

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

NOTICE OF CITY COUNCIL MEETING

The Cedar Rapids City Council will meet in Regular Session on Tuesday, April 11, 2023 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 – Fair Housing Month
 - ❖ Proclamation – National Volunteer Month
 - ❖ Presentation – City Assessor Updates and Site Tool (Julie Carson)

PUBLIC HEARINGS

1. A public hearing will be held to consider the proposed Amendment No. 3 to the Urban Renewal Plan for the Rockwell Collins Urban Renewal Area (Scott Mather). CIP/DID #OB170214
 - a. Resolution approving Amendment No. 3 to the Urban Renewal Plan for the Rockwell Collins Urban Renewal Area.
2. A public hearing will be held to consider a Development Agreement with Rockwell Collins, Inc., a division of Collins Aerospace, for an expansion project at 400 Collins Road NE (Scott Mather). CIP/DID #TIF-0078-2023
 - a. Resolution approving and authorizing execution of a Development Agreement with Rockwell Collins, Inc., a division of Collins Aerospace, for an expansion project at 400 Collins Road NE.

3. A public hearing will be held to consider amendments to the Section 8 Housing Choice Voucher Program Public Housing Agency Annual Plan and Administrative Plan (Sara Buck). CIP/DID #OB363680
 - a. Resolution adopting amendments to the Section 8 Housing Choice Voucher Program Public Housing Agency Annual Plan and Administrative Plan.

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.

4. Motion to approve the minutes.
5. Resolution of support for the City's application to the Iowa Economic Development Authority for Community Development Block Grant – Disaster Recovery Tree Canopy and Tree Replanting Program funding. CIP/DID #CDBG-DR-FY22
6. Resolution of support for various applications to the Community Development Block Grant – Disaster Recovery Generator for Critical Facilities Program. CIP/DID #CDBG-DR-FY22
7. Resolution declaring the intention of the City of Cedar Rapids to issue Revenue Bonds in an aggregate principal amount not to exceed \$105,000,000 for an energy conversion project proposed by International Paper Company at 4600 C Street SW, and providing for other matters with respect to the foregoing. CIP/DID #URTE-0054-2023
8. Resolution accepting work and fixing amount to be assessed for the Chandler Street SW and 20th Street SW Pavement and Sidewalk Improvements – Phase 2 project. **(Paving for Progress)** CIP/DID #3012089-00
9. Resolution accepting work and fixing amount to be assessed for the Chandler Street SW From 18th Street to 10th Avenue Pavement and Water Main Improvements – Phase 1B project and the Chandler Street SW and 20th Street SW Pavement and Water Main Improvements – Phase 2 project. **(Paving for Progress)** CIP/DID #3012089-00

10. Resolution accepting the established fair market value in the amount of \$26,400 for a Temporary Grading Easement for Construction for property at 1030 Mount Vernon Road SE owned by Rodney and Judy Johnson and VanProp, LLC in connection with the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project. CIP/DID #301956-00
11. **Resolution approving and authorizing execution of a Severance Agreement with Wayne Jerman. CIP/DID #OB3167986**
12. Resolution authorizing final trip costs in the amount of \$3,432.35 for a Police Officer to attend Crash Investigations I Training in Naperville, IL in March 2023. CIP/DID #PD0065
13. Notice of Intent to Proceed with an approved public improvement project for the Wright Brothers Blvd SW from 6th Street to Earhart Lane Intersection Rehabilitation project and commence with right-of-way and temporary easement acquisitions from agricultural property, and setting a public hearing date for May 23, 2023. CIP/DID #3018027-00
14. Motions setting public hearing dates for:
 - a. April 25, 2023 – to consider the fiscal year 2024 annual budget. CIP/DID #FIN2023-09
 - b. April 25, 2023 – to consider amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates for fiscal year 2024. CIP/DID #WTR24-01
 - c. April 25, 2023 – to consider amending Chapter 13 of the Municipal Code, Wastewater Facilities, by repealing existing rates and establishing new rates for fiscal year 2024. CIP/DID #WPC24-01
 - d. April 25, 2023 – to consider amending Chapter 72 of the Municipal Code, Stormwater Management, by repealing existing rates and establishing new rates for fiscal year 2024. CIP/DID #STRMWTR24-10
 - e. April 25, 2023 – to consider amending Chapter 32 of the Municipal Code, Zoning, to update use and development standards and correct errors in the Zoning Map. CIP/DID #CD-0048-2018
 - f. April 25, 2023 – to consider amendments to the Future Land Use Map. CIP/DID #OB165740
 - g. April 25, 2023 – to consider a change of zone for property north of Highway 30 and west of Mayfair Street SW from S-RL1, Suburban Residential Low Single Unit District, to S-RL2, Suburban Residential Low Two Unit District, as requested by Gardenview, Inc. CIP/DID #RZNE-033613-2023
 - h. May 9, 2023 – to consider annexation of land generally located east of Highway 100 and south of E Avenue NW as requested by A&M LLC. CIP/DID #ANNX-033659-2023
 - i. May 9, 2023 – to consider annexation of land generally located north of Walford Road SW and east of Interstate 380, including the full right-of-way of Walford Road, as requested by Shirley Votroubek and Abby Clark. CIP/DID #ANNX-033480-2022
15. Motion setting public hearing date and directing publication thereof, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by posting notice to bidders as required by law, and authorizing City officials or designees to receive and open bids and publicly announce the results for:
 - a. April 25, 2023 – SW Quadrant ADA Compliance project (estimated cost is \$1,400,000). CIP/DID #PUR0323-229

16. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
- Barrel House, 102 2nd Street SE.
 - Biaggi's Ristorante Italiano, 320 Collins Road NE.
 - The Blind Pig, 3325 Center Point Road NE.
 - Casey's General Store #2212, 130 41st Avenue Drive SW.
 - Casey's General Store #3899, 235 Edgewood Road NW.
 - Caucho, 1202 3rd Street SE (new – new ownership).
 - El Paraiso Bar & Grill, 2730 Edgewood Road SW.
 - Green Gable Inn, 1227 J Avenue NE.
 - Hacienda Las Glorias, 715 1st Avenue SW.
 - Hacienda Las Glorias II, 4317 Center Point Road NE.
 - Hazzard County Saloon, 402 2nd Avenue SE.
 - Hy-Vee #7 Club Room, 5050 Edgewood Road NE.
 - Iowa Brewing Company, 708 3rd Street SE (change in license class).
 - Mac's Shack, 2545 Old River Road SW (new – formerly the New Shack Tavern).
 - Murdoch Funeral Homes & Cremation Service, 520 Wilson Avenue SW.
 - R G Books, 3611 1st Avenue SE.
 - Smokin' Joe's Tobacco & Liquor Outlet #13, 2315 Mount Vernon Road SE.
 - Smokin' Joe's Tobacco & Liquor Outlet #7, 904 1st Avenue NW.
 - Spinal Taproom, 3223 16th Avenue SW (adding permanent outdoor service area).
 - The Pines Pizza and Pub, 4100 River Ridge Drive NE.
 - Walgreens #12393, 5750 C Avenue NE.
 - Wine Styles, 4201 42nd Street NE.
17. Resolutions approving:
- Payment of bills. CIP/DID #FIN2023-01
 - Payroll. CIP/DID #FIN2023-02
18. Resolutions approving assessment actions:
- Intent to assess – Solid Waste and Recycling – cleanup costs – 11 properties. CIP/DID #SWM-006-23
 - Intent to assess – Water Division – delinquent municipal utility bills – 50 properties. CIP/DID #WTR041123-01
 - Levy assessment – Water Division – delinquent municipal utility bills – 15 properties. CIP/DID #WTR022823-01
19. Resolutions accepting projects, approving Performance Bonds and authorizing final payments:
- Johnson Avenue NW Improvements from 1st Avenue SW to Midway Drive NW project, Change Order No. 19 deducting the amount of \$57,118.60, final payment in the amount of \$46,165.63 and 4-year Performance Bond submitted by Boomerang Corp. (original contract amount was \$5,276,786.90; final contract amount is \$5,866,765.22). **(Paving for Progress)** CIP/DID #3012043-02
 - 1st Street SE from 3rd Avenue SE to 5th Avenue SE Storm Sewer Improvements project, Change Order No. 8 deducting the amount of \$207,002.04, final payment in the amount of \$52,991.03 and 4-year Performance Bond submitted by BWC Excavating, LC (original contract amount was \$1,275,579.65; final contract amount is \$1,059,820.67). CIP/DID #3315510-66
 - Williams Boulevard SW Improvements from West Corporate Limit to 16th Avenue SW project, final payment in the amount of \$13,170.88 and 4-year Performance Bond submitted by BWC Excavating, LC (original contract amount was \$5,780,118.10; final contract amount is \$6,203,708.68). CIP/DID #301968-03

20. Resolution approving final plat:
- a. Summerfield Sixteenth Addition for land east of Council Street NE and south of East Main Street. CIP/DID #FLPT-033145-2022
21. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Purchase Agreement in the amount of \$1 and accepting a Permanent Easement for Flood Control System from the State of Iowa for several parcels of land along the East side of the Cedar River in connection with various Flood Control System projects. CIP/DID #3314200-00
 - b. Supplemental Purchase Agreement in the amount of \$48,854.62 with MidAmerican Energy Company for the reestablishment of utilities at 1115 C Street SW in connection with the West Side Flood Control System – Czech Village 12th Avenue Detention Basin project. CIP/DID #3313200-00
 - c. Consent to an Assignment of Development Agreement between LTRI LLC and LTRI Holdings LLC for property at 1218-1310 3rd Street SE. CIP/DID #DISP-0024-2019
 - d. Amendment No. 1 to the Indemnification Agreement with Mount Mercy University for property at 902 17th Street NE. CIP/DID #ASDP-033022-2022
 - e. Amendment No. 1 to the contract with Iowa Title Company for title report services for the Public Works Department for an annual amount of \$20,000 (original contract amount was \$45,000 annually; total contract amount with this amendment is \$65,000 annually). CIP/DID #PUR0522-333
 - f. Amendment No. 2 to the contract with Feld Fire for turnout gear for the Fire Department in the amount of \$18,109 (original contract amount was \$51,740; total contract amount with this amendment is \$80,197). CIP/DID #PUR0322-239
 - g. Contract with Willett Hofmann and Associates Inc. for design services for ADA compliance at Group 3 facilities for the Facilities Maintenance Services Division for an amount not to exceed \$198,000. CIP/DID #PUR0323-235
 - h. Professional Services Agreement with Snyder & Associates, Inc. for an amount not to exceed \$256,934 for construction inspection and administration services in connection with the FY 2023 Bridge Maintenance Construction Administration project. CIP/DID #305150-05
 - i. Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$138,000 for the Molecular Sieve Installation project. CIP/DID #6150058-02
 - j. Change Order No. 6 in the amount of \$85,314.58 with Boomerang Corp. for the 1st Street NW/SW Flood Control System from E Avenue NW to 2nd Avenue SW project (original contract amount was \$8,852,304; total contract amount with this amendment is \$9,120,563.32). CIP/DID #3312510-30
 - k. Change Order Nos. 7 and 8 for a total amount of \$24,757.60 with Boomerang Corp. for the Ellis Boulevard and 6th Street NW Connector project (original contract amount was \$6,357,840.10; total contract amount with this amendment is \$6,605,776.32). **(Paving for Progress)** CIP/DID #301963-03
 - l. Change Order No. 9 in the amount of \$150 with Pirc-Tobin Construction, Inc. for the 1st Avenue W from 6th Street to 1st Street Pavement Rehabilitation and Traffic Signal Improvements project (original contract amount was \$3,066,077.50; total contract amount with this amendment is \$3,705,750.41). CIP/DID #301987-03
 - m. Change Order No. 8 in the amount of \$1,000 with Rathje Construction Co. for the 1st Avenue E and 1st Street NE Temporary Traffic Signal and Pavement Improvements project (original contract amount was \$500,925.14; total contract amount with this amendment is \$688,874.16). CIP/DID #3315510-67

- n. Change Order No. 3 in the amount of \$39,129.75 with Rathje Construction Co. for the 6th Street SW & Commerce Park Drive SW Intersection Improvements project (original contract amount was \$2,256,895.41; total contract amount with this amendment is \$2,317,022.41). CIP/DID #301875-03
- o. Change Order No. 13 in the amount of \$508.80 with Rathje Construction Co. for the Cherokee Trail (Phase 2B) from Cherry Hill Park to Sharon Lane, Along Gordon Avenue through Cherokee Park to Midway Drive NW project (original contract amount was \$3,910,292.97; total contract amount with this amendment is \$4,397,737.02). CIP/DID #325069-07
- p. Agreements for Temporary Construction Easement with the owners of eight properties for a total amount of \$1,645 in connection with the 5th Avenue SE From 5th Street to 19th Street Pavement Rehabilitation project. **(Paving for Progress)** CIP/DID #3012381-00
- q. Purchase Agreement in the amount of \$1 and accepting a Temporary Grading Easement for Construction from The Depot at Newbo Village Management Association, Inc. for land at 460 12th Avenue SE in connection with the 12th Avenue SE UPRR Rail Crossing Improvements project. CIP/DID #301960-00
- r. Purchase Agreement in the amount of \$1,340 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Mercy Medical Center for land at 723 8th Avenue SE in connection with the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project. CIP/DID #301956-00
- s. Purchase Agreement in the amount of \$1,480 and accepting a Temporary Grading Easement for Construction from Mercy Medical Center for land at 846 9th Avenue SE in connection with the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project. CIP/DID #301956-00
- t. Purchase Agreement in the amount of \$3,910 and accepting an Easement for Traffic Sign and a Temporary Grading Easement for Construction from Mercy Medical Center for land at 901 8th Avenue SE in connection with the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project. CIP/DID #301956-00
- u. Purchase Agreement in the amount of \$103,750 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Mercy Medical Center for land at 1016 9th Avenue SE in connection with the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project. CIP/DID #301959-00
- v. Purchase Agreement in the amount of \$245 and accepting a Temporary Grading Easement for Construction from the Wilma E. Shadle Revocable Inter Vivos Trust for land at 800 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00
- w. Purchase Agreement in the amount of \$785 and accepting a Warranty Deed, an Easement for Permanent Utility and a Temporary Grading Easement for Construction from Phillip and Mary McKune for land at 1000 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00
- x. Purchase Agreement in the amount of \$756 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Patricia Kelchen for land at 1025 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00

- y. Purchase Agreement in the amount of \$845 and accepting an Easement for Permanent Utility and a Temporary Grading Easement for Construction from Jacob and Nicole Shimek for land at 1034 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00
- z. Purchase Agreement in the amount of \$760 and accepting an Easement for Permanent Utility and a Temporary Grading Easement for Construction from Alisan Kluesner for land at 1040 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00
- aa. Purchase Agreement in the amount of \$1,254 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Mitchell Gunderson for land at 1045 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00
- ab. Purchase Agreement in the amount of \$830 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Christopher Lien for land at 1051 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00
- ac. Purchase Agreement in the amount of \$1,480 and accepting an Easement for Permanent Utility and a Temporary Grading Easement for Construction from Catherine O'Connor for land at 1132 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00
- ad. Purchase Agreement in the amount of \$1,185 and accepting an Easement for Permanent Utility and a Temporary Grading Easement for Construction from Jake Heiderscheit for land at 1140 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00
- ae. Purchase Agreement in the amount of \$550 and accepting a Warranty Deed for right-of-way and an Easement for Permanent Utility from Gonzalo Martinez-Sanchez for land at 1222 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00
- af. Purchase Agreement in the amount of \$775 and accepting an Easement for Permanent Utility and a Temporary Grading Easement for Construction from Richard Harman for land at 1256 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00
- ag. Purchase Agreement in the amount of \$1,302 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Richard and Cathy Haag for land at 1259 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00
- ah. Purchase Agreement in the amount of \$756 and accepting an Easement for Permanent Utility and a Temporary Grading Easement for Construction from Juan and Rosalba Garcia for land at 1262 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00

- ai. Purchase Agreement in the amount of \$900 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Robert Coffin for land at 1283 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00
- aj. Purchase Agreement in the amount of \$1,959 and accepting a Warranty Deed, an Easement for Permanent Utility and a Temporary Grading Easement for Construction from Michael Fleischacker for land at 1290 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00
- ak. Purchase Agreement in the amount of \$10,290 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Y & W Properties, LLC for land at 2107 Blairs Ferry Road NE in connection with the Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project. CIP/DID #301878-00
- al. Purchase Agreement in the amount of \$12,000 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from 123 Investments, LLC for land at 2121 Blairs Ferry Road NE in connection with the Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project. CIP/DID #301878-00
- am. Purchase Agreement in the amount of \$50 and accepting a Temporary Construction Easement from D & D Real Estate Holdings LLC for land at 3 26th Avenue SW in connection with the Bowling Street Trail project. CIP/DID #325072-00
- an. Purchase Agreement in the amount of \$565 and accepting a Temporary Construction Easement from Brianna Yarrow for land at 112 Bowling Street SW in connection with the Bowling Street Trail project. CIP/DID #325072-00
- ao. Purchase Agreement in the amount of \$280 and accepting a Temporary Construction Easement from Gabrielle Zahradnik for land at 130 Bowling Street SW in connection with the Bowling Street Trail project. CIP/DID #325072-00
- ap. Purchase Agreement in the amount of \$280 and accepting a Temporary Construction Easement from Nicholas and Carrie Krapfl for land at 136 Bowling Street SW in connection with the Bowling Street Trail project. CIP/DID #325072-00
- aq. Purchase Agreement in the amount of \$215 and accepting a Temporary Construction Easement from James Fisher for land at 3216 Bowling Street SW in connection with the Bowling Street Trail project. CIP/DID #325072-00
- ar. Purchase Agreement in the amount of \$435 and accepting a Temporary Construction Easement from Tallett Properties LLC for land at 2326 Victoria Drive SW in connection with the Bowling Street Trail project. CIP/DID #325072-00
- as. Purchase Agreement in the amount of \$405 and accepting a Temporary Grading Easement for Construction from Sonia Brandley for land at 3628 Crestwood Drive NW in connection with the Crestwood Drive NW Roadway and Pedestrian Improvements project. CIP/DID #301946-00
- at. Purchase Agreement in the amount of \$520 and accepting a Temporary Construction Easement from Gary and Debra Bute for land at 3720 Crestwood Drive NW in connection with the Crestwood Drive NW Roadway and Pedestrian Improvements project. CIP/DID #301946-00
- au. Purchase Agreement in the amount of \$605 and accepting a Temporary Grading Easement for Construction from William and Rebecca Divis for land at 3632 Crestwood Drive NW in connection with the Crestwood Drive NW Roadway and Pedestrian Improvements project. CIP/DID #301946-00

- av. Purchase Agreement in the amount of \$585 and accepting a Temporary Grading Easement for Construction from Jark Park, LLC for land at 3740 Crestwood Drive NW in connection with the Crestwood Drive NW Roadway and Pedestrian Improvements project. CIP/DID #301946-00
- aw. Purchase Agreement in the amount of \$245 and accepting a Temporary Construction Easement from Coleman and Brandi Cross for land at 3400 H Avenue NW in connection with the Edgewood Road Transit Stops and Sidewalk project. CIP/DID #3018005-00
- ax. Purchase Agreement in the amount of \$50 and accepting a Temporary Construction Easement from Derek Mitchell for land at 3401 H Avenue NW in connection with the Edgewood Road Transit Stops and Sidewalk project. CIP/DID #3018005-00
- ay. Awarding and approving contract in the amount of \$180,566, bond and insurance of Cedar Service Co. for the Derecho Roof Replacements project (estimated cost was \$277,000). **(Derecho)** CIP/DID #PUR1022-089
- az. Awarding and approving contract in the amount of \$2,634,000, bond and insurance of WRH, Inc. for the J Avenue WTP Dehumidification Improvements project (estimated cost was \$1,953,000). CIP/DID #6250090-02

REGULAR AGENDA

- 22. Report on bids for the Innovation Drive from 18th Street SW to 6th Street SW Roadway Reconstruction Bid Package 2B project (estimated cost is \$11,760,000) (Tim Mroch). CIP/DID #3018004-04
 - a. Resolution awarding and approving contract in the amount of \$8,488,458.95, plus incentive up to \$75,000, bond and insurance of Peterson Contractors, Inc. for the Innovation Drive from 18th Street SW to 6th Street SW Roadway Reconstruction Bid Package 2B project.
- 23. Report on bids for the FY 2023 Sidewalk Repair Program project (estimated cost is \$1,280,000) (Tim Mroch). CIP/DID #3017023-01
 - a. Resolution awarding and approving contract in the amount of \$1,315,881, bond and insurance of Possibilities Unlimited, LLC for the FY 2023 Sidewalk Repair Program project.
- 24. Report on bids for the Boyson Road NE Turn Lane Reconstruction at Council Street and Sidewalk Infill from Council Street to C Avenue project (estimated cost is \$420,000) (Tim Mroch). CIP/DID #301262-02
 - a. Resolution awarding and approving contract in the amount of \$498,679.40, bond and insurance of Eastern Iowa Excavating & Concrete, LLC for the Boyson Road NE Turn Lane Reconstruction at Council Street and Sidewalk Infill from Council Street to C Avenue project.

25. Report on bids for the Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction project (estimated cost is \$840,000) (Doug Wilson). **(Paving for Progress)** CIP/DID #3012439-02
 - a. Resolution awarding and approving contract in the amount of \$781,093.75, bond and insurance of Pirc-Tobin Construction, Inc. for the Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction project.
26. Report on bids for the 2023 Sanitary Sewer Service Replacement project (estimated cost is \$120,000) (Doug Wilson). CIP/DID #6550043-02
 - a. Resolution awarding and approving contract in the amount of \$98,117.50, bond and insurance of B.G. Brecke, Inc. for the 2023 Sanitary Sewer Service Replacement project.
27. Presentation and resolution authorizing City financial incentives under the Targeted District Reinvestment – Economic Development Program for the construction of a new commercial building at 116 6th Street NE as proposed by Cedar Rapids Bank and Trust Company (Scott Mather). CIP/DID #TIF-0079-2023

ORDINANCES

Second and possible Third Readings

28. Ordinance permanently closing City streets at the Union Pacific Railroad crossings at 10th Street SE between 16th Avenue and Otis Road SE; I Avenue NW between 5th Street and 4th Street NW; and C Avenue NW between 8th Street and 6th Street NW. **(Paving for Progress)** CIP/DID #301963-00
29. Ordinance granting a change of zone for property at 320 27th Street NE from T-R1, Traditional Residential Single Unit District, to P-IN, Public – Institutional District, as requested by the Cedar Rapids Community School District. CIP/DID #RZNE-033568-2023

First Reading

30. Ordinance granting a change of zone for property at 2906 Oakland Road NE from S-RM1, Suburban Residential Medium Single Unit District, to S-RLF, Suburban Residential Low Flex District, as requested by Advantage Development, Inc. (Seth Gunnerson). CIP/DID #RZNE-033493-2022

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

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: City Manager

Presenter at Meeting: Scott Mather

Contact Person: Caleb Mason

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

Phone Number/Ext.: (319) 521-7678

Description of Agenda Item: PUBLIC HEARINGS

A public hearing will be held to consider the proposed Amendment No. 3 to the Urban Renewal Plan for the Rockwell Collins Urban Renewal Area (Scott Mather). CIP/DID #OB170214

- a. Resolution approving Amendment No. 3 to the Urban Renewal Plan for the Rockwell Collins Urban Renewal Area CIP/DID #OB170214

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

Background: The action amends the Rockwell Collins Urban Renewal Plan to incorporate projects and activities anticipated to be undertaken in accordance within the Urban Renewal being. As part of the process, the City must consult with taxing agencies on the activities and associated tax increments that may be used in conjunction with the projects.

Amendment No. 3 to the Plan incorporates a private redevelopment development project which have received initial approval by City Council, which are anticipated to be undertaken using tax increments in accordance with the Plan. The inclusion of the projects in the Plan provides the statutory approval necessary to enter into Development Agreements and initiate the public improvements.

The following is the timeline and steps for the Plan Amendment:

- March 14 Resolution Setting a Public Hearing
- March 31 Consultation with affected taxing agencies
- April 11 Resolution approving Amendment No. 3 to URA Plan

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

Alternative Recommendation: City Council may table and request additional information

Time Sensitivity: NA

Resolution Date: April 11, 2023

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 3 TO THE URBAN RENEWAL PLAN FOR THE ROCKWELL COLLINS URBAN RENEWAL AREA

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

<u>Amendment</u>	<u>Resolution No.</u>	<u>Date</u>
Amendment No. 1	0636-05-14	May 27, 2014
Amendment No. 2	0457-04-15	April 14, 2015

WHEREAS, the City Council has now determined that it is appropriate and necessary to further amend the Urban Renewal Plan in accordance with Chapter 403 of the Iowa Code (the "Urban Renewal Law") to incorporate projects which are anticipated to be undertaken in accordance with the Urban Renewal Plan; and

WHEREAS, City staff has caused there to be prepared a form of Amendment No. 3 to the Plan ("Amendment No. 3" 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. 3 adds no new land; and

WHEREAS, by Resolution No. 0374-03-23, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Amendment be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, a consultation was duly held on March 31, 2023 and all responses to the recommendations made by the affected taxing entities, if any, have been

timely made as set forth in the report of the Economic Development Manager filed herewith and attached as Exhibit 2 and by this reference incorporated herein, which report is in all respects approved; and

WHEREAS, by Resolution 0374-03-23, this Council also set a public hearing on the adoption of the proposed Amendment for the meeting on April 11, 2023 commencing at 12:00 p.m., in the City Council Chamber of City Hall, 101 First Street SE, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the Cedar Rapids Gazette and by mail to the affected taxing entities, which notice set forth the time and place for this hearing that nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in the Amendment concerning the area of the City of Cedar Rapids, State of Iowa, described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 2. This Council further finds:

- A. A feasible method exists for the relocation of any families who may be displaced from the Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;
- B. The Plan, as amended, and Amendment No. 3 to the Plan, conform to the general plan for the development of the City as a whole; and
- C. Acquisition by the City is not immediately expected, however, as to any areas of open land to be acquired by the City included within the Urban Renewal Area:
 - i. Non-residential use is expected and with reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

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

Section 4. That Amendment No. 3, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amendment No. 3 to the Rockwell Collins Urban Renewal Plan for City of Cedar Rapids, State of Iowa"; Amendment No. 3, is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of Amendment No. 3 with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, the Plan, as amended, shall be in full force and effect from the date of this Resolution

until the Council amends or repeals the Plan. The proposed Amendment No. 3 to the Urban Renewal Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Linn County, Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 3 as well as all resolutions previously adopted by this City Council related to the Plan be and the same are hereby ratified, confirmed and approved in all respects and remain in full force and effect.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resoution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature

Exhibit 1



**AMENDMENT NO. 3 TO THE URBAN RENEWAL PLAN
FOR THE ROCKWELL COLLINS URBAN RENEWAL
AREA**

<u>Amendment</u>	<u>Resolution No.</u>	<u>Date</u>
Amendment No. 1	0636-05-14	May 27, 2014
Amendment NO. 2	0457-04-15	April 14, 2015

**Approved by City Council
Resolution No. LEG_NUM_TAG**

1.0 INTRODUCTION

1.1 Purpose and Background

The Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Rockwell Collins Urban Renewal Area ("Area" or "Urban Renewal Area") was originally adopted in 2006 and is being amended by this Amendment No. 3 ("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 Rockwell Collins Urban Renewal Plan Amendments

Section 11.0 of the Urban Renewal Plan 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.

Amendment No. 3 to the Urban Renewal Plan for the Rockwell Collins Urban Renewal Area is consistent with this provision.

2.0 PROPOSED URBAN RENEWAL PROJECT ACTIVITIES

In accordance with Chapter 403 of the Code of Iowa, the Urban Renewal Plan for the Urban Renewal Area is amended to add the following project activities under Subsection 7.1 which are expected to be undertaken:

Development Agreements

The following are private redevelopment projects which are expected to be undertaken:

Project	Description & Rationale	Estimated total Tax Increments
Rockwell Collins, Inc. a division of Collins Aerospace	City proposes to enter into a Development Agreement with Rockwell Collins, Inc. a division of Collins Aerospace for the redevelopment of an existing 18,550 square ft industrial building at 400 Collins Road NE. Renovations include 6,000 square ft clean room, 5,000 square ft gray area, 5,000 square ft plating area, and 600 square ft test space. The City is proposing to provide three (3) annual payments of \$350,000 commencing in August 2025 and thereafter annually through August 2027.	\$1,050,000

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, including:

Project	Project Description	Estimated Indebtedness for the Project
Debt Financed Projects		
No projects associated with this Amendment		

Non Debt Financed Projects		
No projects associated with this Amendment		

Property Acquisition

The following is a list of properties anticipated to be acquired by the City to further the objectives of the Plan and in accordance with the Urban Renewal Law:

No properties are expected to be acquired as part of this amendment

Property Disposition

The following is a list of properties anticipated to be disposed of by sale or lease for private redevelopment by the City to further the objectives of the Plan and in accordance with Section 403.8 of the Urban Renewal Law:

Programs

The City intends to use tax increments for the following programs:

Program	Program Description	Estimated Indebtedness
No programs associated with this Amendment		

Administration

Use of tax increments for 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 Area in an amount estimated at \$20,000.

3.0 EFFECTIVE DATE

This Amendment No. 3 to the Urban Renewal Plan for the Rockwell Collins Urban Renewal Area 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.

4.0 CITY INDEBTEDNESS

The estimated amount of debt to be incurred by the updated urban renewal projects identified in this Amendment are outlined in *Section 2*. 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 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 aggregate indebtedness to be incurred for the proposed urban renewal projects identified in this Amendment is estimated at \$1,070,000 (this estimate does not include debt service or financing costs related to debt issuance, which will be incurred over the life of the Area).

Currently, the City of Cedar Rapids' outstanding general obligation indebtedness is \$334,460,000 (as of Fiscal Year 2023 beginning July 1, 2022). 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 \$619,645,885 as of July 1, 2022 (FY2023).

5.0 REPEALER

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

6.0 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.

7.0 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 projects identified in this Amendment, are in conformity with EnvisionCR.

This Urban Renewal Plan, as amended, 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.

Exhibit 2



City Manager's Office
3rd Floor - City Hall
101 First Street SE
Cedar Rapids, IA 52401
Telephone: (319) 286-5080

To: City Council
From: Scott Mather, Economic Development Coordinator
Subject: Consultation with affected taxing agencies – Amendment No. 3 to the Urban Renewal Plan for the Rockwell Collins URA
Date: April 7, 2023

REPORT ON CONSULTATION WITH AFFECTED TAXING AGENCIES AMENDMENT NO. 3: URBAN RENEWAL PLAN FOR THE ROCKWELL COLLINS URA

Chapter 403 of the Code of Iowa ("Urban Renewal Law") outlines requirements for undertaking urban renewal projects and activities including the timely notice and consultation with affected taxing entities on the urban renewal activities and the division of revenue therein. In connection with the proposed Amendment No. 3 to the Urban Renewal Plan for the Rockwell Collins Urban Renewal Area, after due and proper notice as required by the Urban Renewal Law, a consultation with affected taxing entities was held on Friday, March 31 at 10:00 a.m. in the Culver Conference Room of City Hall, 101 First Street SE. No representatives from any taxing entities were present and the consultation was closed at 10:20 a.m. In addition, no written comments have been received by the within seven (7) days of the consultation which require a written response on behalf of the City.



Council Agenda Item Cover Sheet

Submitting Department: City Manager

Presenter at Meeting: Scott Mather

Contact Person: Caleb Mason

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

Phone Number/Ext.: (319) 521-7678

Description of Agenda Item: PUBLIC HEARINGS

A public hearing will be held to consider a Development Agreement with Rockwell Collins, Inc. a division of Collins Aerospace, for an expansion project at 400 Collins Road NE. (Scott Mather) CIP/DID#TIF-0078-2023

- a. Resolution approving and authorizing execution of a Development Agreement with Rockwell Collins, Inc., a division of Collins Aerospace, for an expansion project at 400 Collins Road NE. CIP/DID# TIF-0078-2023

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

Background: The public hearing and resolution authorize execution of a Development Agreement with Collins Aerospace for the redevelopment of property at 400 Collins Road NE. On March 14, 2023, the City Council authorized a project term sheet which outlined preliminary deal points which would be included in a development agreement.

The following is summary of the proposed terms of the Agreement:

- + Minimum Investment: \$22 million
- + Minimum Improvements
 - o Renovation of an existing 18,550 square ft manufacturing building
 - 6,000 square ft class 1000 clean room
 - 5,000 square ft gray area
 - 5,000 square ft plating area
 - 600 square ft test space
- + Timeline
 - o Commencement April 2023; completion January 2026
- + Employment Threshold
 - o Company shall retain 26 existing employees and create no less than 16 additional full-time employees
 - o No less than 42 employees shall be paid at or above the High-Quality Jobs Program threshold

+ Annual Reporting

- o Company shall certify the number of FTE's annually, commencing November 1, 2026 and ending on November 1st of the tenth (10th) year after submittal

+ Incentives

- o City to provide three (3) annual payments of \$350,000 ("Economic Development Grants") commencing in August 2025 and thereafter annually through August 2027
- o The Economic Development Grants are to be solely from the Rockwell TIF
- o The Economic Development Grants are subject to maintaining the Employment Threshold

Action/Recommendation: City staff recommends approving the Resolution

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

Time Sensitivity: NA

Resolution Date: April 11, 2023

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A
DEVELOPMENT AGREEMENT AND RELATED DOCUMENTS BY AND
BETWEEN THE CITY OF CEDAR RAPIDS AND ROCKWELL COLLINS, INC.

WHEREAS, the City Council previously found and determined that certain areas located within the City of Cedar Rapids, ("City") are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Rockwell Collins Urban Renewal Area (the "Area" or "Urban Renewal Area") by Resolution No.1310-09-06 on September 20, 2006, which Plan, is on file in the office of the Recorder of Linn County and is from time to time amended; and

WHEREAS, the Urban Renewal Area has been designated on the basis of as an "economic development" pursuant to Chapter 403 of the Iowa Code (the "Urban Renewal Law"); and

WHEREAS, the Urban Renewal Law authorizes cities to make grants, loans, guarantees, incentives and financial assistance for economic development and in furtherance of the objectives of an urban renewal project and to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of said Urban Renewal Law; and

WHEREAS, the City Council intends to enter into a Development Agreement ("Agreement") with Rockwell Collins, Inc. ("Employer") for the construction of certain Minimum Improvements within the Urban Renewal Area in accordance with the Urban Renewal Plan, (ii) it will establish conditions which attract further new investment, (iii) it will maintain and expand taxable values in the Urban Renewal Area, and (iv) it will retain employment opportunities within the Urban Renewal Area and the community that might otherwise be lost, (v); and

WHEREAS, the Council has determined that the Development Agreement, which memorializes the commitment of the City and Employer with regard to the Project is in the best interests of the City and the residents thereof and that the performance by the City of its obligations thereunder is a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law, and further, that the Development Agreement and the City's performance thereunder is in furtherance of appropriate economic development activities and objectives of the City within the meaning of Chapter 403 of the Iowa Code; and

WHEREAS, the Agreement provides that the Employer will undertake the construction of certain Minimum Improvements consisting of the renovation of an existing 18,500 square ft manufacturing building to include 6,000 square ft class 1000 clean room, 5,000 square ft gray

area, 5,000 square ft plating area, and 600 square ft test area, which Minimum Improvements requires a minimum investment of not less than \$22,000,000.00; and

WHEREAS, the Agreement would, subject to stated terms and conditions, obligate the City to provide three (3) annual Economic Development Grant payments to the Employer each in the amount of \$350,000. The Economic Development Grants are payable solely and only from a the Rockwell Collins Urban Renewal Tax Increment Revenue Fund, , under the authority of Ordinance No. 040-06. The aggregate amount of TIF Reimbursements to be provided in furtherance of the Project shall not to exceed \$1,050,000. The City's obligation to make the Economic Development Grant payments is subject to annual appropriation; and

WHEREAS, the Council has determined that entering into the Development Agreement, which memorializes the commitment of the City and Employer with regard to the Project, is in the best interests of the City and the residents thereof and that the performance by the City of its obligations thereunder is a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law, and further, that the Development Agreement and the City's performance thereunder is in furtherance of appropriate blight remediation and economic development activities and objectives of the City within the meaning of Chapters 15, 15A and 403; and

WHEREAS, the Development Agreement, and related documents, are now ready for execution on behalf of the City.

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

Section 1. The recitals contained hereinabove are found to be true and correct and incorporated herein.

Section 2. The performance by the City of its obligations under the Development Agreement, including but not limited to, providing Economic Development Grants be and are hereby declared to be a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Development Agreement, and the City's performance thereunder is in furtherance of appropriate economic development and blight remediation activities and objectives of the City within the meaning of Chapters 15A and 403, Code of Iowa, taking into account the factors set forth therein, and that the expenditure of public funds is commensurate with the public gains and benefits received from the Project.

Section 4. The aggregate amount of Tax Increment utilized in furtherance of the Project shall not exceed \$1,050,000.00 and based upon the factors outlined in Chapter 403 of the Code of Iowa, the Council hereby determines the public gains and benefits received as a result of the Project are commensurate with the expenditure of public funds to this level.

Section 5. The form and content of the Development Agreement, the provisions of which are incorporated herein by reference, be and the same hereby are in all respects authorized, approved and confirmed, and the City Manager and the City Clerk be and they hereby are authorized, empowered and directed to execute, attest, seal and deliver them for and on behalf of the City in substantially the form and content now before this meeting, but with such changes, modifications, additions or deletions therein as shall be approved by such officers, and that from and after the execution and delivery of the Development Agreement.

Section 6. The City Manager and the City Clerk are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Development Agreement, as executed. The City Clerk is specifically directed to record a Memorandum of Development Agreement with the Linn County Recorder's office.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11TH day of April, 2023.

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Community Development - Housing

Presenter at Meeting: Sara Buck

Contact Person: Jennifer Pratt

Cell Phone Number: 538-2552

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

Description of Agenda Item: PUBLIC HEARINGS

A public hearing will be held to consider amendments to the Section 8 Housing Choice Voucher (HCV) Program Public Housing Agency (PHA) Annual Plan and Administrative Plan (Sara Buck). CIP/DID #OB363680

- a. Resolution adopting the proposed amendments to the Section 8 Housing Choice Voucher (HCV) Program Public Housing Agency (PHA) Annual Plan and Administrative Plan.

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

Background: The City of Cedar Rapids Housing Services Office administers the Section 8 Housing Choice Voucher (HCV) Program as the Public Housing Agency (PHA) of Linn and Benton Counties. The program is federally funded by the U.S. Department of Housing & Urban Development (HUD) and is designed to accommodate very low-income families and individuals with rental assistance for decent, safe, and sanitary housing, provided by private owners and rental agents. On average, the program assists 1,100 families with rent assistance per year.

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

Proposed Changes:

Discretionary Changes

- Remove policy on closing of waiting list. Information is provided on both the opening and closing of the waiting list in the same publication, as this has traditionally happened on the same day.
- Policy clarification on how changes of information will be accepted, clarifying that changes cannot be accepted over the phone, but email is an allowable form of written communication.
- Adding Emergency Housing Vouchers (EHV) information under special admissions, since referrals for these 44 vouchers come directly from coordinated entry and are funded separately from the HCV program.
- Adding special use vouchers to the local preferences, to allow participants to continue to receive housing assistance when special voucher funding ends, through the HCV

program. This will increase stability for these households and reduce the likelihood of them experiencing homelessness.

- Update policies to remove mailing requirements of notices. Notices will be mailed if households are non-responsive to requests in other forms, or if households have requested notices by mail. New software will allow those who are able to log into a secure portal to send and receive information.
- Update Smoke Detector & Carbon Monoxide Detectors to match requirements of State and local code.
- Clarify policy on termination of an initial lease term.
- Update policy on portable vouchers to utilize the last income reexamination, provided by the initial PHA.
- Make corrections that were missed in previous updates to the plan.
- Allow requests for a hearing to be completed via email.

Regulatory Changes

- Allow an initial lease term of under one year for HUD-VASH voucher holders
- Update Family Self-Sufficiency Program (FSS) Policies to reflect recent changes in regulations regarding forfeiture of escrow necessary documentation required for graduation of the FSS program.

The proposed changes are available on the City's website or by request through the Housing Services office through April 11, 2023. These plans are due to HUD no later than April 14, 2023.

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

Alternative Recommendation: Table the resolution and request additional information.

Time Sensitivity: Plans are due to HUD no later than April 14, 2023.

Resolution Date: April 11, 2023

Budget Information: NA

Local Preference Policy: (Click here to select)

Explanation: NA

Recommended by Council Committee: (Click here to select)

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

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

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

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

WHEREAS, the Public Housing Agency (PHA) Annual Plan, and amendments to the Administrative Plan, Family Self-Sufficiency Action Plan and Homeownership Option Plan have been made available for public review since February 25, 2023, and

WHEREAS, copies of these documents have been available on the City's website, and

WHEREAS, the City of Cedar Rapids City Council conducted a Public Hearing on April 11, 2023 to hear input from the public, and

WHEREAS, said plans are due to be submitted to The Department of Housing and Urban Development (HUD),

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

BE IT FURTHER RESOLVED that the Mayor of Cedar Rapids, Iowa is hereby authorized to execute for submission to The Department of Housing and Urban Development (HUD) Section 8 Housing Choice Voucher Program Public Housing Agency (PHA) Annual Plan, and Administrative Plan amendments, including the Family Self-Sufficiency Action Plan and the Homeownership Option Plan.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Community Development - Housing

Presenter at Meeting: Sara Buck

Contact Person: Jennifer Pratt

Cell Phone Number: 538-2552

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

Description of Agenda Item: CONSENT AGENDA

Resolution of support for Community Development Block Grant – Disaster Recovery (CDBG-DR) Tree Canopy and Tree Replanting Program application.

CIP/DID #CDBG-DR-FY22

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

Background: On April 14, 2023, the Iowa Economic Development Authority (IEDA) will accept funding applications for the Tree Canopy and Tree Replacement Program. Funding for this program has been made available through the Community Development Block Grant – Disaster Recovery (CDBG-DR) funding by the U.S. Department of Housing and Urban Development (HUD), which was allocated to IEDA for distribution, in response to the August 10, 2020 Derecho.

IEDA has made \$4.4 million in funding available in Linn County for stump removal and tree planting on public property or the public right-of-way, which will also include two years of tree watering. All stump removal and tree plantings must occur in areas where at least 51% of the residents are at or below 80% of the Area Median Income. Funding is anticipated to assist with the stump removal or planting of approximately 4,400 trees.

Applications are due to IEDA on April 14, 2023, and require a resolution of support, with awards anticipated in May 2023.

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

Alternative Recommendation: Table the resolution and request additional information.

Time Sensitivity: Applications are due to IEDA on April 14, 2023, with a resolution of support.

Resolution Date: April 11, 2023

Budget Information: NA

Local Preference Policy: (Click here to select)

Explanation: NA

Recommended by Council Committee: (Click here to select)

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION OF SUPPORT FOR COMMUNITY DEVELOPMENT
BLOCK GRANT – DISASTER RECOVERY (CDBG-DR) TREE CANOPY
AND TREE REPLANTING PROGRAM APPLICATIONS

WHEREAS, disaster recovery funding has been made available in response to the August 10, 2020 Derecho through the U.S. Department of Housing and Urban Development (HUD), which has been allocated to the Iowa Economic Development Authority (IEDA) for distribution; and

WHEREAS, IEDA is accepting applications for the Tree Canopy and Tree Replacement Program and the City of Cedar Rapids is responsible for submitting an application for funding within its jurisdiction; and

WHEREAS, this resolution of support is provided to be included in the City of Cedar Rapids' application for funding in the amount of \$4,400,000 for the Tree Canopy and Tree Replacement Program.

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Cedar Rapids, Iowa, the following:

1. The City Council hereby expresses its support of an application to IEDA for CDBG-DR funds for the Tree Canopy and Tree Replacement Program.
2. The City Manager, or designee, is authorized to execute with signature for submission to IEDA any and all assurances, certifications, or other document components as may be related to terms, conditions, etc. of funding agreement(s) stipulating compliance with applicable federal laws, regulations, etc. which may, (now or hereafter), affect the subject provision of financial assistance.
3. The City Manager or designee is authorized to execute Subrecipient agreements to be made effective for this funding and is authorized to execute all other program documents and approve expenditures necessary for the implementation of approved budgeted activities.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Community Development - Housing

Presenter at Meeting: Sara Buck

Contact Person: Jennifer Pratt

Cell Phone Number: 538-2552

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

Description of Agenda Item: CONSENT AGENDA

Resolution of support for Community Development Block Grant – Disaster Recovery (CDBG-DR) Generator for Critical Facilities Program application.

CIP/DID #CDBG-DR-FY22

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

Background: On April 14, 2023, the Iowa Economic Development Authority (IEDA) will accept funding applications for the Generators for Critical Facilities Program. Funding for this program has been made available through the Community Development Block Grant – Disaster Recovery (CDBG-DR) funding by the U.S. Department of Housing and Urban Development (HUD), which was allocated to IEDA for distribution, in response to the August 10, 2020, Derecho.

IEDA has made \$1.3 million in funding available to critical facilities in Linn County in need of a generator, to provide power in times of disaster. Funding is anticipated to provide approximately 13 generators within Linn County through the program.

The following agencies have identified interest in submitting an application:

- Willis Dady Homeless Services
- Catherine McAuley Center
- The Salvation Army
- Eastern Iowa Health Center
- Foundation 2
- Cedar Rapids Community School District

Applications are due to IEDA on April 14, 2023, and require a resolution of support, with awards anticipated in May 2023.

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

Alternative Recommendation: Table the resolution and request additional information.

Time Sensitivity: Applications are due to IEDA on April 14, 2023, with a resolution of support.

Resolution Date: April 11, 2023

Budget Information: NA

Local Preference Policy: (Click here to select)

Explanation: NA

Recommended by Council Committee: (Click here to select)

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION OF SUPPORT FOR COMMUNITY DEVELOPMENT
BLOCK GRANT – DISASTER RECOVERY (CDBG-DR) GENERATOR
FOR CRITICAL FACILITIES PROGRAM APPLICATIONS

WHEREAS, disaster recovery funding has been made available in response to the August 10, 2020 Derecho through the U.S. Department of Housing and Urban Development (HUD), which has been allocated to the Iowa Economic Development Authority (IEDA) for distribution; and

WHEREAS, IEDA is accepting applications for the Generators for Critical Facilities Program and the City of Cedar Rapids is responsible for submitting an application for funding within its jurisdiction; and

WHEREAS, this resolution of support is provided for the Agencies identified in Exhibit A.

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Cedar Rapids, Iowa, the following:

1. The City Council hereby expresses its support of an application to IEDA for CDBG-DR funds for the Generators for Critical Facilities Program.
2. The City Manager, or designee, is authorized to execute with signature for submission to IEDA any and all assurances, certifications, or other document components as may be related to terms, conditions, etc. of funding agreement(s) stipulating compliance with applicable federal laws, regulations, etc. which may, (now or hereafter), affect the subject provision of financial assistance.
3. The City Manager or designee is authorized to execute Subrecipient agreements to be made effective for this funding and is authorized to execute all other program documents and approve expenditures necessary for the implementation of approved budgeted activities.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

EXHIBIT A

Agency

Willis Dady Homeless Services
Eastern Iowa Health Center
Catherine McAuley Center
The Salvation Army
Foundation 2
Cedar Rapids Community School District



Council Agenda Item Cover Sheet

Submitting Department: City Manager

Presenter at Meeting: Caleb Mason

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

Phone Number/Ext.: (319) 521-7678

Description of Agenda Item: CONSENT AGENDA

Resolution declaring the intention of the City of Cedar Rapids, Iowa to issue Revenue Bonds in an aggregate principal amount not to exceed \$105,000,000 for an energy conversion project proposed by International Paper Company at 4600 C Street SW and providing for other matters with respect to the foregoing. CIP/DID #URTE-0054-2023

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

Background: The Resolution provides a path for the City to issue private activity bonds on behalf of International Paper Company for its proposed energy conversion project. Chapter 419 of the Iowa Code authorizes cities to issue special revenue bonds for eligible industrial development projects, and other private activity projects. The private activity bonds are considered “pass through” or “conduit” bonds that do not count against the statutory debt limit of the City, nor create any legal obligation for the City to repay the bonds. Rather, as a special revenue bond, they are the debt obligation secured by revenues of International Paper. The City serves as a conduit for bonds to the company. This “Inducement” Resolution is necessary to declare the City’s intention of issuing private activity bonds on behalf of International Paper at a future date which allows for all costs incurred by International Paper after the passage of the Resolution to be reimbursed by the bond proceeds. This Resolution also does not obligate the City to issue bonds for the project. Should the project proceed with one or more bond sales in the future, the company will pay for all administrative and issuance costs of the City.

Action/Recommendation: City staff recommends approving the Resolution

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

Time Sensitivity: NA

Resolution Date: April 10, 2023

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF CEDAR
RAPIDS, IOWA TO ISSUE REVENUE BONDS IN AN AGGREGATE
PRINCIPAL AMOUNT NOT TO EXCEED \$105,000,000; AND PROVIDING
FOR OTHER MATTERS WITH RESPECT TO THE FOREGOING

WHEREAS, the City of Cedar Rapids, Iowa, a municipal corporation organized and existing under and by virtue of the Constitution and laws of the State of Iowa (the "Issuer"), is authorized to issue revenue bonds for the purpose of financing the costs of certain projects, as more particularly described in Chapter 419 of Title IX of the Code of Iowa (the "Act"); and

WHEREAS, International Paper Company, a New York corporation (the "Company"), has requested that the Issuer declare its intention to issue, from time to time or at one time, in one or more issues or series, its revenue bonds in an aggregate principal amount not to exceed \$105,000,000 (the "Bonds"), for the purpose of financing, or reimbursing the Company for, the costs of the acquisition, improvement, construction and installation of certain solid waste disposal, wastewater treatment, sewage and/or carbon dioxide capture facilities (the "Project"), at the Cedar River Mill of the Company located at 4600 C Street SW; and

WHEREAS, it is now the desire of the Issuer to declare its intention to issue, from time to time or at one time, in one or more issues or series, the Bonds for the purpose of financing, or reimbursing the Company for, the costs of the acquisition, improvement, construction and installation of the Project.

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

SECTION 1. It is in the public interest and within the power and authority vested in the Issuer under the Act to issue the Bonds for the purposes stated hereinabove to provide funds to finance, or reimburse the Company for, the costs of the Project.

SECTION 2. The Issuer hereby declares its intention to issue, from time to time or at one time, in one or more series or issues, its revenue bonds in an aggregate principal amount not to exceed \$105,000,000 to finance, or reimburse the Company for, the costs of the Project, pursuant to the Act subject to any restrictions imposed by law. This declaration shall constitute an expression of the official intent of the Issuer (within the meaning of Treas. Reg. Section 1.150-2(e)) toward the issuance of the Bonds in one or more series or issues from time to time to finance, or reimburse the Company for, the costs of the Project.

SECTION 3. The Bonds will not constitute any claim upon any general revenues of the Issuer or the State or any political or governmental subdivision thereof.

SECTION 4. This Resolution shall take effect immediately.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
)
COUNTY OF LINN)

I, the undersigned Clerk of the City of Cedar Rapids, Iowa (the "Issuer"), do hereby certify that the foregoing constitutes a true and correct copy of the proceedings taken by the City Council of the Issuer on April 11, 2023, declaring the intention of the Issuer to issue its revenue bonds in an aggregate principal amount not to exceed \$105,000,000; and providing for other matters with respect to the foregoing.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the City of Cedar Rapids, Iowa, on this 11th day of April, 2023.

ClerkSignature

(SEAL)



Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Douglas F. Wilson, PE

Contact Person: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: CONSENT AGENDA

Resolution accepting work and fixing amount to be assessed for the Chandler Street SW and 20th Street SW Pavement and Sidewalk Improvements-Phase 2 project.

CIP/DID #3012089-00

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

Background: Construction has been completed by Pirc-Tobin Construction, Inc for the subject project. This is a previously approved Capital Improvements Project (CIP No. 3012089) with a final construction amount of \$2,672,694. Final amount proposed to be assessed to the benefited properties is \$23,760. The preliminary assessment amount of \$23,760 was approved by City Council on January 12, 2021. The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements.

Action/Recommendation: The Public Works Department recommends adoption of the resolution to accept the work and fix the amount to be assessed,

Alternative Recommendation: Increase the City's contribution towards the cost of improvements. The FY 2023 budget does not include additional funds for contributions, so funding source would have to be identified if the Council wants to pursue this option.

Time Sensitivity: Must be acted on by April 11, 2023 due to assessment schedule per State code timeline.

Resolution Date: April 11, 2023

Budget Information: 301-301000-3012089 NA

Local Preference Policy: No

Explanation: Local preference does not apply to assessment proceedings

Recommended by Council Committee: Yes

Explanation: Approved Paving for Progress project

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION ACCEPTING WORK AND FIXING AMOUNT TO BE ASSESSED

WHEREAS, on March 9, 2021, the City of Cedar Rapids, Iowa, entered into contract with Pirc-Tobin Construction, Inc. of Alburnett, IA, for the construction of the Chandler Street SW and 20th Street SW Pavement and Water Main Improvements-Phase 2 within the City, as therein described; and

WHEREAS, said contractor has substantially completed the construction of said improvements, known as the Chandler Street SW and 20th Street SW Pavement and Water Main Improvements-Phase 2 in accordance with the terms and conditions of said contract and plans and specifications, as shown by the certificate of the Engineer filed with the Clerk on March 31, 2023:

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

Section 1. That said report of the Engineer be and the same is hereby approved and adopted and said improvements are hereby accepted as having been substantially completed in accordance with the said plans, specifications and contract. The total construction contract cost of the improvements payable under said contract is hereby determined to be \$2,672,694.

Section 2. The total cost of improvements including construction, engineering, legal and administrative costs are determined to be \$2,693,403.

BE IT FURTHER RESOLVED, that the Engineer is hereby instructed to prepare a final plat and schedule showing the separate lots or parcels of ground subject to assessment for the cost of the Chandler Street SW and 20th Street SW Pavement and Water Main Improvements-Phase 2 together with the names of the owners thereof, so far as practicable, and the amount assessable by law against each lot or parcel of ground so assessable, and against any railway or street railway legally assessable therefor, and \$23,760 of the whole amount of the cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Douglas F. Wilson, PE

Contact Person: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: CONSENT AGENDA

Resolution accepting work and fixing amount to be assessed for the Chandler Street SW From 18th Street to 10th Avenue Pavement and Water Main Improvements-Phase 1B and Chandler Street SW and 20th Street SW Pavement and Water Main Improvements-Phase 2 projects. CIP/DID #3012089-00

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

Background: Construction has been completed by Boomerang Corporation for the subject project. This is a previously approved Capital Improvements Project (CIP No. 3012089) with a final construction amount of \$1,690,115. Final amount proposed to be assessed to the benefited properties is \$3,400. The preliminary assessment amount of \$17,000 was approved by City Council on February 10, 2015. The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements.

Action/Recommendation: The Public Works Department recommends adoption of the resolution to accept the work and fix the amount to be assessed,

Alternative Recommendation: Increase the City's contribution towards the cost of improvements. The FY 2023 budget does not include additional funds for contributions, so funding source would have to be identified if the Council wants to pursue this option.

Time Sensitivity: Must be acted on by April 11, 2023 due to assessment schedule per State code timeline.

Resolution Date: April 11, 2023

Budget Information: 301-301000-3012089 ; 655-655000-6559993

Local Preference Policy: NA

Explanation: Assessment proceedings are governed by Code of Iowa.

Recommended by Council Committee: Yes

Explanation: Projects approved by Infrastructure Committee

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION ACCEPTING WORK AND FIXING AMOUNT TO BE ASSESSED

WHEREAS, on April 14, 2020, the City of Cedar Rapids, Iowa, entered into contract with Boomerang Corporation of Anamosa, Iowa, for the construction of the Chandler Street SW from 18th Street to 10th Avenue Pavement and Water Main Improvements-Phase 1B within the City, as therein described; and

WHEREAS, on March 9, 2021, the City of Cedar Rapids, Iowa, entered into contract with Pirc-Tobin Construction, Inc., of Alburnett, Iowa, for the construction of Chandler Street SW and 20th Street SW Pavement and Water Main Improvements-Phase 2 within the City, as therein described, and

WHEREAS, said contractors have substantially completed the construction of said improvements, known as the Chandler Street SW from 18th Street to 10th Avenue Pavement and Water Main Improvements-Phase 1B and Chandler Street SW and 20th Street SW Pavement and Water Main Improvements-Phase 2, respectively, in accordance with the terms and conditions of said contracts and plans and specifications, as shown by the certificate of the Engineer filed with the Clerk on March 31, 2023:

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

Section 1. That said report of the Engineer be and the same is hereby approved and adopted and said improvements are hereby accepted as having been substantially completed in accordance with the said plans, specifications and contract. The total construction contract cost of the improvements payable under said contract is hereby determined to be \$1,690,115.

Section 2. The total cost of improvements including construction, engineering, legal and administrative costs are determined to be \$1,779,115.

BE IT FURTHER RESOLVED, that the Engineer is hereby instructed to prepare a final plat and schedule showing the separate lots or parcels of ground subject to assessment for the cost of the Chandler Street SW from 18th Street to 10th Avenue Pavement and Water Main Improvements-Phase 1B and Chandler Street SW and 20th Street SW Pavement and Water Main Improvements-Phase 2, respectively, together with the names of the owners thereof, so far as practicable, and the amount assessable by law against each lot or parcel of ground so assessable, and against any railway or street railway legally assessable therefor, and \$3,400 of the whole amount of the cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Robert Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: CONSENT AGENDA

Resolution accepting the established fair market value in the amount of \$26,400 for the Temporary Grading Easement for Construction from land located at 1030 Mount Vernon Road SE, owned by Rodney S. and Judy M. Johnson and VanProp, LLC, Contract Buyer, in connection with the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project.

CIP/DID #301956-00

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

Background: The temporary grading easement for construction is required to accommodate the proposed 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project. Negotiations have come to an impasse between the City, the property owner and the contract buyer to acquire the necessary temporary grading easement for construction.

Compensation amount offered of \$26,400 for the temporary grading easement for construction are based on an appraisal of the subject property, provided by a qualified Iowa-certified appraiser and/or a review appraiser's recommendation hired by the City.

The acceptance of establishing fair market value is the first of two steps in passing a resolution to refer to the Linn County Compensation Commission in accordance with the eminent domain proceedings to allow the City to obtain easement rights. This action is an expediency to maintain the construction schedule to protect the City's project letting. If the owner is willing, the City will remain available to negotiate to reach a mutually agreeable settlement to conclude this transaction. If an agreement is executed and approved by City Council prior to convening the Linn County Compensation Commission, the eminent domain proceedings will terminate.

Action/Recommendation: The Public Works Department recommends the City Council adopt the resolution accepting the established fair market value of \$26,400 for the temporary grading easement for construction from 1030 Mount Vernon Road SE required for the subject project.

Alternative Recommendation: Do not proceed with acquiring the proposed temporary grading easement for construction under the eminent domain proceedings and direct City staff to abandon or reconfigure.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/301956

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Commercial Appraisers of Iowa, Inc. prepared an appraisal to establish the fair market value in the amount of \$26,400 for the temporary grading easement for construction from property located at 1030 Mount Vernon Road SE, owned by Rodney S. and Judy M. Johnson and VanProp, LLC, Contract Buyer as required for the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project, and

WHEREAS, the Public Works Department recommends that the City Council accept the established fair market value of the above affected property as a result of the project, and

WHEREAS, the City Council has allocated Capital Improvement funds for the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project, (Fund 301, Dept ID 301000, Project 301956),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Council accept the fair market value in the amount of \$26,400 for the temporary grading easement for construction from land located at 1030 Mount Vernon Road SE, affected by the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project.

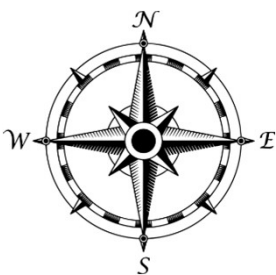
PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature





Council Agenda Item Cover Sheet

Submitting Department: City Council

Presenter at Meeting:

Phone Number/Ext.:

E-mail Address:

Alternate Contact Person:

Phone Number/Ext.:

E-mail Address: @cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA

Resolution approving and authorizing a Severance Agreement with Wayne Jerman in the amount of \$241,442.78, including 12 months salary, accrued and unused flex leave, and reimbursement of expenses.

CIP/DID #OB3167986

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

Background: Wayne Jerman is retiring from the City of Cedar Rapids due to confidential constraints necessitating his separation.

Action/Recommendation:

Alternative Recommendation:

Time Sensitivity:

Resolution Date: April 11, 2023

Budget Information:

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: (Click here to select)

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the terms and conditions of the Severance Agreement with Wayne Jerman are hereby approved and the City Manager and City Clerk are hereby authorized to execute the Separation Agreement on behalf of the City of Cedar Rapids, Iowa.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Police

Presenter at Meeting: Chief Wayne Jerman

Contact Person: Chief Jerman

Cell Phone Number: 319-521-5808

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

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing Police Officer Renee Sheely to travel to Crash Investigations I Training in Naperville, IL to attend mandatory training to reflect the final trip cost of \$3,432.35.
CIP/DID #PD0065

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

Background: The City of Cedar Rapids travel policy requires any travel expenses with a cost of \$3,000 or more to be approved by City Council. The final travel costs exceed the amount of \$3,000, and is being brought to City Council for their approval.

Action/Recommendation: Police Department requests approval for final costs of mandatory training required of Police Officer Renee Sheely to travel to Crash Investigations I Training in Naperville, IL from March 5-10, 2023 and March 12-17, 2023.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: April 11, 2023

Budget Information: 542102-101-132202

Local Preference Policy: (Click here to select)

Explanation: NA

Recommended by Council Committee: (Click here to select)

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Police Officer Renee Sheely is authorized to attend Crash Investigations I Training in Naperville, IL from March 5-10, 2023 and March 12-17, 2023 for a final total amount of \$3,432.35. The trip cost will be funded from 542102-101-132202.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

NOTICE OF INTENT TO PROCEED WITH AN
APPROVED PUBLIC CAPITAL IMPROVEMENTS PROJECT KNOWN AS WRIGHT
BROTHERS BOULEVARD SW FROM 6TH STREET TO EARHART LANE INTERSECTION
REHABILITATION AND TO ACQUIRE THE NECESSARY PROPERTIES, RIGHTS-OF-WAY,
PERMANENT EASEMENTS AND TEMPORARY EASEMENTS
(CIP No. 3018027)

<u>Property Owners That May be Affected</u>	<u>Location of Affected Properties</u>
TO: Dyer Family, LLC	A part of the SW ¼ SE ¼ Section 21-82-7 Cedar Rapids, Linn County, Iowa
Dyer Family, LLC	A part of Parcel B, Plat of Survey #1814 SW ¼ - SE ¼ Section 21-82-7, Cedar Rapids, Linn County, Iowa
Leo E. Rigel, Trustee of Marvin W. Rigel Testamentary Trust U/W and Leo E. Rigel, Executor in the matter of the Estate of Hermina B. Rigel, Deceased	A part of the NW ¼ NE ¼ Section 28-82-7, Cedar Rapids, Linn County, Iowa

and other Cedar Rapids and Linn County residents

Under the provisions of Section 6B.2A and 6B.2B of the Iowa Code, a governmental body which proposes to acquire property under power of eminent domain for a public improvement project, is required to give notice of intent to commence the project to all property owners of agricultural land whose properties may be acquired in whole or in part for the project.

1. DESCRIPTION OF THE PROJECT; INTENDED USE OF PRIVATE PROPERTY TO BE ACQUIRED.

NOTICE IS HEREBY GIVEN that the City Council of the City of Cedar Rapids will consider proceeding with an approved project, described as follows:

Wright Brothers Blvd SW from 6th Street to Earhart Lane Intersection Rehabilitation
(CIP No. 3018027)

The City seeks to provide a safe and efficient connection from Wright Brothers Boulevard to Interstate 380 by adding additional lanes to the intersections immediately adjacent to the proposed Interstate 380 interchange which is being reconstructed by the Iowa DOT. Properties acquired for the project will be by fee title, permanent easement and temporary construction easements.

2. PRIVATE PROPERTY MAY BE ACQUIRED BY PURCHASE OR CONDEMNATION.

If the City Council elects to proceed with the above-described project, it will be necessary to acquire property for the project improvements. Upon review of Cedar Rapids property records, it appears that properties or portions of properties owned by the above-identified persons may have to be acquired for the project. The City will attempt to purchase the required property by good faith negotiations, and it may condemn properties if compensation amounts offered by the City are not acceptable to the property owner. The proposed location of the above described public

improvement is shown on a conceptual drawing, plan, or plat of the project which is on file in the office of the City Clerk and available for public inspection.

3. CITY PROCESS TO DECIDE TO PROCEED WITH THE PROJECT AND TO ACQUIRE PROPERTY; CITY COUNCIL ACTION REQUIRED TO PROCEED WITH PROJECT; OPPORTUNITY FOR PUBLIC INPUT.

The Cedar Rapids City Council authorized the City Engineer to proceed with this said project in December of 2023. In order to acquire the necessary properties and property interests required for the project, the City Council is required to authorize continuation of the project by Council resolution. The City has provided funding in its current capital improvements budget to acquire property and property interests for the project and to construct the project improvements. Any public comment will be considered in determining whether to acquire property for the project and whether to continue with the construction of the project improvements.

The City Council will hold a public hearing, giving persons interested in the project the opportunity to present their views regarding the project, and regarding the acquisition of property for the project. The public hearing on the project will be held during the City Council's regularly scheduled meeting on the 23rd day of May, 2023 in the City Council Chambers, 3rd Floor, City Hall, 101 First Street, Cedar Rapids, Iowa, commencing at 4:00 p.m. In order to continue the above-described project and commence the acquisition of private property for the project by Council resolution, the City Council is scheduled to consider adoption of a resolution to that effect during the City Council's regularly scheduled meeting on the 23rd day of May 2023 in the City Council Chambers, 3rd Floor, City Hall, 101 First Street, Cedar Rapids, Iowa, commencing at 4:00 p.m.

If the City Council decides to proceed with the project, an appraiser will provide our opinion of the value of the property to be acquired. The City will offer no less than the appraised value and will offer to purchase only the needed property by good faith negotiations. If the City is unable to acquire properties needed for the project by negotiation, the City may proceed to acquire those properties by exercising the eminent domain authority and proceeding with the condemnation process.

4. STATUS OF PROJECT PLANNING.

Construction of the Wright Brothers Boulevard SW from 6th Street to Earhart Lane Intersection Rehabilitation is anticipated to occur during Fiscal Years 2024-2027. The City Council, per Resolution No. 0397-03-23 dated March 14, 2023, authorized execution of a contract with Bolton & Menk for project design and acquisition plat preparation.

5. STATEMENT OF RIGHTS.

Just as the law grants certain entities the right to acquire private property, you as the owner of property have certain rights. You have the right to:

- a. Receive just compensation for the taking of property. (Iowa Const., Article 1, Section 18)
- b. An offer to purchase which may not be less than the lowest appraisal of the fair market value of the property. (Iowa Code §6B.45, 6B54)
- c. Receive a copy of the appraisal, if an appraisal is required, upon which the acquiring agency's determination of just compensation is based not less than 10 days before being contacted by the acquiring agency's acquisition agent. (Iowa Code §6B.45)

- d. When an appraisal is required, an opportunity to accompany at least one appraiser of the acquiring agency who appraises your property. (Iowa Code §6B.54)
- e. Participate in good faith negotiations with the acquiring agency before the acquiring agency begins condemnation proceedings. (Iowa Code §6B.3 (1))
- f. If you cannot agree on a purchase price with the acquiring agency, a determination of just compensation by an impartial compensation commission and the right to appeal its award to district court. (Iowa Code §§6B.4, 6B.7, and 6B.18)
- g. A review by the compensation commission of the necessity of the condemnation if your property is agricultural land being condemned for industry; (Iowa Code §6B.4A)
- h. Payment of the agreed upon purchase price or if condemned, a deposit of the compensation commission award before you are required to surrender possession of the property. (Iowa Code §§6B.25 and 6B.54(11))
- i. Reimbursement for expenses incidental to transferring title to the acquiring agency. (Iowa Code §§6B.33 and 6B.54(10))
- j. Reimbursement of certain litigation expenses: (1) if the award of the compensation commissioners exceeds 110 percent of the acquiring agency's final offer before condemnation; and (2) if the award on appeal in court is more than the compensation commissioner's award. (Iowa Code §6B.33)
- k. At least 90 days written notice to vacate occupied property. (Iowa Code §6B.54(4))
- l. Relocation services and payments, if you are eligible to receive them, and the right to appeal your eligibility for and amount of payments. (Iowa Code §316.9)

The rights set out in this Statement are not claimed to be a full and complete list or explanation of an owner's rights under the law. They are derived from Iowa Code Chapters 6A, 6B and 316. For a more thorough presentation of an owner's rights, you should refer directly to the Iowa Code or contact an attorney of your choice.

This Notice is given by the authority of the Council of the City of Cedar Rapids.

Published in The Cedar Rapids Gazette on May 6, 2023.

Mailed to all affected Property Owners on April 12, 2023

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION AUTHORIZING MAILING AND PUBLICATION OF NOTICE
OF INTENT TO PROCEED WITH AN APPROVED PUBLIC IMPROVEMENT
PROJECT FOR WRIGHT BROTHERS BOULEVARD SW FROM 6TH
STREET TO EARHART LANE INTERSECTION REHABILITATION (CIP No.
3018027) AND TO COMMENCE THE ACQUISITION OF PROPERTY FOR
THE PROJECT AND SETTING DATE OF PUBLIC HEARING

WHEREAS, under the provision of Sections 6B.2A and 6B.2B of the Iowa Code, a governmental body which proposes to acquire property under power of eminent domain for a public improvement project is required to give notice of intent to commence the project to all property owners of agricultural land whose properties may be acquired in whole or in part for the project, and

WHEREAS, the City Public Works Department through its consultant, Bolton & Menk, has prepared plans and exhibits which show said proposed improvements and identifies the proposed properties where right-of-way activity, i.e. construction easements and fee takings, are required, and

WHEREAS, the Public Works Department has not yet commenced right-of-way activity, i.e., construction easements and fee takings, and

WHEREAS, the City Council previously allocated funds for said improvements in the Capital Improvements Program, and

WHEREAS, before the City of Cedar Rapids can proceed with said project, the City Council must:

- a. Hold a public hearing, providing the opportunity for public input on the question to continue the approved public improvement and on the acquisition or condemnation of property for the project, and
- b. Adopt a resolution a) to continue the approved project, and b) to authorize the acquisition of the properties and property interests not yet acquired for the project by negotiation or condemnation.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, that the parcel impact details and exhibits for said improvement to be known as the Wright Brothers Blvd SW from 6th Street to Earhart Lane Intersection Rehabilitation (CIP No. 3018027) as prepared by the City Public Works Department showing the proposed improvement and identifying the proposed properties and property interests to be acquired for the project; i.e. construction easements and fee takings, be and are hereby received and put on file for public inspection.

BE IT FURTHER RESOLVED, that at a subsequently scheduled City Council Meeting at the City Council Chambers, 3rd Floor, City Hall, in the City of Cedar Rapids, on the 23rd day of May, 2023 at 4 p.m. the City Council will:

- a. Hold a public hearing, providing the opportunity for public input on the question to continue an approved public improvement and on the acquisition or condemnation of properties and property interests not yet acquired for the project, and

- b. Vote on a resolution a) to continue an approved project, and b) authorize the acquisition of the properties and property interests not yet acquired for the project by negotiation or condemnation.

BE IT FURTHER RESOLVED, that the Public Works Director and City Clerk are hereby instructed to cause notice to be published and mailed as required by law of the pendency of this resolution and of the time and place of the hearing at which persons interested in the proposed project may present their views regarding the project and regarding the acquisition of property for the project; said Notice of Intent to be in substantially the attached form.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

NOTICE OF INTENT TO PROCEED WITH AN
APPROVED PUBLIC CAPITAL IMPROVEMENTS PROJECT KNOWN AS WRIGHT
BROTHERS BOULEVARD SW FROM 6TH STREET TO EARHART LANE INTERSECTION
REHABILITATION AND TO ACQUIRE THE NECESSARY PROPERTIES, RIGHTS-OF-WAY,
PERMANENT EASEMENTS AND TEMPORARY EASEMENTS
(CIP No. 3018027)

<u>Property Owners That May be Affected</u>	<u>Location of Affected Properties</u>
TO: Dyer Family, LLC	A part of the SW ¼ SE ¼ Section 21-82-7 Cedar Rapids, Linn County, Iowa
Dyer Family, LLC	A part of Parcel B, Plat of Survey #1814 SW ¼ - SE ¼ Section 21-82-7, Cedar Rapids, Linn County, Iowa
Leo E. Rigel, Trustee of Mavin W. Rigel Testamentary Trust U/W and Leo E. Rigel, Executor in the matter of the Estate of Hermina B. Rigel, Deceased	A part of the NW ¼ NE ¼ Section 28-82-7, Cedar Rapids, Linn County, Iowa
and other Cedar Rapids and Linn County residents	

Under the provisions of Section 6B.2A and 6B.2B of the Iowa Code, a governmental body which proposes to acquire property under power of eminent domain for a public improvement project, is required to give notice of intent to commence the project to all property owners of agricultural land whose properties may be acquired in whole or in part for the project.

1. DESCRIPTION OF THE PROJECT; INTENDED USE OF PRIVATE PROPERTY TO BE ACQUIRED.

NOTICE IS HEREBY GIVEN that the City Council of the City of Cedar Rapids will consider proceeding with an approved project, described as follows:

Wright Brothers Blvd SW from 6th Street to Earhart Lane Intersection Rehabilitation
(CIP No. 3018027)

The City seeks to provide a safe and efficient connection from Wright Brothers Boulevard to Interstate 380 by adding additional lanes to the intersections immediately adjacent to the proposed Interstate 380 interchange which is being reconstructed by the Iowa DOT. Properties acquired for the project will be by fee title, permanent easement and temporary construction easements.

2. PRIVATE PROPERTY MAY BE ACQUIRED BY PURCHASE OR CONDEMNATION.

If the City Council elects to proceed with the above-described project, it will be necessary to acquire property for the project improvements. Upon review of Cedar Rapids property records, it appears that properties or portions of properties owned by the above-identified persons may have to be acquired for the project. The City will attempt to purchase the required property by good faith negotiations, and it may condemn properties if compensation amounts offered by the City are not acceptable to the property owner. The proposed location of the above described public

improvement is shown on a conceptual drawing, plan, or plat of the project which is on file in the office of the City Clerk and available for public inspection.

3. CITY PROCESS TO DECIDE TO PROCEED WITH THE PROJECT AND TO ACQUIRE PROPERTY; CITY COUNCIL ACTION REQUIRED TO PROCEED WITH PROJECT; OPPORTUNITY FOR PUBLIC INPUT.

The Cedar Rapids City Council authorized the City Engineer to proceed with this said project in December of 2023. In order to acquire the necessary properties and property interests required for the project, the City Council is required to authorize continuation of the project by Council resolution. The City has provided funding in its current capital improvements budget to acquire property and property interests for the project and to construct the project improvements. Any public comment will be considered in determining whether to acquire property for the project and whether to continue with the construction of the project improvements.

The City Council will hold a public hearing, giving persons interested in the project the opportunity to present their views regarding the project, and regarding the acquisition of property for the project. The public hearing on the project will be held during the City Council's regularly scheduled meeting on the 23rd day of May, 2023 in the City Council Chambers, 3rd Floor, City Hall, 101 First Street, Cedar Rapids, Iowa, commencing at 4:00 p.m. In order to continue the above-described project and commence the acquisition of private property for the project by Council resolution, the City Council is scheduled to consider adoption of a resolution to that effect during the City Council's regularly scheduled meeting on the 23rd day of May 2023 in the City Council Chambers, 3rd Floor, City Hall, 101 First Street, Cedar Rapids, Iowa, commencing at 4:00 p.m.

If the City Council decides to proceed with the project, an appraiser will provide our opinion of the value of the property to be acquired. The City will offer no less than the appraised value and will offer to purchase only the needed property by good faith negotiations. If the City is unable to acquire properties needed for the project by negotiation, the City may proceed to acquire those properties by exercising the eminent domain authority and proceeding with the condemnation process.

4. STATUS OF PROJECT PLANNING.

Construction of the Wright Brothers Blvd SW from 6th Street to Earhart Lane Intersection Rehabilitation is anticipated to occur during Fiscal Years 2024-2027. The City Council, per Resolution No. 0397-03-23 dated March 14, 2023, authorized execution of a contract with Bolton & Menk for project design and acquisition plat preparation.

5. STATEMENT OF RIGHTS.

Just as the law grants certain entities the right to acquire private property, you as the owner of property have certain rights. You have the right to:

- a. Receive just compensation for the taking of property. (Iowa Const., Article 1, Section 18)
- b. An offer to purchase which may not be less than the lowest appraisal of the fair market value of the property. (Iowa Code §6B.45, 6B54)
- c. Receive a copy of the appraisal, if an appraisal is required, upon which the acquiring agency's determination of just compensation is based not less than 10 days before being contacted by the acquiring agency's acquisition agent. (Iowa Code §6B.45)

- d. When an appraisal is required, an opportunity to accompany at least one appraiser of the acquiring agency who appraises your property. (Iowa Code §6B.54)
- e. Participate in good faith negotiations with the acquiring agency before the acquiring agency begins condemnation proceedings. (Iowa Code §6B.3 (1))
- f. If you cannot agree on a purchase price with the acquiring agency, a determination of just compensation by an impartial compensation commission and the right to appeal its award to district court. (Iowa Code §§6B.4, 6B.7, and 6B.18)
- g. A review by the compensation commission of the necessity of the condemnation if your property is agricultural land being condemned for industry; (Iowa Code §6B.4A)
- h. Payment of the agreed upon purchase price or if condemned, a deposit of the compensation commission award before you are required to surrender possession of the property. (Iowa Code §§6B.25 and 6B.54(11))
- i. Reimbursement for expenses incidental to transferring title to the acquiring agency. (Iowa Code §§6B.33 and 6B.54(10))
- j. Reimbursement of certain litigation expenses: (1) if the award of the compensation commissioners exceeds 110 percent of the acquiring agency's final offer before condemnation; and (2) if the award on appeal in court is more than the compensation commissioner's award. (Iowa Code §6B.33)
- k. At least 90 days written notice to vacate occupied property. (Iowa Code §6B.54(4))
- l. Relocation services and payments, if you are eligible to receive them, and the right to appeal your eligibility for and amount of payments. (Iowa Code §316.9)

The rights set out in this Statement are not claimed to be a full and complete list or explanation of an owner's rights under the law. They are derived from Iowa Code Chapters 6A, 6B and 316. For a more thorough presentation of an owner's rights, you should refer directly to the Iowa Code or contact an attorney of your choice.

This Notice is given by the authority of the Council of the City of Cedar Rapids.

Published in The Cedar Rapids Gazette on May 6, 2023.

Mailed to all affected Property Owners on April 12, 2023



Motion Item Cover Sheet

Submitting Department: Finance

Presenter at Meeting: Heidi Stiffler

Contact Person: Heidi Stiffler

Cell Phone Number: (319) 286-5824

E-mail Address: H.Stiffler@cedar-rapids.org

Description of Agenda Item: Motions setting public hearings
Motion setting a public hearing for April 25, 2023 to consider the fiscal year 2024 annual budget.

CIP/DID #FIN2023-09

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply
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Background: The City is required to hold a public hearing for the fiscal year 2024 annual budget. The notices are to be published no less than ten (10) or no more than twenty (20) days before the date of the said hearing. For fiscal year 2024, the budget is required to be certified to the Linn County Auditor by April 30, 2023.

Action/Recommendation: Set the public hearing.

Alternative Recommendation:

Time Sensitivity:

Motion Date: April 11, 2023

Budget Information: NA

Local Preference Policy: (Click here to select)

Explanation: NA

Recommended by Council Committee: (Click here to select)

Explanation: NA



Council Agenda Item Cover Sheet

Submitting Department: Water

Presenter at Meeting: Roy Hesemann

Contact Person: Roy Hesemann

Cell Phone Number: 319-521-5752

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

Description of Agenda Item: Motions setting public hearings

Motion setting public hearing date for:

- a. April 25, 2023 – to consider amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates for FY24.
CIP/DID #WTR24-01

Municipal Code	Municipal Utility Services
Chapter 12 – Water Service	Water

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

Background:

Rate schedules for the municipal utility services are evaluated and amended as needed each year in parallel with the adoption of the City's Budget. The utility rate schedules are stipulated in their respective Chapters of the Municipal Code. This motion is to set the date for Public Hearing to consider adoption of an Ordinance amending Chapter 12 of the Municipal Code, Water Service, by repealing the existing rate schedules and adopting new rate schedules for all billings beginning July 1, 2023.

The timeline for adoption of the ordinances will be as follows:

April 25, 2023 – Public Hearing and First Reading of the Ordinances

May 9, 2023 – Second Reading (Third Reading may be combined with Second Reading)

May 23, 2023 – Third Reading

Action/Recommendation: N/A

Alternative Recommendation: N/A

Time Sensitivity: N/A

Motion Date: April 11, 2023

Budget Information: N/A

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA



Council Agenda Item Cover Sheet

Submitting Department: Water

Presenter at Meeting: Roy Hesemann

Contact Person: Roy Hesemann

Cell Phone Number: 319-521-5752

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

Description of Agenda Item: Motions setting public hearings

Motion setting public hearing date for:

- a. April 25, 2023 – to consider amending Chapter 13 of the Municipal Code, Wastewater Facilities, by repealing existing rates and establishing new rates for FY24.
CIP/DID #WPC24-01

Municipal Code	Municipal Utility Services
Chapter 13 – Wastewater Facilities	Water Pollution Control / Sanitary Sewer Service and Storm Sewer

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

Background:

Rate schedules for the municipal utility services are evaluated and amended as needed each year in parallel with the adoption of the City's Budget. The utility rate schedules are stipulated in their respective Chapters of the Municipal Code. This motion is to set the date for Public Hearing to consider adoption of an Ordinance to amend Chapter 13 of the Cedar Rapids Municipal Code by repealing the existing rate schedules and adopting new rate schedules for all billings beginning July 1, 2023.

The timeline for adoption of the ordinances will be as follows:

April 25, 2023 – Public Hearing and First Reading of the Ordinances

May 9, 2023 – Second Reading (Third Reading may be combined with Second Reading)

May 23, 2023 – Third Reading

Action/Recommendation: N/A

Alternative Recommendation: N/A

Time Sensitivity: N/A

Motion Date: April 11, 2023

Budget Information: N/A

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA



Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at Meeting: Roy Hesemann & Bob Hammond

Contact Person: Roy Hesemann

Cell Phone Number: 319-521-5752

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

Description of Agenda Item: Motions setting public hearings

Motion setting public hearing date for:

- a. April 25, 2023 – to consider amending Chapter 72 of the Municipal Code, Stormwater Management, by repealing existing rates and establishing new rates for FY24.
CIP/DID #STRMWTR24-01

Municipal Code	Municipal Utility Services
Chapter 72 – Stormwater Management	Stormwater

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

Background:

Rate schedules for the municipal utility services are evaluated and amended as needed each year in parallel with the adoption of the City's Budget. The utility rate schedules are stipulated in their respective Chapters of the Municipal Code. This motion is to set the date for a Public Hearing to consider adoption of an Ordinance to amend Chapter 72 of the Cedar Rapids Municipal Code by repealing the existing rate schedules and adopting new rate schedules for all billings beginning July 1, 2023.

The timeline for adoption of the ordinances will be as follows:

April 25, 2023 – Public Hearing and First Reading of the Ordinances

May 9, 2023 – Second Reading (Third Reading may be combined with Second Reading)

May 23, 2023 – Third Reading

Action/Recommendation: N/A

Alternative Recommendation: N/A

Time Sensitivity: N/A

Motion Date: April 11, 2023

Budget Information: N/A

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA



Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Haley Sevensing

Contact Person: Jennifer Pratt

Cell Phone Number: 538-2552

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

Description of Agenda Item: Motions setting public hearings

April 25, 2023 – to consider an ordinance amending Chapter 32 of the Municipal Code (Zoning) to update use and development standards and to amend the Zoning Map to correct errors.

CIP/DID #CD-0048-2018

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

Background: This action sets a Public Hearing for April 25, 2023, to consider an amendment to Chapter 32, the City's Zoning Ordinance.

The ordinance will include:

- Cleanup and clarification of the Zoning Code related to zone districts, use specific standards, development standards, review and approval procedures, and general terms.
- Updates to the Zoning Code related to temporary uses, drive-throughs, and ReLeaf.
- Zoning Map cleanup related to floodplain, detention basins, and consistency with existing uses.

Action/Recommendation: Staff recommends setting the Public Hearing.

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

Time Sensitivity: NA

Resolution Date: NA

Budget Information: NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: No

Explanation: NA



Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Haley Sevensing

Contact Person: Jennifer Pratt

Cell Phone Number: 538-2552

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

Description of Agenda Item: Motions setting public hearings

April 25, 2023 – to consider a resolution authorizing approval of Future Land Use Map Amendments.

CIP/DID #OB165740

EnvisionCR Element/Goal: GrowCR Goal 2: Manage Growth.
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Background: This action sets a Public Hearing for April 25, 2023, to consider an amendment to the City's Future Land Use Map.

The purpose of the Future Land Use Map is to indicate where certain types of development are appropriate in Cedar Rapids and the surrounding area that may someday be annexed. The Future Land Use Map is a part of EnvisionCR, the City's comprehensive plan.

The proposed Future Land Use Map amendments are to correct incongruities with existing uses, cleanup inconsistencies between zoning and future land use, and align future land use with adopted City plans and agreements.

Action/Recommendation: Staff recommends setting the Public Hearing.

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

Time Sensitivity: NA

Resolution Date: NA

Budget Information: NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: No

Explanation: NA



Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: David Houg

Contact Person: Caleb Mason

Cell Phone Number: 319-538-5188

E-mail Address: C.Mason@cedar-rapids.org

Description of Agenda Item: Motions setting public hearings

A public hearing will be held on April 25, 2023, to consider a change of zone for property located north of Hwy 30 and west of Mayfair Street SW from S-RL1, Suburban Residential Low Single Unit District, to S-RL2, Suburban Residential Low Two Unit District, as requested by Gardenvue, Inc.

CIP/DID: #RZNE-033613-2023

EnvisionCR Element/Goal: GrowCR Goal 1: Encourage mixed-use and infill development.
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Background: This request will be reviewed by the City Planning Commission on April 6, 2023. The Commission's recommendation will be included on the City Council cover sheet for the public hearing..

The applicant proposes development of a 19.5-acre residential subdivision as a continuation of the development of the Hawks Ridge subdivision to the east. 40 of the 74 proposed lots (7.35 acres) would be developed as duplexes. The LUTA for the property is Urban Medium Intensity, which permits consideration of the requested zone district.

A Public Hearing to allow for public input and the First Reading of the Ordinance will be held on April 25, 2023. 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 adoption of the motion setting the public hearing.

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

Time Sensitivity: N/A

Resolution Date: NA

Budget Information: NA

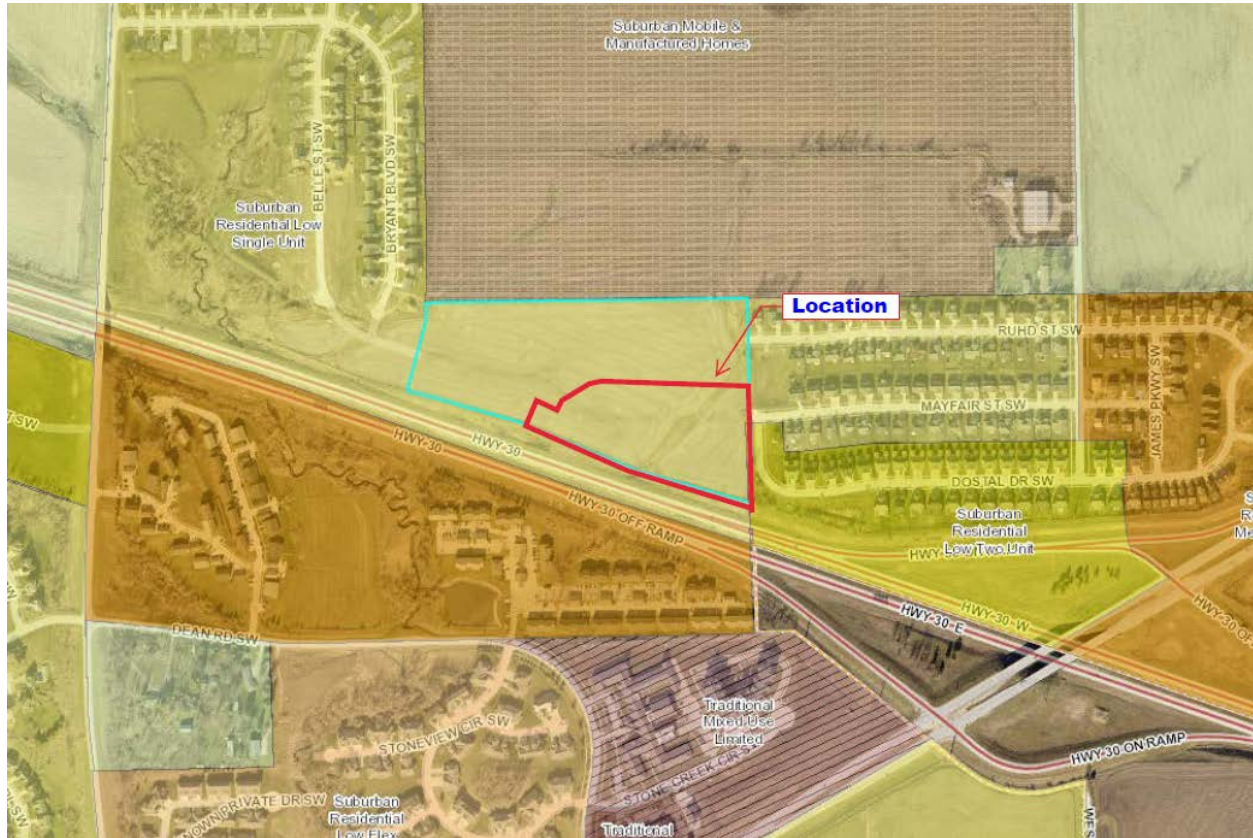
Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation:

Rezoning Site Location:





Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Jeff Wozencraft

Contact Person: Jennifer Pratt

Cell Phone Number: 319-538-2552

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

Description of Agenda Item: Motions setting public hearings

May 9th, 2023 - to consider annexation of land generally located east of Highway 100 and south of E Avenue NW, as requested by A&M LLC (Titleholder). CIP/DID #ANNX-033659-2022

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

Background: The above property owner has applied for 100% voluntary annexation and wishes to develop to City standards. The annexation is within an urbanized area, meaning the property is within two-miles of another municipality (Fairfax in this case), which stipulates the annexation process to be followed. The property to be annexed is approximately 10.3 acres and shown on the attached map.

Notices will be mailed and published in accordance with State Code requirements. The annexation requires approval by the Iowa Economic Development Authority City Development Board because it is within an urbanized area. If approved by City Council Resolution the application will be heard by the State's City Development Board. If approved by the State, the resolution, legal description, and map will be recorded with the county recorder thirty days after approval.

Action/Recommendation: City staff recommends setting the public hearing

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

Time Sensitivity: NA

Resolution Date: NA

Budget Information: NA

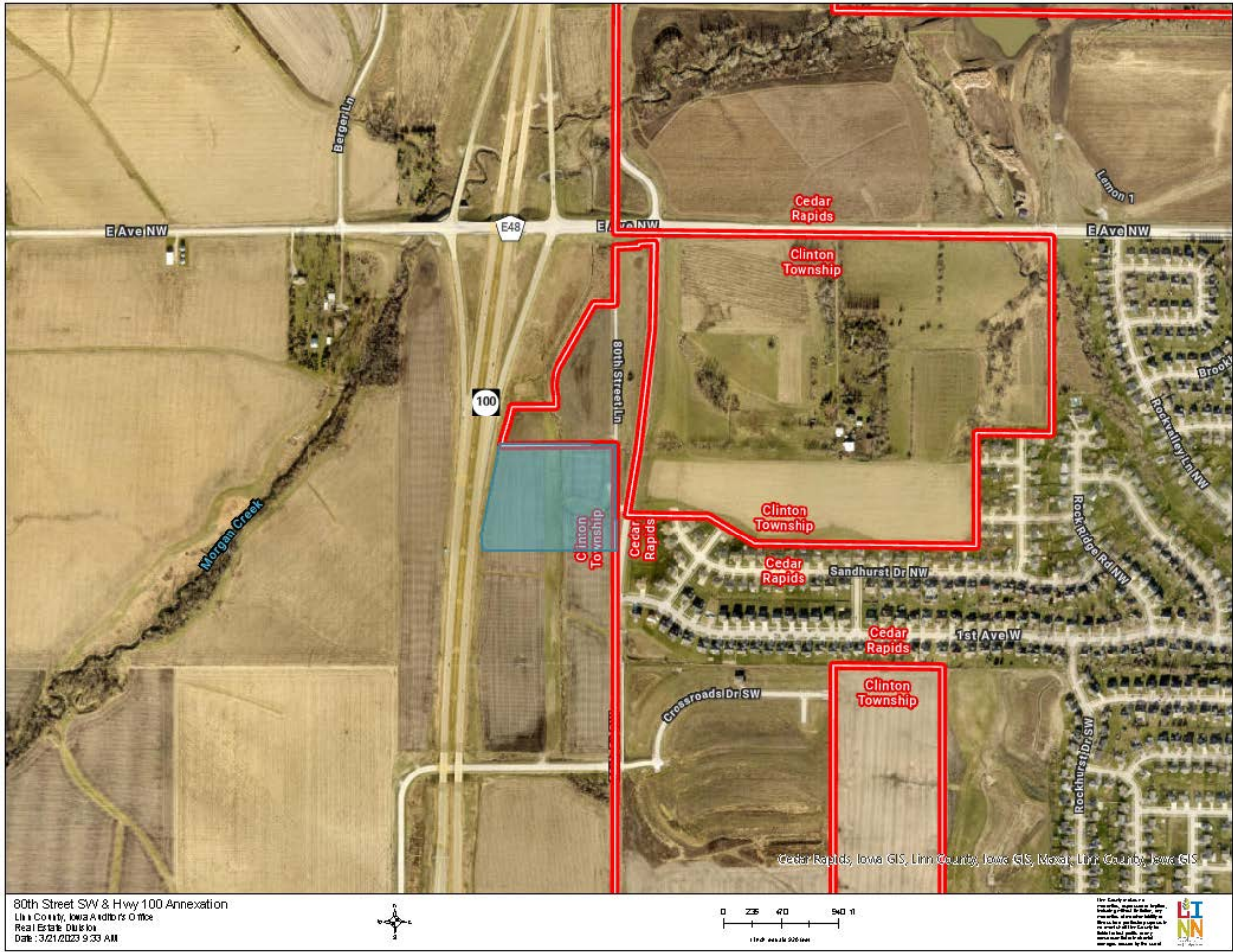
Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

Location Map





Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Jeff Wozencraft

Contact Person: Jennifer Pratt

Cell Phone Number: 319-538-2552

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

Description of Agenda Item: Motions setting public hearings

May 9th, 2023 - to consider annexation of land generally located north of North of Walford Road SW and East of Interstate 380, including the full right of way of Walford Road, as requested by Shirley Votroubek (Titleholder) and Abby Clark (Authorized Signee).
CIP/DID #ANNX-033480-2022

EnvisionCR Element/Goal: GrowCR Goal 2: Manage Growth.
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Background: The above property owner has applied for annexation within an urbanized area, a term used when a property is within two-miles of another municipality (Swisher and Shueyville in this case). Included in this annexation is the full right of way of Walford Road SW from Interstate 380 and the parcel located at 340 Walford Road SW, as a non-consenting parcel, so as to not create an island of county and to facilitate the road improvement project along Walford Road SW and Earhart Lane SW. Because of this, the application is considered an 80/20 annexation with over 80% of the total land area as consenting landowners and under 20% of the total land area non-consenting. The total area (shown on the attached map) to be annexed is approximately 40 acres with 35 acres consenting and 5 acres non-consenting.

Notices will be mailed and published in accordance with State Code requirements. The annexation requires approval by the Iowa Economic Development Authority City Development Board at two meetings. If approved by City Council Resolution the application will be heard by the State's City Development Board. If approved by the State, the resolution, legal description, and map will be recorded with the county recorder thirty days after approval.

Action/Recommendation: City staff recommends setting the public hearing

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

Time Sensitivity: NA

Resolution Date: NA

Budget Information: NA

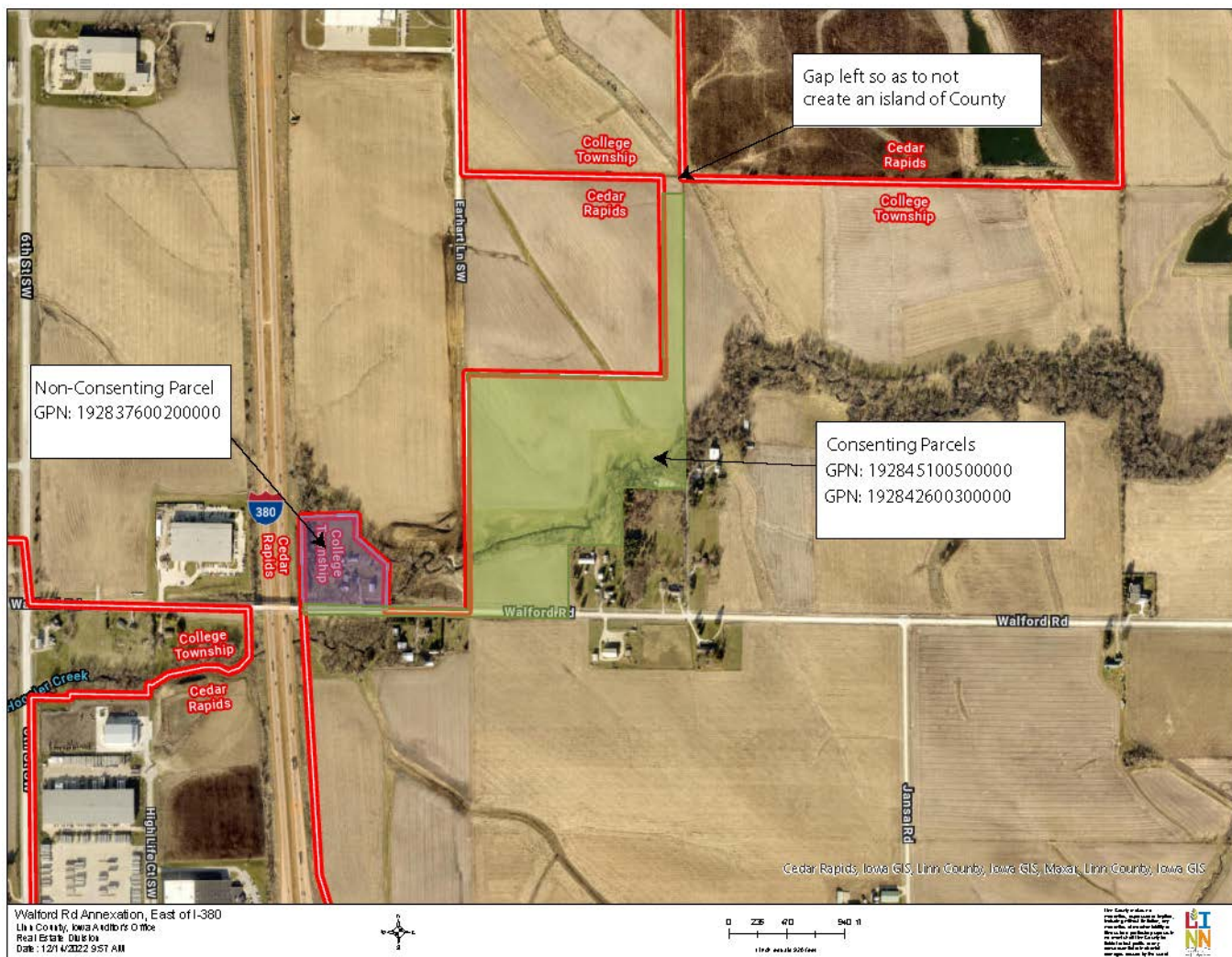
Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

Location Map





Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Jeff Koffron

Contact Person: Amanda Grieder

Cell Phone Number: 319-286-5714

E-mail Address: A.Grieder@cedar-rapids.org

Description of Agenda Item: Motions filing plans and specifications

April 25, 2023 – SW Quadrant ADA Compliance project (estimated cost is \$1,400,000).

CIP/DID #PUR0323-229; 307303; 311100

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

Background:

This project is to bring the SW Quadrant Parks into ADA Compliance per the DOJ settlement agreement. Bid opening is scheduled for Wednesday, April 26, 2023 at 11:00am CDT. The estimated completion date is December 31, 2023 at an estimated cost of \$1,400,000.

Action/Recommendation: Set the public hearing.



Council Agenda Item Cover Sheet

Submitting Department: City Clerk

Presenter at Meeting: Deputy Chief Jonker

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. Barrel House, 102 2nd Street SE.
- b. Biaggi's Ristorante Italiano, 320 Collins Road NE.
- c. The Blind Pig, 3325 Center Point Road NE.
- d. Casey's General Store #2212, 130 41st Avenue Drive SW.
- e. Casey's General Store #3899, 235 Edgewood Rd NW.
- f. Caucho, 1202 3rd Street SE (new - new ownership).
- g. El Paraiso Bar & Grill, 2730 Edgewood Road SW.
- h. Green Gable Inn, 1227 J Avenue NE.
- i. Hacienda Las Glorias, 715 1st Avenue SW.
- j. Hacienda Las Glorias II, 4317 Center Point Road NE.
- k. Hazzard County Saloon, 402 2nd Avenue SE.
- l. Hy-Vee #7 Club Room, 5050 Edgewood Road NE.
- m. Iowa Brewing Company, 708 3rd Street SE (change in license class).
- n. Mac's Shack, 2545 Old River Road SW (new – formerly The New Shack Tavern).
- o. Murdoch Funeral Homes & Cremation Service, 520 Wilson Avenue SW.
- p. R G Books, 3611 1st Avenue SE.
- q. Smokin' Joe's Tobacco & Liquor Outlet #13, 2315 Mount Vernon Road SE.
- r. Smokin' Joe's Tobacco & Liquor Outlet #7, 904 1st Avenue NW.
- s. Spinal Taproom, 3223 16th Avenue SW (adding permanent outdoor service area).
- t. The Pines Pizza and Pub, 4100 River Ridge Drive NE.
- u. Walgreens #12393, 5750 C Avenue NE.
- v. Wine Styles, 4201 42nd Street NE.

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: Deputy Chief Jonker

From: Lt. Paulsen

Subject: Beer/Liquor License Applications Calls for Service Summary

Date: 4/4/2023

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Barrel House 102 2ND ST SE	15	0	0	3
Biaggi's Ristorante Italiano 320 COLLINS RD NE	16	0	0	0
Blind Pig, The 3325 CENTER POINT RD NE	22	1	1	4
Casey's General Store #2212 130 41ST AVE DR SW	29	0	0	4
Casey's General Store #3899 235 EDGEWOOD Rd NW	20	1	0	2
Caucho 1202 3RD ST SE	16	0	0	1
El Paraiso Bar & Grill 2730 EDGEWOOD RD SW	1	0	0	1
Green Gable Inn 1227 J AVE NE	47	0	0	18
Hacienda Las Glorias 715 1ST AVE SW	27	1	0	4
Hacienda Las Glorias II 4317 CENTER POINT RD NE	8	0	0	0
Hazzard County Saloon 402 2ND AVE SE	213	12	2	36
Hy-Vee #7 Club Room 5050 EDGEWOOD RD NE	173	1	1	4
Iowa Brewing Company 708 3RD ST SE	1	0	0	0

Mac's Shack 2545 OLD RIVER RD SW	23	0	0	1
Murdoch Funeral Homes & Cremation Service 520 WILSON AVE SW	12	0	0	1
R G Books 3611 1ST AVE SE	2	0	0	0
Smokin' Joe's Tobacco & Liquor Outlet #13 2315 MT VERNON RD SE	19	0	0	2
Smokin' Joe's Tobacco & Liquor Outlet #7 904 1ST AVE NW	17	1	0	4
Spinal Taproom 3223 16TH AVE SW	0	0	0	0
The Pines Pizza and Pub 4100 RIVER RIDGE DR NE	48	0	0	0
Walgreens #12393 5750 C AVE NE	42	0	0	2
Wine Styles 4201 42ND ST NE	0	0	0	0



Council Agenda Item Cover Sheet

Submitting Department: Finance

Presenter at Meeting: Heidi Stiffler

Contact Person: Heidi Stiffler

Phone Number/Ext.: 5824

E-mail Address: h.stiffler@cedar-rapids.org

Description of Agenda Item: Bills, payroll and funds

Resolutions approving:

- a. Payment of bills. CIP/DID #FIN2023-01
- b. Payroll. CIP/DID #FIN2023-02

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: April 11th, 2023

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 11th day of April, 2023, 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 Interim Finance Director be and is hereby authorized and directed to draw checks on the City Treasurer in favor of the holders thereof and for the various amounts and that the money necessary for payment of the same is hereby appropriated from the different funds.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

RESOLUTION NO. LEG_NUM_TAG

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

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

Department	Total	Department	Total
Animal Control	\$ 00,000.00	Human Resources	\$ 00,000.00
Aquatics Operation	\$ 00,000.00	Information Technology	\$ 00,000.00
Attorney	\$ 00,000.00	Joint Communications	\$ 00,000.00
Building Services Division	\$ 00,000.00	Parks Operations	\$ 00,000.00
CD – Federal Programs	\$ 00,000.00	Police	\$ 000,000.00
CR Public Library	\$ 000,000.00	Public Works	\$ 00,000.00
City Manager	\$ 00,000.00	PW – Engineering	\$ 000,000.00
Civil Rights	\$ 0,000.00	Purchasing Services	\$ 0,000.00
Clerk	\$ 00,000.00	Recreation	\$ 00,000.00
Comm Develop – DOD	\$ 00,000.00	Sewer Operations	\$ 00,000.00
Council	\$ 0,000.00	Street Operations	\$ 000,000.00
Development Services	\$ 00,000.00	Traffic Engineering	\$ 00,000.00
Facilities Maint Service	\$ 00,000.00	Transit	\$ 000,000.00
Finance	\$ 00,000.00	Treasury Operations	\$ 00,000.00
Finance – Analysts	\$ 00,000.00	Utilities	\$ 00,000.00
Financial Operations	\$ 00,000.00	Utilities – Solid Waste	\$ 000,000.00
Fire	\$ 000,000.00	Veterans Memorial	\$ 00,000.00
Five Seasons Parking	\$ 0,000.00	Water Operations	\$ 000,000.00
Fleet Maintenance	\$ 00,000.00	Water Pollution Control	\$ 000,000.00
Golf Operations	\$ 00,000.00		
		Grand Total	\$ 0,000,000.00

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Solid Waste and Recycling

Presenter at Meeting: Patricia Hall

Contact Person: Roy Hesemann

Cell Phone Number: 319-521-5752

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

Description of Agenda Item: CONSENT AGENDA

1. Resolutions approving assessment actions:
Intent to assess – Solid Waste and Recycling – cleanup costs – 11 properties.

CIP/DID #SWM-006-23

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

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

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

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

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

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

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

Time Sensitivity:

Resolution Date: 4/11/2023

Budget Information:

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: No

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

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

NUISANCE ABATEMENTS

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

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the intent to assess against the property and for the amounts shown on the attached listing, will be made by the City Council after 30 days of the date passed, and notice was given by mailing to the owners of the described and enumerated tracts, a notice of this proposed assessment, stating the amount of the assessment and the description of the property, and on what account, and that objections to said proposed assessment may be filed prior to 3:30 pm, May 10, 2023.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

INTENT TO ASSESS 4/11/2023

			INTENT TO ASSESS 4/11/2023
#	Balance Due	District #	Premise Address
1	625.00	3	1534 3 rd Ave SE
2	285.00	3	1538 Bever Ave SE
3	293.00	3	1837 B Ave NE
4	293.00	3	1435 2 nd Ave SE
5	293.00	3	1832 B Ave NE
6	738.00	4	5330 Kesler Rd NW
7	786.00	3	1527 4 th Ave SE
8	293.00	4	4980 Kesler Rd NW
9	323.00	3	86 AOssey Ln SW
10	550.00	4	440 West Post Rd NW
11	814.00	4	6212 1 st Ave NW
	\$5,293.00		Grand Total
	11		Number of Properties



Council Agenda Item Cover Sheet

Submitting Department: Water

Presenter at Meeting: Roy Hesemann

Contact Person: Roy Hesemann

Cell Phone Number: 319-521-5752

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

Description of Agenda Item: Intent and levy assessments

Intent to Assess – Utilities-Water Division – delinquent municipal utility bills – 50 properties.

CIP/DID #WTR041123-01

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

Background:

The Utilities Department – Water Division is responsible for the billing and collection of municipal utility bills for water, sewer, storm sewer, solid waste and recycling services provided to our customers. The Water Division initiates the Notice of Intent to Assess process whenever delinquent utility balances are unpaid; collection efforts have been ignored; and active services have been terminated. Below are the steps taken in typical situations:

- Friendly Reminder is mailed
- Final Notice is mailed
- Door Tag is placed at premise
- Services are terminated

A Notice of Intent to Assess letter is mailed (after Council approves the Resolution of Intent to Assess) to the customer and property owner giving them 30 days to pay their delinquent municipal utility bill before the resolution for special assessment is approved by City Council to lien properties.

Action / Recommendation: The Utilities Department – Water Division recommends that the Resolution for Intent to Assess various properties for delinquent municipal utility bills be hereby approved.

Alternative Recommendation (if applicable): The City Council could decide not to lien delinquent municipal utility bills by council resolution and collect the delinquent municipal bills by another process or system.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

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 23rd day of May 2023. 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 3:00 p.m., May 23 2023.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LIEN INTENTS 4/11/2023					
#		Balance Due	Premise Address		Council District #
1		\$ 79.38	83 MILLER AVE SW #R		5
2		\$ 87.18	136 ECHO LN NW		4
3		\$ 93.12	195 MAYDEN AVE SW		5
4		\$ 218.28	202 18TH ST NE #3		3
5		\$ 419.08	350 EASTLAND DR SE		3
6		\$ 217.48	500 19TH ST SE		3
7		\$ 96.05	640 COLTON CIR NE #12		2
8		\$ 208.52	714 2ND ST SW		3
9		\$ 295.99	804 5TH ST SE		3
10		\$ 55.04	823 3RD AVE SW		4
11		\$ 116.36	828 13TH ST NW		4
12		\$ 31.37	834 17TH ST SW		4
13		\$ 501.97	950 CENTER POINT RD NE		1
14		\$ 311.27	1010 F AVE NW		4
15		\$ 437.25	1019 32ND ST NE		2
16		\$ 158.24	1050 32ND ST NE		2
17		\$ 235.80	1115 ELMHURST DR NE		2
18		\$ 186.08	1122 32ND ST NE		2
19		\$ 381.60	1257 5TH AVE SE - UPPER		3
20		\$ 843.23	1301 L AVE NE		1
21		\$ 333.38	1316 19TH AVE SW		5
22		\$ 331.77	1350 G AVE NE		1
23		\$ 2,994.20	1446 BEVER AVE SE		3
24		\$ 186.79	1512 7TH AVE SE		3
25		\$ 197.97	1601 14TH AVE SW		4
26		\$ 108.30	1611 GREENE AVE NE		2
27		\$ 229.89	1616 1ST AVE NE		3
28		\$ 258.59	1623 C AVE NE		3
29		\$ 215.97	1636 3RD AVE SE - LOWER		3
30		\$ 143.83	1714 10TH ST NW		1
31		\$ 596.18	1717 7TH AVE SE		3
32		\$ 287.00	1740 7TH AVE SE		3
33		\$ 89.97	1917 K ST SW		3
34		\$ 155.03	2101 11TH ST SW		5
35		\$ 224.17	2117 NORTHGATE DR NE		1
36		\$ 341.67	2186 CHANDLER ST SW		4
37		\$ 596.22	2324 LAUREN DR SW		3
38		\$ 148.63	2324 VICTORIA DR SW		3
39		\$ 205.18	2325 VICTORIA DR SW		3
40		\$ 394.72	2532 1ST AVE NE		2

LIEN INTENTS 4/11/2023					
#		Balance Due		Premise Address	Council District #
41		\$ 183.29		2908 RIVIERA ST SW #D	5
42		\$ 37.78		2949 OLD RIVER RD SW	5
43		\$ 280.19		3032 D AVE NE	2
44		\$ 34.94		3105 MICHELLE CT SW #3	5
45		\$ 56.36		3205 SAMUEL CT SW #10	5
46		\$ 669.75		3700 WESTERN PINE DR NE	1
47		\$ 301.49		3806 C AVE NE	2
48		\$ 71.44		4020 33RD AVE SW #11	5
49		\$ 125.34		4441 42ND ST NE	1
50		\$ 125.97		6820 STONYBROOK LN NE	1
		\$ 14,899.30		Grand Total	
		50		Number of Properties	
		\$ 31.37		Balance Due - Low	
		\$ 2,994.20		Balance Due - High	



Council Agenda Item Cover Sheet

Submitting Department: Water

Presenter at Meeting: Roy Hesemann

Contact Person: Roy Hesemann

Cell Phone Number: 319-521-5752

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

Description of Agenda Item: Intent and levy assessments

Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 15 properties.

CIP/DID #WTR022823-01

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

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

Below are the steps taken in typical situations:

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

The Notice of Intent to Assess the properties was approved by City Council Resolution No. 0318-02-23 on February 28, 2023.

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

Action/Recommendation: The Utilities Department – Water Division recommends that the Resolution to Levy Special Assessments be hereby approved.

Alternative Recommendation: 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: April 11, 2023

Budget Information: N/A

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

SPECIAL ASSESSMENTS

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

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

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

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

SPECIAL ASSESSMENTS (TO BE LIENED) 4/11/2023

SPECIAL ASSESSMENTS 4/11/2023					
LIEN INTENTS 2/28/2023					
#		Balance Due		Premise Address	Council District #
1		\$ 86.53		210 29TH AVE SW	5
2		\$ 88.25		210 34TH STREET DR SE	2
3		\$ 264.45		245 18TH ST NW	4
4		\$ 340.19		290 WILSON AVE SW	3
5		\$ 137.26		389 17TH ST SE	3
6		\$ 111.79		605 G AVE NW #104	1
7		\$ 439.67		909 10TH AVE SW	4
8		\$ 187.18		1552 7TH AVE SE	3
9		\$ 172.98		1601 6TH AVE SE	3
10		\$ 154.78		1612 6TH AVE SE	3
11		\$ 55.85		2350 C AVE NE	2
12		\$ 209.38		3207 MT VERNON RD SE	3
13		\$ 897.36		4522 RUSHMORE DR NE	1
14		\$ 219.15		5211 EAST RD SW	5
15		\$ 147.13		6825 ARBOR LN NE	1
		\$ 3,511.95		Grand Total	
		15		Number of Properties	
		\$ 55.85		Balance Due - Low	
		\$ 897.36		Balance Due - High	



Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Ken DeKeyser, PE

Contact Person: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Accept projects

Authorizing execution of Change Order No. 19 Final deducting the amount of \$57,118.60 and Resolution accepting project, authorizing final payment in the amount of \$46,165.63 and approving the 4-year Performance Bond submitted by Ricklefs Excavating, Ltd aka Boomerang Corp. for the Johnson Avenue NW Improvements from 1st Avenue SW to Midway Drive NW project (original contract amount was \$5,276,786.9; final contract amount is \$5,866,765.22) **(Paving for Progress).**

CIP/DID #3012043-02

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

Background: Construction has been substantially completed by Boomerang Corp. for the Johnson Avenue NW Improvements from 1st Avenue SW to Midway Drive NW project. This is an approved Capital Improvements Project (CIP No. 3012043-02) with a final construction contract amount of \$5,866,765.22. Funding resources for this project were approved in FY 23 and prior years and the project is completed within the approved budget.

Action/Recommendation: The Public Works Department recommends adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of \$46,165.63.

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

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information:

301/301000/3012043 SLOST*; 625/625000/6250051-2016017 NA; 655/655000/6550063 NA

*Includes TSIP grant

Local Preference Policy: NA

Explanation: Code of Iowa applies for bidding publicly funded capital projects

Recommended by Council Committee: Yes

Explanation: Project previously approved by Infrastructure Committee as a Paving for Progress project.

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City Engineer certifies that the work on Johnson Avenue NW Improvements from 1st Avenue SW to Midway Drive NW (Contract No. 3012043-02), has been substantially completed in accordance with the plans and specifications, and

WHEREAS, a Performance Bond, dated March 13, 2018 in the amount of \$5,053,786.90 covering said work filed by Ricklefs Excavating, Ltd aka Boomerang Corp., and executed by United Fire & Casualty Company provides a four-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 City Manager is authorized to sign Change Order No. 19 Final deducting the amount of \$57,118.60 with Boomerang Corp. for the Johnson Avenue NW Improvements from 1st Avenue SW to Midway Drive NW, Contract No. 3012043-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$5,053,786.90
Original Incentive Value	223,000.00
Change Order No. 1	3,740.00
Change Order No. 2	81,200.00
Change Order No. 3	13,001.94
Change Order No. 4	15,928.22
Change Order No. 5	134,410.00
Change Order No. 6	16,760.00
Change Order No. 7	75,156.02
Change Order No. 8	20,850.15
Change Order No. 9 Rev	88,669.27
Change Order No 10	1,382.52
Change Order No. 11	99,611.16
Change Order No. 12	87,666.35
Change Order No. 13	15,945.50
Change Order No. 14	115.08
Change Order No. 15	(37,074.25)
Change Order No. 16	20,595.03
Change Order No. 17	31,418.01
Change Order No. 18	22,721.92
Change Order No. 19 Final-Rev 2	(57,118.60)
Removal of Original Incentive Value	<u>(45,000.00)</u>
Amended Contract Amount	\$5,866,765.22

General ledger coding for this Change Order to be as follows: \$(2,367.89) 301-301000-30185-3012043; \$(790.79) 301-301000-30186-3012043; \$(33,547.25) 301-301000-7970-3012043; \$(17,274.67) 625-625000-6250051-6252016017; \$(3,138) 655-655000-65585-6550063

BE IT FURTHER RESOLVED that the Johnson Avenue NW Improvements from 1st Avenue SW to Midway Drive NW, (Contract No. 3012043-02) be and the same is hereby accepted by the City Public Works Department, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$46,165.63 to Boomerang Corp. as final payment.

The final contract price is \$5,866,765.22 distributed as follows: \$64,051.64 301-301000-30185-3012043; \$502,306.21 301-301000-30186-3012043; \$4,585,450.13 301-301000-7970-3012043; \$2,580.60 306-306000-306990; \$421,676.13 625-625000-6250051-6252016017; \$290,700.51 655-655000-65585-6550063

BE IT FURTHER RESOLVED, that the four-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED, that sales tax was not paid on the above project and therefore there is no refund to be submitted to the State of Iowa.

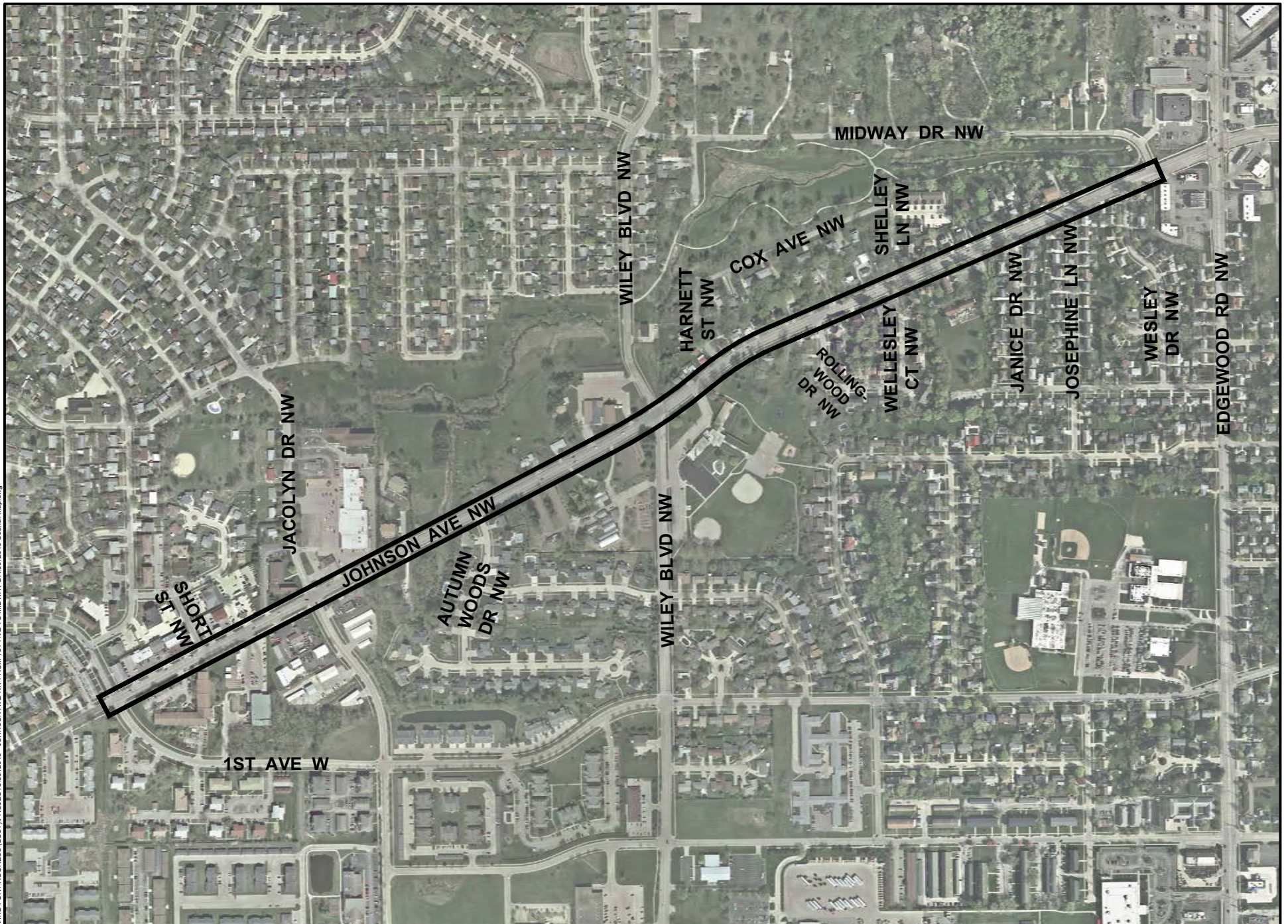
PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



**JOHNSON AVENUE NW IMPROVEMENTS FROM
1ST AVENUE SW TO MIDWAY DRIVE NW PROJECT**





Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Ken DeKeyser, PE

Contact Person: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Accept projects

Authorizing execution of Change Order No. 8 Final deducting the amount of \$207,002.04 and Resolution accepting project, authorizing final payment in the amount of \$52,991.03, and approving the 4-year Performance Bond submitted by BWC Excavating, LC for the 1st Street SE from 3rd Avenue SE to 5th Avenue SE Storm Sewer Improvements project (original contract amount was \$1,275,579.65; final contract amount is \$1,059,820.67).

CIP/DID #3315510-66

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. 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.

Construction has been substantially completed by BWC Excavating, LC for the 1st Street SE from 3rd Avenue SE to 5th Avenue SE Storm Sewer Improvements project. This is an approved Capital Improvements Project (CIP No. 3315510-66) with a final construction contract amount of \$1,059,820.67. Funding resources for this project were approved in FY 23 and prior years and the project is completed within the approved budget.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 8 Final and adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of \$52,991.03.

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

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information:

Flood Control System - CIP 3315510 - \$1,430,360

Paving for Progress - CIP 3012317 - \$79,640

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City Engineer certifies that the work on 1st Street SE from 3rd Avenue SE to 5th Avenue SE Storm Sewer Improvements (Contract No. 3315510-66), has been substantially completed in accordance with the plans and specifications, and

WHEREAS, a Performance Bond, dated July 27, 2021 in the amount of \$1,246,579.65 covering said work filed by BWC Excavating, LC, and executed by North American Specialty Insurance Company provides a four-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 City Manager is authorized to sign Change Order No. 8 Final deducting the amount of \$207,002.04 with BWC Excavating, LC for the 1st Street SE from 3rd Avenue SE to 5th Avenue SE Storm Sewer Improvements, Contract No. 3315510-66. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,246,579.65
Original Incentive Value	29,000.00
Change Order No. 1	5,593.00
Change Order No. 2	.00
Change Order No. 3	8,788.80
Change Order No. 4	15,566.45
Change Order No. 5	9,249.48
Change Order No. 6	39,510.91
Change Order No. 7	39,034.42
Change Order No. 8 Final	(207,002.04)
Addition of Disincentive and/or Liquidated Damage	(97,500.00)
Removal of Original Incentive	<u>(29,000.00)</u>
Amended Contract Amount	\$1,059,820.67

General ledger coding for this Change Order to be as follows: (\$198,492.50) 331-331100-33101-3315510; (\$8,509.54) 301-301000-7970-3012317

BE IT FURTHER RESOLVED that the 1st Street SE from 3rd Avenue SE to 5th Avenue SE Storm Sewer Improvements, (Contract No. 3315510-66) be and the same is hereby accepted by the City Public Works Department, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$52,991.03 to BWC Excavating, LC as final payment.

The final contract price is \$1,059,820.67 distributed as follows: \$972,833.02 331-331100-33101-3315510; \$86,987.65 301-301000-7970-3012317

BE IT FURTHER RESOLVED, that the four-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED, that sales tax was not paid on the above project and therefore there is no refund to be submitted to the State of Iowa.

PASSED_DAY_TAG

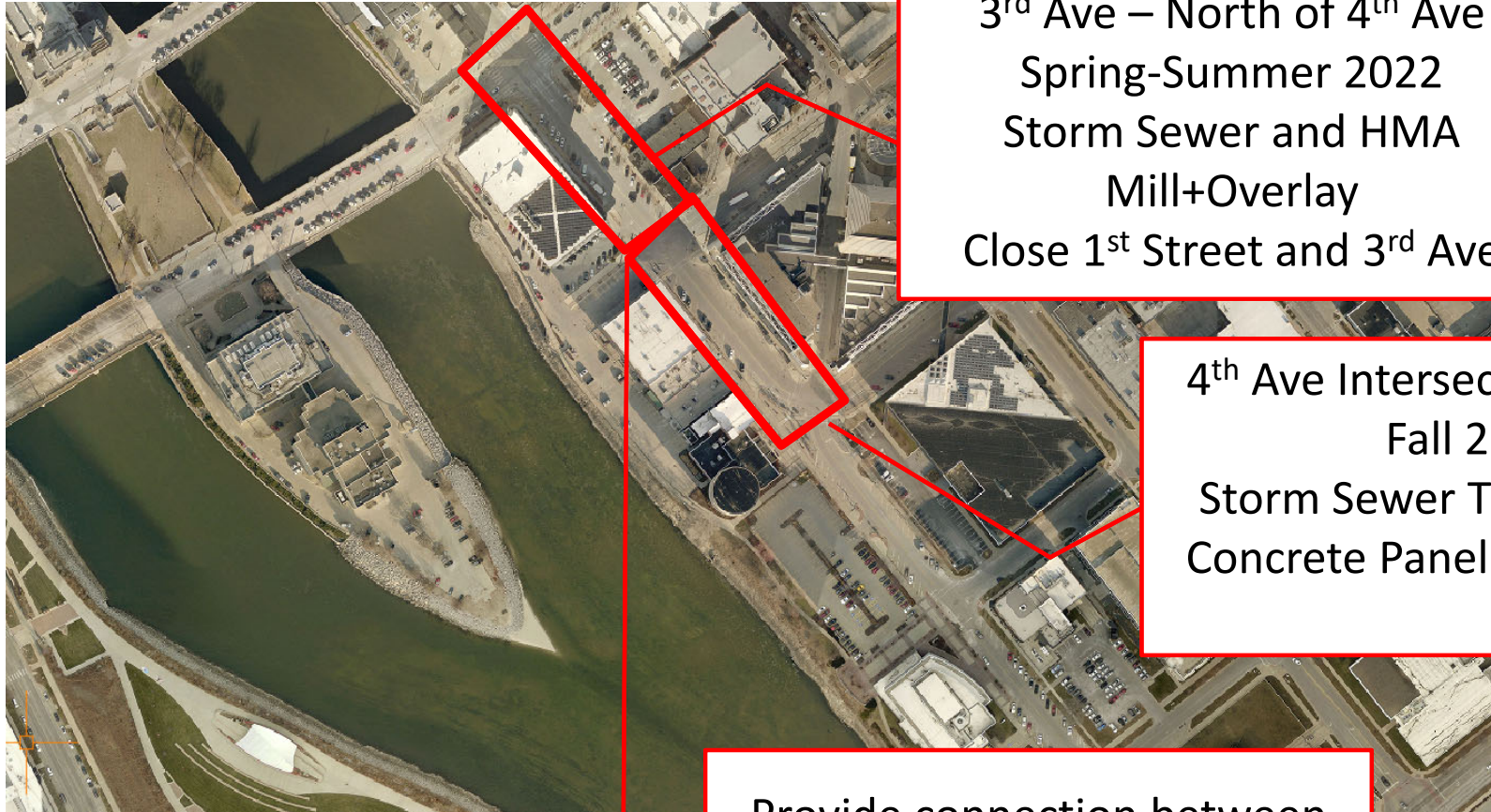
LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

Project Map – 1st Street SE from 3rd Avenue SE to 5th Avenue SE Storm Sewer Improvements



3rd Ave – North of 4th Ave
Spring-Summer 2022
Storm Sewer and HMA
Mill+Overlay
Close 1st Street and 3rd Ave

4th Ave Intersection – 5th Ave
Fall 2021
Storm Sewer Trenching and
Concrete Panel Replacement

Provide connection between
3rd Avenue Pump Station and
5th Avenue Pump Station





Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Brenna Fall, PE

Contact Person: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Accept projects

Resolution accepting project, authorizing final payment in the amount of \$13,170.88 and approving the 4-year Performance Bond submitted by BWC Excavating, LC for the Williams Boulevard SW Improvements from West Corporate Limit to 16th Avenue SW project (original contract amount was \$5,780,118.10; final contract amount is \$6,203,708.68).

CIP/DID #301968-03

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

Background: Construction has been substantially completed by BWC Excavating, LC for the Williams Boulevard SW Improvements from West Corporate Limit to 16th Avenue SW project. This is an approved Capital Improvements Project (CIP No. 301968-03) with a final construction contract amount of \$6,203,708.68. Funding resources for this project were approved in FY 23 and prior years and the project is completed within the approved budget.

Action/Recommendation: The Public Works Department recommends adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of \$13,170.88.

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

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/301968 NA, 625/625884/625884-2018054 NA, 304/304000/304500 NA, 306/306000/306284 DOT 3R Grant

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City Engineer certifies construction contract work on the Williams Boulevard SW Improvements from West Corporate Limit to 16th Avenue SW project (Contract No. 301968-03), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond dated May 12, 2020 in the amount of \$5,751,718.10 covering said work filed by BWC Excavating, LC and executed by North American Specialty Insurance Company provides a 4-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$5,751,718.10
Original Incentive Value	28,400.00
Change Order No. 1	34,431.00
Change Order No. 2	17,110.00
Change Order No. 3	123.00
Change Order No. 4	30,897.23
Change Order No. 5	132,032.29
Change Order No. 6	32,226.53
Change Order No. 7	200,643.94
Change Order No. 8	10,230.00
Change Order No. 9	100,759.03
Change Order No. 10	95,009.72
Change Order No. 11	41,053.11
Change Order No. 12	87,713.81
Change Order No. 13	24,591.28
Change Order No. 14	193,921.00
Change Order No. 15	98,645.02
Change Order No. 16	(22,059.55)
Change Order No. 17 (Liquidated Damages)	(3,000.00)
Change Order No. 18	(5,360.52)
Change Order No. 19	2,842.57
Change Order No. 20	14,692.65
Change Order No. 21	(631,161.53)
Additional Disincentive and/or Liquidated Damages	<u>(31,750.00)</u>
Amended Contract Amount	\$6,203,708.68

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that based on the City Engineer's recommendation, the Williams Boulevard SW Improvements from West Corporate Limit to 16th Avenue SW project (Contract No. 301968-03) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$13,170.88 to BWC Excavating, LC as final payment.

The final contract price is \$6,203,708.68 distributed as follows: \$167,286.46 301-301000-30185-301872; \$1,157,814.98 301-301000-30185-301968; \$3,273,493.48 301-301000-30186-301968; \$5,960 304-304000-30485-304500; \$1,414,306.50 306-306000-30685-306284; \$184,847.26 625-625000-625884-6252018054

BE IT FURTHER RESOLVED, that sales tax was not paid on the above project and therefore there is no refund to be submitted to the State of Iowa.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



Cadd File Name: W:\PROJECTS\CI\301968 Williams Blvd from City Limits to 16th Ave SW\301968-01 For Functional\COUNCIL AGENCY\301968 Council Map.dwg



Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Tyrell Gingerich

Contact Person: Caleb Mason

Cell Phone Number: 319-521-7678

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

Description of Agenda Item: Final plats

Resolution approving the Final Plat of Summerfield Sixteenth Addition in the City of Cedar Rapids, Linn County, Iowa, for land located east of Council Street NE and south of East Main Street, in Cedar Rapids.

CIP/DID #FLPT-033145-2022

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

Background: The property owner submitted the Final Plat of Summerfield Sixteenth 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 thirty-eight (38) numbered lots, Lot 1 through Lot 38 and 1 lettered lot, Lot A for streets, all inclusive, and a total plat area of 13.82 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: April 11, 2023

Budget Information: NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

Location map



RESOLUTION NO. LEG_NUM_TAG

WHEREAS, A PLAT OF SUMMERFIELD SIXTEENTH ADDITION IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA containing thirty-eight (38) numbered lots, Lot 1 through Lot 38, and one (1) lettered lot, Lot A, 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. Final Plat Development Agreement
2. Agreement to Construct a Temporary Rock Cul-de-sac (Westfield Drive NE)
3. Agreement to Construct a Temporary Rock Cul-de-sac (Turtlerun Drive NE)
4. Agreement for Encroachment of Cluster Mailbox(es) in City Right-of-way

, and

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

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

1. The City Council concurs with the recommendation of the Development Services Department, and specifically finds that the proposed plat is in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and also specifically Cedar Rapids Municipal Code Chapter 31, the Subdivision Ordinance.
2. The Mayor and City Council hereby accept the executed agreement(s), as noted above.
3. Said plat and dedication of said Summerfield Sixteenth 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 street, more specifically Lot A (Messina Drive NE, Westfield Drive NE, Turtlerun Drive NE, and Tower Terrace Road NE) is hereby approved and accepted, and the dedication of the public easements for the purposes shown on the final plat are hereby approved and accepted, and the City Clerk is hereby directed to certify this resolution of approval and affix the same to said plat as by law provided.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Alissa Van Sloten, 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 11th day of April, 2023.

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$1 and accepting a Permanent Easement for Flood Control System from the State of Iowa, acting through the Iowa Department of Natural Resources from land located along the Cedar River West of 901 4th Street NE, Southwest of 535 - 720 1st Street SE, and located South and East of 1710 16th Street SE in connection with The Cedar River, Cedar Rapids, Iowa Flood Risk Management Project – Reach 1 - South Railyard Floodwall (Hoth); Reach 2 – Phase 2 Permanent Floodwall; Reach 4 – P1 – U/S Twin 84 Culverts to R3, Pump Station (Cargill); Reach 4 – P2 – Twin 84 Culverts, Embankment, Floodwall, UPRR Closure & Otis Rd Closure.

CIP/DID #3314200-00;

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

Background: On November 27, 2018, the City of Cedar Rapids, Iowa (City) and Department of the Army – United States Army Corps of Engineers (USACE) executed the Project Partnership Agreement for the Cedar River, Cedar Rapids, Iowa, Flood Risk Management Project.

The easements are required to accommodate the proposed Cedar River, Cedar Rapids, Iowa Flood Risk Management Project – Reach 1 - South Railyard Floodwall (Hoth); Reach 2 – Phase 2 Permanent Floodwall; Reach 4 – P1 – U/S Twin 84 Culverts to R3, Pump Station (Cargill); Reach 4 – P2 – Twin 84 Culverts, Embankment, Floodwall, UPRR Closure & Otis Rd Closure flood control system and related flood protection structures.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$1 and a Permanent Easement for Flood Control System from the State of Iowa, acting through the Iowa Department of Natural Resources.

Alternative Recommendation: Do not proceed with acquiring the proposed Permanent Easement for Flood Control System and direct City staff to abandon or The Cedar River, Cedar Rapids, Iowa Flood Risk Management Project – Reach 1 - South Railyard Floodwall (Hoth); Reach 2 – Phase 2 Permanent Floodwall; Reach 4 – P1 – U/S Twin 84 Culverts to R3, Pump Station (Cargill); Reach 4 – P2 – Twin 84 Culverts, Embankment, Floodwall, UPRR Closure & Otis Rd Closure.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 331/331100/3314200, FCS - 33101

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

ENG
FIN
TRS
IT
RCR
AUD FILE
3314200-00
3315200-00
3317200-00

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for a Permanent Easement for Flood Control System exists in order to accommodate the proposed facilities, and

WHEREAS, the State of Iowa, acting through the Iowa Department of Natural Resources, land located along the Cedar River West of 901 4th Street NE, Southwest of 535 - 720 1st Street SE, and located South and East of 1710 16th Street SE, OWNERS of the real property known and described as:

See Attached Flood Protection Levee Easement Exhibits A, B, C and D

has agreed to convey the necessary Permanent Easement for Flood Control System at land located along the Cedar River West of 901 4th Street NE, Southwest of 535 - 720 1st Street SE, and located South and East of 1710 16th Street SE to the City of Cedar Rapids for total consideration of \$1, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the Permanent Easement for Flood Control System in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for The Cedar River, Cedar Rapids, Iowa Flood Risk Management Project – Reach 1 - South Railyard Floodwall (Hoth); Reach 2 – Phase 2 Permanent Floodwall; Reach 4 – P1 – U/S Twin 84 Culverts to R3, Pump Station (Cargill); Reach 4 – P2 – Twin 84 Culverts, Embankment, Floodwall, UPRR Closure & Otis Rd Closure (Fund 331, Dept. ID 331100, Project 3314200, FCS),

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

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

BE IT FURTHER RESOLVED, that the Permanent Easement for Flood Control System be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature

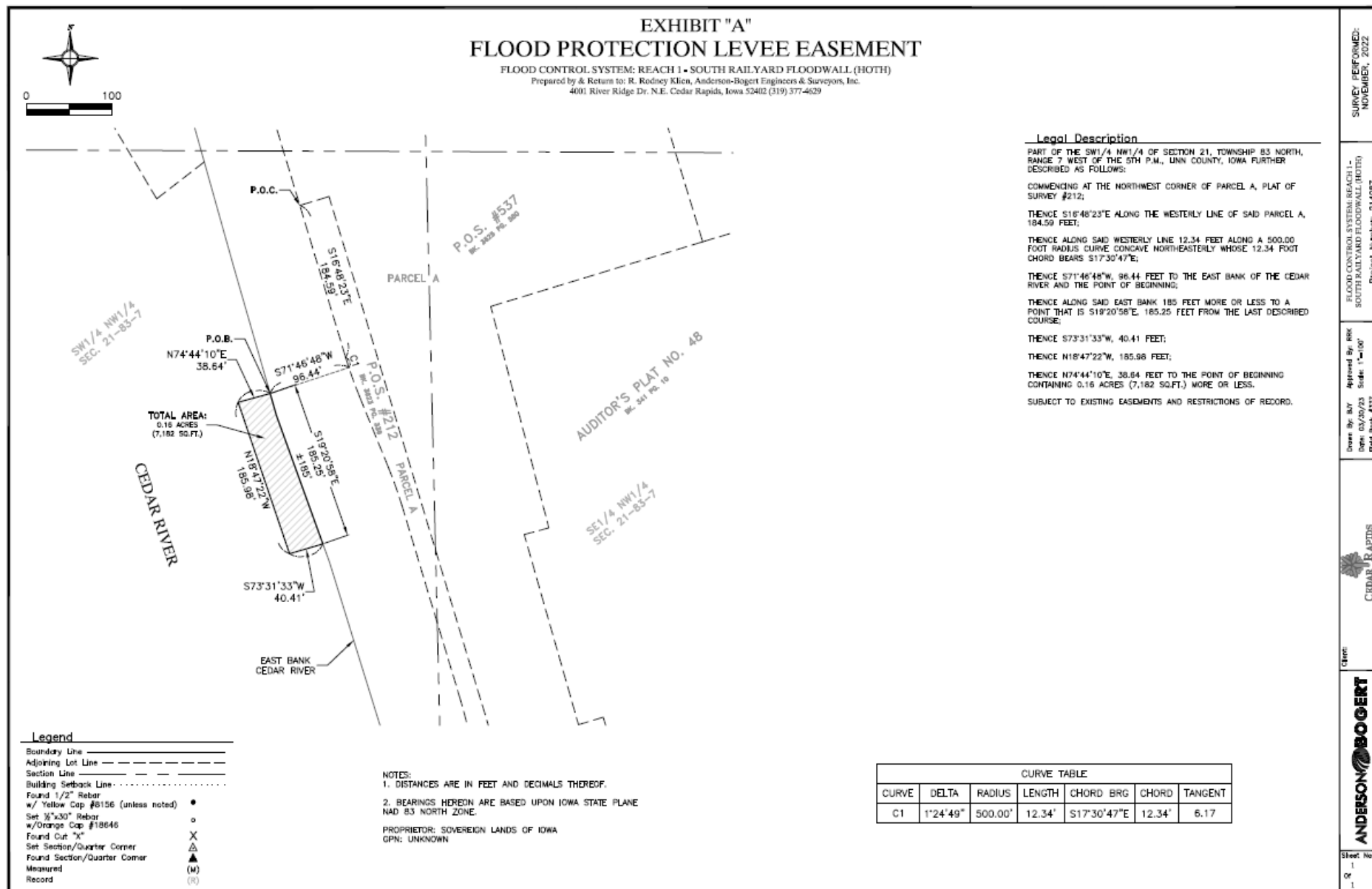
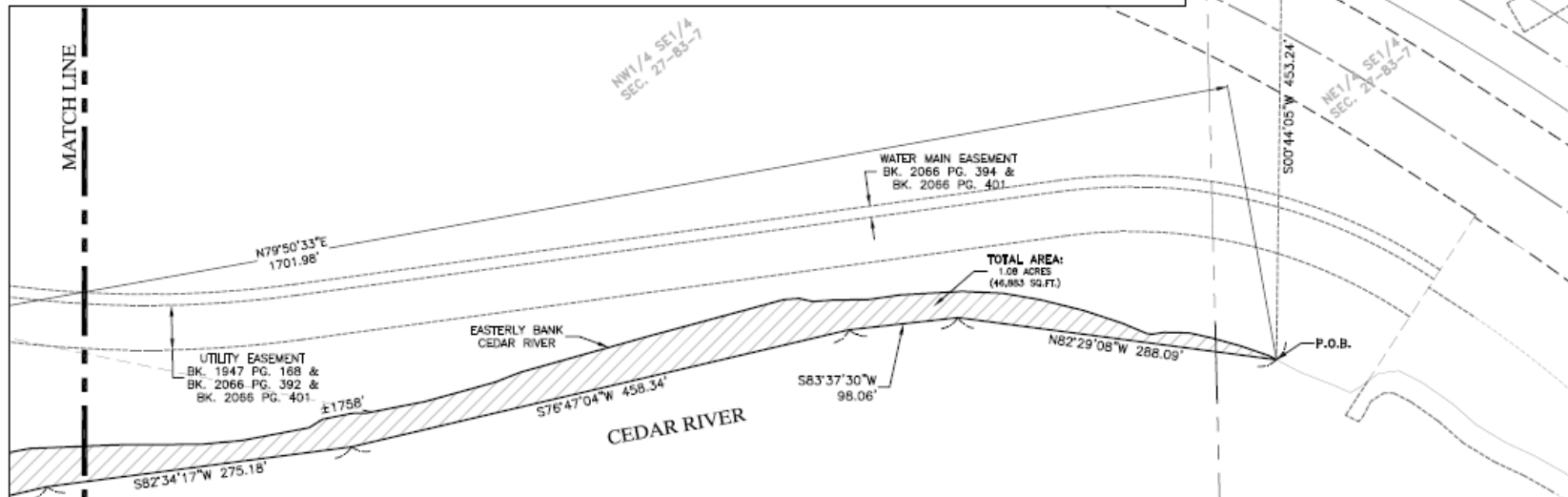
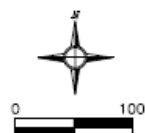


EXHIBIT "C"

FLOOD PROTECTION LEVEE EASEMENT

FLOOD CONTROL SYSTEM: REACH 4 - P1 - U/S TWIN 84 CULVERTS TO R3, PUMP STATION (CARGILL)

Prepared by & Return to: R. Rodney Klien, Anderson-Bogett Engineers & Surveyors, Inc.
4601 River Ridge Dr. N.E. Cedar Rapids, Iowa 52402 (319) 377-4629P.O.C.
NE CORNER
NW1/4 SE1/4
SEC. 27-83-7
FND PK NAILE1/4 CORNER
SEC. 27-83-7
FND 5/8"
REBAR

Legal Description

PART OF THE N1/2 SE1/4 OF SECTION 27, TOWNSHIP 83 NORTH, RANGE 7 WEST OF THE 5TH P.M., LINN COUNTY, IOWA FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NW1/4 SE1/4 OF SAID SECTION 27;

THENCE S89°15'55"E ALONG THE NORTH LINE OF THE SE1/4 OF SAID SECTION 27, 71.45 FEET;

THENCE S00°44'05"W, 453.24 FEET TO THE EASTERLY BANK OF THE CEDAR RIVER AND THE POINT OF BEGINNING;

THENCE N82°29'08"W, 288.09 FEET;

THENCE S83°37'30"W, 98.06 FEET;

THENCE S76°47'04"W, 458.34 FEET;

THENCE S82°34'17"W, 275.18 FEET;

THENCE S78°48'01"W, 334.39 FEET;

THENCE S62°39'40"W, 179.25 FEET;

THENCE S53°59'34"W, 69.65 FEET;

THENCE N67°51'57"W, 34.61 FEET TO THE EASTERLY BANK OF THE CEDAR RIVER;

THENCE ALONG SAID EASTERLY BANK 1758 FEET MORE OR LESS TO THE POINT OF BEGINNING, SAID POINT BEING N79°50'33"E, 1701.98 FEET FROM THE LAST DESCRIBED COURSE CONTAINING 1.08 ACRES (46,883 SQ. FT.) MORE OR LESS.

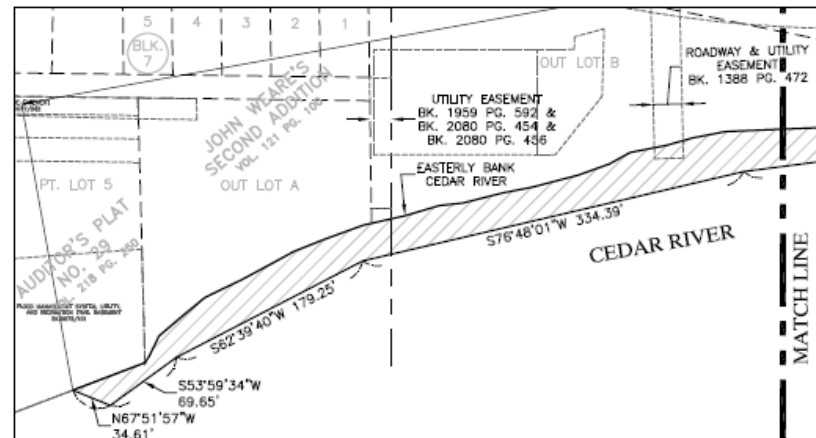
SUBJECT TO EXISTING EASEMENTS AND RESTRICTIONS OF RECORD.

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

PROPRIETOR: SOVEREIGN LANDS OF IOWA
GPN: UNKNOWN

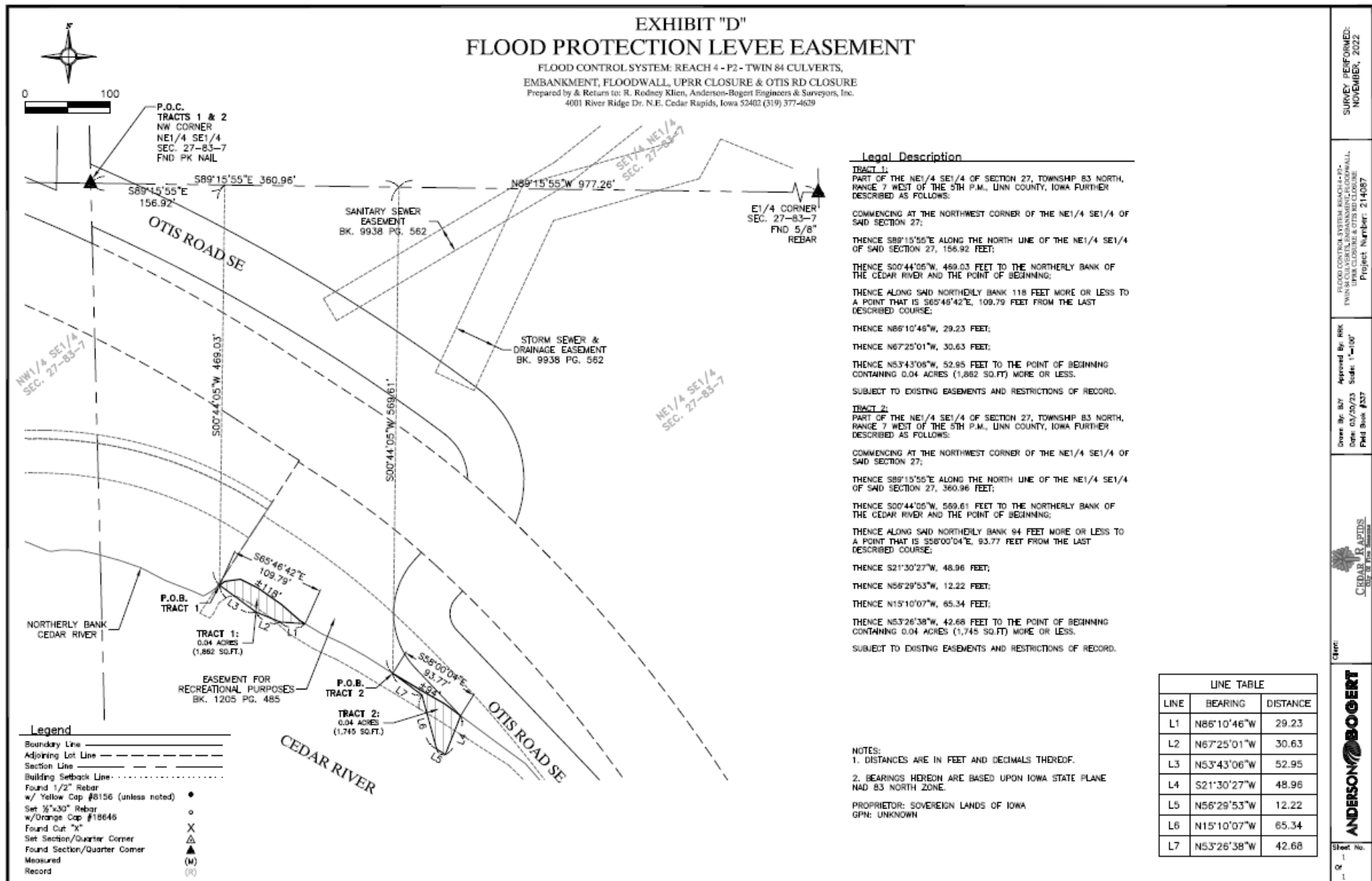
Legend

Boundary Line	—
Adjoining Lot Line	- - - -
Section Line	- - - -
Building Setback Line	
Found 1/2" Rebar	•
w/ Yellow Cap #8156 (unless noted)	o
Set 3/4"x30" Rebar	X
Set Section/Quarter Corner	Δ
Found Section/Quarter Corner	▲
Measured	(M)
Record	(R)

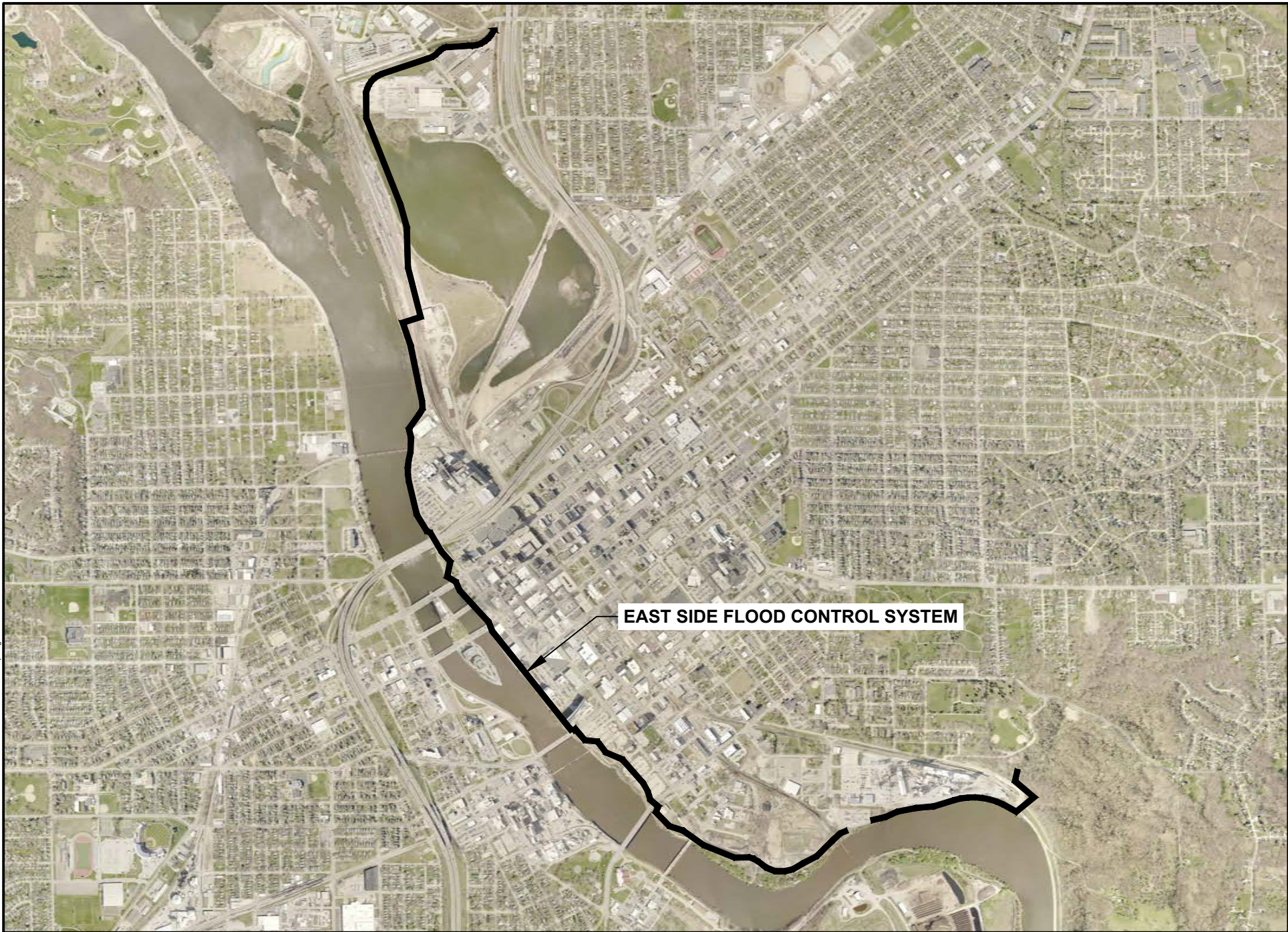
SURVEY PERFORMED:
NOVEMBER, 2022FLOOD CONTROL SYSTEM REACH 4 - P1 - U/S TWIN 84
CULVERTS TO R3, PUMP STATION (CARGILL)
Project Number: 214087Drawn by: RKC
Approved by: RKC
Date: 03/20/23
Scale: 1"=100'
PMH Book #37

Client:

ANDERSON-BOGETT
ENGINEERS & SURVEYORSSheet No.
1
Of
1



Cadd File Name: W:\PROJECTS\CDP\3131\SUB-PROJECTS\EastMAPS - SARAH\East Side FCS Council Map.dwg



**FLOOD RISK MANAGEMENT PROJECT
EAST SIDE FLOOD CONTROL SYSTEM**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Supplemental Purchase Agreement in the amount of \$48,854.62 to MidAmerican Energy Company for reestablishment of utilities on the property located at 1115 C Street SW in connection with the West Side Flood Control System – Czech Village 12th Avenue Detention Basin project.

CIP/DID #3313200-00

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

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

The compensation amount offered is the difference between the invoiced amount to complete the utility reestablishment and the original agreed estimated amount as required for the project construction.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Supplemental Purchase Agreement in the amount of \$48,854.62 to MidAmerican Energy Company.

Alternative Recommendation: None.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 331/301000/3313200, FCS

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City Council has allocated funds for the Flood Control System Project (Fund 331, Dept. ID 3311000, Project 3313200, FCS), and

WHEREAS, MidAmerican Energy Company, an Iowa corporation, 666 Grand Avenue, Des Moines, Iowa 50309, OWNERS, has agreed to reestablish their necessary facilities on the property located at 1115 C Street SW in connection with the West Side Flood Control System – Czech Village 12th Avenue Detention Basin project, and

WHEREAS, the City previously approved Resolution No. 0968-06-22 entering into the Agreement for Utility Reestablishment from MidAmerican Energy Company, and

WHEREAS, the actual costs for utility re-establishments are higher than originally estimated, and

WHEREAS, the Public Works Director recommends the City enter into a Supplemental Purchase Agreement with MidAmerican Energy Company for said additional costs, and

WHEREAS, the City agrees to pay an additional \$48,854.62 to compensate the OWNERS for the reestablishment of utilities in connection with the West Side Flood Control System – Czech Village 12th Avenue Detention Basin project,

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: City Manager

Presenter at Meeting: Scott Mather

Contact Person: Caleb Mason

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

Phone Number/Ext.: (319) 521-7678

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing the City's consent to an Assignment of Development Agreement between LTRI LLC, an Iowa limited liability company and LTRI Holdings LLC, an Iowa limited liability company related to the assignment and transfer of a Development Agreement for property at 1218-1310 3rd Street SE. CIP/DID # DISP-0024-2019

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

Background: The Resolution authorizes the City's consent to an Assignment of Development Agreement ("Assignment") between LTRI LLC and LTRI Holdings LLC for the redevelopment of property at 1218-1310 3rd street SE. The Development Agreement provides that the City must consent to any assignment and transfer of any interest in the Agreement to a separate entity. In this case, LTRI LLC is assigning the Agreement to a separate single purpose entity with the same ownership as required to receive Opportunity Zones benefits. All other terms and conditions of the Agreement remain in force and effect.

Action/Recommendation: City staff recommends approval of resolution.

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

Time Sensitivity: NA

Resolution Date: April 11, 2023

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION APPROVING AND AUTHORIZING CITY'S CONSENT TO AND
EXECUTION OF AN ASSIGNMENT AND ASSUMPTION OF DEVELOPMENT
AGREEMENT BETWEEN LTRI LLC AND LTRI HOLDINGS LLC

WHEREAS, on January 10, 2023 the City and LTRI LLC ("Developer") entered into a Development Agreement ("Agreement") which provides for the Developer's construction of certain Minimum Improvements as defined in the Agreement; and

WHEREAS, the Agreement provides terms and conditions related to the assignment and transfer of the obligations under the Agreement by the Developer to a separate entity; and

WHEREAS, the Developer intends to assign its rights of title and interest to LTRI Holdings LLC (the "Assignee"); and

WHEREAS, pursuant to Section 9.1 of the Agreement, the Developer is permitted to assign its rights and obligations to a subsequent owner of the Minimum Improvements, provided that such subsequent owner agrees in writing to assume the obligations of the Developer under the Agreement and the City consents thereto, which consent will not be reasonably withheld provided the assignee demonstrates comparable qualifications to own and operate the Minimum Improvements; and

WHEREAS, an Assignment of Development Agreement ("Assignment") has been prepared, subject to City Council approval, which effectuates for the assignment of all obligations and duties of the Agreement to the Assignee, which Assignment is now ready for execution on behalf of the City; and

WHEREAS, the City Council has determined that the Assignee has similar qualifications of the Developer to own and operate the Minimum Improvements in accordance with the terms and conditions of the Agreement and therefore desires to authorize its consent of the Assignment.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the Assignment of Development Agreement is hereby approved and the City Manager and City Clerk, or their designees, are authorized and directed to execute the same, and this resolution and documents are to be recorded in the office of the Linn County, Iowa Recorder.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Ken DeKeyser

Contact Person: Caleb Mason

Cell Phone Number: 319-538-5188

E-mail Address: C.Mason@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a First Amendment to the Indemnification Agreement with Mount Mercy University (MMU) to indemnify the City until drainage improvements are made in connection with their athletic complex at 902 17th Street NE.

CIP/DID: #ASDP-033022-2022

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

Background: On August 9, 2017, the City and MMU entered into an Indemnification Agreement approved by Resolution 1102-08-17, whereby MMU agreed to indemnify the City from damages resulting from the construction of their athletic complex and its possible impacts on the neighborhood drainage and flooding. To date the City has extended temporary certificates of occupancy for the continued use of the facility until such time that the drainage risks are addressed.

The First Amendment allows MMU to receive final certificates of occupancy with the condition that they would be assessed for drainage improvements completed by the City and continue to indemnify the City for a period of twenty (20) years.

Action/Recommendation: Authorize execution of the First Amendment to Indemnification Agreement to limit the City's liability.

Alternative Recommendation: Renegotiate the agreement.

Time Sensitivity: N/A

Resolution Date: April 11, 2023

Budget Information: NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: N/A

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, On August 9, 2017, the City and Mount Mercy University (MMU) entered into an Indemnification Agreement approved by Resolution 1102-08-17, whereby MMU agreed to indemnify the City from damages resulting from the construction of their athletic complex and its possible impacts on the neighborhood drainage and flooding, and

WHEREAS, The City has extended temporary certificates of occupancy for the continued use of the facility until such time that the drainage risks are addressed, and

WHEREAS, the City and MMU propose to enter into a First Amendment to the Indemnification Agreement to include the following conditions:

1. City will issue final certificates of occupancy for the athletic complex.
2. MMU agrees to a special assessment for drainage improvements completed by the City.
3. MMU will continue to indemnify the City for a period of twenty (20) years.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute the First Amendment to Indemnification Agreement with Mount Mercy University.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Rob Davis

Contact Person: Bob Hammond

Cell Phone Number: (319) 440-1005

E-mail Address: R.Hammond@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 1 to contract with Iowa Title Company for Title Report Services for the Public Works Real Estate/Right of Way Division to increase the annual amount by \$20,000 (original contract amount was \$45,000 annually; contract amount with this amendment is \$65,000 annually).

CIP/DID #PUR0522-333

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

Background: Proposals were solicited for the Public Works Real Estate/Right of Way Division for title report services in 2022 and a contract was executed with Iowa Title Company for an initial contract period of July 1, 2022 through June 30, 2024 for an annual amount of \$45,000.

Amendment No. 1 is to increase the volume of Services in the amount of \$20,000 annually, for an updated annual contract amount of \$65,000. Total amount for the two-year contract period is increased to \$130,000.

History of contract to date:

Description	Authorization	Dates
Initial Term of Contract	Signed by City 08/26/2022	07/01/2022–06/30/2024
Amendment No. 1 to increase amount	Pending	Effective 04/11/2023

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

Alternative Recommendation:

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: Budgeted in various CIP accounts

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Iowa Title Company are parties to a contract for annual as-needed title report services for the Public Works Real Estate/Right of Way Division; and

WHEREAS, both parties have agreed to amend the contract to reflect an increase in the volume of Services in the amount of \$20,000 annually; and

WHEREAS, the annual not to exceed amount for this contract renewal period (07/01/22 – 06/30/24) shall increase from \$45,000 to \$65,000 (\$130,000 for the two-year contract period); and

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

Description	Authorization	Dates
Initial Term of Contract	Signed by City 08/26/2022	07/01/2022–06/30/2024
Amendment No. 1 to increase Contract	Pending	Effective 04/11/2023

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 amend 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: Nathan Goodlove

Contact Person: Chief Greg Smith

Cell Phone Number: (319) 431-3807

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

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 2 to contract with Ed M. Feld Equipment Co., Inc. DBA Feld Fire for turnout gear for the Fire Department for additional gear in the amount of \$18,109 (original contract amount was \$51,740; contract amount with this amendment is \$80,197).

CIP/DID #PUR0322-239

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

Background: Bids were requested in 2022 on behalf of the Fire Department for as-needed purchases of Turnout Gear with the contract awarded to Ed M. Feld Equipment Co., Inc. DBA Feld Fire for an initial term of May 10, 2022 through April 30, 2023 for an annual amount not to exceed \$51,740. Under this contract Feld Fire supplies Veridian Limited Turnout Gear.

Amendment No. 2 increases the contract in the amount of \$18,109 for the purchase of turnout gear for seven (7) new rookie firefighters.

Summary of Current Contract Period:

	Price	Description
Initial Contract	\$51,740	Resolution No. 0646-05-22
Amendment No. 1	\$10,348	Volume of Goods increased
Amendment No. 2	\$18,109	Volume of Goods increased
Total	\$80,197	Not to exceed, except by written amendment

History of Contract to Date:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 0646-05-22	5/10/2022–4/30/2023
Amendment No. 1 to increase Contract	Resolution No. 0199-02-23	Effective 02/14/2023
Amendment No. 2 to increase Contract	Pending	Effective 04/11/2023

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: April 11, 2023

Budget Information: 531124-101-131300 – to be paid from FY24 budget

Local Preference Policy: Yes

Explanation: Local preference applied when bid was awarded but there were no local bidders

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Ed M. Feld Equipment Co., Inc. DBA Feld Fire are parties to a contract for the annual as-needed purchase of turnout gear for the Fire Department; and

WHEREAS, both parties have agreed to amend the contract to reflect an increase in the volume of Goods in the amount of \$18,109 for the purchase of gear for seven rookie firefighters; and

WHEREAS, the annual not to exceed amount for this contract period (05/10/22 – 04/30/23) shall increase to \$80,197; and

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

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 0646-05-22	5/10/2022–4/30/2023
Amendment No. 1 to increase Contract	Resolution No. 0199-02-23	Effective 02/14/2023
Amendment No. 2 to increase Contract	Pending	Effective 04/11/2023

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 amend 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: Jeff Koffron

Contact Person: Amanda Grieder

Cell Phone Number: (319) 286-5714

E-mail Address: A.Grieder@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Contract with Willett Hofmann and Associates Inc. for Design Services for ADA Compliance Group 3 for Facilities Maintenance Services for an amount not to exceed \$198,000.

CIP/DID #PUR0323-235

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

Background: Based on previous solicitations and completed projects, Willett Hofmann and Associates Inc. has been determined to be the most qualified and experienced Consultant to provide consistent architectural and engineering design services for ADA compliance to the City. The Facilities Maintenance Services Division (FMS) requested pricing from Willett Hofmann to provide design services for additional City facilities to correct ADA violations. This is the third group of facilities to be handled in this manner. The pricing submitted by Willett Hofmann has been determined to be fair and reasonable and consistent with their financial proposals submitted in response to previous competitive solicitations.

The FMS Division recommends a contract be awarded to Willett Hofmann for Design Services for ADA Compliance Group 3 for the period of April 11, 2023 through December 31, 2024 for an amount not to exceed \$198,000 including the following facilities: Tuma Sports Complex (\$53,000), Skyhawks Field (\$12,500), Northwest Water Treatment Plant (\$36,000), J Avenue Water Treatment Plant (\$54,000), and Water Pollution Control Plant (\$42,500).

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

Alternative Recommendation:

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: ADA Class 18401 – Various project numbers

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Facilities Maintenance Services Division (FMS) requested pricing for Design Services for ADA Compliance Group 3 Facilities from Willett Hofmann and Associates, Inc., who has been the most responsive and responsible Consultant for design services for other ADA projects for the City; and

WHEREAS, the Facilities Maintenance Services Division has carefully evaluated the pricing in comparison to previous contracts for similar work and recommends that a contract be executed for Design Services for ADA Compliance Group 3 with Willett Hofmann and Associates Inc. in the amount of \$198,000; and

WHEREAS, a contract has been prepared for the contract period April 11, 2023 through December 31, 2024.

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: Public Works

Presenter at meeting: Tim Mroch, PE

Contact Person: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Professional Services Agreement with Snyder & Associates, Inc. for an amount not to exceed \$256,934 for construction inspection and administration services in connection with the FY 2023 Bridge Maintenance Construction Administration project.

CIP/DID #305150-05

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

Background: The FY 2023 Bridge Maintenance projects are structures which have been selected due to their low Bridge Condition Index and are in need of repair to prolong the service life. These bridges were selected as a result of the biannual bridge inspection contract as well as the bridge management contract. Package #1 is for construction inspection and administration on 12th Avenue Bridge and will take place between May and August of 2023. Package #2 is for construction inspection and administration on the following bridges: E/F Avenue, 3rd Avenue, 16th Avenue, and Edgewood Road over Prairie Creek and Union Pacific Railroad.

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

Alternative Recommendation: The City of Cedar Rapids Staff does not currently have the expertise or staff to perform construction inspections internally. The alternatives are to not approve the professional services agreement and delay the project until another Consultant is selected or to abandon the project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 305/305000/305150 \$256,934 SLOST

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

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

WHEREAS, the City Engineer has determined Snyder & Associates, Inc. is qualified to provide construction inspection and administration services and they are able to perform those services in a timely manner for an amount not to exceed \$256,934, and

WHEREAS, the City Engineer recommends the City enter into Contract No. 305150-05 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for FY 2023 Bridge Maintenance Construction Administration project

Fund 305, Dept ID 305000, Project 305150, SLOST \$256,934

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

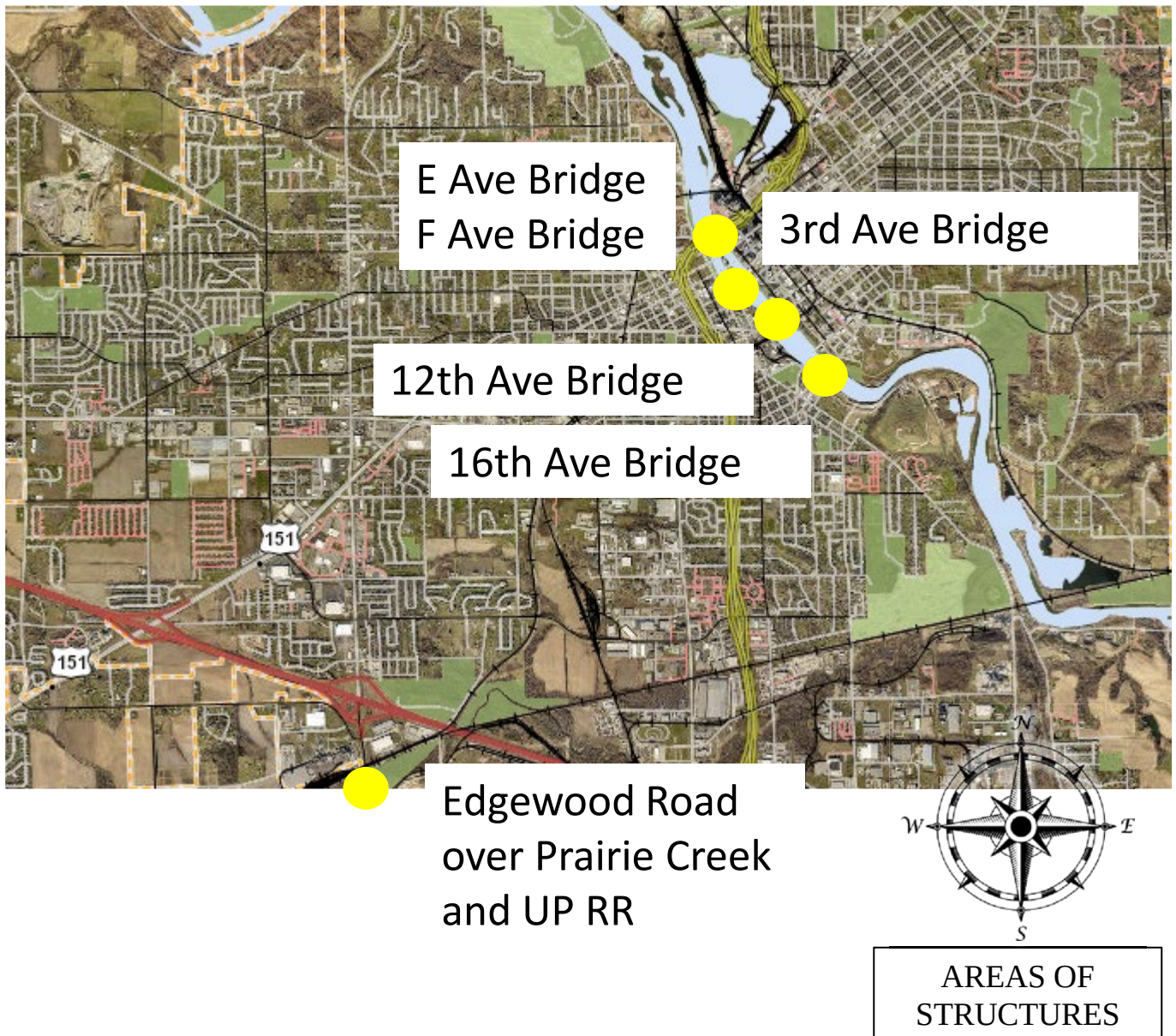
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MayorSignature

Attest:

ClerkSignature





Council Agenda Item Cover Sheet

Submitting Department: Water

Presenter at Meeting: Roy Hesemann

Contact Person: Roy Hesemann

Cell Phone Number: 319-521-5752

E-mail Address: R.Hesemann@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$138,000 for the Molecular Sieve Installation project.

CIP/DID #6150058-02 / PUR0223-209

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

Background: The Cedar Rapids Water Pollution Control Facility (WPCF) produces high-purity oxygen from ambient air for biological treatment of wastewater. The current Oxygen Production Plant at WPC was constructed in 1972 and underwent recent facility upgrades in 2014 and 2019. The current operational setup at the Oxygen Plant is not able to filter incoming air, which exposes equipment to variable conditions which can wear down internal parts and equipment. This PSA accompanies the equipment procurement contract for the Cryogenic Molecular Sieve for the existing Oxygen Production Plant (6150058-01). This PSA is for ancillary civil, structural, and electrical design services for the installation of the Cryogenic Molecular Sieve equipment.

Action/Recommendation: The Utilities Department – Water Pollution Control Division recommends approval of the Professional Services Agreement with Strand Associates, Inc. for the Molecular Sieve Installation project and that the City Manager and City Clerk be authorized to execute said Agreement.

Alternative Recommendation: None.

Time Sensitivity: 4-11-23

Resolution Date: 4-11-23

Budget Information: The project will be coded to the following CIP fund: 553000-615-615000-x-x-6150058-NA.

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Cedar Rapids Water Pollution Control Facility (WPCF) produces high-purity oxygen from ambient air for biological treatment of wastewater, and

WHEREAS, the current Oxygen Production Plant at the WPCF was constructed in 1972 and underwent recent facility upgrades in 2014 and 2019, and

WHEREAS, the operational setup at the Oxygen Plant is not able to filter incoming air, which exposes equipment to variable conditions which can wear down internal parts and equipment, and

WHEREAS, this professional services agreement accompanies the equipment procurement contract for the Cryogenic Molecular Sieve for the existing Oxygen Plant and is also for ancillary civil, structural, and electrical design services for the installation of the Cryogenic Molecular Sieve equipment, and

WHEREAS, the Utilities Department – Water Pollution Control Division staff recommends approval of the Professional Services Agreement with Strand Associates, Inc. for the Molecular Sieve Installation project, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Water Pollution Control Facility be hereby authorized to enter into a Professional Services Agreement with Strand Associates, Inc. for the Molecular Sieve Installation project for an amount not to exceed \$138,000 be hereby approved and the City Manager and City Clerk authorized to execute. To be funded from the WPC CIP fund and coded to 553000-615-615000-x-x-6150058-NA.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Ken DeKeyser, PE

Contact Person: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Authorizing execution of Change Order No. 6 in the amount of \$85,314.58 with Boomerang Corp. for the 1st Street NW/SW Flood Control System from E Avenue NW to 2nd Avenue SW project (original contract amount was \$8,852,304; total contract amount with this amendment is \$9,120,563.32).

CIP/DID #3312510-30

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.

- Item 165: The additional H-pile length is due to the elevation of bedrock being deeper than expected and also the additional length of the friction piles to meet bearing.
- WCD 5: Item 8021: The watermain previously installed conflicted with storm sewer run SPD214. The watermain was lowered to accommodate the storm sewer. (RFC #10)
- Item 8022: A steel plate was added to the pipe end of SDP211 for a future connection (RFC#8)
- Item 8023: Roto Rooter was brought on site to film a 6" subdrain that was discovered while grading along I-380. (RFC #11)
- Item 8024-8025: The 6" subdrain was connected to structure SD584. (RFC #11)
- Item 8026, 33: the cleanouts were revised post bid from type A-1 to type B. (RFC #13)

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 6 submitted by Boomerang Corp.

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

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: Iowa Flood Mitigation Funds

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 6 in the amount of \$85,314.58 with Boomerang Corp. for the 1st Street NW/SW Flood Control System from E Avenue NW to 2nd Avenue SW, Contract No. 3312510-30. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$8,817,304.00
Original Incentive Value	35,000.00
Change Order No. 1	17,301.81
Change Order No. 2	33,199.97
Change Order No. 3	70,397.46
Change Order No. 4	10,876.50
Change Order No. 5	51,169.00
Change Order No. 6	<u>85,314.58</u>
Amended Contract Amount	\$9,120,563.32

General ledger coding for this Change Order to be as follows: \$85,314.58 331-331100-7972-33312510

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MayorSignature

Attest:

ClerkSignature

Project Location





Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Ken DeKeyser , PE

Contact Person: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Authorizing execution of Change Order Nos. 7 and 8 for a total amount of \$24,757.60 with Boomerang Corp. for the Ellis Boulevard and 6th Street NW Connector project (original contract amount was \$6,357,840.10; total contract amount with this amendment is \$6,605,776.32) **(Paving for Progress)**.

CIP/DID #301963-03

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.

- Item 990: Added water main loop at 8th St NW to get over existing storm and added fittings on the 8-inch water main along the 6th St NW alignment near Sta. 38+32 to keep the proposed alignment.
- Item 1020: Added two water service corporations: one to 709 F Ave NW and one to 710 F Ave NW per the instruction of the Cedar Rapids Water Department.
- Item 0130: The added water services extended the limits of pavement removal and replacement an additional 15 feet from the proposed west project limits of F Ave NW.
- Item 1410: Plan tabulation error this item being used for temporary and permanent site stabilization. Additional acres were necessary to cover this additional work requirement therefore a new unit price was negotiated based on the increased quantity.
- Item 8020: Item added for the temporary and permanent stabilization of disturbed areas per Iowa DOT Specification 2601 and Iowa DOT Item Number 2601-2634150. The design quantity did not account for this item being used for temporary and permanent site stabilization. Additional acres were necessary to cover this additional work requirement therefore a new unit price was negotiated based on the increased quantity.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 7 and 8 submitted by Boomerang Corp.

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

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/301963 SLOST 625/625000/625884/2018059 301987

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 Nos. 7 and 8 for a total amount of \$24,757.60 with Boomerang Corp. for the Ellis Boulevard and 6th Street NW Connector, Contract No. 301963-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$6,357,840.10
Change Order No. 1	34,794.89
Change Order No. 2	7,305.32
Change Order No. 3	11,737.55
Change Order No. 4	83,055.31
Change Order No. 5	38,434.25
Change Order No. 6	47,851.30
Change Order No. 7	7,464.00
Change Order No. 8	<u>17,293.60</u>
Amended Contract Amount	\$6,605,776.32

General ledger coding for this Change Order to be as follows: \$13,000 301-301000-30186-301963; \$1,085.50 301-301000-30187-301963; \$10,672.10 625-625000-625884-6252018059

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature





Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Ken DeKeyser, PE

Contact Person: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Authorizing execution of Change Order No. 9 in the amount of \$150 with Pirc-Tobin Construction, Inc. for the 1st Avenue W from 6th Street to 1st Street Pavement Rehabilitation and Traffic Signal Improvements project (original contract amount was \$3,066,077.50; total contract amount with this amendment is \$3,705,750.41).

CIP/DID #301987-03

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. 9 submitted by Pirc-Tobin Construction, Inc.

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

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301987, NA; 306286, NA; 625824-2020070; 665300; 3312510, IFM

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 9 in the amount of \$150 with Pirc-Tobin Construction, Inc. for the 1st Avenue W from 6th Street to 1st Street Pavement Rehabilitation and Traffic Signal Improvements, Contract No. 301987-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$3,006,077.50
Original Incentive Value	60,000.00
Change Order No. 1	67,531.88
Change Order No. 2	156,783.39
Change Order No. 3	70,179.69
Change Order No. 4	79,987.49
Change Order No. 5	109,355.60
Change Order No. 6	108,267.83
Change Order No. 7	28,316.05
Change Order No. 8 Revised	19,100.98
Change Order No. 9	<u>150.00</u>
Amended Contract Amount	\$3,705,750.41

General ledger coding for this Change Order to be as follows: \$150 301-301000-30185-301987

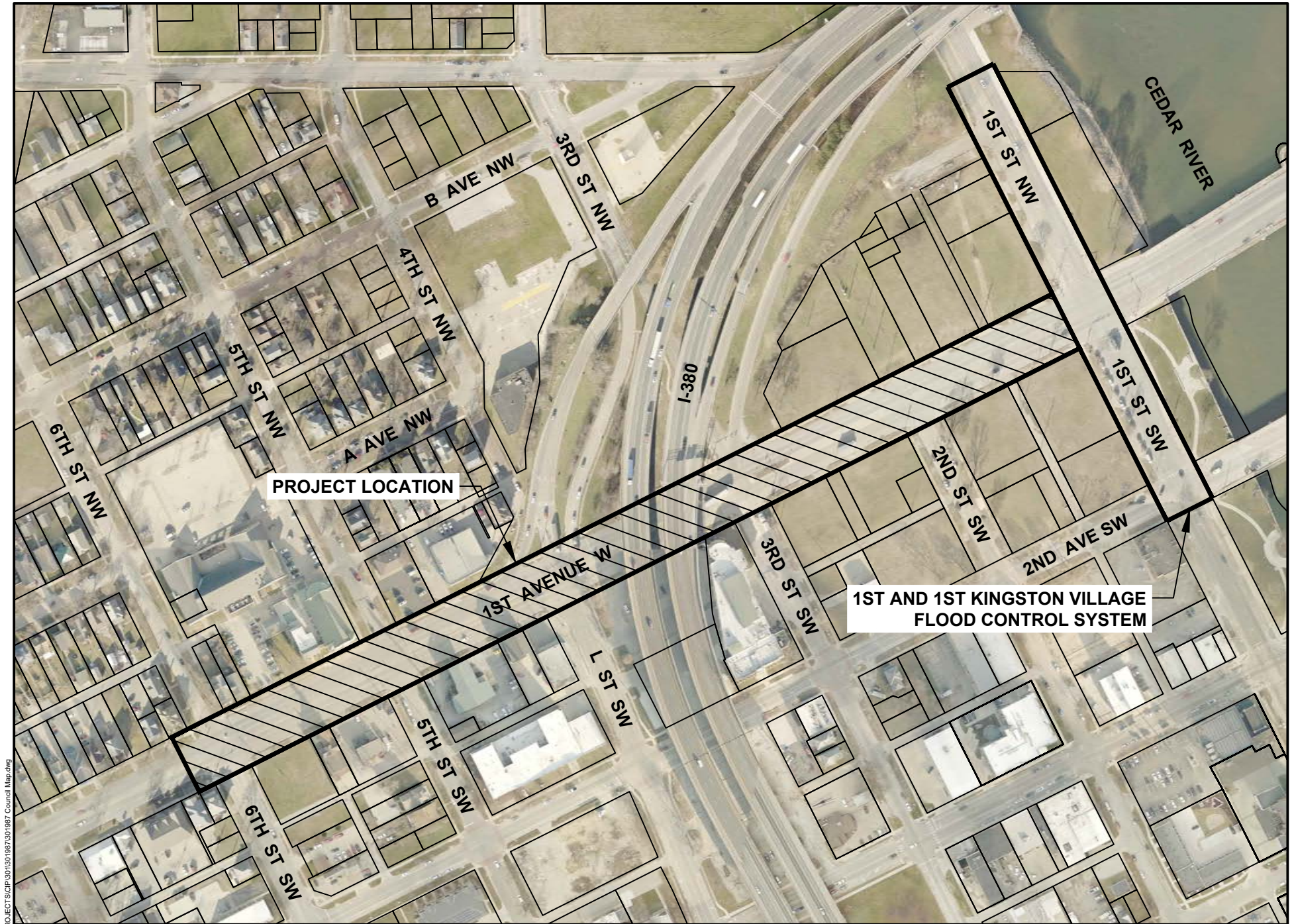
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MayorSignature

Attest:

ClerkSignature



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**1ST AVENUE W FROM 6TH STREET TO 1ST STREET
PAVEMENT REHABILITATION AND TRAFFIC SIGNAL IMPROVEMENTS**





Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Ken DeKeyser, PE

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Authorizing execution of Change Order No. 8 in the amount of \$1,000 with Rathje Construction Co. for the 1st Avenue E and 1st Street NE Temporary Traffic Signal and Pavement Improvements project (original contract amount was \$500,925.14; total contract amount with this amendment is \$688,874.16).

CIP/DID #3315510-67

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. 8 submitted by Rathje Construction Co.

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

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: CIP No. 3315510 – \$415,000 General Obligation Bonds

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 8 in the amount of \$1,000 with Rathje Construction Co. for the 1st Avenue E and 1st Street NE Temporary Traffic Signal and Pavement Improvements, Contract No. 3315510-67. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$495,925.14
Original Incentive Value	5,000.00
Change Order No. 1	1,925.38
Change Order No. 2	150,686.75
Change Order No. 3	1,400.00
Change Order No. 4	8,415.00
Change Order No. 5	22,521.89
Change Order No. 6	1,000.00
Change Order No. 7	1,000.00
Change Order No. 8	<u>1,000.00</u>
Amended Contract Amount	\$688,874.16

General ledger coding for this Change Order to be as follows: \$1,000 331-331100-33101-3315510

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

Project Map – 1st Avenue E and 1st Street NE Temporary Traffic Signal and Pavement Improvements





Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Ken DeKeyser, PE

Contact Person: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Authorizing execution of Change Order No. 3 in the amount of \$39,129.75 with Rathje Construction Co. for the 6th Street SW & Commerce Park Drive SW Intersection Improvements project (original contract amount was \$2,256,895.41; total contract amount with this amendment is \$2,317,022.41).

CIP/DID #301875-03

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.

- WCD 1 Item 8001: Intake S-B5 and connecting storm sewer pipes had to be removed and reinstalled due to mismatched call out sheet. An error in the tie-in surface was discovered and revised plan sheets were issued. Issues took longer than the two days allowed.
- Item 8002: Temporary pavement connecting Commerce Park Drive SW to 6th Street SW to maintain commercial access resulted in a storm sewer drainage issue. 25' of temporary 12" ADS pipe with a riser and casting were installed to drain low point area.
- Item 8003: A temporary 24" culvert pipe was necessary to maintain drainage across the new Commerce Park Drive temporary pavement.
- Items 84-87, 103 & 8004: Addendum 1 added work including additional mobilization to monitor traffic control equipment, additional traffic control equipment to place a one-way detour for the winter, barrier rails, and additional no parking signs.
- Item 102: Addendum 1 added work to accommodate area trucking logistics businesses during the winter shutdown period of the project. This item covers the additional construction survey necessary to complete the work.
- Item 8005: Protection of newly finished subgrade and subbase prior to PCC paving was due to cold ambient temperatures.

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

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

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/301875, 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 \$39,129.75 with Rathje Construction Co. for the 6th Street SW & Commerce Park Drive SW Intersection Improvements, Contract No. 301875-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$2,236,895.41
Original Incentive Value	20,000.00
Change Order No. 1	4,515.00
Change Order No. 2	16,482.25
Change Order No. 3	<u>39,129.75</u>
Amended Contract Amount	\$2,317,022.41

General ledger coding for this Change Order to be as follows: \$11,446.25 301-301000-30186-301875; \$27,683.50 301-301000-30185-301875

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature





Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Ken DeKeyser, PE

Contact Person: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Authorizing execution of Change Order No. 13 in the amount of \$508.80 with Rathje Construction Co. for the Cherokee Trail (Phase 2B) from Cherry Hill Park to Sharon Lane, Along Gordon Avenue through Cherokee Park to Midway Drive NW project (original contract amount was \$3,910,292.97; total contract amount with this amendment is \$4,397,737.02).

CIP/DID #325069-07

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

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 Orders No. 13 submitted by Rathje Construction Co.

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

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/3012384
 325/325000/325069
 625/625000/625884-6252040
 655/655000/6550099

The Cherokee Trail (Phase 2B) from Cherry Hill Park to Sharon Lane, Along Gordon Avenue through Cherokee Park to Midway Drive NW project is being awarded prior to the adoption of the FY23 budget and FY23 funding is being committed with this award.

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: 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. 13 in the amount of \$508.80 with Rathje Construction Co. for the Cherokee Trail (Phase 2B) from Cherry Hill Park to Sharon Lane, Along Gordon Avenue through Cherokee Park to Midway Drive NW, Contract No. 325069-07. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$3,910,292.97
Change Order No. 1	60,280.00
Change Order No. 2	.00
Change Order No. 3	249,331.10
Change Order No. 4	20,405.48
Change Order No. 5	31,673.84
Change Order No. 6	105,947.84
Change Order No. 7	10,487.73
Change Order No. 8	73.32
Change Order No. 9	2,084.35
Change Order No. 10	1,500.00
Change Order No. 11	416.59
Change Order No. 12	4,735.00
Change Order No. 13	<u>508.80</u>
Amended Contract Amount	\$4,397,737.02

General ledger coding for these Change Orders to be as follows: \$508.80 301-301000-30186-3012384

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



Cadd File Name: W:\PROJECTS\CDP\325069 Cherokee Trail\325069 Council Map.dwg



CHEROKEE TRAIL (PHASE 2B)
FROM CHERRY HILL PARK TO SHARON LANE, ALONG GORDON AVENUE,
THROUGH CHEROKEE PARK TO MIDWAY DRIVE NW





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of Agreements for Temporary Construction Easement from Eight (8) property owners in the aggregate amount of \$1,645 and land in connection with the 5th Avenue SE From 5th Street to 19th Street Pavement Rehabilitation project (**Paving for Progress**). CIP/DID #3012381-00

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

Background: In a previous fiscal year, City Council approved funding towards the 5th Avenue SE From 5th Street to 19th Street Pavement Rehabilitation project. The agreements for temporary construction easements are required to accommodate construction for this project.

Compensation amounts offered to owners listed on Exhibit A attached to the Resolution are based on appraisals of the subject properties or comparisons of similar properties provided by a qualified appraiser's recommendation hired by the City.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of the Agreements for Temporary Construction Easement and accepting the Agreements for Temporary Construction Easement from the properties for the amounts noted on Exhibit A.

Alternative Recommendation: Do not proceed with acquiring the proposed temporary easements for construction and direct City staff to abandon or reconfigure the proposed project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/3012381 SLOST

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need exists for agreements for temporary construction easement in order to accommodate the proposed facilities, and

WHEREAS, the owners of the real property located on the proposed project have agreed to convey the necessary temporary construction easements to the City of Cedar Rapids as outlined on the attached Exhibit A, and

WHEREAS, the Public Works Director recommends the City enter into agreements to purchase the temporary construction easements in accordance with the terms set forth in the Agreements for Temporary Construction Easement from owners as listed on Exhibit A, and

WHEREAS, the City Council has allocated Capital Improvement funds for 5th Avenue SE From 5th Street to 19th Street Pavement Rehabilitation project (Fund 301, Dept. ID 301000, Project 3012381 SLOST),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute the Agreements for Temporary Construction Easement as described herein, and

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

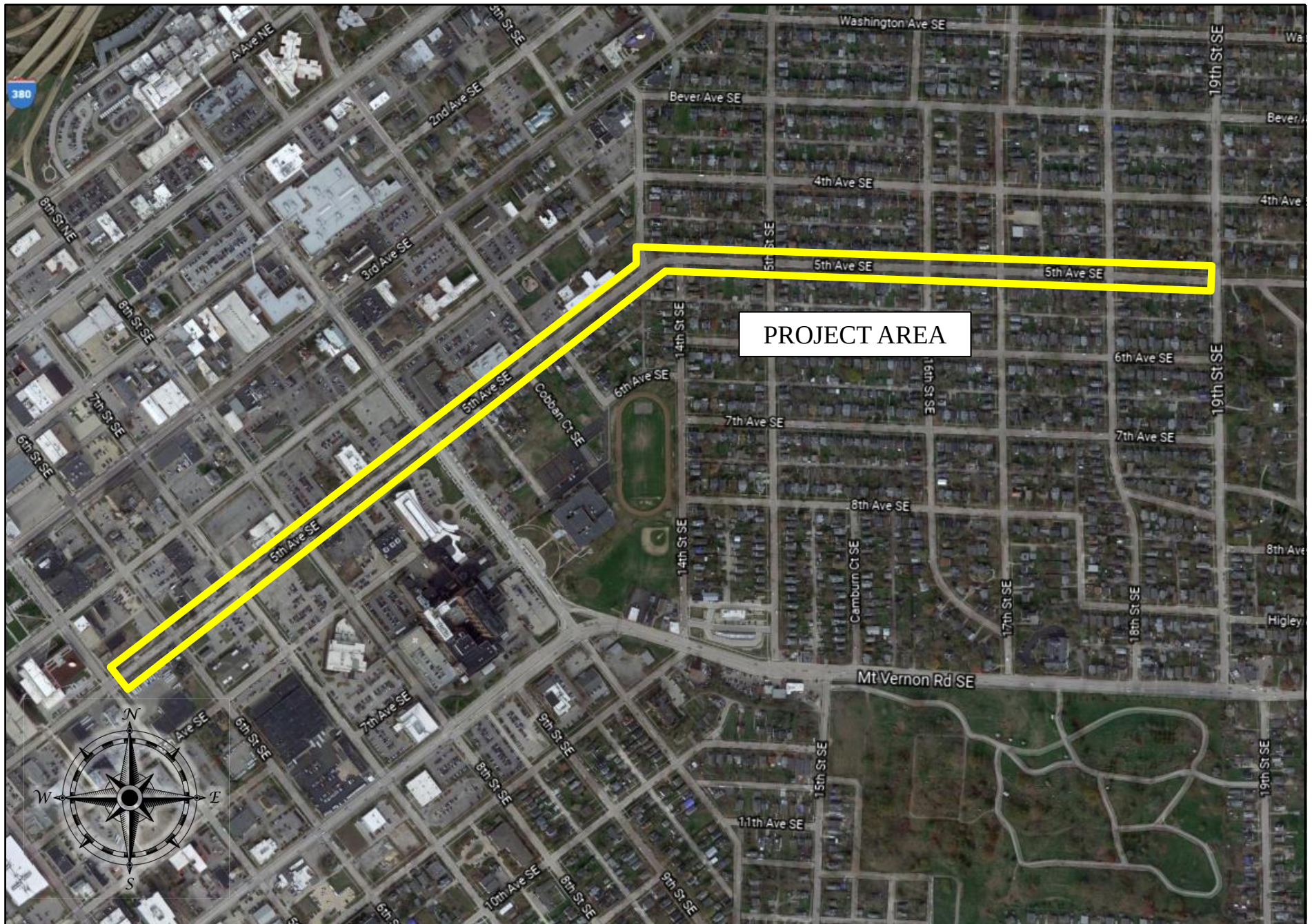
ClerkSignature

Exhibit A

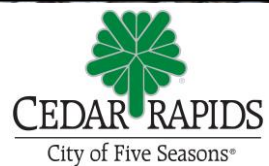
CIP #3012381

5th Avenue SE From 5th Street to 19th Street Pavement Rehabilitation

PARCEL	PROPERTY OWNER	MAILING ADDRESS:	SUBJECT PROPERTY	TAKING	Compensation Amount:
128	Thomas L. Haase	1516 5 th Avenue SE Cedar Rapids, Iowa 52403	1516 5 th Avenue SE	Temporary Easement	\$250
100	JM Carroll Properties, LLC	1521 9 th Avenue SW Cedar Rapids, Iowa 52403	1810 5 th Avenue SE	Temporary Easement	\$205
108	D Taggart Holdings, Inc.	1540 D Avenue NE Cedar Rapids, Iowa 52402	1726 5 th Avenue SE	Temporary Easement	\$250
109	D Taggart Holdings, Inc.	1540 D Avenue NE Cedar Rapids, Iowa 52402	1716 5 th Avenue SE	Temporary Easement	\$200
131	D Taggart Holdings, Inc.	1540 D Avenue NE Cedar Rapids, Iowa 52402	1500 5 th Avenue SE	Temporary Easement	\$300
120	Gary A. Irving	1546 5 th Avenue SE Cedar Rapids, Iowa 52403	1546 5 th Avenue SE	Temporary Easement	\$200
46	Hope Community Development Association Inc.	842 14 th Street SE Cedar Rapids, Iowa 52403	1435 5 th Avenue SE	Temporary Easement	\$90
18	Burger Frisch, LLC	375 Hampden Drive NE Cedar Rapids, Iowa 52402	1041 5 th Avenue SE	Temporary Easement	\$150



PROJECT AREA



5TH AVENUE SE FROM 5TH STREET TO 19TH STREET PAVEMENT REHABILITATION PROJECT



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$1 and accepting a temporary grading easement for construction from The Depot at Newbo Village Management Association, Inc. from land located at 460 12th Avenue SE, in connection with the 12th Avenue SE UPRR Rail Crossing Improvements project.

CIP/DID #301960-00

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

Background: In a previous fiscal year, City Council approved funding towards the 12th Avenue SE UPRR Rail Crossing Improvements project.

The easement is required to accommodate the proposed 12th Avenue SE UPRR Rail Crossing Improvements project roadway, median and sidewalk improvements including curb improvements, median and sidewalk installation, and replacement of water main under the crossing. Compensation amounts proposed are based on comparisons of similar properties.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$1 and accepting a Temporary Grading Easement for Construction from The Depot at Newbo Village Management Association, Inc.

Alternative Recommendation: Do not proceed with acquiring the proposed Temporary Grading Easement for Construction and direct City staff to abandon or reconfigure 12th Avenue SE UPRR Rail Crossing Improvements project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/301960

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, The Depot at Newbo Village Management Association, Inc., 460 12th Avenue SE, OWNER, of the real property known and described as:

See Temporary Construction Easement Exhibit

has agreed to convey the necessary temporary grading easement for construction at 460 12th Avenue SE to the City of Cedar Rapids for total consideration of \$1, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for the 12th Avenue SE UPRR Rail Crossing Improvements project (Fund 301, Dept. ID 301000, Project 301960),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

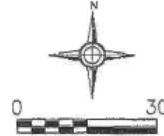
ClerkSignature

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT

12TH AVENUE SE QUIET ZONE RAILROAD CROSSING IMPROVEMENTS

CITY PROJECT NO. 301960

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



NOTES:

1. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. BEARINGS HEREON ARE BASED UPON IOWA STATE PLANE NAD 83 NORTH ZONE.
3. TEMPORARY EASEMENT WILL EXPIRE UPON COMPLETION OF CONSTRUCTION AND THE ACCEPTANCE OF THE CITY OF CEDAR RAPIDS.
4. THE ENTIRE PROPOSED TEMPORARY EASEMENT PARCEL LIES WITHIN THE EXISTING ELECTRIC LINE EASEMENT FILED IN BOOK 8953, PAGE 32 OF THE LINN COUNTY RECORDER.

PROPRIETOR:
THE DEPOT AT NEWBO VILLAGE MANAGEMENT
ASSOCIATION, INC.

GPNS: MULTIPLE GPNS

Legal Description

PART OF LOT 2, THE DEPOT AT NEWBO VILLAGE FIRST ADDITION IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2;

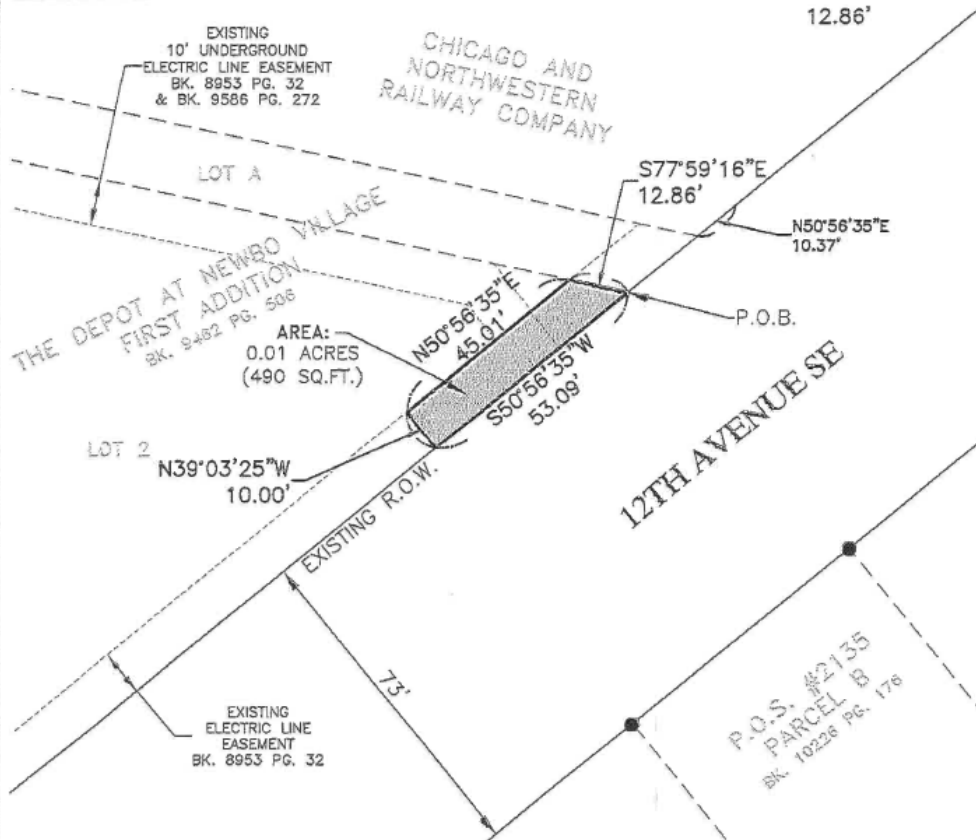
THENCE S50°56'35"W ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF 12TH AVENUE SE, 53.09 FEET;

THENCE N39°03'25"W, 10.00 FEET;

THENCE N50°56'35"E, 45.01 FEET TO THE NORTHERLY LINE OF SAID LOT 2;

THENCE S77°59'16"E ALONG SAID NORTHERLY LINE, 12.86 FEET TO THE POINT OF BEGINNING CONTAINING 0.01 ACRES (490 SQ.FT.) MORE OR LESS.

SUBJECT TO EXISTING EASEMENTS AND RESTRICTIONS OF RECORD.



Legend

- Boundary Line —————
- Adjoining Lot Line - - - - -
- Section Line ————
- Building Setback Line ······
- Found 1/2" Rebar w/Orange Cap #18646 (Unless Noted) *
- Found Cut "X" X
- Set 1/2"x30" Rebar w/Orange Cap #18646 o
- Set Section/Quarter Corner Δ
- Found Section/Quarter Corner ▲
- Measured (M)
- Record (R)
- Temporary Construction [Shaded Area]

TEMPORARY CONSTRUCTION
EASEMENT EXHIBIT

Project Number: 217049

PARCEL 1
460 12TH AVE SE

Drawn By: BJF
Dated: 9/13/22
Field Book #328

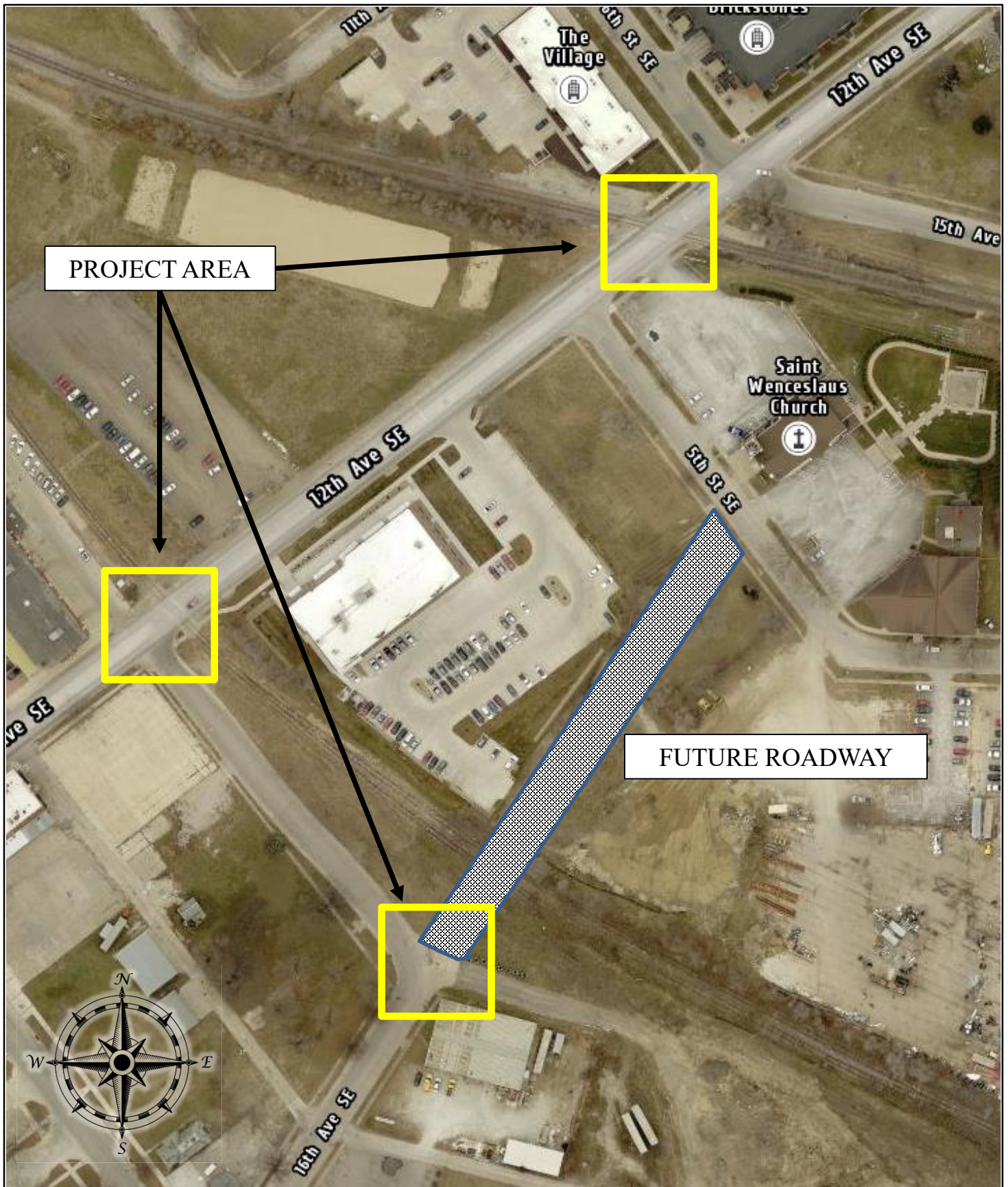
Approved By: RBK
Scale: 1"=30'



Client:

ANDERSON-BOGERT

Sheet No.
1
of
1





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$1,340 and accepting a Warranty Deed for right-of-way and temporary grading easement for construction from Mercy Hospital, Cedar Rapids, Iowa d/b/a Mercy Medical Center, Cedar Rapids, Iowa, from land located at 723 8th Avenue SE, in connection with the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project.

CIP/DID #301956-00

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

Background: In a previous fiscal year, the City Council approved funding towards the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project.

The right-of-way and easement are required to accommodate the proposed the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project. Compensation amounts proposed are based on comparisons of similar properties to the subject property.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$1,340 and accepting a warranty deed and temporary grading easement for construction from Mercy Hospital, Cedar Rapids, Iowa d/b/a Mercy Medical Center, Cedar Rapids, Iowa.

Alternative Recommendation: Do not proceed with acquiring the proposed right-of-way and temporary grading easement for construction and direct City staff to abandon or reconfigure 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/301956

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for additional right-of-way and a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Mercy Hospital, Cedar Rapids, Iowa d/b/a Mercy Medical Center, Cedar Rapids, Iowa, 701 10th Street SE, Cedar Rapids, Iowa 52403, OWNER of the real property known and described as:

See Attached Acquisition Plat

has agreed to convey the necessary right-of-way and temporary grading easement for construction at 723 8th Avenue SE, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$1,140
Temporary Construction Easement	\$200
TOTAL	\$1,340

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project. (Fund 301, Dept. ID 301000, Project 301956),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED, that the Warranty Deed be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature

INDEX LEGEND

SURVEYOR'S NAME / RETURN TO:
TIM FORNASH
SNYDER & ASSOCIATES, INC.
5005 BOWLING ST. SW SUITE A
CEDAR RAPIDS, IOWA 52404
319-362-9394
twforinash@snyder-associates.com
SERVICE PROVIDED BY:
SNYDER & ASSOCIATES, INC.
SURVEY LOCATED:
LOT 10
BLOCK 14
CARPENTERS'S FOURTH ADDITION

REQUESTED BY:
CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT

DESCRIPTION

A PART OF LOT 10, BLOCK 14, CARPENTER'S FOURTH ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHERLY CORNER OF LOT 8 SAID BLOCK 14; THENCE NORTH 38° 45' 55" WEST ALONG THE EASTERLY LINE OF SAID BLOCK 14, A DISTANCE OF 127.21 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 51° 14' 05" WEST, 5.00 FEET; THENCE NORTH 38° 45' 55" WEST, 5.58 FEET; THENCE NORTH 82° 36' 27" WEST, 17.51 FEET; THENCE NORTH 51° 09' 57" EAST, 6.92 FEET; THENCE SOUTH 82° 36' 27" EAST, 14.73 FEET TO SAID EASTERLY LINE; THENCE SOUTH 38° 45' 55" EAST ALONG SAID EASTERLY LINE, A DISTANCE OF 7.59 FEET TO THE POINT OF BEGINNING, CONTAINING 114 SQUARE FEET MORE OR LESS.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

PREPARED FOR

CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

8TH AVENUE SE AND MOUNT VERNON
ROAD SE FROM 8TH STREET TO
14TH STREET RECONSTRUCTION

CEDAR RAPIDS CONTRACT NUMBER
301956-02

IDOT PROJECT NUMBER
CS-TSF-1187(821)--85-57

DATE OF SURVEY

09-07-2021 & 10/14/2021

PROPERTY ADDRESS

723 8TH AVENUE SE
CEDAR RAPIDS, IA 52403
GPN - 14272-33001-00000

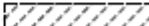
DEED HOLDER

MERCY MEDICAL CENTER
701 10TH STREET SE
CEDAR RAPIDS, IA 52403

BASIS OF BEARING

THE EASTERLY LINE OF BLOCK 14 IS
ASSUMED TO BEAR NORTH 38° 45' 55"
WEST.

LEGEND

Survey	Found	Set
Section Corner	▲	△
1/2" Rebar, Yellow Cap #26175 (Unless Otherwise Noted)	●	○
ROW Rail	≡	
Calculated Point	+	
Plotted Distance	P	
Measured Bearing & Distance	M	
Recorded As	R	
Deed Distance	D	
Calculated Distance	C	
Centerline	----	
Section Line	----	
1/4 Section Line	----	
1/4 1/4 Section Line	----	
Temporary Easement		

8TH AVENUE SE AND MOUNT VERNON ROAD SE
FROM 8TH STREET TO 14TH STREET RECONSTRUCTION
PARCEL 1 - MERCY MEDICAL CENTER

SHEET 1 OF 2

PN: 1210720

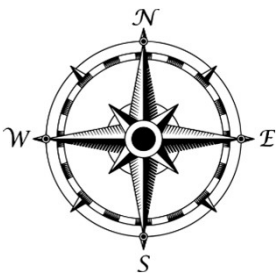
DATE: 08/23/22

REV:

PM/TECH: TWF

S SNYDER
& ASSOCIATES

5005 BOWLING STREET S.W.,
CEDAR RAPIDS, IA 52404 (319) 362-9394





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$1,480 and accepting a temporary grading easement for construction from Mercy Hospital, Cedar Rapids, Iowa d/b/a Mercy Medical Center, Cedar Rapids, Iowa, from land located 846 9th Avenue SE in connection with the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project.

CIP/DID #301956-00

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

Background: In a previous fiscal year, the City Council approved funding towards the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project.

The easement is required to accommodate the proposed 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project. Compensation amounts proposed are based on comparisons of similar properties to the subject property provided by a qualified appraiser hired by the City.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$1,480 and accepting a Temporary Grading Easement for Construction from Mercy Hospital, Cedar Rapids, Iowa d/b/a Mercy Medical Center, Cedar Rapids, Iowa.

Alternative Recommendation: Do not proceed with acquiring the proposed temporary grading easement for construction and direct City staff to abandon or reconfigure 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/301956

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Mercy Hospital, Cedar Rapids, Iowa d/b/a Mercy Medical Center, Cedar Rapids, Iowa, 701 10th Street SE, OWNER of the real property known and described as:

See Attached Temporary Construction Easement

has agreed to convey the necessary temporary grading easement for construction at 846 9th Avenue SE, to the City of Cedar Rapids for consideration as follows:

Temporary Easement	\$1,480
TOTAL	<u>\$1,480</u>

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project. (Fund301, Dept. ID301000, Project 301956),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

TEMPORARY CONSTRUCTION EASEMENT

DESCRIPTION

A PART OF PARCEL "A", PLAT OF SURVEY NO. 2588, CEDAR RAPIDS, LINN COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF SAID PARCEL "A"; THENCE SOUTH 38° 50' 58" EAST ALONG THE EASTERLY LINE OF SAID PARCEL "A", A DISTANCE OF 5.00 FEET; THENCE SOUTH 51° 09' 57" WEST, 80.00 FEET; THENCE NORTH 40° 03' 03" WEST, 4.03 FEET; THENCE SOUTH 49° 56' 57" WEST, 3.09 FEET; THENCE SOUTH 51° 09' 57" WEST, 180.99 FEET; THENCE SOUTH 38° 50' 03" EAST, 3.00 FEET; THENCE SOUTH 51° 09' 58" WEST, 15.50 FEET; THENCE NORTH 38° 50' 03" WEST, 5.00 FEET TO THE NORTHERLY LINE OF SAID PARCEL "A"; THENCE NORTH 51° 09' 57" EAST ALONG SAID NORTHERLY LINE, A DISTANCE OF 280.59 FEET TO THE POINT OF BEGINNING, CONTAINING 0.02 ACRES (860 S.F.) MORE OR LESS.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

INDEX LEGEND

SURVEYOR'S NAME / RETURN TO:
TM FORINASH
SNYDER & ASSOCIATES, INC.
5005 BOWLING ST. SW SUITE A
CEDAR RAPIDS, IOWA 52404
319-362-9394
tforinash@snyder-associates.com
SERVICE PROVIDED BY:
SNYDER & ASSOCIATES, INC.
SURVEY LOCATED:
PARCEL A
PLAT OF SURVEY NO. 2588

REQUESTED BY:
CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

LEGEND

Survey	Found	Set
Section Corner	▲	△
1/2" Rebar, Yellow Cap #25175 (Unless Otherwise Noted)	●	○
ROW Rail	—	—
Calculated Point	+	+
Plotted Distance	P	P
Measured Bearing & Distance	B	B
Recorded As	R	R
Deed Distance	D	D
Calculated Distance	C	C
Centerline	—	—
Section Line	—	—
1/4 Section Line	—	—
1/4 1/4 Section Line	—	—
Temporary Easement	///	///

PROPERTY ADDRESS

846 9TH AVENUE SE
CEDAR RAPIDS, IA 52403
CPN - 14272-30007-00000

DEED HOLDER

MERCY MEDICAL CENTER
DBA FUTURE MERCY HEART CENTER
701 10TH STREET SE
CEDAR RAPIDS, IA 52403

DATE OF SURVEY

09-07-2021 & 10/14/2021

BASIS OF BEARING

THE NORTH LINE OF PARCEL
A IS ASSUMED TO BEAR
NORTH 51° 09' 57" EAST

PREPARED FOR

CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

8TH AVENUE SE AND MOUNT VERNON
ROAD SE FROM 8TH STREET TO
14TH STREET RECONSTRUCTION

CEDAR RAPIDS CONTRACT NUMBER
301956-02

DDOT PROJECT NUMBER
CS-TSF-1187(821)-85-57

8TH AVENUE SE AND MOUNT VERNON ROAD SE
FROM 8TH STREET TO 14TH STREET RECONSTRUCTION
PARCEL 4- MERCY MEDICAL CENTER

CEDAR RAPIDS, IOWA

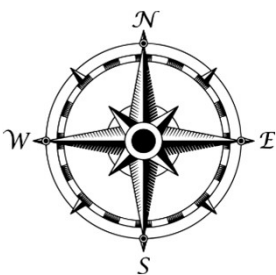
8888 8TH AVENUE SE
CEDAR RAPIDS, IOWA 52404
319-362-9394 | TTM FORINASH@SNYDER-ASSOCIATES.COM

SNYDER & ASSOCIATES, INC.



Project No: 1240720

Sheet: 1 of 2





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$3,910 and accepting a easement for traffic sign and a temporary grading easement for construction from Mercy Hospital, Cedar Rapids, Iowa d/b/a Mercy Medical Center, Cedar Rapids, Iowa, from land located at 901 8th Avenue SE, in connection with the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project.

CIP/DID #301956-00

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

Background: In a previous fiscal year, the City Council approved funding towards the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project.

The easement is required to accommodate the proposed 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project. Compensation amounts proposed are based on comparisons of similar properties to the subject property provided by a qualified appraiser hired by the City.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$3,910 and accepting a Easement for Traffic Sign and a Temporary Grading Easement for Construction from Mercy Hospital, Cedar Rapids, Iowa d/b/a Mercy Medical Center, Cedar Rapids, Iowa.

Alternative Recommendation: Do not proceed with acquiring the proposed permanent easement for traffic sign and temporary grading easement for construction and direct City staff to abandon or reconfigure 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/301956

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for an easement for traffic sign and a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Mercy Hospital, Cedar Rapids, Iowa d/b/a Mercy Medical Center, Cedar Rapids, Iowa, 701 10th Street SE, Cedar Rapids, Iowa 52403, OWNER of the real property known and described as:

See Attached Permanent Traffic Sign Easement

has agreed to convey the necessary easement for traffic sign and a temporary grading easement for construction for construction at 901 8th Avenue SE, to the City of Cedar Rapids for consideration as follows:

Permanent Easement	\$350
Temporary Easement	\$3,560
TOTAL	\$3,910

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project. (Fund 301, Dept. ID 301000, Project 301956),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED, that the Easement for Traffic Sign be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

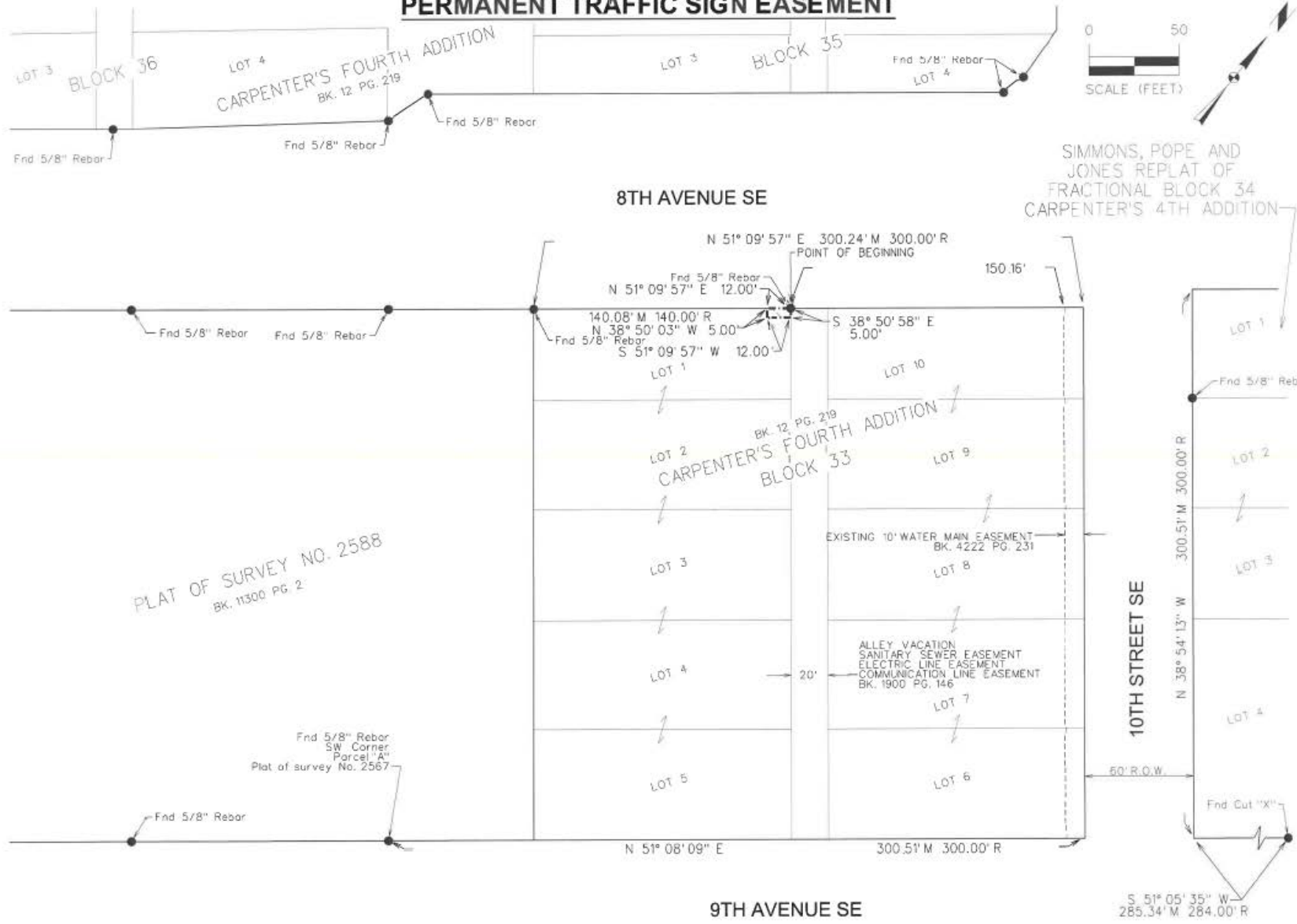
ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

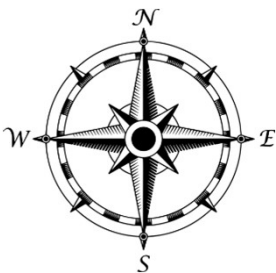
I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature

PERMANENT TRAFFIC SIGN EASEMENT



DATE	08/23/22	BY	PT
REVISION	TWF	DATE	08/23/22
PROJECT	8TH AVENUE SE AND MOUNT VERNON ROAD SE FROM 8TH STREET TO 14TH STREET RECONSTRUCTION	PROJECT NO.	1210720
CLIENT	PARCEL 5 - MERCY MEDICAL CENTER	SHEET	2 of 2
SNYDER & ASSOCIATES, INC. 315-362-0334 www.snyder-associates.com			





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$103,750 and accepting a Warranty Deed for right-of-way and temporary grading easement for construction from Mercy Hospital, Cedar Rapids, Iowa d/b/a Mercy Medical Center, Cedar Rapids, Iowa, from land located at 1016 9th Avenue SE, in connection with the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project.

CIP/DID #301956-00

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

Background: In a previous fiscal year, the City Council approved funding towards the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project.

The right-of-way and easement are required to accommodate the proposed the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project. Compensation amounts proposed are based on an appraisal of the subject property, provided by a qualified appraiser and/or a review appraiser's recommendation hired by the City.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$103,750 and accepting a warranty deed and temporary grading easement for construction from Mercy Hospital, Cedar Rapids, Iowa d/b/a Mercy Medical Center, Cedar Rapids, Iowa.

Alternative Recommendation: Do not proceed with acquiring the proposed right-of-way and temporary grading easement for construction and direct City staff to abandon or reconfigure 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/301956

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for additional right-of-way and a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Mercy Hospital, Cedar Rapids, Iowa d/b/a Mercy Medical Center, Cedar Rapids, Iowa, 701 10th Street SE, Cedar Rapids, Iowa 52403, OWNER of the real property known and described as:

See Attached Right-of-Way Acquisition Plat 9A
See Attached Right-of-Way Acquisition Plat 9B

has agreed to convey the necessary right-of-way and temporary grading easement for construction at 1016 9th Avenue SE, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$84,700
Temporary Construction Easement	\$12,250
Damages	\$6,800
TOTAL	\$103,750

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project. (Fund 301, Dept. ID 301000, Project 301956),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED, that the Warranty Deed be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature

3

A PART OF LOT 2, SIMMONS, POPE AND JONES REPLAT OF FRACTIONAL BLOCK 34, CARPENTER'S 4TH ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHERLY CORNER OF LOT 1, SAID BLOCK 34; THENCE NORTH 51° 18' 27" EAST ALONG THE WESTERLY LINE OF SAID LOT 2, A DISTANCE OF 69.81 FEET; THENCE SOUTH 39° 12' 25" EAST, 33.95 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 273.17 FEET, WHOSE ARC LENGTH IS 27.62 FEET AND WHOSE CHORD BEARS SOUTH 72° 56' 23" WEST, 27.61 FEET; THENCE SOUTH 70° 02' 34" WEST, 5.55 FEET; THENCE SOUTH 19° 36' 45" EAST, 25.51 FEET; THENCE SOUTH 51° 05' 47" WEST, 30.68 FEET TO THE SOUTHERLY LINE OF SAID LOT 2; THENCE NORTH 38° 54' 13" WEST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 46.20 FEET TO THE POINT OF BEGINNING, CONTAINING 0.06 ACRES (2,553 S.F.) MORE OR LESS.

A PART OF LOTS 2, 3, 7 AND 8, SIMMONS, POPE AND JONES REPLAT OF FRACTIONAL BLOCK 34, CARPENTERS 4TH ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID LOT 8; THENCE SOUTH 51° 05' 35" WEST ALONG THE EASTERLY LINE OF SAID LOT 8, A DISTANCE OF 25.72 FEET; THENCE NORTH 16° 05' 42" EAST, 11.74 FEET; THENCE NORTH 73° 54' 18" WEST, 113.47 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 291.67 FEET, WHOSE ARC LENGTH IS 138.77 FEET AND WHOSE CHORD BEARS NORTH 87° 32' 07" WEST, 137.47 FEET; THENCE SOUTH 78° 50' 04" WEST, 20.54 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 273.12 FEET, WHOSE ARC LENGTH IS 14.23 FEET AND WHOSE CHORD BEARS SOUTH 77° 20' 32" WEST, 14.22 FEET; THENCE NORTH 51° 18' 27" EAST, 70.96 FEET TO THE NORTH LINE OF SAID LOTS 2, 3 AND 8; THENCE SOUTH 73° 54' 18" EAST ALONG SAID NORTH LINE, A DISTANCE OF 251.63 FEET TO THE POINT OF BEGINNING, CONTAINING 0.10 ACRES (4.211 S.F.) MORE OR LESS.

1016 9TH AVENUE SE
CEDAR RAPIDS, IA 52403
CPN - 14223-56001-00000

MERCY HOSPITAL
DBA MERCY - AMBULANCE SHOP
70110TH STREET SE
CEDAR RAPIDS, IA 52403

09-07-2021 & 10/14/2021

THE EAST LINE OF SIMMONS,
POPE AND JONES REPLAT OF
FRACTIONAL BLOCK 34,
CARPENTERS 4TH ADDITION IS
ASSUMED TO BEAR NORTH
73° 54' 18" WEST

SURVEYOR'S NAME / RETURN TO:
TIM FORINASH
SNYDER & ASSOCIATES, INC.
5005 BOWLING ST. SW SUITE A
CEDAR RAPIDS, IOWA 52404
319-362-9394
tforinash@snyder-associates.com

SERVICE PROVIDED BY:
SNYDER & ASSOCIATES, INC.

SURVEY LOCATED:
LOTS 2, 3, 4 AND 8
SIMMON, POPE AND JONES REPLAT
OF FRACTIONAL BLOCK 34,
CARPENTERS, 4TH ADDITION

REQUESTED BY:
CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

Survey

Section Corner
1/2" Rebar, Yellow Cap #26175
(Unless Otherwise Noted)

ROW Rail
Calculated Point
Plotted Distance
Measured Bearing & Distance
Recorded As
Deed Distance
Calculated Distance
Centerline
Section Line
1/4 Section Line
1/4 1/4 Section Line
Acquisition

Found	Set
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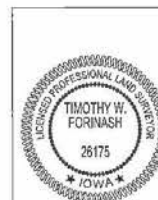
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CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

8TH AVENUE SE AND MOUNT VERNON
ROAD SE FROM 8TH STREET TO
14TH STREET RECONSTRUCTION

CEDAR RAPIDS CONTRACT NUMBER
301956-02

IDOT PROJECT NUMBER
CS-TSF-1187(821)-85-57



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Timothy W. Forinash, P.L.B. 2/9/2
Date

License Number 26176

My License Renewal Date is December 31, 2023

Pages or sheets covered by this seal

All

**38TH AVENUE SE AND MOUNT VERNON ROAD SE
FROM 8TH STREET TO 14TH STREET RECONSTRUCTION**

PARCEI 9A - MERCY HOSPITAL

CEDAR RAPIDS, IOWA

SNYDER & ASSOCIATES, INC.

5005 BOWLING STREET S.W.

CEDAR RAPIDS, IA 52404
515-362-2334 | www.snyderassociates.com

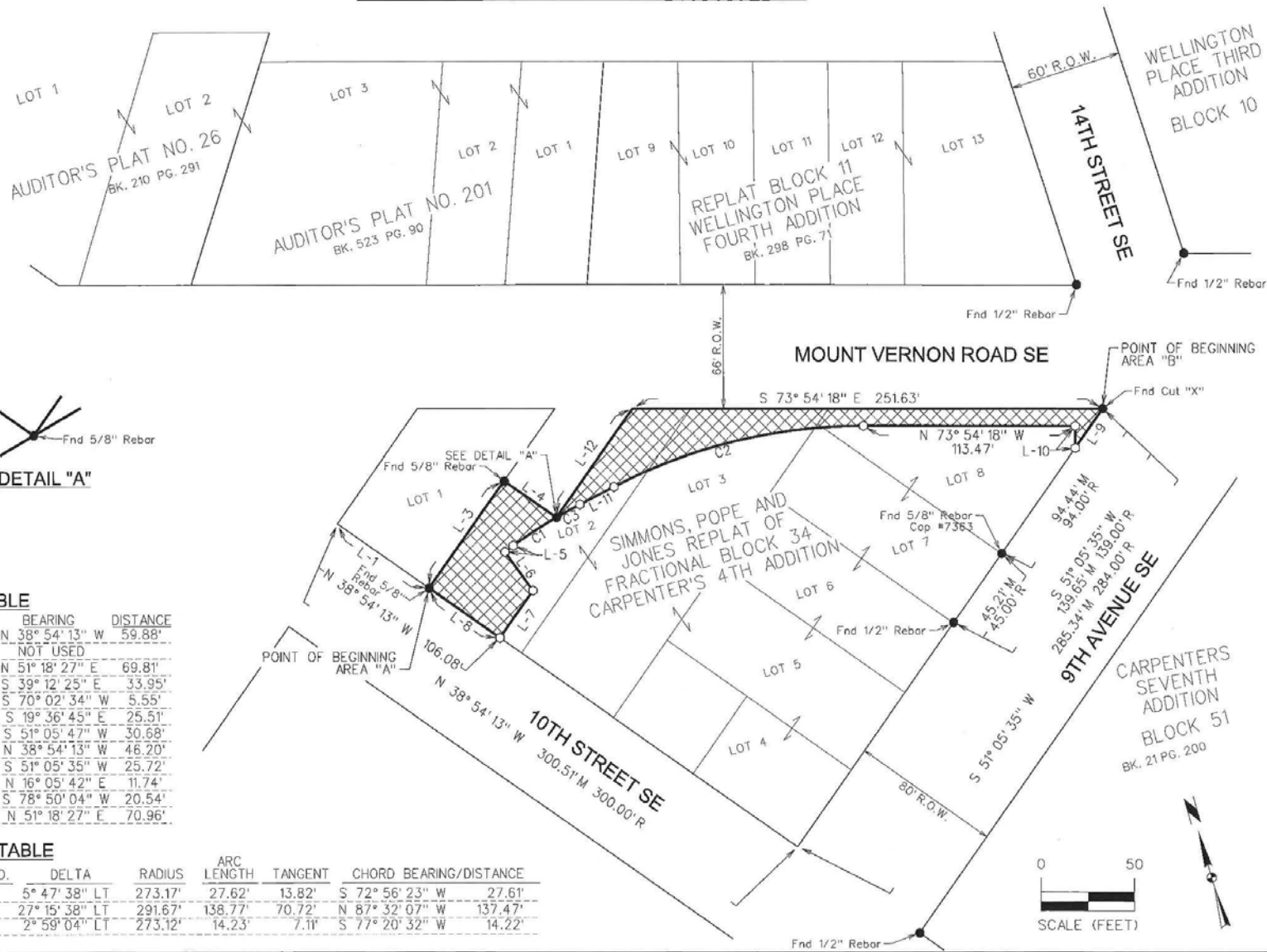


SNYDER
ASSOCIATES

Project No: 1210720

Sheet 1 of 2

RIGHT-OF-WAY ACQUISITION PLAT



LINE TABLE

LINE NO.	BEARING	DISTANCE
L-1	N 38° 54' 13" W	59.88'
L-2	NOT USED	
L-3	N 51° 18' 27" E	69.81'
L-4	S 39° 12' 25" E	33.95'
L-5	S 70° 02' 34" W	5.55'
L-6	S 19° 36' 45" E	25.51'
L-7	S 51° 05' 47" W	30.68'
L-8	N 38° 54' 13" W	46.20'
L-9	S 51° 05' 35" W	25.72'
L-10	N 16° 05' 42" E	11.74'
L-11	S 78° 50' 04" W	20.54'
L-12	N 51° 18' 27" E	70.96'

CURVE TABLE

CURVE NO.	DELTA	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING/DISTANCE
C1	5° 47' 38" LT	273.17'	27.62'	13.82'	S 72° 56' 23" W 27.61'
C2	27° 15' 38" LT	291.67'	138.77'	70.72'	N 87° 32' 07" W 137.47'
C3	2° 59' 04" LT	273.12'	14.23'	7.11'	S 77° 20' 32" W 14.22'



**8TH AVENUE SE AND MOUNT VERNON ROAD SE
FROM 8TH STREET TO 14TH STREET RECONSTRUCTION
PARCEL 9A - MERCY HOSPITAL**



Project No: 1210720
Sheet 2 of 2

CEDAR RAPIDS, IOWA

5020 BOWLING STREET S.W.
CEDAR RAPIDS, IA 52404
319-362-8344 | www.snyder-assocs.com

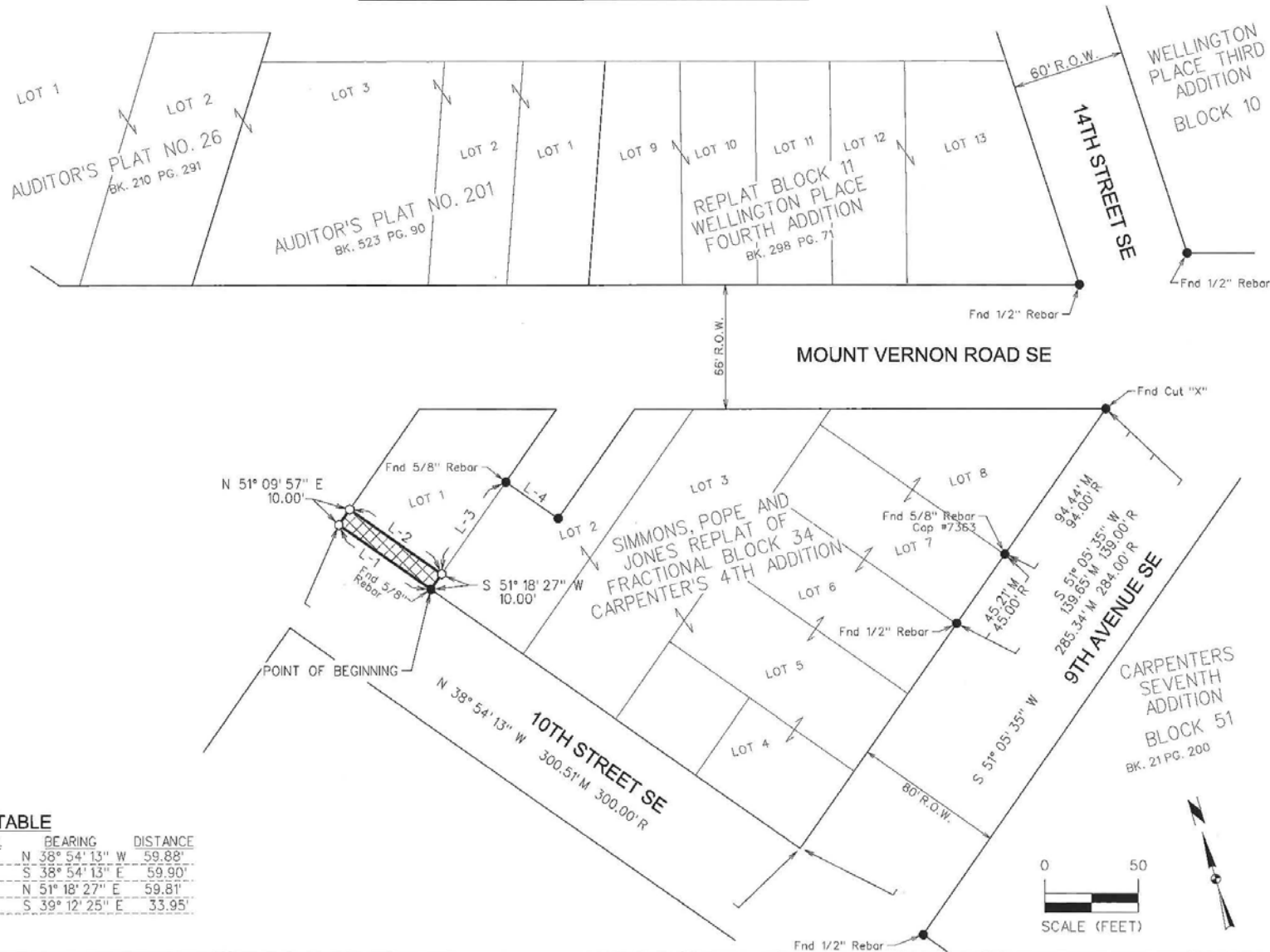
SNYDER & ASSOCIATES, INC.

Project No: 1210720
Sheet 2 of 2

Veronica

Project No:	1210720
Sheet	1 of 2

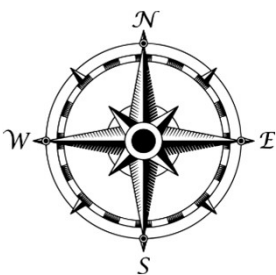
RIGHT-OF-WAY ACQUISITION PLAT



LINE TABLE

LINE NO.	BEARING	DISTANCE
L-1	N 38° 54' 13" W	59.88'
L-2	S 38° 54' 13" E	59.90'
L-3	N 51° 18' 27" E	59.81'
L-4	S 39° 12' 25" E	33.95'

8TH AVENUE SE AND MOUNT VERNON ROAD SE FROM 8TH STREET TO 14TH STREET RECONSTRUCTION		CEDAR RAPIDS, IOWA	
PARCEL 9B - MERCY HOSPITAL		SNYDER & ASSOCIATES, INC.	
 SNYDER & ASSOCIATES		Project No: 1210720 Sheet 2 of 2	





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$245 and accepting a Temporary Grading Easement for Construction from Nancy J. Keiser as the successor trustee for Wilma E. Shadle, as Trustee of the Wilma E. Shadle Revocable Inter Vivos Trust Dated November 22, 1995 from land located at 800 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (**Paving for Progress**).
CIP/DID #3012336-00

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

Background: In a previous fiscal year, City Council approved funding towards the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

The easement is required to accommodate the proposed 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project roadways, sidewalks, and drainage improvements including pavement reconstruction, sidewalk extension on both sides of the street, multi-modal transportation improvements, drainage improvements, and bringing existing sidewalk ramps into compliance with ADA requirements. Compensation amounts proposed are based on comparisons of similar properties.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$245 and accepting a Temporary Grading Easement for Construction from Nancy J. Keiser as the successor trustee for Wilma E. Shadle, as Trustee of the Wilma E. Shadle Revocable Inter Vivos Trust Dated November 22, 1995.

Alternative Recommendation: Do not proceed with acquiring the proposed Temporary Grading Easement for Construction and direct City staff to abandon or reconfigure 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/3012336/SLOST

Local Preference Policy: NA

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

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Nancy J. Keiser as the successor trustee for Wilma E. Shadle, as Trustee of Wilma E. Shadle Revocable Inter Vivos Trust Dated November 22, 1995, 800 35th Street NE, OWNER, of the real property known and described as:

See Temporary Construction Easement Exhibit

has agreed to convey the necessary temporary grading easement for construction at 800 35th Street NE to the City of Cedar Rapids for total consideration of \$245, and

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

WHEREAS, the City Council has allocated Capital Improvement funds the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction (Fund 301, Dept. ID 301000, Project 3012336, SLOST),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED_DAY_TAG

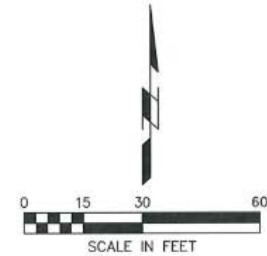
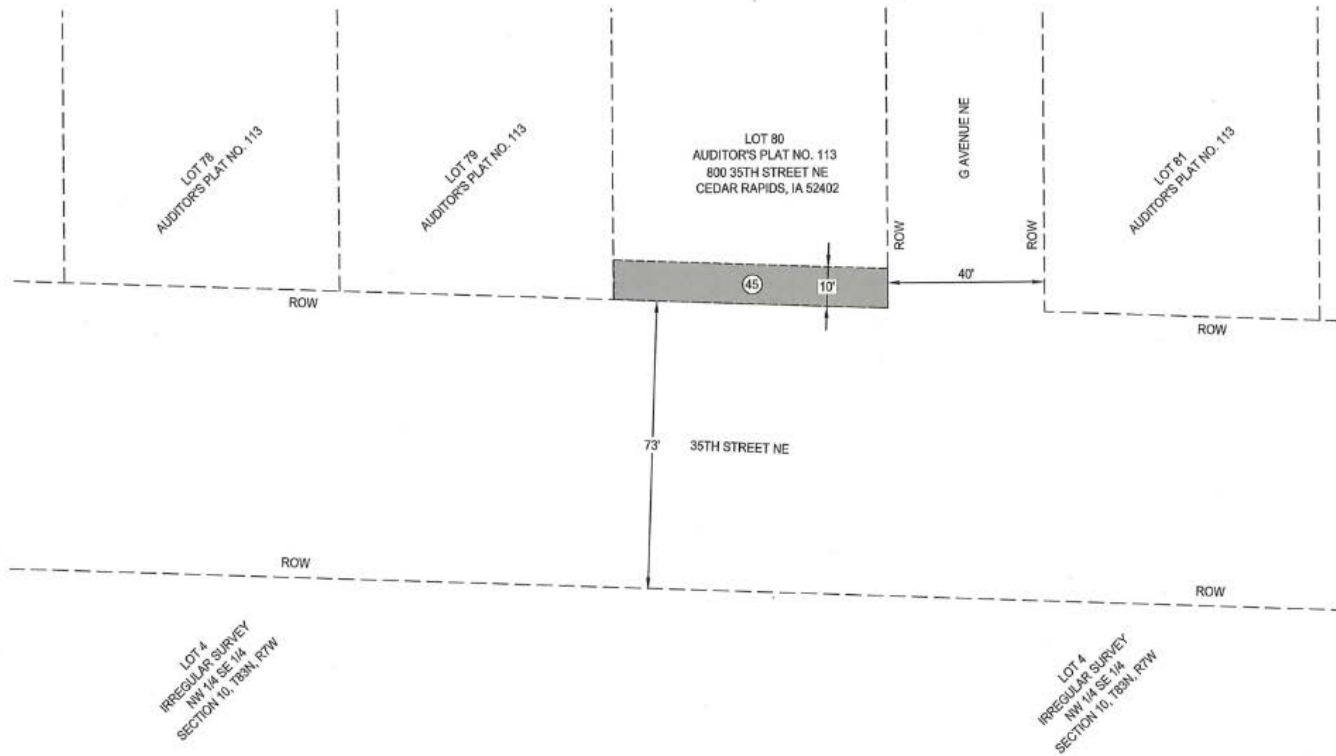
LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

EXHIBIT TEMPORARY CONSTRUCTION EASEMENT PART OF LOT 80, AUDITOR'S PLAT NO. 113 LINN COUNTY, IOWA



BASE OF BEARINGS:
IOWA REGIONAL COORDINATE SYSTEM:
ZONE 10 CEDAR RAPIDS

EASEMENT AREA: 699 SQ. FT. SURVEY DATE: 09-02-2021

OWNER:
WILMA E. SHADLE REVOCABLE INTER VIVOS TRUST
800 35TH STREET NE
CEDAR RAPIDS, IOWA 52402

SURVEY REQUESTED BY:
CITY OF CEDAR RAPIDS
101 FIRST STREET S.E.
CEDAR RAPIDS, IOWA 52401

SURVEYOR / CONTACT:
WADE D. WAMRE, PLS
SHIVE-HATTERY, INC
222 THIRD AVE. SE, SUITE 300
CEDAR RAPIDS, IA 52401
319-364-0227
wwamre@shive-hattery.com

SURVEY LEGEND

---	EXISTING LOT LINE
---	EXISTING PARCEL LINE
---	EASEMENT LINE
---	EASEMENT AREA

EASEMENT DESCRIPTION:

Part of the Lot 80, "Auditors Plat No. 113, Linn County, Iowa", described as follows:
The South 10 feet of Lot 80, "Auditors Plat No. 113, Linn County, Iowa".
Said easement contains 699 sq.ft., subject to easements and restrictions of record.

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ARCHITECTURE+ENGINEERING
Iowa | Illinois | Indiana | Missouri
http://www.shive-hattery.com

EXHIBIT - TEMPORARY CONSTRUCTION EASEMENT
PART OF LOT 80, AUDITOR'S PLAT NO. 113
LINN COUNTY, IOWA

DATE	DRAWN	can	APPROVED	SCALE	FIELD BOOK	REVISION
08-1-2022				1"=30'	1301 & 1302	

PROJECT NO.
1214840

ISSUED FOR

1 OF 1



35TH STREET NE FROM OAKLAND ROAD TO F AVENUE PAVEMENT RECONSTRUCTION



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$785 and accepting a Warranty Deed, Easement for Permanent Utility, and a Temporary Grading Easement for Construction from Phillip Elwin McKune and Mary Jean McKune from land located at 1000 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)**
CIP/DID #3012336-00

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

Background: In a previous fiscal year, City Council approved funding towards the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

The right-of-way and easements are required to accommodate the proposed 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project roadway, sidewalks, and drainage improvements including pavement reconstruction, sidewalk extension on both sides of the street, multi-modal transportation improvements, drainage improvements, and bringing existing sidewalk ramps into compliance with ADA requirements. Compensation amounts proposed are based on comparisons of similar properties.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$785 and accepting a Warranty Deed, Easement for Permanent Utility and Temporary Grading Easement for Construction from Phillip Elwin McKune and Mary Jean McKune.

Alternative Recommendation: Do not proceed with acquiring the proposed right-of-way, Easement for Permanent Utility and Temporary Grading Easement for Construction and direct City staff to abandon or reconfigure 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/3012336/SLOST

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for additional right-of-way, an easement for permanent utility, and a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Phillip Elwin McKune & Mary Jean McKune, 1000 35th Street NE, OWNERS, of the real property known and described as:

See Attached Acquisition Plat

have agreed to convey the necessary right-of-way, easement for permanent utility, and temporary grading easement for construction at 1000 35th Street NE, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$175
Permanent Easement	\$500
Temporary Easement	\$110
TOTAL	\$785

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction Project (Fund 301, Dept ID 301000, Project 3012336, SLOST),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that the Warranty Deed and Easement for Permanent Utility from Phillip Elwin McKune & Mary Jean McKune be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

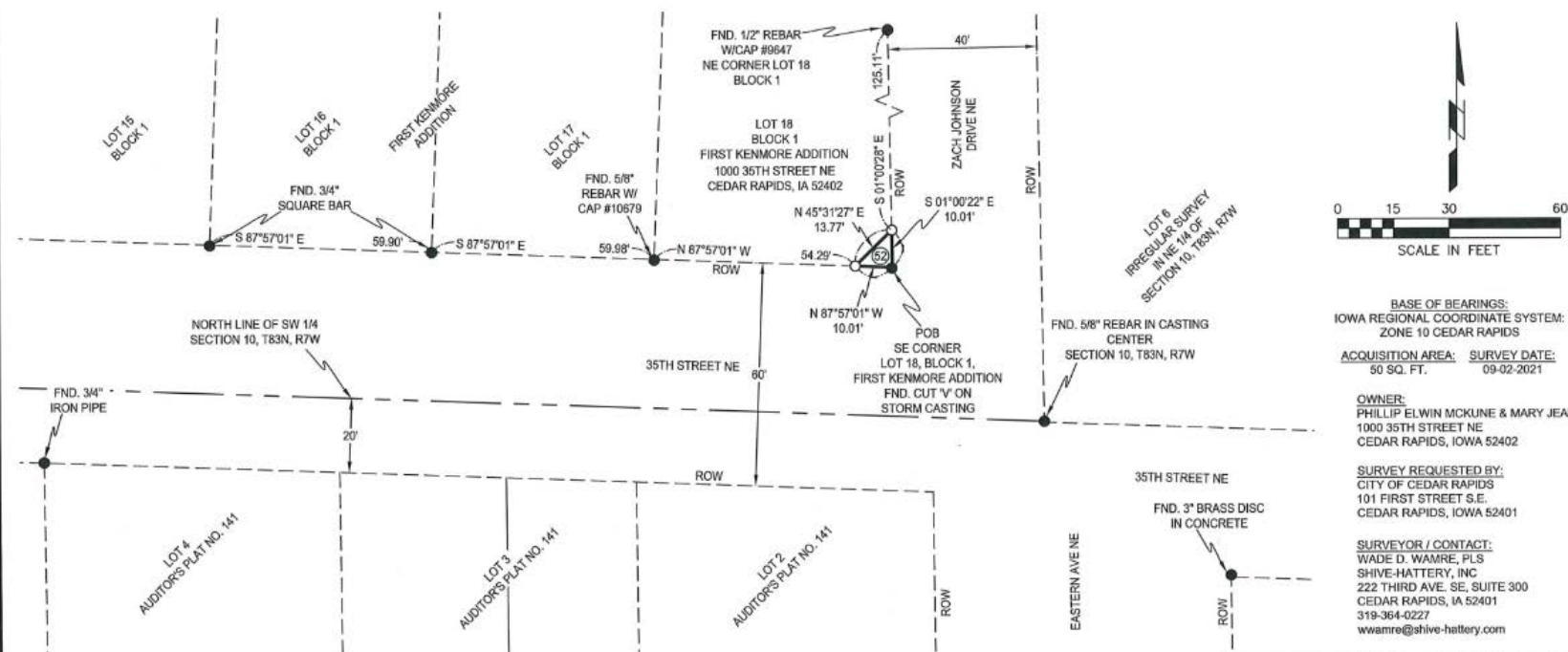
I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClarkSignature

INDEX LEGEND:

LOCATION: LOT 18, BLOCK 1, FIRST KENMORE ADDITION
TO THE CITY OF CEDAR RAPIDS, IOWA
REQUESTOR: CITY OF CEDAR RAPIDS
PROPRIETOR: PHILLIP ELWIN MCKUNE & MARY JEAN MCKUNE
SURVEYOR: WADE D. WAMRE, PLS
COMPANY: SHIVE HATTERY, INC
RETURN TO: 222 3RD AVE. SE, SUITE 300
CEDAR RAPIDS, IOWA 52401
wwamre@shive-hattery.com
319-364-0227

ACQUISITION PLAT PART OF LOT 18, BLOCK 1, FIRST KENMORE ADDITION TO THE CITY OF CEDAR RAPIDS, IOWA



BASE OF BEARINGS:
IOWA REGIONAL COORDINATE SYSTEM:
ZONE 10 CEDAR RAPIDS

ACQUISITION AREA: 50 SQ. FT.
SURVEY DATE: 09-02-2021

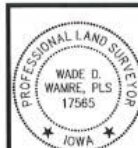
OWNER:
PHILLIP ELWIN MCKUNE & MARY JEAN MCKUNE
1000 35TH STREET NE
CEDAR RAPIDS, IOWA 52402

SURVEY REQUESTED BY:
CITY OF CEDAR RAPIDS
101 FIRST STREET S.E.
CEDAR RAPIDS, IOWA 52401

SURVEYOR / CONTACT:
WADE D. WAMRE, PLS
SHIVE-HATTERY, INC
222 THIRD AVE. SE, SUITE 300
CEDAR RAPIDS, IA 52401
319-364-0227
wwamre@shive-hattery.com

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the Laws of the State of Iowa.

(signature)
3/7/23
(date)
WADE D. WAMRE, PLS
License number: 17565
My license renewal date is December 31, 2024
Pages or sheets covered by this seal: 1



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Iowa | Illinois | Indiana | Missouri
http://www.shive-hattery.com

ACQUISITION PLAT
PART OF LOT 18, BLOCK 1, FIRST KENMORE ADDITION
TO THE CITY OF CEDAR RAPIDS, IOWA

DATE	DRAWN	APPROVED	SCALE	FIELD BOOK	REVISION
08-4-2022	cm		1"=30'	1301 & 1302	

PROJECT NO.
1214840
ISSUED FOR
1 OF 1

SURVEY LEGEND

● MONUMENT FOUND AS NOTED
○ SET 5/8" REBAR W/ CAP #17565
() RECORDED AS
POB POINT OF BEGINNING
ROW EXISTING RIGHT OF WAY
--- EXISTING LOT LINE
--- EXISTING PARCEL LINE
--- SECTION LINE

LAND DESCRIPTION:

Part of Lot 18, Block 1, "First Kenmore Addition to the City of Cedar Rapids, Iowa", described as follows:

Beginning at the Southeast Corner of Lot 18, Block 1, "First Kenmore Addition to the City of Cedar Rapids, Iowa"; Thence N 87°57'01" W along the South line of said Lot 18 also being the North Right of Way of 35th Street NE a distance of 10.01 feet; Thence N 45°31'27" E to the East line of said Lot 18 also being the West line of Zach Johnson Drive NE a distance of 13.77 feet; Thence S 01°00'22" E along said East line and West Right of Way to the Point of Beginning a distance of 10.01 feet.

Said parcel contains 50 sq.ft., subject to easements and restrictions of record.



35TH STREET NE FROM OAKLAND ROAD TO F AVENUE PAVEMENT RECONSTRUCTION



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$756 and accepting a Warranty Deed and Temporary Grading Easement for Construction from Patricia J. Kelchen from land located at 1025 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (**Paving for Progress**).

CIP/DID #3012336-00

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

Background: In a previous fiscal year, City Council approved funding towards the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

The right-of-way and easement are required to accommodate the proposed 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project roadway, sidewalks, and drainage improvements including pavement reconstruction, sidewalk extension on both sides of the street, multi-modal transportation improvements, drainage improvements, and bringing existing sidewalk ramps into compliance with ADA requirements. Compensation amounts proposed are based on comparisons of similar properties.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$756 and accepting a Warranty Deed and Temporary Grading Easement for Construction from Patricia J. Kelchen.

Alternative Recommendation: Do not proceed with acquiring the proposed right-of-way and Temporary Grading Easement for Construction and direct City staff to abandon or reconfigure 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/3012336/SLOST

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA



35TH STREET NE FROM OAKLAND ROAD TO F AVENUE PAVEMENT RECONSTRUCTION

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for additional right-of-way and Temporary Grading Easement for Construction exists in order to accommodate the proposed facilities, and

WHEREAS, Patricia J. Kelchen, 1025 35th Street NE, OWNER, of the real property known and described as:

See Attached Acquisition Plat

has agreed to convey the necessary right-of-way and Temporary Grading Easement for construction at 1025 35th Street NE, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$371
Temporary Easement	\$385
TOTAL	\$756

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the right-of-way and Temporary Grading Easement for Construction in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction Project (Fund 301, Dept ID 301000, Project 3012336, SLOST),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that the Warranty Deed from Patricia J. Kelchen be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$845 and accepting an Easement for Permanent Utility and Temporary Grading Easement for Construction from Jacob Shimek and Nicole Shimek from land located at 1034 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (**Paving for Progress**).

CIP/DID #3012336-00

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

Background: In a previous fiscal year, City Council approved funding towards the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

The easements are required to accommodate the proposed 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project roadway, sidewalks, and drainage improvements including pavement reconstruction, sidewalk extension on both sides of the street, multi-modal transportation improvements, drainage improvements, and bringing existing sidewalk ramps into compliance with ADA requirements. Compensation amounts proposed are based on comparisons of similar properties.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$845 and accepting an Easement for Permanent Utility and Temporary Grading Easement for Construction from Jacob Shimek and Nicole Shimek.

Alternative Recommendation: Do not proceed with acquiring the proposed Easement for Permanent Utility and Temporary Grading Easement for Construction and direct City staff to abandon or reconfigure the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/3012336/SLOST

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for an Easement for Permanent Utility and Temporary Grading Easement for Construction exists in order to accommodate the proposed facilities, and

WHEREAS, Jacob Shimek and Nicole Shimek, 1034 35th Street NE, OWNER of the real property known and described as:

See Attached Permanent Utility Easement Plat

have agreed to convey the necessary Easement for Permanent Utility and Temporary Grading Easement for Construction at 1034 35th Street NE to the City of Cedar Rapids for consideration as follows:

Permanent Easement	\$525
Temporary Easement	\$320
TOTAL	\$845

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the Easement for Permanent Utility and Temporary Grading Easement for Construction in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (Fund 301, Dept. ID 301000, Project 3012336, SLOST),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED, that the Easement for Permanent Utility be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

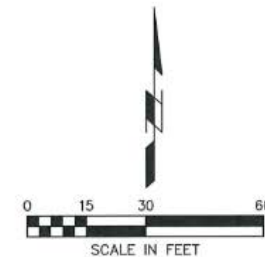
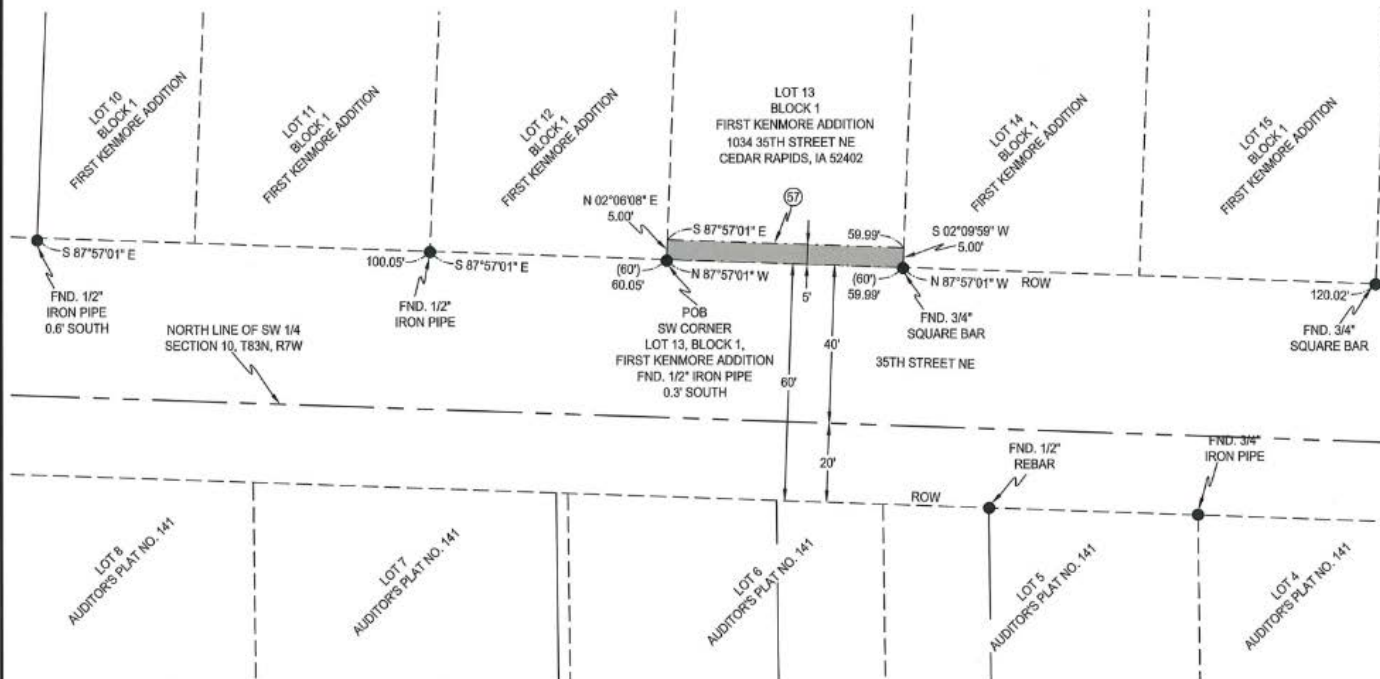
I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature

INDEX LEGEND:

LOCATION: LOT 13, BLOCK 1, FIRST KENMORE ADDITION
TO THE CITY OF CEDAR RAPIDS, IOWA
REQUESTOR: CITY OF CEDAR RAPIDS
PROPRIETOR: JACOB SHIMEK & NICOLE SHIMEK
SURVEYOR: WADE D. WAMRE, PLS
COMPANY: SHIVE-HATTERY, INC
RETURN TO: 222 3RD AVE. SE, SUITE 300
CEDAR RAPIDS, IOWA 52401
wwamre@shive-hattery.com
319-364-0227

PERMANENT UTILITY EASEMENT PLAT PART OF LOT 13, BLOCK 1, FIRST KENMORE ADDITION TO THE CITY OF CEDAR RAPIDS, IOWA



BASE OF BEARINGS:
IOWA REGIONAL COORDINATE SYSTEM:
ZONE 10 CEDAR RAPIDS

EASEMENT AREA: 300 SQ. FT. SURVEY DATE: 09-02-2021

OWNER:
JACOB SHIMEK & NICOLE SHIMEK
1034 35TH STREET NE
CEDAR RAPIDS, IOWA 52402

SURVEY REQUESTED BY:
CITY OF CEDAR RAPIDS
101 FIRST STREET S.E.
CEDAR RAPIDS, IOWA 52401

SURVEYOR / CONTACT:
WADE D. WAMRE, PLS
SHIVE-HATTERY, INC
222 THIRD AVE. SE, SUITE 300
CEDAR RAPIDS, IA 52401
319-364-0227
wwamre@shive-hattery.com

SURVEY LEGEND

● MONUMENT FOUND AS NOTED
() POINT OF BEGINNING
--- EXISTING RIGHT OF WAY
--- EXISTING LOT LINE
--- EXISTING PARCEL LINE
--- SECTION LINE
--- EASEMENT LINE
--- PERMANENT UTILITY EASEMENT AREA

EASEMENT DESCRIPTION:

Part of Lot 13, Block 1, "First Kenmore Addition to the City of Cedar Rapids, Iowa", described as follows:

Beginning at the Southwest corner of Lot 13, Block 1, "First Kenmore Addition to the City of Cedar Rapids, Iowa"; Thence N 02°06'08" E along the West line of said Lot 13 a distance of 5.00 feet; Thence S 87°57'01" E and parallel to the North Right of Way of 35th Street NE to the East line of said Lot 13 a distance of 59.99 feet; Thence S 02°09'59" W along said East line to said North Right of Way a distance of 5.00 feet; Thence N 87°57'01" W along said North Right of Way to the Point of Beginning a distance of 59.99 feet.

Said easement contains 300 sq.ft., subject to easements and restrictions of record.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the Laws of the State of Iowa.
(signature) 3/21/23 (date)
WADE D. WAMRE, PLS
License number: 17565
My license renewal date is December 31, 2024
Pages or sheets covered by this seal: 1

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PERMANENT UTILITY EASEMENT PLAT
PART OF LOT 13, BLOCK 1, FIRST KENMORE ADDITION
TO THE CITY OF CEDAR RAPIDS, IOWA
DATE: 07-27-2022
DRAWN: can
APPROVED: [signature]
REFERENCE: DRAWING

PROJECT NO.
1214840
ISSUED FOR

1 OF 1



35TH STREET NE FROM OAKLAND ROAD TO F AVENUE PAVEMENT RECONSTRUCTION



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen SR/WA, R/W-NAC

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$760 and accepting an Easement for Permanent Utility and Temporary Grading Easement for Construction from Alisan A. Kluesner from land located at 1040 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (**Paving for Progress**).
CIP/DID #3012336-00

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

Background: In a previous fiscal year, City Council approved funding towards the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

The easements are required to accommodate the proposed 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project roadway, sidewalks, and drainage improvements including pavement reconstruction, sidewalk extension on both sides of the street, multi-modal transportation improvements, drainage improvements, and bringing existing sidewalk ramps into compliance with ADA requirements. Compensation amounts proposed are based on comparisons of similar properties.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$760 and accepting an Easement for Permanent Utility and Temporary Grading Easement for Construction from Alisan A. Kluesner.

Alternative Recommendation: Do not proceed with acquiring the proposed Easement for Permanent Utility and Temporary Grading Easement for Construction and direct City staff to abandon or reconfigure the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/3012336/SLOST

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for an Easement for Permanent Utility and Temporary Grading Easement for Construction exists in order to accommodate the proposed facilities, and

WHEREAS, Alisan A. Kluesner, 1040 35th Street NE, OWNER of the real property known and described as:

See Attached Permanent Utility Easement Plat

has agreed to convey the necessary Easement for Permanent Utility and Temporary Grading Easement for Construction at 1040 35th Street NE to the City of Cedar Rapids for consideration as follows:

Permanent Easement	\$525
Temporary Easement	\$235
TOTAL	\$760

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the Easement for Permanent Utility and Temporary Grading Easement for Construction in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (Fund 301, Dept. ID 301000, Project 3012336, SLOST),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED, that the Easement for Permanent Utility be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

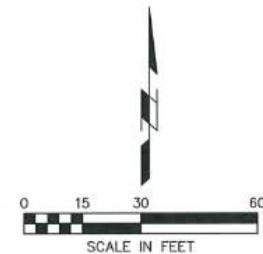
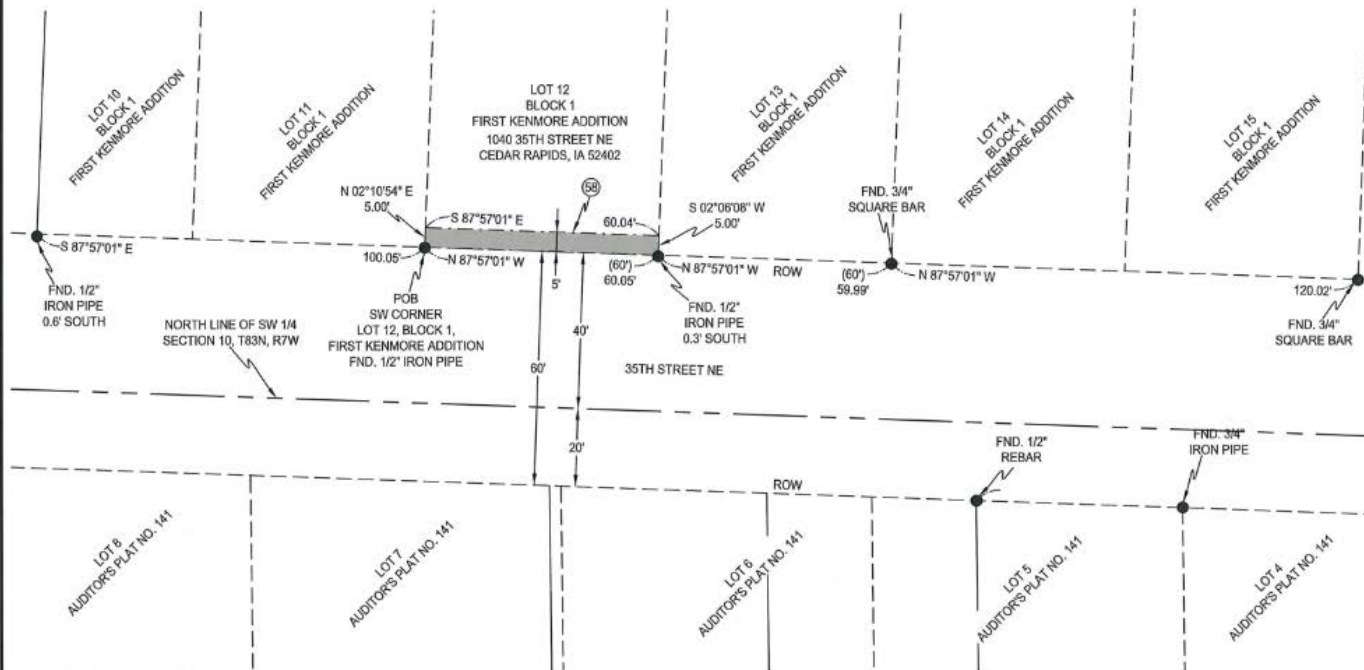
I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature

INDEX LEGEND:

LOCATION: LOT 12, BLOCK 1, FIRST KENMORE ADDITION
TO THE CITY OF CEDAR RAPIDS, IOWA
REQUESTOR: CITY OF CEDAR RAPIDS
PROPRIETOR: ALISAN A. KLUESNER
SURVEYOR: WADE D. WAMRE, PLS
COMPANY: SHIVE HATTERY, INC
RETURN TO: 222 3RD AVE. SE, SUITE 300
CEDAR RAPIDS, IOWA 52401
wwamre@shive-hattery.com
319-364-0227

PERMANENT UTILITY EASEMENT PLAT PART OF LOT 12, BLOCK 1, FIRST KENMORE ADDITION TO THE CITY OF CEDAR RAPIDS, IOWA



BASE OF BEARINGS:
IOWA REGIONAL COORDINATE SYSTEM:
ZONE 10 CEDAR RAPIDS

EASEMENT AREA: 300 SQ. FT. SURVEY DATE: 09-02-2021

OWNER:
ALISAN A. KLUESNER
1040 35TH STREET NE
CEDAR RAPIDS, IOWA 52402

SURVEY REQUESTED BY:
CITY OF CEDAR RAPIDS
101 FIRST STREET S.E.
CEDAR RAPIDS, IOWA 52401

SURVEYOR / CONTACT:
WADE D. WAMRE, PLS
SHIVE-HATTERY, INC
222 THIRD AVE. SE, SUITE 300
CEDAR RAPIDS, IA 52401
319-364-0227
wwamre@shive-hattery.com

SURVEY LEGEND

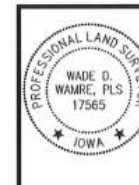
●	MONUMENT FOUND AS NOTED
()	RECORDED AS
ROW	POINT OF BEGINNING
---	EXISTING RIGHT OF WAY
---	EXISTING LOT LINE
---	EXISTING PARCEL LINE
---	SECTION LINE
---	EASEMENT LINE
---	PERMANENT UTILITY EASEMENT AREA

EASEMENT DESCRIPTION:

Part of Lot 12, Block 1, "First Kenmore Addition to the City of Cedar Rapids, Iowa", described as follows:

Beginning at the Southwest Corner of Lot 12, Block 1, "First Kenmore Addition to the City of Cedar Rapids, Iowa"; Thence N 02°10'54" E along the West line of said Lot 12 a distance of 5.00 feet; Thence S 87°57'01" E and parallel to the North Right of Way of 35th Street NE to the East line of said Lot 12 a distance of 60.04 feet; Thence S 02°06'08" W along said East line to said North Right of Way a distance of 5.00 feet; Thence N 87°57'01" W along said North Right of Way to the Point of Beginning a distance of 60.05 feet.

Said easement contains 300 sq.ft., subject to easements and restrictions of record.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the Laws of the State of Iowa.

Signature: *Wade D. Wamre* Date: *3/21/23*
(date)

WADE D. WAMRE, PLS
License number: 17565
My license renewal date is December 31, *2024*
Pages or sheets covered by this seal: *1*

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Iowa | Illinois | Indiana | Missouri
http://www.shive-hattery.com

PERMANENT UTILITY EASEMENT PLAT
PART OF LOT 12, BLOCK 1, FIRST KENMORE ADDITION
TO THE CITY OF CEDAR RAPIDS, IOWA

DATE	DRAWN	APPROVED	REVISION	PLAT
07-27-2022	cen	cen	1	1

PROJECT NO.
1214840

ISSUED FOR

1 OF 1



35TH STREET NE FROM OAKLAND ROAD TO F AVENUE PAVEMENT RECONSTRUCTION



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$1,254 and accepting a Warranty Deed and Temporary Grading Easement for Construction from Mitchell Allan Gunderson from land located at 1045 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (**Paving for Progress**).

CIP/DID #3012336-00

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

Background: In a previous fiscal year, City Council approved funding towards the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

The right-of-way and easement are required to accommodate the proposed 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project roadway, sidewalks, and drainage improvements including pavement reconstruction, sidewalk extension on both sides of the street, multi-modal transportation improvements, drainage improvements, and bringing existing sidewalk ramps into compliance with ADA requirements. Compensation amounts proposed are based on comparisons of similar properties.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$1,254 and accepting a Warranty Deed and Temporary Grading Easement for Construction from Mitchell Allan Gunderson.

Alternative Recommendation: Do not proceed with acquiring the proposed right-of-way and Temporary Grading Easement for Construction and direct City staff to abandon or reconfigure 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/3012336/SLOST

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA



35TH STREET NE FROM OAKLAND ROAD TO F AVENUE PAVEMENT RECONSTRUCTION

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for additional right-of-way and a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Mitchell Allan Gunderson, 1045 35th Street NE, OWNER, of the real property known and described as:

See Attached Acquisition Plat

has agreed to convey the necessary right-of-way and temporary grading easement for construction at 1045 35th Street NE, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$539
Temporary Easement	\$715
TOTAL	\$1,254

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction Project (Fund 301, Dept ID 301000, Project 3012336, SLOST),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that the Warranty Deed from Mitchell Allan Gunderson be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

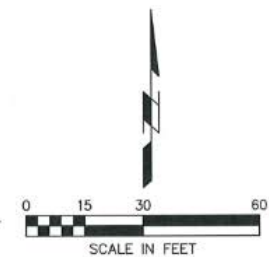
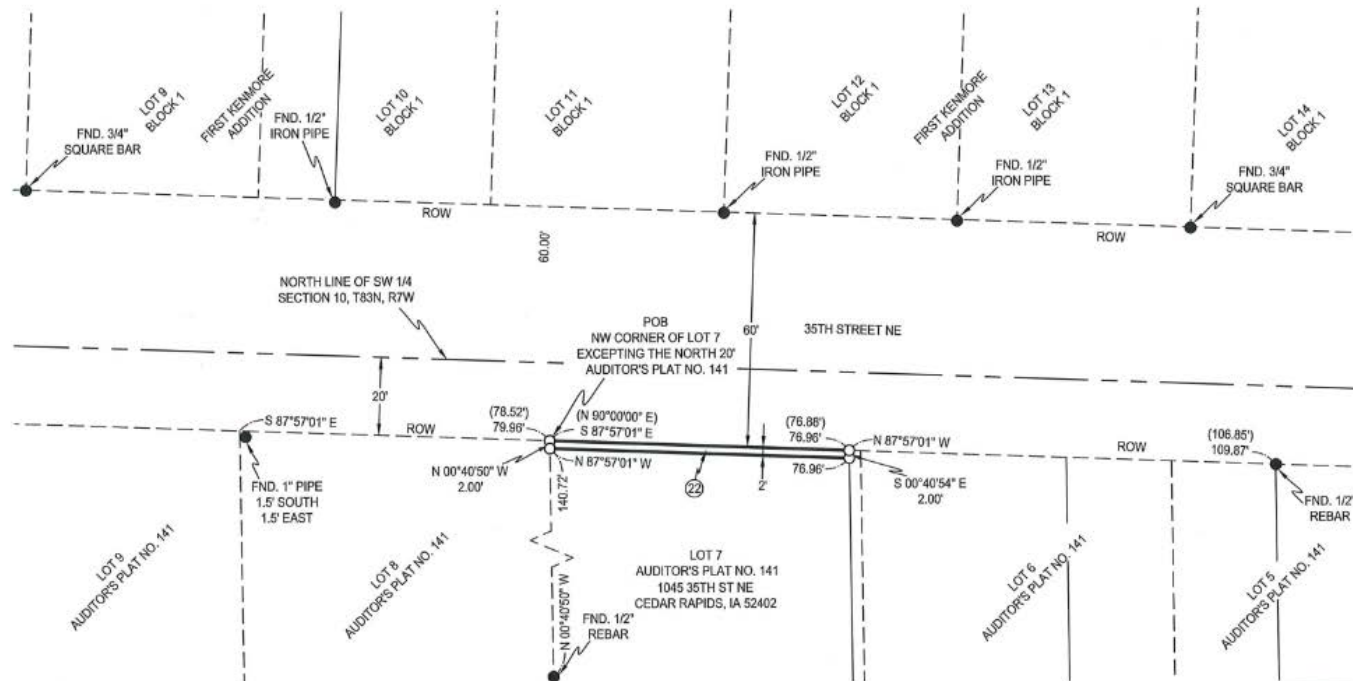
I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature

INDEX LEGEND:

LOCATION: PART OF LOT 7 AUDITOR'S PLAT NO. 141,
LINN COUNTY, IOWA
REQUESTOR: CITY OF CEDAR RAPIDS
PROPRIETOR: MITCHELL ALLAN GUNDERSON
SURVEYOR: WADE D. WAMRE, PLS
COMPANY: SHIVE-HATTERY, INC
RETURN TO: 222 3RD AVE. SE, SUITE 300
CEDAR RAPIDS, IOWA 52401
wwamre@shive-hattery.com
319-364-0227

ACQUISITION PLAT PART OF LOT 7, AUDITOR'S PLAT NO. 141, LINN COUNTY, IOWA



BASE OF BEARINGS:
IOWA REGIONAL COORDINATE SYSTEM:
ZONE 10 CEDAR RAPIDS
ACQUISITION AREA: 154 SQ. FT. SURVEY DATE: 09-02-2021

OWNER:
MITCHELL ALLAN GUNDERSON
1045 35TH STREET NE
CEDAR RAPIDS, IOWA 52402

SURVEY REQUESTED BY:
CITY OF CEDAR RAPIDS
101 FIRST STREET S.E.
CEDAR RAPIDS, IOWA 52401
319-364-0227
wwamre@shive-hattery.com

SURVEYOR / CONTACT:
WADE D. WAMRE, PLS
SHIVE-HATTERY, INC
222 THIRD AVE. SE, SUITE 300
CEDAR RAPIDS, IA 52401
319-364-0227
wwamre@shive-hattery.com

SURVEY LEGEND

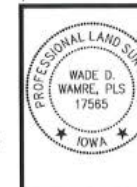
● MONUMENT FOUND AS NOTED
○ SET 5/8" REBAR W/ CAP #17565
() RECORDED AS
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
ROW EXISTING RIGHT OF WAY
--- EXISTING LOT LINE
--- EXISTING PARCEL LINE
--- SECTION LINE

LAND DESCRIPTION:

Part of the North 1/2 Lot 7, except the East 3 feet and further excepting the North 20 feet thereof, "Auditor's Plat No. 141, Linn County, Iowa", described as follows:

Beginning at the Northwest Corner of the North 1/2 of Lot 7 excepting the North 20 feet of "Auditor's Plat No. 141, Linn County, Iowa"; Thence S 87°57'01" E along the South Right of Way of 35th Street NE to the West line of the East 3 feet of said Lot 7 a distance of 76.96 feet; Thence S 00°40'54" E along said West line of the East 3 feet a distance of 2.00 feet; Thence N 87°57'01" W and parallel to said South Right of Way to the West line of said Lot 7 a distance of 76.96 feet; Thence N 00°40'50" W along said West line to said South Right of Way and the Point of Beginning a distance of 2.00 feet.

Said parcel contains 154 sq.ft., subject to easements and restrictions of record.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the Laws of the State of Iowa.
(signature) *Wade D. Wamre* 3/2/23 (date)
WADE D. WAMRE, PLS
License number: 17565
My license renewal date is December 31, 2024
Pages or sheets covered by this seal: 1

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ACQUISITION PLAT
PART OF LOT 7, AUDITOR'S PLAT NO. 141,
LINN COUNTY, IOWA

DATE	SCALE	FIELD BOOK	REVISION
09-02-2021	1"=50'	1301 & 1302	
DRAWN	APPROVED		

PROJECT NO.
1214840

ISSUED FOR

1 OF 1



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$830 and accepting a Warranty Deed and Temporary Grading Easement for Construction from Christopher Lien from land located 1051 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (**Paving for Progress**).

CIP/DID #3012336-00

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

Background: In a previous fiscal year, City Council approved funding towards the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

The right-of-way and easement are required to accommodate the proposed 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project roadway, sidewalks, and drainage improvements including pavement reconstruction, sidewalk extension on both sides of the street, multi-modal transportation improvements, drainage improvements, and bringing existing sidewalk ramps into compliance with ADA requirements. Compensation amounts proposed are based on comparisons of similar properties.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$830 and accepting a Warranty Deed and Temporary Grading Easement for Construction from Christopher Lien.

Alternative Recommendation: Do not proceed with acquiring the proposed right-of-way and Temporary Grading Easement for Construction and direct City staff to abandon or reconfigure 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/3012336/SLOST

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for additional right-of-way and temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Christopher Lien, 1051 35th Street NE, OWNER, of the real property known and described as:

See Attached Acquisition Plat

have agreed to convey the necessary right-of-way and temporary grading easement for construction at 1051 35th Street NE, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$560
Temporary Easement	\$270
TOTAL	\$830

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction Project (Fund 301, Dept ID 301000, Project 3012336, SLOST),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that the Warranty Deed from Christopher Lien be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

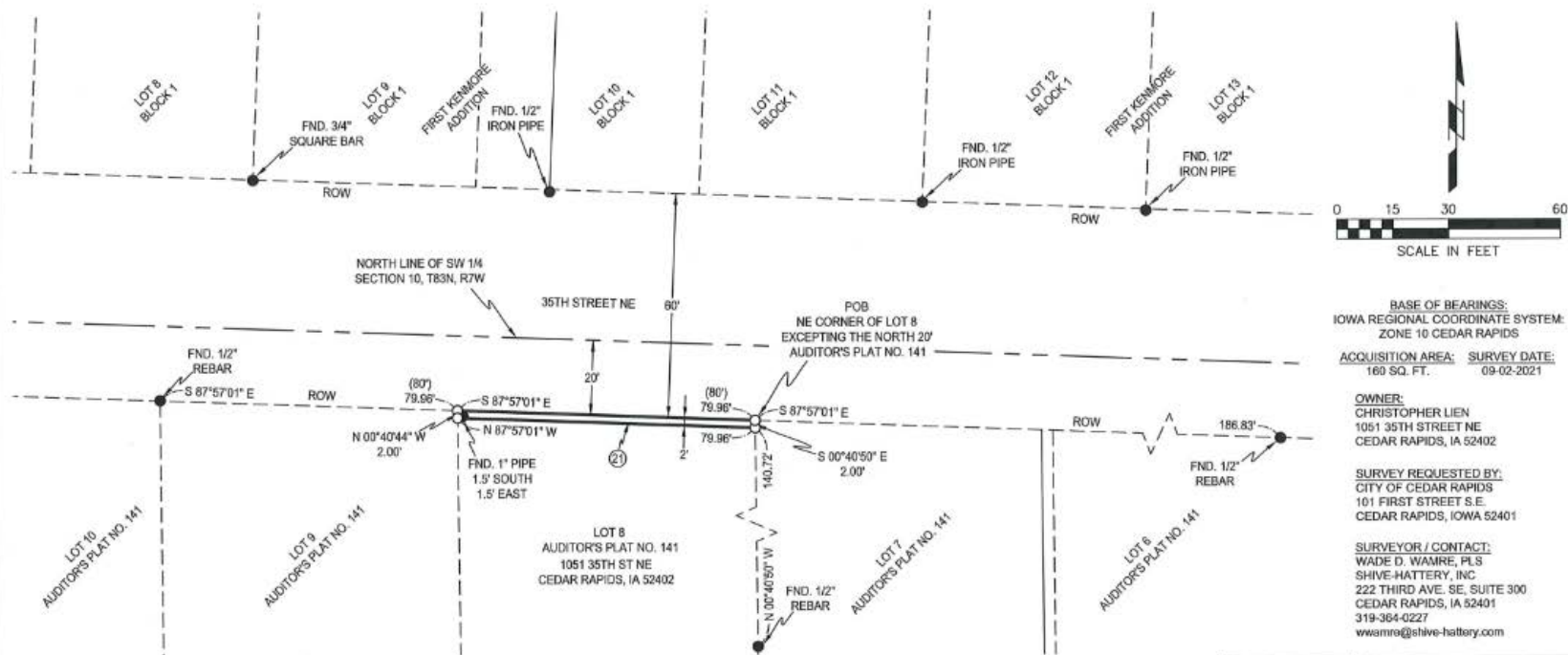
I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature

INDEX LEGEND:

LOCATION: PART OF LOT 8 AUDITOR'S PLAT NO. 141,
LINN COUNTY, IOWA
REQUESTOR: CITY OF CEDAR RAPIDS
PROPRIETOR: JOHN C. RAUSCH
SURVEYOR: WADE D. WAMRE, PLS
COMPANY: SHIVE HATTERY, INC
RETURN TO: 222 3RD AVE. SE, SUITE 300
CEDAR RAPIDS, IOWA 52401
wwamre@shive-hattery.com
319-364-0227

ACQUISITION PLAT PART OF LOT 8, AUDITOR'S PLAT NO. 141, LINN COUNTY, IOWA



BASE OF BEARINGS:
IOWA REGIONAL COORDINATE SYSTEM:
ZONE 10 CEDAR RAPIDS

ACQUISITION AREA: 160 SQ. FT.
SURVEY DATE: 09-02-2021

OWNER:
CHRISTOPHER LIEN
1051 35TH STREET NE
CEDAR RAPIDS, IA 52402

SURVEY REQUESTED BY:
CITY OF CEDAR RAPIDS
101 FIRST STREET S.E.
CEDAR RAPIDS, IOWA 52401

SURVEYOR / CONTACT:
WADE D. WAMRE, PLS
SHIVE HATTERY, INC
222 THIRD AVE. SE, SUITE 300
CEDAR RAPIDS, IA 52401
319-364-0227
wwamre@shive-hattery.com

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the Laws of the State of Iowa.

(Signature) *Wade D. Wamre* 3/21/23 (date)

WADE D. WAMRE, PLS
License number: 17565
My license renewal date is December 31, 2024
Pages or sheets covered by this seal: 1



SURVEY LEGEND

● MONUMENT FOUND AS NOTED
○ SET 5/8\" REBAR W/ CAP #17585
() RECORDED AS
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
ROW EXISTING RIGHT OF WAY
--- EXISTING LOT LINE
--- EXISTING PARCEL LINE
--- SECTION LINE

LAND DESCRIPTION:

Part of Lot 8, except the North 20 feet thereof and further excepting the South 140 feet, "Auditor's Plat No. 141, Linn County, Iowa", described as follows:

Beginning at the Northeast Corner of Lot 8 excepting the North 20 feet of "Auditor's Plat No. 141, Linn County, Iowa"; Thence S 00°40'50\" E along the East line of said Lot 8 a distance of 2.00 feet; Thence N 87°57'01\" W and parallel to the South Right of Way of 35th Street NE to the West line of said Lot 8 a distance of 79.96 feet; Thence N 00°40'44\" W along said West line to said South Right of Way a distance of 2.00 feet; Thence S 87°57'01\" E along said South Right of Way to said East line and the Point of Beginning a distance of 79.96 feet.

Said parcel contains 160 sq.ft., subject to easements and restrictions of record.

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http://www.shive-hattery.com

ACQUISITION PLAT
PART OF LOT 8, AUDITOR'S PLAT NO. 141,
LINN COUNTY, IOWA

DATE	SCALE	FIELD BOOK	REVISION
08-4-2022	1\"=30'	1,301 & 1,302	
DRAWN	APPROVED		
	cm		

PROJECT NO.
1214840

ISSUED FOR

1 OF 1



35TH STREET NE FROM OAKLAND ROAD TO F AVENUE PAVEMENT RECONSTRUCTION



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$1,480 and accepting an Easement for Permanent Utility and a Temporary Grading Easement for Construction from Catherine F. O'Connor from land located 1132 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (**Paving for Progress**).
CIP/DID #3012336-00

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

Background: In a previous fiscal year, City Council approved funding towards the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

The easements are required to accommodate the proposed 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project roadways, sidewalks, and drainage improvements including pavement reconstruction, sidewalk extension on both sides of the street, multi-modal transportation improvements, drainage improvements, and bringing existing sidewalk ramps into compliance with ADA requirements. Compensation amounts proposed are based on comparisons of similar properties.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$1,480 and accepting a Easement Permanent Utility and Temporary Grading Easement for Construction from Catherine F. O'Connor.

Alternative Recommendation: Do not proceed with acquiring the proposed Easement of Permanent Utility and Temporary Grading Easement for Construction and direct City staff to abandon or reconfigure 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: NA

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for an Easement for Permanent Utility and Temporary Grading Easement for Construction exists in order to accommodate the proposed facilities, and

WHEREAS, Catherine F. O'Connor, 1132 35th Street NE, OWNER, of the real property known and described as:

See Permanent Utility Easement Plat

has agreed to convey the necessary Easement for Permanent Utility and Temporary Grading Easement for Construction at 1132 35th Street NE to the City of Cedar Rapids for consideration as follows:

Permanent Easement	\$570
Temporary Easement	\$410
Damages	\$500
TOTAL	\$1,480

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the Easement for Permanent Utility and Temporary Grading Easement for Construction in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (Fund 301, Dept. ID 301000, Project 3012336 SLOST),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED, that the Easement for Permanent Utility be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

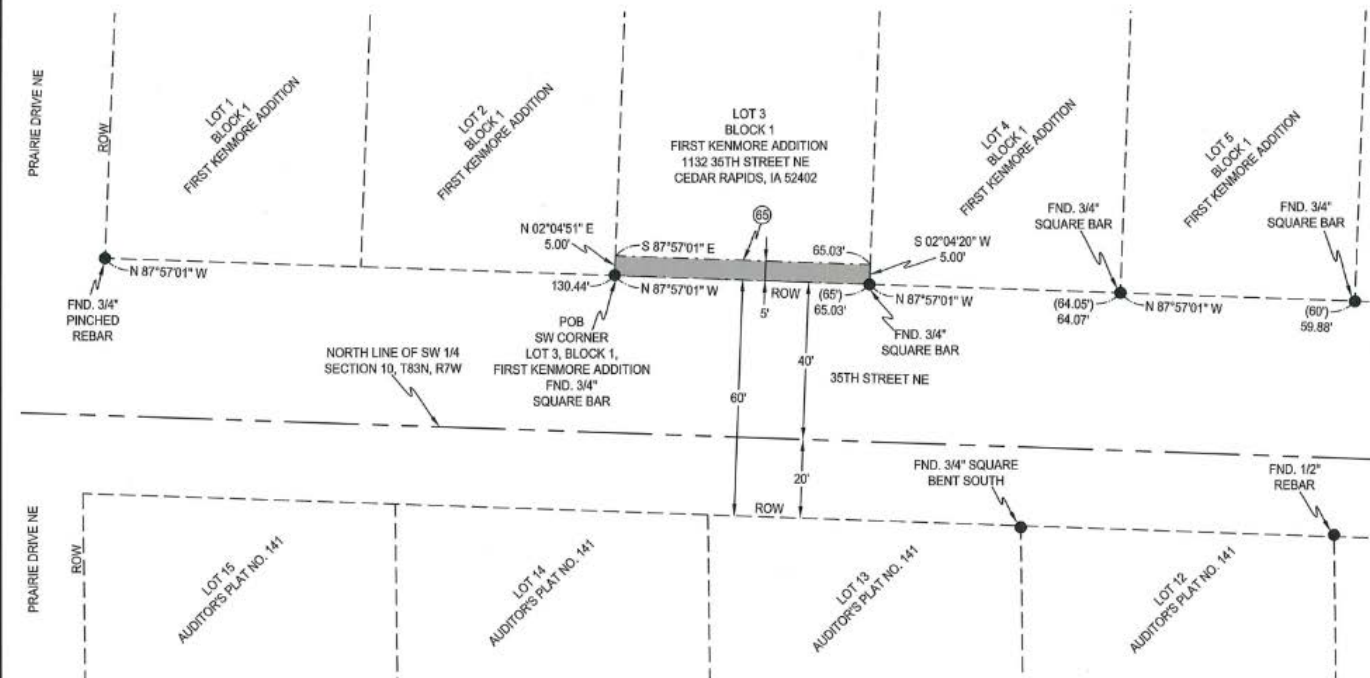
I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature

INDEX LEGEND:

LOCATION: LOT 3, BLOCK 1, FIRST KENMORE ADDITION
TO THE CITY OF CEDAR RAPIDS, IOWA
REQUESTOR: CITY OF CEDAR RAPIDS
PROPRIETOR: CATHERINE F. O'CONNOR
SURVEYOR: WADE D. WAMRE, PLS
COMPANY: SHIVE HATTERY, INC
RETURN TO: 222 3RD AVE. SE, SUITE 300
CEDAR RAPIDS, IOWA 52401
wwamre@shive-hattery.com
319-364-0227

PERMANENT UTILITY EASEMENT PLAT PART OF LOT 3, BLOCK 1, FIRST KENMORE ADDITION TO THE CITY OF CEDAR RAPIDS, IOWA



SURVEY LEGEND

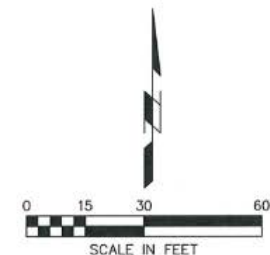
●	MONUMENT FOUND AS NOTED
()	RECORDED AS
POB	POINT OF BEGINNING
ROW	EXISTING RIGHT OF WAY
---	EXISTING LOT LINE
---	EXISTING PARCEL LINE
---	SECTION LINE
---	EASEMENT LINE
---	PERMANENT UTILITY EASEMENT AREA

EASEMENT DESCRIPTION:

Part of Lot 3, Block 1, "First Kenmore Addition to the City of Cedar Rapids, Iowa", described as follows:

Beginning at the Southwest Corner of Lot 3, Block 1, "First Kenmore Addition to the City of Cedar Rapids, Iowa"; Thence N 02°04'51" E along the West line of said Lot 3 a distance of 5.00 feet; Thence S 87°57'01" E and parallel to the North Right of Way of 35th Street NE to the East line of said Lot 3 a distance of 65.03 feet; Thence S 02°04'20" W along said East line to said North Right of Way a distance of 5.00 feet; Thence N 87°57'01" W along said North Right of Way to the Point of Beginning a distance of 65.03.

Said easement contains 325 sq.ft., subject to easements and restrictions of record.



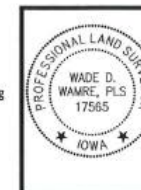
BASE OF BEARINGS:
IOWA REGIONAL COORDINATE SYSTEM:
ZONE 10 CEDAR RAPIDS

EASEMENT AREA: 325 SQ. FT. SURVEY DATE: 09-02-2021

OWNER:
CATHERINE F. O'CONNOR
1132 35TH STREET NE
CEDAR RAPIDS, IOWA 52402

SURVEY REQUESTED BY:
CITY OF CEDAR RAPIDS
101 FIRST STREET S.E.
CEDAR RAPIDS, IOWA 52401

SURVEYOR / CONTACT:
WADE D. WAMRE, PLS
SHIVE-HATTERY, INC
222 THIRD AVE. SE, SUITE 300
CEDAR RAPIDS, IA 52401
319-364-0227
wwamre@shive-hattery.com



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the Laws of the State of Iowa.

(signature) (date)
WADE D. WAMRE, PLS
License number: 17565
My license renewal date is December 31, _____
Pages or sheets covered by this seal: _____

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PERMANENT UTILITY EASEMENT PLAT
PART OF LOT 3, BLOCK 1, FIRST KENMORE ADDITION
TO THE CITY OF CEDAR RAPIDS, IOWA

DATE	DRAWN	APPROVED	SCALE	FIELD BOOK	REVISION
07-27-2022	can		1"=30'	1301 & 1302	PLAT

PROJECT NO.
1214840
ISSUED FOR

1 OF 1



35TH STREET NE FROM OAKLAND ROAD TO F AVENUE PAVEMENT RECONSTRUCTION



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$1,185 and accepting an Easement for Permanent Utility and Temporary Grading Easement for Construction from Jake Heiderscheit from land located at 1140 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (**Paving for Progress**).
CIP/DID #3012336-00

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

Background: In a previous fiscal year, City Council approved funding towards the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

The easements are required to accommodate the proposed 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project roadways, sidewalks, and drainage improvements including pavement reconstruction, sidewalk extension on both sides of the street, multi-modal transportation improvements, drainage improvements, and bringing existing sidewalk ramps into compliance with ADA requirements. Compensation amounts proposed are based on comparisons of similar properties.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$1,185 and accepting an Easement for Permanent Utility and Temporary Grading Easement for Construction from Jake Heiderscheit.

Alternative Recommendation: Do not proceed with acquiring the proposed Easement for Permanent Utility and Temporary Grading Easement for Construction and direct City staff to abandon or reconfigure 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: NA

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for an Easement for Permanent Utility and Temporary Grading Easement for Construction exists in order to accommodate the proposed facilities, and

WHEREAS, Jake Heiderscheit, 1140 35th Street NE, OWNER, of the real property known and described as:

See Permanent Utility Easement Plat

has agreed to convey the necessary Easement for Permanent Utility and Temporary Grading Easement for Construction at 1140 35th Street NE to the City of Cedar Rapids for consideration as follows:

Permanent Easement	\$570
Temporary Easement	\$500
Damages	\$115
TOTAL	\$1,185

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (Fund 301, Dept. ID 301000, Project 3012336 SLOST),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED, that the Easement for Permanent Utility be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

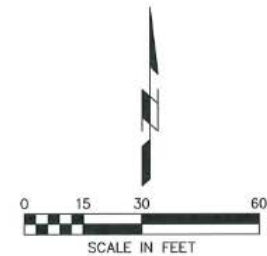
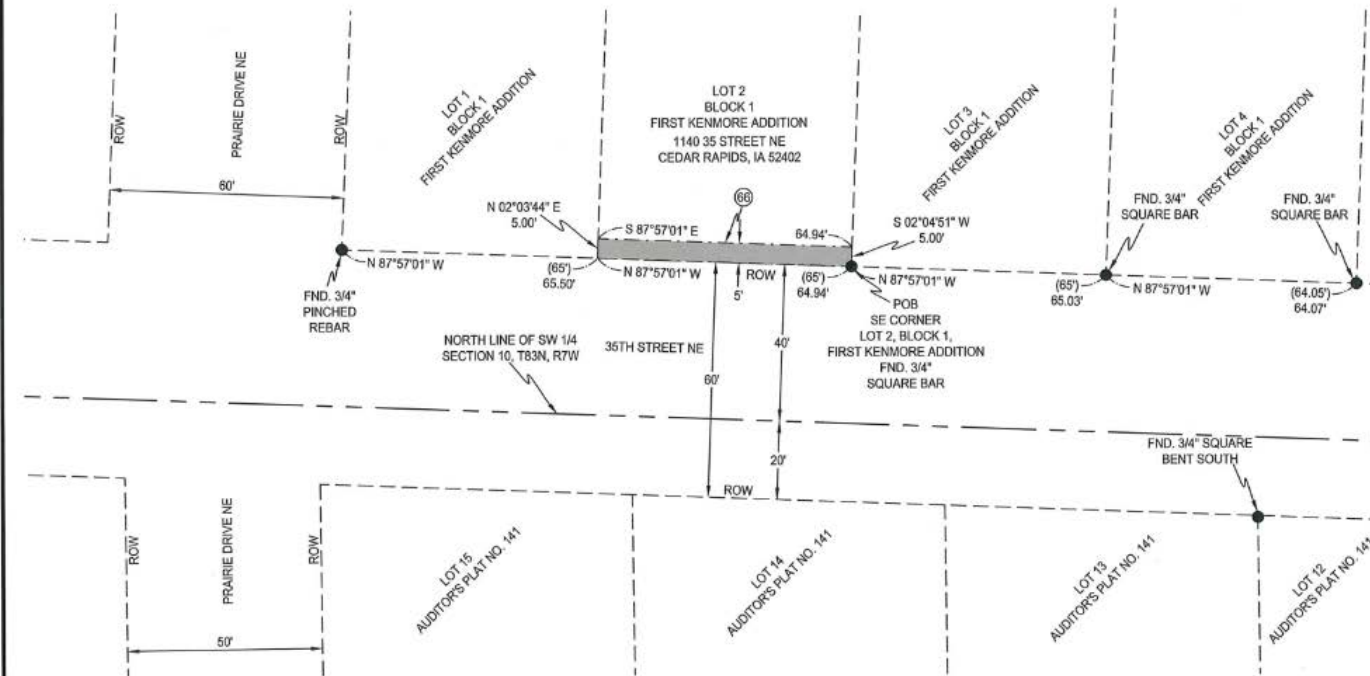
I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature

INDEX LEGEND:

LOCATION: LOT 2, BLOCK 1, FIRST KENMORE ADDITION
TO THE CITY OF CEDAR RAPIDS, IOWA
REQUESTOR: CITY OF CEDAR RAPIDS
PROPRIETOR: JAKE HEIDERSCHEIT & KATELIN SCHUELLER
SURVEYOR: WADE D. WAMRE, PLS
COMPANY: SHIVE-HATTERY, INC
RETURN TO: 222 3RD AVE. SE, SUITE 300
CEDAR RAPIDS, IOWA 52401
wwamre@shive-hattery.com
319-364-0227

PERMANENT UTILITY EASEMENT PLAT PART OF LOT 2, BLOCK 1, FIRST KENMORE ADDITION TO THE CITY OF CEDAR RAPIDS, IOWA



BASE OF BEARINGS:
IOWA REGIONAL COORDINATE SYSTEM:
ZONE 10 CEDAR RAPIDS

EASEMENT AREA: 325 SQ. FT. SURVEY DATE: 09-02-2021

OWNER:
JAKE HEIDERSCHEIT & KATELIN SCHUELLER
1140 35TH STREET NE
CEDAR RAPIDS, IOWA 52402

SURVEY REQUESTED BY:
CITY OF CEDAR RAPIDS
101 FIRST STREET S.E.
CEDAR RAPIDS, IOWA 52401

SURVEYOR / CONTACT:
WADE D. WAMRE, PLS
SHIVE-HATTERY, INC
222 THIRD AVE. SE, SUITE 300
CEDAR RAPIDS, IA 52401
319-364-0227
wwamre@shive-hattery.com

SURVEY LEGEND

●	MONUMENT FOUND AS NOTED
()	RECORDED AS
ROW	POINT OF BEGINNING
---	EXISTING RIGHT OF WAY
---	EXISTING LOT LINE
---	EXISTING PARCEL LINE
---	SECTION LINE
---	EASEMENT LINE
---	PERMANENT UTILITY EASEMENT AREA

EASEMENT DESCRIPTION:

Part of Lot 2, Block 1, "First Kenmore Addition to the City of Cedar Rapids, Iowa", described as follows:

Beginning at the Southeast Corner of Lot 2, Block 1, "First Kenmore Addition to the City of Cedar Rapids, Iowa"; Thence N 87°57'01" W along the North Right of Way of 35th Street NE to the West line of said Lot 2 a distance of 64.94 feet; Thence N 02°03'44" E along said West line a distance of 5.00 feet; Thence S 87°57'01" E and parallel to said North Right of Way to the East line of said Lot 2 a distance of 64.94 feet; Thence S 02°04'51" W along said East line to the Point of Beginning a distance of 5.00 feet.

Said easement contains 325 sq.ft., subject to easements and restrictions of record.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the Laws of the State of Iowa.

(Signature) 3/21/23 (date)

WADE D. WAMRE, PLS
License number: 17565
My license renewal date is December 31, 2024
Pages or sheets covered by this seal: 1

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ARCHITECTURE + ENGINEERING
Iowa | Illinois | Indiana | Missouri
http://www.shive-hattery.com

PERMANENT UTILITY EASEMENT PLAT
PART OF LOT 2, BLOCK 1, FIRST KENMORE ADDITION
TO THE CITY OF CEDAR RAPIDS, IOWA

DATE	SCALE	FIELD BOOK	REVISION
07-27-2022	1"=30'	1301 & 1302	PLAT
DRAWN	can	APPROVED	REFERENCE DRAWING

PROJECT NO.
1214840

ISSUED FOR

1 OF 1



35TH STREET NE FROM OAKLAND ROAD TO F AVENUE PAVEMENT RECONSTRUCTION



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$550 and accepting a Warranty Deed for right-of-way and an Easement for Permanent Utility from Gonzalo Martinez-Sanchez from land located at 1222 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (**Paving for Progress**).

CIP/DID #3012336-00

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

Background: In a previous fiscal year, City Council approved funding towards the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

The right-of-way and easement are required to accommodate the proposed 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project roadway. Sidewalks, and drainage improvements including pavement reconstruction, sidewalk extension on both sides of the street, multi-modal transportation improvements, drainage improvements, and bringing existing sidewalk ramps into compliance with ADA requirements. Compensation amounts proposed are based on comparisons of similar properties.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$550 and accepting a Warranty Deed for right-of-way and an Easement for Permanent Utility from Gonzalo Martinez-Sanchez.

Alternative Recommendation: Do not proceed with acquiring the proposed right-of-way and an Easement for Permanent Utility and direct City staff to abandon or reconfigure 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/3012336/SLOT

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for additional right-of-way and Easement for Permanent Utility exists in order to accommodate the proposed facilities, and

WHEREAS, Gonzalo Martinez-Sanchez, 1222 35th Street NE, OWNER, of the real property known and described as:

See Attached Acquisition Plat

has agreed to convey the necessary right-of-way and easement for permanent utility at 1222 35th Street NE, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$45
Permanent Easement	\$505
TOTAL	\$550

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (Fund 301, Dept ID 301000, Project 3012336 SLOST),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that the Warranty Deed and Easement for Permanent Utility from Gonzalo Martinez-Sanchez be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature

LOCATION: LOT 12, BLOCK 2, FIRST KENMORE ADDITION
TO THE CITY OF CEDAR RAPIDS, IOWA
REQUESTOR: CITY OF CEDAR RAPIDS
PROPRIETOR: GONZALO MARTINEZ-SANCHEZ
SURVEYOR: WADE D. WAMRE, PLS
COMPANY: SHIVE HATTERY, INC
RETURN TO: 222 3RD AVE. SE, SUITE 300
CEDAR RAPIDS, IOWA 52401
wwamre@shive-hattery.com
319-364-0227

BASE OF BEARINGS:
IOWA REGIONAL COORDINATE SYSTEM:
ZONE 10 CEDAR RAPIDS

ACQUISITION AREA: SURVEY DATE:
12.5 SQ. FT. 09-02-2021

OWNER:
GONZALO MARTINEZ-SANCHEZ
1222 35TH STREET NE
CEDAR RAPIDS, IOWA 52402

SURVEY REQUESTED BY:
CITY OF CEDAR RAPIDS
101 FIRST STREET S.E.
CEDAR RAPIDS, IOWA 52401

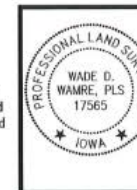
SURVEYOR / CONTACT:
WADE D. WAMRE, PLS
SHIVE-HATTERY, INC
222 THIRD AVE. SE, SUITE 300
CEDAR RAPIDS, IA 52401
319-364-0227
wwamre@shive-hattery.com

POB
ROW

Part of Lot 12, Block 2, "First Kenmore Addition to the City of Cedar Rapids, Iowa", described as follows:

Beginning at the Southwest Corner of Lot 12, Block 2, "First Kenmore Addition to the City of Cedar Rapids, Iowa"; Thence N 02°11'32" E along the West line of said Lot 12 also being the East Right of Way of Houston Street NE a distance of 5.00 feet; Thence S 42°52'44" E to the South line of said Lot 12 also being the North Right of Way of 35th Street NE a distance of 7.06 feet; Thence N 87°57'01" W along said South line to said West line and the Point of Beginning a distance of 5.00 feet.

Said parcel contains 12.5 sq.ft., subject to easements and restrictions of record.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the Laws of the State of Iowa.

(signature) 3/7/23 (date)

WADE D. WAMRE, PLS
License number: 17565

My license renewal date is December 31, _____
 Pages or sheets covered by this seal: _____

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ARCHITECTURE+ENGINEERING
Iowa | Illinois | Indiana | Missouri
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ACQUISITION PLAT
PART OF LOT 12, BLOCK 2, FIRST KENMORE ADDITION
TO THE CITY OF CEDAR RAPIDS, IOWA

PROJECT NO.
1214840

ISSUED FOR

1 OF 1



35TH STREET NE FROM OAKLAND ROAD TO F AVENUE PAVEMENT RECONSTRUCTION



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$775 and accepting an Easement for Permanent Utility and Temporary Grading Easement for Construction from Richard C. Harman from land located at 1256 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (**Paving for Progress**).
CIP/DID #3012336-00

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

Background: In a previous fiscal year, City Council approved funding towards the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

The easements are required to accommodate the proposed 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project roadways, sidewalks, and drainage improvements including pavement reconstruction, sidewalk extension on both sides of the street, multi-modal transportation improvements, drainage improvements, and bringing existing sidewalk ramps into compliance with ADA requirements. Compensation amounts proposed are based on comparisons of similar properties.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$775 and accepting an Easement for Permanent Utility and Temporary Grading Easement for Construction from Richard C. Harman.

Alternative Recommendation: Do not proceed with acquiring the proposed Easement for Permanent Utility and Temporary Grading Easement for Construction and direct City staff to abandon or reconfigure 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: NA

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for an easement for Permanent Utility and Temporary Grading Easement for Construction exists in order to accommodate the proposed facilities, and

WHEREAS, Richard C. Harman, 1256 35th Street NE, OWNER, of the real property known and described as:

See attached Permanent Utility Easement Plat

has agreed to convey the necessary Easement for Permanent Utility and Temporary Grading Easement for Construction at 1256 35th Street NE to the City of Cedar Rapids for consideration as follows:

Permanent Easement	\$530
Temporary Easement	\$245
TOTAL	\$775

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (Fund 301, Dept. ID 301000, Project 3012336 SLOST),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED, that the Easement for Permanent Utility be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

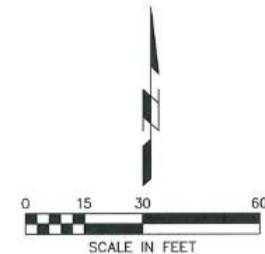
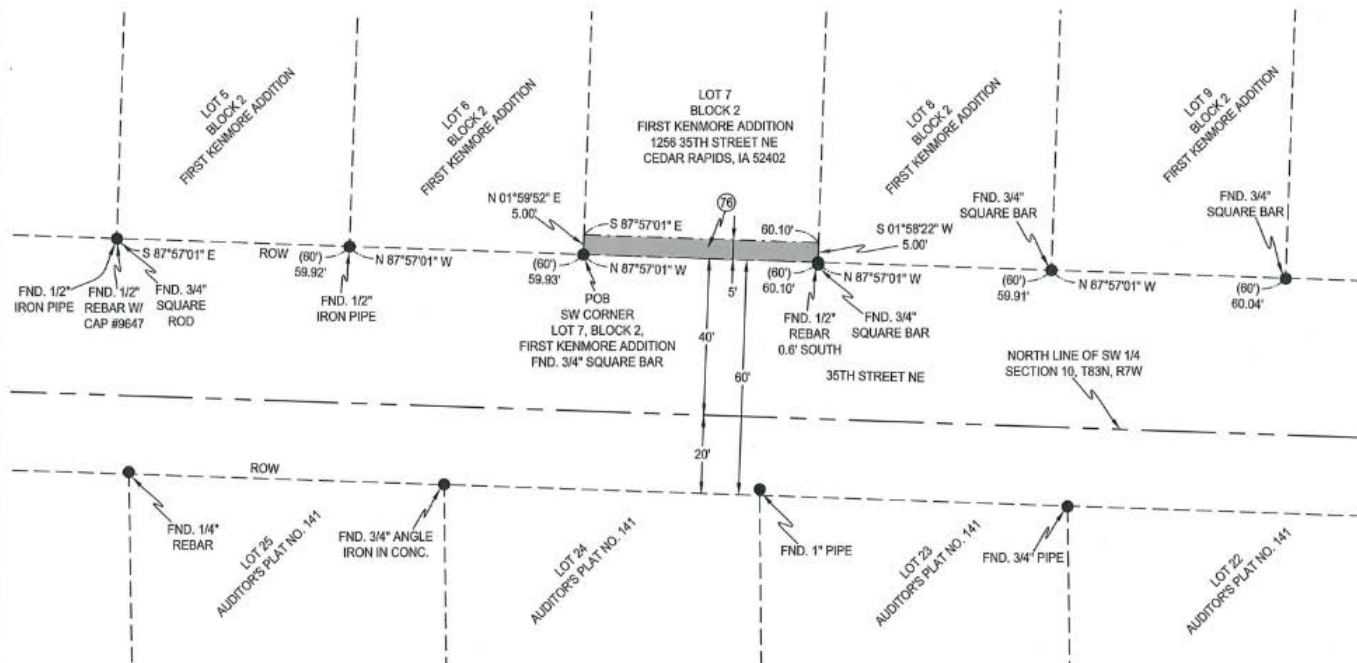
I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature

INDEX LEGEND:

LOCATION: LOT 7, BLOCK 2, FIRST KENMORE ADDITION
TO THE CITY OF CEDAR RAPIDS, IOWA
REQUESTOR: CITY OF CEDAR RAPIDS
PROPRIETOR: RICHARD C. HARMAN
SURVEYOR: WADE D. WAMRE, PLS
COMPANY: SHIVE-HATTERY, INC
RETURN TO: 222 3RD AVE. SE, SUITE 300
CEDAR RAPIDS, IOWA 52401
wwamre@shive-hattery.com
319-364-0227

PERMANENT UTILITY EASEMENT PLAT PART OF LOT 7, BLOCK 2, FIRST KENMORE ADDITION TO THE CITY OF CEDAR RAPIDS, IOWA



BASE OF BEARINGS:
IOWA REGIONAL COORDINATE SYSTEM:
ZONE 10 CEDAR RAPIDS

EASEMENT AREA: 301 SQ. FT. SURVEY DATE: 09-02-2021

OWNER:
RICHARD C. HARMAN
1256 35TH STREET NE
CEDAR RAPIDS, IOWA 52402

SURVEY REQUESTED BY:
CITY OF CEDAR RAPIDS
101 FIRST STREET S.E.
CEDAR RAPIDS, IOWA 52401

SURVEYOR / CONTACT:
WADE D. WAMRE, PLS
SHIVE-HATTERY, INC
222 THIRD AVE. SE, SUITE 300
CEDAR RAPIDS, IA 52401
319-364-0227
wwamre@shive-hattery.com

SURVEY LEGEND

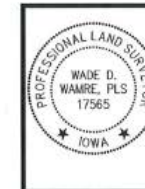
●	MONUMENT FOUND AS NOTED
()	RECORDED AS
POB	POINT OF BEGINNING
ROW	EXISTING RIGHT OF WAY
---	SECTION LINE
---	EXISTING LOT LINE
---	EXISTING PARCEL LINE
---	EASEMENT LINE
---	PERMANENT UTILITY EASEMENT AREA

EASEMENT DESCRIPTION:

Part of Lot 7, in Block 2, in "First Kenmore Addition to the City of Cedar Rapids, Iowa" described as follows:

Beginning at the Southwest Corner of Lot 7, in Block 2, in "First Kenmore Addition to the City of Cedar Rapids, Iowa"; Thence N 01°59'52" E along the West line of said Lot 7 a distance of 5.00 feet; Thence S 87°57'01" E and parallel to the North Right of Way of 35th Street NE to the East line of said Lot 7 a distance of 60.10 feet; Thence S 01°58'22" W along said East line to said North Right of Way a distance of 5.00 feet; Thence N 87°57'01" W along said North Right of Way to the Point of Beginning a distance of 60.10 feet.

Said easement contains 301 sq.ft., subject to easements and restrictions of record.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the Laws of the State of Iowa.

Wade D. Wamre, PLS
License number: 17565
My license renewal date is December 31, 2024
Pages or sheets covered by this seal: 1

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PERMANENT UTILITY EASEMENT PLAT
PART OF LOT 7, BLOCK 2, FIRST KENMORE ADDITION
TO THE CITY OF CEDAR RAPIDS, IOWA

DATE	DRAWN	CHK	APPROVED	FIELD BOOK	REVISION
07-29-2022					

PROJECT NO.
1214840

ISSUED FOR

1 OF 1



35TH STREET NE FROM OAKLAND ROAD TO F AVENUE PAVEMENT RECONSTRUCTION



PROJECT AREA



35TH STREET NE FROM OAKLAND ROAD TO F AVENUE PAVEMENT RECONSTRUCTION



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$1,302 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Richard Mark Haag and Cathy Lynn Haag from land located at 1259 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (**Paving for Progress**).
CIP/DID #3012336-00

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

Background: In a previous fiscal year, City Council approved funding towards the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

The right-of-way and easement are required to accommodate the proposed 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project roadway, sidewalks, and drainage improvements including pavement reconstruction, sidewalk extension on both sides of the street, multi-modal transportation improvements, drainage improvements, and bringing existing sidewalk ramps into compliance with ADA requirements. Compensation amounts proposed are based on comparisons of similar properties.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$1,302 and accepting a Warranty Deed and Temporary Grading Easement for Construction from Richard Mark Haag and Cathy Lynn Haag.

Alternative Recommendation: Do not proceed with acquiring the proposed right-of-way and Temporary Grading Easement for Construction and direct City staff to abandon or reconfigure 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/3012336/SLOST

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for additional right-of-way and temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Richard Mark Haag and Cathy Lynn Haag, 1259 35th Street NE, OWNERS, of the real property known and described as:

See Attached Acquisition Plat

have agreed to convey the necessary right-of-way and temporary grading easement for construction at 1259 35th Street NE, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$567
Temporary Easement	\$485
Damages	\$250
TOTAL	\$1,302

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction Project (Fund 301, Dept ID 301000, Project 3012336, SLOST),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that the Warranty Deed from Richard Mark Haag and Cathy Lynn Haag be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

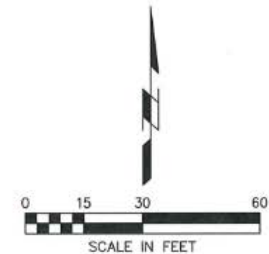
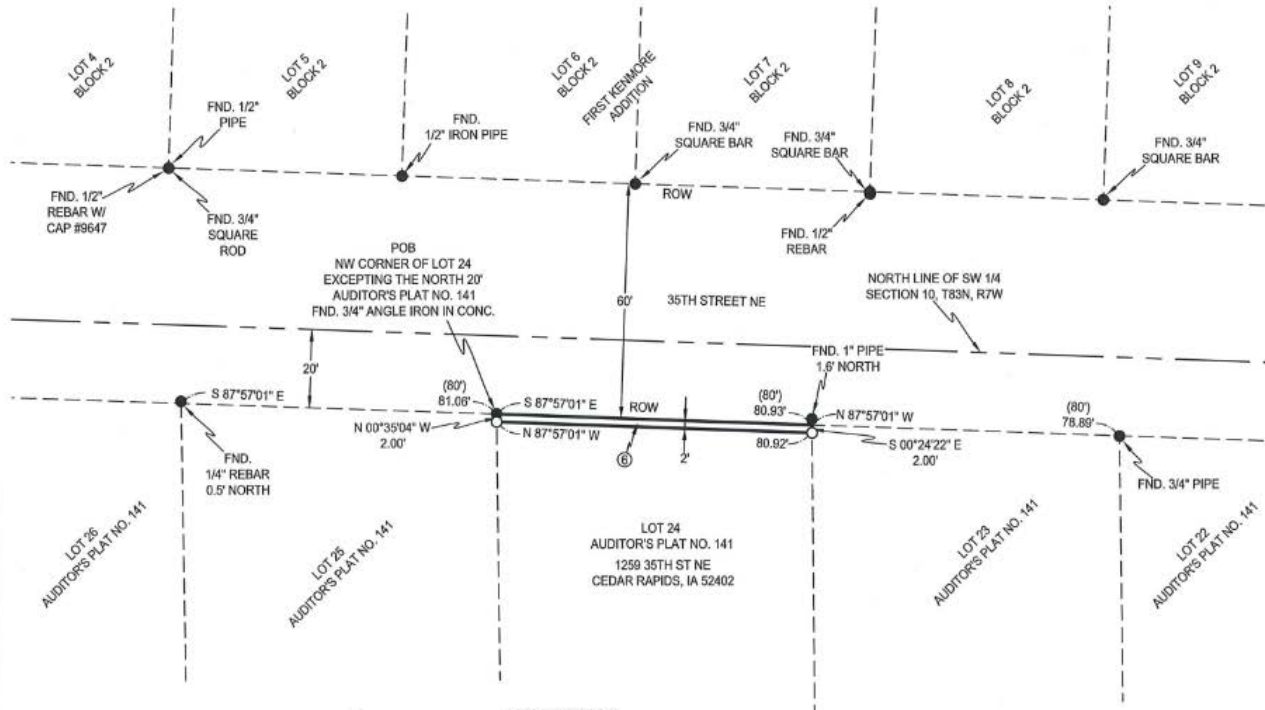
I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature

INDEX LEGEND:

LOCATION: PART OF LOT 24, AUDITOR'S PLAT NO. 141,
LINN COUNTY, IOWA
REQUESTOR: CITY OF CEDAR RAPIDS
PROPRIETOR: RICHARD MARK HAAG & CATHY LYNN HAAG
SURVEYOR: WADE D. WAMRE, PLS
COMPANY: SHIVE-HATTERY, INC
RETURN TO: 222 3RD AVE. SE, SUITE 300
CEDAR RAPIDS, IOWA 52401
wwamre@shive-hattery.com
319-364-0227

ACQUISITION PLAT PART OF LOT 24, AUDITOR'S PLAT NO. 141, LINN COUNTY, IOWA



BASE OF BEARINGS:
IOWA REGIONAL COORDINATE SYSTEM:
ZONE 10 CEDAR RAPIDS

ACQUISITION AREA: 162 SQ. FT. SURVEY DATE: 09-02-2021

OWNER:
RICHARD MARK HAAG & CATHY LYNN HAAG
1259 35TH ST NE
CEDAR RAPIDS, IA 52402

SURVEY REQUESTED BY:
CITY OF CEDAR RAPIDS
101 FIRST STREET S.E.
CEDAR RAPIDS, IOWA 52401

SURVEYOR / CONTACT:
WADE D. WAMRE, PLS
SHIVE-HATTERY, INC
222 THIRD AVE. SE, SUITE 300
CEDAR RAPIDS, IA 52401
319-364-0227
wwamre@shive-hattery.com

SURVEY LEGEND

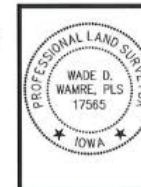
● MONUMENT FOUND AS NOTED
○ SET 5/8\" REBAR W/ CAP #17565
() RECORDED AS
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
ROW EXISTING RIGHT OF WAY
--- EXISTING LOT LINE
--- EXISTING LOT LINE

LAND DESCRIPTION:

Part of Lot 24, excepting therefrom the South 140 feet and also excepting therefrom the North 20 feet, Auditor's Plat No. 141, Linn County, Iowa described as follows:

Beginning at the Northwest Corner of Lot 24, excepting therefrom the South 140 feet and also excepting therefrom the North 20 feet, Auditor's Plat No. 141, Linn County, Iowa; Thence S 87°57'01\" E along the South Right of Way of 35th Street NE to the East line of said Lot 24 a distance of 80.93 feet; Thence S 00°24'22\" E along said East line a distance of 2.00 feet; Thence N 87°57'01\" W and parallel to said South Right of Way to the West line of said Lot 24 a distance of 80.92 feet; Thence N 00°35'04\" W along said West line to said South Right of Way and the Point of Beginning a distance of 2.00 feet.

Said parcel contains 162 sq.ft., subject to easements and restrictions of record.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the Laws of the State of Iowa.

(signature) *Wade D. Wamre* 3/1/23 (date)

WADE D. WAMRE, PLS
License number: 17565
My license renewal date is December 31, 2024
Pages or sheets covered by this seal: 1

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ACQUISITION PLAT
PART OF LOT 24, AUDITOR'S PLAT NO. 141,
LINN COUNTY, IOWA

DATE	DRAWN	APPROVED	SCALE	FIELD BOOK	REVISION
08-14-2022	cm	cm	1\" = 30'	1301 & 1302	

PROJECT NO.
1214840

ISSUED FOR

1 OF 1



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$756 and accepting an Easement for Permanent Utility and Temporary Grading Easement for Construction from Juan Garcia and Rosalba Garcia from land located at 1262 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (**Paving for Progress**).

CIP/DID #3012336-00

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

Background: In a previous fiscal year, City Council approved funding towards the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

The easements are required to accommodate the proposed 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project roadways, sidewalks, and drainage improvements including pavement reconstruction, sidewalk extension on both sides of the street, multi-modal transportation improvements, drainage improvements, and bringing existing sidewalk ramps into compliance with ADA requirements. Compensation amounts proposed are based on comparisons of similar properties.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$756 and accepting Easement for Permanent Utility and Temporary Grading Easement for Construction from Juan Garcia and Rosalba Garcia.

Alternative Recommendation: Do not proceed with acquiring the proposed Easement for Permanent Utility and Temporary Grading Easement for Construction and direct City staff to abandon or reconfigure 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: NA

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for an Easement for Permanent Utility and Temporary Grading Easement for Construction exists in order to accommodate the proposed facilities, and

WHEREAS, Juan Garcia and Rosalba Garcia, 1262 35th Street NE, OWNER, of the real property known and described as:

See attached Permanent Utility Easement Plat

has agreed to convey the necessary Easement for Permanent Utility and Temporary Grading Easement for Construction at 1262 35th Street NE to the City of Cedar Rapids for consideration as follows:

Permanent Easement	\$525
Temporary Easement	\$231
TOTAL	\$756

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (Fund 301, Dept. ID 301000, Project 3012336 SLOST),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED, that the Easement for Permanent Utility be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

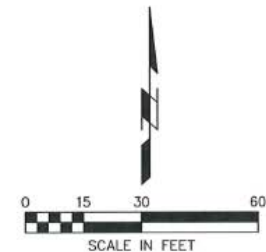
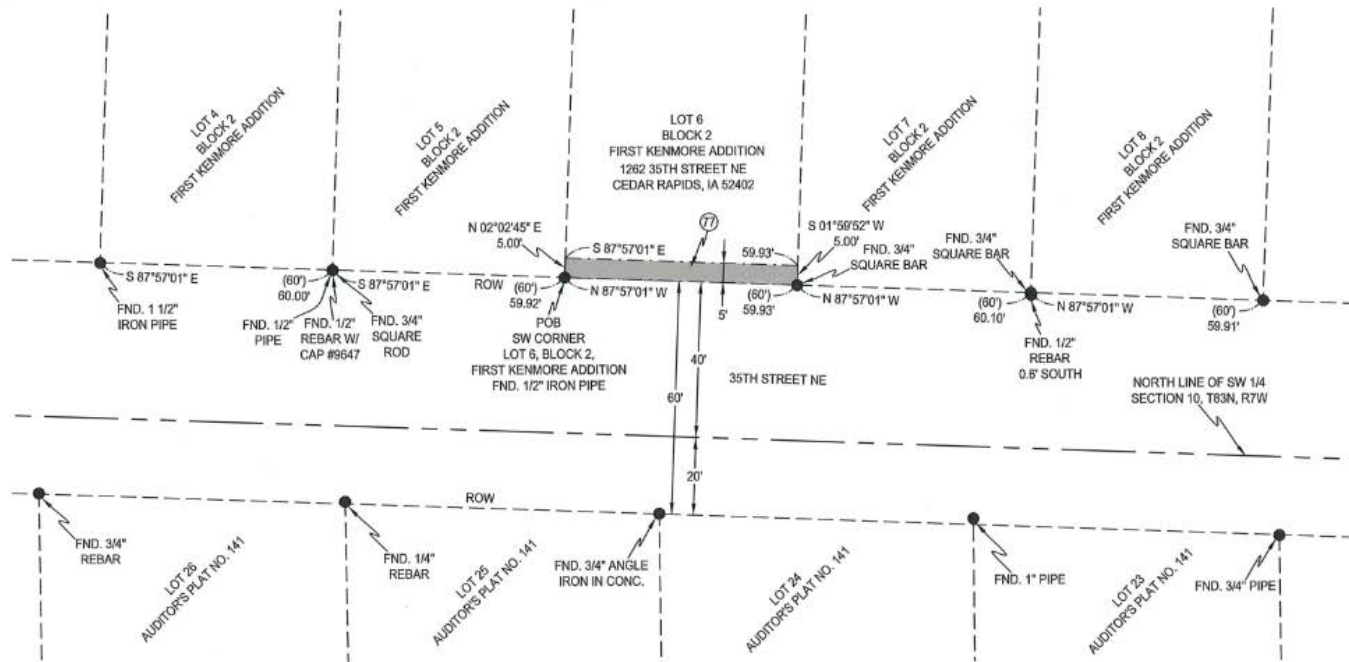
I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature

INDEX LEGEND:

LOCATION: LOT 6, BLOCK 2, FIRST KENMORE ADDITION
TO THE CITY OF CEDAR RAPIDS, IOWA
REQUESTOR: CITY OF CEDAR RAPIDS
PROPRIETOR: JUAN GARCIA & ROSALBA GARCIA
SURVEYOR: WADE D. WAMRE, PLS
COMPANY: SHIVE HATTERY, INC
RETURN TO: 222 3RD AVE. SE, SUITE 300
CEDAR RAPIDS, IOWA 52401
wwamre@shive-hattery.com
319-364-0227

PERMANENT UTILITY EASEMENT PLAT PART OF LOT 6, BLOCK 2, FIRST KENMORE ADDITION TO THE CITY OF CEDAR RAPIDS, IOWA



BASE OF BEARINGS:
IOWA REGIONAL COORDINATE SYSTEM:
ZONE 10 CEDAR RAPIDS

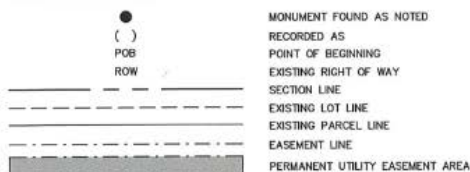
EASEMENT AREA: 300 SQ. FT. SURVEY DATE: 09-02-2021

OWNER:
JUAN GARCIA & ROSALBA GARCIA
1262 35TH STREET NE
CEDAR RAPIDS, IOWA 52402

SURVEY REQUESTED BY:
CITY OF CEDAR RAPIDS
101 FIRST STREET S.E.
CEDAR RAPIDS, IOWA 52401

SURVEYOR / CONTACT:
WADE D. WAMRE, PLS
SHIVE-HATTERY, INC
222 THIRD AVE. SE, SUITE 300
CEDAR RAPIDS, IA 52401
319-364-0227
wwamre@shive-hattery.com

SURVEY LEGEND

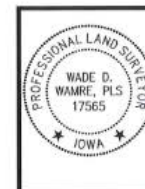


EASEMENT DESCRIPTION:

Part of Lot 6, Block 2, "First Kenmore Addition to the City of Cedar Rapids, Iowa", described as follows:

Beginning at the Southwest Corner of Lot 6, Block 2, "First Kenmore Addition to the City of Cedar Rapids, Iowa"; Thence N 02°02'45" E along the West line of said Lot 6 a distance of 5.00 feet; Thence S 87°57'01" E and parallel to the North Right of Way of 35th Street NE to the East line of said Lot 6 a distance of 59.93 feet; Thence S 01°59'52" W along said East line to said North Right of Way a distance of 5.00 feet; Thence N 87°57'01" W along said South Right of Way to the Point of Beginning a distance of 59.93 feet.

Said easement contains 300 sq.ft., subject to easements and restrictions of record.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the Laws of the State of Iowa.

(signature) *Wade D. Wamre* 3/21/25 (date)

WADE D. WAMRE, PLS
License number: 17565
My license renewal date is December 31, 2024
Pages or sheets covered by this seal: 1

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PERMANENT UTILITY EASEMENT PLAT
PART OF LOT 6, BLOCK 2, FIRST KENMORE ADDITION
TO THE CITY OF CEDAR RAPIDS, IOWA

DATE	DRAWN	APPROVED	SCALE	FIELD BOOK	REVISION	PLAT
07-28-2022			1"=30'			1301 & 1302

PROJECT NO.
1214840

ISSUED FOR

1 OF 1



35TH STREET NE FROM OAKLAND ROAD TO F AVENUE PAVEMENT RECONSTRUCTION



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$900 and accepting a Warranty Deed for right-of-way and Temporary Grading Easement for Construction from Robert D. Coffin from land located at 1283 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (**Paving for Progress**).

CIP/DID #3012336-00

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

Background: In a previous fiscal year, City Council approved funding towards the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

The right-of-way and easement are required to accommodate the proposed 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project roadway, sidewalks, and drainage improvements including pavement reconstruction, sidewalk extension on both sides of the street, multi-modal transportation improvements, drainage improvements, and bringing existing sidewalk ramps into compliance with ADA requirements. Compensation amounts proposed are based on comparisons of similar properties.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$900 and accepting a Warranty Deed and Temporary Grading Easement for Construction from Robert D Coffin.

Alternative Recommendation: Do not proceed with acquiring the proposed Warranty Deed and Temporary Grading Easement for Construction and direct City staff to abandon or reconfigure 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/3012336/SLOST

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for additional right-of-way and temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Robert D. Coffin, 1283 35th Street NE, OWNER, of the real property known and described as:

See Attached Acquisition Plat

has agreed to convey the necessary right-of-way and temporary grading easement for construction at 1283 35th Street NE, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$560
Temporary Easement	\$340
TOTAL	\$900

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction Project (Fund 301, Dept ID 301000, Project 3012336, SLOST),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that the Warranty Deed from Robert D. Coffin be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

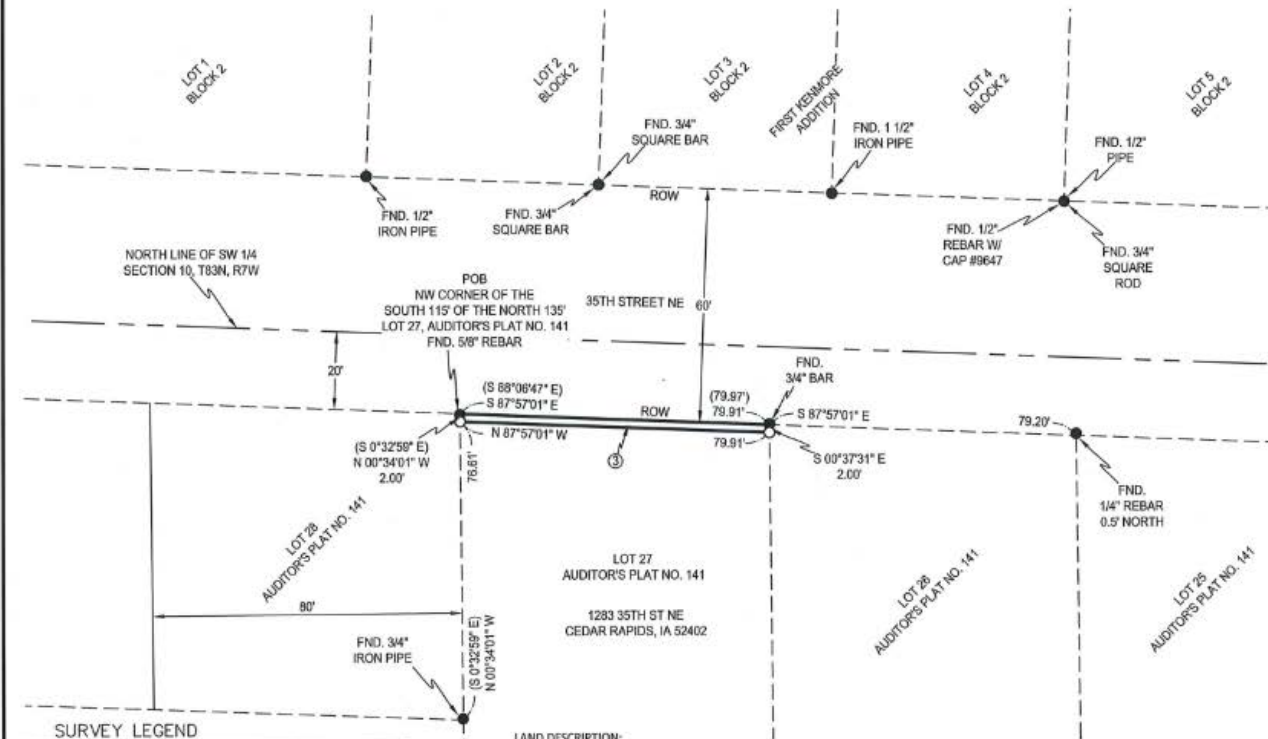
I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature

INDEX LEGEND:

LOCATION: PART OF LOT 27, AUDITOR'S PLAT NO. 141,
LINN COUNTY, IOWA
REQUESTOR: CITY OF CEDAR RAPIDS
PROPRIETOR: ROBERT D. COFFIN
SURVEYOR: WADE D. WAMRE, PLS
COMPANY: SHIVE HATTERY, INC
RETURN TO: 222 3RD AVE. SE, SUITE 300
CEDAR RAPIDS, IOWA 52401
wwamre@shive-hattery.com
319-364-0227

ACQUISITION PLAT PART OF LOT 27, AUDITOR'S PLAT NO. 141, LINN COUNTY, IOWA



SURVEY LEGEND

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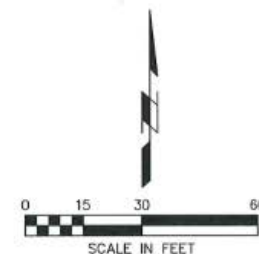
MONUMENT FOUND AS NOTED
SET 5/8\" REBAR W/ CAP #17565
RECORDED AS
POINT OF BEGINNING
POINT OF COMMENCEMENT
EXISTING RIGHT OF WAY
EXISTING LOT LINE
EXISTING PARCEL LINE
SECTION LINE

LAND DESCRIPTION:

Part of the South 115 feet of the North 135 feet of Lot 27, "Auditor's Plat No. 141, Linn County, Iowa", described as follows:

Beginning at the Northwest Corner of the South 115 feet of the North 135 feet of Lot 27, "Auditor's Plat No. 141, Linn County, Iowa"; Thence S 87°57'01\" E along South Right of Way of 35th Street NE to the East line of said Lot 27 a distance of 79.91 feet; Thence S 00°37'31\" E along said East line a distance of 2.00 feet; Thence N 87°57'01\" W and parallel to said South Right of Way to the West line of said Lot 27 a distance of 79.91 feet; Thence N 00°34'01\" W along the West line of said Lot 27 to said South Right of Way line and the Point of Beginning a distance of 2.00 feet.

Said parcel contains 160 sq.ft., subject to easements and restriction of record.



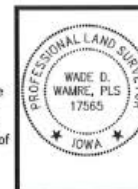
BASE OF BEARINGS:
IOWA REGIONAL COORDINATE SYSTEM:
ZONE 10 CEDAR RAPIDS

ACQUISITION AREA: 160 SQ. FT. SURVEY DATE: 09-02-2021

OWNER:
ROBERT D. COFFIN
1283 35TH ST NE
CEDAR RAPIDS, IA 52402

SURVEY REQUESTED BY:
CITY OF CEDAR RAPIDS
101 FIRST STREET S.E.
CEDAR RAPIDS, IOWA 52401

SURVEYOR / CONTACT:
WADE D. WAMRE, PLS
SHIVE-HATTERY, INC
222 THIRD AVE. SE, SUITE 300
CEDAR RAPIDS, IA 52401
319-364-0227
wwamre@shive-hattery.com



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the Laws of the State of Iowa.

(signature) 3/7/25 (date)

WADE D. WAMRE, PLS
License number: 17565
My license renewal date is December 31, 2024
Pages or sheets covered by this plat: 1

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ACQUISITION PLAT
PART OF LOT 27, AUDITOR'S PLAT NO. 141,
LINN COUNTY, IOWA

PROJECT NO.
1214840

ISSUED FOR

1 OF 1



35TH STREET NE FROM OAKLAND ROAD TO F AVENUE PAVEMENT RECONSTRUCTION



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Robert Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$1,959 and accepting a Warranty Deed, Easement for Permanent Utility and Temporary Grading Easement for Construction from Michael J. Fleischacker from land located at 1290 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project (**Paving for Progress**).

CIP/DID #3012336-00

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

Background: In a previous fiscal year, City Council approved funding towards the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

The right-of-way and easements are required to accommodate the proposed 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project roadway, sidewalks, and drainage improvements including pavement reconstruction, sidewalk extension on both sides of the street, multi-modal transportation improvements, drainage improvements, and bringing existing sidewalk ramps into compliance with ADA requirements. Compensation amounts proposed are based on comparisons of similar properties.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$1,959 and accepting a Warranty Deed, Easement for Permanent Utility and Temporary Grading Easement for Construction from Michael J. Fleischacker.

Alternative Recommendation: Do not proceed with acquiring the proposed right-of-way, Easement for Permanent Utility and Temporary Grading Easement for Construction and direct City staff to abandon or reconfigure 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/3012336/SLOST

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for additional right-of-way, Permanent Utility Easement, and Temporary Grading Easement for Construction exists in order to accommodate the proposed facilities, and

WHEREAS, Michael J. Fleischacker, 1290 35th Street NE, OWNER, of the real property known and described as:

See Attached Acquisition Plat

have agreed to convey the necessary right-of-way, Easement for Permanent Utility, and Temporary Grading Easement for Construction at 1290 35th Street NE, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$273
Permanent Easement	\$966
Temporary Easement	\$720
 TOTAL	 \$1,959

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction Project (Fund 301, Dept ID 301000, Project 3012336, SLOST),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that the Warranty Deed and Easement for Permanent Utility from Michael J. Fleischacker be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

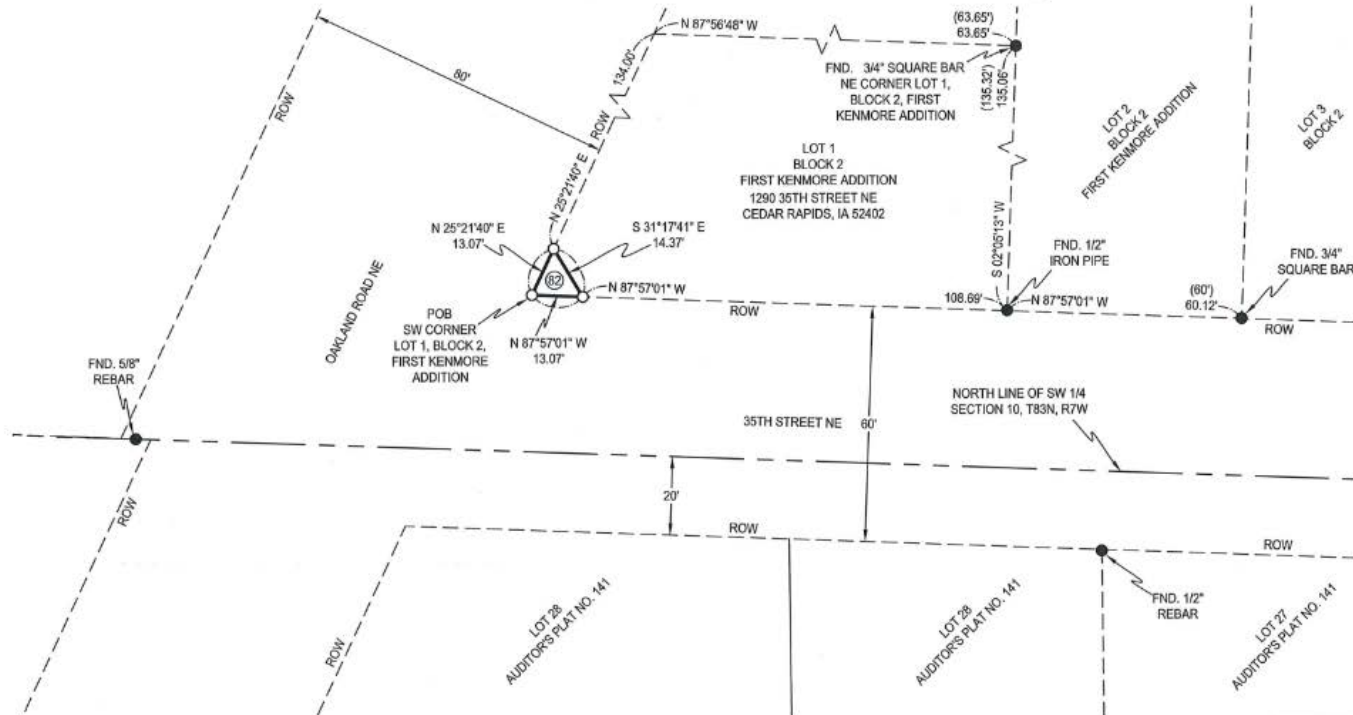
I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClarkSignature

INDEX LEGEND:

LOCATION: LOT 1, BLOCK 2, FIRST KENMORE ADDITION
TO THE CITY OF CEDAR RAPIDS, IOWA
REQUESTOR: CITY OF CEDAR RAPIDS
PROPRIETOR: MICHAEL J. FLEISCHACKER
SURVEYOR: WADE D. WAMRE, PLS
COMPANY: SHIVE-HATTERY, INC
RETURN TO: 222 3RD AVE. SE, SUITE 300
CEDAR RAPIDS, IOWA 52401
wwamre@shive-hattery.com
319-364-0227

ACQUISITION PLAT PART OF LOT 1, BLOCK 2, FIRST KENMORE ADDITION TO THE CITY OF CEDAR RAPIDS, IOWA



SCALE IN FEET
0 15 30 60

BASE OF BEARINGS:
IOWA REGIONAL COORDINATE SYSTEM:
ZONE 10 CEDAR RAPIDS
ACQUISITION AREA: 78 SQ. FT. SURVEY DATE: 09-02-2021

OWNER:
MICHAEL J. FLEISCHACKER
1290 35TH STREET NE
CEDAR RAPIDS, IOWA 52402

SURVEY REQUESTED BY:
CITY OF CEDAR RAPIDS
101 FIRST STREET S.E.
CEDAR RAPIDS, IOWA 52401

SURVEYOR / CONTACT:
WADE D. WAMRE, PLS
SHIVE-HATTERY, INC
222 THIRD AVE. SE, SUITE 300
CEDAR RAPIDS, IA 52401
319-364-0227
wwamre@shive-hattery.com

SURVEY LEGEND

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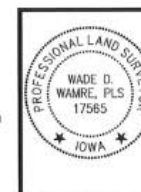
MONUMENT FOUND AS NOTED
SET 5/8" REBAR W/ CAP #17565
RECORDED AS
POINT OF BEGINNING
POINT OF COMMENCEMENT
EXISTING RIGHT OF WAY
EXISTING LOT LINE
EXISTING PARCEL LINE
SECTION LINE

LAND DESCRIPTION:

Part of Lot 1, Block 2, "First Kenmore Addition to the City of Cedar Rapids, Iowa", described as follows:

Beginning at the Southwest Corner of Lot 1, Block 2, "First Kenmore Addition to the City of Cedar Rapids, Iowa"; Thence N 25°21'40" E along the Westerly line of a said Lot 1 also being the Easterly Right of Way of Oakland Road NE a distance of 13.07 feet; Thence S 31°17'41" E to the South line of said Lot 1 and the North Right of Way of 35th Street NE a distance of 14.37 feet; Thence N 87°57'01" W along said South line and said North Right of Way to the Point of Beginning a distance of 13.07 feet.

Said parcel contains 78 sq.ft., subject to easements and restrictions of record.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the Laws of the State of Iowa.

(signature) 3/1/23 (date)

WADE D. WAMRE, PLS
License number: 17565
My license renewal date is December 31, 2024
Pages or sheets covered by this set: 1

SHIVE-HATTERY
ARCHITECTURE+ENGINEERING
Iowa | Illinois | Indiana | Missouri
http://www.shive-hattery.com

ACQUISITION PLAT
PART OF LOT 1, BLOCK 2, FIRST KENMORE ADDITION
TO THE CITY OF CEDAR RAPIDS, IOWA

DATE	DRAWN	APPROVED	SCALE	FELD BOOK	REVISION
08-4-2022	cm		1"=30'	1301 & 1302	

PROJECT NO.
1214840

ISSUED FOR

1 OF 1



35TH STREET NE FROM OAKLAND ROAD TO F AVENUE PAVEMENT RECONSTRUCTION



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Robert Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$10,290 and accepting a Warranty Deed for right-of-way and temporary grading easement for construction from Y & W Properties, LLC, from land located at 2107 Blairs Ferry Road NE, in connection with the Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project. CIP/DID #301878-00

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

Background: In a previous fiscal year, the City Council approved funding towards the Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project.

The right-of-way and easement are required to accommodate the proposed Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill improvements project. Compensation amounts proposed are based on comparisons of similar properties to the subject property.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$10,290 and accepting a warranty deed and temporary grading easement for construction from Y & W Properties, LLC.

Alternative Recommendation: Do not proceed with acquiring the proposed right-of-way and temporary grading easement for construction and direct City staff to abandon or reconfigure Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/301878

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for additional right-of-way and a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Y & W Properties, LLC, 5249 North Park Place NE #1043, Cedar Rapids, Iowa 52402, OWNER of the real property known and described as:

See Attached Acquisition Plat

has agreed to convey the necessary right-of-way and temporary grading easement for construction at 2107 Blairs Ferry Road NE, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$9,300
Temporary Construction Easement	\$990
TOTAL	<u>\$10,290</u>

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for the Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project. (Fund 301, Dept. ID 301000, Project 301878),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED, that the Warranty Deed, Partial Release of Real Estate Mortgage and Partial Release of Assignment of Rents be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature

ACQUISITION PLAT

BLAIRS FERRY ROAD NE FROM NORTH TOWNE PLACE TO SAMMI DRIVE SIDEWALK INFILL

CITY PROJECT NO. 301878

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



0 30

AUDITOR'S PLAT NO. 281
VOL. 1 PG. 198

NE 1/4 NW 1/4
SEC. 4-83-7

Legal Description

PART OF LOT 3, EXCEPT THE EAST 64 FEET THEREOF AND PART OF LOT 4 AND PART OF THE EAST 45 FEET OF LOT 5, REALSITE FIRST ADDITION TO CEDAR RAPIDS, IOWA FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF BLAIRS FERRY ROAD NE AND THE WEST LINE OF THE EAST 45 FEET OF SAID LOT 5;

THENCE N88°06'02"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF BLAIRS FERRY ROAD NE, 132.88 FEET TO THE WEST LINE OF THE EAST 64 FEET OF SAID LOT 3;

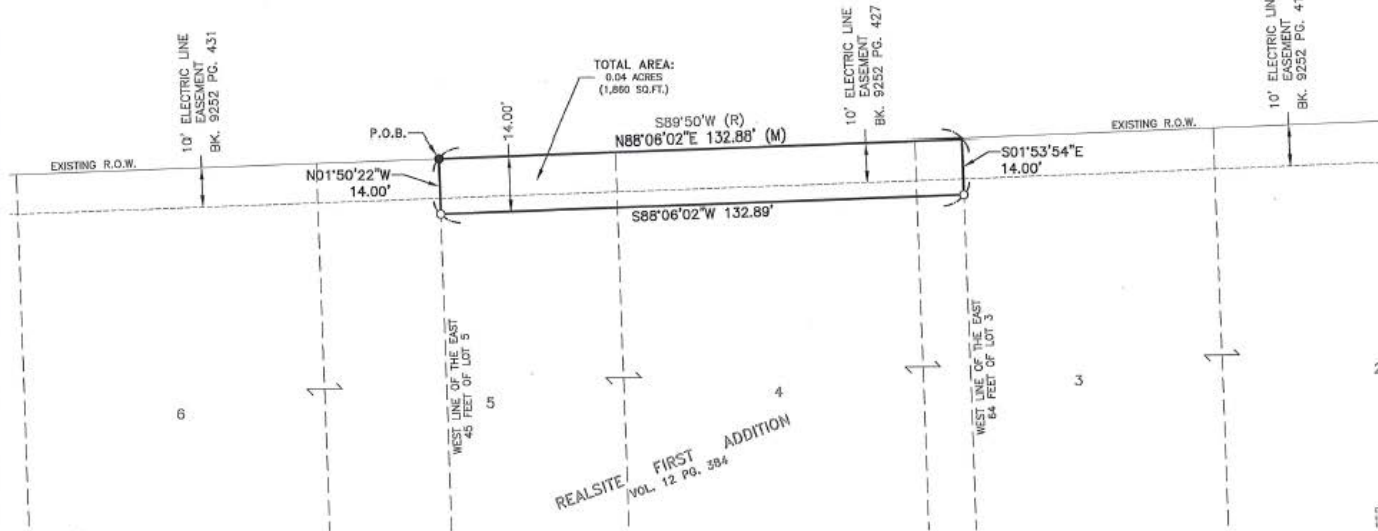
THENCE S01°53'54"E ALONG SAID WEST LINE, 14.00 FEET;

THENCE S88°06'02"W, 132.89 FEET TO THE WEST LINE OF THE EAST 45 FEET OF SAID LOT 5;

THENCE N01°50'22"W ALONG SAID WEST LINE, 14.00 FEET TO THE POINT OF BEGINNING CONTAINING 0.04 ACRES (1,860 SQ.FT.) MORE OR LESS.

SUBJECT TO EXISTING EASEMENTS AND RESTRICTIONS OF RECORD.

BLAIRS FERRY ROAD NE



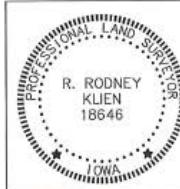
Legend

- Boundary Line —————
- Adjoining Lot Line - - - - -
- Section Line - - - - -
- Building Setback Line - - - - -
- Found 1/2" Rebar
- w/Orange Cap #12532 (unless noted) •
- Set 3/4"x30" Rebar o
- w/Orange Cap #18646
- Found Cut "X" X
- Set Section/Quarter Corner Δ
- Found Section/Quarter Corner ▲
- Measured (M)
- Record (R)

NOTES:

1. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. BEARINGS HEREON ARE BASED UPON IOWA STATE PLANE NAD 83 NORTH ZONE.
3. 0.03 ACRES (1,329 SQ.FT.) OF THE PROPOSED ACQUISITION PARCEL LIES WITHIN AN EXISTING ELECTRIC LINE EASEMENT FILED IN BOOK 9252, PAGE 427 OF THE COUNTY RECORDER.

PROPRIETOR: Y&W PROPERTIES LLC
GPN: 14042-05005-00000
MAILING ADDRESS:
5249 NORTH PARK PLACE NE #1043
CEDAR RAPIDS, IA 52402



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

SIGNED: *R. Klien* DATE: 2-9-23
R. RODNEY KLIEN IOWA LICENSE NO. 18646

BY LICENSE RENEVAL DATE IS DECEMBER 31, 2023

PAGES OR SHEETS COVERED BY THIS SCALE:
THIS SHEET

SURVEY PERFORMED:
FEBRUARY, 2022

PARCEL 31
2107 BLAIRS FERRY RD NE
Project Number: 221003

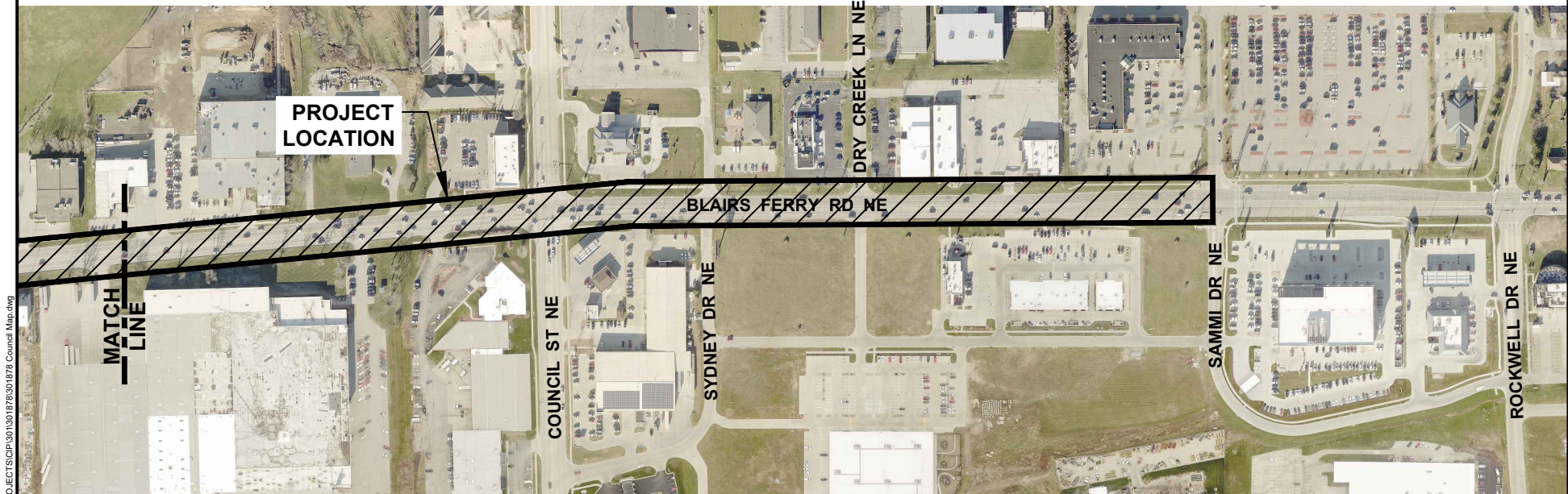
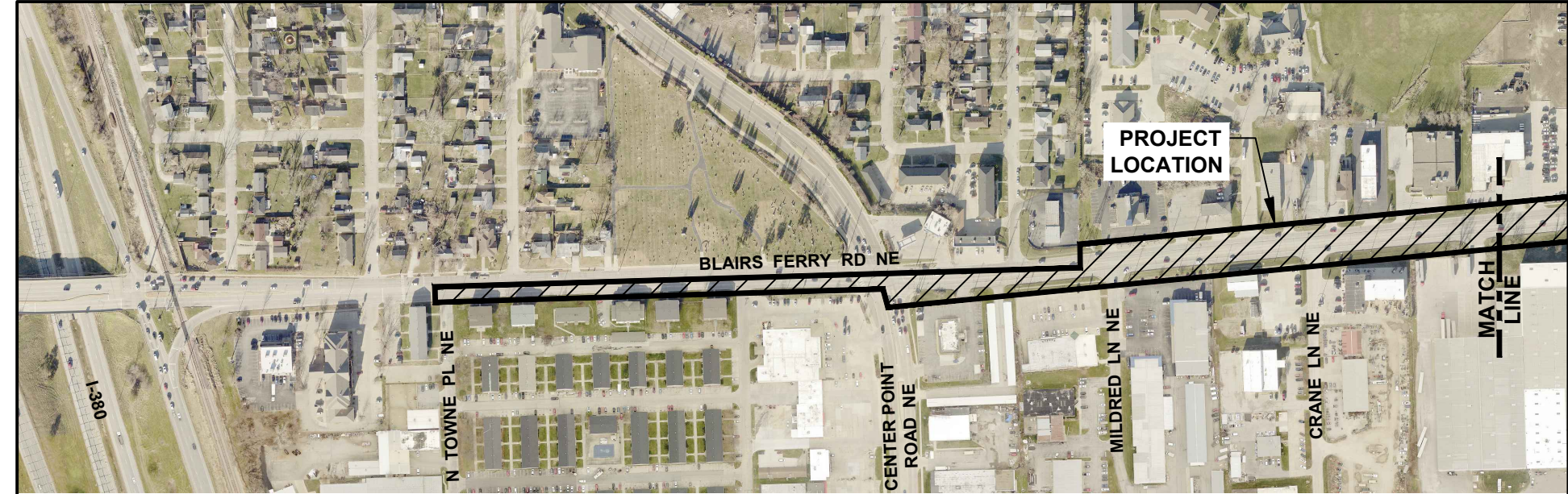
Drawn By: BJT Approved By: RKK
Date: 02/09/23 Scale: 1"=50'
Print Book #411



Client:

ANDERSON-BOGERT
ENGINEERS & SURVEYORS
1001 WEST 1ST STREET
CEDAR RAPIDS, IA 52402

Sheet No.
1
of
1





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Robert Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$12,000 and accepting a Warranty Deed for right-of-way and temporary grading easement for construction from 123 Investments, LLC, from land located at 2121 Blairs Ferry Road NE, in connection with the Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project. CIP/DID #301878-00

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

Background: In a previous fiscal year, the City Council approved funding towards the Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project.

The right-of-way and easement are required to accommodate the proposed Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill improvements project. Compensation amounts proposed are based on comparisons of similar properties to the subject property.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$12,000 and accepting a warranty deed and temporary grading easement for construction from 123 Investments, LLC.

Alternative Recommendation: Do not proceed with acquiring the proposed right-of-way and temporary grading easement for construction and direct City staff to abandon or reconfigure Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/301000/301878

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for additional right-of-way and a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, 123 Investments, LLC, 916 Maiden Lane, Iowa City, IA 52240, OWNER of the real property known and described as:

See Attached Acquisition Plat

has agreed to convey the necessary right-of-way and temporary grading easement for construction at 2121 Blairs Ferry Road NE, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$9,270
Temporary Construction Easement	\$820
Damages	\$1,910
TOTAL	\$12,000

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for the Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project. (Fund 301, Dept. ID 301000, Project 301878),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED, that the Warranty Deed and Partial Release of Real Estate Mortgage be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature



0 30

ACQUISITION PLAT

BLAIRS FERRY ROAD NE FROM NORTH TOWNE PLACE TO SAMMI DRIVE SIDEWALK INFILL

CITY PROJECT NO. 301878

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

1ST AVENUE

78

77

76

AUDITOR'S PLAT NO. 281
VOL. 1 PG. 198

EXISTING R.O.W.

EXISTING R.O.W.

BLAIRS FERRY ROAD NE

EXISTING R.O.W.

10' ELECTRIC LINE
EASEMENT
BK. 9332 PG. 279

N01°54'25"W
14.00'

P.O.B.

14.00'

TOTAL AREA:
0.04 ACRES
(1,854 SQ.FT.)

S88°06'02"W 132.43'

S89°50'W (R)
N88°06'02"E 132.45' (M)

10' ELECTRIC LINE
EASEMENT
BK. 9252 PG. 431

EXISTING R.O.W.

S01°50'22"E
14.00'

10' ELECTRIC LINE
EASEMENT
BK. 9252 PG. 427

EAST LINE OF THE WEST
50.66 FEET OF LOT 7

REALSITE
VOL. 12 PG. 384

FIRST
ADDITION

WEST LINE OF THE EAST
45 FEET OF LOT 5

Legend

Boundary Line ———
Adjoining Lot Line - - - - -
Section Line ———
Building Setback Line ·····
Found 1/2" Rebar •
w/Orange Cap #12532 (unless noted)
Set 3/4"x30" Rebar o
w/Orange Cap #18546
Found Out "X"
Set Section/Quarter Corner X
Found Section/Quarter Corner Δ
Measured (M)
Record (R)

NOTES:

1. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. BEARINGS HEREON ARE BASED UPON IOWA STATE PLANE NAD 83 NORTH ZONE.
3. 0.03 ACRES (1,324 SQ.FT.) OF THE PROPOSED ACQUISITION PARCEL LIES WITHIN AN EXISTING ELECTRIC LINE EASEMENT FILED IN BOOK 9252, PAGE 431 OF THE COUNTY RECORDER.

PROPRIETOR: 2121 CONDOMINIUMS OWNERS ASSOCIATION
GPN: MULTIPLE GPNs
MAILING ADDRESS:
916 MAIDEN LN
IOWA CITY, IA 52240

Legal Description

PART OF LOT 5, EXCEPT THE EAST 45 FEET THEREOF AND PART OF LOT 6 AND PART OF LOT 7, EXCEPT THE WEST 50.66 FEET THEREOF, REALSITE FIRST ADDITION TO CEDAR RAPIDS, IOWA FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF BLAIRS FERRY ROAD NE AND THE EAST LINE OF THE WEST 50.66 FEET OF SAID LOT 7;

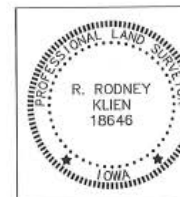
THENCE N88°06'02"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF BLAIRS FERRY ROAD NE, 132.45 FEET TO THE WEST LINE OF THE EAST 45 FEET OF SAID LOT 5;

THENCE S01°50'22"E ALONG SAID WEST LINE, 14.00 FEET;

THENCE S88°06'02"W, 132.43 FEET TO THE EAST LINE OF THE WEST 50.66 FEET OF SAID LOT 7;

THENCE N01°54'52"W ALONG SAID EAST LINE, 14.00 FEET TO THE POINT OF BEGINNING CONTAINING 0.04 ACRES (1,854 SQ.FT.) MORE OR LESS.

SUBJECT TO EXISTING EASEMENTS AND RESTRICTIONS OF RECORD.



I HEREBY CERTIFY THAT THIS LAND ACQUISITION DOCUMENT WAS PREPARED AND THE REQUIRED SURVEY WORK WAS FURNISHED BY ME OR UNDER MY DIRECT FEDERAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

WITNESSED BY: *R. Klien* DATE: 2-9-23
R. RODNEY KLIEN, IOWA LICENSE #18646
MY LICENSE EXPIRES: 12/31/2023

PAGES ON SHEETS COVERED BY THIS SEAL:
THIS SHEET

SURVEY PERFORMED:
FEBRUARY, 2022

PARCEL 30
2121 BLAIRS FERRY RD NE
Project Number: 221053

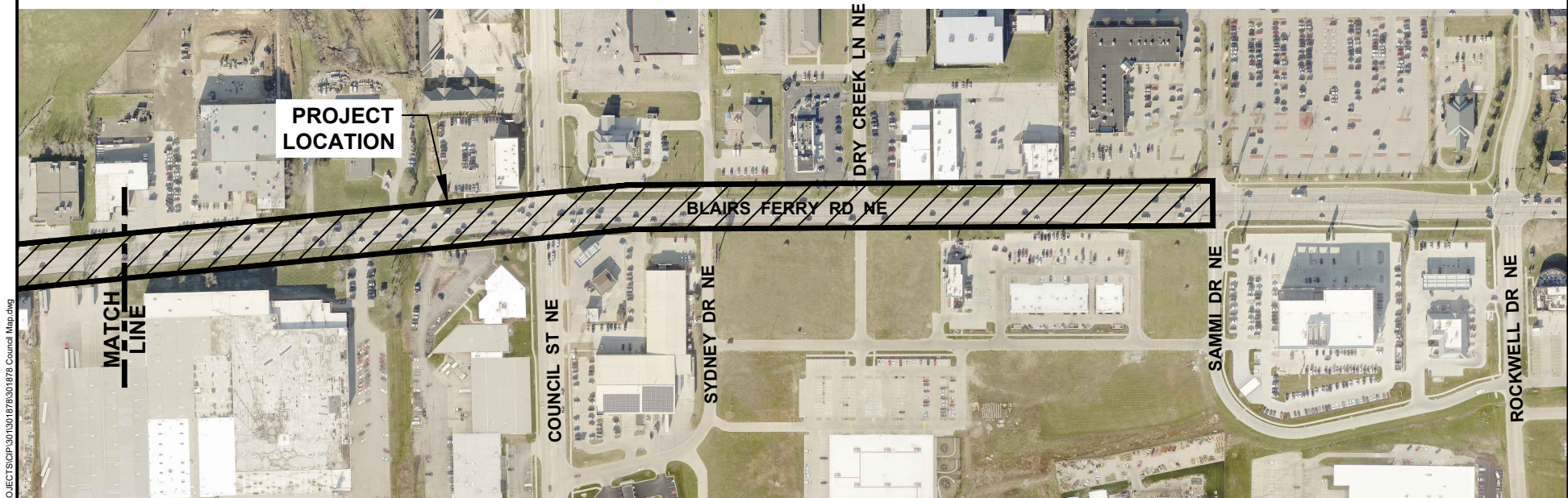
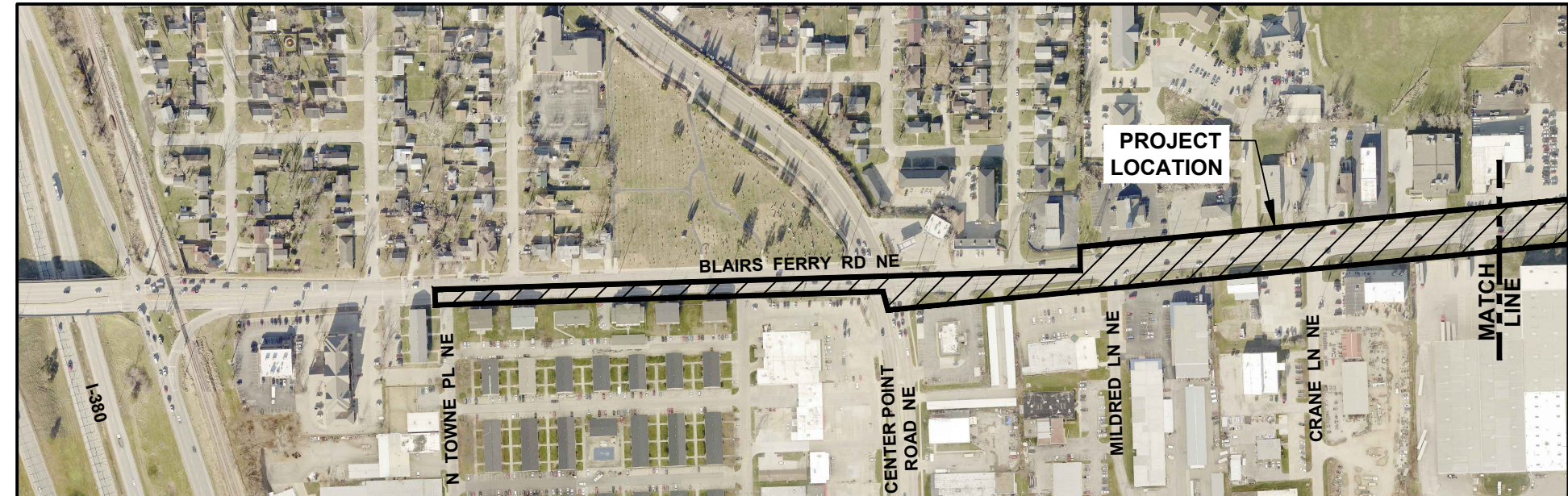
Drawn By: SKT Approved By: RKK
Date: 02/09/23 Scale: 1"=30'
Print Book #401



Client:

ANDERSON-BOGERT

Sheet No.
1
of
1





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$50 and accepting a temporary construction easement from D & D Real Estate Holdings LLC from land located 3 26th Avenue SW in connection with the Bowling Street Trail project.

CIP/DID #325072-00

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

Background: In a previous fiscal year City Council approved funding towards the Bowling Street Trail project.

The easement is required to accommodate the proposed trail and sidewalk improvements including a 10-foot trail, 6-foot sidewalks and bicycle lanes and a roundabout at the intersection of Wilson Avenue SW and Bowling Street SW. Compensation amounts proposed are based on comparisons of similar properties to the subject property.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$50 and accepting temporary construction easement from D & D Real Estate Holdings.

Alternative Recommendation: Do not proceed with acquiring the proposed temporary construction easement and direct City staff to abandon or reconfigure the Bowling Street Trail project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 325/3250000/325072/NA

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for a temporary construction easement exists in order to accommodate the proposed facilities, and

WHEREAS, D & D Real Estate Holdings LLC, 3525 Center Point Road NE, Cedar Rapids, IA, 52402 , OWNER, of the real property known and described as:

See Temporary Easement Exhibit

has agreed to convey the necessary temporary construction easement at 3 26th Avenue SW to the City of Cedar Rapids for consideration as follows:

Temporary Easement	\$50
--------------------	------

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for Bowling Street Trail project (Fund 325, Dept. ID 3250000, Project 325072),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

INDEX LEGEND

SURVEYOR'S NAME / RETURN TO:
TIM FORINASH
SNYDER & ASSOCIATES, INC.
5005 BOWLING STREET SW, SUITE A
CEDAR RAPIDS, IA 52404
319-362-9394
tforinash@snyder-associates.com
SERVICE PROVIDED BY:
SNYDER & ASSOCIATES, INC.
SURVEY LOCATED:
LOT 5
SHEPARD'S TENTH ADDITION
REQUESTED BY:
CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

TEMPORARY EASEMENT EXHIBIT**DESCRIPTION**

THE EAST 10.00 FEET OF THE NORTH 5.00 FEET LOT 5, SHEPARD'S TENTH ADDITION, CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA, CONTAINING 50 SQUARE FEET MORE OR LESS.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DATE OF SURVEY

APRIL 20, 2021

BASIS OF BEARING

THE SOUTH LINE OF LOT 169 IS ASSUMED TO BEAR NORTH 89° 49' 07" WEST FOR THE PURPOSE OF THIS SURVEY.

OWNER

D & D REAL ESTATE HOLDINGS LLC
PROPERTY ADDRESS
3 26TH AVENUE SW
CEDAR RAPIDS, IA 52404

LEGEND

Survey	Found	Set
Section Corner	▲	△
1/2" Rebar, Yellow Plastic Cap •26175 (Unless Otherwise Noted)	●	○
ROW Rail	≡	
Parcel Number	GPN	
Plotted Distance	P	
Measured Bearing & Distance	M	
Recorded As	R	
Deed Distance	D	
Calculated Distance	C	
Centerline	-----	
Section Line	-----	
1/4 Section Line	-----	
1/4 1/4 Section Line	-----	
Easement Line	-----	

PREPARED FOR

CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

10-FOOT TRAIL FROM 33RD AVENUE TO 21ST AVENUE, AND 6-FOOT SIDEWALKS AND BICYCLES LANES/SHARROWS FROM 21ST AVENUE TO C STREET SW

CEDAR RAPIDS CONTRACT NUMBER
325072-02

BOWLING ST TRAIL**PARCEL 94 - D & D REAL ESTATE HOLDINGS LLC**

5005 BOWLING STREET S.W.
CEDAR RAPIDS, IA 52404 (319) 362-9394

SHEET 1 OF 2

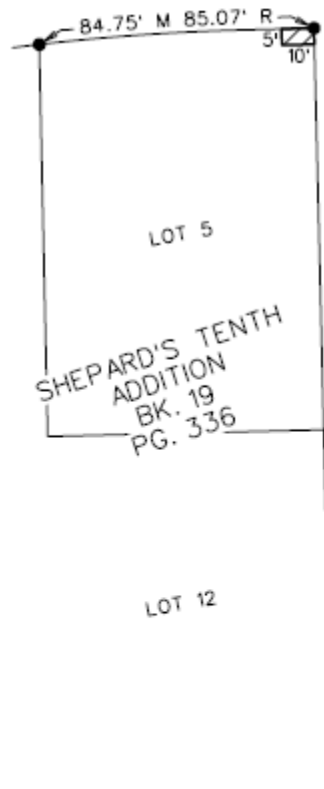
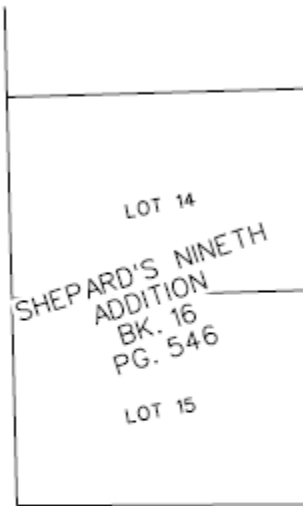
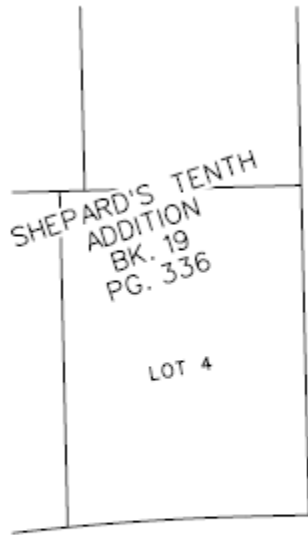
PN 1200707

FLD BK: PG:

DATE: 09/23/22

PM/TECH: TWF

TEMPORARY EASEMENT EXHIBIT



BOWLING ST TRAIL

PARCEL 94 - D & D REAL ESTATE HOLDINGS LLC

S **SNYDER**
& ASSOCIATES

5005 BOWLING STREET S.W.
CEDAR RAPIDS, IA 52404 (319) 362-9394

SHEET 2 OF 2

PN 1200707

FLD BK: PG:

DATE: 09/23/22

PM/TECH: TWF

11/20/2020 10:00 AM
11/20/2020 10:00 AM
11/20/2020 10:00 AM

11/20/2020 10:00 AM
11/20/2020 10:00 AM
11/20/2020 10:00 AM





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$565 and accepting a temporary construction easement from Brianna K. Yarrow from land located 112 Bowling Street SW in connection with the Bowling Street Trail project.

CIP/DID #325072-00

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

Background: In a previous fiscal year City Council approved funding towards the Bowling Street Trail project.

The easement is required to accommodate the proposed trail and sidewalk improvements including a 10-foot trail, 6-foot sidewalks and bicycle lanes and a roundabout at the intersection of Wilson Avenue SW and Bowling Street SW. Compensation amounts proposed are based on comparisons of similar properties to the subject property.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$565 and accepting a temporary construction easement from Brianna K. Yarrow.

Alternative Recommendation: Do not proceed with acquiring the proposed temporary construction easement and direct City staff to abandon or reconfigure the Bowling Street Trail project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 325/3250000/325072/NA

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for a temporary construction easement exists in order to accommodate the proposed facilities, and

WHEREAS, Brianna K. Yarrow, 112 Bowling Street SW, Cedar Rapids, IA, 52404, OWNER of the real property known and described as:

See Attached Temporary Easement Exhibit

has agreed to convey the necessary temporary construction easement at 112 Bowling Street SW to the City of Cedar Rapids for consideration as follows:

Temporary Easement	\$565
--------------------	-------

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the Temporary Construction Easement in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for Bowling Street Trail project (Fund 325, Dept. ID 3250000, Project 325072),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

INDEX LEGEND

SURVEYOR'S NAME / RETURN TO:
TIM FORINASH
SNYDER & ASSOCIATES, INC.
5005 BOWLING STREET SW, SUITE A
CEDAR RAPIDS, IA 52404
319-362-9394
tforinash@snyder-associates.com
SERVICE PROVIDED BY:
SNYDER & ASSOCIATES, INC.
SURVEY LOCATED:
LOT 8
BLOCK 2
BENESH'S ADDITION
REQUESTED BY:
CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

TEMPORARY EASEMENT EXHIBIT

DESCRIPTION

A PART OF BLOCK 2, LOT 8, BENESH'S ADDITION TO CEDAR RAPIDS, LINN COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE THE NORTHWEST CORNER OF SAID LOT 8; THENCE SOUTH 56° 18' 54" EAST ALONG THE NORTH LINE OF SAID LOT 8, A DISTANCE OF 50.15 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 56° 18' 54" EAST ALONG SAID NORTH LINE, A DISTANCE OF 9.74 FEET TO THE NORTHEAST CORNER OF SAID LOT 8; THENCE SOUTH 1° 03' 45" EAST ALONG THE EAST LINE OF SAID LOT 8, A DISTANCE OF 68.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 8; THENCE NORTH 89° 46' 12" WEST ALONG THE SOUTH LINE OF SAID LOT 8, A DISTANCE OF 8.00 FEET; THENCE NORTH 1° 03' 45" WEST, 73.37 FEET TO THE POINT OF BEGINNING, CONTAINING 0.01 ACRES (565 SF) MORE OR LESS.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DATE OF SURVEY

APRIL 20, 2021

BASIS OF BEARING

THE NORTH LINE OF LOT 8 IS ASSUMED TO BEAR SOUTH 56° 18' 54" EAST FOR THE PURPOSE OF THIS SURVEY.

OWNER

BRIANNA K. YARROW

PROPERTY ADDRESS
112 BOWLING STREET SW
CEDAR RAPIDS, IA 52404

LEGEND

Survey	Found	Set
Section Corner	▲	△
1/2" Rebar, Yellow Plastic Cap •26175 (Unless Otherwise Noted)	●	○
ROW Rail	≡	
Parcel Number	GN	
Plotted Distance	P	
Measured Bearing & Distance	M	
Recorded As	R	
Deed Distance	D	
Centerline	—	
Section Line	—	
1/4 Section Line	—	
1/4 1/4 Section Line	—	
Easement Line	—	

PREPARED FOR

CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

10-FOOT TRAIL FROM 33RD AVENUE
TO 21ST AVENUE, AND 6-FOOT
SIDEWALKS AND BICYCLES LANES/
SHARROWS FROM 21ST AVENUE TO
C STREET SW

CEDAR RAPIDS CONTRACT NUMBER
325072-02

BOWLING ST TRAIL

PARCEL 69 - BRIANNA K. YARROW



5005 BOWLING STREET S.W.
CEDAR RAPIDS, IA 52404 (319) 362-9394

SHEET 1 OF 2

PN 1200707

FLD BK: PG:

DATE: 02/03/23

PM/TECH: TWF





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$280 and accepting a temporary construction easement from Gabrielle Zahradnik from land located at 130 Bowling Street SW in connection with the Bowling Street Trail project.

CIP/DID #325072-00

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

Background: In a previous fiscal year City Council approved funding towards the Bowling Street Trail project.

The easement is required to accommodate the proposed trail and sidewalk improvements including a 10-foot trail, 6-foot sidewalks and bicycle lanes and a roundabout at the intersection of Wilson Avenue SW and Bowling Street SW. Compensation amounts proposed are based on comparisons of similar properties to the subject property.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$280 and accepting a temporary construction easement from Gabrielle Zahradnik.

Alternative Recommendation: Do not proceed with acquiring the proposed temporary construction easement and direct City staff to abandon or reconfigure the Bowling Street Trail project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 325/3250000/325072/NA

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for a temporary construction easement exists in order to accommodate the proposed facilities, and

WHEREAS, Gabrielle Zahradnik, 130 Bowling Street SW, Cedar Rapids, Iowa 52404, OWNER of the real property known and described as:

See Attached Temporary Easement Exhibit

has agreed to convey the necessary temporary construction easement at 130 Bowling Street SW to the City of Cedar Rapids for consideration as follows:

Temporary Easement	\$280
--------------------	-------

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for Bowling Street Trail project (Fund 325, Dept. ID 3250000, Project 325072),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

INDEX LEGEND

SURVEYOR'S NAME / RETURN TO:
TIM FORINASH
SNYDER & ASSOCIATES, INC.
5005 BOWLING STREET SW, SUITE A
CEDAR RAPIDS, IA 52404
319-362-9394
tforinash@snyder-associates.com
SERVICE PROVIDED BY:
SNYDER & ASSOCIATES, INC.
SURVEY LOCATED:
LOT 11
BLOCK 2
BENESH'S ADDITION
REQUESTED BY:
CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

TEMPORARY EASEMENT EXHIBIT

DESCR|PT|ON

THE EAST 7.00 FEET OF LOT 11, BLOCK 2, BENESH'S ADDITION TO CEDAR RAPIDS,
LINN COUNTY, IOWA, CONTAINING 280 SQUARE FEET MORE OR LESS.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DATE OF SURVEY

APRIL 20, 2021

OWNER

GABRIELLE ZAHRADNIK

PROPERTY ADDRESS
130 BOWLING STREET SW
CEDAR RAPIDS, IA 52404

LEGEND

Survey	Found	Set
Section Corner	▲	△
1/2" Rebar, Yellow Plastic Cap ♦26175 (Unless Otherwise Noted)	●	○
ROW Rail	⌵	
Force/Number		CPN
Plotted Distance		P
Measured Bearing & Distance		M
Recorded As		R
Deed Distance		D
Calculated Distance		C
Centerline	-----	
Section Line	-----	
1/4 Section Line	-----	
1/4 1/4 Section Line	-----	
Easement Line	-----	

PREPARED FOR

CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

10-FOOT TRAIL FROM 33RD AVENUE
TO 21ST AVENUE, AND 6-FOOT
SIDEWALKS AND BICYCLES LANES/
SHARROWS FROM 21ST AVENUE TO
C STREET SW

CEDAR RAPIDS CONTRACT NUMBER
325072-02

BOWLING ST TRAIL

PARCEL 72 - GABRIELLE ZAHRADNÍK



5005 BOWLING STREET S.W.
CEDAR RAPIDS, IA 52404 (319) 362-9394

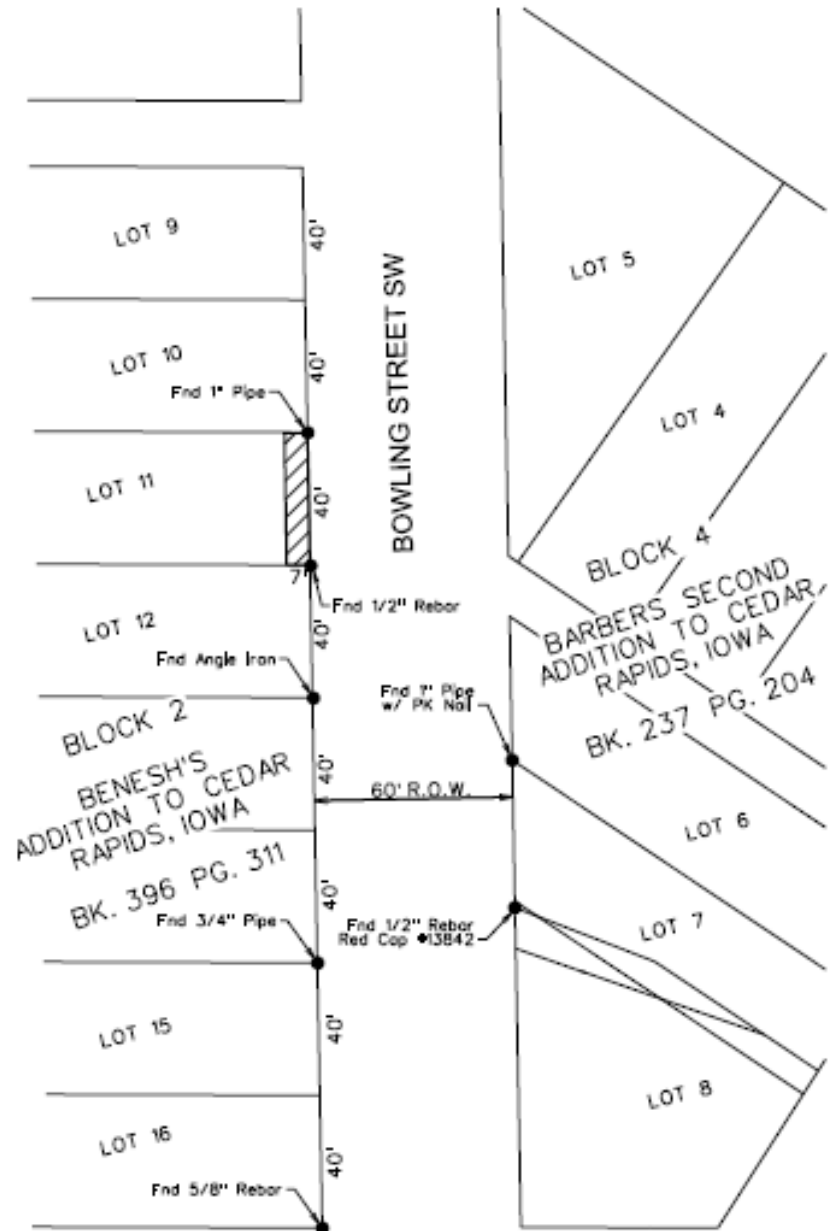
SHEET 1 OF 2

PN	1200707
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FLD BK: PG:

DATE: 02/03/23

TEMPORARY EASEMENT EXHIBIT



0 40
SCALE (FEET)

BOWLING ST TRAIL

PARCEL 72 - GABRIELLE ZAHRADNIK



5205 BOWLING STREET S.W.
CEDAR RAPIDS, IA 52404 (319) 363-8394

SHEET 2 OF 2

PN 1200707

FLD BK PG

DATE: 02/02/23

PMTECH TWF





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$280 and accepting a temporary construction easement from Nicholas W. & Carrie Krapfl from land located 136 Bowling Street SW in connection with the Bowling Street Trail project.

CIP/DID #325072-00

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

Background: In a previous fiscal year City Council approved funding towards the Bowling Street Trail project.

The easement is required to accommodate the proposed trail and sidewalk improvements including a 10-foot trail, 6-foot sidewalks and bicycle lanes and a roundabout at the intersection of Wilson Avenue SW and Bowling Street SW. Compensation amounts proposed are based on comparisons of similar properties to the subject property.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$280 and accepting a temporary construction easement from Nicholas W. & Carrie Krapfl.

Alternative Recommendation: Do not proceed with acquiring the proposed temporary construction easement and direct City staff to abandon or reconfigure the Bowling Street Trail project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 325/3250000/325072/NA

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA



RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for a temporary construction easement exists in order to accommodate the proposed facilities, and

WHEREAS, Nicholas W. & Carrie Krapfl, 510 Tory Lane, Marion, Iowa, 52302, OWNERS of the real property known and described as:

See Attached Temporary Easement Exhibit

have agreed to convey the necessary temporary construction easement at 136 Bowling Street SW to the City of Cedar Rapids for consideration as follows:

Temporary Easement	\$280
--------------------	-------

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for Bowling Street Trail project (Fund 325, Dept. ID 3250000, Project 325072),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

INDEX LEGEND

SURVEYOR'S NAME / RETURN TO:
TM FORMAN
SNYDER & ASSOCIATES, INC.
5005 BOWLING STREET SW, SUITE A
CEDAR RAPIDS, IA 52404
319-362-9394
tforman@snyder-associates.com
SERVICE PROVIDED BY:
SNYDER & ASSOCIATES, INC.
SURVEY LOCATED:
LOT 13
BLOCK 2
BENESH'S ADDITION
REQUESTED BY:
CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

TEMPORARY EASEMENT EXHIBIT**DESCRIPTION**

THE EAST 7.00 FEET OF LOT 13, BLOCK 2, BENESH'S ADDITION TO CEDAR RAPIDS,
LINN COUNTY, IOWA, CONTAINING 280 SQUARE FEET MORE OR LESS.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DATE OF SURVEY

APRIL 20, 2021

OWNER

NICHOLAS & CARRIE KRAPFL

PROPERTY ADDRESS
136 BOWLING STREET SW
CEDAR RAPIDS, IA 52404

MAILING ADDRESS
510 TORY LANE
MARION, IA 52302

LEGEND

Survey	Found	Set
Section Corner	▲	△
1/2" Rebar, Yellow Plastic Cap #26175 (Unless Otherwise Noted)	●	○
ROW Nail	✕	
Parcel Number	GPN	
Plotted Distance	P	
Measured Bearing & Distance	M	
Recorded As	R	
Deed Distance	D	
Calculated Distance	C	
Centerline	_____	
Section Line	_____	
1/4 Section Line	_____	
1/4 Section Line	_____	
Easement Line	_____	

PREPARED FOR

CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

10-FOOT TRAIL FROM 33RD AVENUE
TO 21ST AVENUE, AND 6-FOOT
SIDEWALKS AND BICYCLES LANES/
SHARROWS FROM 21ST AVENUE TO
C STREET SW

CEDAR RAPIDS CONTRACT NUMBER
325072-02

BOWLING ST TRAIL

SHEET 1 OF 2

PARCEL 74 - NICHOLAS & CARRIE KRAPFL

PN 1250707

S SNYDER
& ASSOCIATES5005 BOWLING STREET SW,
CEDAR RAPIDS, IA 52404 (319) 362-9394

RDBQ PQ

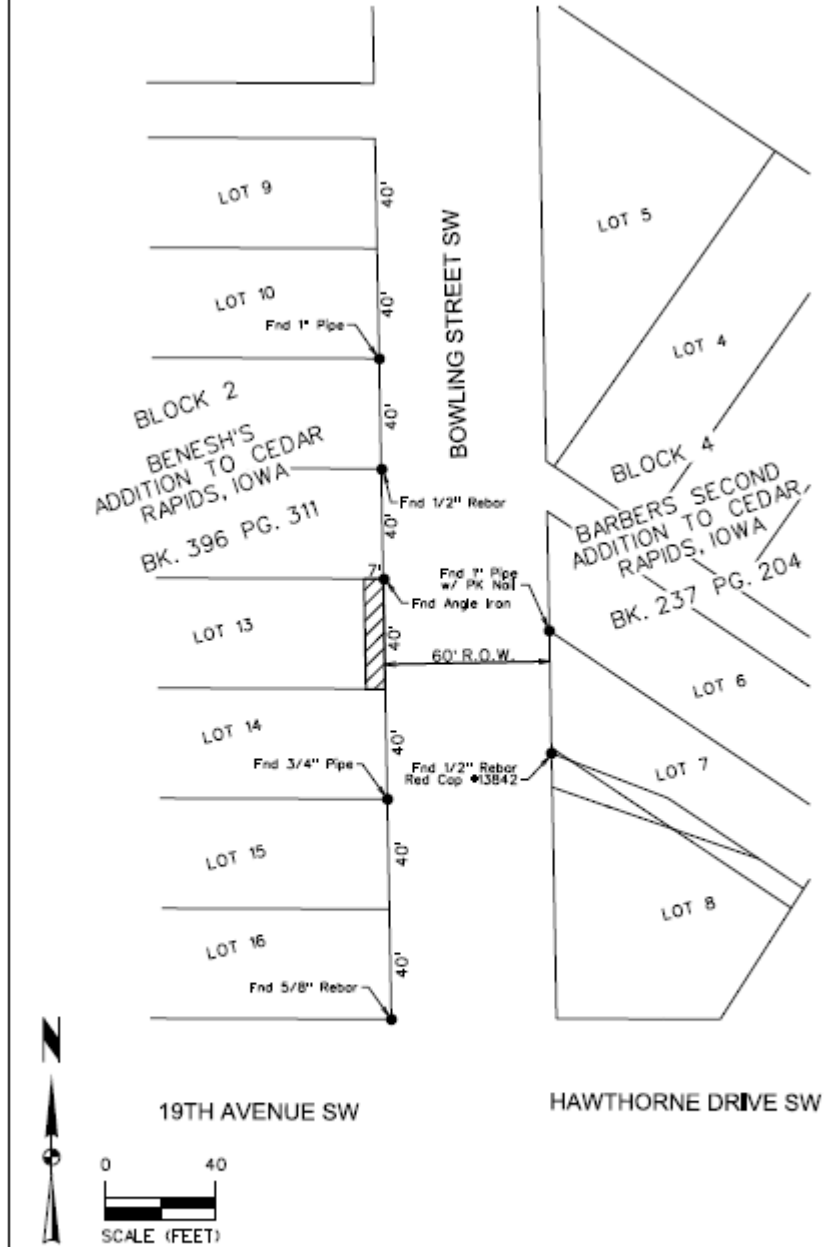
DATE: 10/06/21

PWTECH TWB

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TEMPORARY EASEMENT EXHIBIT



BOWLING ST TRAIL		SHEET 2 OF 2
PARCEL 74 - NICHOLAS & CARRIE KRAPFL		PN: 1250707
S SNYDER ASSOCIATES		FLD BY: PQ
5305 BOWLING STREET SW, CEDAR RAPIDS, IA 52404 (319) 363-9394		DATE: 10/06/21
		PMTECH: TWF



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$215 and accepting a temporary construction easement from James Albert Fisher, Trustee of the James Albert Fisher Revocable Trust u/d/o May 15, 2000 from land located at 3216 Bowling Street SW in connection with the Bowling Street Trail project.

CIP/DID #325072-00

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

Background: In a previous fiscal year City Council approved funding towards the Bowling Street Trail project.

The easement is required to accommodate the proposed trail and sidewalk improvements including a 10-foot trail, 6-foot sidewalks and bicycle lanes and a roundabout at the intersection of Wilson Avenue SW and Bowling Street SW. Compensation amounts proposed are based on comparisons of similar properties to the subject property.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$215 and accepting Temporary Construction Easement from James Albert Fisher, Trustee of the James Albert Fisher Revocable Trust u/d/o May 15, 2000.

Alternative Recommendation: Do not proceed with acquiring the proposed Temporary Construction Easement and direct City staff to abandon or reconfigure the Bowling Street Trail project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 325/3250000/325072/NA

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for a temporary construction easement exists in order to accommodate the proposed facilities, and

WHEREAS, James Albert Fisher, Trustee of the James Albert Fisher Revocable Trust u/d/o May 15, 2000, 23924 Owen Place Anamosa, Iowa 325072 , OWNER of the real property known and described as:

See Attached Temporary Easement Exhibit

has agreed to convey the necessary temporary construction easement at 3216 Bowling Street SW to the City of Cedar Rapids for consideration as follows:

Temporary Easement	\$215
--------------------	-------

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for the Bowling Street Trail project (Fund 325, Dept. ID 3250000, Project 325072),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

SURVEYOR'S NAME / RETURN TO:
TIM FORNASH
SNYDER & ASSOCIATES, INC.
5005 BOWLING STREET SW, SUITE A
CEDAR RAPIDS, IA 52404
319-362-9394
tforinash@snyder-associates.com
SERVICE PROVIDED BY:
SNYDER & ASSOCIATES, INC.
SURVEY LOCATED:
LOT 169
AUDITOR'S PLAT NO. 65
REQUESTED BY:
CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

DESCRIPTION

A PART OF LOT 169, AUDITOR'S PLAT NO. 65, CITY OF CEDAR RAPIDS, LINN COUNTY,
IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF 33RD AVENUE SW AND THE WEST RIGHT OF WAY LINE OF BOWLING STREET SW; THENCE NORTH 1° 54' 12" WEST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 67.00 FEET TO THE NORTH LINE OF THE SOUTH 67 FEET OF SAID LOT 169 AND TO THE POINT OF BEGINNING; THENCE SOUTH 89° 41' 39" WEST ALONG SAID NORTH LINE, A DISTANCE OF 7.00 FEET; THENCE NORTH 1° 54' 12" WEST, 30.00 FEET; THENCE NORTH 88° 05' 48" EAST, 7.00 FEET TO SAID WEST RIGHT-OF-WAY LINE; THENCE SOUTH 1° 54' 12" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING, CONTAINING 210 SQUARE FEET MORE OR LESS.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

APRIL 20, 2021

THE SOUTH LINE OF LOT 169 IS ASSUMED
TO BEAR NORTH 89° 49' 07" WEST FOR THE
PURPOSE OF THIS SURVEY.

JAMES ALBERT FISHER,
TRUSTEE OF THE JAMES
ALBERT FISHER REVOCABLE TRUST

PROPERTY ADDRESS
3216 BOWLING ST SW
CEDAR RAPIDS, IA 52404

MAILING ADDRESS
23924 OWEN PLACE
ANAMOSA, IA 52205

Survey	Found	Set
Section Corner	●	△
1/2" Rebar, Yellow Plastic Cap #26175 (Unless Otherwise Noted)	▲	○
ROW Roll	I	
Parcel Number	GP	N
Plotted Distance	P	
Measured Bearing & Distance	M	
Recorded As	R	
Dead Distance	D	
Calculated Distance	C	
Center Line	_____	
Section Line	_____	
1/4 Section Line	_____	
1/4 1/4 Section Line	_____	
Easement Line	_____	

CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

10-FOOT TRAIL FROM 33RD AVENUE
TO 21ST AVENUE, AND 6-FOOT
SIDEWALKS AND BICYCLES LANES/
SHARROWS FROM 21ST AVENUE TO
C STREET SW

CEDAR RAPIDS CONTRACT NUMBER
325072-02

PARCEL 111 - JAMES FISHER



5005 BOWLING STREET S.W.
CEDAR RAPIDS, IA 52404 (319) 362-9394

SHEET 1 OF 2

PN:	1200707
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FLD BK:	PG:
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DATE: 10/06/21

PM/TECH	TWTF
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Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$435 and accepting a temporary construction easement from Tallett Properties LLC from land located 2326 Victoria Drive SW in connection with the Bowling Street Trail project.

CIP/DID #325072-00

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

Background: In a previous fiscal year City Council approved funding towards the Bowling Street Trail project.

The easement is required to accommodate the proposed trail and sidewalk improvements including a 10-foot trail, 6-foot sidewalks and bicycle lanes and a roundabout at the intersection of Wilson Avenue SW and Bowling Street SW. Compensation amounts proposed are based on comparisons of similar properties to the subject property.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$435 and accepting temporary construction easement from Tallett Properties LLC.

Alternative Recommendation: Do not proceed with acquiring the proposed temporary construction easement and direct City staff to abandon or reconfigure the Bowling Street Trail project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 325/3250000/325072/NA

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for a temporary construction easement exists in order to accommodate the proposed facilities, and

WHEREAS, Tallett Properties LLC, 3525 Center Point Road NE, Cedar Rapids, IA, 52402, OWNER of the real property known and described as:

See Attached Temporary Construction Easement Exhibit

has agreed to convey the necessary temporary construction easement at 2326 Victoria Drive SW to the City of Cedar Rapids for consideration as follows:

Temporary Easement	\$435
--------------------	-------

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for Bowling Street Trail project (Fund 325, Dept. ID 3250000, Project 325072),

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

BE IT FURTHER RESOLVED that the Purchase Agreement and the temporary construction easement are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

SURVEYOR'S NAME / RETURN TO:
TIM FORINASH
SNYDER & ASSOCIATES, INC.
5005 BOWLING STREET SW, SUITE A
CEDAR RAPIDS, IA 52404
319-362-9394
tforinash@snyder-associates.com

SERVICE PROVIDED BY:
SNYDER & ASSOCIATES, INC.

SURVEY LOCATED:
LOT 2
SHEPARD'S NINTH ADDITION

REQUESTED BY:
CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

[illegible]

THE WEST 5.00 FEET OF LOT 2 SHEPARD'S NINTH ADDITION TO CEDAR RAPIDS, LINN COUNTY, IOWA, CONTAINING 0.01 ACRES (495 S.F.) MORE OR LESS.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

APRIL 20, 2021

THE WEST LINE OF SHEPARD'S NINTH
ADDITION IS ASSUMED TO BEAR NORTH 1° 23'
57" WEST FOR THE PURPOSE OF THIS
SURVEY.

TALLETT PROPERTIES LLC

PROPERTY ADDRESS
2326 VICTORIA DR SW
CEDAR RAPIDS, IA 52404

MAILING ADDRESS
3525 CENTER POINT RD NE UNIT B
CEDAR RAPIDS IA, 52402

CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

10-FOOT TRAIL FROM 33RD AVENUE
TO 21ST AVENUE, AND 6-FOOT
SIDEWALKS AND BICYCLES LANES/
SHARROWS FROM 21ST AVENUE TO
C STREET SW

CEDAR RAPIDS CONTRACT NUMBER
325072-02

Survey	Found	Set
Section Corner	▲	△
1/2" Rebar, Yellow Plastic Cap ♦26175 (Unless Otherwise Noted)	●	○
ROW Rail	⌵	
Parcel Number		GP#
Plotted Distance		P
Measured Bearing & Distance		M
Recorded As		R
Deed Distance		D
Calculated Distance		C
Centerline	-----	
Section Line	-----	
1/4 Section Line	-----	
1/4 1/4 Section Line	-----	
Easement Line	-----	

PARCEL 45 - TALLETT PROPERTIES LLC



5005 BOWLING STREET S.W.
CEDAR RAPIDS, IA 52404 (319) 362-9394

SHEET 1 OF 2

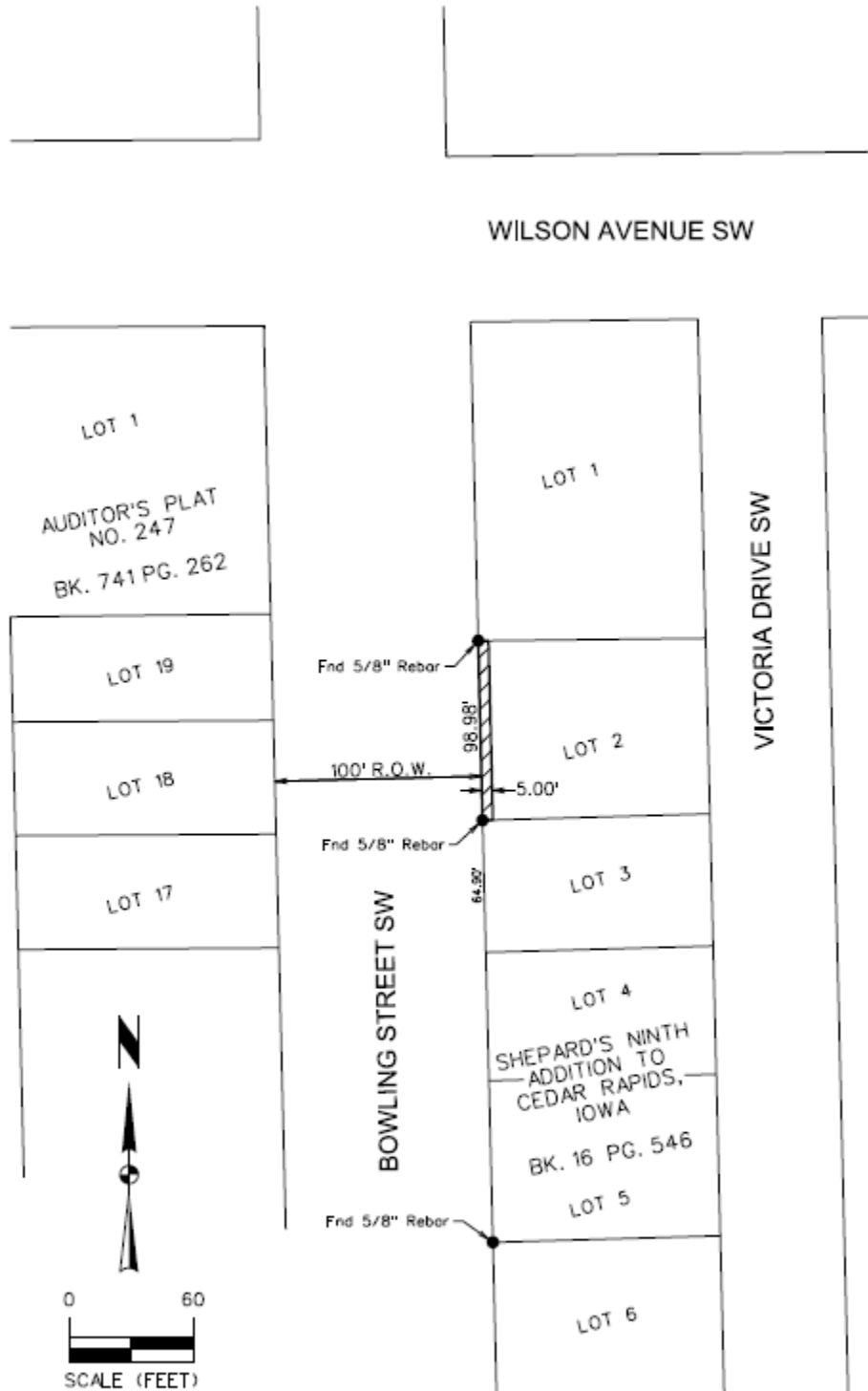
PN	1200707
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FLD BK:	PG:
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DATE: 02/03/23

PMTECH: TWF

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT



BOWLING ST TRAIL

PARCEL 45 - TALLETT PROPERTIES LLC

S **SNYDER**
& ASSOCIATES

5005 BOWLING STREET S.W.
CEDAR RAPIDS, IA 52404 (319) 362-9394

SHEET 2 OF 2

PN 1200707

FLD BK: PG:

DATE: 02/03/23

PMTECH: TWF

\\snyder\Bugs\2023\45-Parcel 45-Tallett Properties LLC\Drawings\Parcel 45-Tallett Properties LLC.dwg
\\snyder\Bugs\2023\45-Parcel 45-Tallett Properties LLC\Drawings\Parcel 45-Tallett Properties LLC.dwg
2/3/23

\\snyder\Bugs\2023\45-Parcel 45-Tallett Properties LLC\Drawings\Parcel 45-Tallett Properties LLC.dwg
2/3/23





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$405 and accepting a temporary grading easement for construction from Sonia L. Brandley from land located at 3628 Crestwood Drive NW in connection with the Crestwood Drive NW Roadway and Pedestrian Improvements project.

CIP/DID #301946-00

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

Background: In a previous fiscal year City Council approved funding towards the Crestwood Drive NW Roadway and Pedestrian Improvements Project.

The easement is required to accommodate the proposed roadway and pedestrian improvements including asphalt overlay of existing roadway pavement, a five-foot wide sidewalk, new curb and gutters on the north side of Crestwood Drive, removal of sewer intakes on 38th Street, replacement of a culvert, and new storm sewer intakes on the north side of Crestwood Drive. Compensation amounts proposed are based on comparisons of similar properties to the subject property.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$405 and accepting a Temporary Grading Easement for Construction from Sonia L. Brandley

Alternative Recommendation: Do not proceed with acquiring the proposed temporary grading easement for construction and direct City staff to abandon or reconfigure Crestwood Drive NW Roadway and Pedestrian Improvements.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/3010000/301946/NA

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Sonia L. Brandley, 3628 Crestwood Drive NW, Cedar Rapids, Iowa 52405 OWNERS of the real property known and described as:

See Attached Temporary Construction Easement

have agreed to convey the necessary temporary grading easement for construction at 3628 Crestwood Drive NW to the City of Cedar Rapids for consideration as follows:

Temporary Easement	\$405
--------------------	-------

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for Crestwood Drive NW Roadway and Pedestrian Improvements (Fund 301, Dept. ID 3010000, Project 301946),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$520 and accepting a temporary construction easement Gary M. and Debra K. Bute from land located 3720 Crestwood Drive NW in connection with the Crestwood Drive NW Roadway and Pedestrian Improvements project.

CIP/DID #301946-00

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

Background: In a previous fiscal year City Council approved funding towards the Crestwood Drive NW Roadway and Pedestrian Improvements Project.

The easement is required to accommodate the proposed roadway and pedestrian improvements including asphalt overlay of existing roadway pavement, a five-foot wide sidewalk, new curb and gutter on the north side of Crestwood Drive, removal of sewer intakes on 38th Street, replacement of a culvert, and new storm sewer intakes on the north side of Crestwood Drive. Compensation amounts proposed are based on comparisons of similar properties to the subject property.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$520 and accepting a Temporary Construction Easement from Gary M. and Debra K. Bute.

Alternative Recommendation: Do not proceed with acquiring the proposed temporary construction easement and direct City staff to abandon or reconfigure Crestwood Drive NW Roadway and Pedestrian Improvements.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/3010000/301946/NA

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for a temporary construction easement exists in order to accommodate the proposed facilities, and

WHEREAS, Gary M. and Debra K. Bute, 3720 Crestwood Drive NW, Cedar Rapids, Iowa 52405, OWNERS of the real property known and described as:

See Attached Temporary Construction Easement

have agreed to convey the necessary temporary construction easement at 3720 Crestwood Drive NW to the City of Cedar Rapids for consideration as follows:

Temporary Easement	\$520
--------------------	-------

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for Crestwood Drive NW Roadway and Pedestrian Improvements (Fund 301, Dept. ID 3010000, Project 301946),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

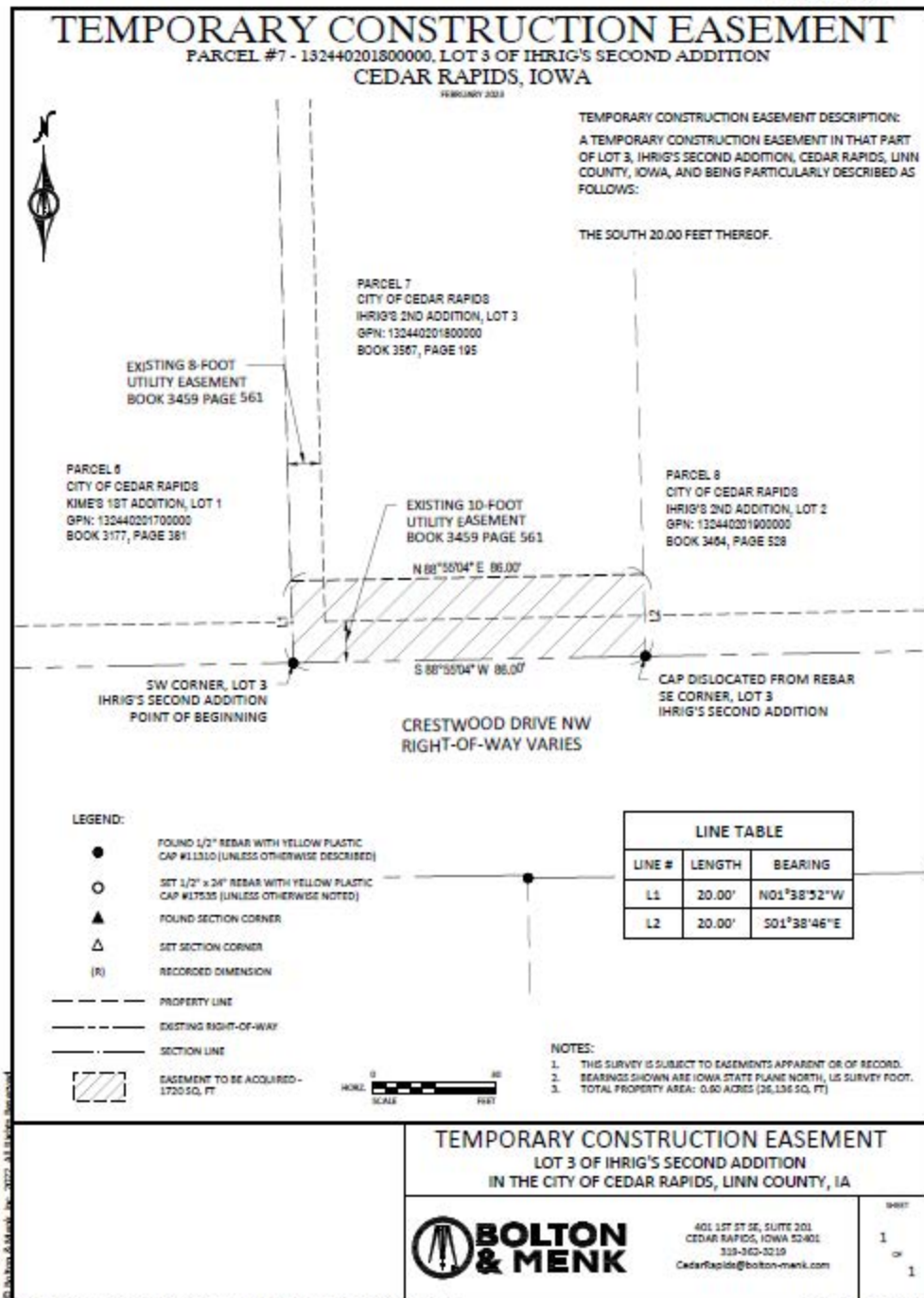
MayorSignature

Attest:

ClerkSignature

INDEX LEGEND	
LOCATION:	PARCEL #7 - 132440201800000, LOT 3 OF IHRIG'S SECOND ADDITION, CEDAR RAPIDS, LINN COUNTY, IOWA
REQUESTOR:	CITY OF CEDAR RAPIDS
PROPRIETOR:	SUITE GARY M & DEBRA K 3720 CRESTWOOD DRIVE NW, CEDAR RAPIDS, IOWA 52405
SURVEYOR:	EUGENE R. DREYER P.L.S. #17535
SURVEYOR COMPANY:	BOLTON & MENK, INC.
RETURN TO:	EUGENE R. DREYER, BOLTON & MENK, INC. 401 1ST ST SE, SUITE 201, CEDAR RAPIDS, IA 52401 (319) 362-3219

FOR RECORDER USE ONLY



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JOB NUMBER: DG1.128481





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$605 and accepting a temporary grading easement for construction from William A. and Rebecca M. Divis from land located at 3632 Crestwood Drive NW in connection with the Crestwood Drive NW Roadway and Pedestrian Improvements project.

CIP/DID #301946-00

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

Background: In a previous fiscal year City Council approved funding towards the Crestwood Drive NW Roadway and Pedestrian Improvements Project.

The easement is required to accommodate the proposed roadway and pedestrian improvements including asphalt overlay of existing roadway pavement, a five-foot wide sidewalk, new curb and gutters on the north side of Crestwood Drive, removal of sewer intakes on 38th Street, replacement of a culvert, and new storm sewer intakes on the north side of Crestwood Drive. Compensation amounts proposed are based on comparisons of similar properties to the subject property.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$605 and accepting a Temporary Grading Easement for Construction from William A. and Rebecca M. Divis.

Alternative Recommendation: Do not proceed with acquiring the proposed temporary grading easement for construction and direct City staff to abandon or reconfigure Crestwood Drive NW Roadway and Pedestrian Improvements.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/3010000/301946/NA

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, William A. and Rebecca M. Divis, 3632 Crestwood Drive NW, Cedar Rapids, Iowa 52405 OWNERS of the real property known and described as:

See Attached Temporary Construction Easement

have agreed to convey the necessary temporary grading easement for construction at 3632 Crestwood Drive NW to the City of Cedar Rapids for consideration as follows:

Temporary Easement	\$605
--------------------	-------

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for Crestwood Drive NW Roadway and Pedestrian Improvements (Fund 301, Dept. ID 3010000, Project 301946),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

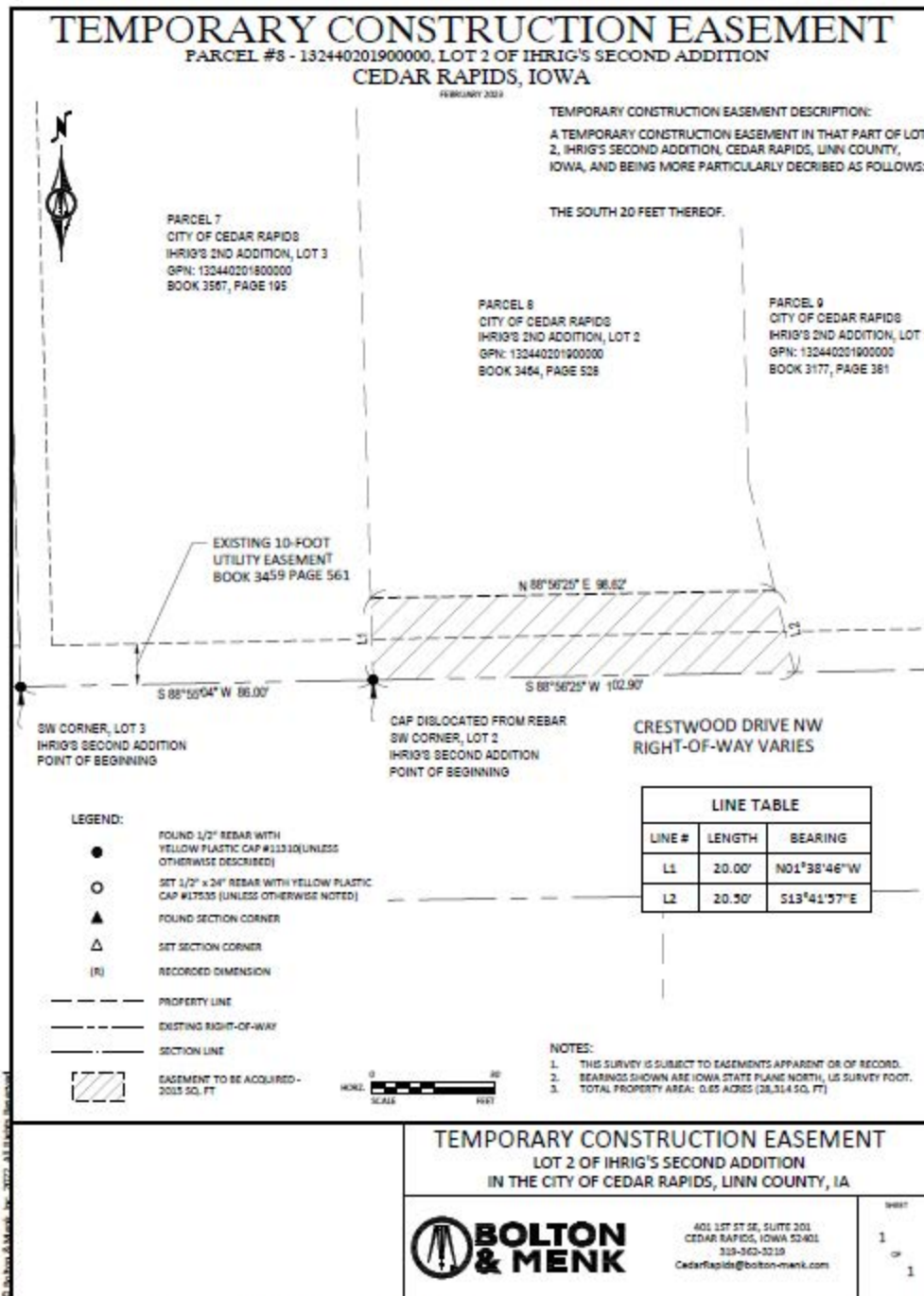
MayorSignature

Attest:

ClerkSignature

INDEX LEGEND	
LOCATION	PARCEL #8 - 132440201900000, LOT 2 OF IHRIG'S SECOND ADDITION, CEDAR RAPIDS, LINN COUNTY, IOWA
REQUESTOR:	CITY OF CEDAR RAPIDS
PROPRIETOR:	WILLIAM A & REBECCA M DIVIS 3632 CRESTWOOD DRIVE NW, CEDAR RAPIDS, IOWA 52405
SURVEYOR:	EUGENE R. DREYER P.L.S. #17535
SURVEYOR COMPANY:	BOLTON & MENK, INC.
RETURN TO:	EUGENE R. DREYER, BOLTON & MENK, INC. 401 1ST ST SE, SUITE 201, CEDAR RAPIDS, IA 52401 (319) 362-3219

FOR RECORDER USE ONLY



I:\CEDAR RAPIDS\O_A\1001128481\CAD\CD\F108-128481-PARCEL-8.DWG 2/7/2023 11:07 AM

JOB NUMBER: 001.128481





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$585 and accepting a temporary grading easement for construction from Jark Park, LLC from land located at 3740 Crestwood Drive NW in connection with the Crestwood Drive NW Roadway and Pedestrian Improvements project.

CIP/DID #301946-00

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

Background: In a previous fiscal year City Council approved funding towards the Crestwood Drive NW Roadway and Pedestrian Improvements Project.

The easement is required to accommodate the proposed roadway and pedestrian improvements including asphalt overlay of existing roadway pavement, a five-foot wide sidewalk, new curb and gutters on the north side of Crestwood Drive, removal of sewer intakes on 38th Street, replacement of a culvert, and new storm sewer intakes on the north side of Crestwood Drive. Compensation amounts proposed are based on comparisons of similar properties to the subject property.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$585 and accepting a Temporary Grading Easement for Construction from Jark Park, LLC.

Alternative Recommendation: Do not proceed with acquiring the proposed temporary grading easement for construction and direct City staff to abandon or reconfigure Crestwood Drive NW Roadway and Pedestrian Improvements.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/3010000/301946/NA

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Jark Park, LLC, 3740 Crestwood Drive NW, Cedar Rapids, Iowa 52405 OWNERS of the real property known and described as:

See Attached Temporary Construction Easement

has agreed to convey the necessary temporary grading easement for construction at 3740 Crestwood Drive NW to the City of Cedar Rapids for consideration as follows:

Temporary Easement	\$585
--------------------	-------

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for Crestwood Drive NW Roadway and Pedestrian Improvements (Fund 301, Dept. ID 3010000, Project 301946),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

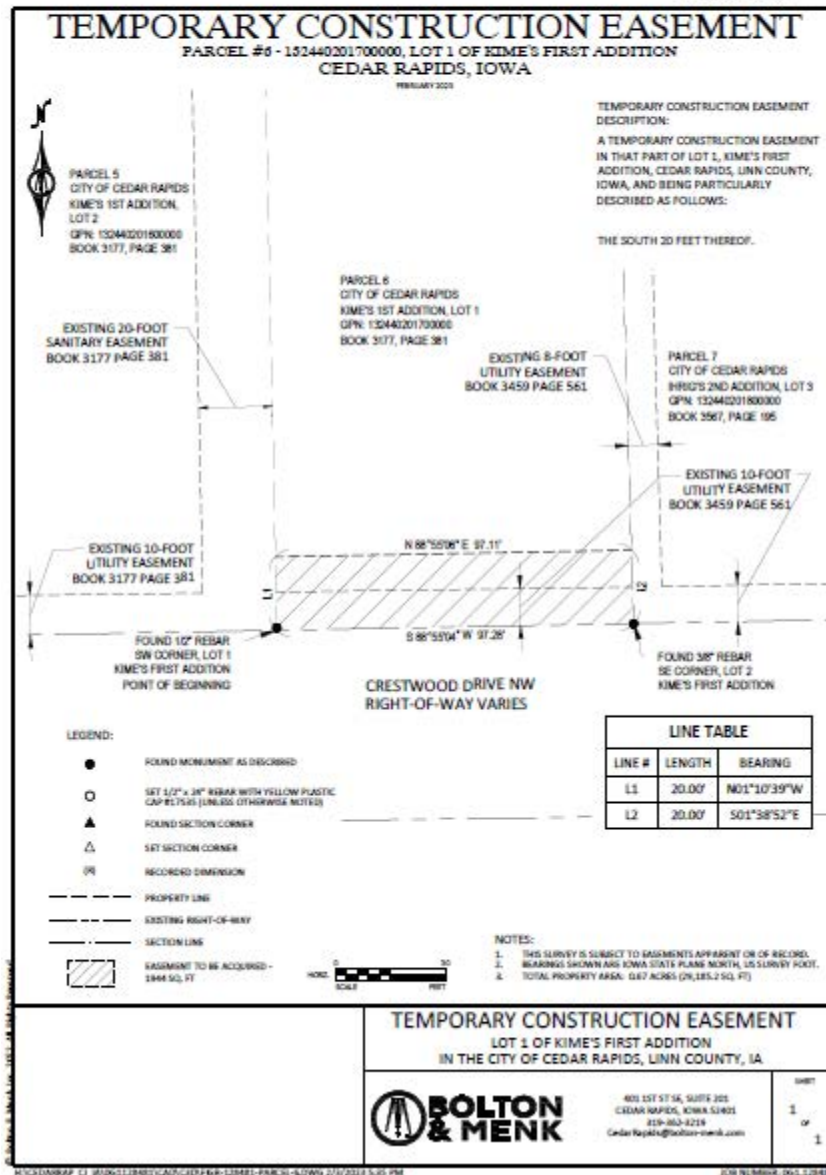
MayorSignature

Attest:

ClerkSignature

INDEX LEGEND	
LOCATION:	PARCEL #6 - 52440201700000, LOT 1 OF KIME'S FIRST ADDITION, CEDAR RAPIDS, LINN COUNTY, IOWA
REQUESTOR:	CITY OF CEDAR RAPIDS
PROPRIETOR:	JANK PARK LLC 4740 CRESTWOOD DRIVE NW, CEDAR RAPIDS, IOWA 52405
SURVEYOR:	ELAENE R. DRYER P.L.S. #17545
SURVEYOR COMPANY:	BOLTON & MENK, INC.
RETURN TO:	ELAENE R. DRYER, BOLTON & MENK, INC. 403 1ST ST SE, SUITE 205, CEDAR RAPIDS, IA 52401 (319) 462-4229

FOR RECORDER USE ONLY







Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$245 and accepting a temporary construction easement from Coleman T. & Brandi M. Cross from land located 3400 H Avenue NW in connection with the Edgewood Road Transit Stops and Sidewalk project.
CIP/DID #3018005-00

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

Background: In a previous fiscal year City Council approved funding towards the Edgewood Road Transit Stops and Sidewalk project.

The easement is required to accommodate the proposed Edgewood Road Transit Stops and Sidewalk project sidewalk and transit stop improvements including sidewalk infill. Compensation amounts proposed are based on comparisons of similar properties to the subject property.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$245 and accepting a Temporary Construction Easement from Coleman T. & Brandi M. Cross.

Alternative Recommendation: Do not proceed with acquiring the proposed temporary construction easement and direct City staff to abandon or reconfigure Edgewood Road Transit Stops and Sidewalk project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/3010000/3018005/NA

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for a temporary construction easement exists in order to accommodate the proposed facilities, and

WHEREAS, Coleman T. & Brandi M. Cross, 3400 H Avenue NW, Cedar Rapids, Iowa, 52405, OWNERS of the real property known and described as:

See Attached Temporary Construction Easement Exhibit

have agreed to convey the necessary temporary construction easement at 3400 H Avenue NW to the City of Cedar Rapids for consideration as follows:

Temporary Construction Easement	\$245
---------------------------------	-------

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for Edgewood Road Transit Stops and Sidewalk project (Fund 301, Dept. ID 3010000, Project 3018005),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

INDEX LEGEND

SURVEYOR'S NAME / RETURN TO:
WALTER HURLBUTT
SNYDER & ASSOCIATES, INC.
5005 BOWLING ST. SW SUITE A
CEDAR RAPIDS, IOWA 52404
319-362-9394
whurlbutt@snyder-associates.com
SERVICE PROVIDED BY:
SNYDER & ASSOCIATES, INC.
SURVEY LOCATED:
LOT 20, WHITTERS FIRST ADDITION

REQUESTED BY:
CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

AREA ABOVE RESERVED FOR RECORDER

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT**DESCRIPTION**

A TEMPORARY CONSTRUCTION EASEMENT ON THAT PART OF LOT 20, WHITTERS FIRST ADDITION TO CEDAR RAPIDS ACCORDING TO THE FINAL PLAT RECORDED IN VOLUME 10, PAGE 487 AT THE LINN COUNTY RECORDER'S OFFICE, DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NORTHEAST CORNER OF SAID LOT 20;

THENCE SOUTH 01° 10' 15" EAST 54.91 FEET ALONG THE WEST RIGHT-OF-WAY OF EDGEWOOD ROAD NW TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 01° 10' 15" EAST 57.09 FEET ALONG SAID WEST RIGHT-OF-WAY TO THE SOUTHEAST CORNER OF SAID LOT 20;

THENCE SOUTH 89° 19' 39" WEST 13.00 FEET ALONG THE NORTH RIGHT-OF-WAY OF H AVENUE NW;

THENCE NORTH 01° 10' 15" WEST 4.97 FEET;

THENCE NORTH 88° 49' 45" EAST 5.00 FEET;

THENCE NORTH 01° 10' 15" WEST 52.00 FEET;

THENCE NORTH 88° 49' 45" EAST 8.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 481 SQUARE FEET MORE OR LESS.

PROPERTY OWNER

COLEMAN T. CROSS
BRANDI M. CROSS
3400 H AVENUE NW
CEDAR RAPIDS, IA 52405
GPN: 132447600300000

DATE OF SURVEY

DECEMBER 10, 2021

PREPARED FOR

CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

EDGEWOOD ROAD TRANSIT
STOPS AND SIDEWALK

CEDAR RAPIDS
CONTRACT NUMBER 3018005-01

EDGEWOOD ROAD TRANSIT STOPS AND SIDEWALK**PARCEL 13 - COLEMAN T. CROSS & BRANDI M. CROSS**

5005 BOWLING STREET S.W.
CEDAR RAPIDS, IA 52404 (319) 362-9394

SHEET 1 OF 2

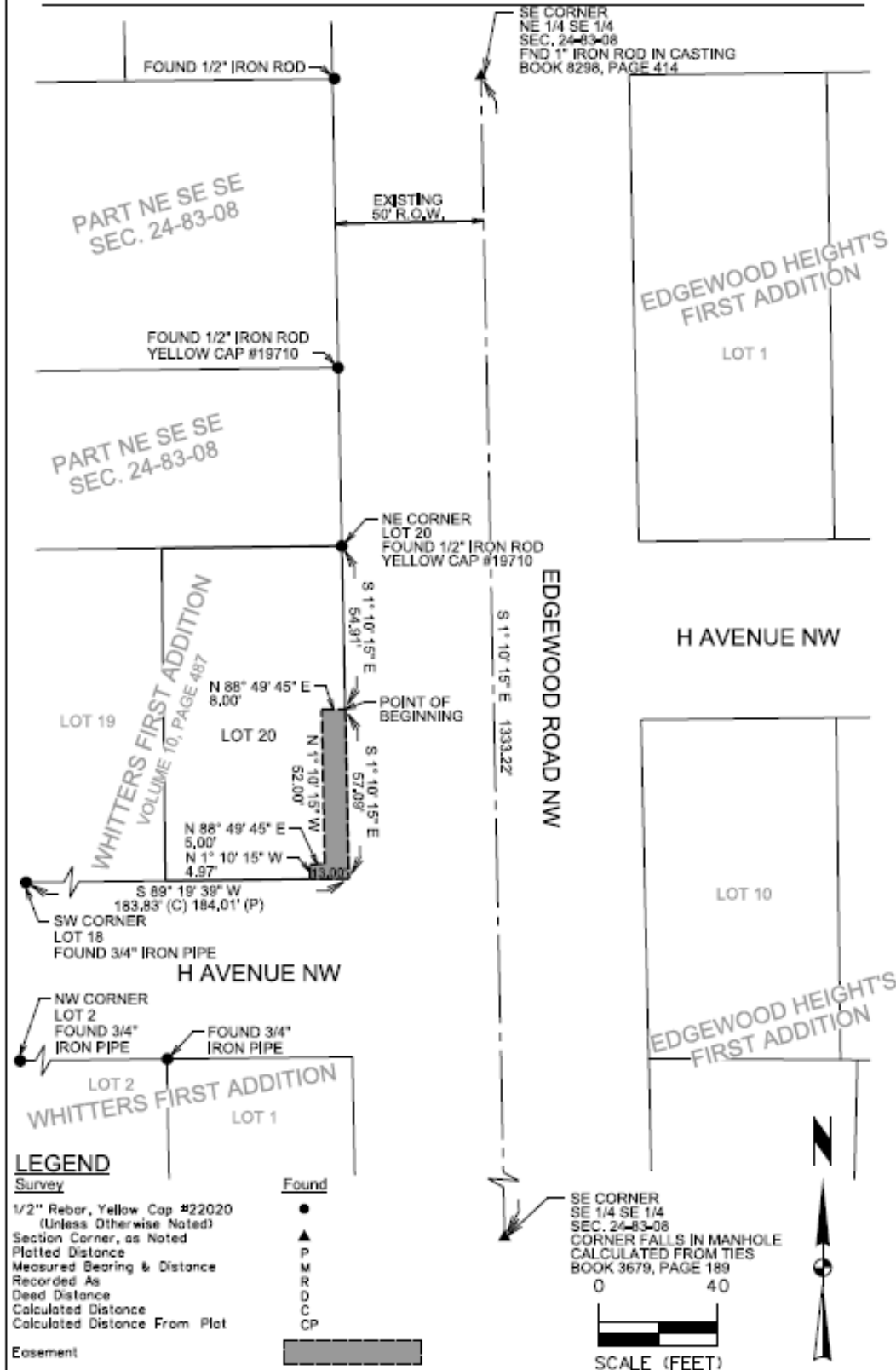
PN 121,1105

DATE: 8/24/2022

REV:

PM/TECH: WITH

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT

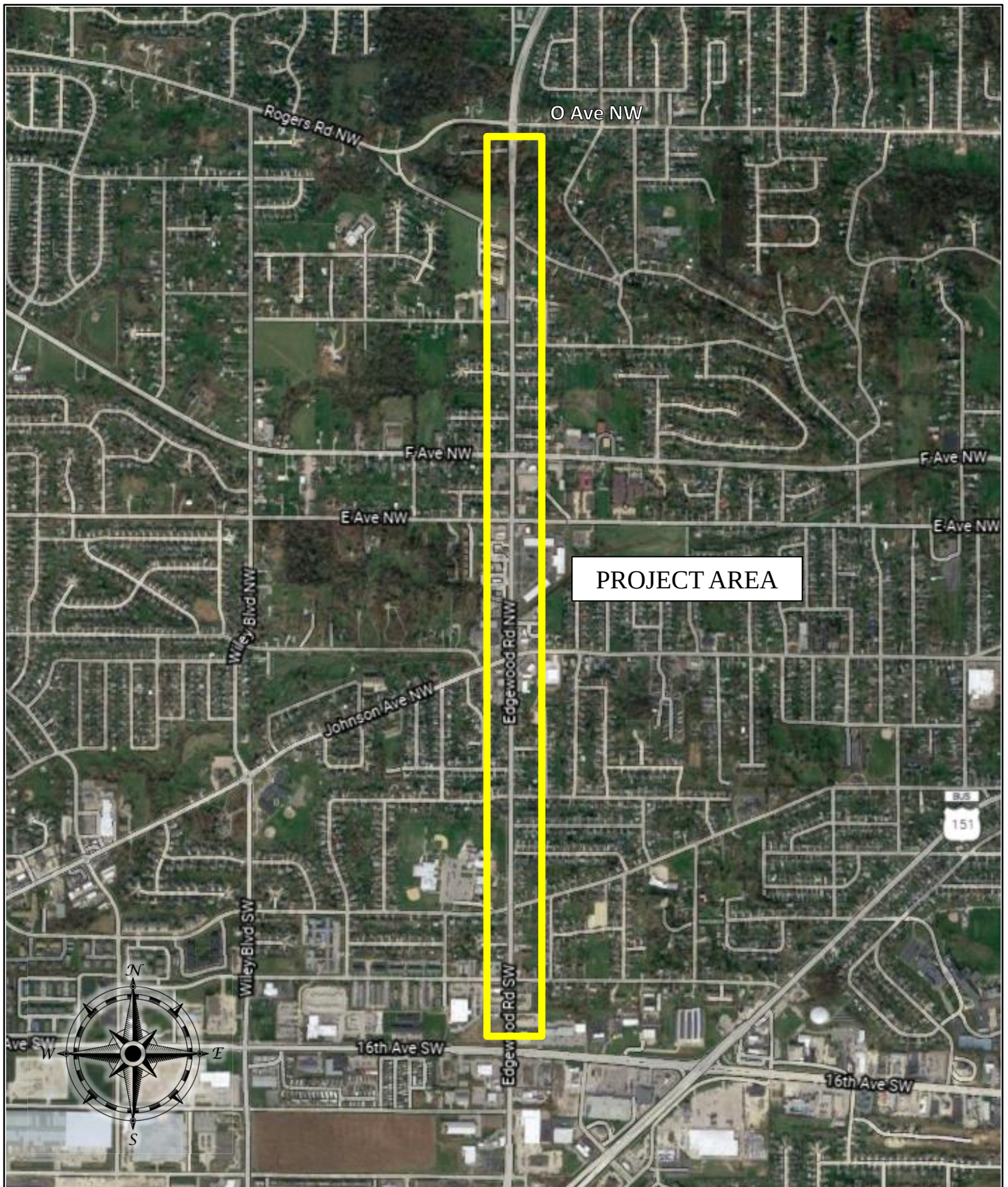


EDGEWOOD ROAD TRANSIT STOPS AND SIDEWALK
PARCEL 13 - COLEMAN T. CROSS & BRANDI M. CROSS

S SNYDER & ASSOCIATES

5005 BOWLING STREET S.W.
CEDAR RAPIDS, IA 52404 (319) 362-9394

SHEET 2 OF 2
PN 121,1105
DATE: 8/24/2022
REV
PMTech; WTH





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE, ENVSP

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$50 and accepting a temporary construction easement from Derek L. Mitchell from land located 3401 H Avenue NW in connection with the Edgewood Road Transit Stops and Sidewalk project.

CIP/DID #3018005-00

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

Background: In a previous fiscal year City Council approved funding towards the Edgewood Road Transit Stops and Sidewalk project.

The easement is required to accommodate the proposed Edgewood Road Transit Stops and Sidewalk project sidewalk and transit stop improvements including sidewalk infill. Compensation amounts proposed are based on comparisons of similar properties to the subject property.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$50 and accepting a Temporary Construction Easement from Derek L. Mitchell.

Alternative Recommendation: Do not proceed with acquiring the proposed temporary construction easement and direct City staff to abandon or reconfigure Edgewood Road Transit Stops and Sidewalk project.

Time Sensitivity: Normal

Resolution Date: April 11, 2023

Budget Information: 301/3010000/3018005/NA

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for a temporary construction easement exists in order to accommodate the proposed facilities, and

WHEREAS, Derek L. Mitchell, 3401 H Avenue NW, Cedar Rapids, Iowa 52405, OWNER of the real property known and described as:

See Attached Temporary Construction Easement Exhibit

has agreed to convey the necessary temporary construction easement at 3401 H Avenue NW to the City of Cedar Rapids for consideration as follows:

Temporary Construction Easement	\$50
---------------------------------	------

, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for Edgewood Road Transit Stops and Sidewalk project (Fund 301, Dept. ID 3010000, Project 3018005),

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

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

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

INDEX LEGEND

SURVEYOR'S NAME / RETURN TO:
WALTER HURLBUTT
SNYDER & ASSOCIATES, INC.
5005 BOWLING ST. SW SUITE A
CEDAR RAPIDS, IOWA 52404
319-362-9394
whurlbutt@snyder-associates.com
SERVICE PROVIDED BY:
SNYDER & ASSOCIATES, INC.
SURVEY LOCATED:
LOT 1, WHITTERS FIRST ADDITION

REQUESTED BY:
CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

AREA ABOVE RESERVED FOR RECORDER

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT

DESCRIPTION

A TEMPORARY CONSTRUCTION EASEMENT ON THE SOUTH 15 FEET OF THE EAST 4 FEET OF LOT 1, WHITTERS FIRST ADDITION TO CEDAR RAPIDS ACCORDING TO THE FINAL PLAT RECORDED IN VOLUME 10, PAGE 487 AT THE LINN COUNTY RECORDER'S OFFICE.

SAID EASEMENT CONTAINS 60 SQUARE FEET MORE OR LESS.

PROPERTY OWNER

DEREK L. MITCHELL
3401 H AVENUE NW
CEDAR RAPIDS, IA 52405
GPN: 132447700100000

DATE OF SURVEY

DECEMBER 10, 2021

PREPARED FOR

CITY OF CEDAR RAPIDS
ENGINEERING DEPARTMENT

EDGEWOOD ROAD TRANSIT STOPS AND SIDEWALK

CEDAR RAPIDS
CONTRACT NUMBER 3018005-01

EDGEWOOD ROAD TRANSIT STOPS AND SIDEWALK

SHEET 1 OF 2

PARCEL 14 - DEREK L. MITCHELL

PN:	121,1105
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DATE: 8/24/2022

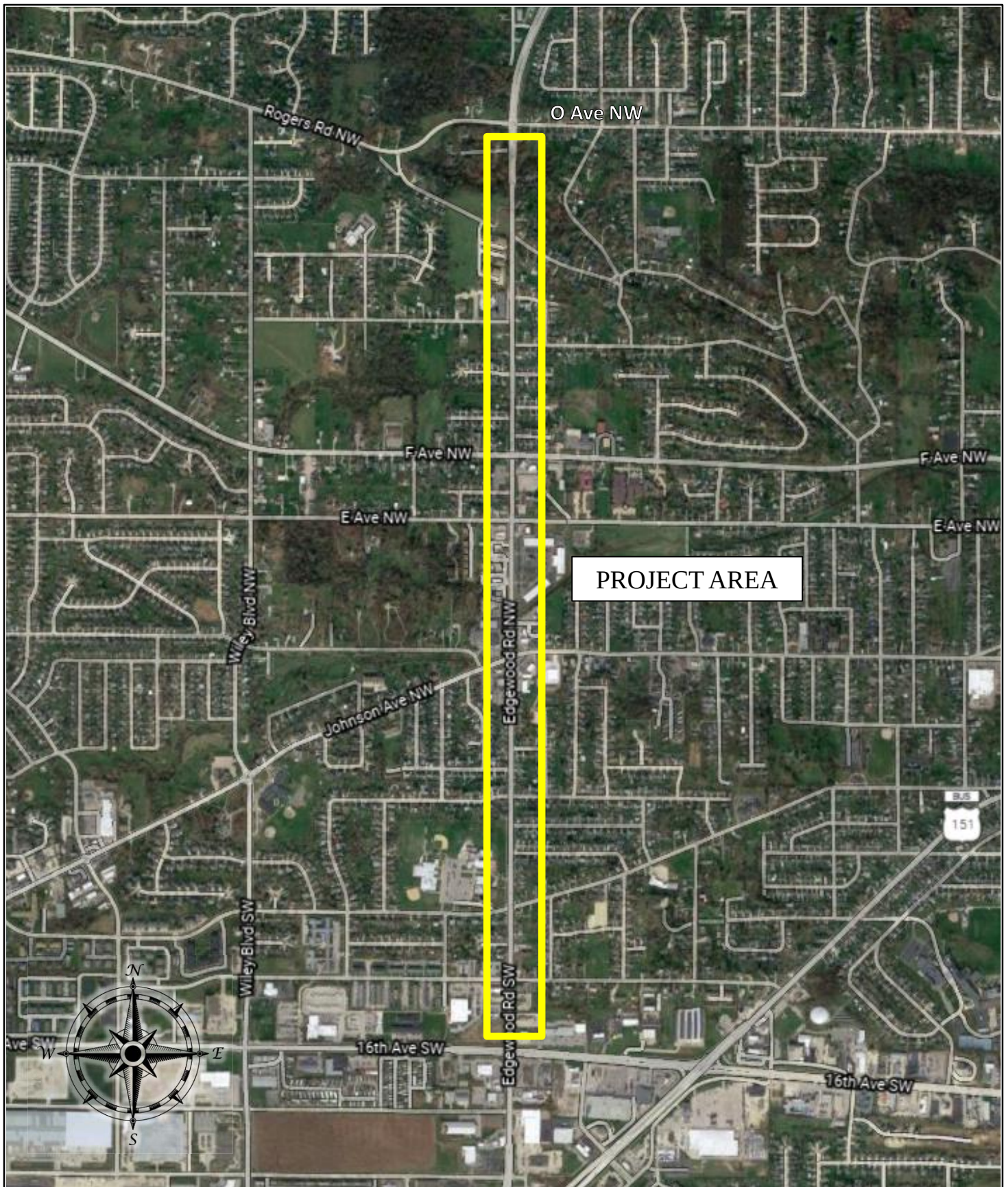


5005 BOWLING STREET S.W.
CEDAR RAPIDS, IA 52404 (319) 362-9394

REV: 1
PM/TECH: WTH



PM/TECH; WTH





Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Jeff Koffron

Contact Person: Amanda Grieder

Cell Phone Number: 319-286-5714

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution awarding and approving contract in the amount of \$180,566, bond and insurance of Cedar Service Co. for the Derecho Roof Replacements project.

CIP/DID PUR1022-089; 18524

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

Background:

A public hearing was held on March 14, 2023 for the Derecho Roof Replacements project. Purchasing Services publicly opened the bids on March 15, 2023 at 11:00 am CDT.

The Facilities Maintenance Services Division recommends award of the project to Cedar Service Co. as the lowest bidder.

A contract will be issued to Cedar Service Co. The project is due to be completed by June 30, 2023.

The following bids were submitted for this project:

Company Name	Location	Price
Cedar Service Co.	Cedar Rapids, IA	\$180,566
Advance Builders Corp.	Cedar Rapids, IA	\$268,000

QA Questionnaire was received and accepted for this project.

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

Alternative Recommendation:

Time Sensitivity: Medium

Resolution Date: April 11, 2023

Budget Information: 081300-18524

Local Preference Policy: No

Explanation: Public Improvement Project

Recommended by Council Committee: No
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on February 28, 2023, 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 Derecho Roof Replacements project for the City of Cedar Rapids, Iowa; and

WHEREAS, said Notice to Bidders was posted according to law and the Notice of a Public Hearing was published in the Cedar Rapids Gazette on March 4, 2023, pursuant to which a public hearing was held on March 14, 2023; and

WHEREAS, the following bids were received, opened and announced on March 15, 2023, by the City Purchasing Manager, or designee, and said officer reported the results of the bidding to the City Council at its meeting on March 28, 2023:

Company Name	Price
Cedar Service Co.	\$180,566
Advance Builders Corp	\$268,000

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$180,566, GL coding 081300-18524.

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

1. The recitals contained hereinabove are found to be true and correct.
2. The previous delegation to the City Purchasing Manager, or designee, to receive, open and publicly announce the bids, and report the results thereof to the City Council is hereby ratified and approved;
3. Cedar Service Co. is the lowest responsive, responsible bidder on said work and the City Purchasing Manager, or designee, has recommended that the City accept its Bid and award the contract to it;
4. Subject to approval of the Equal Employment Opportunity Officer and registration with the Department of Labor, the Bid of \$180,566 is hereby accepted, and the contract for this public improvement is hereby awarded to Cedar Service Co.;
5. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements; and

BE IT FURTHER RESOLVED that 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: Terry Tiedemann

Contact Person: Roy Hesemann

Cell Phone Number: 521-5752

E-mail Address: R.Hesemann@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Resolution awarding and approving contract in the amount of \$2,634,000, bond and insurance of WRH, Inc. for the J Avenue WTP Dehumidification Improvements project.

CIP/DID #6250090-02

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

Background: The Cedar Rapids J Avenue Water Treatment Plant installed dehumidification units in the Filter Gallery in 2004 in an effort to reduce the humidity of the space. Prior to 2004, humidity levels in the Filter Gallery were elevated to the point of causing maintenance issues. Peeling paint from coated surfaces, corrosion on metal surfaces, and damage to masonry were all prevalent maintenance issues that existed prior to 2004. Since the dehumidification units were installed, these maintenance issues have disappeared. However, the dehumidification units themselves have been a constant maintenance problem, as well as a significant addition to the plant electricity bill.

In 2018, a study was conducted to evaluate options for improvements to the dehumidification system. The final report recommended dehumidification of the Filter Gallery and the Piping Gallery via two large, centralized desiccant units. The J Avenue WTP Dehumidification Improvement project includes replacement of dehumidification and HVAC equipment and related appurtenances, and replacement of windows in the Filter Building that have reached the end of their service life.

Two (2) bids were received on March 15, 2023 for the J Avenue Water Treatment Plant Dehumidification Improvements project.

<u>Bidders</u>	<u>Office Location</u>	<u>Lump Sum Bid</u>
WRH, Inc.	South Amana, IA	\$ 2,634,000
Tricon General Construction, Inc.	Dubuque, IA	\$ 2,637,000

The engineer's opinion of probable cost for the construction of this project was \$1,953,000. Bids were higher than the engineer's estimate due to supply chain issues, material and equipment availability, and equipment lead times. 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 February 14, 2023.

The Notice to Bidders was posted on February 15, 2023. The Notice of Public Hearing was published on February 18, 2023. The public hearing was held February 28, 2023. A pre-bid meeting was held February 28, 2023 at the Water Department Administration Building. The Report on Bids occurred on March 28, 2023. The work is anticipated to begin in May 2023 and be completed May 2024.

Action/Recommendation: The Utilities Department – Water Division staff recommends awarding the contract to WRH, Inc. in the amount of \$2,634,000.

Alternative Recommendation: None

Time Sensitivity: 04-11-23

Resolution Date: 04-11-23

Budget Information: The project will be coded to the following CIP fund: 553000-625-625000-x-x-6250090-NA.

Local Preference Policy: NA

Explanation: Capital Improvement Projects are not subject to local preference policy.

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on February 14, 2023 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 J Avenue WTP Dehumidification Improvement 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 February 18, 2023 pursuant to which a public hearing was held on February 28, 2023, and

WHEREAS, the following bids were received, opened and announced on March 15, 2023 by the Utilities Director or designee, and said officer has reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on March 28, 2023:

<u>Bidder</u>	<u>Location</u>	<u>Lump Sum Bid</u>
WRH, Inc.	South Amana, IA	\$ 2,634,000
Tricon General Construction, Inc.	Dubuque, IA	\$ 2,637,000

WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$2,634,000 – 553000-625-625000-x-x-6250090-NA .

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 meeting on March 28, 2023 is hereby ratified and approved;
2. WRH, Inc. is the lowest responsive, responsible bidder on said work and the Utilities Director, or his designee, has recommended that the City accept its bid and award the contract to it;
3. Subject to registration with the Department of Labor, the Bid of WRH, Inc. is hereby accepted, and the contract for this public improvement is hereby awarded to WRH, Inc.;
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that 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: Tim Mroch, PE

Director: Bob Hammond **Cell Phone Number:** 319-440-1005
E-mail Address: r.hammond@cedar-rapids.org

Description of Agenda Item: REGULAR AGENDA
 Report on bids and resolution awarding and approving contract in the amount of \$8,488,458.95, plus incentive up to \$75,000, bond and insurance of Peterson Contractors, Inc. for the Innovation Drive from 18th Street SW to 6th Street SW Roadway Reconstruction Bid Package 2B project (estimated cost is \$11,760,000). (Tim Mroch).
 CIP/DID #3018004-04

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

Background:	
Peterson Contractors, Inc., Reinbeck, IA	\$8,488,458.95
Original Incentive Value	<u>75,000.00</u>
Total Award	\$8,563,458.95
 Pirc-Tobin Construction, Inc, Alburnett, IA	 \$9,912,514.70
CJ Moyna & Sons, LLC, Elkader, IA	\$10,138,243.16

Peterson Contractors, Inc. submitted the lowest of the bids received on April 5, 2023 for the Innovation Drive from 18th Street SW to 6th Street SW Roadway Reconstruction Bid Package 2B project. The bid is within the approved budget. Construction work is expected to begin this spring and anticipated to be completed within 120 working days.

Action/Recommendation: The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$8,488,458.95, plus incentive up to \$75,000, bond and insurance of Peterson Contractors, Inc. for Innovation Drive from 18th Street SW to 6th Street SW Roadway Reconstruction Bid Package 2B 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 April 11, 2023 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: April 11, 2023

Budget Information: 301/301000/3018004, NA; 625884-2023041

Local Preference Policy: Yes

Explanation: NA

Recommended by Council Committee: Yes

Explanation: NA



April 5, 2023

City Council
City of Cedar Rapids

RE: Report on bids as read for the Innovation Drive from 18th Street SW to 6th Street SW
Roadway Reconstruction Bid Package 2B, Contract Number 3018004-04

Dear City Council:

Bids were received on April 5, 2023 for the Innovation Drive from 18th Street SW to 6th Street SW
Roadway Reconstruction Bid Package 2B project as follows:

Peterson Contractors, Inc., Reinbeck, IA	\$8,488,458.95
Pirc-Tobin Construction Inc., Alburnett, IA	\$9,912,514.70
C.J. Moyna & Sons, LLC, Elkader, IA	\$10,138,243.16

The engineers cost opinion for this work is \$11,760,000. It is recommended the bids be reviewed
by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in purple ink, appearing to read "Eryn Stone".

Eryn Stone, PE,
Senior Project Engineer

ES/shh

cc: Bob Hammond, Public Works Director
Ken DeKeyser, PE, PTOE, CFM, City Engineer

RESOLUTION NO. LEG_NUM_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on March 14, 2023 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 Innovation Drive from 18th Street SW to 6th Street SW Roadway Reconstruction Bid Package 2B (Contract No. 3018004-04) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice to bidders was posted according to law and the notice of public hearing was published in the Cedar Rapids Gazette on March 18, 2023 pursuant to which a public hearing was held on March 28, 2023, and

WHEREAS, the following bids were received, opened and announced on April 5, 2023 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 April 11, 2023:

Peterson Contractors, Inc., Reinbeck, IA	\$8,488,458.95
Original Incentive Value	<u>75,000.00</u>
Total Award	\$8,563,458.95
Pirc-Tobin Construction, Inc, Alburnett, IA	\$9,912,514.70
CJ Moyna & Sons, LLC, Elkader, IA	\$10,138,243.16

WHEREAS, general ledger coding for this public improvement shall be as follows:
\$5,957,388.50 301-301000-30185-3018004; \$151,525 625-625000-6250126-6252023041; \$2,454,545.45 301-301000-30185-3018019;

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

BE IT FURTHER RESOLVED that 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.

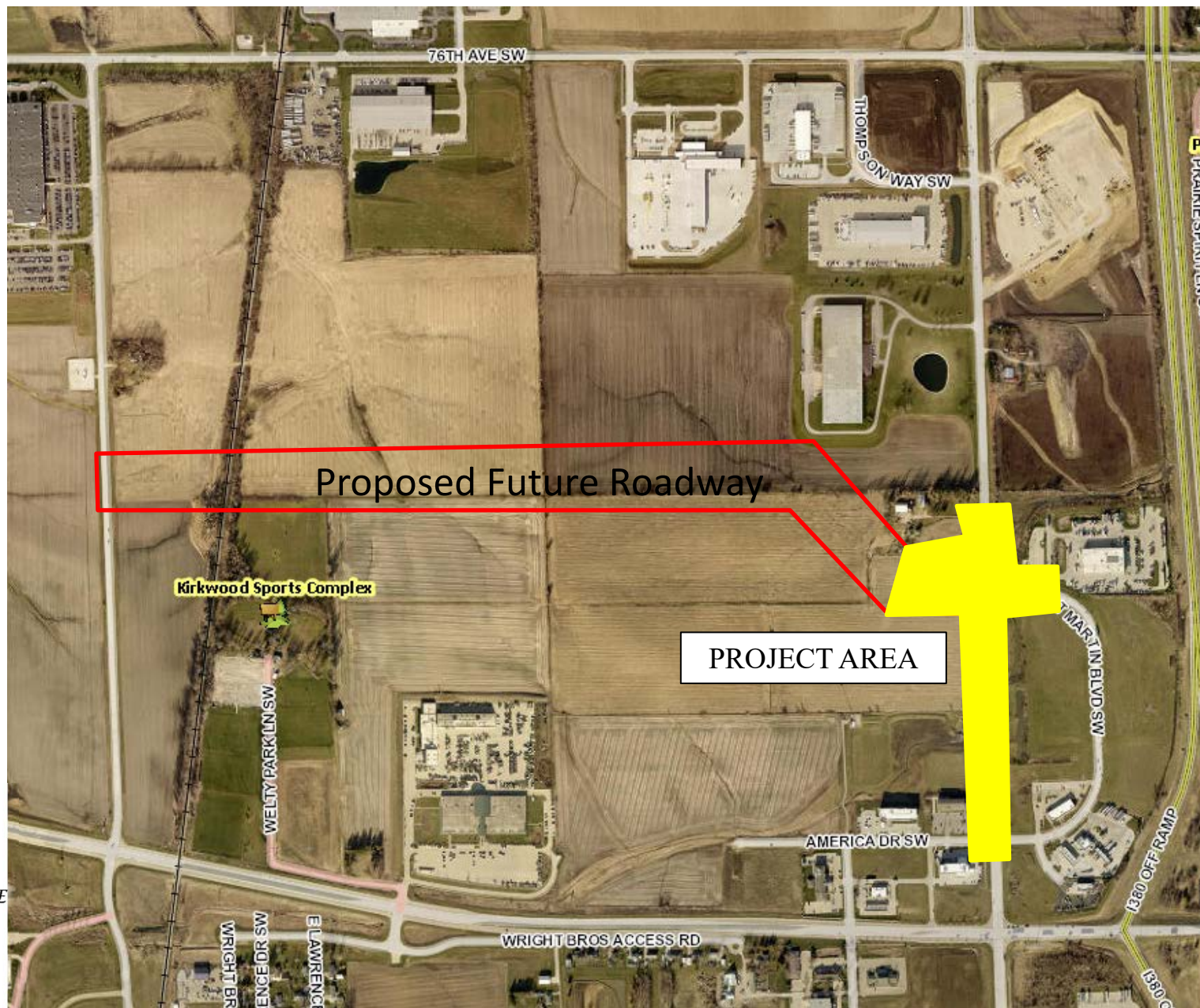
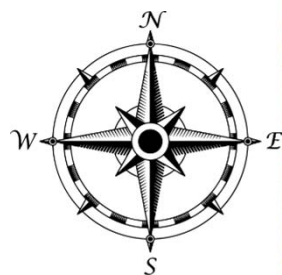
PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature





Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Tim Mroch, PE

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: REGULAR AGENDA

Report on bids and resolution awarding and approving contract in the amount of \$1,315,881, bond and insurance of Possibilities Unlimited, LLC for the FY 2023 Sidewalk Repair Program (estimated cost is \$1,280,000). (Tim Mroch).

CIP/DID #3017023-01

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

Background:

Possibilities Unlimited, LLC, Cedar Rapids, IA	\$1,315,881.00
Hunt Construction Company, LLC, Alburnett, IA	\$1,396,638.20
Midwest Concrete, Inc., Peosta, IA	\$1,483,232.00

Possibilities Unlimited, LLC submitted the lowest of the bids received on April 5, 2023 for the FY 2023 Sidewalk Repair Program. The bid is within the approved budget. Construction work is expected to begin this summer and anticipated to be completed by June 30, 2024.

Action/Recommendation: The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$1,315,881, bond and insurance of Possibilities Unlimited, LLC for FY 2023 Sidewalk Repair Program 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 April 11, 2023 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: April 11, 2023

Budget Information: 301/301000/3017023, NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA



April 5, 2023

City Council
City of Cedar Rapids

RE: Report on bids as read for the FY 2023 Sidewalk Repair Program, Contract Number 3017023-01

Dear City Council:

Bids were received on April 5, 2023 for the FY 2023 Sidewalk Repair Program project as follows:

Possibilities Unlimited LLC, Cedar Rapids, Iowa	\$1,315,881.00
Hunt Construction Company LLC, Alburnett, Iowa	\$1,396,638.20
Midwest Concrete Inc, Peosta, Iowa	\$1,483,232.00

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

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in blue ink, appearing to read "Della Caldwell".

Della Caldwell
Civil Engineer II

DLC/mjg

cc: Bob Hammond, Public Works Director
Ken DeKeyser, P.E., PTOE, CFM, City Engineer

RESOLUTION NO. LEG_NUM_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on March 14, 2023, 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 FY 2023 Sidewalk Repair Program (Contract No. 3017023-01) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice to bidders was posted according to law and the notice of public hearing was published in the Cedar Rapids Gazette on March 18, 2023, pursuant to which a public hearing was held on March 28, 2023, and

WHEREAS, the following bids were received, opened and announced on April 5, 2023, 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 April 11, 2023:

Possibilities Unlimited, LLC, Cedar Rapids, IA	\$1,315,881.00
Hunt Construction Company, LLC, Alburnett, IA	\$1,396,638.20
Midwest Concrete, Inc., Peosta, IA	\$1,483,232.00

WHEREAS, general ledger coding for this public improvement shall be as follows: \$1,299,978 301-301000-30185-3017023; \$14,927 321-321000-32185-321546; \$976 101-124200

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

BE IT FURTHER RESOLVED that 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: Tim Mroch, PE

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: REGULAR AGENDA

Report on bids and resolution awarding and approving contract in the amount of \$498,679.40, bond and insurance of Eastern Iowa Excavating & Concrete, LLC for the Boyson Road NE Turn Lane Reconstruction at Council Street and Sidewalk Infill from Council Street to C Avenue project (estimated cost is \$420,000). (Tim Mroch).
CIP/DID #301262-02

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

Background:

Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$498,679.40
Central States Concrete, LLC, Marion, IA	\$518,353.16
Pirc-Tobin Construction Inc., Alburnett, IA	\$531,664.96
Tschiggfrie Excavating Co., Dubuque, IA	\$652,177.41
Midwest Concrete Inc., Peosta, IA	\$676,217.35

Eastern Iowa Excavating & Concrete, LLC submitted the lowest of the bids received on March 29, 2023 for the Boyson Road NE Turn Lane Reconstruction at Council Street and Sidewalk Infill from Council Street to C Avenue project. The bid is within the approved budget. Construction work is expected to begin this summer and anticipated to be completed by within 30 working days.

Action/Recommendation: The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$498,679.40, bond and insurance of Eastern Iowa Excavating & Concrete, LLC for Boyson Road NE Turn Lane Reconstruction at Council Street and Sidewalk Infill from Council Street to C Avenue 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 April 11, 2023 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: April 11, 2023

Budget Information: 301/301000/301262, NA; 301/301000/301127, NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA



March 29, 2023

City Council
City of Cedar Rapids

RE: Report on bids as read for the Boyson Road NE Turn Lane Reconstruction at Council Street and Sidewalk Infill from Council Street to C Avenue, Contract Number 301262-02

Dear City Council:

Bids were received on March 29, 2023 for the Boyson Road NE Turn Lane Reconstruction at Council Street and Sidewalk Infill from Council Street to C Avenue project as follows:

Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$498,679.40
Central States Concrete, LLC, Marion, IA	\$518,353.16
Pirc-Tobin Construction Inc., Alburnett, IA	\$531,664.96
Tschiggfrie Excavating Co., Dubuque, IA	\$652,177.41
Midwest Concrete Inc., Peosta, IA	\$676,217.35

The engineers cost opinion for this work is \$420,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in blue ink, appearing to read "Keith Abkes".

Keith Abkes, PE
Project Engineer I

KA/shh

cc: Bob Hammond, Public Works Director
Ken DeKeyser, PE, PTOE, CFM, City Engineer

RESOLUTION NO. LEG_NUM_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on March 14, 2023 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 Boyson Road NE Turn Lane Reconstruction at Council Street and Sidewalk Infill from Council Street to C Avenue (Contract No. 301262-02) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice to bidders was posted according to law and the notice of public hearing was published in the Cedar Rapids Gazette on March 18, 2023 pursuant to which a public hearing was held on March 28, 2023, and

WHEREAS, the following bids were received, opened and announced on March 29, 2023 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 April 11, 2023:

Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$498,679.40
Central States Concrete, LLC, Marion, IA	\$518,353.16
Pirc-Tobin Construction Inc., Alburnett, IA	\$531,664.96
Tschiggfrie Excavating Co., Dubuque, IA	\$652,177.41
Midwest Concrete Inc., Peosta, IA	\$676,217.35

WHEREAS, general ledger coding for this public improvement shall be as follows: \$99,915.30 301-301000-30185-301262; \$246,764.10 301-301000-30185-301127; \$152,000 306-306000-30685-306995

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

BE IT FURTHER RESOLVED that 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.

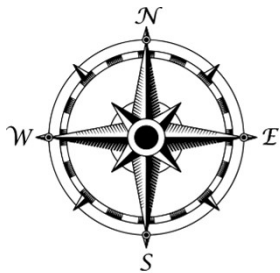
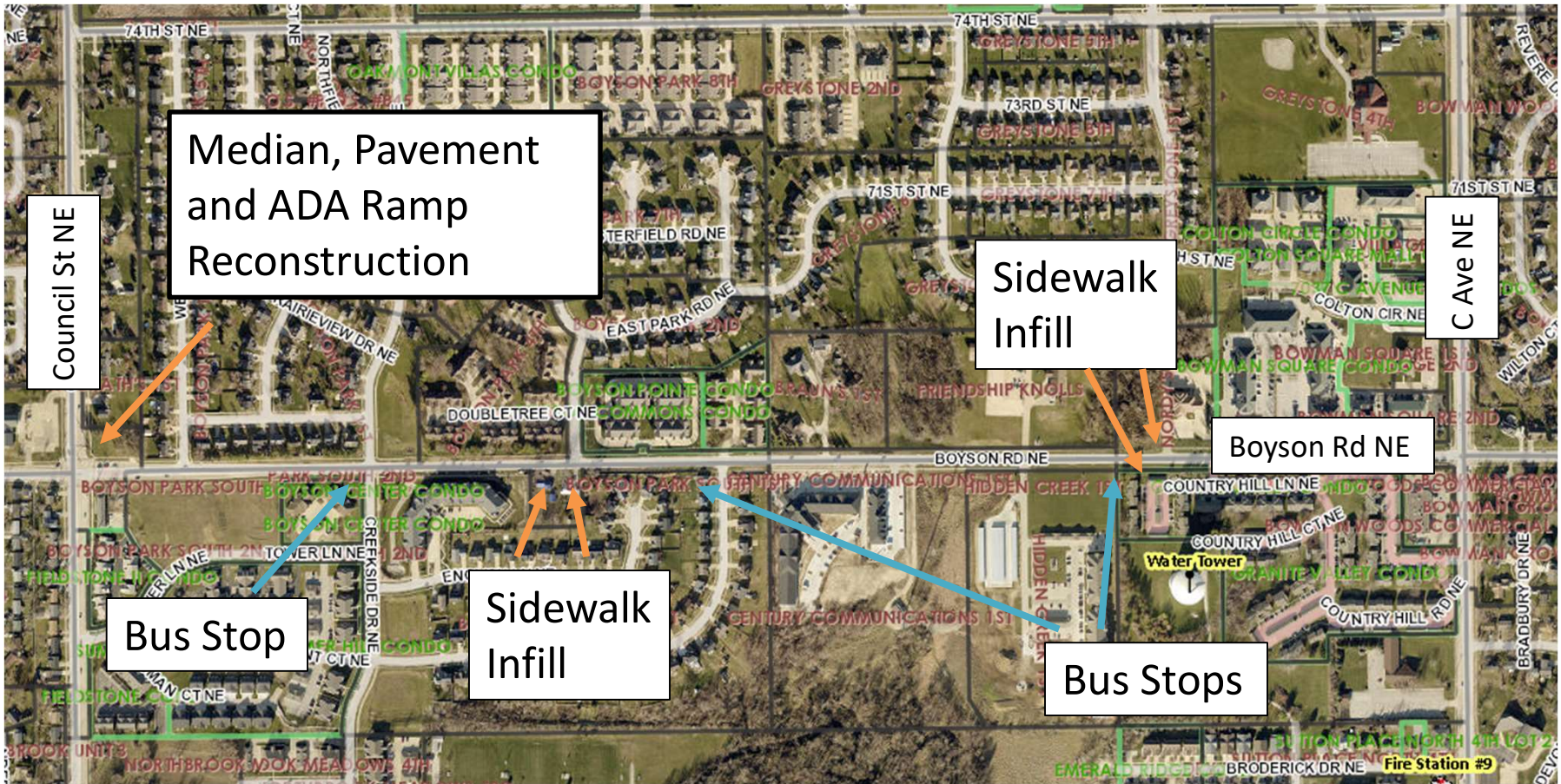
PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



Boyson Road NE Turn Lane Reconstruction at Council Street and Sidewalk Infill from Council Street to C Avenue



Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Douglas F. Wilson, PE

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: REGULAR AGENDA

Report on bids and resolution awarding and approving contract in the amount of \$781,093.75, bond and insurance of Pirc-Tobin Construction, Inc. for the Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction project (estimated cost is \$840,000) (**Paving for Progress**). (Doug Wilson).

CIP/DID #3012439-02

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

Background:

Pirc-Tobin Construction, Inc., Alburnett, IA	\$781,093.75
BWC Excavating, L.C., Solon, IA	\$790,169.30
Midwest Concrete, Inc., Peosta, IA	\$806,656.01
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$829,474.70
Tschiggfrie Excavating Co., Dubuque, IA	\$852,139.10
Boomerang Corp., Anamosa, IA	\$927,777.00

Pirc-Tobin Construction, Inc. submitted the lowest of the bids received on March 29, 2023 for the Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction project. The bid is within the approved budget. Construction work is expected to begin this summer 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 \$781,093.75, bond and insurance of Pirc-Tobin Construction, Inc. for Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction 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 April 11, 2023 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: April 11, 2023

Budget Information: 301/3010000/3012439 SLOST

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA



March 29, 2023

City Council
City of Cedar Rapids

RE: Report on bids as read for Hampden Drive NE from Devonshire Drive to Crandall Drive
Pavement Reconstruction, Contract Number 3012439-02

Dear City Council:

Bids were received on March 29, 2023, for the Hampden Drive NE from Devonshire Drive to
Crandall Drive Pavement Reconstruction project as follows:

Pirc-Tobin Construction, Inc., Alburnett, IA	\$781,093.75
BWC Excavating, L.C., Solon, IA	\$790,169.30
Midwest Concrete, Inc., Peosta, IA	\$806,656.01
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$829,474.70
Tschiggfrie Excavating Co., Dubuque, IA	\$852,139.10
Boomerang Corp., Anamosa, IA	\$927,777.00

The engineers cost opinion for this work is \$840,000. It is recommended the bids be reviewed by
City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in blue ink, appearing to read "J Selby".

Jennifer Selby, PE
Project Engineer II

JJS/dso

cc: Bob Hammond, P.E. Public Works Director
Brenna Fall, P.E., Assistant Public Works Director – Engineering

Public Works Department

500 15th Avenue S.W. • Cedar Rapids, Iowa 52404-2631 • (319) 286-5802 • Fax (319) 774-5653

RESOLUTION NO. LEG_NUM_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on March 14, 2023 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 Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction (Contract No. 3012439-02) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice to bidders was posted according to law and the notice of public hearing was published in the Cedar Rapids Gazette on March 18, 2023 pursuant to which a public hearing was held on March 29, 2023, and

WHEREAS, the following bids were received, opened and announced on March 29, 2023 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 April 11, 2023:

Pirc-Tobin Construction, Inc., Alburnett, IA	\$781,093.75
BWC Excavating, L.C., Solon, IA	\$790,169.30
Midwest Concrete, Inc., Peosta, IA	\$806,656.01
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$829,474.70
Tschiggfrie Excavating Co., Dubuque, IA	\$852,139.10
Boomerang Corp., Anamosa, IA	\$927,777.00

WHEREAS, general ledger coding for this public improvement shall be as follows: \$763,446.25 301-301000-7970-3012439; \$2,700 655-655000-65585-655990; \$14,947.50 625-625000-6250051-6252022106

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 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. Pirc-Tobin 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;
3. Subject to registration with the Department of Labor, the Bid of Pirc-Tobin Construction, Inc. is hereby accepted and the contract for this public improvement is hereby awarded to Pirc-Tobin Construction, Inc.
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

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

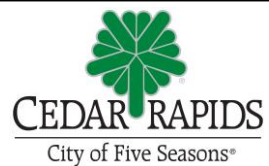
PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature



Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction



Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Douglas F. Wilson, PE

Director: Bob Hammond

Cell Phone Number: 319-440-1005

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

Description of Agenda Item: REGULAR AGENDA

Report on bids and resolution awarding and approving contract in the amount of \$98,117.50, bond and insurance of B.G. Brecke, Inc. for the 2023 Sanitary Sewer Service Replacement project (estimated cost is \$120,000). (Doug Wilson).

CIP/DID #6550043-02

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

Background:

B.G. Brecke, Inc., Cedar Rapids, IA	\$98,117.50
Corum Construction, LLC, Cedar Rapids, IA	\$106,357.24
Schrader Tiling & Terrain, L.L.C., Atkins, IA	\$181,152.01

B.G. Brecke, Inc. submitted the lowest of the bids received on March 29, 2023 for the 2023 Sanitary Sewer Service Replacement Project. The bid is within the approved budget. Construction work is expected to begin this summer and anticipated to be completed by July 14, 2023.

Action/Recommendation: The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$98,117.50, bond and insurance of B.G. Brecke, Inc. for 2023 Sanitary Sewer Service Replacement Project.

Alternative Recommendation: If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

Time Sensitivity: Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after April 11, 2023 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: April 11, 2023

Budget Information: 655/6550000/6550043 NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA



March 29, 2023

City Council
City of Cedar Rapids

RE: Report on bids as read for the 2023 Sanitary Sewer Service Replacement project,
Contract Number 6550043-02

Dear City Council:

Bids were received on March 29, 2023, for 2023 Sanitary Sewer Service Replacement project as follows:

B.G. Brecke, Inc., Cedar Rapids, IA	\$98,117.50
Corum Construction, LLC, Cedar Rapids, IA	\$106,357.24
Schrader Tiling & Terrain, L.L.C., Atkins, IA	\$181,152.01

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

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in blue ink, appearing to read "Jennifer Selby".

Jennifer Selby, PE
Project Engineer II

JJS/dso

cc: Bob Hammond, P.E. Public Works Director
Brenna Fall, P.E., Assistant Public Works Director – Engineering

Public Works Department

500 15th Avenue S.W. • Cedar Rapids, Iowa 52404-2631 • (319) 286-5802 • Fax (319) 774-5653

RESOLUTION NO. LEG_NUM_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on March 14, 2023 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 2023 Sanitary Sewer Service Replacement (Contract No. 6550043-02) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice to bidders was posted according to law and the notice of public hearing was published in the Cedar Rapids Gazette on March 18, 2023 pursuant to which a public hearing was held on March 28, 2023, and

WHEREAS, the following bids were received, opened and announced on March 29, 2023 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 April 11, 2023:

B.G. Brecke, Inc., Cedar Rapids, IA	\$98,117.50
Corum Construction, LLC, Cedar Rapids, IA	\$106,357.24
Schrader Tiling & Terrain, L.L.C., Atkins, IA	\$181,152.01

WHEREAS, general ledger coding for this public improvement shall be as follows:
\$98,117.50 655-655000-65585-6550043

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

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

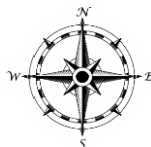
PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature





Council Agenda Item Cover Sheet

Submitting Department: City Manager

Presenter at Meeting: Scott Mather

Contact Person: Caleb Mason

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

Phone Number/Ext.: (319) 286-5188

Description of Agenda Item: REGULAR AGENDA

Presentation and Resolution authorizing City financial incentives under the Targeted District Reinvestment – Economic Development Program for the construction of a new commercial building at 116 6th Street NE as proposed by Cedar Rapids Bank and Trust Company (Scott Mather). CIP/DID #TIF-0079-2023

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

Background: The Resolution authorizes City financial support for the redevelopment of property at 116 6th Street NE as proposed by Cedar Rapids Bank and Trust Company. The project qualifies under the Targeted District Reinvestment Economic Development Program based on its location in the Downtown Area.

The following is a summary of the proposed project:

- + \$19 million capital investment
- + Redevelopment of existing parking lot
- + Construction of a new 34,000 square ft commercial building
 - o CRBT would be the sole tenant of the building
 - o 30 existing FTEs would occupy the building
 - o Expansion provides space for up to 115 FTEs

The standard incentive provides for a 10-year, 50% rebate of increased taxes generated by the project. Based on the investment and estimated post-development value, the project is expected to generate \$3.4 million in total taxes over a 10-year period, of which \$1.4 million would be rebated back to the company.

The project is located within the Consolidated Central TIF. Following this action, staff will bring back actions to amend the Consolidated Central Urban Renewal Area Plan to incorporate this project as well as a Development Agreement which finalizes the incentives and the project.

Action/Recommendation: City staff recommends approving the Resolution

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

Time Sensitivity: NA

Resolution Date: April 11, 2023

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City has received a request from Cedar Rapids Bank and Trust Company (the “Company”) for City financial support of for the redevelopment of commercial property 116 6th Street NE; and

WHEREAS, the City Council has adopted Economic Development Programs to support such activities, which promote and facilitate economic development objectives of the City, including the expansion of the City’s tax base, redevelopment of underutilized property, creation of housing opportunities which facilitate and support the growth of jobs, and the provision of affordable housing opportunities in the City; and

WHEREAS, the following is a summary of the proposed project (the “Project”):

- + \$19 million Capital Investment
- + Construction of a new 34,000 square ft commercial building and related site improvements
 - o CRBT staff to occupy the building
 - o 30 Employees with available expansion to 115

WHEREAS, the Proposed project qualifies under the Targeted District Reinvestment – Economic Development Program (“City Program”) based on the project being located within the Downtown and being consistent with adopted plans; and

WHEREAS, the City Council desires to express its support of the Project and authorize financial incentives through a 10-year, 50% reimbursement of the increased taxes generated by the project to the Developer subject to the conditions contained in this Resolution.

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

1. The City hereby authorizes financial incentives for the Project, subject to doing all those things required in Chapter 403 of the Iowa Code to amend the Consolidated Central Urban Renewal Plan to incorporate this project as eligible undertaking in accordance with Plan and memorializing the commitment of the Company and the City with respect to the Project in accordance with this Resolution.
2. The City Manager, or designee, is authorized to initiate the proceedings under Chapter 403 of the Iowa Code to amend the Urban Renewal Plan for the Consolidated Central Urban Renewal Area.
3. The City Manager, or designees, is authorized and directed to negotiate a Development Agreement with the Company to memorialize the Project in accordance with the terms of the City Program and with other such reasonable terms as conditions as may be necessary to effectuate this Resolution and the intent of the City Program, and at such time as the terms of the Agreement are clear and definite that it be brought back to the City Council for approval.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Douglas F. Wilson, PE

Contact Person: Bob Hammond

Phone Number: 319-440-1005

Email Address: r.hammond@cedar-rapids.org

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

Second and possible third reading of an Ordinance permanently closing City streets at Union Pacific Railroad crossings at 10th Street SE between 16th Avenue and Otis Road SE; I Avenue NW between 5th Street and 4th Street NW; and C Avenue NW between 8th Street and 6th Street NW (**Paving for Progress**).

CIP/DID #301963-00

EnvisionCR Element/Goal: GrowCR Goal 4: Communicate and collaborate with regional partners.

Background: A Public Hearing was held on March 28, 2023 in which no objections were heard.

These permanent street closures are being completed as a part of the Ellis Boulevard and 6th Street NW Connector project. In order to allow for a new Union Pacific Railroad crossing on 6th Street NW, three existing railroad street crossings will be closed. The Ellis Boulevard and 6th Street NW Connector project will provide a travel connection between neighborhoods in the northwest area.

The Ellis Boulevard and 6th Street NW connector project has been long anticipated since the beginning of the Paving for Progress program. Plans and Specifications were filed with the City Council and a public hearing was set and held on March 8, 2022. The agreement for Preliminary Engineering Services with the Union Pacific Railroad was fully executed by the City on July 18, 2019 in anticipation of these railroad closures.

Action/Recommendation: The Public Works Department recommends permanently closing City streets at the respective Union Pacific Railroad crossings.

Alternative Recommendation: N/A

Time Sensitivity: Normal

Ordinance Date: April 11, 2023

Budget Information: NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

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301963-00
7970

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

ORDINANCE NO. LEG_NUM_TAG

AN ORDINANCE PERMANENTLY CLOSING 10TH STREET SE BETWEEN
16TH AVENUE AND OTIS ROAD SE; I AVENUE NW BETWEEN 5TH STREET
AND 4TH STREET NW AND C AVENUE NW BETWEEN 8TH STREET AND
6TH STREET NW AT UNION PACIFIC RAILROAD CROSSINGS PROPERTY
MORE PARTICULARLY DESCRIBED IN SECTION 1 HEREOF

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

Section 1. That the streets at Union Pacific Railroad crossings hereafter described are
permanently closed:

- 10th Street SE between 16th Avenue and Otis Road SE
- I Avenue NW between 5th Street and 4th Street NW
- C Avenue NW between 8th Street and 6th Street NW

Section 2. That this Ordinance shall be in full force and effect from and after its passage
and publication as provided by law.

Introduced this 28th day of March, 2023.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

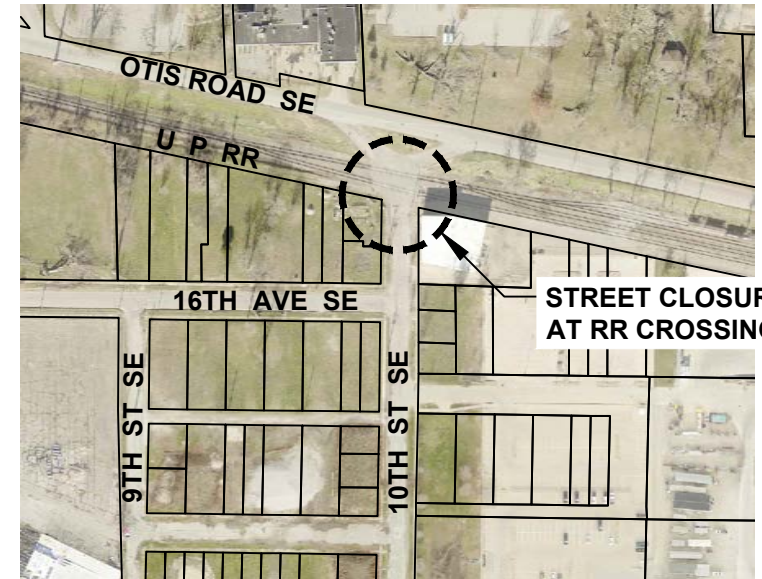
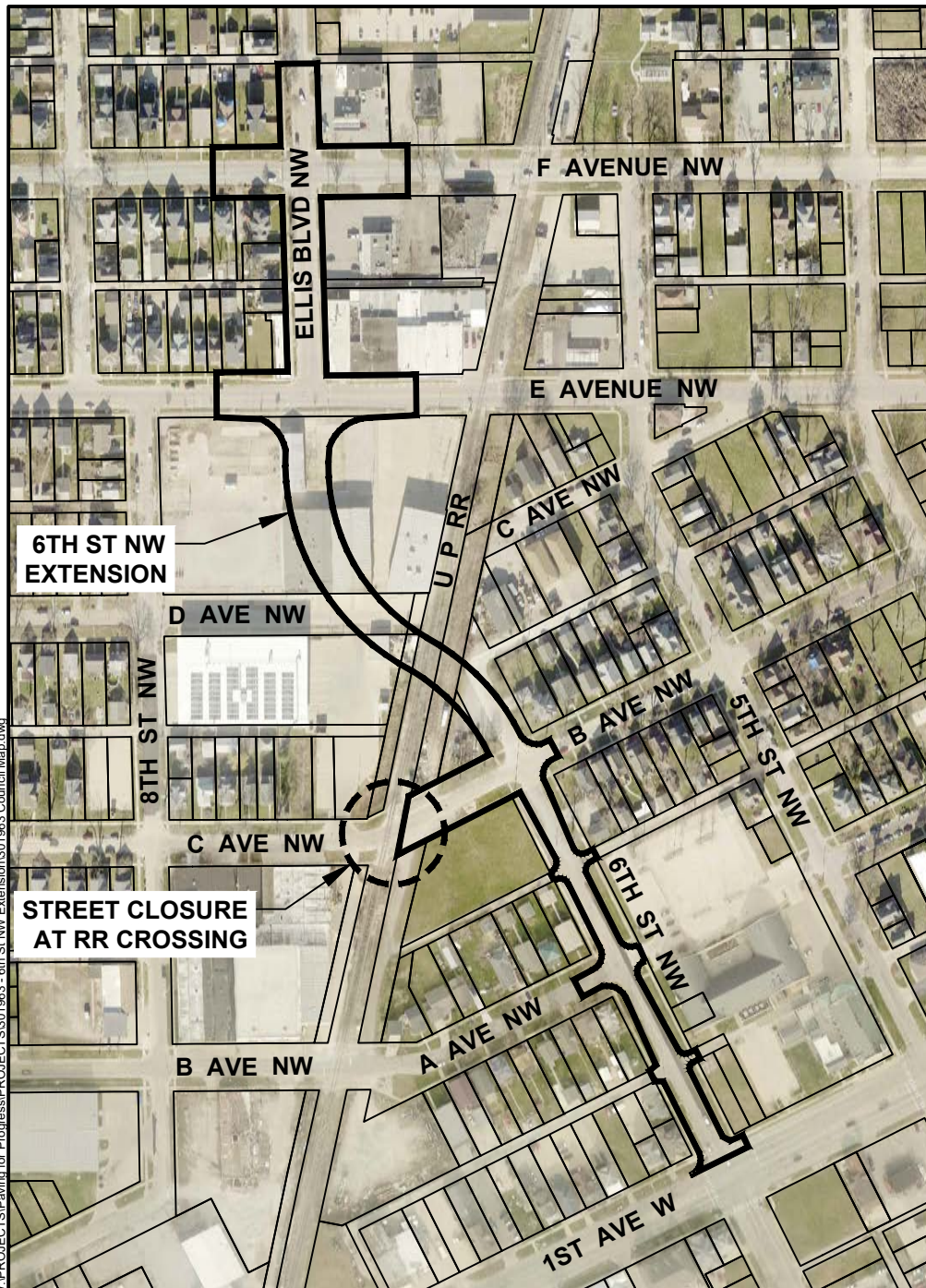
Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Ordinance and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature





Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Seth Gunnerson

Contact Person: Caleb Mason

Cell Phone Number: 319-538-5188

E-mail Address: C.Mason@cedar-rapids.org

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

The Second and Possible Third Reading of the Ordinance will be held on April 11th to consider a change of zone for property located at 320 27th St NE from T-R1, Traditional Residential Single Unit District, to P-IN, Public Institutional District, as requested by Cedar Rapids Community School District.

CIP/DID #RZNE-033568-2023

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

Background: This request was reviewed by the City Planning Commission on March 2, 2023 and unanimously recommended for approval.

The applicant proposes to replace the current Arthur Elementary School located at 2630 B Ave NE with a larger new facility. The LUTA for the property is Urban Medium Intensity, which permits consideration of the requested zone district.

A Public Hearing to allow for public input and the First Reading of the Ordinance was held on March 28, 2023.

Action/Recommendation: City Staff recommend voting in the affirmative on the first reading.

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

Time Sensitivity: N/A

Resolution Date: NA

Budget Information: NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation:

DSD
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RCR

RZNE-033568-2023

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

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;

LEGAL DESCRIPTION (DEED RECORD, VOLUME 569, PAGE 348):

THAT PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER
(NW1/4 NW1/4) SECTION FOURTEEN (14) TOWNSHIP EIGHTY-THREE (83) NORTH,
RANGE SEVEN (7) WEST OF THE 5TH PM., LYING WEST OF BENTON (NOW B)
AVENUE, AS SHOWN ON THE RECORDED PLAT OF "GREENE'S SECOND"
ADDITION TO CEDAR RAPIDS, AND NORTHERLY OF 27TH STREET, AS SHOWN ON
THE SAME RECORDED PLAT, AND ON THE PLAT OF EASTLAND MANOR AN
ADDITION TO CEDAR RAPIDS, IOWA, AND SOUTHEASTERLY OF THE RIGHT OF
WAY OF THE CHICAGO MILWAUKEE AND ST. PAUL RAILWAY COMPANY.

AND

LEGAL DESCRIPTION (DEED RECORD, VOLUME 569, PAGE 349):

THAT PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER
(NE1/4 NE1/4) SECTION FIFTEEN (15) TOWNSHIP EIGHTY-THREE (83) NORTH ,
RANGE SEVEN (7) WEST OF THE 5TH P.M., LYING NORTHERLY OF 27TH STREET,
AS SHOWN ON THE RECORDED PLAT OF "GREENE'S SECOND" ADDITION TO
CEDAR RAPIDS, AND ON THE PLAT OF EASTLAND MANOR, AND ADDITION TO
CEDAR RAPIDS, IOWA, AND SOUTHEASTERLY OF THE RIGHT OF WAY OF THE
CHICAGO, MILWAUKEE AND ST. PAUL RAILWAY COMPANY.

DESCRIBED PARCEL CONTAINS 6.59 ACRES.

and located at 320 27th St NE, now zoned T-R1, Traditional Residential Single Unit District, and
as shown on the "District Map," be rezoned and changed to P-IN, Public Institutional District, and

that the property be used for such purposes as outlined in the P-IN, Public Institutional District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

Section 2. That the base district for this Planned Unit Development be P-IN, Public Institutional.

Section 3. That in accordance with Chapter 32, as amended, of the Municipal Code of Cedar Rapids, Iowa, being the Zoning Ordinance, the following exceptions, and modifications to the S-RL1 district are approved and incorporated into the Planned Unit Development Overlay.

1. Onsite vehicle queuing & flow: The applicant will continue to work with the City on maintaining and ensuring minimal vehicle queuing occurring in the public right of way through use of depicted onsite bus lanes and pick-up/drop-off flows through the parking lot and along interior pickup area

Section 4. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Section 5. Following publication of this Ordinance as provided for by law, the City Clerk shall certify this Ordinance and the plat of the property described hereinabove, as shown by Exhibit A attached hereto and by this reference incorporated herein, to the Linn County Recorder.

Introduced this 28th day of March, 2023.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Ordinance and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 11th day of April, 2023.

ClerkSignature

**REZONING
ACCEPTANCE OF CONDITIONS**

ORDINANCE NO. _____

I/we hereby agree to the terms and conditions set out in the Ordinance.

Dated this 21st day of March, 2023.

Cedar Rapids Community School District

Titleholder/Company Name

Laurel A. Day

Authorized Signature

Laurel A. Day

Printed Name

Board Secretary

Printed Title



Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Seth Gunnerson

Contact Person: Caleb Mason

Cell Phone Number: 319-538-5188

E-mail Address: C.Mason@cedar-rapids.org

Description of Agenda Item: ORDINANCES – First Reading

A first reading will be held on April 11, 2023 of an ordinance changing the zoning for a property located at 2906 Oakland Road NE from S-RM1, Suburban Residential Medium Single Unit District, to S-RLF, Suburban Residential Low Flex District, as requested by Advantage Development, Inc.

CIP/DID: #RZNE-033493-2022

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

Background: This request was reviewed by the City Planning Commission on March 2, 2023 and unanimously recommended for approval. On March 28 the City Council held a public hearing on this rezoning and deferred the vote to a future date. At the April 11 City Council meeting staff will present additional information requested by the council in relation to the project and neighborhood context.

The applicant proposes development of multi-unit residential structures on a 24,307 sf lot. The LUTA for the property is Urban Low Intensity, which permits consideration of the requested zone district. A concept plan provided by the applicant proposes the development of two three-unit housing structures on the site.

Action/Recommendation: City staff recommends approval of the First Reading.

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

Time Sensitivity: N/A

Resolution Date: NA

Budget Information: NA

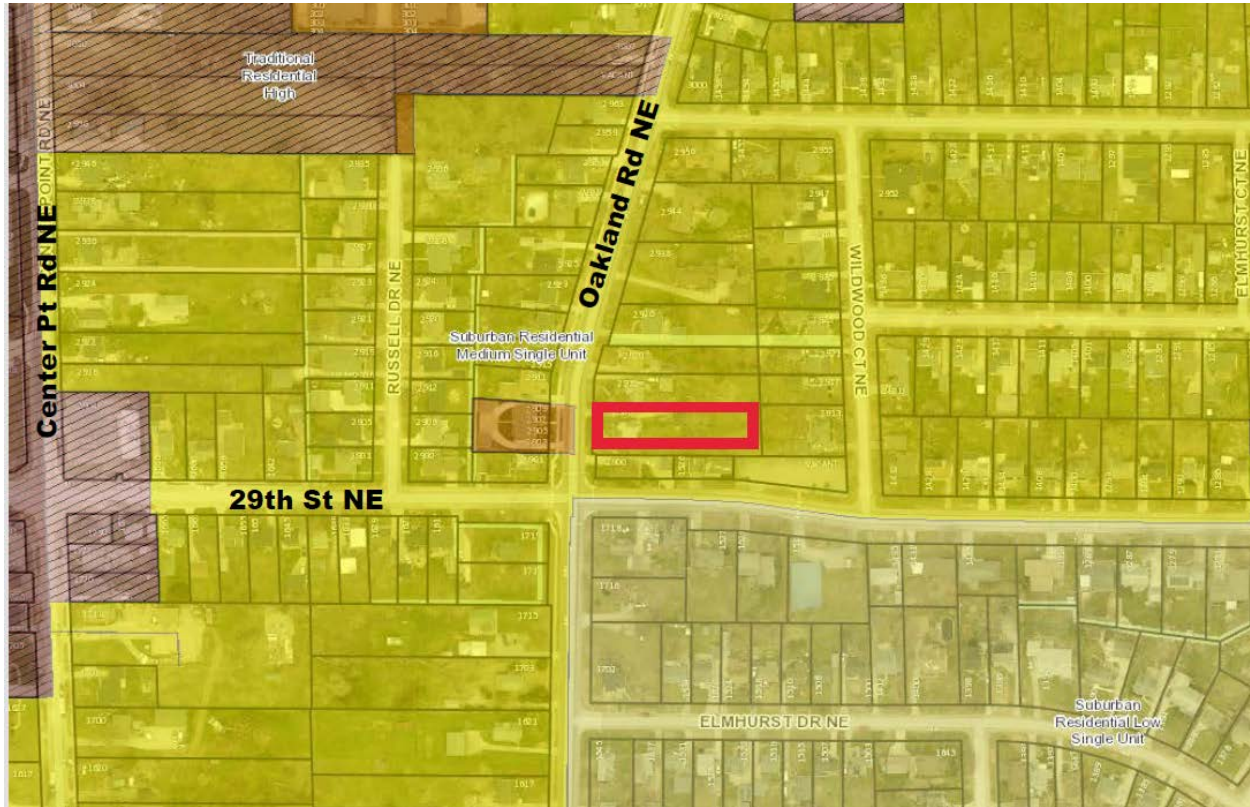
Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation:

Rezoning Site Location:



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RCR

RZNE-033493-2022

Prepared By: City of Cedar Rapids 319-286-5060
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

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;

A PART OF THE SE ¼ SE ¼ OF SECTION 9-83-7, [CITY OF CEDAR RAPIDS], LINN COUNTY, IOWA DESCRIBED AS FOLLOWS: COMMENCING [BEGINNING] AT A POINT ON THE EAST LINE OF SAID SECTION 9, 103.5 FEET NORTH OF THE SE CORNER OF SAID SECTION 9; THENCE NORTH ALONG THE EAST LINE OF SAID SECTION 9, [A DISTANCE OF] 182.5 FEET; THENCE WEST ALONG A LINE PARALLEL TO, AND 286.0 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 9 TO THE CENTER LINE OF THE CEDAR RAPIDS AND MARION ROAD, NOW OAKLAND ROAD; THENCE SW-LY AND S-LY ALONG THE CENTER LINE OF SAID ROAD TO ITS INTERSECTION WITH A LINE PARALLEL TO AND 103.5 FEET NORTH OF THE SOUTH LINE [OF THE SE ¼] OF SAID SECTION 9; THENCE EAST ALONG A LINE PARALLEL TO AND 103.5 FEET NORTH OF THE SOUTH LINE [OF THE SE ¼] OF SAID SECTION 9 TO THE PLACE OF BEGINNING, CONTAINING 2 ACRES MORE OR LESS, EXCEPTING FROM THE ABOVE DESCRIBED TRACT, THE NORTH 96 FEET THEREOF MEASURED ALONG THE E-LY LINE THEREOF AND FURTHER EXCEPTING THE EAST 170 FEET THEREOF.

and located at 2906 Oakland Road NE, now zoned S-RM1, Suburban Residential Medium Single Unit District, and as shown on the "District Map," be rezoned and changed to S-RLF, Suburban Residential Low Flex District, and that the property be used for such purposes as outlined in the S-RLF, Suburban Residential Low Flex District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

Section 2. That the base district for this Planned Unit Development be S-RLF, Suburban Residential Low Flex District.

Section 3. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Section 4. Following publication of this Ordinance as provided for by law, the City Clerk shall certify this Ordinance and the plat of the property described hereinabove, as shown by Exhibit A attached hereto and by this reference incorporated herein, to the Linn County Recorder.

Introduced this 11th day of April, 2023.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

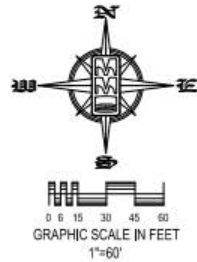
ClerkSignature

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Ordinance and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 25th day of April, 2023.

ClerkSignature

Exhibit A



REZONING EXHIBIT CEDAR RAPIDS, LINN COUNTY, IOWA

OWNER/APPLICANT:
ADVANTAGE DEVELOPMENT INC.
C/O CHAD KEUNE
2881 INDEPENDENCE RD
IOWA CITY, IA

DESCRIPTION

A PART OF THE SE 1/4 OF SECTION 9-83-7, [CITY OF CEDAR RAPIDS], LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING [BEGINNING] AT A POINT ON THE EAST LINE OF SAID SECTION 9, 103.5 FEET NORTH OF THE SE CORNER OF SAID SECTION 9; THENCE NORTH ALONG THE EAST LINE OF SAID SECTION 9, [A DISTANCE OF] 182.5 FEET; THENCE WEST ALONG A LINE PARALLEL TO, AND 286.0 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 9 TO THE CENTER LINE OF THE CEDAR RAPIDS AND MARION ROAD, NOW OAKLAND ROAD; THENCE SW-LY AND S-LY ALONG THE CENTER LINE OF SAID ROAD TO ITS INTERSECTION WITH A LINE PARALLEL TO AND 103.5 FEET NORTH OF THE SOUTH LINE [OF THE SE 1/4] OF SAID SECTION 9; THENCE EAST ALONG A LINE PARALLEL TO AND 103.5 FEET NORTH OF THE SOUTH LINE [OF THE SE 1/4] OF SAID SECTION 9 TO THE PLACE OF BEGINNING, CONTAINING 2 ACRES MORE OR LESS,

EXCEPTING FROM THE ABOVE DESCRIBED TRACT,

THE NORTH 96 FEET THEREOF MEASURED ALONG THE E-LY LINE THEREOF AND FURTHER EXCEPTING THE EAST 170 FEET THEREOF.

LEGEND AND NOTES

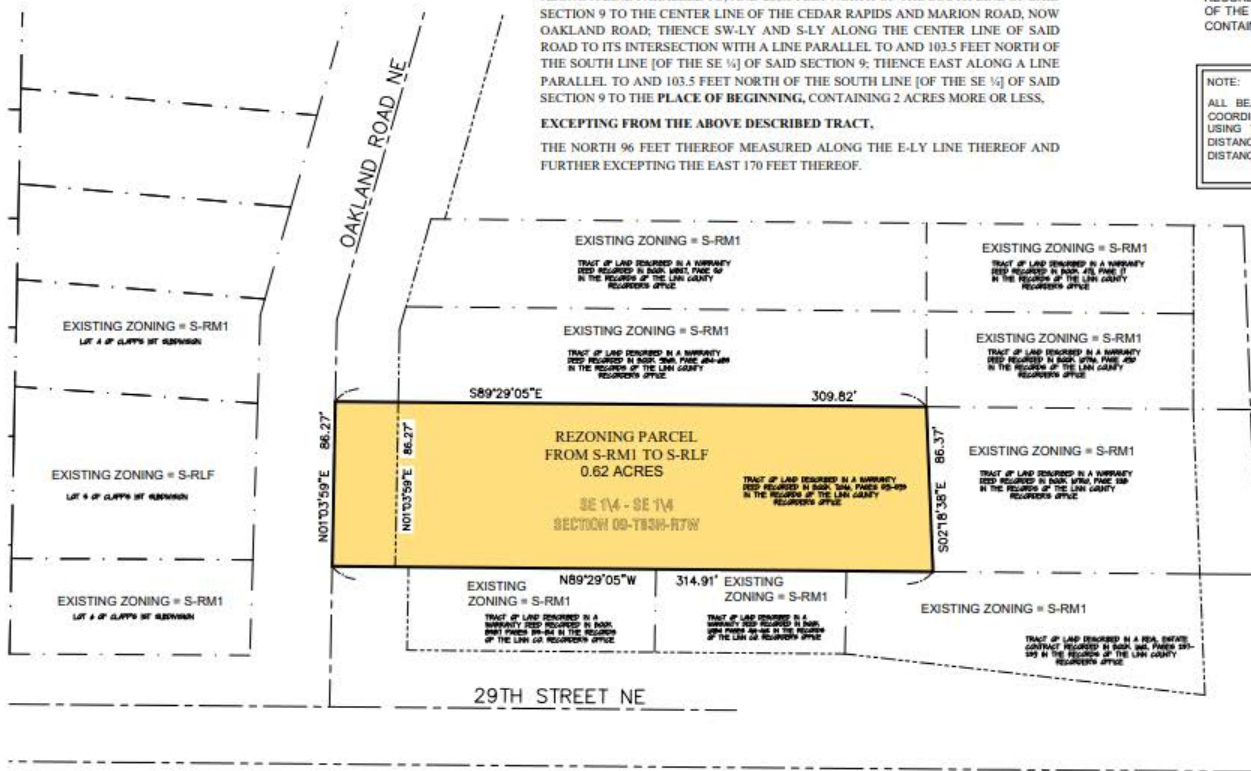
- ▲ CONGRESSIONAL CORNER, FOUND
- ◻ CONGRESSIONAL CORNER, REESTABLISHED
- FENCE CORNER / FENCE POST
- PROPERTY CORNER(S), FOUND (as noted)
- PROPERTY CORNER(S) SET (5/8" x REDBAR PIN WITH AN ORANGE PLASTIC CAP EMBOSSED WITH "MMS 15749")
- SET OUT "X" OR SET "MAG" NAIL
- PROPERTY &/or BOUNDARY LINES
- CONGRESSIONAL SECTION LINES
- RIGHT-OF-WAY LINES
- CENTER LINES
- LOT LINES, INTERNAL
- LOT LINES, PLATTED OR BY DEED
- EASEMENT LINES, WIDTH & PURPOSE NOTED
- EXISTING FENCE LINE
- RECORDED DIMENSIONS
- MEASURED DIMENSIONS
- CURVE SEGMENT NUMBER

UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS

REZONING DESCRIPTION: S-RM1 TO S-RLF
TRACT OF LAND DESCRIBED IN A WARRANTY DEED RECORDED IN BOOK 7046, PAGES 591-593 IN THE RECORDS OF THE LINN COUNTY RECORDER'S OFFICE. SAID PARCEL CONTAINS 0.62 ACRES.

NOTE:

ALL BEARINGS ARE BASED ON IOWA STATE PLANE COORDINATES (NORTH ZONE). LIBRARY CALIBRATION USING THE IOWA REAL TIME NETWORK (RTN). THE DISTANCES SHOWN ON THE PLAT ARE GROUND DISTANCES AND NOT GRID DISTANCES.



David Houg



CIVIL ENGINEERS
LAND PLANNERS
LAND SURVEYORS
LANDSCAPE ARCHITECTS
ENVIRONMENTAL SPECIALISTS
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(319) 351-8282
www.mmsconsultants.net

Date Revision

REZONING EXHIBIT

A PORTION OF THE
SE 1/4 OF THE SE 1/4 OF
SEC. 9-T83N-R7W OF
THE 5TH P.M., CITY OF CEDAR
RAPIDS, LINN COUNTY, IOWA

MMS CONSULTANTS, INC.

Date: 12/21/2022

Drawn by: LRS Scale: 1" = 60'
Checked by: RLA Sheet No: 2
Project No: 6992-349 of: 2