NOTICE OF CITY COUNCIL MEETING

The Cedar Rapids City Council will meet in Regular Session on Tuesday, December 4, 2018 at 12:00 PM in the Council Chambers, 3rd Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to discuss and possibly act upon the matters as set forth below in this tentative agenda. (Please silence mobile devices.)

A G E N D A

• Invocation
• Pledge of Allegiance
• Proclamations/Presentations
  ❖ Proclamation – Human Rights Month (Janet Abejo-Parker)

PUBLIC HEARINGS

1. A public hearing will be held to consider the vacation of a 10-foot-wide Utility Easement located at 1607 Aspen Circle SE as requested by Leon E. Robbins and Jolyn M. Schimberg Robbins (Rita Rasmussen). CIP/DID #EASE-027942-2018

2. A public hearing will be held to consider amending Chapter 10 of the Municipal Code, Parks and Public Places, by establishing Section 10.13 to prohibit smoking within 30 feet of park facilities (Scott Hock). CIP/DID #PKS018-18
   a. First Reading: Ordinance amending Chapter 10 of the Municipal Code, Parks and Public Places, by establishing Section 10.13 to prohibit smoking within 30 feet of park facilities.

3. A public hearing will be held to consider repealing Ordinance No. 052-18 and enacting in its place a new Chapter 32, Zoning Ordinance (Seth Gunnerson). CIP/DID #CD-0048-2018
   a. First Reading: Ordinance repealing Ordinance No. 052-18 and enacting in its place a new Chapter 32, Zoning Ordinance.
4. A public hearing will be held to consider amending various chapters of the Municipal Code in connection with the repeal and replacement of Chapter 32, Zoning (Charlie Nichols). CIP/DID #CD-0048-2018


5. A public hearing will be held to consider updating the Future Land Use Map in connection with the annual EnvisionCR update and the repeal and replacement of Chapter 32, Zoning (Eric Pate). CIP/DID #CD-0048-2018

   a. Resolution updating the Future Land Use Map in connection with the annual EnvisionCR update and the repeal and replacement of Chapter 32, Zoning.

   **PUBLIC COMMENT**

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

   **MOTION TO APPROVE AGENDA**

   **CONSENT AGENDA**

   These are routine items, some of which are old business and some of which are new business. They will be approved by one motion without individual discussion unless Council requests that an item be removed for separate consideration.

6. Motion to approve the minutes.

7. Resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Council Street NE from Collins Road to South of 46th Street Improvements project. (Paving for Progress) CIP/DID #3012236-00

8. Resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Forest Drive SE from Grande Avenue to Mount Vernon Road Pavement and Water Main Improvements project. (Paving for Progress) CIP/DID #3012102-00

9. Resolution authorizing a pay increase for the City Manager effective September 20, 2018. CIP/DID #HR0036

10. Resolution setting a public hearing on January 8, 2019 and consultation with affected taxing agencies on the proposed Amendment No. 5 to the Second Amended and Restated Urban Renewal Plan for the Central Business Urban Renewal Area. CIP/DID #OB283396
11. Motion setting public hearing date and directing publication thereof, filing plans and 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. December 18, 2018 – FY19 Sanitary Sewer Lining project (estimated cost is $1,010,000). CIP/DID #655999-06

12. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
   a. Caucho, 1202 3rd St SE.
   b. Little Bohemia, 1317 3rd Street SE.
   c. Mas Margaritas, 588 Boyson Road NE.
   d. The Station, 3645 Stone Creek Circle SW.
   e. The Weather Vane, 5240 Edgewood Road NE, Suite #100.

13. Resolutions approving:
   a. Payment of bills. CIP/DID #FIN2018-01
   b. Payroll. CIP/DID #FIN2018-02

14. Resolutions approving assessment actions:
   b. Intent to assess – Water Division – delinquent municipal utility bills – 22 properties. CIP/DID #WTR120418-01

15. Resolution accepting project, approving Performance Bond and authorizing final payment:
   a. Veterans Memorial Stadium ADA Compliance Project, final payment in the amount of $11,160.75 and 2-year Performance Bond submitted by Woodruff Construction, LLC (original contract amount was $59,700; final contract amount is $223,215). CIP/DID #PUR1216-150

16. Resolutions approving final plats:
   a. ARP Ivanhoe Road Addition for land located east of Ely Road SW and south of Highway 30. CIP/DID #FLPT-028009-2018
   b. Stags Leap Estates Third Addition for land located east of Council Street NE and north of Boyson Road NE. CIP/DID #FLPT-025036-2017

17. Resolutions approving actions regarding purchases, contracts and agreements:
   a. Software Maintenance Agreement with Hyland Software, Inc. in the amount of $50,604.10 for maintenance and support of the City's document and imaging software suite. CIP/DID #109130-13
   b. Contract with Century Fence Company for the Police Station Fencing and Gates project for the Facilities Maintenance Services Division in the amount of $135,881. CIP/DID #PUR1018-076
   c. Fleet Services purchase of a LeeBoy 8515E paver from Road Machinery & Supplies Co. in the amount of $187,225.50 for use by the Streets Division. CIP/DID #FLT036
   d. Amendment No. 4 to renew the contract with Carus Corporation for zinc orthophosphate for the Water Division for an annual amount not to exceed $120,000 (original contract amount was $117,000; renewal contract amount is $120,000). CIP/DID #1014-080
e. Amendment No. 3 to renew the contract with Praxair, Inc. for liquid carbon dioxide for the Water Division for an annual amount not to exceed $250,000 (original contract amount was $250,000; renewal contract amount is $250,000). CIP/DID #PUR1015-078

f. Amendment No. 7 to renew the contract with Tanner Industries, Inc. for anhydrous ammonia for the Water Division for an annual amount not to exceed $125,000 (original contract amount was $85,200; renewal contract amount is $125,000). CIP/DID #1014-082

g. Amendment No. 2 to renew the contract with Alexander Chemical Corporation for liquid chlorine for the Water Division and the Water Pollution Control Facility for an annual amount not to exceed $330,000 (original contract amount was $230,000; renewal contract amount is $330,000). CIP/DID #PUR1017-069

h. Amendment No. 2 to renew the contract with Mississippi Lime Company for quicklime for the Water Division and the Water Pollution Control Facility for an annual amount not to exceed $1,800,000 (original contract amount was $1,800,000; renewal contract amount is $1,800,000). CIP/DID #PUR1016-067

i. Amendment No. 1 to renew the contract with Garrison Minerals LLC for magnesium hydroxide 45% solution for the Water Pollution Control Facility for an annual amount not to exceed $500,000 (original contract amount was $500,000; renewal contract amount is $500,000). CIP/DID #PUR1017-061

j. Amendment No. 1 to renew the contract with Hydrite Chemical Company for liquid magnesium bisulfite 30% for the Water Pollution Control Facility for an annual amount not to exceed $320,000 (original contract amount was $320,000; renewal contract amount is $320,000). CIP/DID #PUR1017-062

k. Amendment No. 1 to renew the contract with Hydrite Chemical Company for nitric acid 41-degree technical grade liquid in totes for the Water Pollution Control Facility for an annual amount not to exceed $50,000 (original contract amount was $50,000; renewal contract amount is $50,000). CIP/DID #PUR1017-060

l. Amendment No. 1 to renew the contract with Polydyne, Inc. for Emulsion Polymer Clarifloc CE-939 for the Water Pollution Control Facility for an annual amount not to exceed $350,000 (original contract amount was $350,000; renewal contract amount is $350,000). CIP/DID #PUR1017-063

m. Amendment No. 5 to renew the contract with Polydyne, Inc. for Polymer Clarifloc C-321 for the Water Pollution Control Facility for an annual amount not to exceed $475,000 (original contract amount was $475,000; renewal contract amount is $475,000). CIP/DID #1014-085

n. Contract with Ranch Cryogenics, Inc. for cryogenic oxygen system maintenance and repair services for the Water Pollution Control Facility for an annual amount not to exceed $60,000. CIP/DID #PUR1018-079

o. Amendment No. 5 to renew the contract with U.S. Peroxide, LLC for hydrogen peroxide 50% technical grade for the Water Pollution Control Facility for an annual amount not to exceed $100,000 (original contract amount was $40,000; renewal contract amount is $100,000). CIP/DID #1214-123

p. Amendment No. 1 to renew the contract with Vertex Chemical Corporation for sodium hydroxide 50% bulk for the Water Pollution Control Facility for an annual amount not to exceed $150,000 (original contract amount was $150,000; renewal contract amount is $150,000). CIP/DID #PUR1217-094

q. Amendment No. 3 to renew the contract with Viking Chemical Company for phosphoric acid 75% bulk liquid for the Water Pollution Control Facility for an annual amount not to exceed $84,000 (original contract amount was $30,000; renewal contract amount is $84,000). CIP/DID #PUR1016-064
r. Professional Services Agreement with Black & Veatch Corporation for an amount not to exceed $2,492,021 for the NWTP Softening Basin Improvements project. CIP/DID #6250072-02

s. Change Order No. 3 in the amount of $900 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 $305,876.22). (Paving for Progress) CIP/DID #3012130-02

t. Change Order No. 1 in the amount of $11,400 with Minturn, Inc. for the 8th Avenue Bridge Over the Cedar River Miscellaneous Repairs project (original contract amount was $78,474; total contract amount with this amendment is $89,914). CIP/DID #305093-06

u. Change Order No. 3 in the amount of $35,798.94 with Dave Schmitt Construction Co., Inc. for the 27th Avenue SW from 3rd Street to J Street; Outlook Drive SW and 29th Avenue SW Roadway Improvements; 2018 Pavement Milling project (original contract amount was $597,542; total contract amount with this amendment is $651,624.06). (Paving for Progress) CIP/DID #3012235-01

v. Change Order No. 10 in the amount of $9,364.36 with Iowa Bridge & Culvert LC for the Bridge Replacement – McCloud Place NE Over McCloud Run project (original contract amount was $1,187,312.90; total contract amount with this amendment is $1,281,211.64). CIP/DID #305031-03

w. Change Order No. 2 in the amount of $108,995 with Rathje Construction Company for the Center Point Road NE from 29th Street to 32nd Street Pavement Rehabilitation and Oakland Road NE from H Avenue to 32nd Street One-Way to Two-Way Conversion project (original contract amount was $3,080,065.93; total contract amount with this amendment is $3,279,388.13). (Paving for Progress) CIP/DID #3012148-06

x. Change Order No. 3 in the amount of $3,700 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 $210,039.40). CIP/DID #3017018-02

y. Change Order No. 4 in the amount of $55,490.52 with Dave Schmitt Construction Co., Inc. for the Memorial Drive SE from McCarthy Road to Mount Vernon Road SE Roadway and Utility Improvements project (original contract amount was $1,384,435.15; total contract amount with this amendment is $1,515,768.45). (Paving for Progress) CIP/DID #3012153-02

z. Change Order No. 7 in the amount of $2,079.25 with Rathje Construction Company for the Northwood Drive NE from Glass Road NE to South of Brookland Drive NE Roadway Reconstruction project (original contract amount was $952,423.72; total contract amount with this amendment is $1,005,771.69). (Paving for Progress) CIP/DID #3012115-03

aa. Change Order No. 2 in the amount of $59,687.19 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 $14,850,744.28). CIP/DID #3314520-30

ab. Commitment to Award and Accept Funds from the Iowa Homeland Security and Emergency Management Division in the amount of $5,606.11 for the Iowa HazMat Task Force. CIP/DID #FIR1218-0051

ac. Commitment to Award and Accept Funds from the Iowa Homeland Security and Emergency Management Division in the amount of $343.89 for the Iowa HazMat Task Force. CIP/DID #FIR1218-0050
ad. Preconstruction Agreement for Primary Road Project with the Iowa Department of Transportation in the amount of $209,695 for the Williams Boulevard Sanitary Sewer Relocation work in connection with the Grade and Replace US 151 from Approximately 0.2 Miles South of Church Street in Fairfax to South of Dean Road project. CIP/DID #6550045-01

ae. Agreement with Van Meter Inc. in the amount of $134,000 for the construction of sidewalk along 32nd Avenue SW as part of a future City project. CIP/DID #ASDP-026421-2018

af. Accepting a Letter of Credit for future sidewalk construction from CommonBond Communities for property at 1200 Edgewood Road NW. CIP/DID #RZNE-025295-2017

ag. Accepting an Affidavit for Service Line Reimbursement from Janice K. Hepker for monthly installment reimbursements for the replacement of the water service line at 1914 Bever Avenue SE. CIP/DID #WTR120418-02

REGULAR AGENDA

18. Report on bids for the Prairie Creek West of 6th Street SW to J Street SW Sanitary Sewer Improvements project (estimated cost is $9,690,000) (Dave Wallace). CIP/DID #655028-13

   a. Resolution awarding and approving contract in the amount of $10,488,615.50, plus incentive up to $144,500, bond and insurance of Langman Construction, Inc. for the Prairie Creek West of 6th Street SW to J Street SW Sanitary Sewer Improvements project.

19. Report on bids for the FY19 Sanitary Sewer Point Repairs project (estimated cost is $190,000) (Dave Wallace). CIP/DID #655996-15

   a. Resolution awarding and approving contract in the amount of $137,700, plus incentive up to $2,500, bond and insurance of Boomerang Corp. for the FY19 Sanitary Sewer Repairs project.

20. Report on bids for the C Street and Kirkwood Service Zones Boundary Improvements project (estimated cost is $90,000) (Steve Hershner). CIP/DID #2018061-01

   a. Resolution awarding and approving contract in the amount of $76,700, bond and insurance of Boomerang Corp. for the C Street and Kirkwood Service Zones Boundary Improvements project.

ORDINANCES

Second and possible Third Readings

21. Ordinance granting a change of zone for property located east of Council Street NE and north of Petrus Drive NE from A, Agriculture Zone District, to R-2, Single Family Residence Zone District, as requested by Jerry’s Homes, Inc. CIP/DID #RZNE-027827-2018
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.

*** The City Council will meet immediately following the City Council Regular Session to discuss the annual performance reviews of the City Clerk and City Attorney. This meeting may be closed pursuant to Iowa Code Section 21.5(1)(i) (2018).

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: 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: PUBLIC HEARINGS
A public hearing will be held to consider the vacation of a 10-foot wide Utility Easement located at 1607 Aspen Circle SE as requested by Leon E. Robbins and Jolyn M. Schimberg Robbins.

Resolution vacating a 10-foot wide Utility Easement located at 1607 Aspen Circle SE as requested by Leon E. Robbins and Jolyn M. Schimberg Robbins.

CIP/DID #EASE-027942-2018

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

Background: Leon E. Robbins and Jolyn M. Schimberg Robbins plan to construct a new home at this location, and they have requested the vacation of the existing 10-foot wide Utility Easement to accommodate their site plan. There are no existing utilities and no future plans to construct utilities within this easement.

Action/Recommendation: The Public Works Department recommends passing a resolution to vacate this Utility Easement.

Alternative Recommendation: Require the applicants to redesign their site plan.

Time Sensitivity: Normal

Resolution Date: December 4, 2018

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

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

WHEREAS, a notice was duly given and a public hearing held as required by law, and

WHEREAS, the City of Cedar Rapids does possess a 10-foot wide Utility Easement on the following described property:

1607 Aspen Circle SE
(Lots 28 and 29, Lakeside First Addition to Cedar Rapids, Linn County, Iowa)

WHEREAS, Leon E. Robbins and Jolyn M. Schimberg Robbins, 4234 Oak Leaf Court NE, Cedar Rapids, Iowa 52411, have requested the City of Cedar Rapids vacate the public’s interest in and to said easement, and

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

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

1. Council determines the 10-foot wide Utility Easement as shown on “Exhibit A”, attached hereto and made a part thereof no longer serves the public interest and said public interest and use held by the City of Cedar Rapids in and to the property herein described is hereby vacated.

2. Council determines the fair consideration required for the afore described vacation is publication and recording fees plus a standard $100.00 closing fee, payable to the City Treasurer.

3. The conveyance is subject to the following conditions which shall be agreed to and accepted in writing by the grantee and be binding upon the grantee, successors and assigns as follows:

   a. Leon E. Robbins and Jolyn M. Schimberg Robbins shall save the City of Cedar Rapids harmless from damage or injury or loss of access or diminishing of the value of improved property, under Section 364.15 of the Iowa Code as the result of the vacation of said Utility Easement hereinbefore described to said property owner.
4. The grantees, Leon E. Robbins and Jolyn M. Schimberg Robbins, shall pay the City all publication and recording fees associated with this easement vacation.

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
LEGAL DESCRIPTION—10' UTILITY EASEMENT VACATION:

Commencing at the northeasterly corner of Lot 29, Lakeside First Addition, there 5224.46' W 5.00 feet along the easterly line of S41°E 25°54'17"N 346.66 feet to the southerly right of way of S41°E 25°54'17"N 346.66 feet to the easterly line of Lot 28, Lakeside First Addition, there 5224.46' W 5.00 feet along the easterly right of way and the arc of a 273.00 foot radius curve, concave northerly. Along the easterly line of Lot 28, Lakeside First Addition, there 5224.46' W 5.00 feet along the easterly right of way to the point of beginning.

Said parcel contains 6.444 square feet, 0.09 acres, subject to restrictions and easements of record.
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: PUBLIC HEARINGS
To consider amending Chapter 10 of the Municipal Code, Parks and Public Places, establishing Section 10.13 – Smoking Prohibited.

CIP/DID #PKS018-18

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

Background: Public discussion of smoke, tobacco and nicotine-free parks has been a common occurrence in Iowa as the state and many local communities pursue healthier lifestyles. After discussing and listening to input from Cedar Rapids local citizens, the Parks & Recreation Department would like to propose an amendment to Chapter 10 – Parks & Public Places by establishing 10.13 – Smoking Prohibited. The proposed ordinance change would prohibit smoking within 30 feet of park facilities including playgrounds, splash pads, exercise stations, Riverside Skate Park, Ushers Ferry Historical Village, Tait Complex, Tuma Sports Complex, and building entrances to enclosed public buildings on park property. It would also prohibit smoking within 30 feet of scheduled youth programs held in the park system.


Alternative Recommendation: Do not move forward with the amendment to the Ordinance.

Time Sensitivity: Normal

Resolution Date: Proposed timeline as follows:
Public Hearing Date and 1st reading: December 4, 2018
2nd reading of Ordinance, possible 3rd reading and possible resolution passing: December 18, 2018

Budget Information: N/A
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
ORDINANCE NO. LEG_NUM_TAG

AN ORDINANCE AMENDING THE CEDAR RAPIDS MUNICIPAL CODE
BY ESTABLISHING SECTION 10.13 – SMOKING PROHIBITED.

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

Section 1. The Cedar Rapids Municipal Code is hereby amended by adding Section 10.13 to Chapter 10 as follows:

“10.13 – SMOKING PROHIBITED.

(a) Smoking is prohibited and a person shall not smoke in or on the following facilities, in or on city owned real estate, which is within 30 feet of such facilities; entrances:
   1. Aquatic Centers, swimming pools and splash pads;
   2. Playgrounds;
   3. Exercise stations;
   4. Golf course clubhouses;
   5. Enclosed shelters;
   6. Ushers Ferry Historical Village;
   7. Park restrooms;
   8. Tait Cummins Sports Complex except when in a privately owned vehicle;
   9. Tuma Soccer Complex except when in a privately owned vehicle;
   10. Northwest Recreation Center, and;
   11. Riverside Skate Park

(b) Smoking is prohibited a person shall not smoke in the area where programs for youth under age 18 are in progress, or on City owned real estate within 30 feet of such programs:
   1. Parks and Recreation Department sponsored activities;
   2. Athletic games and practices; and
   3. Camp and educational programs.

(c) A person shall not smoke in any park venue during concerts sponsored by the Parks and Recreation Department.

(d) Exception, suspensions or modifications to the smoking prohibitions in this section may be made by permit for special events by the Parks and Recreation Director.

(e) “Smoke” or “Smoking” means inhaling, exhaling, burning, or carrying any lighted cigar, lighted cigarette, lighted pipe, or other lighted tobacco product in any manner or in any form. “Smoking” does not include smoking that is associated with a recognized religious ceremony, ritual, or activity, including but not limited to burning of incense.

(f) The penalty for violation of any provision of section 10.13 shall be $65.00 for each violation.”
Section 2. It is the intention of the Council that each section, paragraph, sentence, clause, and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof other than that affected by such decision.

Section 3. The changes as provided in this Ordinance shall be made a part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

Section 4. All ordinances or parts of ordinances in conflict with any provision of this Ordinance are hereby repealed. As part of the penalty provision of this Ordinance, Section 1.06 of the Municipal Code, City of Cedar Rapids, Iowa, is adopted, and shall apply to all violations of this Ordinance, except where superseded by the specific language of section 10.13(f).

Introduced this 4th day of December, 2018.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Seth Gunnerson

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

Description of Agenda Item: PUBLIC HEARINGS
A public hearing will be held to consider repealing Ordinance No. 052-18 and enacting in its place a new Chapter 32, Zoning Ordinance. (Seth Gunnerson). CIP/DID #CD-0048-2018

a. First Reading: A public hearing will be held to consider repealing Ordinance No. 052-18 and enacting in its place a new Chapter 32, Zoning Ordinance.

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

Background: On December 4, 2018, a public hearing will be held to consider an ordinance amending Chapter 32 of the City Code, the Zoning Ordinance. The purpose of the ordinance is to make corrections and clarifications to the recently adopted zoning ordinance prior to the effective date of January 1, 2019. This will be accomplished by repealing the previously adopted Ordinance 052-18 and adopting the updated version of the code in its place. The proposed amendments to the new zoning code were reviewed by the City Planning Commission on November 29, who unanimously recommended approval by the City Council.

The process to develop a new zoning code, known as ReZone Cedar Rapids, resulted in the City Council unanimously adopting the new zoning ordinance on its 2nd and 3rd readings on November 27, 2018. On November 13, at the Public Hearing and 1st Reading of the Ordinance, staff indicated that corrections had been identified in the draft, but would need to come back to Council as a separate ordinance to allow time for City Planning Commission review, which is required by Iowa law.

The December ordinance to make corrections to the Zoning Code will be accomplished by repealing the previous November Ordinance and enacting the updated zoning ordinance in its place. This allows the full draft of the entire zoning ordinance to be available for review and eliminates any confusion which may arise about the text Council is adopting. Below is a summary of more substantial changes to the code:

- Modifications to the Sign Code, including clarifying language about multi-tenant buildings, eliminating the 8 second hold time for on-premise digital signs, and adjust allowable sign area in Suburban and Industrial zones.
- Modify Building Design Standards in Traditional and Suburban zones to better match requirements for Urban Development.
- Adjust and clarify bufferyard and screening requirements for Traditional Mixed Use development adjacent to single-unit residential neighborhoods.
- Permit Traditional Mixed Use zone districts in the Urban High Intensity Land Use Typology Area within the Future Land Use Map to better match existing conditions.

The full text of the zoning ordinance, as well as documentation showing specific edits to the code language is available for review at [www.cityofcr.com/rezone](http://www.cityofcr.com/rezone). The proposed effective date for the new ordinance is January 1, 2019.

**Action/Recommendation:** Staff recommends holding the First Reading of the proposed Ordinance.

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

**Time Sensitivity:** The ordinance is proposed to be effective January 1, 2019.

**Resolution Date:** NA

**Budget Information:** NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** Yes

**Explanation:** Recommended by the Development Committee on October 16, 2018
ORDINANCE NO. LEG_NUM_TAG

AN ORDINANCE REPEALING ORDINANCE 052-18 AND ADOPTING IN ITS PLACE A NEW CHAPTER 32 – ZONING, TO MAKE CORRECTIONS AND CLARIFICATIONS

WHEREAS, on November 27, 2018, the City Council finally passed Ordinance 052-18 which repealed Chapter 32 of the Cedar Rapids Municipal Code being the Cedar Rapids Zoning Ordinance of 2006, and adopted in its place a new Chapter 32 to be the zoning code for the City of Cedar Rapids, with an effective date of January 1, 2019; and

WHEREAS, during the public review and adoption of the new zoning code, several desirable corrections and clarifications were identified and the City Council wishes to, prior to the effective date of the new zoning code, repeal Ordinance 052-18 and pass in its place a new ordinance enacting a new Chapter 32 to be the zoning code including the aforementioned corrections and clarifications; and

WHEREAS, on November 29, 2018, following notice and public hearing, the City Planning Commission reviewed the proposed corrected ordinance and unanimously recommended adoption; and

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

Section 1. Ordinance 052-18, adopted on November 27, 2018 with an effective date of January 1, 2019 is hereby repealed and enacted in lieu thereof is a new Chapter 32 entitled “Zoning” as shown by the attachment hereto which is by this reference incorporated herein as if fully set out.

Section 2. It is the intention of the City Council that each section, paragraph, sentence, clause and provision of the ordinance is separable, and, if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remained of this Ordinance nor any part thereof than that affected by such decision.

Section 3. All ordinances or parts of ordinances in conflict herewith are repealed.

Section 4. The afore described newly enacted Chapter 32 shall be included as part of the replacement pages of the Cedar Rapids Municipal Code and made part of said Code as provided by law.

Section 5. This Ordinance shall be in full force and effect on January 1, 2019.
Introduced this 13th day of November 2018.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Due to the size of the document, the recently adopted Chapter 32 can be found at http://cms.revize.com/revize/cedarrapids/Full%20Draft%20Document_AD.pdf.

The proposed changes to the recently adopted Chapter 32 can be found at http://cms.revize.com/revize/cedarrapids/Full%20Draft%20Document_Corrections.pdf.
Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Charlie Nichols

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 amending various chapters of the Municipal Code in connection with the repeal and replacement of Chapter 32, Zoning (Charlie Nichols). CIP/DID #CD-0048-2018


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

Background: The City began the process to update Chapter 32, the Zoning Code, in March of 2016, called ReZone Cedar Rapids. The process involved intensive public outreach, comprised of stakeholder meetings, user group meetings, steering committee meetings, and open houses.

On October 16, the City Council Development Committee reviewed the draft and unanimously recommended to move the item to Council. The final Adoption Draft of the ordinance was posted on the City’s website on October 26. On November 1, the City Planning Commission reviewed the draft and unanimously recommended adoption. A final Adoption Draft of the proposed ordinance and map is available at www.cityofcr.com/rezone. The proposed effective date for the new ordinance is January 1, 2019.

The municipal code references the current Chapter 32 in several locations, and will need to be amended to be consistent with the new Chapter 32. This ordinance amends section 32D (Communications Towers) of the municipal code. Future amendments to the municipal code will be forthcoming pending further staff review.

Action/Recommendation: Staff recommends holding the First Reading of the proposed Ordinance.

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

Time Sensitivity: The ordinance is proposed to be effective January 1, 2019.

Resolution Date: NA

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation:
ORDINANCE NO. 052-18

AN ORDINANCE AMENDING THE CEDAR RAPIDS MUNICIPAL CODE IN VARIOUS RESPECTS NECESSITATED BY THE REPEAL AND REPLACEMENT OF CHAPTER 32 (ZONING)

WHEREAS, pursuant to Ordinance No. 052-18 the City Council of the City of Cedar Rapids, Iowa repealed Chapter 32 of the Cedar Rapids Municipal Code ("the Code") and replaced it with a new Chapter 32 regarding zoning; and

WHEREAS, various provisions of the Code are now, as a result of the new Chapter 32, inconsistent with Chapter 32, or otherwise need to be changed; and

WHEREAS the purpose of this ordinance is to incorporate the changes of Ordinance No. 052-18 elsewhere into the Code while not making substantive changes.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the Municipal Code of the City of Cedar Rapids, Iowa is hereby amended as follows:

Section 1. Section 9.28 of the Cedar Rapids Municipal Code is hereby deleted and in its place is enacted in lieu thereof the following new Section 9.28 as follows:

"9.28 USE FOR SIDEWALK CAFES.

(a) Definitions .

1. Administrative Guide for Sidewalk Cafes. Administrative Guide for Sidewalk Cafes means a guide adopted, and amended from time to time, by resolution of the City Council establishing rules and regulations relating to the application for a Sidewalk Café Lease Agreement, operation of a sidewalk café and a fee schedule.

2. Parklet. Parklet means a sidewalk café located on a temporary space constructed and installed by the City in the public right of way to provide food and beverages to the customers from the associated restaurant, as well as other amenities and public space for pedestrians. Parklets will be constructed and installed by the City as determined by the City Manager or designee using any combination of planters, barriers, removable platforms or other objects which serve to delineate a pedestrian space apart from the parking aisle and the street.

3. Sidewalk. Sidewalk means that portion of the street between the curb lines or the lateral lines of roadway and the adjacent property lines intended for use by pedestrians. As used in this section, sidewalk also means any parklet constructed and installed by the City.

4. Sidewalk Café. Sidewalk café means a designated area located within a sidewalk that is contiguous with any side of a property wherein a café or restaurant is located and where food and beverages from the associated restaurant are served to patrons within the area. Other uses for a sidewalk café may be considered for approval provided that the request meets the provisions of the Administrative Guide for Sidewalk Café."
(b) **Lease Agreement Required**. Use of a sidewalk for a sidewalk café is unlawful without a Sidewalk Café Lease Agreement. No person shall operate a sidewalk café without first obtaining a Sidewalk Café Lease Agreement and paying the fees therefor to the City.

(c) **Permitted Uses of Sidewalk Cafes**. Sidewalk cafes will be permitted only in Mixed Use Zoning Districts, as identified in Chapter. 32 of this Code. Sidewalk cafes shall be operated pursuant to the requirements and conditions, as specified in the Administrative Guide for Sidewalk Cafes and Sidewalk Café Lease Agreement.

(d) **Sidewalk Cafe Request for Lease Agreement**.

1. An applicant for a Sidewalk Café Lease Agreement shall submit a fully completed Sidewalk Cafe Request for Lease Agreement packet on forms provided by the city and containing all pertinent information, as the city may require. Applications shall be submitted in accordance with the Administrative Guide for Sidewalk Cafes.

2. All requests shall be accompanied by a nonrefundable application fee as set forth in the Administrative Guide for Sidewalk Cafes.

(e) **Review and Approval Process**.

1. Sidewalk Cafe Requests for Lease Agreement shall be reviewed by the City Manager, or designee.

2. Upon recommendation of approval by the City Manager, or designee, a Sidewalk Café Lease Agreement will be prepared, signed by the applicant and property owner, if a different person, and then forwarded to the City Manager for signature.”

Section 2. Section 23.23 of the Cedar Rapids Municipal Code is hereby deleted and in its place is enacted in lieu thereof the following new Section 23.23 as follows:

“23.23 - BEES.

It shall be unlawful for any person to keep or harbor bees unless same is specifically authorized under the Cedar Rapids Zoning Ordinances as permitted accessory uses.”

Section 3. Chapter 32D of the Cedar Rapids Municipal Code is hereby deleted in its entirety and substituted in its place is a new Chapter 32D hereby enacted as follows:

CHAPTER 32D - COMMUNICATIONS TOWERS

32D.01 - RULES AND DEFINITIONS.

In the interpretation of this chapter the rules and definitions of this section shall be observed and applied (except when the context clearly indicates otherwise):

a) Communications Tower: A metal structure that is used primarily as a communication antenna or as a communications antenna support structure.

b) Tower Height: The distance between the base of a tower and the top of the tower or the top of the highest appurtenance mounted on a tower. Thus, height is not necessarily a measure of the distance between the top of the tower and the ground.

c) The following documents and agencies referenced herein are applicable to the extent specified:

(2) ANSI-95. 1. The most recently adopted standard of the American National Standards Institute which establishes guidelines for human exposure to non-ionizing electromagnetic radiation.

(3) EIA-222. Electronics Industries Association Standard 222 Structural Standards for steel antenna towers and antenna support structures.

(4) FAA. Federal Aviation Administration.

(5) FCC. Federal Communications Commission.

32D.02 GENERAL REQUIREMENTS

All communications towers and antenna(s) shall comply with all federal, state, and local codes and regulations and shall also comply with all of the requirements as follows.

a) Aesthetics

Towers and antenna(s) shall meet the following general aesthetic requirements:

(1) Towers shall be a galvanized finish or painted gray above the adjacent surrounding tree-line and/or development and painted gray, green, black, or similar colors designed to blend into the adjacent natural surroundings and/or development unless other standards are required by the Federal Aviation Administration (FAA). Towers should be designed and sited so as to avoid, wherever possible, application of FAA lighting and painting requirements.

(2) Accessory facilities to the tower site shall be designed using materials, colors, textures, screening, and landscaping that will blend them into the adjacent natural setting and/or adjacent development.

(3) If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment shall be effectively screened or shall be of a neutral color that is identical to, or closely compatible with the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

b) Screening and Fencing

Buffer/screen planting and security fencing shall be required as follows:

(1) An eight (8) foot high security fence shall completely surround the tower, equipment, building(s), guy wires and anchors if required.

(2) An evergreen screen shall be planted that consists of either a hedge, planted three feet on center maximum, or a row of evergreen trees planted ten (10) feet on center maximum. All plants shall be a minimum of five (5) feet in height at the time of planting.

(3) Existing vegetation (trees and shrubs) shall be preserved to the maximum extent possible.

(4) All required plant materials shall be maintained and or replaced if necessary as set forth in Sec. 32.04.06.E.2.d

c) Lighting

Towers and antennas shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least possible disturbance to the surrounding views.
d) Shared Use

(1) At all times, shared use of existing towers, including legal conforming and legal nonconforming, shall be preferred to the construction of new towers. Additionally, where such shared use is unavailable, location of antennas on pre-existing structures shall be considered. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the City that no existing tower, structure, or alternative technology can accommodate the applicant's needs. Evidence submitted shall address the following:

(A) That no existing towers or structures are located within the geographic area that meets the applicant's engineering requirements.

(B) That existing towers or structures are not of sufficient height to meet the applicant's engineering requirements.

(C) That existing towers or structures do not have sufficient strength to support the applicant's proposed antenna and related equipment.

(D) That the applicant's proposed antenna would cause electromagnetic interference with the antenna(s) on the existing tower or structure, or antenna on the existing tower or structure would interfere with the applicant's proposed antenna.

(E) That the fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable.

(F) That other limiting factors that render existing towers or structures unsuitable are demonstrated.

(G) That alternative technology that does not require the use of towers or structures, such as a cable micro cell network using multiple low-powered transmitters/receivers attached to a wire line system, is unsuitable.

(2) An applicant intending to share use of an existing tower or structure, including legal conforming and legal nonconforming, shall be required to document intent from an existing tower or structure owner to share use. The applicant shall pay reasonable fees and costs of adapting an existing tower or structure to a new shared use.

(3) An applicant intending to share use of an existing tower, including legal conforming and legal nonconforming, or locate an antenna and supporting electrical and mechanical equipment on a pre-existing building or structure shall be required to submit to the Development Services Department the following information for review and approval prior to the issuance of a Building Permit:

(A) Documentation of the intent from the owner of the existing facility to allow shared use.

(B) A site plan which shall show all existing and proposed structures and improvements including antennas, roads, buildings, guy wires and anchors, parking, and landscaping. Any methods used to conceal the modification of the existing facility, as required in Section 32D.02.A-B., shall be indicated on the site plan.

(C) An engineer's report certifying that the proposed shared use will not diminish the structural integrity and safety of the existing tower, building, or structure and explaining what modifications, if any, will be required in order to certify to the above.

(D) A copy of its Federal Communications Commission (FCC) license.
e) New Tower/Future Shared Use

The applicant shall design a proposed new communications tower to accommodate future demand for reception and transmitting facilities. The applicant shall submit to the City a letter of intent committing the owner of the proposed new tower, and his/her successors in interest, to negotiate in good faith for shared use of the proposed tower by other communications providers in the future. This letter shall be filed with the City prior to issuance of a Building Permit. Failure to abide by the conditions outlined in the letter may be grounds for revocation of the approval for siting the new tower. The letter shall commit the tower owner and his/her interest to:

(1) Respond within ninety (90) days to a request for information from a potential shared use applicant.
(2) Negotiate in good faith concerning future requests for shared use of the new tower by other communications providers.
(3) Allow shared use of the new tower if another communications provider agrees in writing to pay reasonable charges. The charges may include but are not limited to a pro rata share of the cost of site selection, planning, project administration, land costs, site design, construction and maintenance financing, return on equity, and depreciation, and all of the costs of adapting the tower or equipment to accommodate a shared user without causing electromagnetic interference.

f) Setback

(1) In order to ensure public safety the minimum distance from the base of any new ground mounted communication tower to public right-of-way unless approved by the Board of Adjustment, any property line or "Fall Zone" easement line, habitable dwelling property line, shall be:

(A) A distance equal to at least fifty percent (50%) of the height of the tower from any adjoining property line or "fall zone" easement line for monopole towers.
(B) A distance equal to at least seventy-five percent (75%) of the height of the tower from any adjoining property line or "fall zone" easement line for all other types of towers.
(C) A distance of one hundred feet (100') or one hundred percent (100%) of the height of a monopole tower, whichever is greater, from any residential zoned district or residential use property line.
(D) A distance of three hundred feet (300') or three hundred percent (300%) of the height of all other tower types, whichever is greater, from any residential zoned district or residential use property line.

g) New Tower/Future Shared Use

No signs shall be allowed on an antenna or tower, other than safety or warning signs.

32D.03 - REGULATION OF ALL TOWERS IN EXCESS OF FORTY FEET IN HEIGHT.

a) Nier: The NIER (non-ionizing electromagnetic radiation) emitted from a communications tower or associated equipment shall not exceed the most recently adopted standard of the American National Standards Institute (ANSI-95.1).
b) Height: Towers (including top-mounted appurtenances) shall not exceed the overall height recommended by the FAA or the FCC.

c) Precedence: Where regulations and requirements of this chapter conflict with those of the FAA or FCC, the federal requirements shall take precedence.

d) Signage: No signs shall be allowed on an antenna or tower, other than safety or warning signs.

e) Fees: The City Council shall set, by resolution, whatever fees it deems appropriate to cover the cost of administering the registration of towers as described in this chapter.

f) Exemption: All towers between 40 and 125 feet in height which are located a distance of more than the height of the tower from any adjacent property line or habitable structure shall be exempt from Section 32D.04(c) of this chapter.

g) Tower Removal: The tower owner and/or operator shall notify the city Building Department when the owner and/or operator removes a tower or when it is destroyed, removed or otherwise dismantled by casualty or Act of God.

h) Interference: Any signal interference complaints associated with communications towers or related equipment shall be addressed in accordance with FCC rules and procedures.

i) Building Permits: Prior to the construction of communications towers in the City of Cedar Rapids, building permits shall be obtained from the Building Department by the tower owner, operator or the contractor who is installing the tower. All towers built after the passage of this chapter shall be registered at the time the building permit is obtained.

(9-01)

32D.04 - REGULATION OF TOWERS BETWEEN FORTY AND ONE HUNDRED TWENTY-FIVE FEET IN HEIGHT.

a) Registration. Towers shall be registered within 60 days of the passage of this chapter. The following information shall be requested on the registration form and shall be supplied by the tower owner and/or operator:

(1) Name and address of the tower owner;

(2) Name and address of the tower operator;

(3) Name, address, phone number and Title of primary contact person;

(4) Address of the tower;

(5) Principal use of the tower;

(6) Tower height;

(7) A list of appurtenances mounted on the tower including model numbers, if available, and their location on the tower, or a drawing indicating location;

(8) Site plan;

(9) Date of the last inspection of the tower.

(b) Installation. The following applies to the installation of towers 40 to 125 feet in height.

(1) Towers shall be subject to all applicable city codes.
(2) Plans and specifications for tower design shall be submitted to the Building Department for approval, by the tower owner, operator or contractor installing the tower.

(3) Setbacks shall comply with the applicable zoning ordinance district regulations.

(c) Inspection. The following applies to inspection of towers 40 to 125 feet in height.

(1) Towers shall be inspected within 12 months of the enactment of this chapter by the owner or his/her representative.

(2) A checklist such as that which is suggested in the EIA standard shall be filled out at each tower inspection.

(3) Inspection records shall be kept and made available upon request to the Cedar Rapids Building Department.

(4) Towers shall be inspected at least once every 3 years by the owner or his/her representative.

(5) The Cedar Rapids Building Department shall be notified when inspections are complete.

(6) If an inspection indicates a structural deficiency in the tower, the owner shall take immediate action to correct it.

32D.05 - REGULATION OF TOWERS IN EXCESS OF ONE HUNDRED TWENTY-FIVE FEET IN HEIGHT.

(a) Application. A building permit and/or conditional use permit shall be obtained prior to construction of communications towers in excess of 125 feet in height. Towers shall be registered at the time the permit is obtained. Each application for a permit shall include the following information, supplied by the tower owner, operator or contractor installing the tower:

(1) Site plan drawn to scale specifying the location of tower(s), guy anchors (if any), transmission building and other accessory uses, parking, access, landscape areas (specifying size, spacing and plant materials proposed), fences and adjoining property uses;

(2) Plans and specifications from a registered professional engineer, licensed in the State of Iowa and experienced in the design and/or analysis of communications towers. The plans and specifications shall include:

   (A) Tower height,
   (B) Type of structure,
   (C) Type of materials,
   (D) Specification for materials used for structural elements of tower,
   (E) Name of tower manufacturer,
   (F) Soils investigation (where required for footing design),
   (G) Method of installation or erection,
   (H) List of the type and location of all antennas, cables and other appurtenances which will be installed at the time the tower is erected,
   (I) List of the type and location of all antennas, cables and other appurtenances which may be installed in the future.
(3) This plan and specification shall include a statement that to the best of the engineer's knowledge, information and belief, the proposed structure has been designed in accordance with all of the following:

(A) The current Uniform Building Code (as adopted by the City of Cedar Rapids)

(B) Applicable ordinances as adopted by the City of Cedar Rapids

(C) The current version of EIA 222, Structural Standards for Steel Antenna Towers and Antenna Support Structures. The structure shall be designed for the maximum stresses or forces resulting from the following combinations:

1. Dead load of structure, plus the weight of all antennas, cables or appurtenances (including those to be placed on the structure at the time of construction and those anticipated for future placement), plus a load generated by applying a basic wind speed of 90 miles per hour to all tower members, cables, antennas and other appurtenances on the tower.

2. Dead load of structure, plus the weight of all antennas, cables or appurtenances (including those to be placed on the structure at the time of construction and those anticipated for future placement), plus 75% of a load generated by applying a basic wind speed of 90 miles per hour to all tower members, cables, antennas and other appurtenances on the tower, plus 100% of the weight of 1/2 inch of ice applied radially to all tower members, cables, antennas and other appurtenances on the tower.

(4) The tower owner shall supply a letter from the contractor stating that the tower has been installed according to the design submitted to obtain the building permit. This letter shall be accompanied by as-built drawings and test results.

(5) Other supporting information shall be submitted as required by the Building Official or an authorized representative.

(b) Setbacks. Setbacks for tower installation shall comply with Section 32.02 of the City of Cedar Rapids Zoning Regulations.

(c) Landscaping. Tower sites shall be landscaped as required by the zoning ordinance.

(d) Security. Access by the general public to the tower and all guy anchors (if any) shall be restricted by the use of security fencing or other obstacles not less than 8 feet in height. Appropriate signage shall be posted indicating that trespassing and/or vandalism to the property may be punishable under local, state or federal statutes.

(e) Inspections. Tower owners shall maintain, at their own expense, a tower modification and maintenance log which shall be made available for inspection by the city Building Department upon demand during regular business hours.

(1) At least once every 36 months the tower shall be inspected by an independent expert who is regularly involved in the maintenance, inspection and/or erection of communications towers. This inspection shall be conducted in accordance with the tower inspection checklist provided in the EIA standard as applicable. The Building Department shall be notified in writing when the inspection is complete and a copy of the inspection report shall be made available to the department upon request.

(2) At least once every 12 months a visual inspection shall be performed by properly trained staff or tower consultant. This inspection shall include tower
foundations, structures, guys, and connections from the ground for evidence of settlement or lateral movement, soil erosion, condition of paint or galvanizing, rust or corrosion, loose or missing bolts, loose or corroded lightning protection connectors, tower plumbness, significant variation in guy sags (i.e., guy tensions), etc.

(3) A structural inspection shall be performed if high winds, ice storms or other events have caused visible damage to the tower or its appurtenances. The Building Department shall be notified in writing when the inspection is complete, and a copy of the inspection report shall be made available to that department upon request.

(f) Compliance with Standards. Current or former EIA standards shall apply to the addition of antennas or other appurtenances to communications towers under the following conditions:

(1) Additions to towers constructed prior to the adoption of the ordinance codified in this chapter, regardless of whether the additions were accounted for in the original design, shall comply with the current EIA standard, and the wind loading specified therein, and shall include the ½ inch of radial ice requirement described in Section 32D.05(a)3.c.2 of this chapter. Additions to towers constructed subsequent to the passage of this ordinance shall comply with standards set forth in Section 32.05(h) of this chapter. If the EIA standard has changed since the tower was designed, a structural analysis shall be performed before any appurtenances or equipment are added.

(2) Existing towers which will not have any appurtenances added to them may comply with the EIA standard in existence at the time the tower was erected.

(3) Replacement of antennas or other appurtenances may comply with the EIA standard in existence at the time the tower was erected if the replacement does not add to the original design loading.

(4) If a structural analysis shows a tower is not in compliance with the appropriate EIA standard, the owner shall notify the city Building Department promptly, and provide that department with a plan to bring the tower into compliance within 6 months.

(5) The city Building Department shall be notified in writing when a required analysis is complete. A copy of the analysis report shall be made available to that department upon request. That report shall also give details of the net result of any changes made to the tower or its appurtenances since the last inspection.

(g) Registration. Owners and/or operators of all towers in excess of 125 feet in height shall register their towers with the city Building Department within 60 days of the passage of the ordinance codified in this chapter. Registration shall include the following information:

(1) Name and address of the tower owner;
(2) Name and address of the tower operator;
(3) Name, address, title and phone number of primary contact person;
(4) Address of the tower;
(5) Principal use of the tower;
(6) Tower height;
(7) A list of appurtenances on the tower, including model numbers, if available, and their location on the tower, or a drawing indicating location;
(8) Date of the last structural analysis;

(9) Site plan;

(10) Date of the last inspection.

(h) Analysis of Existing Towers. Within 12 months prior to or following the passage of the ordinance codified in this chapter, an analysis shall be performed on all towers in excess of 125 feet in height. This analysis shall determine the tower's compliance or lack thereof with the EIA standard in effect at the time the tower was constructed or when the most recent structural loading change was made. The tower owner shall, within 30 days of completion of the analysis or the passage of the ordinance codified in this chapter, provide the Building Department with a letter from a registered professional engineer licensed in the state of Iowa stating the current structural status of the tower. If the tower does not meet the aforementioned EIA standard, the letter shall indicate what would be required to bring the tower up to standard.

(9-01)

32D.06 DISTRICT REGULATIONS

a) In the A-AG Agriculture and A-RR Rural Residential Districts, communication towers and antennas may be permitted as either a principal or accessory use subject to the following regulations:

(1) Height

A communication tower no more than seventy (70) feet in height, and a tower with attached antenna(s) with a combined height of no more than eighty (80) feet in height, shall be permitted. Towers and towers with attached antenna(s) that exceed those height limits may be permitted as a conditional use.

(2) Required Yards

(A) A communication tower shall meet the minimum setback as set forth in Sec. 32D.02(f). All other associated accessory improvements including, but not limited to equipment, buildings, guy wires, and anchors shall meet minimum yard requirements for the district in which the tower is located. However, in no instance shall the setback for associated accessory improvements including, but not limited to equipment, buildings, guy wires, and anchors be less than twenty-five (25) feet from the nearest lot line.

(B) Principal communication towers may be permitted subject to approval of a conditional use permit. The Board of Adjustment shall establish maximum height when approving a conditional use permit for a principle communication tower.

b) In the residential districts, communication towers are permitted subject to the following regulations.

(1) Height

A communication tower no more than seventy (70) feet in height, and a tower with attached antenna(s) with a combined height of no more than eighty (80) feet in height shall be permitted by right provided it is accessory to an existing Permitted Use. Accessory towers and accessory towers with attached antenna(s) that exceed those height limits may be permitted as a conditional use. All other communication towers, including those for commercial uses, may be permitted as a conditional use for properties that are not developed with residential uses.
However, a conditional use shall not be approved for a tower or for a combined tower and antenna exceeding one hundred twenty-five (125) feet in height.

(2) Required Yards

An accessory communication tower shall meet the minimum setback required for a principal structure within the zoning district in which the tower is located. All other associated accessory improvements including, but not limited to equipment, buildings, guy wires, and anchors shall meet the minimum yards required for an accessory building.

All other communication towers shall meet the minimum setback as set forth in Section 32D.02(f). All other associated accessory improvements including, but not limited to equipment, buildings, guy wires, and anchors shall meet minimum yard requirements for the district in which the tower is located. However, in no instance shall the setback for associated accessory improvements including, but not limited to equipment, buildings, guy wires, and anchors be less than twenty-five (25) feet from the nearest lot line.

c) In residential districts, antennas are a permitted use and are subject to the following regulations.

(1) Location

An antenna may be attached to a multiple family residential or nonresidential building or structure that is a permitted use in the district including, but not limited to a multi-story multiple family residential structure, a religious facility, existing lawful communication tower, a municipal or government building or facility, and building or structure owned by a utility. Antennas other than accessory use antennas are not to be allowed on any property developed with a detached single family residential structure.

d) In the T-ML zone district, communication towers are permitted only as an accessory use and are subject to the following regulations.

(1) Height

A communication tower no more than seventy (70) feet in height, and a tower with attached antenna(s) with a combined height of no more than eighty (80) feet in height shall be permitted. Towers and towers with attached antenna(s) that exceed those height limits up to, but not to exceed one hundred twenty-five (125) feet in height, may be permitted as a conditional use.

(2) Required Yards

A communication tower shall meet the minimum setback required for a principal structure within the zoning district which the tower is located. All other associated accessory improvements including, but not limited to equipment, buildings, guy wires, and anchors shall meet the minimum yards required for an accessory building.

e) In the T-ML district antennas are a permitted use and are subject to the following regulations.

(1) Location
An antenna may be attached to a residential or nonresidential building or structure that is a permitted use in the district including but not limited to multi-story buildings, a religious facility, a municipal or government building or facility, and building or structure owned by a utility. Antennas other than accessory use antennas are not to be allowed on any property developed with a detached single family residential structure.

(B) Height

An antenna shall not exceed a maximum height of thirty (30) feet above the existing building or structure.

f) In Mixed Use districts, communication towers need not be differentiated between principal or accessory uses since the regulations are the same for both.

(1) Height

A communication tower, with or without attached antenna(s), shall not exceed a total height of one hundred twenty-five (125) feet. Towers exceeding one hundred twenty-five (125) feet in height may be permitted as a conditional use.

(2) Required Yards

A communication tower shall meet the minimum setback as set forth in Sec. 32D.02(f). All other associated accessory improvements including, but not limited to equipment, buildings, guy wires, and anchors shall meet minimum yard requirements for the district in which the tower is located. However, in no instance shall the setback for associated accessory improvements including, but not limited to equipment, buildings, guy wires, and anchors be less than twenty-five (25) feet from the nearest lot line.

(3) Drives and Parking

Parking spaces are not required for a communication tower itself. Any associated uses and buildings shall be provided parking spaces as required by Sec. 32.04.02. Any drives to the tower shall be constructed and maintained with a dust free surface.

g) In the I-LI and I-GI districts, communication towers need not be differentiated between principal or accessory uses since the regulations are the same for both.

(1) Height

There are no height limits imposed by this ordinance.

(2) Required yards

A communication tower shall meet the minimum setback as set forth in Sec. 32D.02(f). All other associated accessory improvements including, but not limited to equipment, buildings, guy wires, and anchors shall meet minimum yard requirements for the district in which the tower is located. However, in no instance shall the setback for associated accessory improvements including, but not limited to equipment, buildings, guy wires, and anchors be less than twenty-five (25) feet from the nearest lot line.
(3) Drives and Parking

Parking spaces are not required for a communication tower itself. Parking spaces shall be provided for any associated uses and buildings as required by Sec. 32.04.02. Any drives to the tower shall be constructed and maintained with a dust free surface.

h) In the P-AP District, communication towers and antennas are permitted only as accessory uses which are subject to operational control by the Airport Commission and are subject to FAA regulations, and are exempt from use-specific standards and other regulations within this ordinance.

32D.07 NONCONFORMING TOWERS AND ANTENNA(S)

a) Nonconforming Use

Towers and antennas that exist prior to June 4, 2003 and are not in accordance with provisions of these regulations shall be deemed legal nonconforming uses or structures. Nonconforming towers and antennas shall be allowed to continue their usage as they presently exist. Routine maintenance and installation of shared use equipment such as additional antennas and associated equipment shall be permitted on such pre-existing towers.

b) Expansion of Nonconforming Use

Existing towers and antennas that are installed, in accordance with provisions of this ordinance shall not be deemed to constitute the expansion of a nonconforming use or structure.

c) Rebuilding Nonconforming Towers and Antennas

Any nonconforming tower and/or antenna that is obsolete, damaged, or destroyed may be rebuilt subject to the following:

(1) That the applicant satisfy the requirements of Secs. 32D.02.

(2) That if shared usage is not possible, the type, height, and location of the tower to be constructed on site shall be of the same type and intensity as the original facility approval.

(3) Building permits to reconstruct the facility shall comply with the current applicable building codes and shall be obtained within one hundred eighty (180) days from the date the facility is demolished, damaged, or destroyed. If no permit is obtained or if said permit expires, the tower or antennas shall be deemed abandoned as specified in Sec. 32D.08 of the Cedar Rapids Municipal Code.

32D.08 - REMOVAL OF ABANDONED ANTENNAE AND TOWERS.

(a) At such time that a license carrier plans to abandon or discontinue operation of a communications tower and associated facilities, such carrier will notify the City Department of Building, Housing, and Zoning by certified U.S. mail of the proposed date of abandonment or discontinuation of operations. Such notice shall be given no less than 30 days prior to abandonment or discontinuation of operations. In the event that a licensed
carrier fails to give notice, the communications tower and associated facilities shall be considered abandoned upon discontinuation of operations.

(b) Upon abandonment or discontinuation of use, the carrier shall physically remove the communications tower and associated facilities within 90 days from the date of abandonment or discontinuation of use. "Physically remove" shall include, but not limited to:

1. Removal of antennae, mount, equipment shelters and security barriers from subject property in accordance with local permitting and regulations;
2. Proper disposal of waste materials from the site in accordance with local and state solid waste disposal regulations;
3. Restoring the location of the communications tower and associated facilities to its natural condition, except that any landscaping and grading shall remain in the after-condition.

(c) The Board of Adjustment may grant a variance to allow the communications tower and associated facilities to remain in place based upon evidence submitted for review in each specific case and in accordance with Section 32.05.13 of the City of Cedar Rapids Zoning Regulations.

(d) If a carrier fails to remove a communications tower and associated facilities in accordance with this section of this code, the City of Cedar Rapids shall have the authority to enter the subject property and physically remove the facility. The City Council may levy an assessment on the subject property to cover costs for removal of the communications tower and associated facilities in the event the City must remove the facility.

Section 4. Section 33C.03 of the Cedar Rapids Municipal Code is hereby deleted and in its place is enacted in lieu thereof the following new Section 33C.03 as follows:

"33C.03 - FENCE REGULATIONS.

(a) Fences hereafter erected, altered, and/or replaced shall conform with the provisions of Section 32.11 of the Municipal Code of Cedar Rapids. The section shall describe fence size, location, type and height.

(b) **Barbed Wire.** The use of a barbed wire for any fence is prohibited except as follows:

1. A fence in an Industrial District may be topped with barbed wire provided that no barbed wire shall be maintained below a height of seven feet nor shall any barbed wire be permitted to project over public property.

2. A fence in a Mixed Use district may be topped with barbed wire provided that no barbed wire is maintained below a height of seven feet nor shall any barbed wire project over public property, and further provided said fence is not in the general area of public and business use access.

3. A fence on agricultural land or on a farm may be constructed, replaced or repaired with barbed wire except that no barbed wire shall be erected in a boundary fence adjacent to a platted residential area or lot.

(c) **Electrical Fence.** The use of an electrical fence is prohibited in all zoning districts except as follows:

An electrical fence may be erected in an agricultural district, provided adequate notices are posted to warn the public of any potential dangers should they come in
contact with the fence. (optional language) Such notice shall indicate the amount of current being carried by said fence.”

**Section 5.** Section 33E.10 of the Cedar Rapids Municipal Code is hereby deleted and in its place is enacted in lieu thereof the following new Section 33E.10 as follows:

“33E.10 - PERMITS.

(a) **Permits Required.** Permits shall be required prior to the installation of all signs erected within the city limits, except any specifically exempted from the requirements of this section.

1. Permits shall also be required for the following work:
   A. Major repairs to existing signs; or
   B. Repainting any sign when the permanent copy is changed, except billboard signs; or
   C. Rehanging any sign which has been removed for remodeling, repairs or repainting.

2. Permits shall not be required for the following:
   A. Temporary ground sign when placed on property to advertise the sale or rental of said property, provided said sign does not exceed 12 square feet in surface area in a single unit zoning district or 16 square feet in a multi-unit zoning district.
   B. Construction activity sign on tracts of ground containing the equivalent of 6 or more contiguous lots and located in a single unit or multi-unit zoning district.

(b) **License Required.** Only persons, firms or corporations with a valid sign contractor's license approved by the Building Official shall be issued permits for installation of signs, except for the following:

1. Temporary banner signs; or
2. Flat nonilluminated signs mounted on a building which requires a front yard setback, that do not exceed 32 square feet in size and are less than 8 feet above grade; or
3. Nonilluminated pole signs that do not exceed 32 square feet in size and are less than 8 feet in height.

Permits for these types of signs will be issued to the owner/occupant of the property on which said signs will be displayed.

(c) **Permit Application.** No permit for installation of any sign shall be issued until an application has been submitted and approved by the Building Department. Said application shall include the location, size, construction method or support and any other information that may be required by the Building Department.

An application shall also include the following information, if appropriate;

1. Illuminated Signs. The name of the electrical contractor;
2. Roof Signs. Plans which show the construction of the roof, method of reinforcing said roof, if necessary, and method of attaching or anchoring said sign to the roof structure. Said plans shall also show load limits of the sign on the roof structure.

(d) **Penalty.** It shall be the duty of the Building Official and/or designees to direct any firm or person erecting a sign without a valid permit to obtain said permit. An
investigation fee shall be charged on any sign installation started without a permit. Said fee shall be equal to 2 times the required permit fee.

(e) **Public Protection.** The issuance of a permit for installation of any sign will permit the contractor to occupy the street or sidewalk and to block the sidewalk to protect pedestrians, subject to issuance of a Street Occupancy Permit. “

Section 6. Section 33E.13 of the Cedar Rapids Municipal Code is hereby deleted and in its place is enacted in lieu thereof the following new Section 33E.13 as follows:

“33E.13 - SIGN REGULATIONS.

All signs installed, erected, altered and/or maintained shall conform with the provisions of Section 32.04.08 of the Municipal Code of Cedar Rapids. Said section shall describe signs permitted, prohibited, size, location, removal, type, height, projection and illumination.”

Section 7. Section 33E.20 of the Cedar Rapids Municipal Code is hereby deleted and in its place is enacted in lieu thereof the following new Section 33E.20 as follows:

“33E.20 - BILLBOARDS.

(a) Billboards and ground signs shall be constructed and engineered so as to comply with regulations as specified in the Cedar Rapids Building Code.

(b) Maintenance. Any person, firm or corporation occupying any vacant lot or premises with a billboard, ground sign or other advertising structure or device, shall be subject to the same duties and responsibilities as the owner of the lot or premises on which such structure is located, with respect to keeping the same clean, sanitary and free of all weeds and noxious substances in the vicinity of such structure, as prescribed by the City of Cedar Rapids Municipal Codes. All such structures shall be maintained in a safe condition at all times and be kept in good repair and painted as needed or determined by the Building Official.

1. The name of the person, firm or corporation owning or controlling each billboard shall be placed and maintained on such billboard so as to be legible.

2. Insurance. Every person, firm or corporation engaged in the business of maintaining billboards or roof signs in the City of Cedar Rapids shall comply with insurance requirements herein before set for sign contractors.


Section 8. Section 42.04 of the Cedar Rapids Municipal Code is hereby deleted and in its place is enacted in lieu thereof the following new Section 42.04 as follows:

“42.04 - LOCATION RESTRICTIONS.

(a) Pushcart operators when located curbside in a parking meter space, as approved by the Traffic Engineering Department, shall pay the standard meter fee and hooding fees established by resolution of the City Council. When located at other than a parking
meter space, the pushcart shall be so situated as to be in conformance with all applicable restrictions and ordinances of the city and specifically approved by the City Council or by a duly authorized representative.

(b) No person, firm, corporation, or other organization shall sell, display, or otherwise offer for sale any merchandise or other materials on any sidewalk, street, public right-of-way, or other public property without first obtaining approval by the City Council or by a duly authorized representative. Application for such license shall be made in writing to the City Clerk. The Clerk shall refer such application to the appropriate city departments for review and report. Said application along with the appropriate department reports shall then be forwarded to the City Council or to a duly authorized representative for action to approve or disapprove.

(c) Persons, firms, corporations or other organizations having valid contracts with the City of Cedar Rapids authorizing activities hereinbefore described in subsection (b) above are excepted from the terms of said paragraph for the activities specifically authorized in the contract.

(d) The City Council reserves the right to require the relocation of any licensed pushcart or transient merchant to a new location in the event public safety or congestion so requires, based on the discretion of the Council.

(e) Transient merchants who are engaged in business on private property may only do so in the following Zoning Districts as defined in the Cedar Rapids Zoning Ordinance, Chapter 32 of the Municipal Code of Cedar Rapids: T-ML Traditional Mixed-Use Limited District, S-MC Suburban Mixed-Use Community Center District, S-MR Suburban Mixed-Use Regional Center District, and Urban Form Districts.

(f) No transient merchant shall be permitted to operate from one location for more than 7 consecutive days and no other transient merchant shall be permitted to operate another business at that location within the immediate 30 days following the previous transient merchant.

(g) The City Council may by resolution, following a request by a pushcart operator, vendor or permanent merchant, grant exceptions to the time constraints of Section 42.01(e) and Section 42.04(f) and the license requirements of Section 42.04 based upon just cause.

(h) All pushcart operators and vendors shall comply with all requirements of the Cedar Rapids Zoning Ordinance (Chapter 32, Municipal Code, City of Cedar Rapids), except that transient merchants shall not be required to provide off-street parking facilities as required by Section 32.04.02 of the Cedar Rapids Zoning Ordinance, however, if off-street parking facilities are provided the design and maintenance of said facilities shall be in accord with the specifications and standards set forth in Section 32.04.02.L., of the Cedar Rapids Zoning Ordinance.

(i) No vendor vending from a motor vehicle shall conduct his/her business in such a way as would restrict or interfere with the ingress or egress of the abutting property owner or tenant, or create or become a public nuisance, increase traffic congestion or delay, or constitute a hazard to traffic, life, or property, or an obstruction to adequate access to fire, police, sanitation, or emergency vehicles. Furthermore, no vehicle shall remain in any one place for a period longer than necessary to make a sale after having been approached or stopped for that purpose.”

Section 9. Section 42.05 of the Cedar Rapids Municipal Code is hereby deleted and in its place is enacted in lieu thereof the following new Section 42.05 as follows:

“42.05 - PERMANENT LOCATION (HOME BASE).”
Every pushcart licensee shall maintain a permanent location within the City of Cedar Rapids for the storage and preparation of food and beverages carried by the licensee's food carts, and for the cleaning and servicing of carts. Such permanent location shall not be located in any Residential Zoning District as defined in Section 32.02 of the Cedar Rapids Zoning Ordinance unless conforming to all requirements of the Home Occupation Section of the Zoning Ordinance being Section 32.03.04.C.8 of the Municipal Code including the prohibition of any person who is not a member of the family as defined in Section 32.03.04.C.8 of the Cedar Rapids Zoning Ordinance being employed in the activity. Such permanent location shall comply in all respects with requirements of the U.S.D.A. Food and Drug Administration Food Service Sanitation Ordinance passed in 1976, amended in 1981, and as may be amended hereafter. Each pushcart shall return to the permanent location at least once daily for cleaning and servicing. Said location shall be identified in writing to the city, and shall be accessible for inspection.”

Section 10. Section 52A.05 of the Cedar Rapids Municipal Code is hereby deleted and in its place is enacted in lieu thereof the following new Section 52A.05 as follows:

“52A.05 - PROHIBITED ACTIVITIES.

1. No tow truck/wrecker business shall be located in an Agricultural and Rural or Residential zoning district.

2. No drivers and/or vehicles shall be transferred in a residential district.

3. Not more than one tow truck or wrecker can be kept on a residential zoned lot, provided that such vehicle does not exceed a net legal carrying capacity of 1-1/2 tons and provided such vehicle is legally parked on the property in compliance with current zoning regulations.

4. No tow truck/wrecker operator or driver that has a vehicle in tow or is transporting another vehicle shall park on a residential lot nor on any street within the city limits more than one hour.

5. No towing or wrecker service shall knowingly tow or conceal any motor vehicle wanted by a law enforcement agency in any police investigation. All towing and wrecker services shall notify the Cedar Rapids Police Department prior to towing a vehicle which has been either parked without permission or abandoned on private property and which the property owner, or the owner's agent or employee, has requested be towed. In addition, all towing and wrecker services shall submit to the Cedar Rapids Police Department on a daily basis a report of any and all such tows which have occurred on that day.”

Section 11. Section 53.14 of the Cedar Rapids Municipal Code is hereby deleted and in its place is enacted in lieu thereof the following new Section 53.14 as follows:

“53.14 - RIDING ON SIDEWALK.

(a) No person, except for handicapped individuals with specially equipped bicycles, shall ride a bicycle upon the sidewalk or walkway in any Urban General Flex District as defined in Section 32.02.05.B of this Code, unless authorized signs specifically designate a sidewalk or walkway for bicycle use. The Department of Public Works is authorized to erect signs on any sidewalk or roadway within the city prohibiting the riding of bicycles thereon.

(b) Whenever a person is riding a bicycle upon a sidewalk, such a person shall yield the right-of-way to any pedestrian.”
Section 12. Section 65.05 of the Cedar Rapids Municipal Code is hereby deleted and in its place is enacted in lieu thereof the following new Section 65.05 as follows:

“65.05 - MANUFACTURED/MOBILE HOME PARK DEVELOPMENT PLAN.

(a) No manufactured/mobile home shall be located or altered, or land or water used, until the required manufactured/mobile home park development plan is officially approved by ordinance of the City Council, and provisions of the State of Iowa are complied with.

(b) The proposed manufactured/mobile home park development plan shall show the following:
   1. Topography with topographic lines at a minimum of 5-foot intervals.
   2. Park boundaries and dimensions including typical street sections, drainage plan (both within and total) and a sanitary sewer plan.
   3. The location and area of all uses, including streets adjacent to and within the park; walks, patios, manufactured/mobile home stands; play areas, parks, and common open spaces, parking areas; storm shelters; utilities including street lighting and fire hydrants; physical features such as retaining walls, fences, trees, and natural features; other information that may be required by the Planning, Engineering, Traffic, Fire, Health, Water, Forestry or Building Departments; easements and dedications.
   4. The manufactured/mobile home park plan shall be prepared by a registered landscape architect, architect, engineer, land surveyor, or other experienced designer and have the seal of a duly authorized engineer or land surveyor in the State of Iowa certifying boundaries, boundary measurements, and such other matters as are required to be so approved by the Cedar Rapids platting ordinance.

(c) The proposed manufactured/mobile home park development plan shall be in accordance with the park development plan approved by the City Council with the S-MH Zoning granted for the proposed manufactured/mobile home park.

(d) Every manufactured/mobile home park shall be constructed and maintained in accordance with the Development Standards as defined by Chapter 32.04 of the Municipal Code of Cedar Rapids, Iowa.

(e) In recommending upon and approving manufactured/mobile home parks, the City Council shall consider the location, size, height, spacing, and extent of use of any manufactured/mobile home and their appurtenances, access and circulation for vehicles and pedestrians, streets, parking areas, yards and open spaces and the relationship to adjacent property. The City Planning Commission shall not recommend nor the City Council adopt such manufactured/mobile home park plan unless it finds that such plan conforms to all applicable provisions of this chapter.

(f) If said manufactured/mobile home park development plan contains no dedication to the city for streets or utilities or should it be contemplated that the facilities of the city shall not be used for maintenance of streets, sidewalks, water and sewer lines, garbage collection or other related functions, then such owner shall be required to record with such manufactured/mobile home park plan a covenant that he will maintain said streets, sidewalks, water and sewer lines in compliance with the minimum standards as established by the City of Cedar Rapids, Iowa, and that should he fail to maintain said standards in any of these respects, the City of Cedar Rapids, Iowa, may, after 10 days' notice to such owner, effect all the necessary repairs or improvements as required to maintain said minimum standards and the cost of all these and necessary repairs or improvements including all administrative costs shall become a lien against said real
estate and enforced and recorded as mechanic's liens are enforced and recorded against such real estate, and said covenant shall contain the following proviso:

"that (name of owner) being the owner or owners of the real estate contained in the above attached manufactured/mobile home park development plan hereby consent that if they or their assignees, heirs or those holding or owning said land through said owners fail to maintain the streets, sidewalks, water and sewer mains according to and in compliance with the minimum standards for the maintenance of streets, sidewalks, water and sewer mains as established by the City of Cedar Rapids, Iowa, that after 10 days notice in writing to the owner of said land as shown upon the records in the County Auditor's office of Linn County, Iowa, and at the address therein, shown, then said owner, assignees, heirs, and those holding or owning through said owners, hereby authorize the City of Cedar Rapids, Iowa, to file a mechanic's lien or such other lien or encumbrance against said real estate and enforce said lien pursuant to laws then applicable."

(g) **Amending Procedure.**

1. If it is found necessary to make material and substantial alterations or modifications to an approved manufactured/mobile home park development plan, such alterations or modifications shall be subject to the approval of the City Council.

2. A request for approval of alterations or modifications of a previously approved manufactured/mobile home park development plan shall be accompanied by the same kind and number of exhibits as is required for a new request for approval insofar as such exhibits are applicable to the requested alterations or modifications. When City Council by official resolution approves the revised manufactured/mobile home park development plan said revised plan will supplant the original approved manufactured/mobile home park development plan.

3. If a reasonable length of time (360 days) has elapsed without significant progress having been made in completion of the manufactured/mobile home park or if there has in the interim been a significant environmental change, as determined by City Council, within or surrounding the area covered by the plan, the City Council may require that a revised plan be submitted by the developer.”

**Section 13.** Section 65.06 of the Cedar Rapids Municipal Code is hereby deleted and in its place is enacted in lieu thereof the following new Section 65.06 as follows:

“65.06 - AREA.

Every lot upon which a manufactured/mobile home unit is located shall front onto an approved public or private street or right-of-way as defined in this chapter and shall conform to the following minimum lot area and width requirements.

(a) **Residential Use.**

1. The lot area shall be a minimum of 5,500 square feet, have a minimum dimension of 110 feet on its longest side, and a minimum of 50 foot frontage on an approved public or private street or right-of-way and not less than 15 feet in depth from back of curb.

(b) **Accessory Uses.**

1. The lot area shall be a minimum of 4,000 square feet for basic requirements for such uses as direct servicing, management and maintenance of the park. Any such structure shall be of permanent-type construction meeting all local
applicable building and zoning codes. Building setbacks shall be the same as defined in the T-ML—Traditional Mixed Use Limited.

2. For uses requiring larger lot areas than heretofore set forth under this section, such uses may be permitted if lot sizes are increased proportionately to maintain minimum yard and separation requirements as set forth in this chapter or Chapter 32 of the Municipal Code of Cedar Rapids, Iowa. The most restrictive rules shall apply.

(c) **Unit Placement.**

1. Parallel orientation of at least 75% of the units on lots which have public street frontage or are adjoining residential development. In areas adjoining residential development, buffering may be provided in lieu of parallel orientation with the design and location of said buffering to be reviewed and approved as part of the overall development plan.

2. Double wide lots shall be developed at the perimeter of the park.”

**Section 14.** Section 65.08 of the Cedar Rapids Municipal Code is hereby deleted and in its place is enacted in lieu thereof the following new Section 65.08 as follows:

“65.08 - PARK PERIMETER GENERAL AREA BUFFERING GUIDELINES.

(a) Each yard area abutting on a perimeter public street or adjoining other property shall provide an appropriate width and screening to effectively buffer the park based on alternatives indicated within this section. The standards contained in this chapter shall be considered as guidelines and reviewed on a case by case basis. The buffering may include a combination of screening trees, vertical berming, and/or screening fencing. A detail regarding the proposed screening combination as identified under subsection (b) of this section shall be prepared by a Landscape Architect or other qualified professional and be included in the park plan reviewed by the city staff, the City Planning Commission, and City Council as part of the S-MH Overlay District review as provided under Chapter 32 of the Cedar Rapids Municipal Code.

The buffer yard matrix described under subsection (b) of this section shall be used for determining the design and approach for the perimeter buffering. It is intended that the buffering should be appropriate for the adjoining land uses.

(b) **Buffer Yard Matrix.** The following buffer yard matrix is intended to provide flexibility to the developer through the manipulation of 4 basic elements—distance, plant material type, berming, and structural or land forms.

1. **Location.** Buffer yards shall be located on all exterior property of a manufactured/mobile home park.

2. **Buffer Yard Elements.** Buffer yards consist of 4 elements which may be adjusted to provide adequate buffering to adjoining land uses. It should be noted that the intent of the buffer yard is to provide a visual separation of the park from adjoining property and land uses and will not constitute a full visual barrier. The 4 elements include:

   a. **Width.** Buffer width provides for a physical separation between the park and adjoining uses.

   b. **Planting.** The buffer planting includes a combination of living ground cover, deciduous and evergreen shrubs, deciduous trees, and evergreen trees. As the buffer width is reduced, the density of trees and shrubs should be
increased to provide a comparable visual separation. The intensity of planting falls into three categories including:

<table>
<thead>
<tr>
<th></th>
<th>Low Intensity</th>
<th>Medium Intensity</th>
<th>High Intensity</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Living ground cover</td>
<td>Living ground cover</td>
<td>Living ground cover</td>
</tr>
<tr>
<td>1.</td>
<td></td>
<td>10% area shrubs</td>
<td>20% area shrubs</td>
</tr>
<tr>
<td></td>
<td></td>
<td>One tree per 100 linear feet</td>
<td>2 trees per 100 linear feet</td>
</tr>
<tr>
<td>2.</td>
<td>Medium Intensity</td>
<td>Living ground cover</td>
<td>25% area shrubs</td>
</tr>
<tr>
<td></td>
<td>20% area shrubs</td>
<td>2 trees per 100 linear feet</td>
<td>3 trees per 100 linear feet</td>
</tr>
<tr>
<td>3.</td>
<td>High Intensity</td>
<td>Living ground cover</td>
<td></td>
</tr>
<tr>
<td></td>
<td>25% area shrubs</td>
<td>3 trees per 100 linear feet</td>
<td></td>
</tr>
</tbody>
</table>

- **Berming.** Berming provides a vertical enhancement for the buffer separation. This allows the planting to be more effective.

- **Fence/Wall.** This element provides for a solid screening in cases where the buffer width is reduced so that planting and berming cannot provide a fully effective visual separation. In general, walls and fences should only be used where other elements are not practical.

3. **Determination of Buffer Yard.** To determine how the elements of the buffer yard are applied, the following procedure should be followed:

   a. Identify the land use class of the adjoining land use based on the following chart. In the case of agricultural or undeveloped land, the identification of land use shall be based on the Comprehensive Plan Land Use designation.

**Land Use Classification Chart**

<table>
<thead>
<tr>
<th>Class 1</th>
<th>Class 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low density residential uses</td>
<td>Moderate to high density residential uses</td>
</tr>
<tr>
<td>Parks, open space, and conservation areas</td>
<td>Public facilities</td>
</tr>
</tbody>
</table>
| Major highway corridors | }
<table>
<thead>
<tr>
<th>Class</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Religious facilities</td>
</tr>
<tr>
<td></td>
<td>Professional office facilities</td>
</tr>
<tr>
<td></td>
<td>Retail commercial uses</td>
</tr>
<tr>
<td></td>
<td>General retail commercial and office uses</td>
</tr>
<tr>
<td></td>
<td>Research and development park uses</td>
</tr>
<tr>
<td>3</td>
<td>Service commercial uses</td>
</tr>
<tr>
<td></td>
<td>Warehouse distribution facilities and industrial uses</td>
</tr>
</tbody>
</table>

b. Determine the basic buffer yard alternatives as identified below.

<table>
<thead>
<tr>
<th>Width</th>
<th>Planting</th>
<th>Berm/Wall</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Class 1</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>100 feet</td>
<td>low intensity</td>
<td>optional</td>
</tr>
<tr>
<td>50 feet</td>
<td>medium intensity</td>
<td>8 feet</td>
</tr>
<tr>
<td>25 feet</td>
<td>high intensity</td>
<td>optional</td>
</tr>
<tr>
<td><strong>Class 2</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50 feet</td>
<td>low intensity</td>
<td>optional</td>
</tr>
<tr>
<td>25 feet</td>
<td>medium intensity</td>
<td>4 feet</td>
</tr>
<tr>
<td>10 feet</td>
<td>high intensity</td>
<td>optional</td>
</tr>
<tr>
<td><strong>Class 3</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>75 feet</td>
<td>low intensity</td>
<td>8 feet</td>
</tr>
<tr>
<td>50 feet</td>
<td>medium intensity</td>
<td>8 feet</td>
</tr>
<tr>
<td>25 feet</td>
<td>high intensity</td>
<td>optional</td>
</tr>
</tbody>
</table>

Notes:

1. Existing site conditions such as plant material, natural features, and topography may be considered in determining the extent of buffering required.
2. Trees to be large specimen (minimum 2-inch dbh) to be reviewed and approved by the City Forester.

3. Berms to have slopes no greater 1:3.

4. Walls to be constructed with solid, durable, materials such as concrete block.

5. Elements of the buffer yard shall be installed and maintained in good condition.

(c) **General Exemption.** The developer may elect to provide for new low density residential development adjoining the park in lieu of providing the buffer yard as described above. In such cases, said low density residential development shall be approved as part of the manufactured/mobile home park plan and constructed prior to, or concurrent with, development of the adjoining manufactured/mobile home lots. If the adjoining manufactured/mobile home lots are to be developed prior to the low density residential development, the buffer yard as required by the section shall be constructed.

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**Section 15.** Section 65.39 of the Cedar Rapids Municipal Code is hereby deleted and in its place is enacted in lieu thereof the following new Section 65.39 as follows:

"65.39 - APPEALS OF DECISIONS OR VARIANCE FROM THE PROVISIONS OF THIS CHAPTER.

Any person(s) affected by a decision of the Zoning Administrator in the enforcement of this chapter may appeal to the Cedar Rapids Board of Adjustment as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa, Section 32.05.01.R."

**Section 16.** Section 66.03 of the Cedar Rapids Municipal Code is hereby deleted and in its place is enacted in lieu thereof the following new Section 66.03 as follows:

"66.03 - BUSINESS HELIPORTS.

The establishment, location and use of a business heliport shall be governed by the following regulations:

(a) A minimum ground space for the takeoff and landing area shall be a minimum of 100 feet on each of all four sides, of a rectangular shape.

(b) There shall be at least two paths at least 90° apart for approach and takeoff from the landing area.

(c) There shall be no obstacle or obstruction exceeding 50 feet in height within 100 feet of the landing area in the takeoff or approach paths; that further, all obstructions and obstacles beyond said 100 feet in the approach and takeoff paths shall not exceed a two to one gliding ratio, such that the distance from the landing area shall be at least twice the height.

(d) The heliport shall either be located in an enclosed area which does not permit access by the public at will. or be immediately enclosed by a temporary or permanent fence or wall designed to provide for the safety of persons, vehicles and other things or property in the area.
(e) The heliport shall be surfaced such to minimize the blowing of dust, dirt, or other material.

(f) The heliport shall be located and used only in areas zoned Urban Form or Industrial.

(g) The heliport and the operation thereof shall comply with all rules and regulations established by the FAA now in force or hereafter enacted.”

Section 17.  Section 66.05 of the Cedar Rapids Municipal Code is hereby deleted and in its place is enacted in lieu thereof the following new Section 66.05 as follows:

“66.05 – PRIVATE HELIPORT.

The location, operation and use of a private heliport shall be governed by the following regulations:

(a) A minimum ground space for the takeoff and landing area shall be a minimum of 100 feet on each of all four sides, of a rectangular shape.

(b) There shall be at least two paths at least 90º apart for approach and takeoff from the landing area.

(c) There shall be no obstacle or obstruction exceeding 50 feet in height within 100 feet of the landing area in the takeoff or approach paths; that further, all obstructions and obstacles beyond said 100 feet in the approach and takeoff paths shall not exceed a two to one gliding ratio, such that the distance from the landing area shall be at least twice the height.

(d) Such safety arrangements shall be made as necessary to protect persons and property in connection with any landing or takeoff from a private heliport and no person shall land or take off from a heliport such that persons or surrounding property are endangered.

(e) A conditional use permit shall be obtained under the use regulations of the Cedar Rapids Zoning Ordinance for a private heliport.

(f) The heliport and the operation thereof shall comply with all rules and regulations established by the FAA now in force or hereafter enacted.”

Section 18. That the aforesaid described replacement sections shall be included as part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa and made a part of said Code as otherwise provided for by law.

Section 19. It is the intention of the Council that each section, paragraph, sentence, clause, and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof other than that affected by such decision.

Section 20. That this Ordinance shall be effective, after its passage, publication, and as otherwise provided by law, as required by the statutes of the State of Iowa.

Section 21. That the changes as provided in this Ordinance shall be made a part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

Section 22. All ordinances or parts of ordinances in conflict with any provision of this Ordinance are hereby repealed.
Section 23. This Ordinance shall be in full force and effect on January 1, 2019.

Introduced this 4th day of December, 2018.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
PUBLIC HEARINGS
A public hearing will be held to consider updating the Future Land Use Map in connection with the annual EnvisionCR update and the repeal and replacement of Chapter 32, Zoning (Eric Pate). CIP/DID #CD-0048-2018

a. First Reading: Resolution updating the Future Land Use Map in connection with the annual EnvisionCR update and the repeal and replacement of Chapter 32, Zoning.


Background: The City began the process to update Chapter 32, the Zoning Code, in March of 2016, called ReZone Cedar Rapids. The process involved intensive public outreach, comprised of stakeholder meetings, user group meetings, steering committee meetings, and open houses.

On October 16, the City Council Development Committee reviewed the draft and unanimously recommended to move the item to Council. The final Adoption Draft of the ordinance was posted on the City’s website on October 26. On November 1, the City Planning Commission reviewed the draft and unanimously recommended adoption. A final Adoption Draft of the proposed ordinance and map is available at www.cityofcr.com/rezone. The proposed effective date for the new ordinance is January 1, 2019.

A key part of this process is the updating of the Future Land Use Map to better align with the larger community vision for future growth. This update will bring the Future Land Use Map and ReZone into alignment and allow for a more mutually supportive regulatory framework.

Action/Recommendation: Staff recommends holding the First Reading of the proposed Ordinance.

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

Time Sensitivity: The resolution is proposed to be adopted prior to January 1, 2019.

Resolution Date: NA

Budget Information: NA
Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: Yes
Explanation: Recommended by the Development Committee to be updated as part of ReZone Cedar Rapids efforts.
RESOLUTION NO.  LEG_NUM_TAG
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA
AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN

WHEREAS, the City Council adopted EnvisionCR as the Comprehensive Plan for Cedar Rapids per Resolution No. 0171-01-15 on January 27, 2015; and

WHEREAS, EnvisionCR is a statement of the community’s vision for its own future and a guide to achieve that vision, shaped by local community values, ideals, and aspirations about the best management and use of the community’s resources; and

WHEREAS, the City Council believes EnvisionCR is a living document that may be subject to amendments to keep it viable for City Staff and the public in order to accomplish its goals; and

WHEREAS, the Future Land Use Map is a key component of EnvisionCR that indicates the general locations and extent of various land uses to ensure that zoning is consistent with the various elements of EnvisionCR, and allow for a more mutually supportive regulatory framework; and

WHEREAS, the City Planning Commission has recommended amendment of the Future Land Use Map as shown on the attached map (Exhibit A).

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

1. That the Future Land Use Map of the City of Cedar Rapids is hereby amended as shown on Exhibit A, attached.

2. That the following findings have been made to support this amendment:
   a. That the amendment is consistent with EnvisionCR priorities.
   b. That the amendment will be compatible with future land uses for surrounding areas of the community.
   c. That the amendment will not create a shortage of any particular type of residential or non-residential land.
   d. That the amendment will enhance the overall quality of life in the community.

3. That the Community Development Department is hereby authorized to prepare documentation, exhibits, and maps as necessary to implement the amendment.
Attest:

ClerkSignature

MayorSignature
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: CONSENT AGENDA
Resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Council Street NE from Collins Road to south of 46th Street Improvements project (Paving for Progress).
CIP/DID #3012236-00

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

Background: This project includes the reconstruction of Council Street NE from Collins Road to south of 46th Street. The work includes pavement removal and replacement, sidewalk construction, and storm sewer improvements.

When infrastructure construction by the City has benefited adjacent land, it has been the City’s practice to assess for the benefit they receive. If not assessed, the City is essentially increasing property value at the cost of taxpayers. City Council passed the first, preliminary resolution for the construction of improvements on November 27, 2018.

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

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

Action/Recommendation: The Public Works Department recommends adoption of the resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Council Street NE from Collins Road to south of 46th Street Improvements project.

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

Time Sensitivity: Normal
Resolution Date: December 4, 2018

Budget Information: 301/301000/3012236 SLOST

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
Resolution #1
Stating need for improvements

Resolution #2
Fixing value of lots

Resolution #3
Adopting preliminary assessment schedule, plans and cost estimate.

Resolution #4
Setting public hearing

Step 5A
Public Hearing

Resolution #5
(Act on A, B, C, or D @ Council Meeting with Public Hearing)
A. Adopt Preliminary Assessment without Amendment (Go to Reso #6)
B. Adopt Preliminary Assessment with Amendment (Go to Reso #6)
C. Deferred for Later Consideration (Return to Reso #5)
D. Abandon Assessment Project (End)

NORMAL DESIGN, BIDDING, AND CONSTRUCTION ACTIONS

Resolution #6
Directing preparation of bid documents.

Resolution #7
Adopting bid documents and ordering bids.

Bidding

Construction

Construction

FINAL ASSESSMENT ACTIONS

Resolution #8
Awarding construction contract and approving contract, bonds and insurance.

Resolution #9
Accepting project and fixing amount to be assessed.

Resolution #10
Levying Final Assessment

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

UPDATED 8.29.07
Page 1 of 2
CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS
PRELIMINARY ASSESSMENT

Resolution #1
Stating need for improvements

Description
This step initiates the special assessment process.

Resolution #2
Fixing value of lots

Council determines the value of the lot based upon the present fair market value with the proposed improvements in place.

Resolution #3
Adopting preliminary assessment schedule, plans and cost estimate.

This action proposes assessments, which become the basis of the public hearing. A proposed special assessment may not exceed 25% of the adopted lot valuation.

Resolution #4
Setting public hearing

Public hearing must be advertised once each week for two consecutive weeks with the first publication not less than 10 days, nor more than 20 days before the hearing. City Clerk must mail certified letter to affected property owners not less than 15 days prior to public hearing.

Step 5A
Public Hearing

Resolution #5
(Act on A, B, C, or D @ Council Meeting with Public Hearing)
A. Adopt Preliminary Assessment without Amendment (Go to Reso #6)
B. Adopt Preliminary Assessment with Amendment (Go to Reso #6)
C. Deferred for Later Consideration (Return to Reso #5)
D. Abandon Assessment Project (End)

This action is called the Resolution of Necessity, which has 4 options listed. This is the adoption of the preliminary assessment, which does not levy an assessment, but signifies an intent to levy in the future at a maximum level. The Council may not amend the assessments higher than that on which the public hearing was held. The preliminary assessment may be reduced at this step and/or at the post-construction final assessment stage.

Passage of the Resolution of Necessity is required by 75% of ALL Council members, whether present or not. If property owners representing 75% of the amount proposed to be assessed object, the Council passage vote must be unanimous by ALL Council members.
RESOLUTION NO. LEG_NUM_TAG

RESOLUTION FIXING VALUE OF LOTS AND ADOPTING PRELIMINARY PLAT AND SCHEDULE, ESTIMATE OF COST AND PROPOSED PRELIMINARY PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF THE COUNCIL STREET NE FROM COLLINS ROAD TO SOUTH OF 46TH STREET IMPROVEMENTS PROJECT, (CIP No. 3012236-00)

WHEREAS, this Council after full investigation has arrived at a determination of the value of each lot located within the Council Street NE from Collins Road to south of 46th Street Improvements project, said valuation being set forth in a preliminary schedule entitled “Preliminary Assessment Schedule”, under the column therein headed “Property Valuation”, and

WHEREAS, this Council has caused to be prepared preliminary plat, schedule and estimate of cost, together with preliminary plans and specifications, for the construction of the Council Street NE from Collins Road to south of 46th Street Improvements project and this Council has fixed the valuations of the property proposed to be assessed as shown therein, and

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

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

WHEREAS, said improvements will be constructed according to the Iowa Statewide Urban Design and Specifications,

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

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

BE IT FURTHER RESOLVED, that the boundaries of the District for the making of said improvements, as shown in the Engineer’s plat, be and the same are hereby fixed as the boundaries of said Council Street NE from Collins Road to south of 46th Street Improvements project.
PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
COUNCIL STREET NE FROM COLLINS ROAD TO SOUTH OF 46TH STREET IMPROVEMENTS PROJECT
Description of Agenda Item: CONSENT AGENDA
Resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Forest Drive SE from Grande Avenue to Mount Vernon Road Pavement and Water Main Improvements project (Paving for Progress).
CIP/DID #3012102-00

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

Background: This project includes pavement, storm sewer, water main and sidewalk improvements for the named corridor. The assessment is for the cost of replacing a private bituminous fiber (Orangeburg) sanitary sewer service from the sewer main to the adjacent property line of 508 Forest Drive SE.

When infrastructure construction by the City has benefited adjacent land, it has been the City’s practice to assess for the benefit they receive. If not assessed, the City is essentially increasing property value at the cost of taxpayers. City Council passed the first, preliminary resolution for the construction of improvements on November 27, 2018.

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

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

Action/Recommendation: The Public Works Department recommends adoption of the resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Forest Drive SE from Grande Avenue to Mount Vernon Road Pavement and Water Main Improvements project.

Alternative Recommendation: Council may defer or direct the Public Works Department to abandon the proposed improvement.
Time Sensitivity: Normal

Resolution Date: December 4, 2018

Budget Information: 301/301000/3012102 SLOST

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
NORMAL DESIGN, BIDDING, AND CONSTRUCTION ACTIONS

**Resolution #1**
Stating need for improvements

**Resolution #2**
Fixing value of lots

**Resolution #3**
Adopting preliminary assessment schedule, plans and cost estimate.

**Resolution #4**
Setting public hearing

**Step 5A**
Public Hearing

**Resolution #5**
(Act on A, B, C, or D @ Council Meeting with Public Hearing)
A. Adopt Preliminary Assessment without Amendment (Go to Reso #6)
B. Adopt Preliminary Assessment with Amendment (Go to Reso #6)
C. Deferred for Later Consideration (Return to Reso #6)
D. Abandon Assessment Project (End)

**Resolution #6**
Directing preparation of bid documents.

**Resolution #7**
Adopting bid documents and ordering bids.

**Resolution #8**
Awarding construction contract and approving contract, bonds and insurance.

**Bidding**

**Construction**

**FINAL ASSESSMENT ACTIONS**

**Resolution #9**
Accepting project and fixing amount to be assessed.

**Resolution #10**
Levying Final Assessment

* Sidewalk repair assessments may skip Resolution #4, Step 5A, Resolution #5, and Resolution #6.*
CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS
PRELIMINARY ASSESSMENT

Resolution #1
Stating need for improvements

Resolution #2
Fixing value of lots

Resolution #3
Adopting preliminary assessment schedule, plans and cost estimate.

Resolution #4
Setting public hearing

Step 6A
Public Hearing

Resolution #5
(Act on A, B, C, or D @ Council Meeting with Public Hearing)
A. Adopt Preliminary Assessment without Amendment (Go to Reso #6)
B. Adopt Preliminary Assessment with Amendment (Go to Reso #6)
C. Deferred for Later Consideration (Return to Reso #5)
D. Abandon Assessment Project (End)

Description
This step initiates the special assessment process.

Council determines the value of the lot based upon the present fair market value with the proposed improvements in place.

This action proposes assessments, which become the basis of the public hearing. A proposed special assessment may not exceed 25% of the adopted lot valuation.

Public hearing must be advertised once each week for two consecutive weeks with the first publication not less than 10 days, nor more than 20 days before the hearing. City Clerk must mail certified letter to affected property owners not less than 15 days prior to public hearing.

This action is called the Resolution of Necessity, which has 4 options listed. This is the adoption of the preliminary assessment, which does not levy an assessment, but signifies an intent to levy in the future at a maximum level. The Council may not amend the assessments higher than that on which the public hearing was held. The preliminary assessment may be reduced at this step and/or at the post-construction final assessment stage.

Passage of the Resolution of Necessity is required by 75% of ALL Council members, whether present or not. If property owners representing 75% of the amount proposed to be assessed object, the Council passage vote must be unanimous by ALL Council members.
RESOLUTION NO. LEG_NUM_TAG

RESOLUTION FIXING VALUE OF LOTS AND ADOPTING PRELIMINARY PLAT AND SCHEDULE, ESTIMATE OF COST AND PROPOSED PRELIMINARY PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF THE FOREST DRIVE SE FROM GRANDE AVENUE TO MOUNT VERNON ROAD PAVEMENT AND WATER MAIN IMPROVEMENTS PROJECT, (CIP No. 3012102-00)

WHEREAS, this Council after full investigation has arrived at a determination of the value of each lot located within the Forest Drive SE from Grande Avenue to Mount Vernon Road Pavement and Water Main Improvements project, said valuation being set forth in a preliminary schedule entitled “Preliminary Assessment Schedule”, under the column therein headed “Property Valuation”, and

WHEREAS, this Council has caused to be prepared preliminary plat, schedule and estimate of cost, together with preliminary plans and specifications, for the construction of the Forest Drive SE from Grande Avenue to Mount Vernon Road Pavement and Water Main Improvements project and this Council has fixed the valuations of the property proposed to be assessed as shown therein, and

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

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

WHEREAS, said improvements will be constructed according to Iowa Statewide Urban Design and Specifications,

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

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

BE IT FURTHER RESOLVED, that the boundaries of the District for the making of said improvements, as shown in the Engineer plat, be and the same are hereby fixed as the boundaries of said Forest Drive SE from Grande Avenue to Mount Vernon Road Pavement and Water Main Improvements project.
Attest:

ClerkSignature
FOREST DRIVE SE FROM GRANDE AVENUE TO MOUNT VERNON ROAD PAVEMENT AND WATER MAIN IMPROVEMENTS

PROJECT AREA
Council Agenda Item Cover Sheet

Submitting Department: Human Resources

Presenter at Meeting: Teresa Feldmann

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

Cell Phone Number: 319-432-1434

Description of Agenda Item: CONSENT AGENDA
Resolution authorizing the City Council to approve a salary increase for the City Manager by 5.0%.

CIP/DID #HR0036

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

Background: City Council conducted their annual City Manager Performance Evaluation for the period of September 2017 to September 2018 on November 27, 2018. Upon recommendation of the City Council an increase in salary is granted for the salary of the City Manager.

Action/Recommendation: Approve an increase of 5.0% to the City Manager’s salary

Alternative Recommendation: n/a

Time Sensitivity:

Resolution Date: December 4, 2018

Budget Information: n/a

Local Preference Policy: NA
Explanation: NA

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

WHEREAS, on or about November 27, 2018 the City Council completed a periodic performance evaluation for the City Manager, and

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

1. Effective as of September 20, 2018, the salary shall be increased for Jeff Pomeranz by 5.0%.

2. The appropriate city staff shall take whatever action is necessary to implement this Resolution.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Caleb Mason

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext.: 319 286-5047

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

Description of Agenda Item: CONSENT AGENDA
Resolution setting a public hearing on January 8, 2019 and consultation with affected taxing agencies on the proposed Amendment No. 5 to the Second Amended and Restated Urban Renewal Plan for the Central Business Urban Renewal Area. CIP/DID #OB283396

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

Background: Legislation adopted in 2012 to Chapter 403 of the Iowa Code – the Urban Renewal Law – requires Urban Renewal Area Plan (“Plan”) for an Urban Renewal Area (“URA”) to be amended to incorporate projects undertaken in accordance with the Plan, including development projects, infrastructure projects, acquisition, disposition and other undertakings. The process to amend a Plan is prescribed in the Code and includes the following steps: a resolution of necessity, consultation with affected taxing agencies, public hearing, and a resolution to amend the URA.

The Amendment No. 5 to the Plan for the Second Amended and Restated Central Business Urban Renewal Area in a preliminary action necessary for the City to action on a Development Agreement for the Guaranty Bank & vacant land hotel redevelopment project. The Agreement is expected to be brought to City Council for consideration as soon as January 8, 2019. The following is the timeline for the Plan Amendment:

- Dec. 4 Resolution of Necessity & Setting a Public Hearing Date and consultation with affected taxing agencies
- Dec. 17 Consultation with affected taxing agencies
- Jan. 8 Public Hearing & Resolution approving Plan amendment

The Central Business Urban Renewal Area (CURA) was initially established in 1966 (formerly known as the Civic Center Urban Renewal Area), and was established to provide a comprehensive approach to redevelopment of the City’s downtown. The Plan outlines activities the City is to undertake to achieve key objectives of the Plan. Some of the objectives of the Plan include:

- Contribute to a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities for City residents and strengthening the property tax base.
- Stimulate private investment of commercial, mixed-use, and residential development through the use of federal, state, and local sources;
- To facilitate development consistent with City development standards and policies which enhance and strengthen land use relationships with the neighborhoods surrounding downtown area;
- Reduce and mitigate blighting influences related to substandard buildings and conflicting land uses.
- Ensure the area is adequately served with open spaces, public facilities, roadways, trails, utilities and services.

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

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

**Time Sensitivity:** NA

**Resolution Date:** December 4, 2018

**Budget Information:** NA

**Local Preference Policy:** NA

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

RESOLUTION SETTING DATES OF A CONSULTATION AND PUBLIC HEARING ON A PROPOSED AMENDMENT NO. 5 TO THE SECOND AMENDED AND RESTATED URBAN RENEWAL PLAN FOR THE CENTRAL BUSINESS URBAN RENEWAL AREA

WHEREAS, on February 9, 1966, the City Council of the City of Cedar Rapids, Iowa approved the Urban Renewal Plan (the “Original Plan”, and as so amended shall be referred to herein as the “Plan”) for the Central Business Urban Renewal Area (the “Urban Renewal Area”) f/k/a Civic Center Urban Renewal Area; and

WHEREAS, the City Council has made the following amendments to the Original Plan:

<table>
<thead>
<tr>
<th>Amendment</th>
<th>Resolution No.</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amendment No. 1</td>
<td>1255-06-79</td>
<td>June 27, 1979</td>
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<tr>
<td>Amendment No. 2</td>
<td>1470-09-81</td>
<td>September 21, 1981</td>
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<tr>
<td>Amendment No. 3</td>
<td>0185-02-82</td>
<td>February 10, 1982</td>
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<tr>
<td>Amendment No. 4</td>
<td>0492-04-85</td>
<td>April 17, 1985</td>
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<td>Amendment No. 5</td>
<td>2292-12-88</td>
<td>December 7, 1988</td>
</tr>
<tr>
<td>Amended and Restated (6)</td>
<td>0044-01-97</td>
<td>January 8, 1997</td>
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<tr>
<td>Second Amended and Restated (7)</td>
<td>1427-10-12</td>
<td>October 23, 2012</td>
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<tr>
<td>Amendment No. 1 to Second Amended and Restated (8)</td>
<td>0513-04-13</td>
<td>April 9, 2013</td>
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<tr>
<td>Amendment No. 2 to Second Amended and Restated (9)</td>
<td>0965-06-13</td>
<td>June 25, 2014</td>
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<tr>
<td>Amendment No. 3 to Second Amended and Restated (10)</td>
<td>0455-04-15</td>
<td>April 14, 2015</td>
</tr>
<tr>
<td>Amendment No. 4 to Second Amended and Restated (11)</td>
<td>0812-06-17</td>
<td>June 27, 2017</td>
</tr>
</tbody>
</table>

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

Beginning at a point at the intersection of the easterly right-of-way line of Fifth Street SE and the southerly right-of-way line of Fifth Avenue SE being the Point of Beginning; thence Southwesterly along said southerly right-of-way line of the Fifth Avenue SE to a point of intersection with the easterly right-of-way line of Fourth Street SE; thence Southeasterly along said easterly right-of-way line of Fourth Street SE to a point of intersection with the southerly right-of-way line of Ninth Avenue SE; thence Southwesterly along said southerly right-of-way line of Ninth Avenue SE to a point of intersection with the east bank of the Red Cedar River; thence Northwesterly along the east bank of the Cedar River to the southerly right-
of-way line of Eighth Avenue SE; thence Southwesterly along said southerly right-of-way line of Eighth Avenue SE to a point of intersection with the southerly right-of-way line of Diagonal Drive SW; thence Westerly along said southerly right-of-way line of Diagonal Drive SW to its intersection with the westerly right-of-way line of First Street SW; thence Northwesterly along said westerly right-of-way line of First Street SW to a point of intersection with the southerly right-of-way line of Fourth Avenue SW; thence Westerly along said southerly right-of-way line of Fourth Avenue SW to a point of intersection with the westerly right-of-way line of Second Street SW; thence Northwesterly along said westerly right-of-way line of Second Street SW to a point of intersection with the northerly right-of-line of Second Avenue SW; thence Northeasterly along said northerly right-of-way line of Second Avenue SW to a point of intersection with the westerly right-of-line of the alley located between First Street SW and Second Street SW; thence Northwesterly along said westerly right-of-way line of the alley located between First Street SW and Second Street SW to a point of intersection with the southerly right-of-way line of vacated A Avenue NW; thence Westerly along said southerly right-of-way line of vacated A Avenue NW to a point of intersection with the easterly vacated right-of-way line of Second Street NW; thence Northwesterly along said westerly vacated right-of-way line of Second Street NW to a point of intersection with the southerly right-of-way line of E Avenue NW; thence Westerly along said southerly right-of-way line of E Avenue NW to a point of intersection with the westerly right-of-way line of Third Street NW; thence Northerly along said westerly right-of-way line of Third Street NW to a point of intersection with the northerly right-of-way line of I Avenue NW; thence Easterly along said northerly right-of-way line of I Avenue NW to a point of intersection with the westerly right-of-way line of First Street NW; thence Northerly along said westerly right-of-way line of First Street NW to a point of intersection with the southerly right-of-way line of the Chicago and Northwestern Railroad; thence Easterly along said southerly right-of-way line of the Chicago and Northwestern Railroad to a point of intersection with the easterly bank of the Red Cedar River; thence Southerly along said easterly bank of the Red Cedar River to a point of intersection with the southerly right-of-way line of vacated D Avenue NE; thence Easterly along said southerly right-of-way line of vacated D Avenue NE to a point of intersection with the easterly property line of Lot 2 of Auditor's Plat No. 208; thence Southerly and southeasterly along the easterly property lines of Fractional Blocks 14 and 15, Original Town to a point of intersection with the westerly extension of the northerly right-of-way line of the alley located one hundred and forty feet northerly of B Avenue NE; thence Northeasterly along the northerly right-of-way line of said alley located one hundred and forty feet northerly of B Avenue NE extended to a point of intersection with the easterly right-of-way line of Second Street NE; thence Southeasterly along said easterly right-of-way line of Second Street NE to a point of intersection with the northerly right-of-way line of B Avenue NE; thence Northeasterly along said northerly right-of-way of B Avenue NE to a point of intersection with the easterly right-of-way line of Third Street NE; thence Southeasterly along said easterly right-of-way line of Third Street NE to the northerly right-of-way line of the alley first located one hundred and forty feet northerly of A Avenue NE; thence Northeasterly along said northerly right-of-way line of the alley first located one hundred and forty feet northerly of A Avenue NE to Fourth Street NE; thence Southeasterly along said easterly right-of-way line of Fourth Street NE to a point of intersection with the northerly alley right-of-way line first located one hundred and forty feet northerly of First Avenue East; thence Northeasterly along said northerly alley right-of-way line
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WHEREAS, City staff has caused there to be prepared a form of Amendment No. 5 to the Plan ("Amendment No. 5" 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. 5 adds no new land; and

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Amendment No. 5 and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Amendment No. 5 subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Amendment and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

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

1. That the consultation on the proposed Amendment No. 5 required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on Monday, December 17, 2018, in the Kranse Conference Room, 2nd Floor City Hall, 101 First Street SE, Cedar Rapids, Iowa, at 10:00 A.M., and the Economic Development Analyst, or his delegate, is hereby appointed to serve as the designated representative of the City for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).

2. That the City Clerk is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), along with a copy of this Resolution and the proposed Amendment No. 5, the form of consultation notice is attached hereto as Exhibit 2.

3. That a public hearing shall be held on the proposed Amendment No. 5 before the City Council at its meeting which commences at 12:00 P.M. on Tuesday, January 8, 2019, in the Council Chambers, City Hall, 101 First Street SE, Cedar Rapids, Iowa.
4. That the City Clerk is authorized and directed to publish notice of this public hearing in the Cedar Rapids Gazette, once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing, and to mail a copy of the notice by ordinary mail to each affected taxing entity, the form of notice is attached hereto as Exhibit 3.

Attest:

ClerkSignature

MayorSignature
# AMENDMENT NO. 5 TO THE SECOND AMENDED AND
RESTATED URBAN RENEWAL PLAN

## CENTRAL BUSINESS URBAN RENEWAL AREA

<table>
<thead>
<tr>
<th>Amendment</th>
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</tr>
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<tr>
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<tr>
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<td>0455-04-15</td>
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<tr>
<td>Amendment No. 4 to Second Amended and Restated (11)</td>
<td>0812-06-17</td>
<td>June 27, 2017</td>
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Approved by City Council
Resolution No. _________
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1.2 Central Urban Renewal Plan Amendments

2.0 PROPOSED URBAN RENEWAL PROJECT ACTIVITIES

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5.0 LAND USES AND DEVELOPMENT PLAN

6.0 REPEALER

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1.0 INTRODUCTION

1.1 Purpose and Background

The Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Central Business Urban Renewal Area ("Area" or "Urban Renewal Area") was originally adopted on February 9, 1966 and is formerly known as the Civic Center Urban Renewal Area. The City Council has made the following amendments:

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</tr>
</tbody>
</table>

The Urban Renewal Plan is being amended by this Amendment No. 5 ("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.

1.2 Central Business Urban Renewal Plan Amendments

Section 11.0 of the Urban Renewal Plan for the Central Business Urban Renewal Area provides that the Urban Renewal Plan may be amended from time to time to include changes in the Urban Renewal Area, to add or change land use controls and regulations, to modify goals or types of renewal activities, or to amend property acquisition and disposition guidelines. The City Council may amend the Urban Renewal Plan by resolution after holding a public hearing on the proposed change in accordance with applicable Iowa law. This Amendment is consistent with this provision.

2.0 PROPOSED URBAN RENEWAL PROJECT ACTIVITIES

In accordance with recent amendments to Chapter 403 of the Code of Iowa, the Second Amended and Restated Urban Renewal Plan for the Central Business Urban Renewal Area is amended to
add the following projects under a new subsection 7.1, entitled "Proposed Urban Renewal Project Activities":

7.1 Proposed Urban Renewal Project Activities
The following urban renewal project activities are expected to be undertaken:

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

<table>
<thead>
<tr>
<th>Project</th>
<th>Description &amp; Rationale</th>
<th>Tax Increment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Redevelopment project at 417, 421 &amp; 427 1st Avenue SE</td>
<td>Proposed construction of a new 3-story, 40,000 sq. ft. Class 'A' office building with an estimated investment of $11 million.</td>
<td>City to provide a reimbursement of 50% of the tax increments generated by the improvements for a period of 10-years. The estimated total reimbursement of tax increments is expected to be $790,000.</td>
</tr>
<tr>
<td>Guaranty Bank &amp; World Theatre Building Redevelopment and New Hotel 222 3rd St SE &amp; 316 3rd Ave SE</td>
<td>Proposed adaptive reuse of the Guaranty Bank Building &amp; World Theatre Building (foyer) to a hotel and restaurant and construction of a new 9-story hotel. Total estimated investment of $50.8 million.</td>
<td>City to provide project completion grant of $3 million and reimbursement of 100% of the tax increments generated by the proposed project for a period of 20-years. The estimated tax increments provided to this project is estimated to be $22 million (13.6 million present value).</td>
</tr>
<tr>
<td>Redevelopment of 101 &amp; 109 3rd Avenue SE and 312 1st Street SE</td>
<td>Proposed redevelopment of vacant owned parking lot for the construction of a mixed-use tower including market rate housing, parking, and commercial components. An estimated total investment of $72 million.</td>
<td>City is anticipating providing tax increments for the project on a reimbursement basis; the exact amount of tax increments is not expected to exceed $20.5 million ($12 million present value).</td>
</tr>
<tr>
<td>202 West MW Legacy, LLC 202 2nd Street SW</td>
<td>Proposed construction of a new 5-story, multifamily facility estimated investment of $6 million.</td>
<td>No tax increments are expended as part of this project. This City is disposing of the property to the Developer.</td>
</tr>
<tr>
<td>First &amp; First West</td>
<td>The City is soliciting a master developer for the property bounded by 1st St SW/NW – 3rd St SW/NW and 2nd Avenue SW &amp; A Ave NW (&quot;First and First West&quot;) through a request for qualifications. After selecting a master developer, the City and developer will engage jointly in a public input process to identify a master plan for the First &amp; First West property. The city anticipates entering into an agreement for negotiating rights with the City for the property.</td>
<td>Tax increments may be used for administrative, legal, and other fees associated with public input process, entering into agreements, and other expenses associated with the project. Estimated tax increments of $20,000.</td>
</tr>
<tr>
<td>Redevelopment project at 533 &amp; 529 Valor Way SW</td>
<td>Redevelopment of vacant land at 529 &amp; 533 Valor Way SW for an anticipated new multi-story mixed use, market rate housing project.</td>
<td>Anticipated negotiating a Development Agreement to provide reimbursement of tax increments generated by the project. Under the City’s standard incentive of 10-year, 100% reimbursement for housing, the estimated tax increments for the project are estimated to be approximately $1 million.</td>
</tr>
</tbody>
</table>
Public Improvements
Use of tax increments within the Project Area for improvements to streets, highways, avenues, public ways, and public grounds; installation of street lighting fixtures, connections and facilities; installation and repair of traffic signals and control devices; construction, reconstruction, and repair of sidewalks and pedestrian underpasses and overpasses; improvement and repair of bridges, culverts, retaining walls, viaducts, underpasses, grade crossing separations, and approaches; construction, reconstruction, repair, and relocation of sanitary sewer, storm sewer, water, and fiber optic infrastructure;

No specific public improvement projects are being included as part of this Amendment.

Administration
The City expects to use tax increments for ongoing legal, consulting, recording, publication, administration and oversight of eligible projects, housing market analysis, project financial gap analysis reports, real estate appraisals, and other miscellaneous fees associated with projects occurring within the Project Area. Administrative expenses for budget year FY19 & FY20 total $105,000.

3.0 CITY INDEBTEDNESS
The specific amount of debt to be incurred by the updated urban renewal projects identified in this Amendment have not been determined. Section 2 of this Amendment provides estimates of the amount of tax increment anticipated to be spent for each 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 proposed urban renewal projects identified in this Amendment and those identified in previous amendments as of the date of this Amendment through fiscal year 2042 is estimated not to exceed $65 million.

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.

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

5.0 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.

On November 27, 2018 the City Council repealed Chapter 32, Zoning Ordinance, and enacted a new Chapter 32 containing updating zoning requirements. The map in Exhibit A includes the new zoning designations within the Plan Area.

6.0 REPEALER

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

7.0 SEVERABILITY

If any part of the Amendment is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole, or any part of the Plan or this Amendment not determined to be invalid or unconstitutional.
Exhibit 2

NOTICE OF A CONSULTATION TO BE HELD BETWEEN THE CITY OF CEDAR RAPIDS, STATE OF IOWA AND ALL AFFECTED TAXING ENTITIES CONCERNING THE PROPOSED AMENDMENT NO. 5 TO THE URBAN RENEWAL PLAN FOR THE CENTRAL BUSINESS URBAN RENEWAL AREA IN THE CITY OF CEDAR RAPIDS, STATE OF IOWA

The City of Cedar Rapids, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1) of the Code of Iowa, as amended, commencing at 10 a.m. on Monday, December 17, 2018, in the Kranse Conference Room, 2nd Floor City Hall, 101 First Street SE, Cedar Rapids, Iowa concerning a proposed Amendment No. 5 to the Urban Renewal Plan for the Central Business Urban Renewal Area, a copy of which is attached hereto.

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

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Economic Development Analyst, or his delegate, as the designated representative of the City of Cedar Rapids, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Amendment No. 5 to the Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

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

Dated this _____ day of ______________, 2018.

______________________________
City Clerk, City of Cedar Rapids, State of Iowa

(End of Notice)
EXHIBIT 3

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF A PROPOSED AMENDMENT NO. 5 TO THE URBAN RENEWAL PLAN FOR AN URBAN RENEWAL AREA IN THE CITY OF CEDAR RAPIDS, STATE OF IOWA

The City Council of the City of Cedar Rapids, State of Iowa, will hold a public hearing before itself at its meeting which commences at 12:00 P.M. on Tuesday, January 8, 2019 in the Council Chambers, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to consider adoption of a proposed Amendment No. 5 to the Urban Renewal Plan (the "Amendment") concerning an Urban Renewal Area in the City of Cedar Rapids, State of Iowa, legally described as follows:

Beginning at a point at the intersection of the easterly right-of-way line of Fifth Street SE and the southerly right-of-way line of Fifth Avenue SE being the Point of Beginning; thence Southwesterly along said southerly right-of-way line of the Fifth Avenue SE to a point of intersection with the easterly right-of-way line of Fourth Street SE; thence Southeasterly along said easterly right-of-way line of Fourth Street SE to a point of intersection with the southerly right-of-way line of Ninth Avenue SE; thence Southwesterly along said southerly right-of-way line of Ninth Avenue SE to a point of intersection with the east bank of the Red Cedar River; thence Northwesterly along the east bank of the Cedar River to the southerly right-of-way line of Eighth Avenue SE; thence Southwesterly along said southerly right-of-way line of Eighth Avenue SE to a point of intersection with the southerly right-of-way line of Diagonal Drive SW; thence Westerly along said southerly right-of-way line of Diagonal Drive SW to its intersection with the westerly right-of-way line of First Street SW; thence Northwesterly along said westerly right-of-way line of First Street SW to a point of intersection with the northerly right-of-way line of Second Avenue SW; thence Northeasterly along said northerly right-of-way line of Second Avenue SW to a point of intersection with the westerly right-of-way line of the alley located between First Street SW and Second Street SW; thence Northwesterly along said westerly right-of-way line of the alley located between First Street SW and Second Street SW to a point of intersection with the southerly right-of-way line of vacated A Avenue NW; thence Westerly along said southerly right-of-way line of vacated A Avenue NW to a point of intersection with the easterly vacated right-of-way line of Second Street NW; thence Northwesterly along said easterly vacated right-of-way line of Second Street NW to a point of intersection with the southerly right-of-way line of E Avenue NW; thence Westerly along said southerly right-of-way line of E Avenue NW to a point of intersection with the westerly right-of-way line of Third Street NW; thence Northerly along said westerly right-of-way line of Third Street NW to a point of intersection with the northerly right-of-way line of I Avenue NW; thence Easterly along said northerly right-of-way line of I Avenue NW to a point of intersection with the westerly right-of-way line of First Street NW; thence Northerly along said westerly right-of-way line of First Street NW to a point of intersection with the southerly right-of-way line of the Chicago and Northwestern Railroad; thence Easterly along said southerly right-of-way line of the Chicago and Northwestern Railroad to a point of intersection with the easterly bank of the Red Cedar River; thence Southerly along said easterly bank of the Red Cedar River to a point of intersection with the southerly right-of-way line of vacated D Avenue NE; thence Easterly along said southerly right-of-way line of vacated D Avenue NE to a point of intersection with the easterly property line of Lot 2 of Auditor's Plat No. 208; thence Southerly and southeasterly along the easterly...
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Avenue NE; thence Northeasterly along said northerly right-of-way line of the alley
first located one hundred and forty feet northerly of A Avenue NE to Fourth Street NE;
thence Southeasterly along said easterly right-of-way line of Fourth Street NE to a
point of intersection with the northerly alley right-of-way line first located one hundred
and forty feet northerly of First Avenue East; thence Northeasterly along said
northerly alley right-of-way line first located one hundred and forty feet northerly of
First Avenue East to a point of intersection with the easterly right-of-way line of Fifth
Street NE; thence Southeasterly along said easterly right-of-way line of Fifth Street
NE to the Point of Beginning.

A copy of the Amendment is on file for public inspection in the office of the City Clerk,
City Hall, City of Cedar Rapids, Iowa.

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

The general scope of the urban renewal activities under consideration in the
Amendment is to promote economic development and to rehabilitate, conserve, and redevelop
land, buildings, and other improvements within such area through the elimination and
containment of conditions of blight so as to improve the community through the establishment
of effective land use controls, through use of an effective program of rehabilitation of existing
buildings and elimination of those structures which cannot be economically rehabilitated, with
a limited amount of acquisition, clearance, resale, and improvement of land for various
purposes specified in the Amendment. The general scope of the urban renewal activities is
also to promote the growth and retention of qualified industries and businesses in the Urban
Renewal Area through various public purpose and special financing activities outlined in the
Amendment. To accomplish the objectives of the Amendment, the Amendment provides that
such special financing activities may include, but not be limited to, the making of loans or grants
of public funds to private entities under Chapter 15A of the Code of Iowa. The City also may
reimburse or directly undertake the installation, construction and reconstruction of substantial
public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer
or other public improvements. The Amendment provides that the City may issue bonds or use
available funds for purposes allowed by the Plan, as amended, and that tax increment
reimbursement of the costs of urban renewal projects may be sought if and to the extent
incurred by the City.

The proposed Amendment No. 5 would update the list of eligible projects to be
undertaken within the Area. The proposed Amendment adds no new land. Other provisions
of the Plan not affected by the Amendment would remain in full force and effect.

Any person or organization desiring to be heard shall be afforded an opportunity to be
heard at such hearing.
This notice is given by order of the City Council of the City of Cedar Rapids, State of Iowa, as provided by Section 403.5 of the Code of Iowa.

Dated this _____ day of __________, 2018.

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

Submitting Department: Public Works

Presenter at meeting: Dave Wallace, PE

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

Cell Phone Number: 319-538-1076

Description of Agenda Item: Motions setting public hearings
Motion setting public hearing date for December 18, 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 December 19, 2018 for the FY19 Sanitary Sewer Lining project (estimated cost is $1,010,000).
CIP/DID #655999-06

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 $1,150,925 and is subject to receipt of acceptable bids. Construction is scheduled to begin no later than March 25, 2019 and is anticipated to be completed by August 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 December 18, 2018 and advertising for bids by posting notice to bidders for the project.

Alternative Recommendation: Defer the project until a future time.

Time Sensitivity: Normal

Resolution Date: December 18, 2018

Budget Information: 655999 NA - $1,150,925

Local Preference Policy: NA
Explanation: NA

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

Submitting Department: City Clerk

Presenter at Meeting: Chief Jerman

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

Cell Phone Number: 319-640-5518

Description of Agenda Item: CONSENT AGENDA
a. Caucho, 1202 3rd St SE.
b. Little Bohemia, 1317 3rd Street SE.
c. Mas Margaritas, 588 Boyson Road NE.
d. The Station, 3645 Stone Creek Circle SW.
e. The Weather Vane, 5240 Edgewood Road NE, Suite #100.

CIP/DID #OB1145716

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

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

Action/Recommendation: Approve applications as submitted.

Alternative Recommendation:
Time Sensitivity:
Resolution Date:
Budget Information:
Local Preference Policy: (Click here to select)
Explanation: NA

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

**To:** Chief Jerman  
**From:** Lt. Fields  
**Subject:** Beer/Liquor License Applications Calls for Service Summary  
**Date:** 11/27/2018

<table>
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<th>Business Name/Address</th>
<th>Total Calls</th>
<th>Public Intox</th>
<th>Intox Driver</th>
<th>Disturbances</th>
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<td>Little Bohemia 1317 3RD ST SE</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>2</td>
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<tr>
<td>Mas Margaritas 588 BOYSON RD NE</td>
<td>86</td>
<td>0</td>
<td>0</td>
<td>3</td>
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<tr>
<td>The Station 3645 Stone Creek CIR SW</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Weather Vane, The 5240 EDGEWOOD RD NE</td>
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<td>0</td>
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<td>0</td>
</tr>
</tbody>
</table>
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: Bills, payroll and funds

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

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

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

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

Alternative Recommendation: NA

Time Sensitivity: Normal

Resolution Date: 12-4-2018

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

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

WHEREAS, the attached listing of bills dated the 4th day of December 2018, has been examined and approved by the proper departments.

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

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

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

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<tr>
<th>Department</th>
<th>Total</th>
<th>Department</th>
<th>Total</th>
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<td>Human Resources</td>
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<td>$ 77,302.55</td>
<td>Parks Operations</td>
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<td>CD – Federal Programs</td>
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<td>Police</td>
<td>$ 725,110.51</td>
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<td>CR Public Library</td>
<td>$ 121,432.89</td>
<td>Public Works</td>
<td>$ 10,248.61</td>
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<td>Reserve Police Officers</td>
<td>$ 0.00</td>
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<td>City Manager</td>
<td>$ 50,373.33</td>
<td>Purchasing Services</td>
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<td>Clerk</td>
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<td>Facilities Maint Service</td>
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<td>Utilities – Solid Waste</td>
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<td>Financial Operations</td>
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<td>Water Pollution Control</td>
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<td>Fleet Maintenance</td>
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<td>Golf Operations</td>
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<td>Grand Total</td>
<td>$ 3,453,790.56</td>
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PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:
ClerkSignature
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:** Intent and levy assessments  
Levy assessment - Solid Waste & Recycling - delinquent weed mowing charges - 65 properties.  
CIP/DID #FIN2018-05

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

**Background:**  
The Finance Department is responsible for the billing and collection of charges incurred by the Solid Waste & Recycling Division to bring properties into compliance with Cedar Rapids Municipal Code Chapter 21.13, and Ordinance 046-12 (Weeds).

Between September 14, 2018 and November 20, 2018, sixty-five property owners did not submit payment for invoices issued due to a violation of the City’s weed ordinance. Property owners were notified by letter that if payment was not made the charges would be levied against their property and collected in the same manner as property taxes. The levied amount totals $18,125.00

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

**Action/Recommendation:** The Finance Department recommends approval of the Resolution to levy Special Assessments.

**Alternative Recommendation:** Should the City Council decide not to approve the resolution, the City may not be reimbursed for work performed by the contractor and paid for by the City.

**Time Sensitivity:** Normal

**Resolution Date:** December 4, 2018

**Budget Information:** Solid Waste Operating – Weed Nuisances

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

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

WHEREAS, the Finance Department requests the City Council of the City of Cedar Rapids, Iowa, approve a Resolution of Special Assessment on sixty-five properties in violation of the City’s Weed Ordinance 046-12 and Municipal Code Chapter 21.13;

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 a total amount of $18,125.00 as shown below, and which have been invoiced and are on file with the Finance Department, and

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

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<thead>
<tr>
<th>#</th>
<th>Service Location</th>
<th>Name</th>
<th>Service Date</th>
<th>GPN</th>
<th>Invoice #</th>
<th>Gross</th>
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<td>Page Number</td>
<td>Amount</td>
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<td>Truyen &amp; Lankhanh Nguyen</td>
<td>10/20/2018</td>
<td>132415202100000</td>
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<td>55</td>
<td>0 VACANT LAND SE</td>
<td>C &amp; NW Trans Co</td>
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<td>STEVEN W ASHBACKER</td>
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<td>62</td>
<td>2335 WILEY BLVD SW</td>
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<tr>
<td>63</td>
<td>1055 MEMORIAL DR SE</td>
<td>Mimms Holdings LLC</td>
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PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

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

Cell Phone Number: 538-1059

Description of Agenda Item: Intent and levy assessments
Intent to Assess – Utilities-Water Division – delinquent municipal utility bills – 22 properties. CIP/DID #WTR120418-01

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 deliquent 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: 12/04/18
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 8th day of January, 2019. Notice was given by mailing to the owners of the properties, a notice of this proposed assessment, stating the amount of the assessment and the description of the property, and on what account, and that objections to said proposed assessment may be filed prior to 11:00 a.m., January 8, 2019.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
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<tr>
<th>#</th>
<th>Balance Due</th>
<th>Premise Address</th>
<th>District #</th>
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<tr>
<td>1</td>
<td>$33.98</td>
<td>446 22ND ST NW</td>
<td>CR4</td>
</tr>
<tr>
<td>2</td>
<td>$541.44</td>
<td>800 F AVE NW - LOWER</td>
<td>CR4</td>
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<tr>
<td>3</td>
<td>$87.07</td>
<td>804 F AVE NW</td>
<td>CR4</td>
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<tr>
<td>4</td>
<td>$44.99</td>
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<tr>
<td>5</td>
<td>$229.89</td>
<td>1020 A AVE NW</td>
<td>CR5</td>
</tr>
<tr>
<td>6</td>
<td>$565.57</td>
<td>1120 C ST SW</td>
<td>CR3</td>
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<tr>
<td>7</td>
<td>$442.18</td>
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<td>CR3</td>
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<td>8</td>
<td>$59.35</td>
<td>1428 5TH AVE SE</td>
<td>CR3</td>
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<td>9</td>
<td>$246.73</td>
<td>1509 HIDDEN HOLLOW LN NW</td>
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<td>10</td>
<td>$168.22</td>
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<td>20</td>
<td>$34.63</td>
<td>3507 E AVE NW - UNIT E</td>
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<td>21</td>
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</table>
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: Accept projects Veterans Memorial Stadium ADA Compliance Project, final payment in the amount of $11,160.75 and 2-year Performance Bond submitted by Woodruff Construction, LLC (original contract amount was $59,700; final contract amount is $223,215).

CIP/DID #PUR1216-150

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 ADA compliance at the Veterans Memorial Stadium. City Council awarded the project to Woodruff Construction, LLC by Resolution No. 0103-01-17. The Facilities Maintenance Services Division has certified that the Contract work has been substantially completed in accordance with the approved plans and specifications.

A Performance Bond dated January 26, 2017 in the amount of $59,700 covering said work filed by Woodruff Construction, LLC and executed by United Fire & Casualty Company provides a two-year correction period for defects in materials and workmanship.

This resolution is to release final payment to Woodruff Construction, LLC of $11,160.75.

Action/Recommendation: Recommend Council approve the resolution.

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: December 4, 2018

Budget Information: 314-314000-18401

Local Preference Policy: No
Explanation: Public Improvement Project

Recommended by Council Committee: No
Explanation: NA
WHEREAS; the City of Cedar Rapids, Iowa and Woodruff Construction, LLC are parties to a Contract for Veterans Memorial Stadium ADA Compliance, authorized by Resolution No. 0103-01-17; and

WHEREAS, the construction contract work has been substantially completed on the project in accordance with the approved specifications; and

WHEREAS, the final cost of this project is $223,215 and funding for these services is covered under the budget, the GL coding 314-314000-18401-314100-04; and

WHEREAS, a Performance Bond, dated January 26, 2017 in the amount of $59,700 covering said work filed by Woodruff Construction, LLC and executed by United Fire & Casualty Company provides a two-year correction period for defects in materials and workmanship.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa, that the two-year correction period as provided by the Performance Bond commences on this date; and

The contract summary is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Date Signed</th>
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<td>Resolution No. 0103-01-17</td>
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<td>Amendment No. 4</td>
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<td>Amendment No. 5</td>
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<td>Total</td>
<td>$223,215</td>
<td>Not to exceed, except by written amendment</td>
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</table>

BE IT FURTHER RESOLVED that based on the recommendation by the Facilities Maintenance Services Division, the project be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids is authorized and directed to issue final payment for the sum of $11,160.75 to Woodruff Construction, LLC; and

BE IT FURTHER RESOLVED that payment shall be issued 30 days from the date of resolution.
Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Tyrell Gingerich

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

Cell Phone Number: (319) 538-1062

Description of Agenda Item: Final plats
Resolution approving the Final Plat of ARP Ivanhoe Road Addition to Linn County, Iowa, for land located east of Ely Road SW and south of Highway 30.

CIP/DID #FLPT-028009-2018


Background: The property owner submitted the County Final Plat of ARP Ivanhoe Road Addition in conformance with the standards established by the City. Development Services Department staff reviewed the submittal and determined it complies with applicable final plat conditions and applicable requirements for final plats. The final plat contains Two (2) lots, numbered Lot 1 and lettered Lot A, and a total plat area of 2.36 acres.

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

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

Time Sensitivity: NA

Resolution Date: December 04, 2018

Budget Information: NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

WHEREAS, A PLAT ARP IVANHOE ROAD ADDITION TO LINN COUNTY, IOWA containing two (2) lots, numbered Lot 1 and lettered Lot A, both inclusive, has been filed with the City Clerk and after consideration of the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and

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

1. Agreement to Connect to City Sanitary Sewer Facilities City of Cedar Rapids, Iowa
2. Public Improvements Petition and Assessment Agreement
3. Sanitary Sewer Petition and Assessment Agreement
4. Agreement to Annex

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

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

1. The City Council concurs with the recommendation of the Development Services Department, and specifically finds that the proposed plat is in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and also specifically Cedar Rapids Municipal Code Chapter 31, the Subdivision Ordinance.

2. The Mayor and City Council hereby accept the executed agreement(s), as noted above.

3. Said plat and dedication of said ARP Ivanhoe Road Addition to Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Cedar Rapids, Iowa, and the dedication of the public easements for the purposes shown on the final plat is hereby approved and accepted, and the City Clerk is hereby directed to certify this resolution of approval and affix the same to said plat as by law provided.
STATE OF IOWA    
COUNTY OF LINN    

I, Amy Stevenson, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and 
foregoing Resolution is a true and correct copy of the Resolution as passed by the City Council of 
the City of Cedar Rapids, Iowa, on this 4th day of December, 2018.

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Tyrell Gingerich

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

Cell Phone Number: (319) 538-1062

Description of Agenda Item: Final plats
Resolution approving the Final Plat of Stags Leap Estates Third Addition in the City of Cedar Rapids, Linn County, Iowa, for land located east of Council Street NE and north of Boyson Road NE.

CIP/DID #FLPT-025036-2017


Background: The property owner submitted the Final Plat of Stags Leap Estates Third Addition in conformance with the standards established by the City. Development Services Department staff reviewed the submittal and determined it complies with applicable final plat conditions and applicable requirements for final plats. The final plat contains seventeen (17) lots, numbered Lot 1 through Lot 15, lettered Lot A, and lettered Outlot B, and a total plat area of 4.32 acres.

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

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

Time Sensitivity: NA

Resolution Date: December 4, 2018

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
WHEREAS, A PLAT OF STAGS LEAP ESTATES THIRD ADDITION CEDAR RAPIDS, IOWA containing seventeen (17) lots, numbered Lot 1 through Lot 15, lettered Lot A, and lettered Outlot B, all inclusive, has been filed with the City Clerk and after consideration of the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and

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

1. Development Agreement
2. Concrete Pavement Petition and Assessment Agreement
3. Public Improvements Petition and Assessment Agreement

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

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

1. The City Council concurs with the recommendation of the Development Services Department, and specifically finds that the proposed plat is in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and also specifically Cedar Rapids Municipal Code Chapter 31, the Subdivision Ordinance.

2. The Mayor and City Council hereby accept the executed agreement(s), as noted above.

3. Said plat and dedication of said Stags Leap Estates Third Addition in the City of Cedar Rapids, Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Cedar Rapids, Iowa, and the dedication to the public of all lands within the plat that are designated for streets, more specifically Lot A (Beringer Court NE and Opus One Drive NE) is hereby approved and accepted, and the dedication of the public easements for the purposes shown on the final plat is hereby approved and accepted, and the City Clerk is hereby directed to certify this resolution of approval and affix the same to said plat as by law provided.
Attest:

ClerkSignature

I, Amy Stevenson, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution is a true and correct copy of the Resolution as passed by the City Council of the City of Cedar Rapids, Iowa, on this 4th day of December, 2018.

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Information Technology

Presenter at Meeting: Travis Vivian

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

Cell Phone Number: 929-0594

Description of Agenda Item: CONSENT AGENDA
Software Maintenance Agreement with Hyland Software, Inc. in the amount of $50,604.10 for maintenance and support of the City’s document and imaging software suite.
CIP/DID #109130-13

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

Background: There is a need to have application support and upgrades for maintaining the efficiency and effectiveness of the document management system.

Action/Recommendation: The Information Technology Department recommends approval of this Software Maintenance and Support Agreement with Hyland Software, Inc.

Alternative Recommendation:

Time Sensitivity: Normal

Resolution Date: 12/04/2018

Budget Information: 522101-101-109130

Local Preference Policy: NA
Explanation:

Recommended by Council Committee: NA
Explanation:
RESOLUTION NO. 109130-13

WHEREAS, The Information Technology Department administers a City-wide document management system and the application currently implemented is OnBase, and

WHEREAS, there is a need to have application support and upgrades for maintaining the effectiveness and efficiency of the document management system, and

WHEREAS, the funding for this operating expense will come from 522101-101-109130,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager be authorized to execute a one year software maintenance agreement for the time period of January 1, 2019 through December 31, 2019 with Hyland Software, Inc., 28500 Clemens Road Westlake, OH 44145 in the amount of $50,604.10.

PASSED

LEG_PASSED_FAILED

MayorSignature

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
Contract with Century Fence Company for the Police Station Fencing and Gates project for the Facilities Maintenance Services Division in the amount of $135,881.
CIP/DID #PUR1018-076

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

Background: The Purchasing Services Division solicited bids on behalf of the Facilities Maintenance Services Division for the purchase and installation of fencing and security gates at the Police Station with two (2) vendors responding. Century Fence Company was the lowest bidder with their total bid of $135,881. The bids received were higher than the estimate of $115,000 to complete the project. The Facilities Maintenance Services Division recommends award to Century Fence Company in the amount of $135,881.

Bids were received from:

<table>
<thead>
<tr>
<th>Company</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Century Fence Company</td>
<td>Pewaukee, WI</td>
<td>$135,881.00</td>
</tr>
<tr>
<td>Lifetime Fence Co. Inc.</td>
<td>Cedar Rapids, IA</td>
<td>$152,795.00</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: December 4, 2018

Budget Information: 3603014

Local Preference Policy: Yes  
Explanation: Local preference did not have an effect on this award

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 Police Station Fencing and Gates on behalf of the Facilities Maintenance Services Division; and

WHEREAS, bids were received from two (2) Contractors; and

WHEREAS, the Facilities Maintenance Services Division recommends that the contract be awarded to Century Fence Company as the overall lowest responsive and responsible bidder, in the amount of $135,881; and

WHEREAS, a contract has been prepared for Century Fence Company for the contract period December 4, 2018 through January 31, 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.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Fleet Maintenance

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: Purchases, contracts and agreements
Fleet Services purchase of a LeeBoy 8515E paver from Road Machinery & Supplies Co. in the amount of $187,225.50 for use by Streets.
CIP/DID #FLT036

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

Background: This is a budgeted FY 2019 fleet replacement for equipment which has exceeded its lifecycle and cost-efficient life.

This purchase is being made from Road Machinery & Supplies Co., the holder of the Sourcewell contract #052417-VTL, for “Asphalt and Paving Equipment”.

Action/Recommendation: Fleet Services recommends the purchase of the paver from Road Machinery & Supplies Co. in the amount of $187,225.50.

Alternative Recommendation: If not approved, the operating expenses for the City and end-user will continue to escalate.

Time Sensitivity: Normal

Resolution Date: December 4, 2018

Budget Information: Fund 073, Dept ID 073000 Project 073001

Local Preference Policy: NA
Explanation: NA

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

WHEREAS, the Fleet Services Division has solicited a quotation for the purchase of one LeeBoy 8515E paver for FY 2019 budgeted and scheduled fleet replacement for use by the Streets division, and

WHEREAS, Road Machinery & Supplies Co. of Cedar Rapids, Iowa, is the current holder of the cooperative purchasing Contract #052417-VTL for “Asphalt and Paving Equipment” as bid by Sourcewell, and

WHEREAS, the total purchase amount is $187,225.50 budgeted in FY 2019 GL account Fund 073, Dept ID 073000, Project 073001, and

WHEREAS, the Fleet Services Division recommends the purchase of said LeeBoy paver from Road Machinery & Supplies Co. in the amount of $187,225.50, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted subject to the terms and conditions of the bid documents.

BE IT FURTHER RESOLVED, that the Fleet Services Division is hereby authorized to purchase the named vehicles from Road Machinery & Supplies Co. as described herein.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Kathy Bierman

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. 4 to renew contract with Carus Corporation for Zinc Orthophosphate for the Water Division for an annual amount not to exceed $120,000 (original contract amount was $117,000; renewal contract amount is $120,000).
CIP/DID #1014-080

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

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

The Contract period is January 1, 2019 through December 31, 2019. This is the fifth year of the Contract; no renewal options remain.

Carus Corporation increased their pricing for the renewal period, from $0.50 per pound to $0.53 per pound, delivered. The estimated Contract amount is $120,000.

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: December 4, 2018

Budget Information: 531104-621-621001

Local Preference Policy: Yes

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA
RESOLUTION NO. LEG_NUM_TAG

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

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed $120,000; and

WHEREAS, the renewal period is January 1, 2019 through December 31, 2019; 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. 1691-12-14</td>
<td>01/01/2015 - 12/31/2015</td>
</tr>
<tr>
<td>Amendment No. 1 to renew Contract</td>
<td>Resolution No. 1793-12-15</td>
<td>01/01/2016 - 12/31/2016</td>
</tr>
<tr>
<td>Amendment No. 2 to renew Contract</td>
<td>Resolution No. 1574-12-16</td>
<td>01/01/2017 - 12/31/2017</td>
</tr>
<tr>
<td>Amendment No. 3 to renew Contract</td>
<td>Resolution No. 1647-12-17</td>
<td>01/01/2018 - 12/31/2018</td>
</tr>
<tr>
<td>Amendment No. 4 to renew Contract</td>
<td>Pending</td>
<td>01/01/2019 - 12/31/2019</td>
</tr>
</tbody>
</table>

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 4 to 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: Kathy Bierman

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 contract with Praxair, Inc. for Liquid Carbon Dioxide for the Water Division for an annual amount not to exceed $250,000 (original contract amount was $250,000; renewal contract amount is $250,000).  
CIP/DID #PUR1015-078

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

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

The Contract period is January 1, 2019 through December 31, 2019. This is the fourth year of the Contract; one additional one-year renewal option remains.

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

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: December 4, 2018

Budget Information: 531104-621-621001

Local Preference Policy: Yes
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
WHEREAS, the City of Cedar Rapids and Praxair, Inc. are parties to a contract for the annual as-needed purchase of Liquid Carbon Dioxide for the Water Division; and

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

WHEREAS, a summary of the contract is as follows:

<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. 1795-12-15</td>
<td>01/01/2016 - 12/31/2016</td>
</tr>
<tr>
<td>Amendment No. 1 to renew Contract</td>
<td>Resolution No. 1576-12-16</td>
<td>01/01/2017 - 12/31/2017</td>
</tr>
<tr>
<td>Amendment No. 2 to renew Contract</td>
<td>Resolution No. 1606-11-17</td>
<td>01/01/2018 - 12/31/2018</td>
</tr>
<tr>
<td>Amendment No. 3 to renew Contract</td>
<td>Pending</td>
<td>01/01/2019 - 12/31/2019</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: Kathy Bierman

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. 7 to renew the contract with Tanner Industries, Inc. for Anhydrous Ammonia for the Water Division for an annual amount not to exceed $125,000 (original contract amount was $85,200; renewal contract amount is $125,000).
CIP/DID #1014-082

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

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

The Contract period is January 1, 2019 through December 31, 2019. This is the fifth year of the Contract; no renewal options remain.

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

Action/Recommendation: Authorize the City Manager and the City Clerk to execute Amendment No. 7 as described herein.

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: December 4, 2018

Budget Information: 531104-621-621001

Local Preference Policy: Yes
Explanation: NA

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

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

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

WHEREAS, the renewal period is January 1, 2019 through December 31, 2019; and

WHEREAS, a summary of the contract is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Resolution</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Term of Contract</td>
<td>Resolution No. 1686-12-14</td>
<td>01/01/2015 - 12/31/2015</td>
</tr>
<tr>
<td>Amendment No. 1 to renew Contract</td>
<td>Resolution No. 1796-12-15</td>
<td>01/01/2016 - 12/31/2016</td>
</tr>
<tr>
<td>Amendment No. 2 for volume of product</td>
<td>Resolution No. 1706-12-15</td>
<td>Effective 11/01/2015</td>
</tr>
<tr>
<td>Amendment No. 3 for volume of product</td>
<td>Resolution No. 1444-11-16</td>
<td>Effective 10/12/2016</td>
</tr>
<tr>
<td>Amendment No. 4 to renew Contract</td>
<td>Resolution No. 1577-12-16</td>
<td>01/01/2017 - 12/31/2017</td>
</tr>
<tr>
<td>Amendment No. 5 to renew Contract</td>
<td>Resolution No. 1607-11-17</td>
<td>01/01/2018 - 12/31/2018</td>
</tr>
<tr>
<td>Amendment No. 6 for special project</td>
<td>Signed by the City 01/10/18</td>
<td>Effective 01/04/2018</td>
</tr>
<tr>
<td>Amendment No. 7 to renew Contract</td>
<td>Pending</td>
<td>01/01/2019 - 12/31/2019</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. 7 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: Kathy Bierman

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

Description of Agenda Item: Purchases, contracts and agreements
Amendment No. 2 to renew the contract with Alexander Chemical Corporation for Liquid Chlorine for the Water Division and the Water Pollution Control Facility for an annual amount not to exceed $330,000 (original contract amount was $230,000; renewal contract amount is $330,000). CIP/DID #PUR1017-069

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

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

The Contract period is January 1, 2019 through December 31, 2019. This is the second year of the Contract; there are three additional one-year renewal options remaining.

Alexander Chemical Corporation increased their pricing for the renewal period by $10 per ton to $505 per ton, delivered. The estimated Contract amount is $330,000.

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: December 4, 2018

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

Local Preference Policy: Yes
Explanation: NA

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

WHEREAS, the City of Cedar Rapids and Alexander Chemical Corporation are parties to a contract for the annual as-needed purchase and delivery of liquid chlorine for the Water Division and the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed $330,000; 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. 1646-12-17</td>
<td>01/01/2018 - 12/31/2018</td>
</tr>
<tr>
<td>Amendment No. 1 for additional product</td>
<td>Resolution No. 1034-08-18</td>
<td>Effective 08/01/2018</td>
</tr>
<tr>
<td>Amendment No. 2 to renew Contract</td>
<td>Pending</td>
<td>01/01/2019 - 12/31/2019</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: Purchasing

Presenter at Meeting: Kathy Bierman

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 the contract with Mississippi Lime Company for Quicklime for the Water Division and the Water Pollution Control Facility for an annual amount not to exceed $1,800,000 (original contract amount was $1,800,000; renewal contract amount is $1,800,000). CIP/DID #PUR1016-067

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

Background:
This chemical is used to reduce (soften) carbonate hardness in the treatment process. This process reduces the amount of household detergents needed as well as helps control scale formation in water pipes and on plumbing fixtures. Some industries may find softened water beneficial in their processes.

Mississippi Lime Company agreed to renew the contract with an increase in the unit price, from $141.45 per ton to $151.24 per pound, delivered. The annual not to exceed price of the contract is $1,800,000.

The contract period is January 1, 2019 through December 31, 2019. There are two additional one-year renewal options remaining.

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: December 4, 2018

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

Local Preference Policy: Yes
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
WHEREAS, the City of Cedar Rapids and Mississippi Lime Company are parties to a contract for the annual as-needed purchase of quicklime for Water Operations and the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed $1,800,000; 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. 1573-12-16</td>
<td>01/01/2017 - 12/31/2017</td>
</tr>
<tr>
<td>Amendment No. 1 to renew Contract</td>
<td>Resolution No. 1599-11-17</td>
<td>01/01/2018 - 12/31/2018</td>
</tr>
<tr>
<td>Amendment No. 2 to renew Contract</td>
<td>Pending</td>
<td>01/01/2019 - 12/31/2019</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: Purchasing

Presenter at Meeting: Aaron Orcutt

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. 1 to renew the contract with Garrison Minerals LLC for Magnesium Hydroxide 45% Solution for the Water Pollution Control Facility for an annual amount not to exceed $500,000 (original contract amount was $500,000; renewal contract amount is $500,000).
CIP/DID #PUR1017-061

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

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

The Contract period is January 1, 2019 through December 31, 2019. This is the second year of the contract; three additional one-year renewal options remain.

Garrison Minerals LLC held their pricing firm for the renewal period at $525 per dry ton, delivered. The estimated annual expenditure for this Contract period is $500,000.

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: December 4, 2018

Budget Information: 531104-611-611001

Local Preference Policy: Yes
Explanation: NA

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

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

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed $500,000; and

WHEREAS, the renewal period is January 1, 2019 through December 31, 2019; 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. 1597-11-17</td>
<td>01/01/2018 - 12/31/2018</td>
</tr>
<tr>
<td>Amendment No. 1 to renew Contract</td>
<td>Pending</td>
<td>01/01/2019 - 12/31/2019</td>
</tr>
</tbody>
</table>

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Aaron Orcutt

**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. 1 to renew the contract with Hydrite Chemical Company for Liquid Magnesium Bisulfite 30% for the Water Pollution Control Facility for an annual amount not to exceed $320,000 (original contract amount was $320,000; renewal contract amount is $320,000).  
CIP/DID #PUR1017-062

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

**Background:**  
The Water Pollution Control Facility utilizes Liquid Magnesium Bisulfite 30% (HSO3)2 with a 28-32% range for dechlorination during the disinfection period. Dechlorination is a state permit requirement.  
The Contract period is January 1, 2019 through December 31, 2019. There are three additional one-year renewal options remaining.  
Hydrite Chemical Company held their pricing firm for the renewal period at $15 per cwt. The estimated Contract amount is $320,000.

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

**Alternative Recommendation:**

**Time Sensitivity:** Medium

**Resolution Date:** December 4, 2018

**Budget Information:** 531104-611-611001

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

**Recommended by Council Committee:** NA  
**Explanation:** NA
WHEREAS, the City of Cedar Rapids and Hydrite Chemical Company are parties to a contract for the annual as-needed purchase and delivery of liquid magnesium bisulfite 30% for the Water Pollution Control Facility; and

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

WHEREAS, a summary of the contract is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Resolution</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Term of Contract</td>
<td>Resolution No. 1702-12-17</td>
<td>01/01/2018 - 12/31/2018</td>
</tr>
<tr>
<td>Amendment No. 1 to renew Contract</td>
<td>Pending</td>
<td>01/01/2019 - 12/31/2019</td>
</tr>
</tbody>
</table>

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Aaron Orcutt

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. 1 to renew the contract with Hydrite Chemical Company for Nitric Acid 41-Degree Technical Grade Liquid in Totes for the Water Pollution Control Facility for an annual amount not to exceed $50,000 (original contract amount was $50,000; renewal contract amount is $50,000). CIP/DID #PUR1017-060

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

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

The Contract period is January 1, 2019 through December 31, 2019. There are three additional one-year renewal options remaining.

Hydrite Chemical Company held their pricing firm for the renewal period at $22 per cwt. The estimated Contract amount is $50,000.

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: December 4, 2018

Budget Information: 531104-611-611001

Local Preference Policy: Yes
Explanation: NA

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

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

WHEREAS, a summary of the contract is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Resolution</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Term of Contract</td>
<td>Resolution No. 1703-12-17</td>
<td>01/01/2018 - 12/31/2018</td>
</tr>
<tr>
<td>Amendment No. 1 to renew Contract</td>
<td>Pending</td>
<td>01/01/2019 - 12/31/2019</td>
</tr>
</tbody>
</table>

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Aaron Orcutt

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. 1 to renew the contract with Polydyne, Inc. for Emulsion Polymer Clarifloc CE-939 for the Water Pollution Control Facility for an annual amount not to exceed $350,000 (original contract amount was $350,000; renewal contract amount is $350,000).
CIP/DID #PUR1017-063

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

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

Polydyne, Inc. is a sole source provider of the Emulsion Polymer. Polydyne, Inc. increased the price from $1.06 per pound to $1.10 per pound, delivered.

The contract period January 1, 2019 - December 31, 2019. There are three additional one-year renewal options. The estimated annual not to exceed amount is $350,000.

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: December 4, 2018

Budget Information: 531104-611-611001

Local Preference Policy: Yes
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
WHEREAS, the City of Cedar Rapids and Polydyne, Inc. are parties to a contract for the annual as-needed purchase of Emulsion Polymer Clarifloc CE-939 for the Water Pollution Control Facility; and

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

WHEREAS, 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. 1704-12-17</td>
<td>01/01/2018 - 12/31/2018</td>
</tr>
<tr>
<td>Amendment No. 1 to renew Contract</td>
<td>Pending</td>
<td>01/01/2019 - 12/31/2019</td>
</tr>
</tbody>
</table>

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Aaron Orcutt

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. 5 to renew contract with Polydyne, Inc. for Polymer Clarifloc C-321 for the Water Pollution Control Facility for an annual amount not to exceed $475,000 (original contract amount was $475,000; renewal contract amount is $475,000).

CIP/DID #1014-085

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

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

The Contract period is January 1, 2019 through December 31, 2019. This is the fifth year of the contract; no renewal options remain.

Polydyne, Inc. increased the price of this product from $0.13 per pound to $0.135 per pound, delivered. The estimated annual expenditure for this Contract period is $475,000.

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: December 4, 2018

Budget Information: 531104-611-611001

Local Preference Policy: Yes
Explanation: NA

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

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

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

WHEREAS, the renewal period is January 1, 2019 through December 31, 2019; 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. 1685-12-14</td>
<td>01/01/2015 - 12/31/2015</td>
</tr>
<tr>
<td>Amendment No. 1 to renew Contract</td>
<td>Resolution No. 1808-12-15</td>
<td>01/01/2016 - 12/31/2016</td>
</tr>
<tr>
<td>Amendment No. 2 to renew Contract</td>
<td>Resolution No. 1569-12-16</td>
<td>01/01/2017 - 12/31/2017</td>
</tr>
<tr>
<td>Amendment No. 3 to renew Contract</td>
<td>Resolution No. 1601-11-17</td>
<td>01/01/2018 - 12/30/2018</td>
</tr>
<tr>
<td>Amendment No. 4/increase product</td>
<td>Resolution No. 1602-11-17</td>
<td>Effective 11/18/2017</td>
</tr>
<tr>
<td>Amendment No. 5 to renew Contract</td>
<td>Pending</td>
<td>01/01/2019 - 12/30/2019</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. 5 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
Contract with Ranch Cryogenics, Inc. for Cryogenic Oxygen System Maintenance & Repair Services for the Water Pollution Control Facility for an annual amount not to exceed $60,000. CIP/DID #PUR1018-079

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

Background:
Purchasing Services solicited bids on behalf of the Water Pollution Control Facility for Cryogenic Oxygen System Maintenance and Repair Services. Two bids were received. WPC is recommending award to Ranch Cyrogenics, Inc. as the lowest responsive and responsible bidder. The Contract period will be December 1, 2018 through November 30, 2019 with four one-year renewal options.

Bids received:

<table>
<thead>
<tr>
<th>Line Item</th>
<th>Description</th>
<th>Ranch Cryogenics, Inc.</th>
<th>Solutionwerks, Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Wilmington, IL</td>
<td>Emmaus, PA</td>
</tr>
<tr>
<td>1</td>
<td>Standard hourly rate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Engineer</td>
<td>$180.00</td>
<td>$187.00</td>
<td></td>
</tr>
<tr>
<td>Foreman</td>
<td>$180.00</td>
<td>$187.00</td>
<td></td>
</tr>
<tr>
<td>Laborer</td>
<td>$180.00</td>
<td>$187.00</td>
<td></td>
</tr>
<tr>
<td>Mechanic</td>
<td>$180.00</td>
<td>$187.00</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Standard evening hourly rate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Engineer</td>
<td>$180.00</td>
<td>$187.00</td>
<td></td>
</tr>
<tr>
<td>Foreman</td>
<td>$180.00</td>
<td>$187.00</td>
<td></td>
</tr>
<tr>
<td>Laborer</td>
<td>$180.00</td>
<td>$187.00</td>
<td></td>
</tr>
<tr>
<td>Mechanic</td>
<td>$180.00</td>
<td>$187.00</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Saturday hourly rate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Engineer</td>
<td>$221.00</td>
<td>$234.00</td>
<td></td>
</tr>
<tr>
<td>Foreman</td>
<td>$221.00</td>
<td>$234.00</td>
<td></td>
</tr>
<tr>
<td>Laborer</td>
<td>$221.00</td>
<td>$234.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Mechanic</strong></td>
<td><strong>$221.00</strong></td>
<td><strong>$234.00</strong></td>
</tr>
<tr>
<td>---</td>
<td>--------------</td>
<td>-------------</td>
<td>-------------</td>
</tr>
<tr>
<td>4</td>
<td>Sunday &amp; Holiday hourly rate</td>
<td>Engineer $237.25</td>
<td>$254.00</td>
</tr>
<tr>
<td></td>
<td>Foreman</td>
<td>$237.25</td>
<td>$254.00</td>
</tr>
<tr>
<td></td>
<td>Laborer</td>
<td>$237.25</td>
<td>$254.00</td>
</tr>
<tr>
<td></td>
<td>Mechanic</td>
<td>$237.25</td>
<td>$254.00</td>
</tr>
<tr>
<td>5</td>
<td>Telephone consultation rate</td>
<td>Engineer $180.00</td>
<td>$152.00</td>
</tr>
<tr>
<td></td>
<td>Foreman</td>
<td>$180.00</td>
<td>$152.00</td>
</tr>
<tr>
<td></td>
<td>Laborer</td>
<td>$180.00</td>
<td>$152.00</td>
</tr>
<tr>
<td></td>
<td>Mechanic</td>
<td>$180.00</td>
<td>$152.00</td>
</tr>
<tr>
<td>6</td>
<td>Material mark-up</td>
<td>10%</td>
<td>10%</td>
</tr>
<tr>
<td>7</td>
<td>Mobilization fee</td>
<td>$618.00</td>
<td>$3,700.00</td>
</tr>
<tr>
<td>8</td>
<td>Demobilization fee</td>
<td>$618.00</td>
<td>$3,700.00</td>
</tr>
<tr>
<td>9</td>
<td>Warranty period for all repairs</td>
<td>1 year</td>
<td>12 months</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:** December 4, 2018

**Budget Information:** 522105-611-611002-611017

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

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

WHEREAS, the City of Cedar Rapids Purchasing Services Division issued a Request for Bid for Cryogenic Oxygen System Maintenance and Repair Services on behalf of the Water Pollution Control Facility; and

WHEREAS, bids were received from two Vendors; and

WHEREAS, the Water Pollution Control Facility recommends that the contract be awarded to Ranch Cryogenics, Inc. as the overall lowest responsive and responsible bidder for an annual amount not to exceed $60,000; and

WHEREAS, a one-year contract with the option of four one-year renewal periods has been prepared for the contract period December 1, 2018 through November 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.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Aaron Orcutt

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

Description of Agenda Item: Purchases, contracts and agreements
Amendment No. 5 to renew contract with U.S. Peroxide, LLC for Hydrogen Peroxide 50% Technical Grade for the Water Pollution Control Facility for an annual amount not to exceed $100,000 (original contract amount was $40,000; renewal contract amount is $100,000). CIP/DID #1214-123

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

Background:
Hydrogen Peroxide is used in a tank at the final lift building. Peroxide is injected into the Waste Activated stream in order to reduce the amount of Hydrogen Sulfide that occurs in the Gravity Belt Thickener process.

The Contract period is January 1, 2019 through December 31, 2019. This is the fifth year of the Contract; no renewal options remain.

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

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: December 4, 2018

Budget Information: 531104-611-611001s

Local Preference Policy: Yes
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
WHEREAS, the City of Cedar Rapids and U.S. Peroxide, LLC are parties to a contract for the annual as-needed purchase of Hydrogen Peroxide 50% Technical Grade for the Water Pollution Control Facility; and

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

WHEREAS, the renewal period is January 1, 2019 through December 31, 2019; 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. 0080-01-15</td>
<td>01/14/15 - 12/31/15</td>
</tr>
<tr>
<td>Amendment No. 1 to increase quantity</td>
<td>Resolution No. 0938-06-15</td>
<td>Effective 06/23/15</td>
</tr>
<tr>
<td>Amendment No. 2 to renew Contract</td>
<td>Resolution No. 1809-12-15</td>
<td>01/01/16 - 12/31/16</td>
</tr>
<tr>
<td>Amendment No. 3 to renew Contract</td>
<td>Resolution No. 1571-12-16</td>
<td>01/01/17 - 12/31/17</td>
</tr>
<tr>
<td>Amendment No. 4 to renew Contract</td>
<td>Resolution No. 1603-11-17</td>
<td>01/01/18 - 12/31/18</td>
</tr>
<tr>
<td>Amendment No. 5 to renew Contract</td>
<td>Pending</td>
<td>01/01/19 - 12/31/19</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. 5 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: Aaron Orcutt

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. 1 to renew the contract with Vertex Chemical Corporation for Sodium Hydroxide 50% Bulk for the Water Pollution Control Facility for an annual amount not to exceed $150,000 (original contract amount was $150,000; renewal contract amount is $150,000).
CIP/DID #PUR1217-094

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

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

The contract period is January 23, 2019 - December 31, 2019. There are three additional one-year renewal options remaining.

Vertex Chemical Corporation held their pricing firm for the renewal period at $690 per ton, delivered. The estimated annual expenditure is $150,000.

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: December 4, 2018

Budget Information: 531104-611-611001

Local Preference Policy: Yes
Explanation: NA

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

WHEREAS, the City of Cedar Rapids and Vertex Chemical Corporation are parties to a contract for the annual as-needed purchase and delivery of sodium hydroxide 50% bulk for the Water Pollution Control Facility; and

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

WHEREAS, 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. 0119-01-18</td>
<td>01/01/2018 - 12/31/2018</td>
</tr>
<tr>
<td>Amendment No. 1 to renew Contract</td>
<td>Pending</td>
<td>01/01/2019 - 12/31/2019</td>
</tr>
</tbody>
</table>

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Aaron Orcutt

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 Viking Chemical Company for Phosphoric Acid 75% Bulk Liquid for the Water Pollution Control Facility for an annual amount not to exceed $84,000 (original contract amount was $30,000; renewal contract amount is $84,000).
CIP/DID #PUR1016-064

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

Background:
The Water Pollution Control Facility utilizes phosphoric acid as a source of nutrient in the anaerobic process. Viking Chemical agreed to renew the contract with an increase in the unit price, from $0.416 per pound to $0.466 per pound, delivered. The annual not to exceed price of the contract is $84,000.

The contract period is January 1, 2019 - December 31, 2019. There are two additional one-year renewal options remaining.

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: December 4, 2018

Budget Information: 531104-611-611001

Local Preference Policy: Yes
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA
WHEREAS, the City of Cedar Rapids and Viking Chemical Company are parties to a contract for the annual as-needed purchase of Phosphoric Acid 75% Bulk Liquid for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period (January 1, 2019 - December 31, 2019) for an annual amount not to exceed $84,000; 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>Signed by the CITY 02/01/17</td>
<td>01/01/2017 - 12/31/2017</td>
</tr>
<tr>
<td>Amendment No. 1 to increase volume</td>
<td>Resolution No. 0767-06-17</td>
<td>Effective 05/30/2017</td>
</tr>
<tr>
<td>Amendment No. 2 to renew Contract</td>
<td>Resolution No. 1604-11-17</td>
<td>01/01/2018 - 12/31/2018</td>
</tr>
<tr>
<td>Amendment No. 3 to renew Contract</td>
<td>Pending</td>
<td>01/01/2019 - 12/31/2018</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: 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: Purchases, contracts and agreements

Resolutions approving actions regarding Purchases/Contracts/Agreements:

a. Professional Services Agreement with Black & Veatch Corporation for an amount not to exceed $2,492,021 for the NWTP Softening Basin Improvements project.

CIP/DID #6250072-02

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

Background: The Northwest Water Treatment Plant (NWTP) was originally constructed in 1995. The last major upgrade to the treatment facility was in 2009 when an ultraviolet disinfection system was added. The facility treats water from an alluvial aquifer using lime softening and filtration, and is rated to produce 20 million gallons per day (mgd).

The capacity of the NWTP is constrained by the existing lime softening equipment. Extended maintenance shutdowns of either of the facilities’ two softening basins is not tenable while supplying current customer water demand. Adequately maintaining the facility will become more difficult as the existing equipment ages, and demand for water increases.

Black & Veatch will provide design services related to the project. The project will include the addition of a third softening basin at the NWTP, correlated softening equipment, supporting chemical feed systems, flow splitting and measurement structures, and associated yard piping. The addition of the softening basin will increase the capacity of the NWTP 25 mgd, and help facilitate future maintenance activities and capacity improvements. The new softening equipment will provide improved softener performance and solids capture, reducing the burden placed on the existing filters.

Four engineering firms were contacted for Statements of Qualifications to perform the initial study. Packets detailing the experience of the firm and the proposed schedule for the project were received from four engineering firms. The four firms were: HDR, Inc., CH2M Hill Engineers, Inc., Black & Veatch Corporation, and Strand Associates, Inc. The Utilities Department staff evaluated the qualifications of the responding firms and determined that the technical resources that Black & Veatch Corporation could bring to the project best met the needs of the Utilities Department.
**Action/Recommendation:** The Utilities Department – Water Division recommends approval of the Professional Services Agreement with Black & Veatch Corporation for the NWTP Softening Basin Improvements project and that the City Manager and City Clerk be authorized to execute said Agreement.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 12-4-18

**Resolution Date:** 12-4-18

**Budget Information:**

1. **Included in Current Budget Year.** Yes, funding for the NWTP Softening Basin Improvements project is included in the FY19, and proposed FY20 and FY21 Water CIP budget. Project costs will be coded to 553000-625-625000-6250072.

2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently $1,200,000 in the FY19 CIP budget, and $15,150,000 across the proposed FY20 and FY21 CIP budgets for the NWTP Softening Basin Improvements project.

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

**Local Preference Policy:** Yes

**Explanation:** Consultant Evaluation form gives preference to local consultants

**Recommended by Council Committee:** NA

**Explanation:** NA
WHEREAS, Resolution No. 0198-02-18 passed on February 13, 2018 authorized the City of Cedar Rapids Utilities Department – Water Division to have a design study done at the NW Water Treatment Plant for the addition of a third softening basin and correlated feed systems, and

WHEREAS, four engineering firms were contacted for Statements of Qualifications to perform the initial study. Packets detailing the experience of the firm and the proposed schedule for the project were received from four engineering firms. The four firms were: HDR, Inc., CH2M Hill Engineers, Inc., Black & Veatch Corporation, and Strand Associates, Inc. The Utilities Department staff evaluated the qualifications of the responding firms and determined that the technical resources that Black & Veatch Corporation could bring to the project best met the needs of the Utilities Department, and

WHEREAS, the study has been completed and the Utilities Department – Water Division has negotiated a Professional Service Agreement with Black & Veatch Corporation to provide the design and construction services related to the project for an amount not to exceed $2,492,021.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Professional Services Agreement with Black & Veatch Corporation for an amount not to exceed $2,492,021 for the NWTP Softening Basin Improvements project be hereby approved and that the City Manager and City Clerk be hereby authorized to execute said Agreement. Funding for the project is included in the FY19 and proposed FY20 Water CIP budgets. Project costs will be coded to 553000-625-625000-6250072-N/A.
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 execution of Change Order No. 3 in the amount of $900 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 $305,876.22) (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. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 3 submitted by 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: December 4, 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. 3 in the amount of $900 with Iowa Bridge & Culvert, LC for the 6th Street SW Box Culvert Extension project, 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>Change Order No. 2</td>
<td>1,435.00</td>
</tr>
<tr>
<td>Change Order No. 3</td>
<td>900.00</td>
</tr>
<tr>
<td>Amended Contract Amount</td>
<td>$305,876.22</td>
</tr>
</tbody>
</table>

General ledger coding for this Change Order to be as follows: $900 304-304000-30485-304449

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
Authorizing Change Order No. 1 in the amount of $11,400 with Minturn, Inc. for the 8th Avenue Bridge Over the Cedar River Miscellaneous Repairs project (original contract amount was $78,474; total contract amount with this amendment is $89,914).

CIP/DID #305093-06

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 sidewalk located near the bridge abutment has recessed over 2” and is in need of complete replacement. Due to the excessive delineation that was causing tripping hazards, the additional sidewalk repair was performed.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 1 submitted by Minturn, Inc.

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

Time Sensitivity: Normal

Resolution Date: December 4, 2018

Budget Information: Dept ID 305000, Project 305093, 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 $11,440 with Minturn, Inc. for the 8th Avenue Bridge Over the Cedar River Miscellaneous Repairs, Contract No. 305093-06. 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>$78,474.00</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>11,440.00</td>
</tr>
<tr>
<td>Amended Contract Amount</td>
<td>$89,914.00</td>
</tr>
</tbody>
</table>

General ledger coding for this Change Order to be as follows: $11,440 305-305000-30585-305093

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
Authorizing Change Order No. 3 in the amount of $35,798.94 with Dave Schmitt Construction Co., Inc. for the 27th Avenue SW from 3rd Street to J Street; Outlook Drive SW and 29th Avenue SW Roadway Improvements; 2018 Pavement Milling project (original contract amount was $597,542; total contract amount with this amendment is $651,624.06) (Paving for Progress).

CIP/DID #3012235-01

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 area was so saturated from all the rain that a core out was necessary to have a firm base for pavement. There was not a bid price for a core out.

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

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

Time Sensitivity: Normal

Resolution Date: December 4, 2018

Budget Information: 301/301000/3012235 SLOST; 301/301000/3012244 SLOST; 301/301000/3012245 SLOST; 301/301000/3012243 SLOST; 625/625000/6250051-2018049 NA; 625/625000/6250051-2018064 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. 3 in the amount of $35,798.94 with Dave Schmitt Construction Co., Inc. for the 27th Avenue SW from 3rd Street to J Street; Outlook Drive SW and 29th Avenue SW Roadway Improvements; 2018 Pavement Milling project, Contract No. 3012235-01. 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>$597,042.00</td>
</tr>
<tr>
<td>Original Incentive Value</td>
<td>500.00</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>583.00</td>
</tr>
<tr>
<td>Change Order No. 2</td>
<td>17,700.12</td>
</tr>
<tr>
<td>Change Order No. 3</td>
<td>35,798.94</td>
</tr>
</tbody>
</table>

Amended Contract Amount $651,624.06

General ledger coding for this Change Order to be as follows: $32,846.18 301-301000-7970-3012235, $1,476.38 301-301000-7970-3012243, $1,476.38 625-625000-6250051-6252018049

Attest:

ClerkSignature
27TH AVENUE SW FROM 3RD STREET TO J STREET ROADWAY IMPROVEMENTS; OUTLOOK DRIVE SW AND 29TH AVENUE INTERSECTION IMPROVEMENTS; 14TH STREET SE AND WOODLAND DRIVE SE PAVEMENT MILLING
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Justin Holland

Contact Person: Jennifer L. Winter, PE

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

Cell Phone Number: 319-538-1076

Description of Agenda Item: Purchases, contracts and agreements

Authorizing Change Order No. 10 in the amount of $9,364.36 with Iowa Bridge & Culvert LC for the Bridge Replacement – McCloud Place NE Over McLoud Run project (original contract amount was $1,187,312.90; total contract amount with this amendment is $1,281,211.64).

CIP/DID #305031-03

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.

- PCC sidewalk removed near Sta. 12+28 and Sta. 12+50 to meet ADA requirements
- 6-inch sidewalk replacement to meet ADA requirements near Sta. 12+28 and 12+50.
- Detectable warnings placed to meet ADA requirements near Sta. 12+28 and 12+50
- Additional mobilization to return to site and correct sidewalk and ramps.
- Additional traffic control required to correct sidewalk and ramps near Sta. 12+28 and 12+50

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 10 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: December 4, 2018

Budget Information: 305/305000/305031 (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. 10 in the amount of $9,364.36 with Iowa Bridge & Culvert LC for the Bridge Replacement – McCloud Place NE Over McLoud Run project, Contract No. 305031-03. 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>$1,187,312.90</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>6,254.83</td>
</tr>
<tr>
<td>Change Order No. 2</td>
<td>15,268.30</td>
</tr>
<tr>
<td>Change Order No. 3</td>
<td>871.00</td>
</tr>
<tr>
<td>Change Order No. 4</td>
<td>7,368.60</td>
</tr>
<tr>
<td>Change Order No. 5</td>
<td>667.06</td>
</tr>
<tr>
<td>Change Order No. 6</td>
<td>19,526.15</td>
</tr>
<tr>
<td>Change Order No. 7</td>
<td>26,828.64</td>
</tr>
<tr>
<td>Change Order No. 8</td>
<td>6,374.80</td>
</tr>
<tr>
<td>Change Order No. 9</td>
<td>1,375.00</td>
</tr>
<tr>
<td>Change Order No. 10</td>
<td>9,364.36</td>
</tr>
<tr>
<td>Amended Contract Amount</td>
<td>$1,281,211.64</td>
</tr>
</tbody>
</table>

General ledger coding for this Change Order to be as follows: $9,365.36 301-301000-30185-301954

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
BRIDGE REPLACEMENT, MCCLOUD PLACE NE OVER MCLOUD RUN
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Justin Holland

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

Cell Phone Number: 319-538-1076

Description of Agenda Item: Purchases, contracts and agreements
Authorizing Change Order No. 2 in the amount of $108,995 with Rathje Construction Company for the Center Point Road NE from 29th Street to 32nd Street Pavement Rehabilitation and Oakland Road NE from H Avenue to 32nd Street One-Way to Two-Way Conversion project (original contract amount was $3,080,065.93; total contract amount with this amendment is $3,279,388.13) (Paving for Progress).
CIP/DID #3012148-06

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

Background: This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted base on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Quantities for PCC Pavement Repair around manhole and structure adjustments were not included in the contract documents, but were necessary to complete the work.

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: December 4, 2018

Budget Information:
301/301000/3012148 SLOST
625/6250000/6250051-2017021 NA
625/6250000/6250051-2018058 NA

Local Preference Policy: NA
Explanation: NA

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

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 2 in the amount of $108,995 with Rathje Construction Company for the Center Point Road NE from 29th Street to 32nd Street Pavement Rehabilitation and Oakland Road NE from H Avenue to 32nd Street One-Way to Two-Way Conversion project, Contract No. 3012148-06. 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>$2,990,065.93</td>
</tr>
<tr>
<td>Original Incentive Value</td>
<td>90,000.00</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>90,327.20</td>
</tr>
<tr>
<td>Change Order No. 2</td>
<td>108,995.00</td>
</tr>
</tbody>
</table>

Amended Contract Amount $3,279,388.13

General ledger coding for this Change Order to be as follows: $4,354 301-301000-7970-3012148, $104,641 625-625000-6250051-6252018058

MayorSignature

Attest:

ClerkSignature
CENTER POINT ROAD NE FROM 29TH STREET TO 32ND STREET PAVEMENT REHABILITATION AND OAKLAND ROAD NE FROM H AVENUE TO 32ND STREET ONE-WAY TO TWO-WAY CONVERSION
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Justin Holland

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

Description of Agenda Item: Purchases, contracts and agreements
Authorizing execution of Change Order No. 3 in the amount of $3,700 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 $210,039.40). 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. The City added three additional areas that needed to be graded and broomed to allow water to drain away from sidewalk. The City received several complaints regarding slippery surface due to poor drainage.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 3 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: December 4, 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. 3 in the amount of $3,700 with Hunt Construction Company, Inc. for the FY 2018 Sidewalk Repair Program – Contract No. 2 project, 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>
<tr>
<td>Change Order No. 3</td>
<td>3,700.00</td>
</tr>
<tr>
<td>Amended Contract Amount</td>
<td>$210,039.40</td>
</tr>
</tbody>
</table>

General ledger coding for this Change Order to be as follows: $3,700 301-301000-30185-3017018

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
Authorizing execution of Change Order No. 4 in the amount of $55,490.52 with Dave Schmitt Construction Co., Inc. for the Memorial Drive SE from McCarthy Road to Mount Vernon Road SE Roadway and Utility Improvements project (original contract amount was $1,384,435.15; total contract amount with this amendment is $1,515,768.45) (Paving for Progress).
CIP/DID #3012153-02

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

Background: This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted base on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Additional Granular Backfill was needed to replace existing trench soils that were in poor condition and cannot be used as structural backfill.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 4 submitted by Dave Schmitt Construction Co., Inc.

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

Time Sensitivity: Normal

Resolution Date: December 4, 2018

Budget Information: 301/301000/3012153 SLOST; 625/625000/6250051-2016038 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. 4 in the amount of $55,490.52 with Dave Schmitt Construction Co., Inc. for the Memorial Drive SE from McCarthy Road to Mount Vernon Road SE Roadway and Utility Improvements project, Contract No. 3012153-02. A cost summary of the contract changes for this project is as follows:

- Original Contract Amount: $1,319,435.15
- Original Incentive Value: 65,000.00
- Change Order No. 1: 24,152.53
- Change Order No. 2: 12,231.31
- Change Order No. 3: 39,458.94
- Change Order No. 4: 55,490.52
- Amended Contract Amount: $1,515,768.45

General ledger coding for this Change Order to be as follows: $54,323.69 625-625000-6250051-6252016038, $320.53 301-301000-7970-3012153, $846.30 655-655000-65585-6550043

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
MEMORIAL DRIVE SE FROM MCCARTHY ROAD TO MOUNT VERNON ROAD ROADWAY AND UTILITY IMPROVEMENTS PROJECT
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Justin Holland

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

Cell Phone Number: 319-538-1076

Description of Agenda Item: Purchases, contracts and agreements
Authorizing Change Order No. 7 in the amount of $2,079.25 with Rathje Construction Company for the Northwood Drive NE from Glass Road NE to South of Brookland Drive NE Roadway Reconstruction project (original contract amount was $952,423.72; total contract amount with this amendment is $1,005,771.69) (Paving for Progress). CIP/DID #3012115-03

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. 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. 7 submitted by Rathje Construction Company.

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

Time Sensitivity: Normal

Resolution Date: December 4, 2018

Budget Information: 301/301000/3012115 SLOST
625/6250000/6250051-2016068 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. 7 in the amount of $2,079.25 with Rathje Construction Company for the Northwood Drive NE from Glass Road NE to South of Brookland Drive NE Roadway Reconstruction project, Contract No. 3012115-03. 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>1</td>
<td>2,916.00</td>
</tr>
<tr>
<td>2</td>
<td>7,061.00</td>
</tr>
<tr>
<td>3</td>
<td>17,067.16</td>
</tr>
<tr>
<td>4</td>
<td>13,739.81</td>
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<tr>
<td>5</td>
<td>1,059.71</td>
</tr>
<tr>
<td>6</td>
<td>9,425.04</td>
</tr>
<tr>
<td>7</td>
<td>2,079.25</td>
</tr>
</tbody>
</table>

Amended Contract Amount $1,005,771.69

General ledger coding for this Change Order to be as follows: $2,079.25 301-301000-7970-3012115

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
NORTHWOOD DRIVE NE FROM GLASS ROAD TO SOUTH OF BROOKLAND DRIVE ROADWAY RECONSTRUCTION
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Justin Holland

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

Description of Agenda Item: Purchases, contracts and agreements  
Authorizing execution of Change Order No. 2 in the amount of $59,687.19 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 $14,850,744.28).  
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 based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

- The original contract documents did not include replacing the wet well slide gates. A field review indicated the need for replacement due to the age of the existing gates. There is a possibility of an additional startup fee if the work cannot be completed in conjunction with the original pump station work.
- The original H piles could not be driven due to the abandoned in place F Ave bridge abutment which was discovered while excavating the flood wall footing. Compression micropiles were drilled through the abutment in place of the H piles.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 2 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: December 4, 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. 2 in the amount of $59,687.19 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>
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<tr>
<td>Change Order No. 1</td>
<td>341,057.09</td>
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<tr>
<td>Change Order No. 2</td>
<td>59,687.19</td>
</tr>
<tr>
<td>Amended Contract Amount</td>
<td>$14,850,744.28</td>
</tr>
</tbody>
</table>

General ledger coding for this Change Order to be as follows: $59,687.19 331-331100-7972-3314520 GRI

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Quaker Oats Flood Control System
Contract No: 3314520-30
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 for reallocated funds in the 2019 Grant in the amount of $5,606.11 to the City of Cedar Rapids for the Iowa Hazmat Task Force.
CIP/DID #FIR1218-0051

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

Background: The Cedar Rapids Fire Department is a sponsoring agency for the Iowa Hazmat Task Force. The Iowa Hazmat Task Force is made up of 22 divisions throughout the State of Iowa which are trained by these funds. This grant is reallocated 2019 Grant funds that will provide funding for all 22 divisions on Flammable Liquid training.

Action/Recommendation: The Fire Department recommends approval.

Alternative Recommendation: N/A

Time Sensitivity: December 6, 2018

Resolution Date: December 4, 2018

Budget Information: 542102-7865-786500

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 the Iowa Hazmat Task Force, which is a team designed to safely and efficiently handle hazardous materials incidents, and

WHEREAS, the Cedar Rapids Fire Department applied for reallocated funds in the 2019 United States Department of Transportation, Pipeline and Hazardous Materials Safety Administration Grant on behalf of the Iowa Hazmat Task Force, and

WHEREAS, the Hazardous Materials Emergency Preparedness Grant (HMEP) will provide funding for training of public sector employees in the State of Iowa.

WHEREAS, the Hazardous Materials Emergency Preparedness Grant has approved the following grant:

HM-HMP-0524-16-01-00 in the amount of $5,606.11

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 Hazardous Materials Emergency Preparedness Grant Program Commitment to Award and Accept Funds on behalf of the Cedar Rapids Fire Department and the Iowa Hazmat Task Force.

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 execution of Iowa Homeland Security and Emergency Management Division’s Commitment to Award and Accept Funds for reallocated funds in the 2018 Grant in the amount of $343.89 to the City of Cedar Rapids for the Iowa Hazmat Task Force.

CIP/DID #FIR1218-0050

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

Background: The Cedar Rapids Fire Department is a sponsoring agency for the Iowa Hazmat Task Force. The Iowa Hazmat Task Force is made up of 22 divisions throughout the State of Iowa which are trained by these funds. This grant is for reallocated funds from the 2018 grant year to provide a Flammable Liquid training for all 22 divisions of the Hazmat Task Force.

Action/Recommendation: The Fire Department recommends approval.

Alternative Recommendation: N/A

Time Sensitivity: December 6, 2018

Resolution Date: December 4, 2018

Budget Information: 542102-7865-786500

Local Preference Policy: N/A

Explanations:

Recommended by Council Committee:

Explanation:
WHEREAS, the Cedar Rapids Fire Department is a sponsoring agency of the Iowa Hazmat Task Force, which is a team designed to safely and efficiently handle hazardous materials incidents, and

WHEREAS, the Cedar Rapids Fire Department applied for reallocated 2018 United States Department of Transportation, Pipeline and Hazardous Materials Safety Administration Grant funds on behalf of the Iowa Hazmat Task Force, and

WHEREAS, the Hazardous Materials Emergency Preparedness Grant (HMEP) will provide funding for training of public sector employees in the State of Iowa.

WHEREAS, the Hazardous Materials Emergency Preparedness Grant has approved the following grant:

HM- HMP-0524-16-01-00 in the amount of $343.89

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager be authorized to execute the Hazardous Materials Emergency Preparedness Grant Program Commitment to Award and Accept Funds on behalf of the Cedar Rapids Fire Department and the Iowa Hazmat Task Force.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:
ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Dave Wallace, PE

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

Cell Phone Number: 319-538-1076

Description of Agenda Item: Purchases, contracts and agreements
Resolution authorizing execution of a Preconstruction Agreement for Primary Road Project with the Iowa Department of Transportation in the amount of $209,695 for the Williams Boulevard Sanitary Sewer Relocation work in connection with the Grade and Replace US 151 from approximately 0.2 miles south of Church Street in Fairfax to south of Dean Road project. CIP/DID #6550045-01

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

Background: The Iowa Department of Transportation (IDOT) is currently designing, bidding, and constructing improvements to grade and replace US 151 from approximately 0.2 miles south of Church Street in Fairfax to south of Dean Road. The project requires relocation of a section of the City’s sanitary sewer in order to accommodate a proposed drainage structure.

The total costs for these improvements are estimated to be $209,695. This agreement provides for the reimbursement to IDOT for the City’s improvements.

Action/Recommendation: The Public Works Department recommends approving the resolution authorizing execution of an Agreement between the IDOT and the City of Cedar Rapids for the Williams Boulevard Sanitary Sewer Relocation project. Upon City approval, signed agreements will be returned to the IDOT for necessary signatures.

Alternative Recommendation: Alternative would be to not authorize execution of the agreement and re-enter negotiations with the IDOT.

Time Sensitivity: Normal

Resolution Date: December 4, 2018

Budget Information: 655/655000/6550045 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 desires to incorporate sanitary sewer relocation work into the Grade and Replace on US 151 from approximately 0.2 miles south of Church Street in Fairfax to south of Dean Road project by agreement with the Iowa Department of Transportation (IDOT), and

WHEREAS, the IDOT will design, let and inspect construction of the project described as “Grade and replace on U.S. 151 from approximately 0.2 miles south of Church Street in Fairfax to south of Dean Road”, with project number:

NHSX-151-3(158 134)—3H-57

, and

WHEREAS, the City has requested the Williams Boulevard Sanitary Sewer Relocation work as part of the US 151 project, and

WHEREAS, the City Engineer recommends authorizing execution of Agreement No. 2019-4-050 with the IDOT,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager and City Clerk are authorized to execute IDOT Agreement No. 2019-4-050 for a Preconstruction Agreement For Primary Road Project with the Iowa Department of Transportation in $209,695 in connection with the Grade and Replace on U.S. 151 from approximately 0.2 miles south of Church Street in Fairfax to south of Dean Road project (CIP No. 6550045-01).

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at meeting: Chris Strecker, PE

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

Cell Phone Number: 319-538-1062

Description of Agenda Item: Purchases, contracts and agreements
Resolution authorizing execution of a sidewalk ramps and sidewalk improvements Agreement with Van Meter Inc. in connection with a future City CIP project to construct sidewalk along 32nd Avenue SW. CIP/DID #ASDP-026421-2018

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

Background: As part of site plan approval, Van Meter Inc. is required to construct sidewalk along public street frontages. Van Meter Inc. desires the sidewalk to be constructed by the City as part of an upcoming CIP project and has submitted the agreement to pay their share of the project when the project is complete. The project consists of sidewalk construction and sidewalk infill with ADA ramps along the north side of 32nd Avenue SW from 12th Street SW to 6th Street SW.

The total estimated budget for the project is $191,400 with Van Meter Inc. agreeing to pay their share of the project of approximately $134,000.

Action/Recommendation: The Public Works Department recommends approving the resolution authorizing execution of the Agreement between the City of Cedar Rapids and Van Meter Inc. regarding the sidewalk ramp and sidewalk improvements.

Alternative Recommendation: If the City Council decides to not approve the Agreement, the project would either proceed with the improvements with local funding only and special assessments, or final certificates of occupancy for Van Meter Inc. will be delayed until sidewalk construction is complete.

Time Sensitivity: Normal

Resolution Date: December 4, 2018

Budget Information: NA, VAN METER

Local Preference Policy: NA
Explanation: NA

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

WHEREAS, the City will be installing ADA ramps and sidewalk improvements along 32nd Avenue SW and 12TH Street SW, and

WHEREAS, As part of site plan approval for improvements to 915 32nd Avenue SW on the south side of the street, the property owner is required to build sidewalk and ADA ramps adjacent to the property, and

WHEREAS, the City and Van Meter Inc. are mutually proposing that Van Meter Inc. would participate in a sidewalk project to install sidewalk on the north side of 32nd Avenue SW in exchange for not constructing sidewalk on the south side of 32nd Avenue SW, and

WHEREAS, Van Meter Inc. desires the City complete construction of the sidewalk improvements and ADA ramps adjacent to their property along 32nd Avenue SW and 12th Street SW and desires to enter into this project agreement in lieu of constructing the ADA ramps and sidewalk,

WHEREAS, the sidewalk improvements will provide complete access along 32nd Avenue SW, and

WHEREAS, the City of Cedar Rapids Public Works Department recommends approval of this resolution authorizing execution of the Agreement as described herein,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager and City Clerk are authorized and directed to execute with signature the agreement regarding the sidewalk ramp and sidewalk improvements as described herein in the amount of $134,000.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Ken DeKeyser

Contact Person: Sandi Fowler  
Cell Phone Number: (319) 538-1062

E-mail Address:

Description of Agenda Item: CONSENT AGENDA
Resolution accepting a Letter of Credit for future sidewalk construction in connection with CommonBond Communities, 1200 Edgewood Road NW.

CIP/DID #RZNE-025295-2017

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

Background: The approved rezoning ordinance for the subject property requires the developer to construct public improvements at their expense including a right-turn lane from Edgewood Road NW to Crestwood Drive NW, sidewalk along the property frontage, and approximately 1,100 feet of sidewalk extension on the north side of Crestwood Drive NW between the property and 38th Street NW. The first two items have been completed. The developer cannot complete the third item independently of other required improvements in the street right-of-way including reconstructing Crestwood Drive with curb-and-gutter, filling ditches, removing driveway culverts, relocating utilities, and acquiring right-of-way.

The proposed Letter of Credit provides on demand, $68,000 based on an estimate prepared by City staff to construct the remaining sidewalk when the City implements a larger Crestwood Drive improvement project. A Letter of Credit is an acceptable financial instrument/surety for public improvements according to the City’s Subdivision Ordinance.

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

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

Time Sensitivity: Action requested on December 4, 2018 by the developer prior to the expiration of their Temporary Certificate of Occupancy.

Resolution Date: December 4, 2018

Budget Information: N/A

Local Preference Policy: NA  
Explanation: NA

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

WHEREAS, City Council Ordinance No. 031-17, approved on June 13, 2017, changed the zoning district of property located at 1200 Edgewood Road NW, described as Lot 2 Ayers First Addition to Cedar Rapids, Iowa, from R-2, Single Family Residence to RMF-2, Multiple Family Residence, and;

WHEREAS, said Ordinance was subject to several conditions, including condition No. 6, which states: “that the developer shall coordinate with the City the construction of a 5’ sidewalk from Edgewood Road NW on the north side of Crestwood Drive NW to 38th Street NW. The developer shall be responsible for 100% of the cost associated with construction of said sidewalk.”; and;

WHEREAS, The City of Cedar Rapids (“the City”) shall construct said sidewalk at such time that a complete street reconstruction project for Crestwood Drive NW between Edgewood Road NW and 38th Street NW occurs, and;

WHEREAS, the City has estimated the cost of said sidewalk to be $68,000 and the developer, CommonBond Communities, has tendered an Irrevocable Standby Letter of Credit, executed by Old National Bank, in the City’s favor in the sum of $68,000 to cover construction costs of said sidewalk, and;

WHEREAS, the developer has fulfilled condition No. 5 of said Ordinance requiring construction of a southbound right-turn lane from Edgewood Road NW to Crestwood Drive NW at developer’s expense, and;

WHEREAS, the developer has fulfilled all other conditions of said Ordinance to receive a Final Certificate of Occupancy, including construction of sidewalk adjoining the property along Edgewood Road NW and Crestwood Drive NW.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Irrevocable Standby Letter of Credit referred to hereinabove is hereby accepted and shall be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.
Passed Day

Leg Passed Failed

Mayor Signature

Attest:

Clerk Signature
Council Agenda Item Cover Sheet

Submitting Department: Water

Presenter at Meeting: Steve Hershner

Alternate Contact Person: Steve Hershner

Phone Number/Ext.: 538-1059

E-mail Address: Steve.He@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Accepting an Affidavit for Service Line Reimbursement from Janice K. Hepker, property owner, to reimburse the City on a monthly installment basis for the replacement of the water service line at 1914 Bever Avenue SE.

CIP/DID #WTR120418-02

Routine business - EnvisionCR Does not apply

Background: In the Cedar Rapids Municipal Code, Chapter 12 – Water Service, 12.14 - Installation of Service Pipes, it states that the property owners are responsible for service pipes and fixtures from the street water/sewer main to the premises including the corporation.

When these service pipes or lines need to be replaced or repaired, it is the property owners’ responsibility to hire a licensed plumber to make such repairs. In extenuating circumstances, the Utilities Department – Water Division assists property owners with the service line replacement. In those cases, the Water Division obtains pricing, pays for the service, and allows the property owners to repay the Utilities Department in monthly installments. Janice K. Hepker, owner of the property at 1914 Bever Avenue SE, has requested that the Utilities Department – Water Division help her replace the water service line to her property.

The Utilities Department received three quotes for the water service line replacement and Watson Service Inc. submitted the low quote of $4,635. Ms. Hepker has executed an Affidavit agreeing to reimburse the Utilities Department for the water service line replacement fee on a monthly installment basis for 60 months at an interest rate of 7% per annum. Her minimum monthly payments will be $92.90.

Failure to reimburse the Utilities Department for these costs in a timely manner may result in the termination of water service to this property and/or the imposition of a lien upon the property as provided for in accordance with Chapter 12 (Water Service) of the Cedar Rapids Municipal Code and in accordance with Sections 384.84 and 384.93 of the Code of Iowa.

Action / Recommendation: The Utilities Department recommends that the Resolution accepting the Affidavit for Service Line Reimbursement be hereby approved and the City Clerk’s office be directed to record said Affidavit with the Linn County Recorder.

Alternative Recommendation (if applicable): The City Council could decide not to accept the Affidavit for Service Line Reimbursement and Ms. Morey would need to find other financing or be without water service.
Resolution Date: 12/04/18

Budget Information: N/A

Local Preference Policy: NA
   Explanation: NA

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

WHEREAS, the Cedar Rapids Municipal Code, Chapter 12 – Water Service, 12.14 - Installation of Service Pipes, states that the property owners are responsible for service pipes and fixtures from the street water main to the premises including the corporation and when these service pipes or lines need to be replaced or repaired, it is the property owners’ responsibility to hire a licensed plumber to make such repairs, and

WHEREAS, in extenuating circumstances, the Utilities Department – Water Division assists property owners with the service line replacement. In those cases, the Water Division obtains pricing, pays for the service, and allows the property owners to repay the Utilities Department in monthly installments, and

WHEREAS, Janice K. Hepker, owner of the property at 1914 Bever Avenue SE, has requested that the Utilities Department – Water Division help her replace the water service line to her property, and

WHEREAS, Janice K. Hepker has signed an Affidavit acknowledging and agreeing to reimburse the Cedar Rapids Utilities Department – Water Division on a monthly installment basis for 60 months for the costs incurred to replace the water service line.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Affidavit for Service Line Reimbursement executed by Janice K. Hepker to reimburse the Cedar Rapids Utilities Department – Water Division on a monthly installment basis for the costs incurred to replace the water service line at 1914 Bever Avenue SE be hereby approved, and

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

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Dave Wallace, PE

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

Cell Phone Number: 319-538-1076

Description of Agenda Item: REGULAR AGENDA
Report on bids and resolution awarding and approving contract in the amount of the Base Bid of $10,852,615.50 plus Bid Alternate A deducting the amount of $364,000 for a total bid of $10,488,615.50, plus incentive up to $144,500, bond and insurance of Langman Construction, Inc. for the Prairie Creek West of 6th Street SW to J Street SW Sanitary Sewer Improvements project (estimated cost is $9,690,000).
CIP/DID #655028-13

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

Background:

Langman Construction, Inc., Rock Island, IL
Base Bid $10,851,673.50
Alternate A-Open cut trench installation across 6th Street SW (364,000.00)
Alternate B-Change of pipe material 223,698.00
Alternate C-Open cut trench installation across 6th Street SW + change of pipe material (138,916.00)

S.J. Louis Construction, Rockville, MN
Base Bid $12,169,000.00
Alternate A-Open cut trench installation across 6th Street SW (310,316.00)
Alternate B-Change of pipe material 113,980.00
Alternate C-Open cut trench installation across 6th Street SW + change of pipe material (23,216.00)

S.M. Hentges & Sons, Jordan, MN
Base Bid $12,825,852.87
Alternate A-Open cut trench installation across 6th Street SW 94,368.00
Alternate B-Change of pipe material 425,754.00
Alternate C-Open cut trench installation across 6th Street SW + change of pipe material (191,910.00)
Langman Construction, Inc. submitted the lowest of the bids received on November 28, 2018 for the Prairie Creek West of 6th Street SW to J Street SW Sanitary Sewer Improvements project. Construction work is expected to begin this winter and is anticipated to be completed within 505 calendar days.

The Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the Bid Alternate C of S.M. Hentges & Sons, Inc. was corrected to be ($216,710), based on the unit prices submitted and the correct bid quantity totals.

The Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the Base bid of Langman Construction, Inc. was corrected to be $10,852,615.50, based on the unit prices submitted and the correct bid quantity totals.

<table>
<thead>
<tr>
<th>Langman Construction, Inc., Rock Island, IL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Bid</td>
</tr>
<tr>
<td>Bid Alternate A-Open cut trench installation</td>
</tr>
<tr>
<td>Incentive up to</td>
</tr>
<tr>
<td><strong>Total Award</strong></td>
</tr>
</tbody>
</table>

**Action/Recommendation:** The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of the Base Bid of $10,852,615.50 plus Bid Alternate A deducting the amount of $364,000 for a total bid of $10,488,615.50, plus incentive up to $144,500, bond and insurance of Langman Construction, Inc. for Prairie Creek West of 6th Street SW to J Street SW Sanitary Sewer Improvements project.

**Alternative Recommendation:** If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

**Time Sensitivity:** Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after December 4, 2018 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** December 4, 2018

**Budget Information:** 655, 655000, 655028 NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA
November 28, 2018

City Council
City of Cedar Rapids

RE: Report on bids as read for the Prairie Creek West of 6th Street SW to J Street SW Sanitary Sewer Improvements, Contract Number 655028-13

Dear City Council:

Bids were received on November 28, 2018 for the Prairie Creek West of 6th Street SW to J Street SW Sanitary Sewer Improvements project as follows:

Langman Construction, Inc., Rock Island, IL
   Base Bid $10,851,673.50
   Alternate A-Open cut trench installation across 6th Street SW $(364,000.00)
   Alternate B-Change of pipe material $223,698.00
   Alternate C-Open cut trench installation across 6th Street SW + change of pipe material $(138,916.00)

S.J. Louis Construction, Rockville, MN
   Base Bid $12,169,000.00
   Alternate A-Open cut trench installation across 6th Street SW $(310,316.00)
   Alternate B- Change of pipe material $113,980.00
   Alternate C-Open cut trench installation across 6th Street SW+ change of pipe material $(23,216.00)

S.M. Hentges & Sons, Jordan, MN
   Base Bid $12,825,852.87
   Alternate A-Open cut trench installation across 6th Street SW $94,368.00
   Alternate B- Change of pipe material $425,754.00
   Alternate C-Open cut trench installation across 6th Street SW + change of pipe material $(191,910.00)

The engineers cost opinion for this work is $9,690,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

Matt Feuerhelm, P.E.
Project Engineer II

MJI/cap

cc: Jennifer L. Winter, P.E. Public Works Director
    Nathan Kampman, P.E., City Engineer

Public Works Department
500 15th Avenue S.W. • Cedar Rapids, Iowa 52404-5837 • (319) 286-5802 • Fax (319) 774-5653
RESOLUTION NO. LEG_NUM_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on November 13, 2018 the City Council adopted a motion that directed the City to post notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the Prairie Creek West of 6th Street SW to J Street SW Sanitary Sewer Improvements (Contract No. 655028-13) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice to bidders was posted according to law and the notice of public hearing was published in the Cedar Rapids Gazette on November 17, 2018 pursuant to which a public hearing was held on November 27, 2018, and

WHEREAS, the following bids were received, opened and announced on November 28, 2018 by the City Engineer, or designee, and said officer has reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on December 4, 2018:

Langman Construction, Inc., Rock Island, IL
Base Bid $10,851,673.50
Alternate A-Open cut trench installation across 6th Street SW $(364,000.00)
Alternate B-Change of pipe material $223,698.00
Alternate C-Open cut trench installation across 6th Street SW + change of pipe material $(138,916.00)

S.J. Louis Construction, Rockville, MN
Base Bid $12,169,000.00
Alternate A-Open cut trench installation across 6th Street SW $(310,316.00)
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S.M. Hentges & Sons, Jordan, MN
Base Bid $12,825,852.87
Alternate A-Open cut trench installation across 6th Street SW $94,368.00
Alternate B- Change of pipe material $425,754.00
Alternate C-Open cut trench installation across 6th Street SW + change of pipe material $(191,910.00)

AND WHEREAS, the Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the Bid Alternate C of S.M. Hentges & Sons, Inc. was corrected to be $(216,710), based on the unit prices submitted and the correct bid quantity totals, and

AND WHEREAS, the Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the Base Bid of Langman Construction, Inc. was corrected to be $10,852,615.50 based on the unit prices submitted and the correct bid quantity totals, and
Langman Construction, Inc., Rock Island, IL

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Bid</td>
<td>$10,852,615.50</td>
</tr>
<tr>
<td>Bid Alternate A-Open cut trench installation</td>
<td>($364,000.00)</td>
</tr>
<tr>
<td>Incentive up to</td>
<td>$144,500.00</td>
</tr>
<tr>
<td>Total Award</td>
<td>$10,633,115.50</td>
</tr>
</tbody>
</table>

WHEREAS, general ledger coding for this public improvement shall be as follows:
$10,633,115.50 655-655000-65585-655028

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

1. The recitals contained hereinabove are found to be true and correct,
2. The previous delegation to the City Engineer, or his designee, to receive, open, and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;
3. Langman Construction, Inc. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;
4. Subject to registration with the Department of Labor, the Bid of Langman Construction, Inc. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Langman Construction, Inc.
5. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

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

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Dave Wallace, PE

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

Description of Agenda Item: REGULAR AGENDA
Report on bids and resolution awarding and approving contract in the amount of $137,700, plus incentive up to $2,500, bond and insurance of Boomerang Corp. for the FY19 Sanitary Sewer Point Repairs project (estimated cost is $190,000).
CIP/DID #655996-15

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

Background:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boomerang Corp., Anamosa, IA</td>
<td>$137,700.00</td>
</tr>
<tr>
<td>Incentive up to</td>
<td>$2,500.00</td>
</tr>
<tr>
<td>Total</td>
<td>$140,200.00</td>
</tr>
<tr>
<td>Rathje Construction Company, Marion, IA</td>
<td>$139,580.00</td>
</tr>
<tr>
<td>Pirc Tobin Construction, Inc., Alburnett, IA</td>
<td>$163,315.00</td>
</tr>
<tr>
<td>Tschiggfrie Excavating, Dubuque, IA</td>
<td>$169,190.50</td>
</tr>
<tr>
<td>Connolly Construction, Peosta, IA</td>
<td>$199,980.20</td>
</tr>
</tbody>
</table>

Boomerang Corp. submitted the lowest of the bids received on November 28, 2018 for the FY19 Sanitary Sewer Point Repairs project. The bid is within the approved budget. Construction work is expected to begin this spring and anticipated to be completed within 60 working days.

Action/Recommendation: The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of $137,700 plus incentive up to $2,500, bond and insurance of Boomerang Corp. for FY19 Sanitary Sewer Point Repairs project.

Alternative Recommendation: If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

Time Sensitivity: Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after December 4, 2018 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: December 4, 2018
**Budget Information:** 655996 NA - $211,550

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

**Recommended by Council Committee:** NA  
**Explanation:** NA
November 28, 2018

City Council
City of Cedar Rapids

RE: Report on bids as read for the FY19 Sanitary Sewer Point Repairs, Contract Number 655996-15

Dear City Council:

Bids were received on November 28, 2018 for the FY19 Sanitary Sewer Point Repairs project as follows:

- Boomerang Corp., Anamosa, IA: $137,700.00
- Rathje Construction Company, Marion, IA: $139,580.00
- Pirc Tobin Construction, Inc., Alburnett, IA: $163,315.00
- Tschiggfrie Excavating, Dubuque, IA: $169,190.50
- Connolly Construction, Peosta, IA: $199,980.20

The engineers cost opinion for this work is $190,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

[Signature]
Loren Snell, P.E.
Project Engineer II

LES/cap

cc: Jennifer L. Winter, P.E. Public Works Director
    Nathan Kampman, P.E., City Engineer
RESOLUTION NO. LEG_NUM_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on November 13, 2018 the City Council adopted a motion that directed the City to post notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the FY19 Sanitary Sewer Point Repairs (Contract No. 655996-15) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice to bidders was posted according to law and the notice of public hearing was published in the Cedar Rapids Gazette on November 17, 2018 pursuant to which a public hearing was held on November 27, 2018, and

WHEREAS, the following bids were received, opened and announced on November 28, 2018 by the City Engineer, or designee, and said officer has reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on December 4, 2018:

Boomerang Corp., Anamosa, IA $137,700.00
   Original Incentive Value 2,500.00
   Total Award $140,200.00

Rathje Construction Company, Marion, IA $139,580.00
Pirc Tobin Construction, Inc., Alburnett, IA $163,315.00
Tschiggfrie Excavating, Dubuque, IA $169,190.50
Connolly Construction, Peosta, IA $199,980.20

WHEREAS, general ledger coding for this public improvement shall be as follows:
$140,200 655-655000-65585-655996

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

1. The previous delegation to the City Engineer, or his designee, to receive, open, and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;

2. Boomerang Corp. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;

3. Subject to registration with the Department of Labor, the Bid of Boomerang Corp. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Boomerang Corp.

4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
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: 319-538-1059

Description of Agenda Item: REGULAR AGENDA
Report on bids for the C Street and Kirkwood Service Zones Boundary Improvements project (estimated cost is $90,000) (Steve Hershner).

a. Resolution awarding and approving contract in the amount of $76,700.00 bond and insurance of Boomerang Corporation for the C Street and Kirkwood Service Zones Boundary Improvements project.

CIP/DID #2018061-01

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

Background: The new Kirkwood Elevated Storage Tank is under construction to replace the previously demolished Kirkwood Standpipe. The hydraulic grade in the Kirkwood Service Area is currently maintained at 967 ft., but improvements are planned to reduce the size of the existing service area and utilize the new Kirkwood Elevated Storage Tank to help maintain a higher system pressure. Improvements include installing one pressure reducing valve and bypass, in addition to installing one check valve and bypass to separate the proposed C Street and Cedar Hills Service Zones.

Five (5) bids were received on November 28, 2018 for the C Street and Kirkwood Service Zones Boundary Improvements Project.

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Office Location</th>
<th>Total Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boomerang Corporation</td>
<td>12536 Buffalo Rd Anamosa IA, 52205</td>
<td>$76,700.00</td>
</tr>
<tr>
<td>Connolly Construction Inc.</td>
<td>18409 North Cascade Rd Peosta, IA 52068</td>
<td>$78,160.65</td>
</tr>
<tr>
<td>Dave Schmitt Construction</td>
<td>250 50th Ave SW Cedar Rapids, IA 52404</td>
<td>$80,441.00</td>
</tr>
<tr>
<td>Pirc Tobin Construction Inc.</td>
<td>PO Box 160 Alburnett, IA 52202</td>
<td>$80,625.00</td>
</tr>
<tr>
<td>Rathje Construction Co.</td>
<td>PO Box 408 Marion, IA 52302</td>
<td>$105,848.00</td>
</tr>
</tbody>
</table>
The engineer’s probable cost for the construction of this project was $90,000.00.

A motion to post a Notice to Bidders as required by law and to publish a Notice of Public Hearing was approved by the City Council on October 23, 2018. The Notice to Bidders was posted on the October 24, 2018. The Notice of Public Hearing was published on October 27, 2018. The Public Hearing was held November 13, 2018. The work is anticipated to be completed in spring 2019.

**Action/Recommendation:** The Utilities Department – Water Division staff recommends awarding the contract to Boomerang Corporation in the amount of $76,700.00.

**Alternative Recommendation:** None

**Time Sensitivity:** 12-4-18

**Resolution Date:** 12-4-18

**Budget Information:**

1. **Included in Current Budget Year:** This item is budgeted under the FY19 Utilities Department-Water Division CIP Budget and coded to 625-625000-625884-6252018061-01.

2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The FY19 Water CIP budget includes $1,500,000 for engineering and construction of water main replacement projects under CIP number 625884. The budget for construction will be established pursuant to the completion of the initial evaluation by the Engineer.

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

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on October 23, 2018 the City Council adopted a motion that directed the City Clerk to give notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the C Street and Kirkwood Service Zones Boundary public improvement project (Contract No. 2018061-01) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on October 27, 2018 pursuant to which a public hearing was held on November 13, 2018, and

WHEREAS, the following bids were received, opened and announced on November 28, 2018 by the Utilities Director, or designee, and said officer has now reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on December 4, 2018:

<table>
<thead>
<tr>
<th>Bidder</th>
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<th>Total Bid</th>
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<tbody>
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<tr>
<td>Rathje Construction Co.</td>
<td>PO Box 408 Marion, IA 52302</td>
<td>$105,848.00</td>
</tr>
</tbody>
</table>

AND WHEREAS, general ledger coding for this public improvement shall be as follows: $76,700.00 – 625-625000-625884-625018061-01.

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

1. The previous delegation to the Utilities Director, or his designee, to receive, open and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;

2. Boomerang Corporation is the lowest responsive, responsible bidder on said work and the Utilities Director, or his designee, has recommended that the City accept its Base Bid and award the contract to it;

3. Subject to registration with the Department of Labor, the Bid of Boomerang Corporation is hereby accepted, and the contract for this public improvement is hereby awarded to Boomerang Corporation.

4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;
BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature
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 east of Council Street NE and north of Petrus Drive NE from A, Agriculture Zone District, to R-2, Single Family Residence Zone District, as requested by Jerry’s Homes, Inc.

CIP/DID #RZNE-027827-2018

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 November 1, 2018 and unanimously recommended for approval.

The applicant is requesting to rezone 2.58 acres to allow for single-family development. The property is identified as “Urban Medium-Intensity” on the City’s Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan. The development will be built to City standards including public streets, sidewalks, and City sanitary sewer and water. The development will have access to the future Tower Terrace Road extension, which will ultimately be developed as a Major Arterial Street that will connect I-380 to Highway 30. Access will also be provided from Council Street NE.

A Public Hearing to allow for public input and the First Reading of the Ordinance was held on November 27, 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: (Click here to select) 
Explanation: NA
Recommended by Council Committee: (Click here to select)
Explanation: NA

Location Map
ORDINANCE NO. LEG_NUM_TAG

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

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

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

Parcel A of Plat of Survey No. 2158 in the City of Cedar Rapids, Linn County, Iowa

and located east of Council Street & north of Petrus Drive NE, now zoned A, Agriculture Zone District, and as shown on the "District Map," be rezoned and changed to R-2, Single Family Residence Zone District, and that the property be used for such purposes as outlined in the R-2, Single Family Residence Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, 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 27th day of November 2018.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature