He@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Memorandum of Understanding agreement to allow City participation in a study of the feasibility of an alternative funding mechanism that would facilitate installation of Best Management Practices (BMPs) on agricultural land in the Middle Cedar River Watershed. CIP/DID #OB1292684-01

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

Background: The Utilities Department has been a partner with Iowa Soybean Association on a number of projects in the Middle Cedar River Watershed. The most notable project being a 5 year Middle Cedar Conservation Partnership (MCPP). MCPP is a targeted project installing or adopting Best Management Practices (BMP) on or adjacent to agricultural corn and soybean fields for retaining nutrients on the land for crop usage and minimizing nutrient runoff to streams. BMPs such as cover crops, bioreactors, bio-swales, no-till practices and wetlands restoration, and developing farm nutrient management plans can reduce nutrients in the Cedar River; which can protect Cedar Rapids alluvial drinking water source from nitrates and infiltrates rainfall into the soil, reducing flood peaks. Available funds through NRCS, IDALS, EQUIP have been exhausted. There is a need for other funding sources to expand adoption of BMPs and assist more landowners to implement practices. The “Pay for Success” feasibility study is an exploration of an alternate funding mechanism.

Action/Recommendation: The Utilities Department – Water Pollution Control Division staff recommends approval of Memorandum of Understanding between the parties and that the City Manager be authorized to execute said Agreement.

Alternative Recommendation: None

Time Sensitivity: 9-25-18

Resolution Date: 9-25-18

Budget Information:

1. Included in Current Budget Year. Yes. The Feasibility Study is “In-Kind” contributions from City staff. Financial data, lab results, staff time and some travel expenses for this project funded from current WPCF operational budget.
2. Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison: NA
3. Purchasing Department used or Purchasing Guidelines followed: NA

Local Preference Policy: NA
Explanation: NA

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

WHEREAS, the City of Cedar Rapids has significant interest in the Middle Cedar Watershed to encourage and promote nutrient reduction practices, an effort to create a PAY-FOR-SUCCESS alternative financing program is being explored; and

WHEREAS, the City has been asked to enter into a Memorandum of Understanding (MOU) with parties to include Iowa Soybean Association, Land O’ Lakes SUSTAIN, Qualified Ventures, LLC, for the purpose of participating in a Feasibility Study to determine the possibility of creating a “market” for investors to participate in; and

WHEREAS, the goal of the Pay-For-Success Feasibility Study is to explore alternative financing, via a Pay-For-Success model, which will result in water quality, flood reduction and other benefits. The feasibility study will result in a blueprint for executing an outcomes-based financial transaction for water quality, flood reduction and other benefits for the City and other stakeholders to consider; and

WHEREAS, the City Council has determined a benefit to coordinating with other parties to support the fundraising and coordinate implementation of Best Management Practices; and

WHEREAS, the Utilities Department is recommending the Memorandum of Understanding between the City of Cedar Rapids, Iowa Soybean Association, Land O’Lakes SUSTAIN and Quantified Ventures be hereby approved.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager be authorized to execute the Memorandum of Understanding on behalf of the City of Cedar Rapids.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Sara Buck

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

Description of Agenda Item: Purchases, contracts and agreements
Resolution authorizing the execution of amendments to development agreements for CDBG-Disaster Recovery Funding, Loan Agreements, and related instruments in conjunction with amendments to grant 08-DRH-008 with the Iowa Economic Development Authority (IEDA), for MFNC Round 6 project with Schissel, LLC. #08-DRH-008

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

Background: The Resolution authorizes the City Manager to execute all program documents necessary for administration of grant 08-DRH-008 with the IEDA. It also authorizes the Community Development Director and Housing Services Manager to approve payments and administration in accordance with the terms of the agreement.

Amendment No. 27 to Contract 08-DRH-008 authorized an additional award amount of $7 and redistribution of $45,000 from other activities, for a total of $45,007 for storm water activities in the Multi-Family Round 6. Distribution of these funds are shown in the table below:

<table>
<thead>
<tr>
<th>Developer</th>
<th>Project</th>
<th>Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schissel, LLC</td>
<td>Kingstons - 815 3rd Ave SW</td>
<td>$45,007</td>
</tr>
</tbody>
</table>

Action/Recommendation: City staff recommends approval of resolution.

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

Time Sensitivity: NA

Resolution Date: September 25, 2018

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids is party to Disaster Recovery Housing Contract 08-DRH-008 with the Iowa Economic Development Authority (IEDA) for local administration of Community Development Block Grant disaster recovery housing programs; and

WHEREAS, the City Council wishes to provide additional resources for community recovery; and

WHEREAS, the City Council authorized execution of Amendment No. 27 to Contract 08-DRH-008 with IEDA for an additional amount of $7 and re-allocated funds from other activities in the amount of $45,000, for a total of $45,007; and

WHEREAS, said contract was amended in order to fund additional storm water activities at the Multi-Family Round 6 Kingstons project, located at 815 3rd Ave SW; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager or designee is authorized to execute amendments to the development agreements for CDBG Funding, Loan Agreements, and related instruments as necessary to secure the public interest and comply with the terms of the grant, with the approved developers in the amounts outlined below; and

BE IT FURTHER RESOLVED, that the City Manager or designee is authorized to execute all program documents necessary for the timely administration of said contracts in accordance with the terms of the grants and that the resolution and necessary documents be recorded in the Office of the Linn County Recorder; and

BE IT FURTHER RESOLVED, that the Community Development Director and the Housing Services Manager, or their designee are authorized to approve purchase orders and payments for administration and to developers in accordance with the terms of the duly authorized and executed agreements and outlined in the table below:

<table>
<thead>
<tr>
<th>Developer</th>
<th>Project</th>
<th>Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schissel, LLC</td>
<td>Kingstons 815 3rd Ave SW</td>
<td>$45,007</td>
</tr>
</tbody>
</table>
Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Fire

Presenter at Meeting: Greg Smith

Contact Person: Greg Smith

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

Cell Phone Number: 319-431-3807

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of Iowa Homeland Security and Emergency Management Division’s Commitment to Award and Accept Funds in the amount of $190,000 to the City of Cedar Rapids by the Iowa Homeland Security and Emergency Management Division for the Cedar Rapids Division of Iowa Task Force 1. 

CIP/DID #FIR0918-0041

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

Background: On October 8, 2003, the City of Cedar Rapids entered into a 28E Agreement with the State of Iowa and the Iowa Homeland Security and Emergency Management Division to supplement and enhance disrupted or overburdened local emergency and disaster operations. The Cedar Rapids Fire Department applied for a United Stated Homeland Security Grant on behalf of the Cedar Rapids Division of Iowa Task Force 1 for the grant year 2018. The City of Cedar Rapids has received a grant for 2018 in this program, Grant # EMW-2018-SS-00010, in the amount of $190,000.

This resolution authorizes execution of the Commitment to Award and Accept Funds for the Homeland Security Grant Program grant. There is no local financial match required for any of the agreements.

Action/Recommendation: The Fire Department recommends approval.

Alternative Recommendation: Request additional information.

Time Sensitivity: September 25, 2018

Resolution Date: September 25, 2018

Budget Information: 531109-7862-786200-786218

Local Preference Policy: N/A

Explanation:

Recommended by Council Committee: 

Explanation:
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Cedar Rapids Fire Department is a sponsoring agency of Iowa Task Force 1, which is an urban search and rescue team that is recognized under Iowa Code Chapter 29C to supplement and enhance disrupted or overburdened local emergency and disaster operations, and

WHEREAS, the Cedar Rapids Fire Department applied for a 2018 United States Homeland Security Grant on behalf of the Cedar Rapids Division of Iowa Task Force 1, and

WHEREAS, the Homeland Security Grant Program (HSGP) will provide funding for training and equipment of the Cedar Rapids Division of Iowa Task Force 1 to provide assistance to communities under the Emergency Management Assistance Compact, and,

WHEREAS, the Homeland Security Grant Program has approved the following grant:

   EMW-2018-SS-00010 in the amount of $190,000

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager be authorized to execute the Homeland Security Grant Program Commitment to Award and Accept Funds on behalf of the Cedar Rapids Fire Department and the Cedar Rapids Division of Iowa Task Force 1.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Parks

Presenter at Meeting: Scott Hock

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

Cell Phone Number: 319-538-8256

Description of Agenda Item: CONSENT AGENDA
Resolution authorizing the City Manager to sign and the Parks and Recreation Department to submit a grant application to the Iowa Department of Transportation for a Federal Recreational Trails program grant to fund the overlay of a section of the Hoover Nature Trail (Cedar River Trail) from McCloud Run Place south to Cedar Lake. Upon award, authorization is granted for the City Manager to sign and execute all other document components relating to the grant.

CIP/DID #307070

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

Background: The Hoover Trail (Cedar River Trail) from McCloud Run Place south to Cedar Lake is one of the original sections of the Cedar River Trail in Cedar Rapids. This section of trail connects Cedar Rapids to the Cedar Valley Nature Trail and the Hoover Nature Trail which runs from Waterloo to Cedar Rapids and south to Ely. The original asphalt trail was constructed 20 years ago and is in need of a surface overlay to fix cracks and uneven surfaces that have developed over time. This grant money if awarded will place a 2-inch overlay over the existing trail surface to revitalize this section of trail and make it safer and more enjoyable to use.

Action/Recommendation: The Parks and Recreation Department recommends approval of the Resolution to submit the Iowa DOT Federal Recreational Trails Program Funding grant.

Alternative Recommendation: If Council does not approve, the City will not have the opportunity to receive these funds.

Time Sensitivity: Urgent

Resolution Date: September 25, 2018

Budget Information: 307-307000-307070 – Parks CIP

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

Recommended by Council Committee: (Click here to select)
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 City Manager be authorized to sign and the Parks and Recreation Department hereby be authorized to submit a grant application to the Iowa Department of Transportation for the annual Federal Recreational Trails program funding for the asphalt overlay of the existing Hoover Nature Trail from McCloud Run Place south to Cedar lake.

BE IT FURTHER RESOLVED, that should the grant be awarded, authorization is hereby granted for the City Manager to sign and execute the Iowa DOT Iowa Federal Recreational Trails Program Funding Grant Agreement including any and all assurances, certificates, or other document components as may be directly related to stipulated items, conditions, etc., or indirectly related for compliance with other applicable laws, regulations, etc., which may (now or hereafter) affect the subject provision of the grant.

BE IT FURTHER RESOLVED, that should the grant be awarded the City agrees to match funds as stated in the grant proposal for the work specified, the City shall also maintain said trail overlay work for a period of 20 years.

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 a Special Warranty Deed conveying City-owned property at 1606, 1614, 1618, 1626, 1628, 1632, 1634, 1642, and 1646 Ellis Boulevard NW to The Depot Development, LLC. CIP/DID #DISP-0011-2017

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

Background: The Resolution authorizes a Special Warranty Deed to convey City-owned properties in the 1600 Block of Ellis Blvd NW to The Depot Development, LLC, a company of developer Joe Ahmann. On August 14, 2018, the City Council approved a Development Agreement for the project. The closing is expected to occur in early October to allow for construction to begin this fall.

Action/Recommendation: City staff recommends approving the Resolution  
Alternative Recommendation: City Council may table and request further information.

Time Sensitivity: NA  
Resolution Date: September 25, 2018  
Budget Information: NA  
Local Preference Policy: NA  
Recommended by Council Committee: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids City Council has determined it is in the public interest to dispose of excess City-owned located at 1606, 1614, 1618, 1626, 1628, 1632, 1634, 1642 and 1646 Ellis Boulevard NW (the “Properties”); and

WHEREAS, on April 25, 2017, at 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 said Properties and invite competitive redevelopment proposals; and

WHEREAS, on August 14, 2018, the City and The Depot Development, LLC entered into a Development Agreement (the “Agreement”) concerning sale of the Properties from the City to the Developer for a redevelopment project as outlined in the Agreement; and

WHEREAS, pursuant to the terms and conditions of the Agreement, the Developer is now ready to receive title to the Properties, and a Special Warranty Deed has been prepared which effectuates the conveyance of the Property to the Developer.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Special Warranty Deed is hereby approved, and the City Manager and City Clerk, or their designees, are authorized to execute the Special Warranty Deed and the deed shall be recorded in the office of the Linn County Recorder with this Resolution.
Attest:

ClerkSignature
Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen

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

**Description of Agenda Item:** CONSENT AGENDA  
Resolution amending Resolution No. 0475-04-17 by correcting the legal description, and accepting a Corrective Warranty Deed from Emma Squires, Scott Squires, Ollie M. Williams, Shirley A. Browning, Rose H. Merritt, and Julious L. Williams to the City of Cedar Rapids for the real property located at 1227 5th Street SE in connection with the 16th Avenue SE from 2nd Street to 5th Street Pavement Improvement project (Paving for Progress).  
CIP/DID #3012154-00

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

**Background:** Resolution No. 0475-04-17 accepted a Warranty Deed from Emma Squires, Scott Squires, Ollie M. Williams, Shirley A. Browning, Rose H. Merritt, and Julious L. Williams to the City of Cedar Rapids, which was subsequently recorded by the Linn County Recorder. After recording, a scrivener’s error was discovered in the legal description on the Resolution and Warranty Deed. In order to correct the error, the City must amend Resolution No. 0475-04-17 and accept a Corrective Warranty Deed.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution amending Resolution No. 0475-04-17 and accepting the Corrective Warranty Deed from Emma Squires, Scott Squires, Ollie M. Williams, Shirley A. Browning, Rose H. Merritt, and Julious L. Williams to the City of Cedar Rapids.

**Alternative Recommendation:** None

**Time Sensitivity:** Normal

**Resolution Date:** September 25, 2018

**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 April 11, 2017, the City of Cedar Rapids City Council approved Resolution No. 0475-04-17, which authorized acceptance of a Warranty Deed from Emma Squires, Scott Squires, Ollie M. Williams, Shirley A. Browning, Rose H. Merritt, and Julious L. Williams, to the City of Cedar Rapids for the real property located at 1227 5th Street SE, and

WHEREAS, Resolution No. 0475-04-17 and the Warranty Deed were recorded in the office of the Linn County Recorder on May 1, 2017, and

WHEREAS, a scrivener's error was subsequently discovered in the legal description on both Resolution No. 0475-04-17 and the Warranty Deed, and

WHEREAS, the Public Works Director recommends amending Resolution No. 0475-04-17 to correct the legal description, and to accept a Corrective Warranty Deed from Emma Squires, Scott Squires, Ollie M. Williams, Shirley A. Browning, Rose H. Merritt, and Julious L. Williams, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Resolution No. 0475-04-17 is hereby amended by correcting the legal description, legally described as:

NE-ly 100 feet of the SE-ly 35 feet of Lot 5, Fractional Block 1, O.N. Hulls Addition to the City of Cedar Rapids, Linn County, Iowa

, and

BE IT FURTHER RESOLVED that the Corrective Warranty Deed from Emma Squires, Scott Squires, Ollie M. Williams, Shirley A. Browning, Rose H. Merritt, and Julious L. Williams be accepted by the City Manager and City Clerk and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.
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 Warranty Deed for right-of-way, Easement for Public Utility, Easement for Storm Sewer and Drainage, and Temporary Grading Easement for Construction from FH Development LLC, from vacant land located west of, parallel to, and adjacent to the proposed Earhart Lane extension, in conjunction with the Earhart Lane SW from Walford Road to Wright Brothers Boulevard Roadway Extension-Phase 1 project.

CIP/DID #301965-00

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

Background: The Earhart Lane SW Roadway Extension from Walford Road to Wright Brothers Boulevard Phase 1 project will extend the existing Earhart Lane SW approximately 1,100 feet. This is the first of three phases that will extend Earhart Lane SW southerly to Walford Road. The project includes roadway, lighting, sanitary, water, storm, and culvert design.

The project has received a Revitalizing Iowa’s Sound Economy (RISE) Grant from the Iowa Department of Transportation (IDOT). The City of Cedar Rapids partnered with a developer to apply for the RISE grant. The extension of Earhart Lane SW will provide access to an additional six lots that will allow future industrial development.

Action/Recommendation: The Public Works Department recommends approval of the resolution accepting a Warranty Deed for right-of-way, Easement for Public Utility, Easement for Storm Sewer and Drainage, and Temporary Grading Easement for Construction from FH Development LLC.

Alternative Recommendation: Do not proceed with acquiring the proposed right-of-way and easements and direct City staff to abandon or redesign the proposed Earhart Lane SW Roadway Extension from Walford Road to Wright Brothers Boulevard Phase 1 improvements.

Time Sensitivity: Normal
Resolution Date: September 25, 2018
Budget Information: 301/301000/301965 NA
Local Preference Policy: NA
Explanation: NA
Recommended by Council Committee: NA
Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need exists for a Warranty Deed for right-of-way, Easement for Public Utility, Easement for Storm Sewer and Drainage, and Temporary Grading Easement for Construction in order to accommodate the proposed facilities, and

WHEREAS, FH Development LLC of 1625 1st Avenue SE, Cedar Rapids, Iowa, 52402 is the OWNER of the real property known and described as:

See Attached Right-of-Way Acquisition Plat Exhibit A-1
See Attached Right-of-Way Acquisition Plat Exhibit A-2

has agreed to convey the necessary Warranty Deed for right-of-way, Easement for Public Utility, Easement for Storm Sewer and Drainage, and Temporary Grading Easement for Construction from vacant land located west of, parallel to, and adjacent to the proposed Earhart Lane SW extension, and

WHEREAS, the Public Works Director recommends the City accept the Warranty Deed for right-of-way, Easement for Public Utility, Easement for Storm Sewer and Drainage, and Temporary Grading Easement for Construction, and

WHEREAS, the City Council has allocated Capital Improvement funds for Earhart Lane SW Roadway Extension from Walford Road to Wright Brothers Boulevard Phase 1 project (Fund 301, Dept ID 301000, Project 301965-00),

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

BE IT FURTHER RESOLVED that the Warranty Deed, Groundwater Hazard Statement, Easement for Public Utility, and Easement for Storm Sewer and Drainage from FH Development LLC be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.
RIGHT-OF-WAY ACQUISITION PLAT

PLAT DESCRIPTION
A PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 82 NORTH, RANGE 7 WEST OF THE 5TH P.M., CITY OF CEDAR RAPIDS, Linn County, Iowa, described as follows:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, WRIGHT BROTHERS COMMERCIAL PARK FIRST ADDITION TO THE CITY OF CEDAR RAPIDS, Linn County, Iowa, thence north 88°03'32" EAST along the south line of said lot a distance of 61.00 FEET to the southeast corner of said lot a and to the east line of said southeast 1/4 of the northwest 1/4, a distance of 692.30 FEET to the southeast corner of the said southeast 1/4 of the northwest 1/4, thence south 88°50'23" WEST along the south line of said southeast 1/4 of the northwest 1/4, a distance of 61.03 FEET, thence north 88°35'48" WEST, 690.40 FEET to the point of beginning, containing 0.97 ACRES (42,172 S.F.) more or less, subject to any and all easement of record.

LINE TABLE

<table>
<thead>
<tr>
<th>LINE NO</th>
<th>BEARING</th>
<th>DISTANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>L-1</td>
<td>N 88°03'32&quot; E</td>
<td>61.00 M&amp;R</td>
</tr>
<tr>
<td>L-2</td>
<td>S 89°50'23&quot; W</td>
<td>61.03</td>
</tr>
<tr>
<td>L-3</td>
<td>S 1°55'48&quot; W</td>
<td>1,951.59 M&amp;R</td>
</tr>
</tbody>
</table>

DATE OF SURVEY
05-09-2016

BASIS OF BEARING
THE EAST LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28-82-07 IS ASSUMED TO BEAR SOUTH 88°35'48" EAST.

OWNER
FH Development L.L.C.

SCALE (FEET)
0 200
RIGHT-OF-WAY ACQUISITION PLAT

PLAT DESCRIPTION
A PART OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 82 NORTH, RANGE 7 WEST OF THE 5TH
P.M., CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 28; THENCE NORTH 155'48" WEST ALONG
THE EAST LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 2,000.00 FEET TO THE POINT OF
BEGINNING; THENCE SOUTH 88°04'12" WEST, 61.00 FEET; THENCE NORTH 155'48" WEST, 443.37'
FEET TO THE NORTH LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 89°50'23" EAST ALONG SAID
NORTH LINE, A DISTANCE OF 61.03 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST 1/4;
THENCE SOUTH 155'48" EAST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF
441.48 FEET TO THE POINT OF BEGINNING, CONTAINING 0.62 ACRES (26,988.50) MORE OR LESS,
SUBJECT TO ANY AND ALL EASEMENT OF RECORD.

DATE OF SURVEY
05-09-2018

BASIS OF BEARING
THE EAST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4
OF SECTION 28-82-07 IS ASSUMED TO BEAR SOUTH 155'48" EAST

OWNER
FH Development L.L.C.
Earhart Lane SW Roadway Extension from Walford Road to Wright Brothers Boulevard
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 $25,500 and accepting a Permanent Sanitary Sewer Easements from Stella Mae Easker and Douglas C. Easker and Cynthia A. Easker, as Co-Trustees of the Douglas C. Easker Revocable Trust dated November 20, 2015, and Cynthia A. Easker and Douglas C. Easker, as Co-Trustees of the Cynthia A. Easker Revocable Trust dated November 20, 2015 from vacant land located north of East Robins Road NE and west of Alburnett Road in connection with the C Avenue NE (East of) and East Robins Road (North of) Sanitary Sewer Extension project.
CIP/DID #6550053-00

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

Background: In a previous fiscal year, City Council approved funding towards the C Avenue NE (East of) and East Robins Road (North of) Sanitary Sewer Extension project.

The easements are required to accommodate the proposed sanitary sewer project. The compensation amount is based on an appraisal of the subject property provided by a qualified appraiser and a review appraiser’s recommendation, both hired by the City.


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: September 25, 2018
Budget Information: 655/655000/6550053 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 Permanent Sanitary Sewer Easements in order to accommodate the proposed facilities, and

WHEREAS, Stella Mae Easker and Douglas C. Easker and Cynthia A. Easker, as Co-Trustees of the Douglas C. Easker Revocable Trust dated November 20, 2015, and Cynthia A. Easker and Douglas C. Easker, as Co-Trustees of the Cynthia A. Easker Revocable Trust dated November 20, 2015, 32 Valley Forge Drive, Lisbon, IA 52253, OWNER, of real property known and described as:

See attached Sanitary Sewer Plat – Exhibit A
See attached Sanitary Sewer Plat – Exhibit B

have agreed to convey the necessary easements, from vacant land north of East Robins Road NE and west of Alburnett Road, to the City of Cedar Rapids for consideration as follows:

<table>
<thead>
<tr>
<th>Permanent Easement</th>
<th>$25,200</th>
</tr>
</thead>
<tbody>
<tr>
<td>Damages</td>
<td>$300</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$25,500</strong></td>
</tr>
</tbody>
</table>

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the Permanent Sanitary Sewer Easements in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for the C Avenue NE (East of) and East Robins Road (North of) Sanitary Sewer Extension project (Fund 655, Dept. ID 655000, Project 6550053, 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 is hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and
BE IT FURTHER RESOLVED, that the Permanent Utility Easements 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
SANITARY SEWER PLAT

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26 IN TOWNSHIP 84 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA, DESCRIBED AS FOLLOWS:


SAID EASEMENT CONTAINS 1.05 ACRES MORE OR LESS.

INDEX LEGEND

Location: NW 1/4 NE 1/4 Section 26, Township 84 North, Range 7 West, Monroe Township, Linn County, Iowa.
Requestor: City of Cedar Rapids.
Proprietor: Cynthia M. Easker Rev Trust, Douglas C. Easker Rev Trust, Bette E. Easker
Surveyor: Thomas E. Higman
Company: H.B.K. Engineering, LLC.
Address: 1202 2nd Street SE, Suite 100
City/State: Cedar Rapids, Iowa 52401

NOTE:
1. BASIS OF BEARINGS IS GPS MEASUREMENTS IN THE IOWA STATE PLANE COORDINATE SYSTEM NORTH ZONE NAD83.
2. LINEAR DIMENSIONS ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.

SANITARY SEWER PLAT

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26 IN TOWNSHIP 84 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MONROE TOWNSHIP, LINN COUNTY, IOWA.

EXHIBIT A
SANITARY SEWER PLAT

PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23 IN TOWNSHIP 84 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA, AS DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 23; THENCE N89°44'59"E ALONG THE SOUTHHERLY LINE OF THE SOUTH QUARTER, A DISTANCE OF 25.00 FEET; THENCE N00°56'33"W, A DISTANCE OF 25.00 FEET; THENCE S89°44'59"W, A DISTANCE OF 25.00 FEET TO A POINT ALONG THE WESTERLY LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23; THENCE S00°56'33"E ALONG SAID WESTERLY LINE, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINS 624 SQ. FT. MORE OR LESS.

INDEX LEGEND

Location: SW 1/4 SE 1/4 Section 23, Township 84 West, Range 7 West, Monroe Township, Linn County, Iowa
Requestor: City of Cedar Rapids
Preparer: Cynthia M. Eaker, Rev. Trust, Douglas C. Eaker, Rev. Trust, & Stella M. Eaker
Surveyor: Thomas E. Hagedorn
Company: HBK Engineering, LLC

SANITARY SEWER PLAT

PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23 IN TOWNSHIP 84 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA
MONROE TOWNSHIP, LINN COUNTY, IOWA

ERROR OF closure IS LESS THAN 1 FOOT IN 10,000 FEET

GRAPHIC SCALE

DRAWN BY: LEB
APPROVED BY: TEB
PROJECT #: 16-1274
CPI#: 169980
DATE: 8/30/18
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 $805 and accepting a Permanent Utility Easement and a Temporary Grading Easement for Construction from Justin J. Huffman from land located at 1665 29th Street NE in connection with the Center Point Road NE from 29th Street to J Avenue Intersection Reconstruction and One-Way to Two-Way Conversion project. (Paving for Progress)

CIP/DID #3012094-00

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 Center Point Road NE from 29th Street to J Avenue Intersection Reconstruction and One-Way to Two-Way Conversion project.

The easement is required to accommodate the proposed roadway improvement project. Improvements include: one-way to two-way conversion of Center Point Road NE between J Avenue and 29th Street, reconstruction of the intersection of Center Point Road and 29th Street, and improvements to the storm sewer and water main. The compensation amount proposed is based on comparisons of similar properties to the subject property provided by a qualified appraiser hired by the City.

Action/Recommendation: The Public Works Department recommends adopting the Resolution authorizing execution of a Purchase Agreement in the amount of $805 and accepting a Permanent Utility Easement and a Temporary Grading Easement for Construction from Justin J. Huffman.

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

Time Sensitivity: Normal
Resolution Date: September 25, 2018
Budget Information: 301/301000/3012094 SLOST
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 a Permanent Utility Easement and a Temporary Grading Easement for Construction in order to accommodate the proposed facilities, and

WHEREAS, Justin J. Huffman, 1665 29th Street NE Cedar Rapids, IA 52402, OWNER, of real property known and described as:

See attached Permanent Utility Easement Plat

has agreed to convey the necessary easements at 1665 29th Street NE to the City of Cedar Rapids for consideration as follows:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent Easement</td>
<td>$510</td>
</tr>
<tr>
<td>Temporary Easement</td>
<td>$295</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$805</strong></td>
</tr>
</tbody>
</table>

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the Permanent Utility Easement and a Temporary Grading Easement for Construction in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for the Center Point Road NE from 29th Street to J Avenue Intersection Reconstruction and One-Way to Two-Way Conversion project (Fund 301, Dept. ID 301000, Project 3012094, SLOST),

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 Permanent Utility Easement be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
PERMANENT UTILITY EASEMENT PLAT

LEGAL DESCRIPTION

A portion of the east 51 feet of the west 201 feet of Lot 34, Irregular Survey of the NE 1/4 NE 1/4, Section 16, T.83N., R. 07W., Cedar Rapids, Iowa, as described in Warranty Deed recorded in BK 9444, Pg 259, Linn County Recorder’s Office, described as follows:

Beginning at the NW corner of said Deed Parcel at a found 1” bar;

Thence S60°32’26”E - 50.00 feet along the north line of said Deed Parcel to the NE corner thereof;

Thence S81°14’36”E - 5.00 feet along the east line of said Deed Parcel;

Thence N63°30’03”W - 50.94 feet to a point on the west line of said Deed Parcel;

Thence N01°25’02”W - 5.00 feet along said west line to the Point of Beginning.

Said easement contains 254 sf. or 0.01 acres.

Line Chart

<table>
<thead>
<tr>
<th>Line</th>
<th>Bearing</th>
<th>Length</th>
</tr>
</thead>
<tbody>
<tr>
<td>L1</td>
<td>S68° 32’ 46”E</td>
<td>50.90’</td>
</tr>
<tr>
<td>L2</td>
<td>S50° 48’ 36”E</td>
<td>5.00’</td>
</tr>
<tr>
<td>L3</td>
<td>N89° 33’ 03”W</td>
<td>50.94’</td>
</tr>
<tr>
<td>L4</td>
<td>N01° 25’ 02”W</td>
<td>5.00’</td>
</tr>
</tbody>
</table>

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Curtis Logan

My license renewed date is December 31, 2018

Shoemaker & Haaland

Permanent Utility Easement Plat
Part of Lot 34, Irregular Survey NE 1/4 NE 1/4 Sec. 16, 83-3-7, Cedar Rapids, Iowa

Center Point NE from 29th Street to J Avenue
Intersection Reconstruction and
One-Way to Two-Way Conversion
Contract No. 3012394-03
Cedar Rapids, Iowa
CENTER POINT ROAD NE FROM COE ROAD TO 29TH STREET
Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen

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
Resolution authorizing execution of a Purchase Agreement in the amount of $6,750 and accepting a Permanent Sanitary Sewer Easement from Ivan L. McBride and Lyn M. McBride, Jeanette E. McBride-Dearborn and David H. Dearborn, from vacant land located north of East Robins Road NE and west of Alburnett Road in connection with the C Avenue NE (East of) and East Robins Road (North of) Sanitary Sewer Extension project.
CIP/DID #6550053-00

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

Background: In a previous fiscal year, City Council approved funding towards the C Avenue NE (East of) and East Robins Road (North of) Sanitary Sewer Extension project.
The easement is required to accommodate the proposed sanitary sewer project. The compensation amount is based on comparisons of similar properties to the subject property provided by a qualified appraiser hired by the City.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of $6,750 and accepting a Permanent Sanitary Sewer Easement from Ivan L. McBride and Lyn M. McBride, Jeanette E. McBride-Dearborn and David H. Dearborn.

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: September 25, 2018
Budget Information: 655/655000/6550053 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 a Permanent Sanitary Sewer Easement in order to accommodate the proposed facilities, and

WHEREAS, Ivan L. McBride and Lyn M. McBride, 3423 Feather Ridge Road, Toddville, IA 52341, and Jeanette E. McBride-Dearborn and David H. Dearborn, 3093 Walnut Place, Grand Junction, CO 81504, OWNERS, of real property known and described as:

See attached Sanitary Sewer Plat

have agreed to convey the necessary easement, from vacant land located north of East Robins Road NE and west of Alburnett Road, to the City of Cedar Rapids, the total sum of $6,750, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the Permanent Sanitary Sewer Easement in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for the C Avenue NE (East of) and East Robins Road (North of) Sanitary Sewer Extension project (Fund 655, Dept. ID 655000, Project 6550053, 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 is hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED, that the Permanent Utility Easement be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.
PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
SANITARY SEWER PLAT

PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 84 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 26; THENCE S88°14'30"W ALONG THE NORTHERLY LINE OF SAID NORTHEAST QUARTER OF THE THE NORTHWEST QUARTER OF SECTION 26, A DISTANCE OF 100.43 FEET; THENCE S02°44'30"E, A DISTANCE OF 25.00 FEET; THENCE N89°14'30"E, A DISTANCE OF 165.58; THENCE S01°07'28"E, A DISTANCE OF 574.49 FEET; THENCE S49°42'24"E TO A POINT ALONG THE EASTERNLY LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, A DISTANCE OF 33.34; THENCE N01°07'38"W ALONG SAID SOUTHERLY LINE, A DISTANCE OF 621.38 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINS 19,398.50 FT MORE OR LESS.

INDEX LEGEND
Location: NE 1/4 NW 1/4 Section 26, Township 84 North, Range 7 West, Monroe Township, Linn County, Iowa
Preparer: City of Cedar Rapids
Preparer: Jeannette E. M. DeAnda & Kevin H. DeAnda & Ivan L. M. DeAnda & Lyn M. M. DeAnda
Surveyor: Thomas E. Hagemeier
Company: HBK Engineering, 1202 3rd Street SE, Ste 100, Cedar Rapids, Iowa 52401

NOTE:
1. BASIS OF bearings IS GPS MEASUREMENTS IN THE IOWA STATE PLANE coordinate SYSTEM North Zone NAD83.
2. LINEAR DIMENSIONS ARE IN U.S. survey FEET AND decimals THEREOF.

SANITARY SEWER PLAT

PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 84 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA

MONROE TOWNSHIP, LINN COUNTY, IOWA

EBM 04/04/2021 (Drawing Date) 04/20/2021 - SANITARY SEWER PLAT (drawing) Sep 11, 2016 - 10:44am
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: REGULAR AGENDA
Discussion and Resolution authorizing additional City participation in the Northtowne Market redevelopment project and directing staff to negotiate Amendment No. 2 to the Development Agreement with Hunter Companies LLC for the former Nash Finch Property along Blairs Ferry Road NE (Caleb Mason). CIP/DID #OB1300915

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

Background: On January 27, 2015, the City Council approved a Development Agreement with Hunter Companies, LLC for the redevelopment the former Nash Finch industrial site for a master planned, mixed-use commercial redevelopment. The project qualified for the standard incentive of 5-years, 100% reimbursement of tax increment.

The Developer has acquired additional property to be developed as part of the overall project, including former railroad right-of-way, and the former Lehigh Cement plant. The Developer has requested City participation based on additional demolition, remediation and cleanup costs associated with the demolition and cleanup of the Lehigh property and changes in scope of road alignment connection of Sammi Drive NE with Rockwell Drive NE. The additional property and new road alignment results in enhanced circulation in the property and will improve traffic flow on Blairs Ferry Road NE. Based on the projected assessed valuation projection of the project, the requested incentive of $3.56 million would extend the reimbursement 1 to 2 years.

The Resolution directs staff to negotiate Amendment No. 2 to the Development Agreement. The following are key terms, which are anticipated to be included in the amendment:

<table>
<thead>
<tr>
<th>Term</th>
<th>Current Agreement</th>
<th>Proposed Amended Terms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Investment</td>
<td>$20 Million</td>
<td>$55 million</td>
</tr>
<tr>
<td>Employment Threshold</td>
<td>70 FTE</td>
<td>300 FTE</td>
</tr>
<tr>
<td>Total Assessed Value at completion</td>
<td>$13,200,000</td>
<td>$40,000,000</td>
</tr>
<tr>
<td>Economic Development Grants</td>
<td>5-year, 100%</td>
<td>5-year, 100% and 1-2 years up to $3.56 million</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: September 25, 2018

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on January 27, 2015, the City Council adopted Resolution No. 0165-01-15 approving a Development Agreement (the “Agreement”) with Hunter Companies, LLC (the “Developer”) providing City participation to induce the redevelopment of the abandoned former Nash Finch industrial site at 1103 and 1201 Blairs Ferry Rd NE to a master-planned, mixed-use commercial development (the “Project”); and

WHEREAS, on December 20, 2016, the City Council adopted Resolution No. 1674-12-16 authorizing Amendment No. 1 to the Development Agreement (the “Amendment”) to incorporate additional Developer-acquired property into the Project and under the purview of the Agreement; and

WHEREAS, the Developer is requesting additional financial incentives from the City based on unforeseen demolition and cleanup costs of industrial buildings, and changes in the scope of the master plan. The additional incentive requested is $3.56 million which is anticipated to be satisfied through approximately one (1) to two (2) additional Economic Development Grants of 100% of the increased taxes generated by the Project (the “Additional Incentive”); and

WHEREAS, City Council continues to support the redevelopment of the Project is in the vital and best interest of the City and in accordance with the goals and objectives of the City and the public purposes by which the City entered into the Agreement; and

WHEREAS, the Additional Incentive is to be memorialized in an amendment to the Agreement, and the following are expected terms that are anticipated to be included in the amendment:

<table>
<thead>
<tr>
<th>Term</th>
<th>Current Agreement</th>
<th>Proposed Amended Terms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Investment</td>
<td>$20 Million</td>
<td>$55 million</td>
</tr>
<tr>
<td>Employment Threshold</td>
<td>70 FTE</td>
<td>300 FTE</td>
</tr>
<tr>
<td>Total Assessed Value at completion</td>
<td>$13,200,000</td>
<td>$40,000,000</td>
</tr>
<tr>
<td>Economic Development Grants</td>
<td>5-year, 100%</td>
<td>5-year, 100% and 1-2 years up to $3.56 million</td>
</tr>
</tbody>
</table>

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

1. The request for the Additional Incentive is hereby conditionally approved subject to the final approval of an Amendment to the Development Agreement which memorializes, among other things, the terms and conditions expressed in this Resolution.

2. The City Manager, or designee, is authorized and directed to negotiate an Amendment No. 2 to the Development Agreement with Hunter Companies LLC. At such time, as the terms are clear and definite, it will be brought back to City Council for consideration.
Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Dave Houg

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

Description of Agenda Item: ORDINANCES – Second and possible Third Readings
Second and possible Third Reading granting a change of zone for property located at 1718 Center
Point Road NE from O-S, Office/Service Zone District, to R-3, Single Family Residence Zone
District, as requested by Virgil A. & Janice E. Henley.
CIP/DID #RZNE-027524-2018

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

Background: This request for rezoning was reviewed by the City Planning Commission on
August 30, 2018. The Commission recommended unanimous approved by a 6 to 0 vote.

This is a request to rezone 1.4 acres to the R-3 Zone District to allow for use of the existing
structure as a dwelling unit. The property is identified as “Urban Low-Intensity” on the City’s
Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan.

A Public Hearing to allow for public input and the First Reading of the Ordinance were held on
September 11, 2018. Two additional readings of the Ordinance by City Council are required by
State law before approval of the rezoning is final.

Action/Recommendation: City staff recommends approval of the Second and possible Third
Reading.

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

Time Sensitivity: NA

Resolution Date: NA

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

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

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

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

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

IRR SUR NE 16-83-7 (LESS S 70' W 140') STR/LB 33

and located at 1718 Center Point Road NE, now zoned O-S, Office/Service Zone District, and as shown on the "District Map," be rezoned and changed to R-3, Single Family Residence Zone District, and that the property be used for such purposes as outlined in the R-3, Single Family Residence Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. All existing structures and improvements are to be utilized by the principal occupant of the primary structure, the detached single family home for residential use only, unless necessary approvals are obtained for another use.

Section 3. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.
Introduced this 11th day of September, 2018.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
ACCEPTANCE OF CONDITIONS OF REZONING
ORDINANCE NO. ____________

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

Dated this ____________ day of ____________, 2018.

Titleholder

[Signature]

[Printed name]

Owner

[Printed title]

Virgil A. Henley, Owner
Description of Agenda Item: ORDINANCES – Second and possible Third Readings
Second and possible third reading granting a change of zone for property located east of 80th Street SW and north of 16th Avenue SW from A, Agriculture Zone District, to PUD-1, Planned Unit Development One Zone District as requested by B.N.K.D, Inc. and the Lawrence A. Schulte Trust.
CIP/DID #RZNE-027364-2018

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

Background: This request for rezoning was reviewed by the City Planning Commission on August 9, 2018. The Commission unanimously recommended approval on a 6 to 0 vote.

The property is identified as Urban Medium-Intensity on the City’s Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan. The property is currently undeveloped agriculture land. The applicant has an agreement to purchase property and proposes to develop the site with a mix of commercial, multi-family and single family. Since this is a rezoning to the PUD-1 Zoning District a Master Site Plan is required and then Final Site Plans will be submitted for each phase of the development prior to construction of improvements. The Master Site Plan as submitted includes the following improvements:

- Total site area-72.3 acres.
- Proposed areas by use:
  - Single Family 15 acres
  - Multi-Family 25.5 acres
  - Commercial Mixed Use 9.5 acres
  - Storm Water Management 3.5 acres
  - Green Space 4.5 acres
- Contemplated Phases-7
- 2 access to 80th St. SW, 1 to 16th Ave SW and 3 future access to the east
- Requested Zoning Modifications:
  - Reduce size of single family dwelling from a minimum dimension of 22 feet to a minimum dimension of 20 feet for Row Houses.
  - Reduce width at setback line from 25 feet to 20 feet for Row Houses.
- Site Limitations:
  - Potential wetlands
  - Significant drainage ways
- Shallow sanitary sewer along west side of site.

A Public Hearing to allow for public input and the First Reading of the Ordinance was held on September 11, 2018. Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.

**Action/Recommendation:** City staff recommends approval of the Second and possible Third Reading.

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

**Time Sensitivity:** NA

**Resolution Date:** NA

**Budget Information:** NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA
ORDINANCE NO. LEG_NUM_TAG

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

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

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

Parcel A, Plat of Survey No. 1185 as recorded in Book 5814, Pages 538-539 in the Office of the Linn County, Iowa Recorder

And

Lot 2, Braeburn First Addition to Linn County, Iowa as recorded in Book 6164, Pages 356-399 in the Office of the Linn County, Iowa Recorder

and located at Vacant Land east of 80th Street SW & north of 16th Avenue SW, now zoned A, Agriculture Zone District, and as shown on the "District Map," be rezoned and changed to PUD-1, Planned Unit Development One Zone District, and that the property be used for such purposes as outlined in the PUD-1, Planned Unit Development One Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. Subject property must be platted per State and City platting regulations.

2. At the Administrative Plan stage a lighting plan with photometrics to demonstrate minimal lighting impact at property lines will be required. All lighting shall be of a type, design and placement, and also be shielded in a manner to minimize impact on residential properties or uses adjacent to or immediately across the street as per Subsection 32.05.030.B. of the Zoning Ordinance.
3. The site and building design will need to comply with the Zoning Ordinance Multi-Family Residential Design Standards, Subsection 32.05.030.D. (see attached).

4. ADA handicap parking needs to be provided per code.

5. Enclosures and/or screening shall be provided for all HVAC, trash, recycling, cardboard, mechanical equipment, and grease and similar service or support containers as per Subsection 32.05.030.A.7. of the Zoning Ordinance. The location and design of each enclosure shall be shown on the Administrative Site Plan and shall be approved prior to issuance of structural building permits. Preliminary building permits for site preparation, installation of utilities, and foundations may be issued prior to approval of the enclosure. Please note that chain link with privacy slats does not satisfy this requirement.

6. Lighting fixtures shall be shielded in a manner that shall not direct illumination on adjacent residential properties, or on any public right-of-way as per Subsection 32.05.030.B. of the Zoning Ordinance.

7. Signage is not being reviewed at this time. Sign permit applications must be submitted and approved and permits obtained prior to erection of signage (Subsection 32.06.020 & 32.06.030 is the sign regulation in the Zoning Ordinance).

8. Landscaping and buffering/screening shall be provided per the Zoning Ordinance, Subsection 32.05.030.A. or a variance must be obtained.

9. The Commercial Design Standards and Guidelines as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.

10. Sites will need to comply with off-street parking requirement per Chapter 32, Subsection 32.05.020.A.

11. Sites will need to comply with off-street loading requirement per Chapter 32, Subsection 32.05.020.C.

12. That future development under this rezoning action shall be subject to the RSDP review process as set forth in Section 32.02.030.G. prior to issuance of building permit(s). Such Development shall meet all City development standards in effect at the time of plan submittal.

13. That all parking, drives, and storage areas be surfaced per provisions of the Zoning Ordinance. Surfacing to include asphalt, concrete, brick or asphaltic macadam.

14. Roof top **mechanicals** shall be screened so as not to be visible from the street. Screening is not required for the top of the roof-top **mechanicals**. Acceptable exterior wall materials are brick, stone, and split face block masonry, cementitious siding, EIFS, glass, metal (flat, perforated, composite, or ribbed less than 8” OC), architectural paneling, or other similar high quality materials.

Section 3. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.
Introduced this 11th day of September, 2018.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

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

Dated this 4th day of September, 2018.

Lawrence A. Schulte Trust

Signature

Jeffrey W. Gibney

Printed name

Co-Trustee

Printed title

Jeffrey W Gibney, Co-Trustee
Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Vern Zakostelecky

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

Cell Phone Number: 319-538-1062

Description of Agenda Item: ORDINANCES – Second and possible Third Readings
Second and possible Third Reading granting a change of zone for property located 1005 Blairs Ferry Road NE from I-1, Light Industrial Zone District, to PUD-1, Planned Unit Development One Zone District as requested by Hunter Companies, LLC.
CIP/DID #RZNE-027485-2018

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

Background: This request for rezoning was reviewed by the City Planning Commission on August 30, 2018. The Commission recommended unanimous approval on a 6 to 0 vote.

This is a request to rezone a 1.73 acre parcel from I-1, Light Industrial Zone District to PUD-1, Planned Unit Development One Zone District. No site plan has been provided as part of this application; however the final use for this site will be shown on a future Preliminary Site Development Plan to be reviewed and approved by the City Planning Commission. The property is identified as “Urban-High Intensity” on the City’s Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan.

A Public Hearing to allow for public input and the First Reading of the Ordinance was held on September 11, 2018. Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.

Action/Recommendation: City staff recommends approval of the Second and possible Third Reading.

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

Time Sensitivity: NA
Resolution Date: NA
Budget Information: NA
Local Preference Policy: NA
Explanation: NA
Recommended by Council Committee: NA
Explanation: NA
ORDINANCE NO. LEG_NUM_TAG

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

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

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

Parcel A, Plat of Survey No. 2065 in the City of Cedar Rapids, Linn County, Iowa.

and located at 1005 Blairs Ferry Road NE, now zoned I-1, Light Industrial Zone District, and as shown on the "District Map," be rezoned and changed to PUD-1, Planned Unit Development One Zone District, and that the property be used for such purposes as outlined in the PUD-1, Planned Unit Development One Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. Subject property must be platted per State and City platting regulations.

2. At the Administrative Plan stage a lighting plan with photometrics to demonstrate minimal lighting impact at property lines will be required. All lighting shall be of a type, design and placement, and also be shielded in a manner to minimize impact on residential properties or uses adjacent to or immediately across the street as per Subsection 32.05.030.B. of the Zoning Ordinance.

3. Rezoning to the PUD-2 Zoning District requires submittal of a narrative which includes such information as site specifics, how the development is consistent with the character of the surrounding neighborhood, relationship between the proposed development and the City's Comprehensive Plan, how the development will exceed the City's standards, modification from the typical zoning district standards
requested by the applicant, time line for start and completion of the development, etc.

4. ADA handicap parking needs to be provided per code.

5. Enclosures and/or screening shall be provided for all HVAC, trash, recycling, cardboard, mechanical equipment, and grease and similar service or support containers as per Subsection 32.05.030.A.7. of the Zoning Ordinance. The location and design of each enclosure shall be shown on the Administrative Site Plan and shall be approved prior to issuance of structural building permits. Preliminary building permits for site preparation, installation of utilities, and foundations may be issued prior to approval of the enclosure. Please note that chain link with privacy slats does not satisfy this requirement.

6. Sign permit applications must be submitted and approved and permits obtained prior to erection of signage in compliance with Ordinance No. 053-16.

7. Landscaping and buffering/screening shall be provided per the Zoning Ordinance, Subsection 32.05.030.A.

8. The Commercial Design Standards and Guidelines as specified in Subsection 32.05.030.C. shall be met.

9. Sites will need to comply with off-street parking requirement per Chapter 32, Subsection 32.05.020.A.

10. Sites will need to comply with off-street loading requirement per Chapter 32, Subsection 32.05.020.C.

11. That future development under this rezoning action shall be subject to the RSDP review process as set forth in Section 32.02.030.G. prior to issuance of building permit(s). Such Development shall meet all City development standards in effect at the time of plan submittal.

12. That all parking, drives, and storage areas be surfaced per provisions of the Zoning Ordinance. Surfacing to include asphalt, concrete, brick or asphaltic macadam.

13. Roof top mechanicals shall be screened so as not to be visible from the street. Screening is not required for the top of the roof-top mechanicals. Acceptable exterior wall materials are brick, stone, and split face block masonry, cementitious siding, EIFS, glass, metal (flat, perforated, composite, or ribbed less than 8” OC), architectural paneling, or other similar high quality materials.

14. Any proposed outdoor seating area where alcohol is to be consumed requires Conditional Use approval by the City's Board of Adjustment.

15. WITH RESPECT TO STORM MANAGEMENT FOR THIS SITE, the following shall apply: The Administrative Site Plan application submitted to the Development Services Division shall include a grading and erosion plan, utility plan with storm water facilities, storm water calculations, and Storm Water Pollution Prevention Plan. These design documents shall comply with the City's Storm Water Management Ordinance, Engineering Design Standards and Iowa Department of Natural Resources storm water permitting.
Section 3. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 11th day of September, 2018.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
ACCEPTANCE OF CONDITIONS OF REZONING
ORDINANCE NO. ____________

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

Dated this ___ day of __________, 2018.

Hunter Companies, LLC

________________________
Signature

________________________
Printed name

________________________
Printed title

Shannon P. Thompson, Attorney
Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen

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

Description of Agenda Item: ORDINANCES – Second and possible Third Readings
Second and possible third reading of an Ordinance vacating public ways and grounds in and to the property described as the 50-foot by 200-foot parcel of excess street right-of-way located southwesterly of and adjacent to 69 16th Avenue SW, between 16th and 17th Avenues SW as requested by the City of Cedar Rapids and the Czech Village Association.

CIP/DID #ROWV-026722-2018

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

Background: A Public Hearing was held on September 11, 2018 in which no objections were heard. The vacated right-of-way will be conveyed at a later date to the Czech Village Association through a development agreement.

September 11, 2018 - 1st reading of the Ordinance was held and passed.

Action/Recommendation: September 25, 2018 - 2nd and possible 3rd reading of the Ordinance.

Alternative Recommendation: Continue to hold and maintain this parcel of excess street right-of-way and assume all costs for maintenance.

Time Sensitivity: Normal

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

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

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

The 50-foot wide street right-of-way located northeasterly of and adjacent to Lots 8 and 9, Block 23, Hulls Resurvey of Blocks 15 and 16 of L.S. May’s Addition to West Cedar Rapids, Linn County, Iowa

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

Introduced this 11th day of September, 2018.

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

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

Description of Agenda Item: ORDINANCES – Second and possible Third Readings  
Second and possible third reading of an Ordinance vacating public ways and grounds in and to the property described as the 40-foot by 115-foot parcel of excess street right-of-way located southwesterly of and adjacent to 1505 B Street SW as requested by the City of Cedar Rapids and the Czech Village Association.  
CIP/DID #ROWV-026721-2018

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

Background: A Public Hearing was held on September 11, 2018 in which no objections were heard. The vacated right-of-way will be conveyed at a later date to the Czech Village Association through a development agreement.

September 11, 2018 - 1st reading of the Ordinance was held and passed.

Action/Recommendation: September 25, 2018 - 2nd and possible 3rd reading of the Ordinance.

Alternative Recommendation: Continue to hold and maintain this parcel of excess street right-of-way and assume all costs for maintenance.

Time Sensitivity: Normal

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

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

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

The 40-foot wide street right-of-way located northeasterly of and adjacent to Lot 8, Block 2, Anthony, Menary and Fairs Sub-division of Block Fourteen (14) of L. S. Mays Addition to West Cedar Rapids, Linn County Iowa

and

The 40-foot wide street right-of-way located northeasterly of and adjacent to the northerly feet of Lot 9, Block 2, Anthony, Menary and Fairs Sub-division of Block Fourteen (14) of L. S. Mays Addition to West Cedar Rapids, Linn County Iowa

Section 2. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.
Introduced this 11th day of September, 2018.

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

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

**Description of Agenda Item:** ORDINANCES – Second and possible Third Readings  
Second and possible third reading of an Ordinance vacating public ways and grounds in and to the property described as the 20-foot by 175-foot parcel of excess street right-of-way located northwesterly of and adjacent to 1702 C Street SW as requested by the City of Cedar Rapids and the Czech Village Association.  
CIP/DID #ROWV-026770-2018

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

**Background:** A Public Hearing was held on September 11, 2018 in which no objections were heard. The vacated right-of-way will be conveyed at a later date to the Czech Village Association through a development agreement  
September 11, 2018 - 1st reading of the Ordinance was held and passed.

**Action/Recommendation:** September 25, 2018 - 2nd and possible 3rd reading of the Ordinance.

**Alternative Recommendation:** Continue to hold and maintain this parcel of excess street right-of-way and assume all costs for maintenance.

**Time Sensitivity:** Normal

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

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

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

The 20-foot by 175-foot parcel of excess street right-of-way located northwesterly of and adjacent to 1702 C Street SW (also known as Plat of Survey No. 2281 Parcel A as shown in Book 10176, Page 295 and recorded on August 20, 2018 at the Office of the Linn County Recorder)

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

Introduced this 11th day of September, 2018.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature