

COMMITTEE OF THE WHOLE MEETING

CITY OF DAVENPORT, IOWA

Wednesday, April 3, 2024; 5:30 PM

City Hall | 226 West 4th Street | Council Chambers

REVISED APRIL 1, 2024

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. City Administrator Update

VI. Public Hearings

A. Community Development

1. Public Hearing on the proposed conveyance of vacated public right-of-way, that being a part of West 43rd Street lying between El Rancho Drive and Rodeo Road (Del Vecchio, Frost, and Infante, Petitioners). [Ward 2]

B. Public Works

1. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Veterans Memorial Parkway Trail Extension project, CIP#28027. [Ward 8]
2. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the West Central Park Avenue (Division and Marquette Streets) Intersection Improvements project, CIP #35061. [Wards 2, 4, & 7]
3. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the SRF Duck Creek Golf Course Wetland project, CIP#33041. [Ward 6]
4. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the West 53rd Street Diamond Grinding project, CIP #35061. [Wards 7 & 8]
5. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Permeable Paver Repair project, CIP #33059. [Wards 3 & 4]

VII. Petitions and Communications from Council Members and the Mayor

VIII. Action items for Discussion

COMMUNITY DEVELOPMENT

Kyle Gripp, Chair; Paul Reinartz, Vice Chair

IX. COMMUNITY DEVELOPMENT

1. Resolution authorizing the conveyance of vacated public right-of-way, that being a part of West 43rd Street lying between El Rancho Drive and Rodeo Road (Del Vecchio, Frost, and Infante, Petitioners). [Ward 2]
2. Resolution approving Case P23-02 being the request of Splendor Homes LLC for a preliminary plat of Splendor Estates, a 118-lot subdivision on 27.94 acres located at 2448 and 2460 East 60th Street. [Ward 8]

APPLICANT SUBMITTED A REVISED 76-LOT SINGLE-FAMILY PRELIMINARY PLAT TO REPLACE THE ORIGINAL REQUEST

3. Resolution approving Case F24-03 being the request of 5CL Illinois LLC for a final plat of Nor-Dav 2nd Addition, a 2-lot subdivision on 19.3 acres located at 1500 West 76th Street. [Ward 8]
4. Resolution setting a Public Hearing on the proposed conditional conveyance of City-owned property located in the 700 block of East 6th Street for the Riverview Heights housing project to Riverview Heights, LLC (Petitioner). [Ward 3]

X. Motion recommending discussion or consent for Community Development items

PUBLIC SAFETY

Ben Jobgen, Chair; Tim Dunn, Vice Chair

XI. PUBLIC SAFETY

1. Resolution approving street, lane, and public ground closure requests on the listed dates and times for outdoor events.

Hope at the BRICK House; Groundbreaking Ceremony; 1431 Ripley Street; 4:30 p.m. - 8:00 p.m. Friday, April 12, 2024; **Closure:** Ripley Street from West 14th Street to West 15th Street. [Ward 5]

Quad Cities Chamber of Commerce; Student Success Symposium; RiverCenter | 136 East 3rd Street; 7:00 a.m. – 3:00 p.m. Tuesday, April 23, 2024; **Closure:** southernmost travel lane and parking lane on East 3rd Street from east of the RiverCenter parking ramp entrance to Pershing Avenue. [Ward 3]

Quad Cities Bicycle Club; Kwik Star Criterium; Village of East Davenport; 5:00 a.m. – 9:00 p.m. Monday, May 27, 2024; **Closures:** Mound Street from East 11th Street to

East 12th Street; East 12th Street/Fulton Avenue from Mound Street to Glenwood Avenue; Glenwood Avenue from Fulton Avenue to Hillcrest Avenue; Hillcrest Avenue from Glenwood Avenue to River Street; East 11th Street from Mound Street to River Street. [Ward 5]

Common Chord; Live@Five Block Party; 129 Main Street; 8:00 a.m. - 11:00 p.m. Friday, June 7, 2024; **Closure:** West 2nd Street between Main Street and Brady Street. [Ward 3]

Village of East Davenport Business Association; Village Hops; Village of East Davenport; 12:00 p.m. - 8:00 p.m. Saturday, June 8, 2024; **Closures:** East 11th Street from Mound Street to Jersey Ridge Road; Christie Street from East 11th Street north to the alley; Jersey Ridge Road from East 11th Street north to the alley. [Ward 5]

2. Motion approving noise variance requests on the listed date and time for outdoor events.

Common Chord; Live@Five Block Party; 129 Main Street; 5:00 p.m. - 10:30 p.m. Friday, June 7, 2024; Outdoor music, over 50 dBA. [Ward 3]

Village of East Davenport Business Association; Villages Hops; Village of East Davenport; 2:00 p.m. - 6:00 p.m. Saturday, June 8, 2024; Outdoor music, over 50 dBA. [Ward 5]

3. Motion approving beer and liquor license applications.

A. New license, new owner, temporary permit, temporary outdoor area, location transfer, etc (as noted):

Ward 2

Yana Mart (Yana Mart, LLC) – 3815 West Kimberly Road – New License/Owners – License Type: Class E Liquor (Carry-Out)

B. Annual license renewals (with outdoor area renewals as noted):

Ward 1

Herbs Tap Inc (Herbs Tap, Inc) - 3701 Rockingham Road - License Type: Class C Liquor (On-Premises)

Ward 3

At the Stardust (At the Stardust, LLC) - 218 Iowa Street - License Type: Class C Liquor (On-Premises)

Daiquiri Factory (Daq Fac, LLC) - 303 West 3rd Street - License Type: Class C Liquor

(On-Premises)

Half Nelson (Bucktown Restaurant Company, LLC) - 321 East 2nd Street #100 - Outdoor Area - License Type: Class C Liquor (On-Premises)

Lopiez Pizza (Lopez Curse, LLC) - 429 East 3rd Street #1 - License Type: Class C Liquor (On-Premises)

Redstone Room (River Music Experience) - 129 Main Street (2nd Floor) - License Type: Class C Liquor (On-Premises)

Scotts Shovelhead Shed (SSS, Inc) - 220 North Pine Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 4

Mississippi Valley Fairgrounds (Mississippi Valley Fair, Inc) - 2815 West Locust Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 5

Grumpy's Saloon (2118-2120, In) - 2120 East 11th Street - License Type: Class C Liquor (On-Premises)

Ward 6

Biaggi's Ristorante Italiano, LLC (Biaggi's Ristorante Italiano, LLC) - 5195 Utica Ridge Road - License Type: Class C Liquor (On-Premises)

Fresh Thyme Farmers Market (Lakes Venture, LLC) - 2130 East Kimberly Road - License Type: Class C Beer (Carry-Out)

Your Pie (The Gizzeria Group, Inc) - 4520 East 53rd Street #400 - Outdoor Area - License Type: Special Class C Beer/Wine (On-Premises)

Ward 7

Mo Brady's (DRC Ventures, Inc) - 4830 North Brady Street - License Type: Class C Liquor (On-Premises)

Ward 8

C. Request for 19/20-year-old exemption

Ward 3

At the Stardust (At the Stardust, LLC) - 218 Iowa Street - License Type: Class C

Liquor (On-Premises)

Redstone Room (River Music Experience) - 129 Main Street (2nd Floor) - License
Type: Class C Liquor (On-Premises)

RME Courtyard (Common Chord) - 121 West 2nd Street - Outdoor Area - License
Type: Class C Liquor (On-Premises)

XII. Motion recommending discussion or consent for Public Safety items

PUBLIC WORKS

Rick Dunn, Chair; Tim Kelly, Vice Chair

XIII. PUBLIC WORKS

1. Second Consideration: Ordinance amending Chapter 12.16 entitled "Curbs" of the Municipal Code of Davenport, Iowa by eliminating sections and updating language. [All Wards]
2. Second Consideration: Ordinance amending Section 13.34.130 entitled "Storm Sewers" of the Municipal Code of Davenport, Iowa by updating language for storm sewer inspections. [All Wards]
3. Second Consideration: Ordinance amending Section 16.28.050 entitled "Sewers" of the Municipal Code of Davenport, Iowa by updating language for sanitary sewer inspections and sewer extensions. [All Wards]
4. First Consideration: Ordinance amending Section 13.16.060 entitled "Local limits for specific pollutants" of the Municipal Code of Davenport, Iowa to revise local discharge limits for specific pollutants. [All Wards]
5. Resolution accepting work completed under the FY 2020 Contract Sewer Repair Program by Hagerty Earthworks, LLC of Muscatine, Iowa in the amount of \$767,687.25, CIP #30044 and #33001. [All Wards]
6. Resolution awarding a contract for FY 2025 Iowa DOT Full Depth Patch Program to Langman Construction, Inc of Rock Island, Illinois in an amount not to exceed \$150,000, CIP #35045. [All Wards]
7. Resolution awarding a one-year contract with two possible one-year renewals for Natural Resources Landscaping Maintenance Services to Delfs Landscape and Irrigation of Blue Grass, Iowa. [All Wards]
8. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Veterans Memorial Parkway Trail Extension project, CIP #28027. [Ward 8]
9. Resolution approving the plans, specifications, form of contract, and estimate of cost for the West Central Park Avenue (Division and Marquette Streets) Intersection Improvements project, CIP #35061. [Ward 2, 4, & 7]

10. Resolution approving plans, specifications, form of contract, and estimate of cost for the SRF Duck Creek Golf Course Wetland project, CIP #33041. [Ward 6]
11. Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 53rd Street Diamond Grinding project, CIP #35061. [Wards 7 & 8]
12. Resolution approving and authorizing the execution of an agreement between the City of Davenport and the Iowa Department of Transportation (DOT) covering the provision of Federal-aid funding for the Eastern Avenue (south) Bridge Over Goose Creek Replacement project, CIP #21012. [Wards 6 & 7]
13. Resolution approving the Water Quality Initiative (WQI) Grant Program agreement with the Iowa Department of Agriculture and Land Stewardship in the amount of \$99,500 for the Goose Creek Park Environmental Restoration project, and authorizing the Public Works Director/Assistant City Administrator or designer to sign necessary documents and agreements. [Ward 8]
14. Resolution approving the Land and Water Conservation Fund (LWCF) Grant Program agreement with the Iowa Department of Natural Resources in the amount of \$200,000 for the Goose Creek Park Environmental Restoration project, and authorizing the Public Works Director/Assistant City Administrator or designee to sign necessary documents and agreements. [Ward 8]
15. Resolution approving the purchase of four solid waste trucks for Public Works from Kilburg Equipment of Preston, Iowa in the amount of \$1,018,663 using Sourcewell contract #110223-LEG, CIP #10503. [All Wards]
16. Motion approving Amendment #2 to Snyder & Associates, Inc of Iowa City, Iowa in the amount of \$59,383 for additional design services for the Goose Creek Trail Phase III | Duck Creek Trail to East 46th Street project, ARP #17. [Ward 7]
17. Motion approving the plans, specifications, form of contract, and estimate of cost for the Permeable Paver Repair project, CIP #33059. [Wards 3 & 4]

XIV. Motion recommending discussion or consent for Public Works items

FINANCE

Jazmin Newton, Chair; Mhisho Lynch, Vice Chair

XV. FINANCE

1. First Consideration: Ordinance providing for the sale and issuance of \$27,715,000 General Obligation Corporate Bonds, Series 2024, and for the levy of taxes to pay the same. [All Wards]

***STAFF RECOMMENDS SUSPENSION OF THE RULES AND PASSAGE OF
SECOND AND THIRD CONSIDERATIONS AT THE APRIL 10, 2024 CITY
COUNCIL MEETING***

2. Resolution setting a Public Hearing on the FY 2025 Operating Budget, FY 2025 Capital Improvement Budget, and the FY 2025 - FY 2030 Capital Improvement Program. [All Wards]

TO BE VOTED ON LATER ON THIS AGENDA

3. Resolution awarding a contract for the Davenport Skate Park Improvements project to Spohn Ranch, Inc of Los Angeles, California in the amount of \$350,000 using Sourcewell contract #112420-SRI, CIP#64115. [Ward 3]
4. Resolution approving eight Open Prairie/Forest Cover property tax exemptions. [Wards 1, 6, 7, & 8]
5. Resolution approving a 28D Intergovernmental Agreement between the City of Davenport and the Davenport Community School District for the purpose of providing school resource officers at Davenport Schools. [All Wards]
6. Resolution ratifying Executive Order 2023-22 appointing Mallory Merritt as Interim City Administrator; ratifying the Personnel Memorandum of Understanding between the City of Davenport and Mallory Merritt, memorializing Ms. Merritt's appointment as Interim City Administrator; and approving Amendment 1 to the personnel Memorandum of Understanding between the City of Davenport and Mallory Merritt. [All Wards]
7. Resolution ratifying Executive Order 2024-01 appointing Brian Heyer as Interim Corporation Counsel and approving the Personnel Memorandum of Understanding between the City of Davenport and Brian Heyer, memorializing Mr. Heyer's appointment as Interim Corporation Counsel. [All Wards]

XVI. Motion recommending discussion or consent for Finance items

XVII. PURCHASES OF \$10,000 TO \$50,000 (For Information Only)

1. Ahlers & Cooney PC | consulting | Amount: \$10,814
2. Shive-Hattery Inc | City Hall topographic survey fees | Amount: \$11,019.03
3. PFM Group Consulting LLC | HF 718 and FY 2025 taxable valuation analysis | Amount: \$12,240.53
4. DBS Manufacturing Inc | primary clarifier drive at Water Pollution Control Plant | Amount: \$13,016.92
5. CDW Government Inc | NetMotion Absolute secure access | Amount: \$13,087
6. Martin Equip of IA-IL Inc | hydraulic hammer for mini excavator | Amount: \$14,397
7. Xylem LTD | Water Pollution Control Plant UV disinfection transmittance sensor | Amount: \$14,838
8. White Birch Group, LLC | code and policy analysis | Amount: \$16,000
9. LeadsOnline | annual renewal | Amount: \$16,211

10. Rock Island Arsenal Defense Alliance | FY 2024 funding | Amount: \$17,400
11. WRS Construction Inc | Freight House stair repairs | Amount: \$22,000
12. Insight Public Sector Inc | managed services for Office 365 deployment | Amount: \$22,834

XVIII. Other Ordinances, Resolutions and Motions

1. Motion for suspension of the rules to vote on the item below.
2. Resolution setting a Public Hearing on the FY 2025 Operating Budget, FY 2025 Capital Improvement Budget, and the FY 2025 - FY 2030 Capital Improvement Program. [All Wards]

XIX. Reports of City Officials

XX. Adjourn

City of Davenport

Department: Legal

Contact Info: Brian Heyer | 563-326-7735

Action / Date

4/3/2024

Subject:

Public Hearing on the proposed conveyance of vacated public right-of-way, that being a part of West 43rd Street lying between El Rancho Drive and Rodeo Road (Del Vecchio, Frost, and Infante, Petitioners). [Ward 2]

Recommendation:

Background:

The City of Davenport currently owns a vacated public right-of-way known as part of West 43rd Street between El Rancho Drive and Rodeo Road located in Brunsview Park Third Addition and Brunsview Park Fourth Addition, to the City of Davenport, Scott County, Iowa. The City of Davenport desires to sell its interest in the aforementioned real estate and the abutting property owners have offered to acquire said property.

Iowa law requires a city to hold a Public Hearing prior to conveying its interest in real property.

Attachments:

None

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
4/3/2024

Subject:

Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Veterans Memorial Parkway Trail Extension project, CIP#28027. [Ward 8]

Recommendation:

Hold the Hearing.

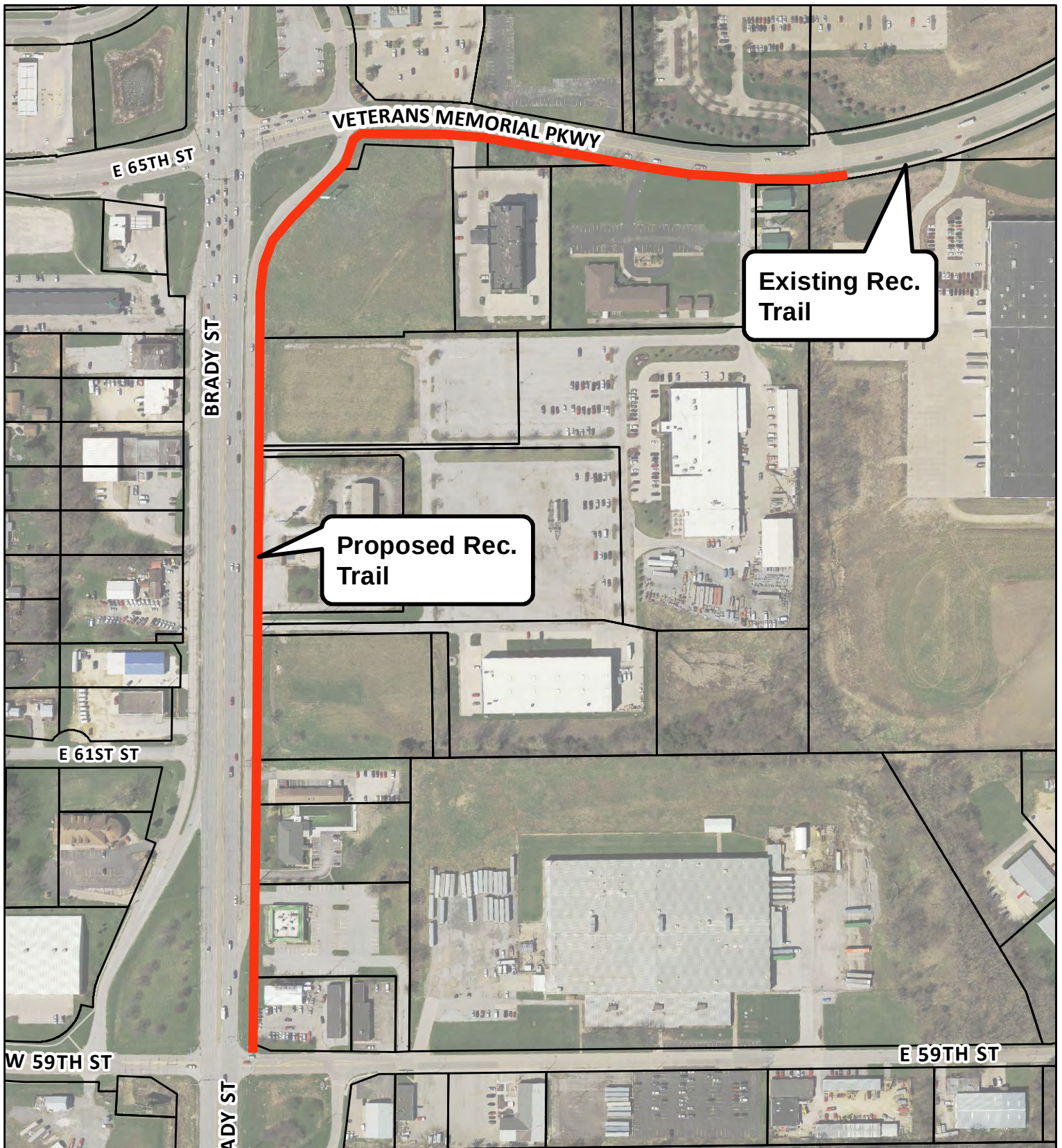
Background:

This will construct recreational trail from the existing trail at Veterans Memorial Parkway to East 59th Street. Work shall include the construction of 6" thick concrete recreational trail and work associated with construction, including earthwork and grading, retaining walls, storm sewer improvements, and driveways.

This project will receive grant funding through the Transportation Alternatives Program.

Attachments:

1. 28027 - Location Map



Location Map

Veterans Memorial Parkway Trail Extension

Transportation Alternatives Program
Project No. TAP-T-1827(688)—8V-82

Legend

-  Parcel Lines
-  Proposed Trail



1 inch = 300 feet

0 100 200 400 600 Feet

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
4/3/2024

Subject:

Public Hearing on the plans, specifications, form of contract, and estimate of cost for the West Central Park Avenue (Division and Marquette Streets) Intersection Improvements project, CIP #35061. [Wards 2, 4, & 7]

Recommendation:

Hold the Hearing.

Background:

This is a pavement reconstruction project including the intersections of West Central Park Ave and Division Street and West Central Park Avenue and Marquette Street. As an intersection reconstruction project, the scope of the reconstruction is somewhat limited in extent. Work also includes bringing existing sidewalks into compliance with ADA requirements, including the installation of pedestrian crossing push button pedestals. The project also includes repair of a leaning retaining wall located along the right-of-way at 2614 Division Street.

This project will be funded by Capital Improvements Program funds using a combination of Local Option Sales Tax, Road Use Tax, and General Obligation Bond proceeds.

Attachments:

None

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
4/3/2024

Subject:

Public Hearing on the plans, specifications, form of contract, and estimate of cost for the SRF Duck Creek Golf Course Wetland project, CIP#33041. [Ward 6]

Recommendation:

Hold the Hearing.

Background:

In conjunction with the WPCP 1930s Sanitary Sewer Interceptor project, which was eligible to utilize funding from the State Revolving Fund (SRF), the City's application for a Clean Water SRF Water Restoration Sponsored Project was approved. The Clean Water SRF project associated with these dollars will be a stormwater wetland and native prairie planting at Duck Creek Golf Course. The wetland will clean runoff from the golf course, provide a small amount of storage during Duck Creek flooding events, and provide pollinator habitat. This project will be a partnership between the City, the Iowa Department of Natural Resources, and the Iowa Department of Agriculture and Land Stewardship.

Attachments:

None

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
4/3/2024

Subject:

Public Hearing on the plans, specifications, form of contract, and estimate of cost for the West 53rd Street Diamond Grinding project, CIP #35061. [Wards 7 & 8]

Recommendation:

Hold the Hearing.

Background:

The section of West 53rd Street from Northwest Boulevard to Candlelight Creek was full depth patched in 2021. Intermittent patching, while structurally stable, can create a rougher driving surface. This project will grind a maximum of 1/2" off the surface, providing a smooth driving surface.

The project is scheduled to be bid this spring with construction to be complete by late summer 2024. Funding for the West 53rd St. Diamond Grinding project is established within CIP #35061.

Attachments:

None

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
4/3/2024

Subject:

Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Permeable Paver Repair project, CIP #33059. [Wards 3 & 4]

Recommendation:

Hold the Hearing.

Background:

Permeable pavement roadways were installed on West Dover Court at Peterson Park and East 5th Street between Brady Street and Perry Street in 2014 and 2016, respectively. Through routine winter maintenance such as plowing and salting, and due to a lack of sealing the paver surface, the surface of many of the pavers have deteriorated. Sealing of the paver surface is a newer technology found to aid in preserving the surface of this particular type of paver. The road sections have also experienced some settling of the rock and paver section at locations where it meets up with the standard concrete pavement sections. This project will replace the pavers that have surface spalling, reset pavers at the end sections that have settled, and will include the new and recommended sealant application.

Attachments:

None

City of Davenport

Department: Legal

Contact Info: Brian Heyer | 563-326-7735

Action / Date

4/3/2024

Subject:

Resolution authorizing the conveyance of vacated public right-of-way, that being a part of West 43rd Street lying between El Rancho Drive and Rodeo Road (Del Vecchio, Frost, and Infante, Petitioners). [Ward 2]

Recommendation:

Adopt the Resolution.

Background:

The City of Davenport currently owns vacated public right-of-way known as part of West 43rd Street between El Rancho Drive and Rodeo Road located in Brunsview Park Third Addition and Brunsview Park Fourth Addition, to the City of Davenport, Scott County, Iowa. The City of Davenport desires to sell its interest in the aforementioned real estate and the abutting property owners have offered to acquire said property.

A Public Hearing was held on Wednesday, April 3, 2024 as required by Iowa law.

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderman Gripp.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION authorizing the conveyance of vacated public right-of-way, that being a part of West 43rd Street lying between El Rancho Drive and Rodeo Road (Del Vecchio, Frost, and Infante, Petitioners).

WHEREAS, the City of Davenport currently owns the following vacated public right-of-way:

part of West 43rd Street located in Brunsview Park Third Addition and Brunsview Park Fourth Addition, to the City of Davenport, Scott County, Iowa; and

WHEREAS, the City of Davenport desires convey the same to abutting property owners Michael Del Vecchio, Jason and Mary Frost, and Minnie Infante, subject to easements and restrictions of record and existing utilities; and

WHEREAS, a Public Hearing on the matter was held on Wednesday, April 3, 2024 as required by Iowa law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the above-described real estate is hereby conveyed to Michael Del Vecchio, Jason and Mary Frost, and Minnie Infante, subject to easements and restrictions of record and existing utilities; and

BE IT FURTHER RESOLVED that the conveyance shall be executed by the Mayor and Deputy City Clerk on behalf of the City of Davenport.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Laura Berkley | 563-888-3553

Action / Date
4/3/2024

Subject:

Resolution approving Case P23-02 being the request of Splendor Homes LLC for a preliminary plat of Splendor Estates, a 118-lot subdivision on 27.94 acres located at 2448 and 2460 East 60th Street. [Ward 8]

APPLICANT SUBMITTED A REVISED 76-LOT SINGLE-FAMILY PRELIMINARY PLAT TO REPLACE THE ORIGINAL REQUEST

Recommendation:

Adopt the Resolution.

Background:

At the request of the applicant, City Council tabled a Preliminary Plat of Splendor Estates at its August 23, 2023 meeting. The purpose was to provide the developer with additional time to discuss the proposed 118-lot subdivision with the surrounding residential neighborhood. Following meetings with adjacent property owners, the applicant submitted a revised 76-lot subdivision. The amended design maintains a consistent street configuration. However, the number of lots has been reduced to facilitate the development of single-family dwellings rather than the original intent to construct single-family semi-detached homes. The 118-lot preliminary plat and staff report from the August 23, 2023 City Council meeting are attached as a reference.

City staff reviewed the revised 76-lot preliminary plat in conformance with Chapter 16 of the Municipal Code. The following conditions recommended by the Plan and Zoning Commission remain applicable:

1. Ensure positive drainage away from building foundations.
2. Label pavement widths for Heather Avenue, Splendor Lane, Sunshine Lane, East 59th Street, East 60th Street, and East 61st Street.
3. Speed mitigation measures shall be implemented in adjacent residential neighborhoods as directed by the City Engineer.
4. A northbound left turn lane on Jersey Ridge Road shall be installed at the developer's expense.

Plan and Zoning Commission Action:

At its July 18, 2023 meeting, the Plan and Zoning Commission reviewed the original request for a 118-lot preliminary plat. The Commission recommended approval with a 4-3 vote subject to the following findings and conditions:

Findings:

1. The preliminary plat conforms to the comprehensive plan Davenport +2035.
2. The preliminary plat prepares the area for future development.

3. The preliminary plat (with conditions recommended by City staff) would achieve consistency with subdivision requirements.

Conditions:

1. Revise the lot numbers to indicate a total of 118 lots.
2. Indicate the location of building footprints on Lots 48, 116, and 117.
3. Ensure positive drainage away from building foundations.
4. Show all sidewalks within the subdivision.
5. Label pavement widths on Splendor Lane, north of East 60th Street.
6. Speed mitigation measures shall be implemented in adjacent residential neighborhoods as directed by the City Engineer.
7. Add a note stating, "All on-street parking shall be limited to one side of the street."
8. Include Base Flood Elevation to Note 7 or depicted on the preliminary plat.
9. A northbound left turn lane on Jersey Ridge Road shall be installed at the developer's expense.
10. The sidewalk on Jersey Ridge Road shall be constructed by the developer at the time of street construction.

Comprehensive Plan:

1. Within Existing Urban Service Area: Yes
2. Within Urban Service Area 2035: Yes

Future Land Use Designation:

Residential General (RG): Designates neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other neighborhood uses like schools, churches, corner stores, etc. generally oriented along Urban Corridors (UC). Neighborhoods are typically designated as a whole. Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered.

Relevant Goals to be considered in this Case: Strengthen the Existing Built Environment.
The proposed Final Plat would comply with the Davenport +2035 proposed land use section.

Zoning:

R-3 Single-Family and Two-Family Residential District. This district is intended to accommodate residential neighborhoods in the City of Davenport consisting of single-family and two-family homes in a moderately dense urban development pattern. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-3 District.

Technical Review:

- Streets: The subdivision has access via Jersey Ridge Road, East 61st Street, and East 59th Street. The newly dedicated road network as shown meets Davenport Municipal Code requirements. Given the narrow pavement widths, on-street parking will be restricted to one side of the street. As compared to the previously approved final plat, the access point onto Jersey Ridge Road is located further south from Lorton Avenue. This location was selected for its enhanced site lines along the curve in Jersey Ridge Road. Due to the increased density of development, speed mitigation will be required in adjacent neighborhoods to ensure traffic safety. The Plan and Zoning Commission added a condition that sidewalks be installed along Jersey Ridge Road at the time of

internal street construction.

- Storm Water: The R-3 District permits a maximum impervious surface of 60% for each lot. The development of the property will need to comply with the City's stormwater requirements.
- Sanitary Sewer: Sanitary sewers will be extended from existing infrastructure to serve this subdivision. Additional storm and sanitary sewer easements shall be required based on preliminary engineering of conceptual plans including service drainage of the property to the west.
- Other Utilities: Other normal utility services are available.

Public Input:

Public notification is not required for a preliminary plat. However, several neighboring property owners attended the Plan and Zoning Commission meeting to express concern regarding the character of the development, increased density, and traffic impacts. Following the tabling at City Council, the developer held a neighborhood meeting to reintroduce the project and answer questions about the proposed layout. To mitigate concerns about density, the applicant reduced the number of lots from 118 to 76. The revised configuration facilitates the development of single-family homes.

Attachments:

1. Resolution
2. Splendor Estates Preliminary Plat (76-Lots)
3. Staff Report from August 23, 2023 City Council Meeting
4. Splendor Estates Preliminary Plat (118-Lots)
5. Zoning-Future Land Use Map
6. Application
7. Protest Petition
8. Splendor Estates Petition (All Pages)

Resolution No. _____

Resolution offered by Alderman Gripp.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving Case P23-02 being the request of Splendor Homes, LLC for a preliminary plat of Splendor Estates, a 118-lot subdivision on 27.94 acres located at 2448 and 2460 E 60th Street.

WHEREAS, the Plan & Zoning Commission reviewed Case P23-02 at the July 18, 2023 regularly scheduled meeting with a recommendation for approval subject to ten conditions; and

WHEREAS, the applicant has submitted a revised 76-lot preliminary plat of Splendor Estates for consideration at the April 10, 2024 City Council meeting; and

WHEREAS, due to revisions in the subdivision plat, the following conditions recommended by the Plan and Zoning Commission remain applicable:

1. Ensure positive drainage away from building foundations;
2. Label pavement widths for Heather Avenue, Splendor Lane, Sunshine Lane, East 59th Street, East 60th Street, and East 61st Street;
3. Speed mitigation measures shall be implemented in adjacent residential neighborhoods as directed by the City Engineer;
4. A northbound left turn lane on Jersey Ridge Road shall be installed at the developer's expense; and

WHEREAS, with the applicable recommended conditions, the subdivision is consistent with Chapter 16 of the Municipal Code of the City of Davenport; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the preliminary plat of Splendor Estates to the City of Davenport, Iowa be and the same is hereby approved and accepted subject to all applicable conditions as stated in the July 18, 2023 Plan and Zoning Commission's recommendation for approval.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

PRELIMINARY PLAT

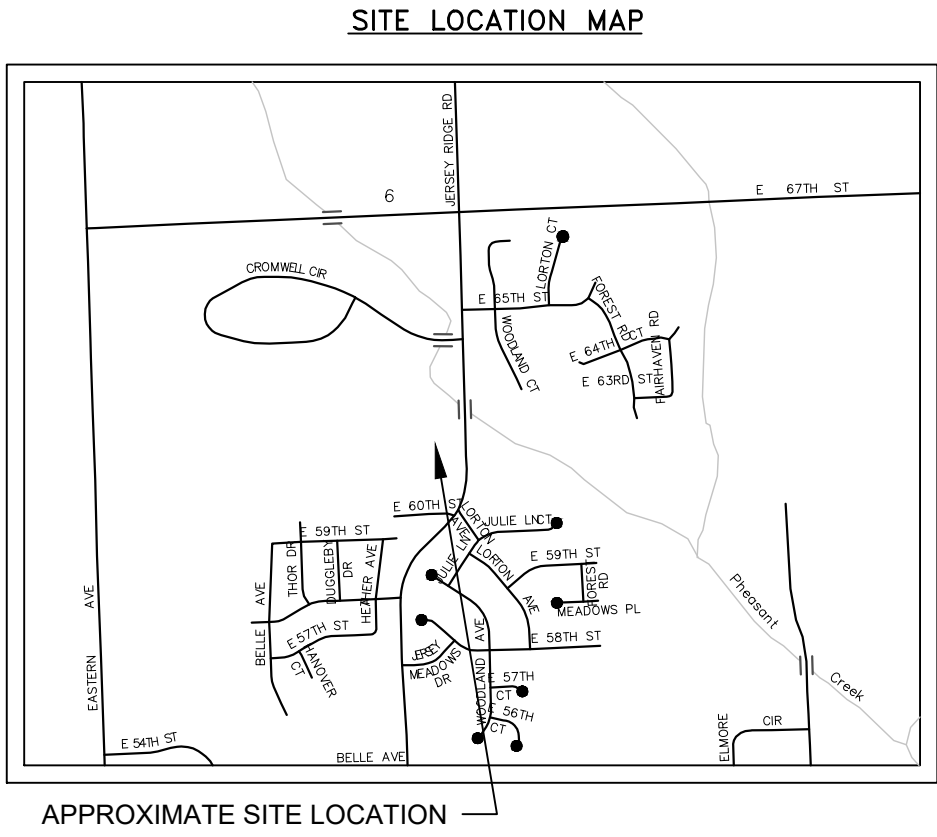
SPLENDOR ESTATES

TO THE CITY OF DAVENPORT, PART OF THE SOUTHEAST QUARTER
AND PART OF THE SOUTHWEST QUARTER OF SECTION 6,
TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH P.M., SCOTT
COUNTY, IOWA

Curve Table					
Curve #	Radius	Delta	ARC	CHORD	CHORD BEARING
C1	15.00	090° 00' 00"	23.56	21.21	N43° 13' 28"E
C2	175.00	015° 39' 16"	47.81	47.67	S80° 23' 49"W
C3	175.00	021° 46' 39"	66.52	66.12	S61° 40' 52"W
C4	175.00	021° 48' 27"	66.61	66.21	S39° 53' 19"W
C5	175.00	030° 45' 38"	93.95	92.83	S13° 36' 16"W
C6	175.00	008° 10' 28"	24.97	24.95	S05° 48' 58"E
C7	175.00	020° 50' 34"	63.66	63.31	S20° 23' 04"E
C8	175.00	021° 06' 47"	64.49	64.12	S41° 21' 03"E
C9	175.00	011° 37' 43"	35.52	35.46	N57° 43' 04"W
C10	175.00	023° 04' 26"	70.48	70.00	N75° 04' 09"W
C11	175.00	005° 10' 11"	15.79	15.78	N89° 11' 27"W
C12	15.00	089° 56' 41"	23.55	21.20	S43° 11' 48"W
C13	15.00	090° 03' 19"	23.58	21.22	S46° 48' 12"E
C14	175.00	008° 23' 42"	25.64	25.62	S05° 58' 24"E
C15	175.00	022° 42' 45"	69.37	68.92	S21° 31' 37"E
C16	175.00	021° 21' 15"	65.22	64.85	S43° 33' 37"E
C17	175.00	024° 04' 25"	73.53	72.99	S66° 16' 26"E
C18	175.00	013° 27' 54"	41.13	41.03	S85° 02' 36"E
C19	15.00	090° 00' 00"	23.56	21.21	S46° 48' 32"E
C20	15.00	089° 22' 20"	23.40	21.10	S42° 54' 37"W

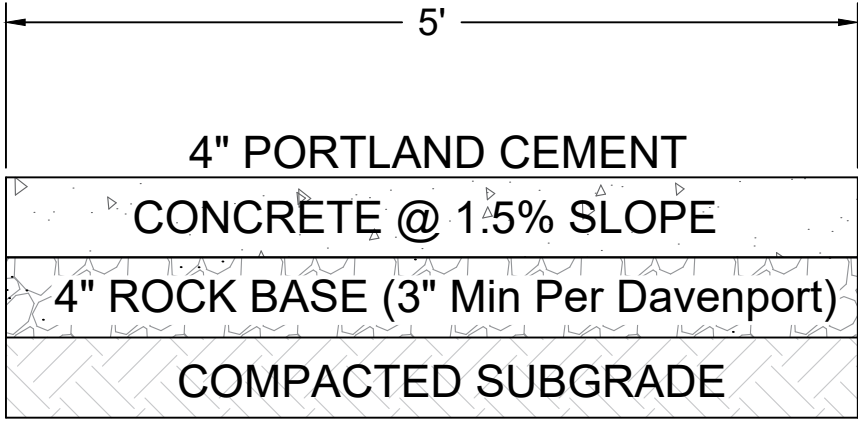
Curve Table					
Curve #	Radius	Delta	ARC	CHORD	CHORD BEARING
C21	15.00	090° 00' 11"	23.56	21.21	N46° 46' 38"W
C22	125.00	048° 01' 40"	104.78	101.74	N67° 53' 21"W
C23	35.00	085° 35' 36"	52.29	47.56	N08° 44' 32"W
C24	35.00	092° 57' 26"	56.78	50.76	S87° 28' 09"E
C25	175.00	013° 20' 28"	40.75	40.66	S50° 30' 02"E
C26	15.00	052° 41' 27"	13.79	13.31	S28° 07' 16"E
C27	15.00	090° 00' 00"	23.56	21.21	S46° 46' 32"E
C28	125.00	086° 29' 52"	188.71	171.29	N44° 58' 31"E
C29	125.00	003° 30' 08"	7.64	7.64	N00° 01' 29"W
C30	125.00	008° 23' 56"	18.32	18.31	S05° 58' 31"E
C31	125.00	041° 43' 44"	91.04	89.04	S31° 02' 21"E
C32	15.00	090° 00' 00"	23.56	21.21	S83° 05' 47"W
C33	25.00	039° 39' 42"	17.31	16.96	S18° 15' 58"W
C34	15.00	090° 00' 00"	23.56	21.21	S43° 13' 28"W
C35	75.00	018° 22' 34"	24.05	23.95	S07° 20' 32"W
C36	75.00	021° 30' 14"	28.15	27.98	S27° 24' 18"W
C37	25.00	090° 00' 00"	39.27	35.36	S06° 54' 13"E
C38	125.00	038° 03' 59"	83.05	81.53	S70° 56' 12"E
C39	15.00	090° 02' 36"	23.57	21.22	N43° 14' 45"E
C40	125.00	092° 38' 38"	202.12	180.81	N45° 30' 43"W

Curve Table					
Curve #	Radius	Delta	ARC	CHORD	CHORD BEARING
C100	690.00	023° 49' 25"	286.90	284.84	N29° 18' 54"E
C101	610.00	010° 46' 40"	114.75	114.58	N40° 42' 57"E
C103	609.88	012° 19' 09"	131.13	130.88	N25° 56' 11"E
C104	610.00	015° 50' 57"	168.74	168.20	N11° 48' 31"E
C105	610.00	005° 29' 16"	58.43	58.40	N01° 10' 20"E



NOTES :

- MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
- ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.
- COMPARE THE DESCRIPTION OF THIS PLAT WITH THE DEED, ABSTRACT OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND AT ONCE REPORT ANY DIFFERENCE.
- THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND SEAL.
- ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF DAVENPORT STANDARD SPECIFICATIONS.
- BLANKET UNDERGROUND EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE, AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED.
- PORTIONS OF THIS SUBDIVISION ARE LOCATED WITHIN THE FEMA DETERMINED SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD AS SOWN ON FLOOD INSURANCE RATE MAPS #19163C0360G EFFECTIVE DATE MARCH 23, 2021 AND IS SUBJECT TO THE REGULATIONS IN CHAPTER 15.44 OF THE CITY CODE ENTITLED "FLOOD DAMAGE PREVENTION". BFE = 688.90.
- OWNERS OF LOTS ON WHICH A DRAINAGE EASEMENT HAS BEEN ESTABLISHED AS A STORM WATER PASSAGEWAY SHALL MAINTAIN SAID EASEMENT AS A LAWN, PLANTED IN GRASS AND FREE OF BUSHES, FENCES, FILL, SHRUBS, STRUCTURES, TREES, AND/OR OTHER LANDSCAPING THAT WOULD IMPEDE THE FLOW OF STORM WATER RUNOFF.
- SIDEWALKS SHALL BE CONSTRUCTED ALONG ALL STREET FRONTAGES PRIOR TO THE COMPLETION OF RESIDENTIAL CONSTRUCTION FOR EACH LOT, OR AS SO ORDERED BY THE CITY OF DAVENPORT. SIDEWALK ALONG THE JERSEY RIDGE ROAD FRONTAGE SHALL BE CONSTRUCTED AT THE TIME OF STREET CONSTRUCTION OR AS ORDERED BY THE CITY OF DAVENPORT. SIDEWALKS ALONG ALL OUTLOTS WITH ABUTTING STREETS SHALL BE CONSTRUCTED BY THE DEVELOPER AT THE TIME OF STREET CONSTRUCTION.
- OUTLOTS A-C SHALL BE RESERVED FOR REGIONAL STORM WATER DETENTION FACILITIES SERVING THE SUBDIVISION.
- OUTLOT D SHALL BE MAINTAINED AS A DRAINAGE EASEMENT CONTAINING THE 1% CHANCE ANNUAL FLOOD PLAIN.
- THE EASEMENT FOR EAST 60th STREET SHALL BE VACATED WITH THE RECORDING OF THE FINAL PLAT.
- THE DRIVEWAY LOCATED IN THE "DRIVEWAY / DETENTION BASIN EASEMENT" LOCATED IN OUTLOT B SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
- STORM WATER DETENTION AND WATER QUALITY TREATMENT ARE REQUIRED FOR THIS SUBDIVISION AND SHALL BE OWNED AND MAINTAINED BY THE OWNER OR HOME OWNERS ASSOCIATION.
- NO LOT SHALL HAVE DIRECT DRIVEWAY ACCESS TO JERSEY RIDGE ROAD.
- LOT 59 SHALL HAVE DRIVEWAY ACCESS ON THE WESTERN RIGHT-OF-WAY OF HEATHER AVENUE, ON THE SOUTHERN HALF LOT OF 59.
- LOT 75 SHALL HAVE DRIVEWAY ACCESS TO E. 59TH STREET ONLY.
- LOT 76 SHALL HAVE DRIVEWAY ACCESS TO SPLENDOR LANE ONLY.
- SUMP LINES SHALL BE LOCATED IN FRONT YARDS.
- THE NORTH SIDE OF JERSEY RIDGE ROAD FROM E 59TH STREET TO LORTON AVENUE SHALL REMAIN FREE AND CLEAR OF LANDSCAPING TO MAINTAIN REQUIRED SIGHT DISTANCE.
- LOT 75 SHALL HAVE A CLEAR ZONE EASEMENT AND IT SHALL REMAIN FREE AND CLEAR OF LANDSCAPING TO MAINTAIN REQUIRED SIGHT DISTANCE.
- SPEED MITIGATION MEASURES SHALL BE DESIGNED IF SO DIRECTED BY THE CITY OF DAVENPORT WITH APPROVAL OF FINAL CONSTRUCTION DOCUMENTS.
- ALL ON-STREET PARKING SHALL BE LIMITED TO ONE SIDE OF THE STREET.
- MAINTAIN 50' BUFFER FROM EXISTING STREAM BANK. FOR ALL STRUCTURES AND ROADWAY PAVING, PEDESTRIAN PATH MAY BE NO CLOSER THAN 25' TO THE STREAM BANK. ALL VEGETATION IN THIS STREAM BANK BUFFER AREA SHALL NOT BE MOWED, EXCLUDING THE PATHS 2' SHOULDER WHICH MAY BE MOWED.
- OWNERS OF LOTS ON WHICH A STREAM BUFFER DRAINAGE EASEMENT IS REQUIRED SHALL MAINTAIN SAID BUFFER AS AN UNDISTURBED NATURAL AREA OR NATIVE PLANTING AREA, NOT ALLOWING VEGETATION TO BE CUT TO A HEIGHT OF LESS THAN SIX INCHES WITHOUT AUTHORIZATION OF THE CITY OF DAVENPORT NATURAL RESOURCES DIVISION
- IT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER OF THE DRIVEWAY TO REPLACE STANDARD INLET CASTINGS WITH APPROVED DRIVEWAY INLET CASTING IF PROPOSED DRIVEWAY OVERLAPS WITH INLET LOCATION.



TYPICAL SIDEWALK DETAIL
NOT TO SCALE

APPROVED BY:
CITY OF DAVENPORT, IOWA

BY: _____
DATE: _____ ATTEST: _____

CITY PLAN & ZONE COMMISSION

BY: _____ DATE: _____

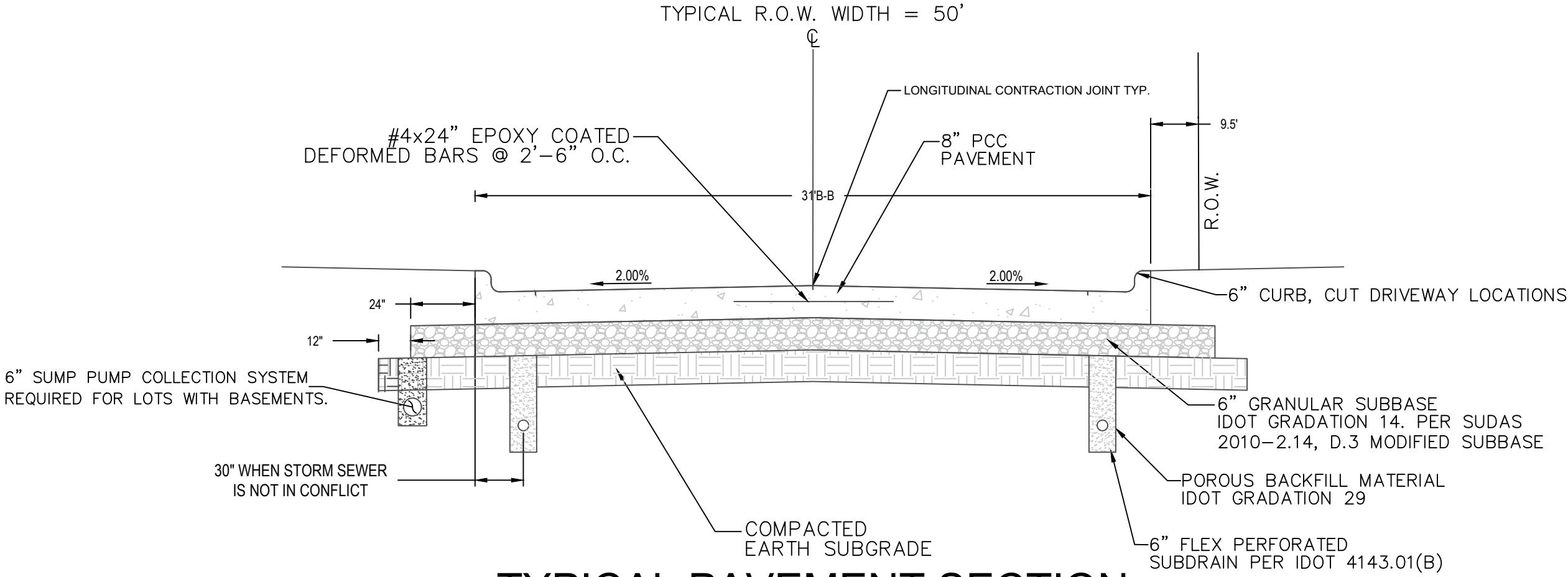
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IOWA - AMERICAN WATER COMPANY _____ DATE: _____

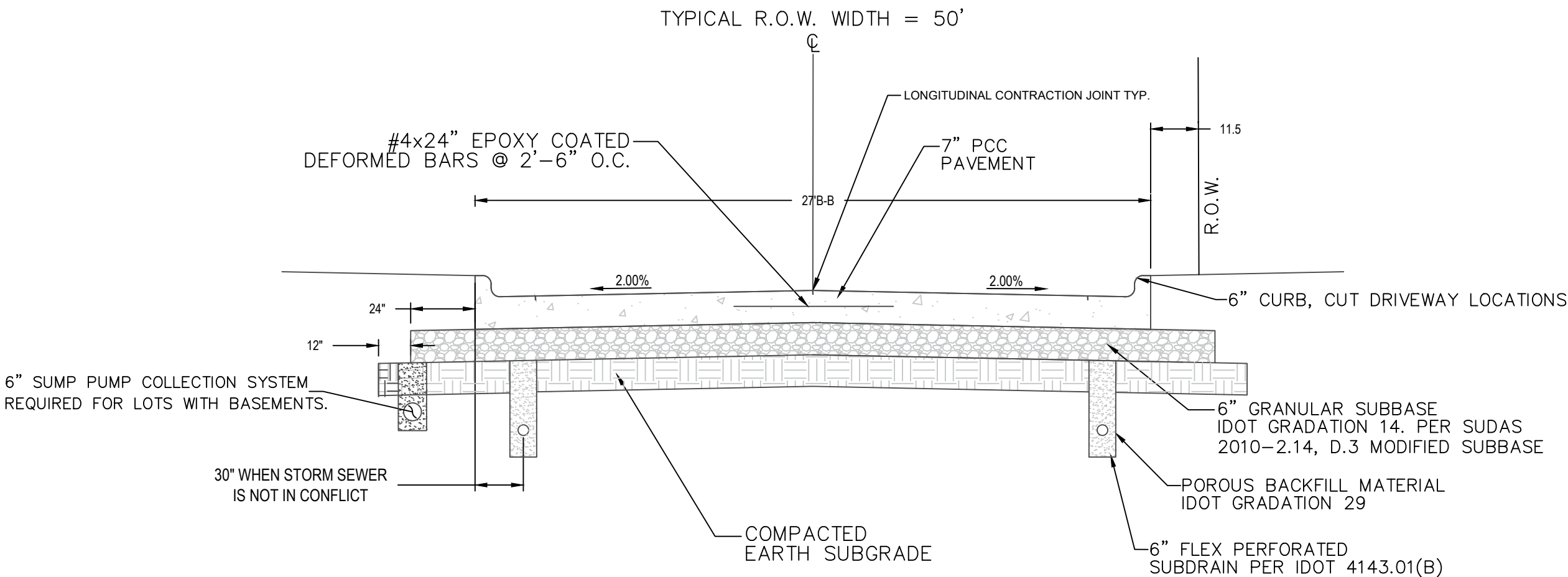
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METRONET _____ DATE: _____

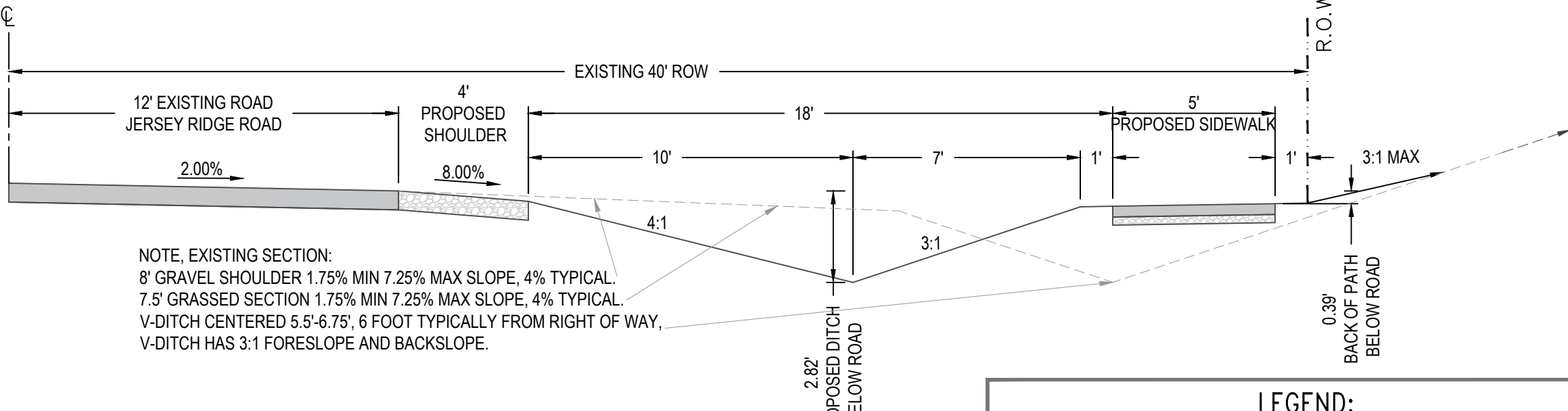
MIDAMERICAN ENERGY
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD BY MIDAMERICAN



TYPICAL PAVEMENT SECTION
NOT TO SCALE



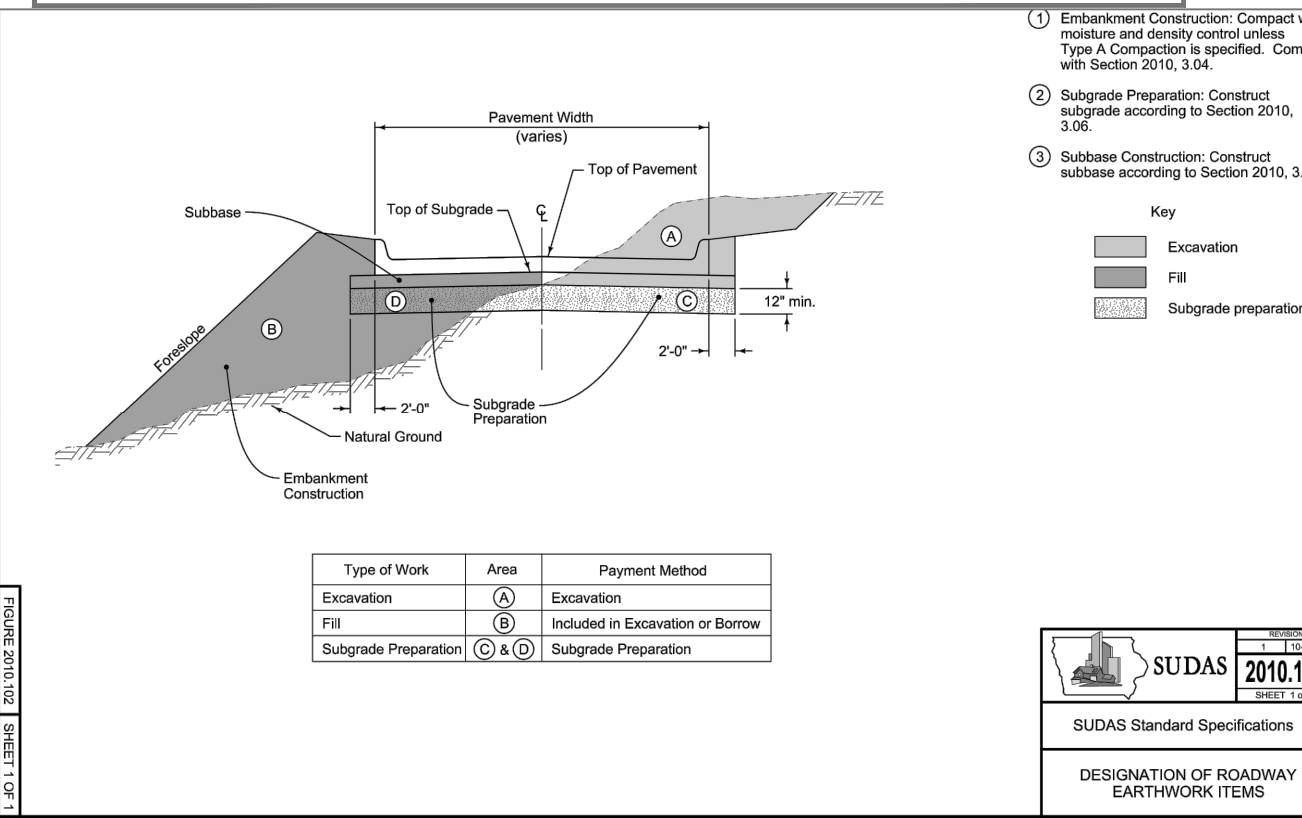
TYPICAL PAVEMENT SECTION
NOT TO SCALE



- Owner:**
Splendor Homes, LLC
3885 Kensington Court
Bettendorf, IA 52722
Ph: (563) 592-7999
- Engineer:**
Christopher R. Townsend, P.E.
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386 - 4236
- Surveyor:**
Jerry Rogers, P.L.S.
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386 - 4236
- Attorney:**
Clark Stojan
Stojan Law Office P.C.
423 17th Street, P.O. Box 4300
Rock Island, IL 61204
(309) 794-9400

LEGEND:	
--- EASEMENT	✕ EXISTING GAS VALVE
--- SETBACK LINE	○ EXISTING WATER VALVE
--- CENTERLINE	○ EXISTING UTILITY POLE
--- PROPERTY BOUNDARY	○ EXISTING LIGHT POLE
--- EXISTING FENCE	○ EXISTING TREE
> EXISTING SANITARY	○ EXISTING BUSH
> PROPOSED SANITARY	○ EXISTING MANHOLE
--- EXISTING STORM SEWER	○ EXISTING FIRE HYDRANT
--- PROPOSED STORM SEWER	● FOUND PROPERTY PIN
W EXISTING WATER	○ CONTROL POINT
W PROPOSED WATER	
--- GAS EXISTING GAS LINE	
--- ELEC EXISTING ELECTRIC	

R-3 Single-Family and Two-Family Residential Zoning District		
Minimum Front Setback: 25' or Average of Front Setbacks, whichever is less		
Minimum Interior Side Setback: 7'		
Minimum Corner Side Setback: 15'		
Minimum Reverse Corner Side Setback: 25'		
Minimum Rear Setback: 25' or 20% of Lot Depth, whichever is less		



DATE:
3/18/2024

563.386.4236 office 386.4231 fax
2224 East 12th Street, Davenport, IA 52803

DRAWN BY:
KLC
CHECKED BY:
BUB
LOCATION BY:
S:\STOJAN\WHITTY

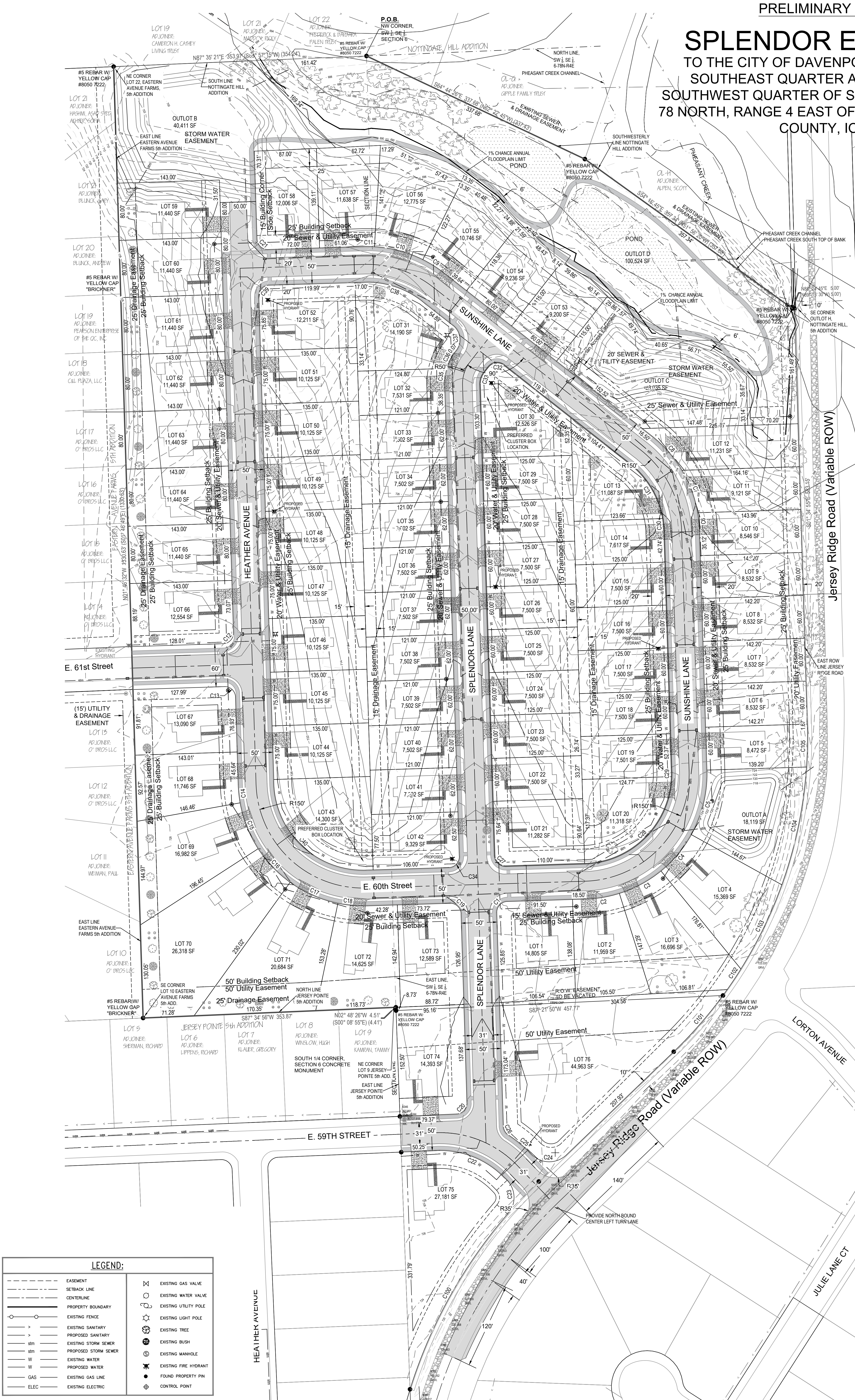
REVISIONS:		
NO.	DESCRIPTION	DATE
1.	7,500 sf area	2-27

PROJECT
PRELIMINARY PLAT
SPLENDOR ESTATES
DAVENPORT, IOWA

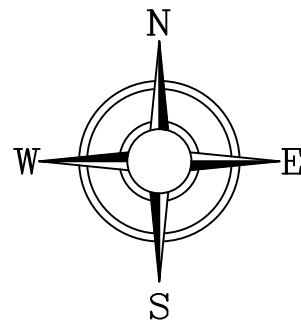
DEVELOPER
SPLENDOR HOMES, LLC
3885 KENSINGTON COURT
BETTENDORF, IOWA 52722

SHEET NO.
1
OF
5

SPLENDOR ESTATES
TO THE CITY OF DAVENPORT, PART OF THE
SOUTHEAST QUARTER AND PART OF THE
SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP
78 NORTH, RANGE 4 EAST OF THE 5TH P.M., SCOTT
COUNTY, IOWA



Jersey Ridge Road (Variable ROW)



GRAPHIC SCALE
60 0 30 60
(IN FEET)
1" = 60' (24x36)

THE MEASURED BEARINGS SHOWN
HEREON ARE BASED ON THE US STATE
PLANE COORDINATE SYSTEM, IOWA
SOUTH ZONE (1402) GEOID 12A, NAD 83
(2011) EPOCH 2010.00.

LEGEND:
DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
AS NOTED =
MONUMENTS SET:
#5 REBAR W/ PINK CAP #8860 =
BOUNDARY LINE =
FENCE LINE =
EASEMENT LINE =
SETBACK LINE =
SECTION LINE =

LEGEND:

---	EASEMENT	⊗	EXISTING GAS VALVE
---	SETBACK LINE	○	EXISTING WATER VALVE
---	CENTERLINE	⊙	EXISTING UTILITY POLE
---	PROPERTY BOUNDARY	⊙	EXISTING LIGHT POLE
---	EXISTING FENCE	⊙	EXISTING TREE
---	EXISTING SANITARY	⊙	EXISTING BUSH
---	PROPOSED SANITARY	⊙	EXISTING MANHOLE
---	EXISTING STORM SEWER	⊙	EXISTING FIRE HYDRANT
---	PROPOSED STORM SEWER	⊙	FOUND PROPERTY PIN
---	EXISTING WATER	⊙	CONTROL POINT
---	PROPOSED WATER	⊙	
---	GAS	⊙	
---	EXISTING GAS LINE	⊙	
---	ELEC	⊙	

DATE:
3/18/2024

563 386.4236 office 386.4231
2224 East 12th Street, Davenport, IA 52803

DRAWN BY:
KLC
CHECKED BY:
BJB
LOCATION BY:
S: STOJAN\WHITTY

REVISIONS:
NO. DESCRIPTION DATE

PROJECT
PRELIMINARY PLAT
SPLENDOR ESTATES
DAVENPORT, IOWA

DEVELOPER
SPLENDOR HOMES, LLC
3885 KENSINGTON COURT
BETTENDORF, IOWA 52722

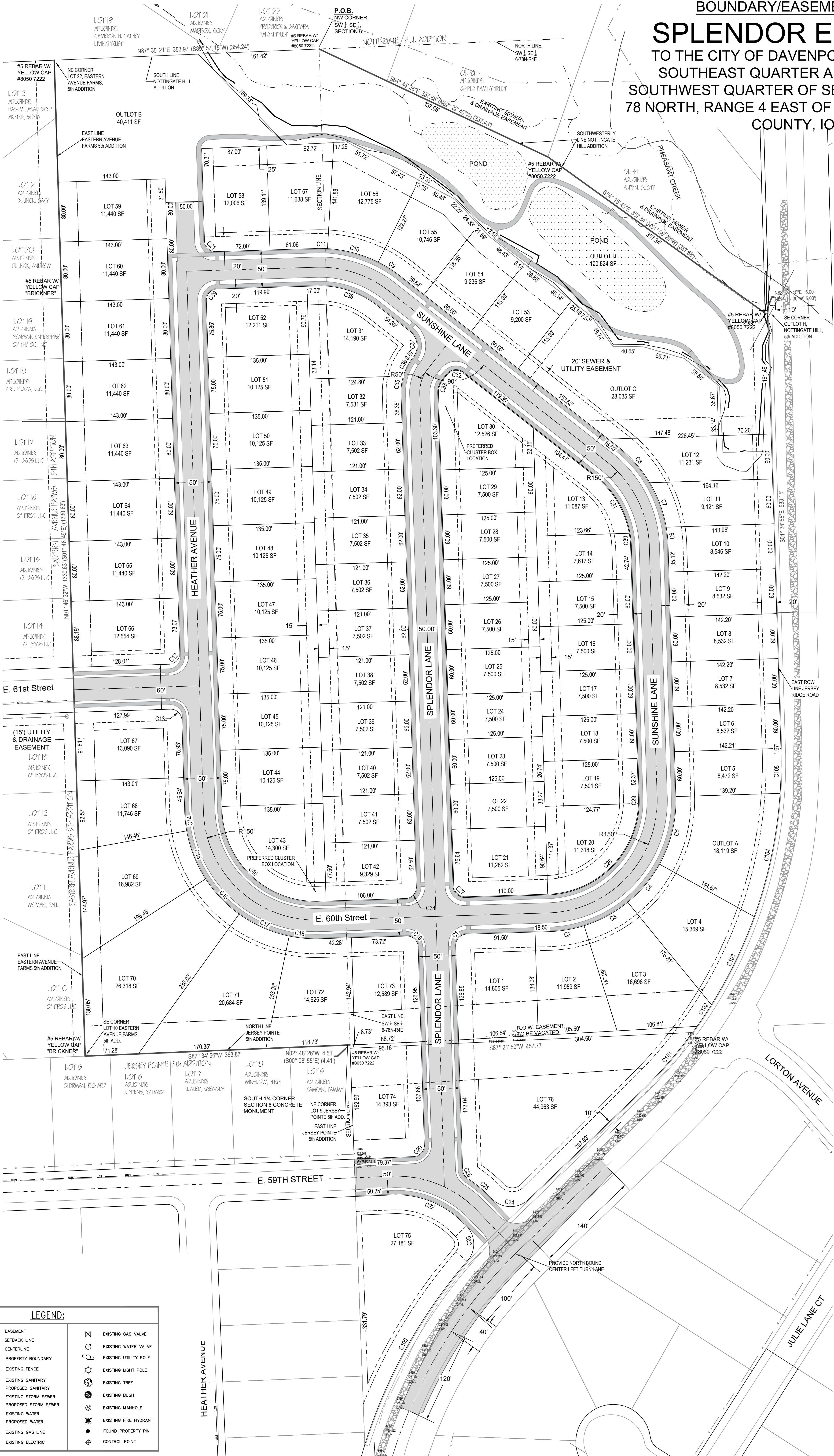
SHEET NO.
2
OF
5

TOWNSEND
ENGINEERING

CIVIL • STRUCTURAL • LAND DEVELOPMENT

PRELIMINARY PLAT
BOUNDARY/EASEMENT PLAN

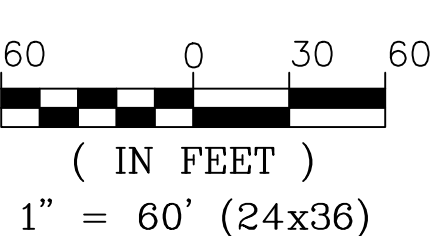
SPLENDOR ESTATES
TO THE CITY OF DAVENPORT, PART OF THE
SOUTHEAST QUARTER AND PART OF THE
SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP
78 NORTH, RANGE 4 EAST OF THE 5TH P.M., SCOTT
COUNTY, IOWA



LEGEND:

---	EASEMENT	⊗	EXISTING GAS VALVE
---	SETBACK LINE	○	EXISTING WATER VALVE
---	CENTERLINE	⊙	EXISTING UTILITY POLE
---	PROPERTY BOUNDARY	⊗	EXISTING LIGHT POLE
---	EXISTING FENCE	⊗	EXISTING TREE
---	EXISTING SANITARY	⊗	EXISTING BUSH
---	PROPOSED SANITARY	⊗	EXISTING MANHOLE
---	EXISTING STORM SEWER	⊗	EXISTING FIRE HYDRANT
---	PROPOSED STORM SEWER	⊗	FOUND PROPERTY PIN
---	EXISTING WATER	⊗	CONTROL POINT
---	PROPOSED WATER	⊗	
---	GAS	⊗	
---	EXISTING GAS LINE	⊗	
---	ELEC	⊗	

GRAPHIC SCALE



THE MEASURED BEARINGS SHOWN
HEREON ARE BASED ON THE US STATE
PLANE COORDINATE SYSTEM, IOWA
SOUTH ZONE (1402) GEOID 12A, NAD 83
(2011) EPOCH 2010.00.

LEGEND:

DEED DIMENSION = (0.00)
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
AS NOTED =
MONUMENTS SET:
#5 REBAR W/ PINK CAP #8860 =
BOUNDARY LINE =
FENCE LINE =
EASEMENT LINE =
SETBACK LINE =
SECTION LINE =

TOWNSEND
ENGINEERING

CIVIL • STRUCTURAL • LAND DEVELOPMENT

DATE:
3/18/2024

563 386.4236 office 386.4231 fax
2224 East 12th Street, Davenport, IA 52803

DRAWN BY:
KLC

CHECKED BY:
BJB

LOCATION BY:
S:\STOJAN\WHITTY

REVISIONS:
NO. DESCRIPTION

DATE

PROJECT

PRELIMINARY PLAT
BOUNDARY/EASEMENT PLAN
SPLENDOR ESTATES
DAVENPORT, IOWA

DEVELOPER

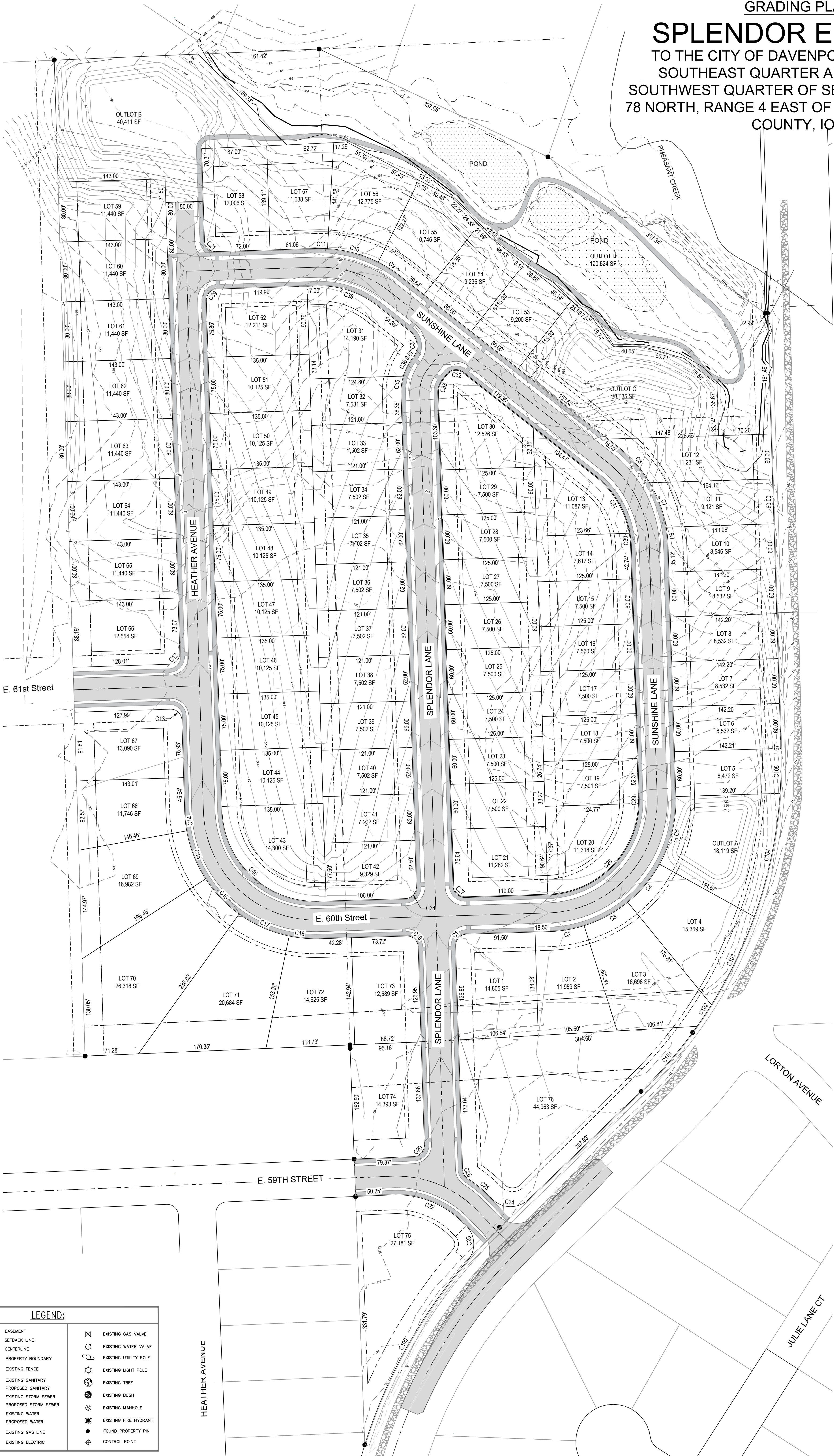
SPLENDOR HOMES, LLC
3885 KENSINGTON COURT
BETTENDORF, IOWA 52722

SHEET NO.

3
OF
5

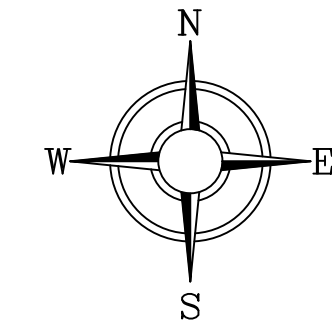
PRELIMINARY PLAT
GRADING PLAN

SPLENDOR ESTATES
TO THE CITY OF DAVENPORT, PART OF THE
SOUTHEAST QUARTER AND PART OF THE
SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP
78 NORTH, RANGE 4 EAST OF THE 5TH P.M., SCOTT
COUNTY, IOWA

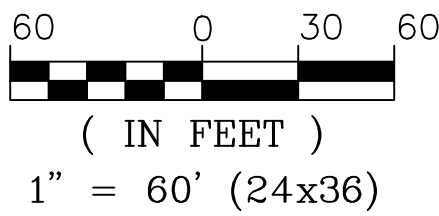


LEGEND:

---	EASEMENT	⊗	EXISTING GAS VALVE
---	SETBACK LINE	○	EXISTING WATER VALVE
---	CENTERLINE	⊙	EXISTING UTILITY POLE
---	PROPERTY BOUNDARY	⊙	EXISTING LIGHT POLE
---	EXISTING FENCE	⊙	EXISTING TREE
>---	EXISTING SANITARY	⊙	EXISTING BUSH
>---	PROPOSED SANITARY	⊙	EXISTING MANHOLE
8th---	EXISTING STORM SEWER	⊙	EXISTING FIRE HYDRANT
8th---	PROPOSED STORM SEWER	⊙	FOUND PROPERTY PIN
W---	EXISTING WATER	⊙	CONTROL POINT
W---	PROPOSED WATER	⊙	
---	GAS	⊙	
---	EXISTING GAS LINE	⊙	
---	ELEC	⊙	



GRAPHIC SCALE



THE MEASURED BEARINGS SHOWN
HEREON ARE BASED ON THE US STATE
PLANE COORDINATE SYSTEM, IOWA
SOUTH ZONE (1402) GEOID 12A, NAD 83
(2011) EPOCH 2010.00.

LEGEND:

DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
AS NOTED = ●
MONUMENTS SET:
#5 REBAR W/ PINK CAP #8860 = ○
BOUNDARY LINE = ———
FENCE LINE = - - - - -
EASEMENT LINE = - · - · -
SETBACK LINE = - · - · -
SECTION LINE = - · - · -



DATE:
3/18/2024

563 386.4236 office 386.4231 fax
2224 East 12th Street, Davenport, IA 52803

DRAWN BY:
KLC

CHECKED BY:
BJB

LOCATION BY:
S:\STOJAN\WHITTY

REVISIONS:		
NO.	DESCRIPTION	DATE

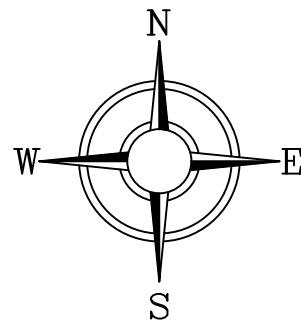
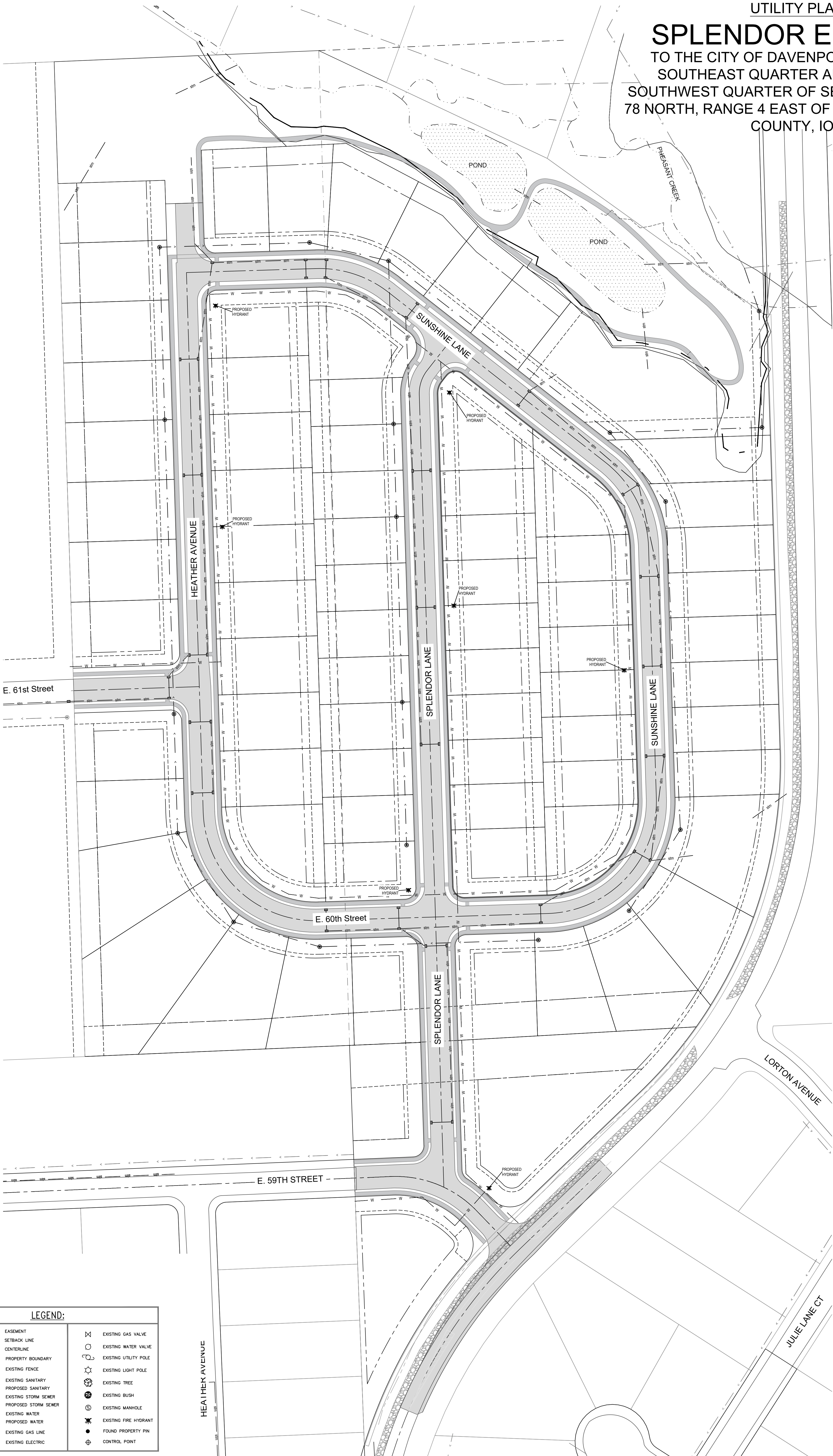
PROJECT
PRELIMINARY PLAT
GRADING PLAN
SPLENDOR ESTATES
DAVENPORT, IOWA

DEVELOPER
SPLENDOR HOMES, LLC
3885 KENSINGTON COURT
BETTENDORF, IOWA 52722

SHEET NO.
4 OF 5

PRELIMINARY PLAT
UTILITY PLAN

SPLENDOR ESTATES
TO THE CITY OF DAVENPORT, PART OF THE
SOUTHEAST QUARTER AND PART OF THE
SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP
78 NORTH, RANGE 4 EAST OF THE 5TH P.M., SCOTT
COUNTY, IOWA



GRAPHIC SCALE
60 0 30 60
(IN FEET)
1" = 60' (24x36)

THE MEASURED BEARINGS SHOWN
HEREON ARE BASED ON THE US STATE
PLANE COORDINATE SYSTEM, IOWA
SOUTH ZONE (1402) GEOID 12A, NAD 83
(2011) EPOCH 2010.00.

LEGEND:
DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
AS NOTED = ●
MONUMENTS SET:
#5 REBAR W/ PINK CAP #8860 = ○
BOUNDARY LINE = ————
FENCE LINE = ————
EASEMENT LINE = ————
SETBACK LINE = ————
SECTION LINE = ————

LEGEND:

---	EASEMENT	⊗	EXISTING GAS VALVE
---	SETBACK LINE	○	EXISTING WATER VALVE
---	CENTERLINE	⊙	EXISTING UTILITY POLE
---	PROPERTY BOUNDARY	⊙	EXISTING LIGHT POLE
---	EXISTING FENCE	⊙	EXISTING TREE
>---	EXISTING SANITARY	⊙	EXISTING BUSH
---	PROPOSED SANITARY	⊙	EXISTING MANHOLE
---	EXISTING STORM SEWER	⊙	EXISTING FIRE HYDRANT
---	PROPOSED STORM SEWER	⊙	FOUND PROPERTY PIN
---	EXISTING WATER	⊙	CONTROL POINT
---	PROPOSED WATER	⊙	
---	GAS	⊙	
---	EXISTING GAS LINE	⊙	
---	ELEC	⊙	
---	EXISTING ELECTRIC	⊙	

TOWNSEND
ENGINEERING
CIVIL • STRUCTURAL • LAND DEVELOPMENT

DATE:
3/18/2024

563 386.4236 office 386.4231 fax
2224 East 12th Street, Davenport, IA 52803

DRAWN BY:
KLC
CHECKED BY:
BJB
LOCATION BY:
S:\STOJAN\WHITTY

REVISIONS:		
NO.	DESCRIPTION	DATE

PROJECT
PRELIMINARY PLAT
UTILITY PLAN
SPLENDOR ESTATES
DAVENPORT, IOWA

DEVELOPER
SPLENDOR HOMES, LLC
3885 KENSINGTON COURT
BETTENDORF, IOWA 52722

SHEET NO.
5
OF
5

City of Davenport

Department: Community Planning & Economic Development
Contact Info: Laura Berkley | 563-888-3553

Action / Date
8/23/2023

Subject:

Resolution approving Case P23-02 being the request of Splendor Homes LLC for a preliminary plat of Splendor Estates, a 118-lot subdivision on 27.94 acres located at 2448 and 2460 East 60th Street. [Ward 8]

APPLICANT HAS REQUESTED THIS ITEM BE TABLED UNTIL OCTOBER 18, 2023

Recommendation:

Adopt the Resolution.

Background:

The request is for a preliminary plat for a 118-lot subdivision on 27.94 acres of property to facilitate residential development. The Plan and Zoning Commission reviewed Case P23-02 at its July 18, 2023 meeting and has recommended approval with a 4-3 vote subject to the following findings and conditions:

Findings:

1. The preliminary plat conforms to the comprehensive plan Davenport +2035.
2. The preliminary plat prepares the area for future development.
3. The preliminary plat (with conditions recommended by City staff) would achieve consistency with subdivision requirements.

Conditions:

1. Revise the lot numbers to indicate a total of 118 lots.
2. Indicate the location of building footprints on Lots 48, 116, and 117.
3. Ensure positive drainage away from building foundations.
4. Show all sidewalks within the subdivision.
5. Label pavement widths on Splendor Lane, north of East 60th Street.
6. Speed mitigation measures shall be implemented in adjacent residential neighborhoods as directed by the City Engineer.
7. Add a note stating, "All on-street parking shall be limited to one side of the street."
8. Include Base Flood Elevation to Note 7 or depicted on the preliminary plat.
9. A northbound left turn lane on Jersey Ridge Road shall be installed at the developer's expense.
10. The sidewalk on Jersey Ridge Road shall be constructed by the developer at the time of street construction.

Discussion:

Last year, City Council approved a 47-lot final plat for this site. The owner never proceeded with the single-family subdivision. A new preliminary plat has been designed to increase the density of the development. The preliminary plat shows a series of single-family semi-detached dwellings (commonly referred to as duplexes), which are also permitted in the R-3 Single-Family and Two-Family Residential

District.

The subdivision will have have a roadway connection to Eastern Avenue Farms Fifth Addition through the extension of East 61st Street. The subdivision will also connect to Jersey Pointe Fifth Addition via East 59th Street. Due to the density of development, speed mitigation measures will be implemented in adjacent residential neighborhoods.

Access onto Jersey Ridge Road is at the southern boundary of the subdivision. Traffic safety is enhanced at this location due to greater visibility and lines of sight.

Comprehensive Plan:

1. Within Existing Urban Service Area: Yes
2. Within Urban Service Area 2035: Yes

Future Land Use Designation:

Residential General (RG)

Relevant Goals to be considered in this Case: Strengthen the Existing Built Environment.

The proposed Final Plat would comply with the Davenport +2035 proposed land use section.

Zoning: R-3 Single-Family and Two-Family Residential District.

Technical Review:

- Streets: The subdivision has access via Jersey Ridge Road, East 61st Street, and East 59th Street. The newly dedicated road network as shown meets Davenport Municipal Code requirements. Given the narrow pavement widths, on-street parking will be restricted to one side of the street. As compared to the previously approved final plat, the access point onto Jersey Road is located further south from Lorton Avenue. This location was identified due to enhanced site lines in the curve in Jersey Ridge Road. At a future date, Jersey Ridge Road will be re-graded for the installation of sidewalks. The grading plan should take this into consideration in order to minimize future disruption to the properties abutting Jersey Ridge Road. Speed mitigation will be required in adjacent neighborhoods to ensure traffic safety.
- Storm Water: The R-3 District permits a maximum impervious surface of 60% for each lot. The development of the property will need to comply with the City's stormwater requirements.
- Sanitary Sewer: Sanitary sewers will be extended from existing infrastructure to serve this subdivision. Additional storm and sanitary sewer easements shall be required based on preliminary engineering of conceptual plans including service drainage of the property to the west.
- Other Utilities: Other normal utility services are available.

Public Input: No Public Hearing or notifications are required for a preliminary plat. Several neighboring property owners attended the Plan and Zoning Commission meeting to express their concerns regarding increased traffic and the character of the development.

ATTACHMENTS:

Type	Description
□ Resolution Letter	Resolution

- ▢ Backup Material
- ▢ Backup Material
- ▢ Backup Material
- ▢ Backup Material
- ▢ Backup Material
- ▢ Backup Material
- ▢ Backup Material

Splendor Estates Preliminary Plat
 Sample Single-Story Home
 Sample Two-Story Home
 Zoning & Future Land Use Map
 Application
 Protest Petition
 Protest Petition (Jersey Meadows)

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	8/11/2023 - 12:27 PM

Resolution No. _____

Resolution offered by Alderman Gripp.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving Case P23-02 being the request of Splendor Homes, LLC for a preliminary plat of Splendor Estates, a 118-lot subdivision on 27.94 acres located at 2448 and 2460 E 60th Street.

WHEREAS, the Plan & Zoning Commission reviewed Case P23-02 at the July 18, 2023 regularly scheduled meeting with a recommendation for approval subject to ten conditions; and

WHEREAS, with the recommended conditions, the subdivision is consistent with Chapter 16 of the Municipal Code of the City of Davenport; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the preliminary plat of Splendor Estates to the City of Davenport, Iowa be the same and is hereby approved and accepted subject to all conditions as stated in the July 18, 2023 Plan and Zoning Commission's recommendation for approval.

Passed and approved this 23rd day of July, 2023.

Approved:

Attest:

Mike Matson
Mayor

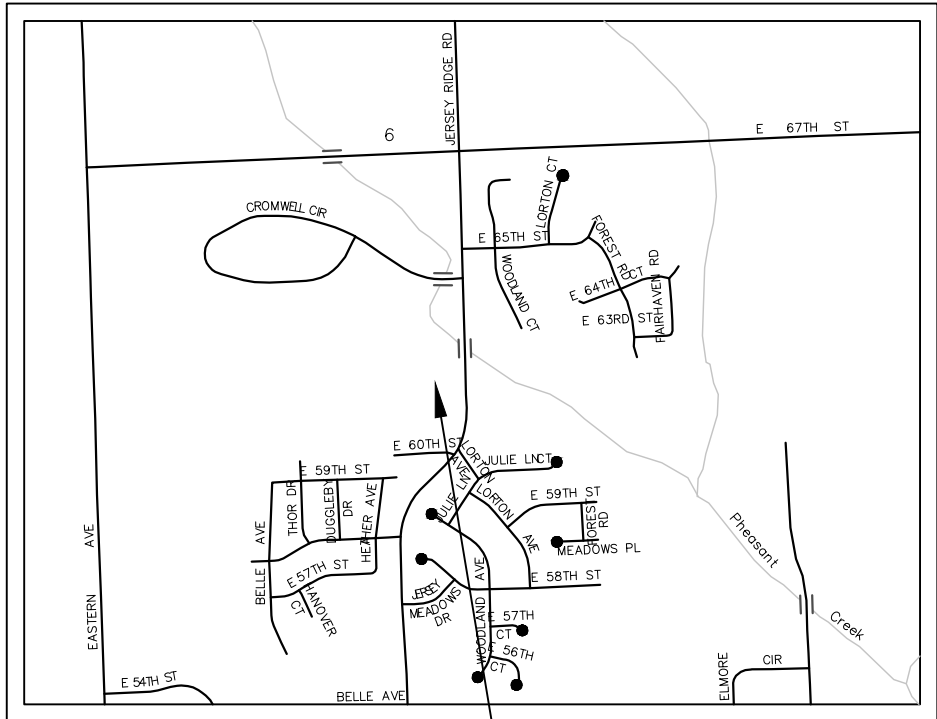
Brian Krup
Deputy City Clerk

PRELIMINARY PLAT

SPLENDOR ESTATES

TO THE CITY OF DAVENPORT, PART OF THE SOUTHEAST QUARTER
AND PART OF THE SOUTHWEST QUARTER OF SECTION 6,
TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH P.M., SCOTT
COUNTY, IOWA

SITE LOCATION MAP



Curve Table				
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)
C1	300.19'	690.00'	024°55'38"	297.83'
C2	345.33'	690.00'	028°40'32"	341.74'
C3	50.97'	35.02'	083°23'50"	46.59'
C4	62.17'	690.00'	005°09'45"	62.15'
C5	55.28'	35.00'	090°29'21"	49.71'
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C21	41.53'	175.00'	013°35'44"	41.43'

Curve Table				
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)
C22	42.68'	175.00'	013°58'26"	42.57'
C23	23.34'	15.00'	089°08'49"	21.05'
C24	23.79'	15.00'	090°51'11"	21.37'
C25	23.34'	15.00'	089°08'49"	21.05'
C26	23.79'	15.00'	090°51'11"	21.37'
C27	105.87'	125.00'	048°31'42"	102.74'
C30	26.97'	15.00'	103°02'09"	23.48'
C31	8.73'	125.00'	004°00'14"	8.73'
C32	38.99'	175.00'	012°45'50"	38.90'
C33	41.89'	175.00'	013°42'56"	41.79'
C34	153.54'	125.00'	070°22'34"	144.07'
C35	39.65'	175.00'	012°58'59"	39.57'
C36	40.60'	175.00'	013°17'35"	40.51'
C37	237.85'	150.00'	090°51'11"	213.71'
C38	45.03'	175.00'	014°44'31"	44.90'
C39	41.51'	175.00'	013°35'20"	41.41'
C40	29.83'	175.00'	009°46'00"	29.79'
C41	23.73'	15.00'	090°39'08"	21.33'
C42	23.39'	15.00'	089°20'52"	21.09'
C43	78.54'	50.00'	090°00'00"	70.71'

Curve Table				
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)
C44	39.27'	25.00'	090°00'00"	35.36'
C45	11.91'	175.00'	003°54'00"	11.91'
C46	42.94'	175.00'	014°03'29"	42.83'
C47	104.38'	150.00'	039°52'20"	102.29'
C48	4.08'	125.00'	001°52'19"	4.08'
C49	82.90'	125.00'	038°00'00"	81.39'
C50	39.11'	175.00'	012°48'17"	39.03'
C51	27.82'	175.00'	009°06'34"	27.79'
C52	17.68'	13.50'	075°02'32"	16.44'
C53	30.66'	15.00'	117°07'30"	25.60'
C54	16.30'	175.00'	005°20'17"	16.30'
C56	61.75'	175.00'	020°13'05"	61.43'
C57	131.23'	150.00'	050°07'40"	127.09'
C58	41.03'	125.00'	018°48'22"	40.84'
C59	40.10'	125.00'	018°22'51"	39.93'
C60	28.25'	125.00'	012°56'53"	28.19'
C61	52.68'	175.00'	017°14'57"	52.49'
C62	22.36'	175.00'	007°19'17"	22.35'

APPROVED BY:
CITY OF DAVENPORT, IOWA

BY: _____
DATE: _____ ATTEST: _____

CITY PLAN & ZONE COMMISSION

BY: _____ DATE: _____

MEDIACOM _____ DATE: _____

IOWA - AMERICAN WATER COMPANY _____ DATE: _____

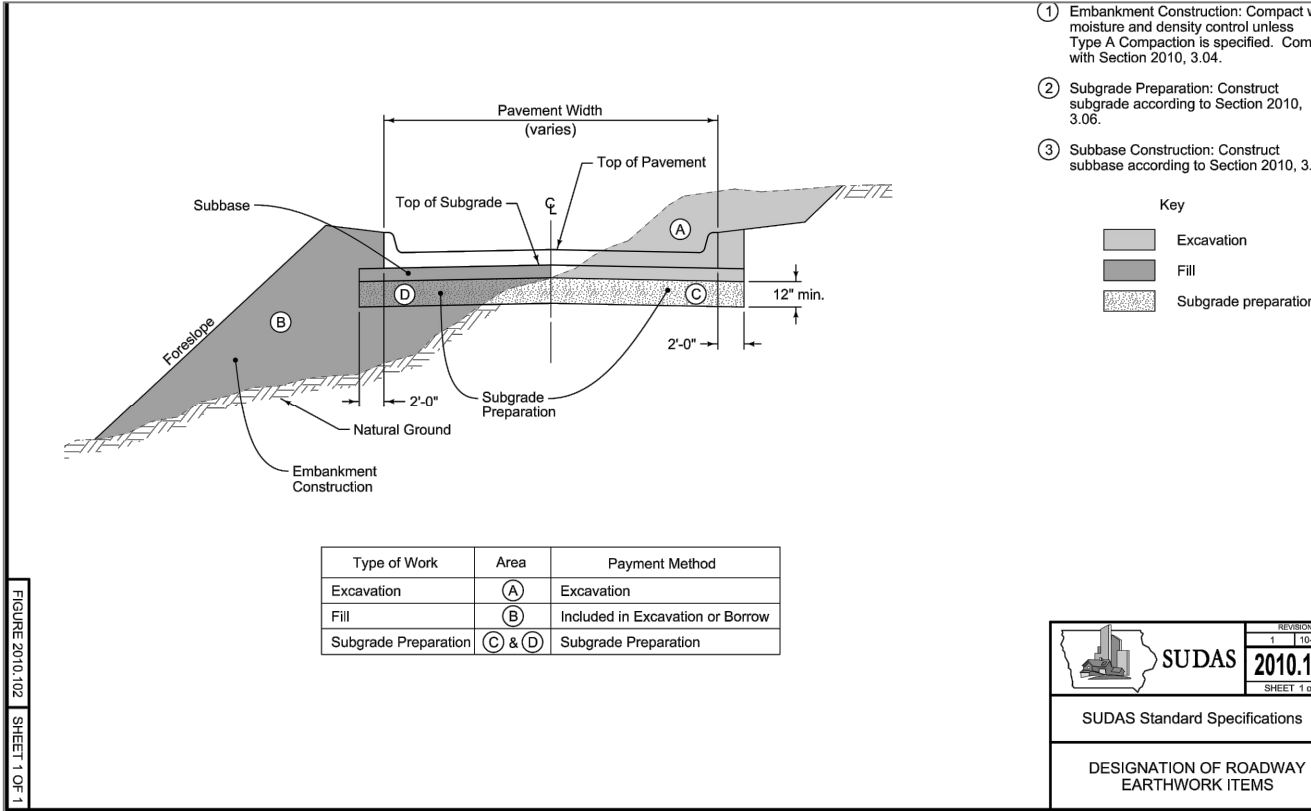
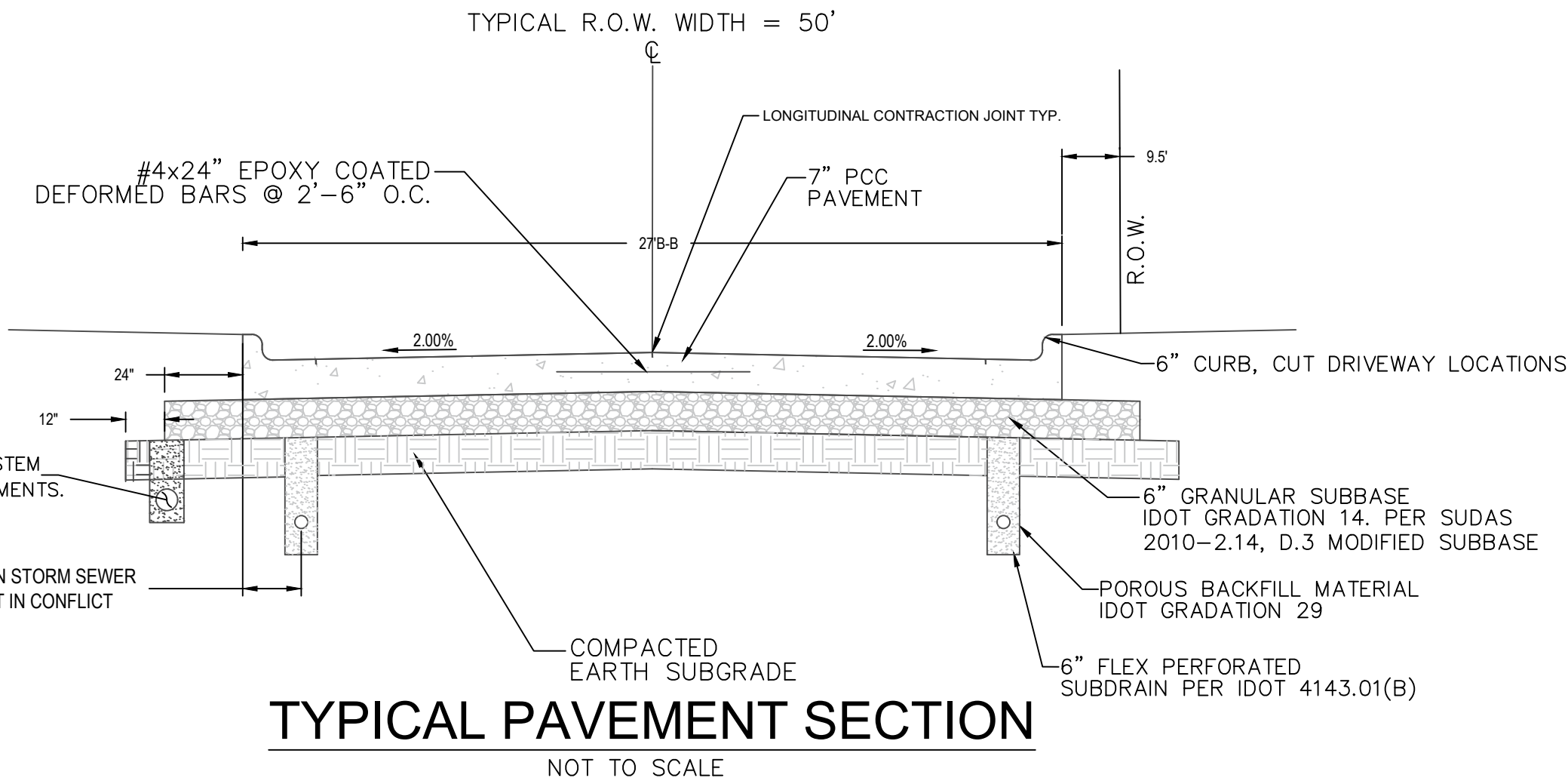
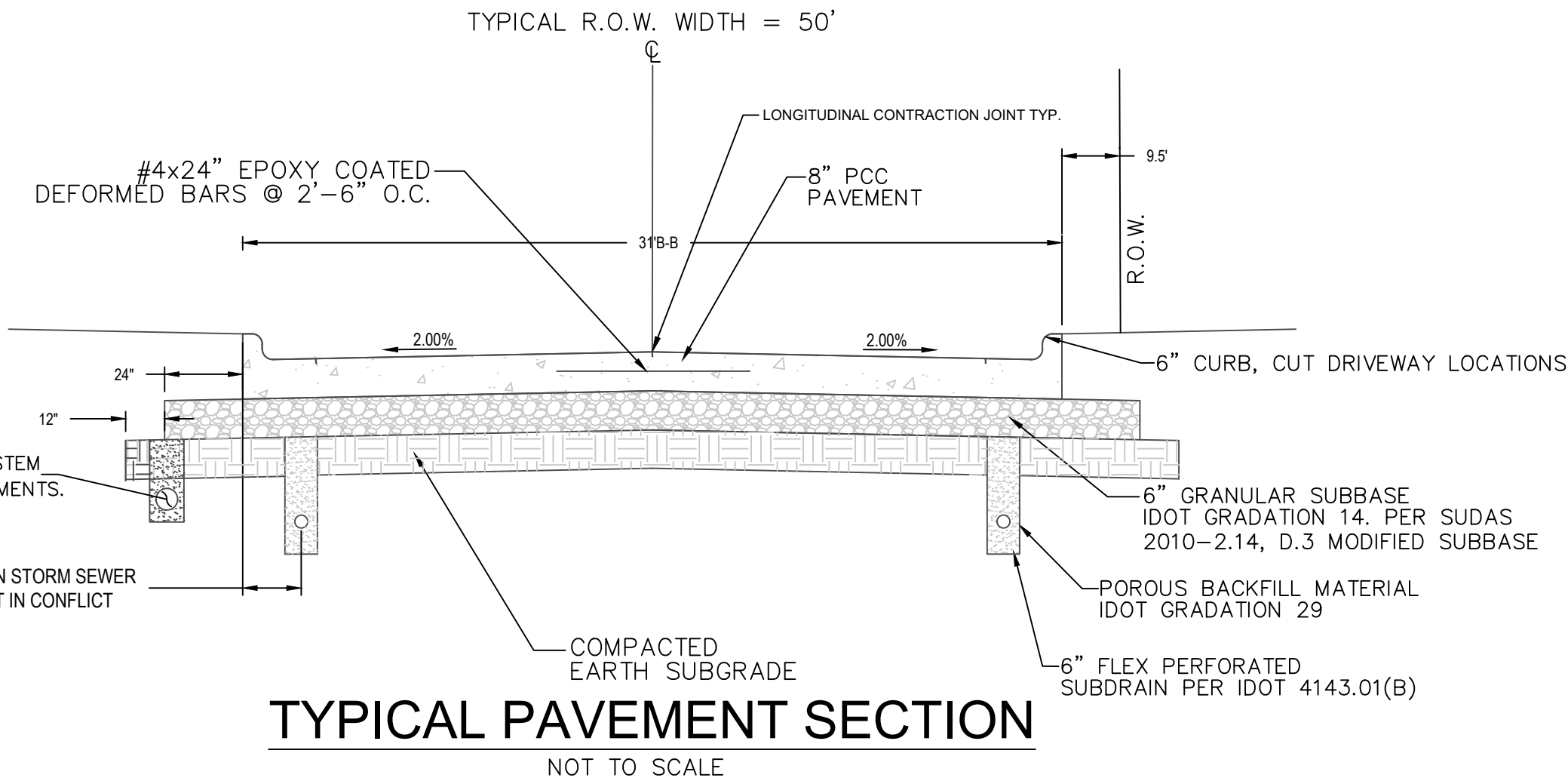
CENTURY LINK _____ DATE: _____

METRONET _____ DATE: _____

MIDAMERICAN ENERGY
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD BY MIDAMERICAN

NOTES :

- MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
- ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.
- COMPARE THE DESCRIPTION OF THIS PLAT WITH THE DEED, ABSTRACT OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND AT ONCE REPORT ANY DIFFERENCE.
- THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND SEAL.
- ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF DAVENPORT STANDARD SPECIFICATIONS.
- BLANKET UNDERGROUND EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE, AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED.
- PORTIONS OF THIS SUBDIVISION ARE LOCATED WITHIN THE FEMA DETERMINED SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD AS SOWN ON FLOOD INSURANCE RATE MAPS #19163C0360G EFFECTIVE DATE MARCH 23, 2021 AND IS SUBJECT TO THE REGULATIONS IN CHAPTER 15.44 OF THE CITY CODE ENTITLED "FLOOD DAMAGE PREVENTION". BFE = 688.90.
- OWNERS OF LOTS ON WHICH A DRAINAGE EASEMENT HAS BEEN ESTABLISHED AS A STORM WATER PASSAGEWAY SHALL MAINTAIN SAID EASEMENT AS A LAWN, PLANTED IN GRASS AND FREE OF BUSHES, FENCES, FILL, SHRUBS, STRUCTURES, TREES, AND/OR OTHER LANDSCAPING THAT WOULD IMPEDE THE FLOW OF STORM WATER RUNOFF.
- SIDEWALKS SHALL BE CONSTRUCTED ALONG ALL STREET FRONTAGES PRIOR TO THE COMPLETION OF RESIDENTIAL CONSTRUCTION FOR EACH LOT, OR AS SO ORDERED BY THE CITY OF DAVENPORT. SHARED USE TRAIL ALONG THE JERSEY RIDGE ROAD FRONTAGE SHALL BE CONSTRUCTED AT THE TIME OF STREET CONSTRUCTION OR AS ORDERED BY THE CITY OF DAVENPORT. SIDEWALKS ALONG ALL OUTLOTS WITH ABUTTING STREETS SHALL BE CONSTRUCTED BY THE DEVELOPER AT THE TIME OF STREET CONSTRUCTION.
- OUTLOTS A-C SHALL BE RESERVED FOR REGIONAL STORM WATER DETENTION FACILITIES SERVING THE SUBDIVISION.
- OUTLOT D SHALL BE MAINTAINED AS A DRAINAGE EASEMENT CONTAINING THE 1% CHANCE ANNUAL FLOOD PLAIN.
- THE EASEMENT FOR EAST 60th STREET SHALL BE VACATED WITH THE RECORDING OF THE FINAL PLAT.
- THE DRIVEWAY LOCATED IN THE "DRIVEWAY / DETENTION BASIN EASEMENT" LOCATED IN LOT B SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
- STORM WATER DETENTION AND WATER QUALITY TREATMENT ARE REQUIRED FOR THIS SUBDIVISION AND SHALL BE OWNED AND MAINTAINED BY THE OWNER OR HOME OWNERS ASSOCIATION.
- NO LOT SHALL HAVE DIRECT DRIVEWAY ACCESS TO JERSEY RIDGE ROAD.
- LOT 118 SHALL HAVE DRIVEWAY ACCESS TO E. 59TH STREET ONLY.
- SUMP LINES SHALL BE LOCATED IN FRONT YARDS.
- THE NORTH SIDE OF JERSEY RIDGE ROAD FROM E 59TH STREET TO LORTON AVENUE SHALL REMAIN FREE AND CLEAR OF LANDSCAPING TO MAINTAIN REQUIRED SIGHT DISTANCE.
- LOT 117 SHALL HAVE A CLEAR ZONE EASEMENT AND IT SHALL REMAIN FREE AND CLEAR OF LANDSCAPING TO MAINTAIN REQUIRED SIGHT DISTANCE.
- SPEED MITIGATION MEASURES SHALL BE DESIGNED IF SO DIRECTED BY THE CITY OF DAVENPORT WITH APPROVAL OF FINAL CONSTRUCTION DOCUMENTS.
- ALL ON-STREET PARKING SHALL BE LIMITED TO ONE SIDE OF THE STREET.



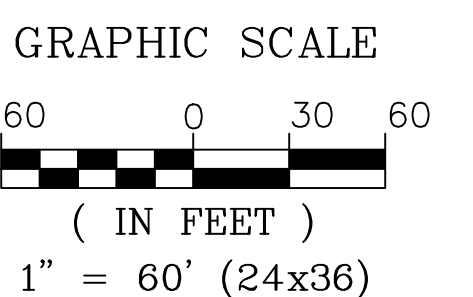
R-3 Single-Family and Two-Family Residential Zoning District	
Minimum Front Setback: 25' or Average of Front Setbacks, whichever is less	
Minimum Interior Side Setback: 7'	
Minimum Corner Side Setback: 15'	
Minimum Reverse Corner Side Setback: 25'	
Minimum Rear Setback: 25' or 20% of Lot Depth, whichever is less	

- Owner:**
Splendor Homes, LLC
3885 Kensington Court
Bettendorf, IA 52722
Ph: (563) 592-7999
- Engineer:**
Christopher R. Townsend, P.E.
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386 - 4236
- Surveyor:**
Jerry Rogers, P.L.S.
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386 - 4236
- Attorney:**
Clark Stojan
Stojan Law Office P.C.
423 17th Street, P.O. Box 4300
Rock Island, IL 61204
(309) 794-9400

LEGEND:	
---	EASEMENT
---	SETBACK LINE
---	CENTERLINE
---	PROPERTY BOUNDARY
---	EXISTING FENCE
---	EXISTING SANITARY
---	PROPOSED SANITARY
---	EXISTING STORM SEWER
---	PROPOSED STORM SEWER
---	EXISTING WATER
---	PROPOSED WATER
---	GAS
---	EXISTING GAS LINE
---	ELEC
---	EXISTING ELECTRIC
---	EXISTING GAS VALVE
---	EXISTING WATER VALVE
---	EXISTING UTILITY POLE
---	EXISTING LIGHT POLE
---	EXISTING TREE
---	EXISTING BUSH
---	EXISTING MANHOLE
---	EXISTING FIRE HYDRANT
---	FOUND PROPERTY PIN
---	CONTROL POINT

TOWNSEND ENGINEERING CIVIL - STRUCTURAL - LAND DEVELOPMENT	DATE: 8/9/2023	DRAWN BY: KLC CHECKED BY: BJB LOCATION BY: S:\STOJAN\WHITTY	REVISIONS:		PROJECT PRELIMINARY PLAT SPLENDOR ESTATES DAVENPORT, IOWA	DEVELOPER SPLENDOR HOMES, LLC 3885 KENSINGTON COURT BETTENDORF, IOWA 52722	SHEET NO. 1 OF 4
			NO.	DESCRIPTION			

TO THE CITY OF DAVENPORT, PART OF THE
SOUTHEAST QUARTER AND PART OF THE
SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP
78 NORTH, RANGE 4 EAST OF THE 5TH P.M., SCOTT
COUNTY, IOWA



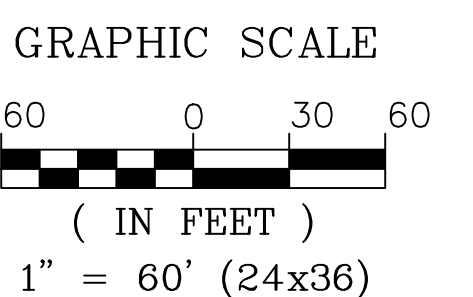
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FIELD DIMENSION = 0.00'
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AS NOTED = ●
MONUMENTS SET:
#5 REBAR W/ PINK CAP #8860 = ○
BOUNDARY LINE = _____
FENCE LINE = _____
EASEMENT LINE = _____
SETBACK LINE = _____
SECTION LINE = _____



TOWNSEND
ENGINEERING
CIVIL • STRUCTURAL • LAND DEVELOPMENT

SHEET NO. 2 OF 4

TO THE CITY OF DAVENPORT, PART OF THE
SOUTHEAST QUARTER AND PART OF THE
SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP
78 NORTH, RANGE 4 EAST OF THE 5TH P.M., SCOTT
COUNTY, IOWA



LEGEND:
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FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
AS NOTED = 
MONUMENTS SET:
#5 REBAR W/ PINK CAP #8860 = 
BOUNDARY LINE =
FENCE LINE =
EASEMENT LINE =
SETBACK LINE =
SECTION LINE = 

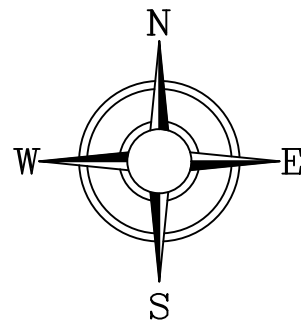
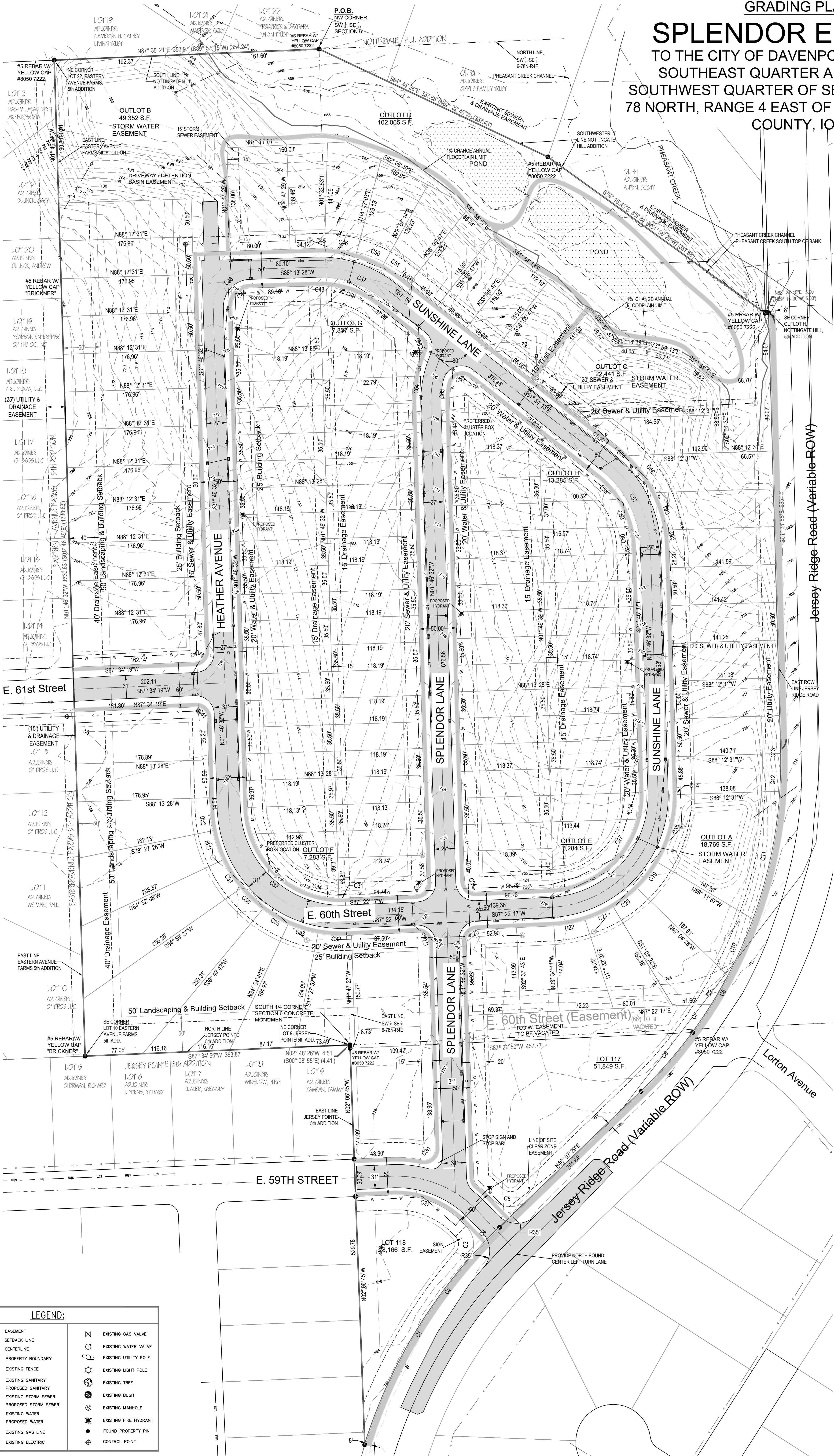


TOWNSEND
ENGINEERING
CIVIL • STRUCTURAL • LAND DEVELOPMENT

SHEET NO.
3
OF
4

PRELIMINARY PLAT
GRADING PLAN

SPLENDOR ESTATES
TO THE CITY OF DAVENPORT, PART OF THE
SOUTHEAST QUARTER AND PART OF THE
SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP
78 NORTH, RANGE 4 EAST OF THE 5TH P.M., SCOTT
COUNTY, IOWA



GRAPHIC SCALE
60 0 30 60
(IN FEET)
1" = 60' (24x36)

THE MEASURED BEARINGS SHOWN
HEREON ARE BASED ON THE US STATE
PLANE COORDINATE SYSTEM, IOWA
SOUTH ZONE (1402) GEOID 12A, NAD 83
(2011) EPOCH 2010.00.

LEGEND:
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FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
AS NOTED = ●
MONUMENTS SET:
#5 REBAR W/ PINK CAP #8860 = ○
BOUNDARY LINE = ————
FENCE LINE = - - - - -
EASEMENT LINE = - · - · -
SETBACK LINE = - · - · -
SECTION LINE = - - - - -

LEGEND:

---	EASEMENT	⊗	EXISTING GAS VALVE
---	SETBACK LINE	○	EXISTING WATER VALVE
---	CENTERLINE	○	EXISTING UTILITY POLE
---	PROPERTY BOUNDARY	○	EXISTING LIGHT POLE
---	EXISTING FENCE	⊗	EXISTING TREE
>---	EXISTING SANITARY	⊗	EXISTING BUSH
>---	PROPOSED SANITARY	⊗	EXISTING MANHOLE
8in	EXISTING STORM SEWER	⊗	EXISTING FIRE HYDRANT
8in	PROPOSED STORM SEWER	⊗	FOUND PROPERTY PIN
W	EXISTING WATER	⊗	CONTROL POINT
W	PROPOSED WATER	⊗	
---	GAS	⊗	
---	EXISTING GAS LINE	⊗	
---	ELEC	⊗	

DATE:
8/9/2023

563 386.4236 office 386.4231 fax
2224 East 12th Street, Davenport, IA 52803

DRAWN BY:
KLC
CHECKED BY:
BJB

LOCATION BY:
S:\STOJAN\WHITTY

REVISIONS:
NO. DESCRIPTION

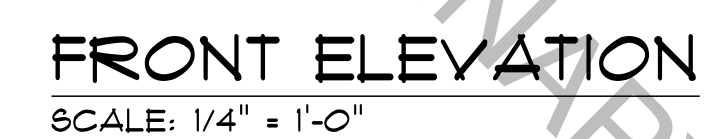
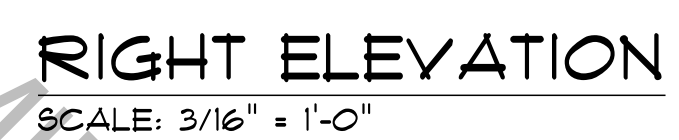
DATE

PROJECT
PRELIMINARY PLAT
SPLENDOR ESTATES

DAVENPORT, IOWA

DEVELOPER
SPLENDOR HOMES, LLC
3885 KENSINGTON COURT
BETTENDORF, IOWA 52722

SHEET NO.
3 OF 4

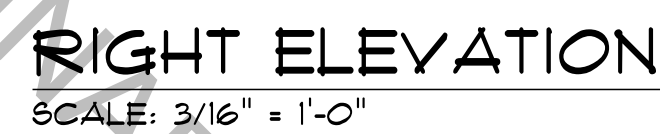


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COTTAGE PLAN PRELIMINARY

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TOWN HOUSE PRELIM. PLAN

REVISIONS
2 — 2
ELEV'S.
MEMBER A I B D AMERICAN INSTITUTE of BUILDING DESIGN

PRELIMINARY PLAT

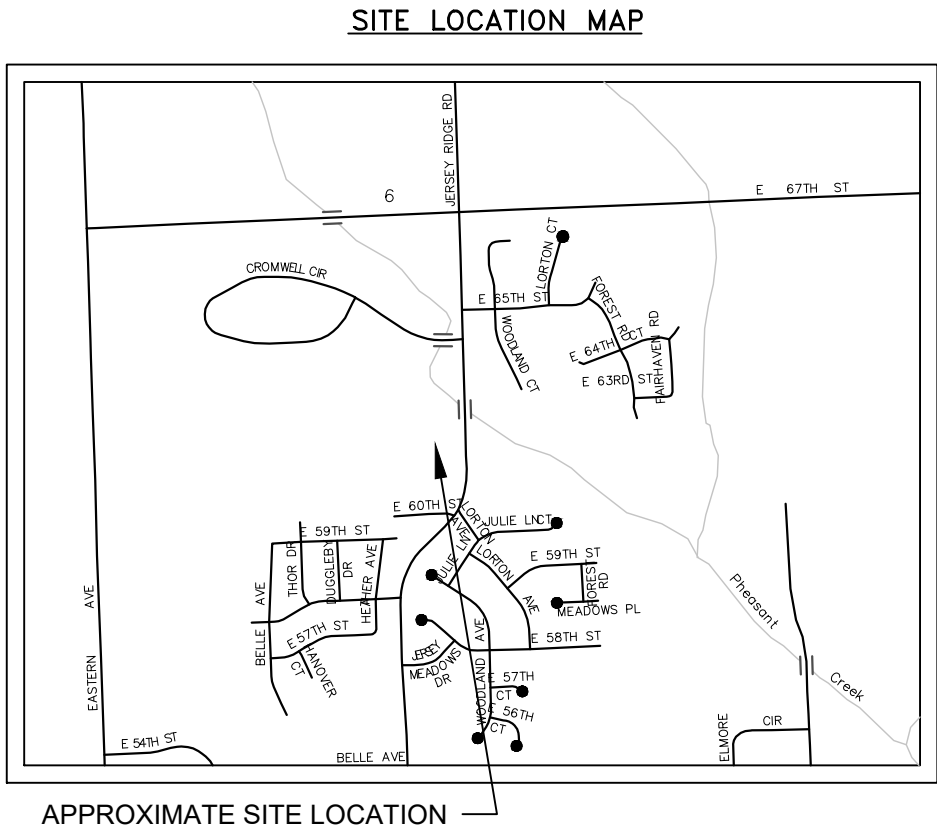
SPLENDOR ESTATES

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AND PART OF THE SOUTHWEST QUARTER OF SECTION 6,
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C20	40.71'	175.00'	013°19'45"	40.62'
C21	41.53'	175.00'	013°35'44"	41.43'

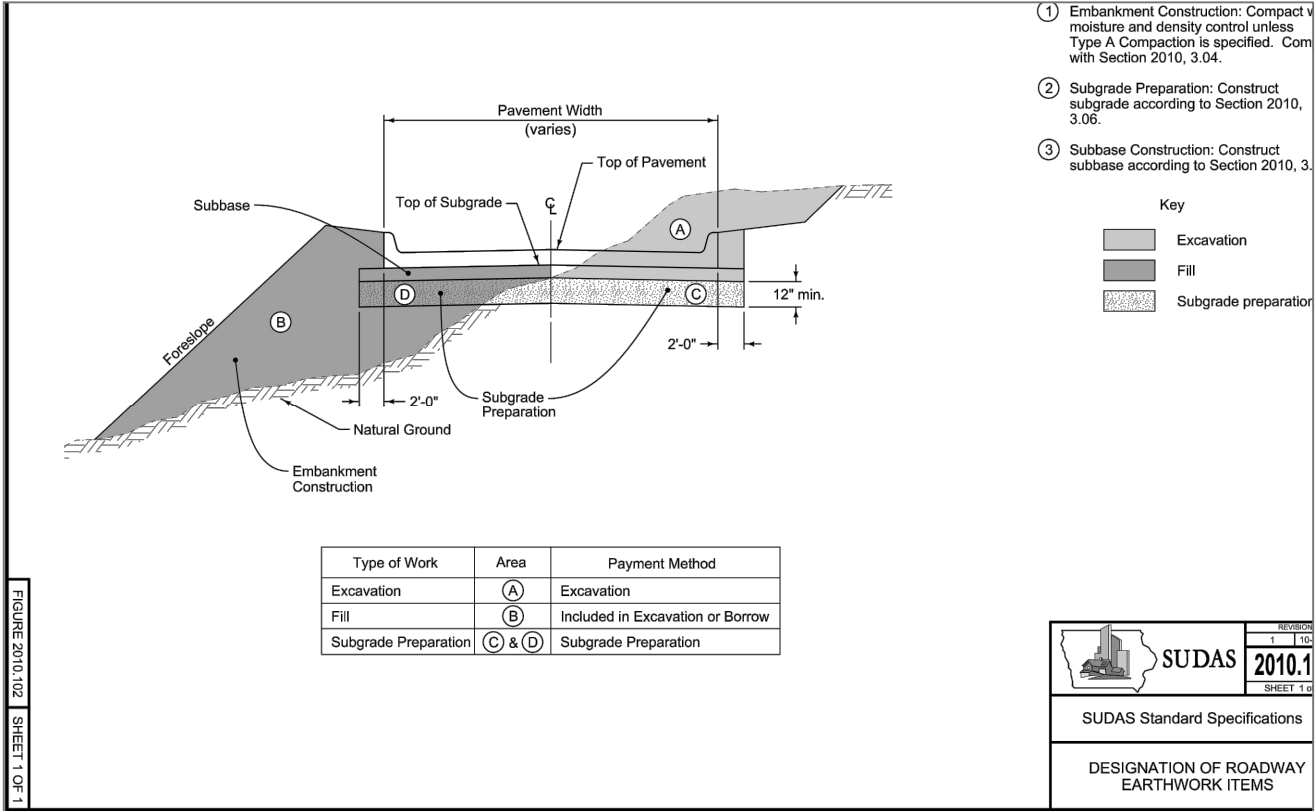
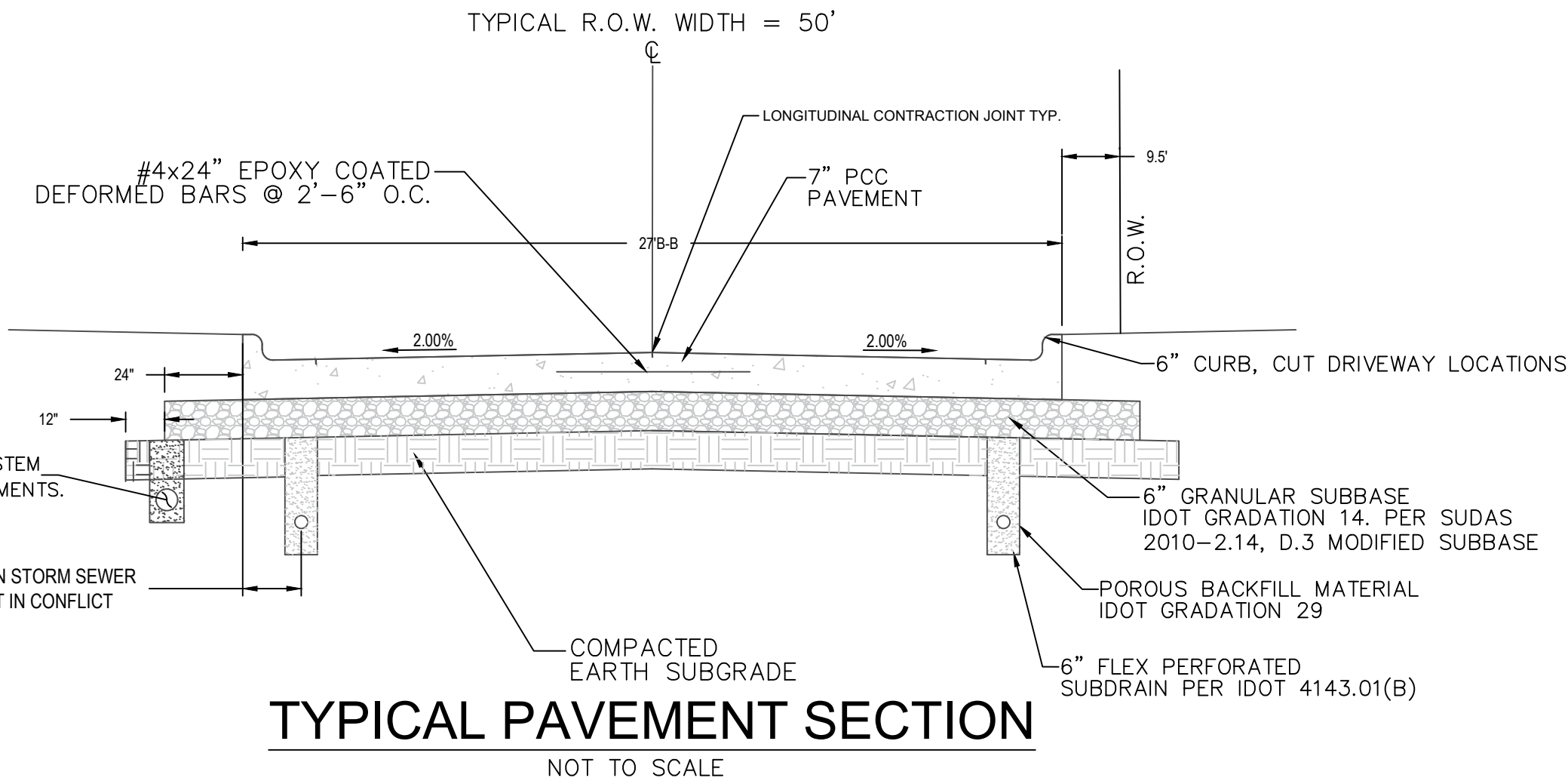
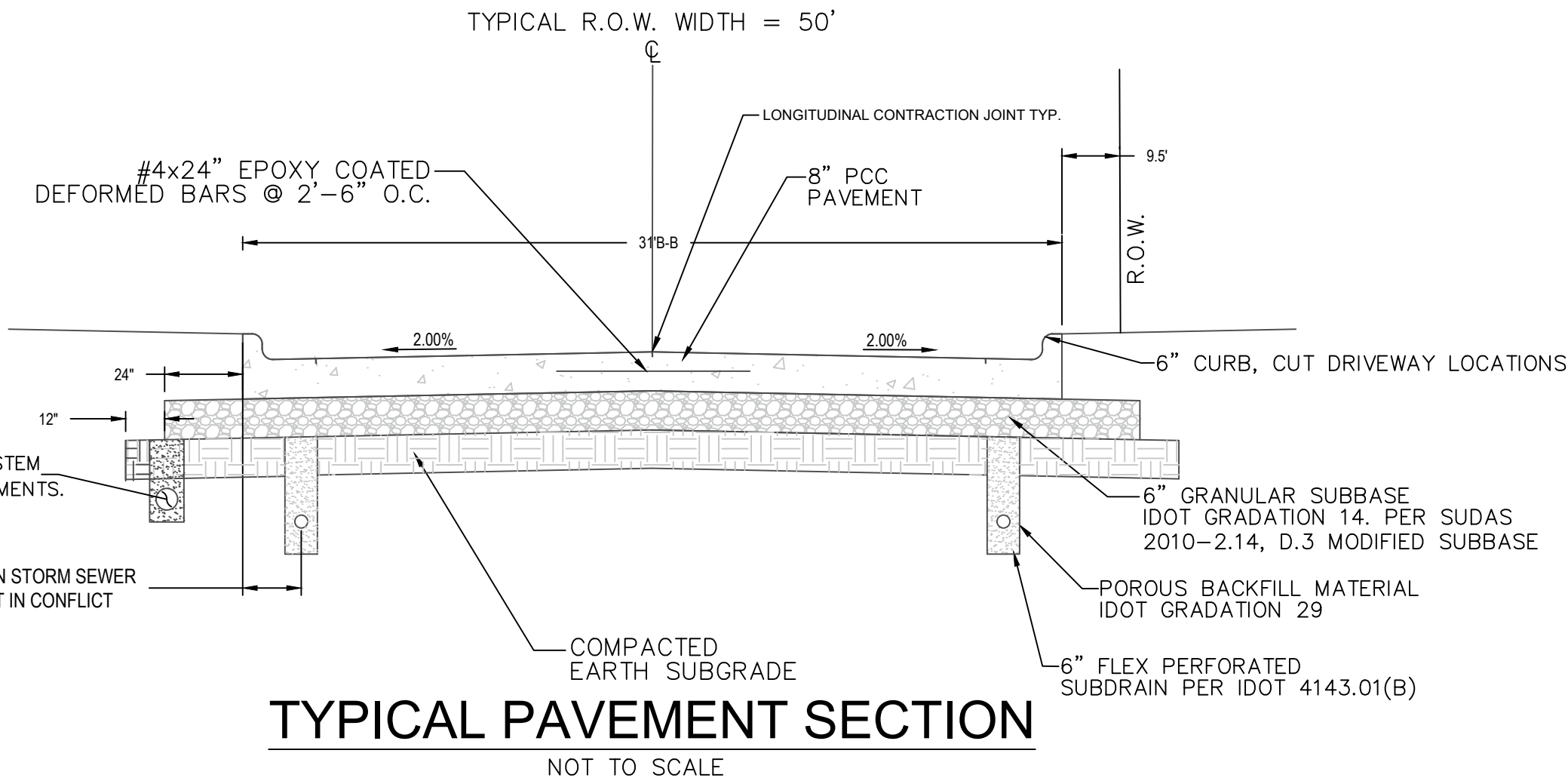
Curve Table				
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)
C22	42.68'	175.00'	013°58'26"	42.57'
C23	23.34'	15.00'	089°08'49"	21.05'
C24	23.79'	15.00'	090°51'11"	21.37'
C25	23.34'	15.00'	089°08'49"	21.05'
C26	23.79'	15.00'	090°51'11"	21.37'
C27	105.87'	125.00'	048°31'42"	102.74'
C30	26.97'	15.00'	103°02'09"	23.48'
C31	8.73'	125.00'	004°00'14"	8.73'
C32	38.99'	175.00'	012°45'50"	38.90'
C33	41.89'	175.00'	013°42'56"	41.79'
C34	153.54'	125.00'	070°22'34"	144.07'
C35	39.65'	175.00'	012°58'59"	39.57'
C36	40.60'	175.00'	013°17'35"	40.51'
C37	237.85'	150.00'	090°51'11"	213.71'
C38	45.03'	175.00'	014°44'31"	44.90'
C39	41.51'	175.00'	013°35'20"	41.41'
C40	29.83'	175.00'	009°46'00"	29.79'
C41	23.73'	15.00'	090°39'08"	21.33'
C42	23.39'	15.00'	089°20'52"	21.09'
C43	78.54'	50.00'	090°00'00"	70.71'

Curve Table				
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)
C44	39.27'	25.00'	090°00'00"	35.36'
C45	11.91'	175.00'	003°54'00"	11.91'
C46	42.94'	175.00'	014°03'29"	42.83'
C47	104.38'	150.00'	039°52'20"	102.29'
C48	4.08'	125.00'	001°52'19"	4.08'
C49	82.90'	125.00'	038°00'00"	81.39'
C50	39.11'	175.00'	012°48'17"	39.03'
C51	27.82'	175.00'	009°06'34"	27.79'
C52	17.68'	13.50'	075°02'32"	16.44'
C53	30.66'	15.00'	117°07'30"	25.60'
C54	16.30'	175.00'	005°20'17"	16.30'
C56	61.75'	175.00'	020°13'05"	61.43'
C57	131.23'	150.00'	050°07'40"	127.09'
C58	41.03'	125.00'	018°48'22"	40.84'
C59	40.10'	125.00'	018°22'51"	39.93'
C60	28.25'	125.00'	012°56'53"	28.19'
C61	52.68'	175.00'	017°14'57"	52.49'
C62	22.36'	175.00'	007°19'17"	22.35'



NOTES :

- MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
- ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.
- COMPARE THE DESCRIPTION OF THIS PLAT WITH THE DEED, ABSTRACT OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND AT ONCE REPORT ANY DIFFERENCE.
- THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND SEAL.
- ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF DAVENPORT STANDARD SPECIFICATIONS.
- BLANKET UNDERGROUND EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE, AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED.
- PORTIONS OF THIS SUBDIVISION ARE LOCATED WITHIN THE FEMA DETERMINED SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD AS SOWN ON FLOOD INSURANCE RATE MAPS #19163C0360G EFFECTIVE DATE MARCH 23, 2021 AND IS SUBJECT TO THE REGULATIONS IN CHAPTER 15.44 OF THE CITY CODE ENTITLED "FLOOD DAMAGE PREVENTION". BFE = 688.90.
- OWNERS OF LOTS ON WHICH A DRAINAGE EASEMENT HAS BEEN ESTABLISHED AS A STORM WATER PASSAGEWAY SHALL MAINTAIN SAID EASEMENT AS A LAWN, PLANTED IN GRASS AND FREE OF BUSHES, FENCES, FILL, SHRUBS, STRUCTURES, TREES, AND/OR OTHER LANDSCAPING THAT WOULD IMPEDE THE FLOW OF STORM WATER RUNOFF.
- SIDEWALKS SHALL BE CONSTRUCTED ALONG ALL STREET FRONTAGES PRIOR TO THE COMPLETION OF RESIDENTIAL CONSTRUCTION FOR EACH LOT, OR AS SO ORDERED BY THE CITY OF DAVENPORT. SHARED USE TRAIL ALONG THE JERSEY RIDGE ROAD FRONTAGE SHALL BE CONSTRUCTED AT THE TIME OF STREET CONSTRUCTION OR AS ORDERED BY THE CITY OF DAVENPORT. SIDEWALKS ALONG ALL OUTLOTS WITH ABUTTING STREETS SHALL BE CONSTRUCTED BY THE DEVELOPER AT THE TIME OF STREET CONSTRUCTION.
- OUTLOTS A-C SHALL BE RESERVED FOR REGIONAL STORM WATER DETENTION FACILITIES SERVING THE SUBDIVISION.
- OUTLOT D SHALL BE MAINTAINED AS A DRAINAGE EASEMENT CONTAINING THE 1% CHANCE ANNUAL FLOOD PLAIN.
- THE EASEMENT FOR EAST 60th STREET SHALL BE VACATED WITH THE RECORDING OF THE FINAL PLAT.
- THE DRIVEWAY LOCATED IN THE "DRIVEWAY / DETENTION BASIN EASEMENT" LOCATED IN LOT B SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
- STORM WATER DETENTION AND WATER QUALITY TREATMENT ARE REQUIRED FOR THIS SUBDIVISION AND SHALL BE OWNED AND MAINTAINED BY THE OWNER OR HOME OWNERS ASSOCIATION.
- NO LOT SHALL HAVE DIRECT DRIVEWAY ACCESS TO JERSEY RIDGE ROAD.
- LOT 118 SHALL HAVE DRIVEWAY ACCESS TO E. 59TH STREET ONLY.
- SUMP LINES SHALL BE LOCATED IN FRONT YARDS.
- THE NORTH SIDE OF JERSEY RIDGE ROAD FROM E 59TH STREET TO LORTON AVENUE SHALL REMAIN FREE AND CLEAR OF LANDSCAPING TO MAINTAIN REQUIRED SIGHT DISTANCE.
- LOT 117 SHALL HAVE A CLEAR ZONE EASEMENT AND IT SHALL REMAIN FREE AND CLEAR OF LANDSCAPING TO MAINTAIN REQUIRED SIGHT DISTANCE.
- SPEED MITIGATION MEASURES SHALL BE DESIGNED IF SO DIRECTED BY THE CITY OF DAVENPORT WITH APPROVAL OF FINAL CONSTRUCTION DOCUMENTS.
- ALL ON-STREET PARKING SHALL BE LIMITED TO ONE SIDE OF THE STREET.



R-3 Single-Family and Two-Family Residential Zoning District	
Minimum Front Setback: 25' or Average of Front Setbacks, whichever is less	
Minimum Interior Side Setback: 7'	
Minimum Corner Side Setback: 15'	
Minimum Reverse Corner Side Setback: 25'	
Minimum Rear Setback: 25' or 20% of Lot Depth, whichever is less	

- Owner:**
Splendor Homes, LLC
3885 Kensington Court
Bettendorf, IA 52722
Ph: (563) 592-7999
- Engineer:**
Christopher R. Townsend, P.E.
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386 - 4236
- Surveyor:**
Jerry Rogers, P.L.S.
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386 - 4236
- Attorney:**
Clark Stojan
Stojan Law Office P.C.
423 17th Street, P.O. Box 4300
Rock Island, IL 61204
(309) 794-9400

LEGEND:	
---	EASEMENT
---	SETBACK LINE
---	CENTERLINE
---	PROPERTY BOUNDARY
---	EXISTING FENCE
> ---	EXISTING SANITARY
> ---	PROPOSED SANITARY
stm ---	EXISTING STORM SEWER
stm ---	PROPOSED STORM SEWER
W ---	EXISTING WATER
W ---	PROPOSED WATER
---	GAS
---	ELEC
---	EXISTING GAS VALVE
---	EXISTING WATER VALVE
---	EXISTING UTILITY POLE
---	EXISTING LIGHT POLE
---	EXISTING TREE
---	EXISTING BUSH
---	EXISTING MANHOLE
---	EXISTING FIRE HYDRANT
---	FOUND PROPERTY PIN
---	CONTROL POINT



DATE:
8/9/2023

563.386.4236 office 386.4231 fax
2224 East 12th Street, Davenport, IA 52803

DRAWN BY:
KLC
CHECKED BY:
BJB
LOCATION BY:
S:\STOJAN\WHITTY

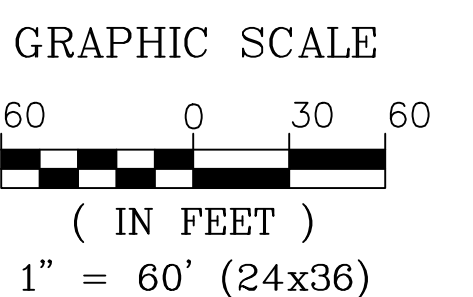
REVISIONS:		DATE
NO.	DESCRIPTION	

PROJECT
PRELIMINARY PLAT
SPLENDOR ESTATES
DAVENPORT, IOWA

DEVELOPER
SPLENDOR HOMES, LLC
3885 KENSINGTON COURT
BETTENDORF, IOWA 52722

SHEET NO.
1
OF
4

TO THE CITY OF DAVENPORT, PART OF THE
SOUTHEAST QUARTER AND PART OF THE
SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP
78 NORTH, RANGE 4 EAST OF THE 5TH P.M., SCOTT
COUNTY, IOWA



LEGEND:
DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
AS NOTED = 
MONUMENTS SET:
#5 REBAR W/ PINK CAP #8860 = 
BOUNDARY LINE = 
FENCE LINE = 
EASEMENT LINE = 
SETBACK LINE = 
SECTION LINE = 

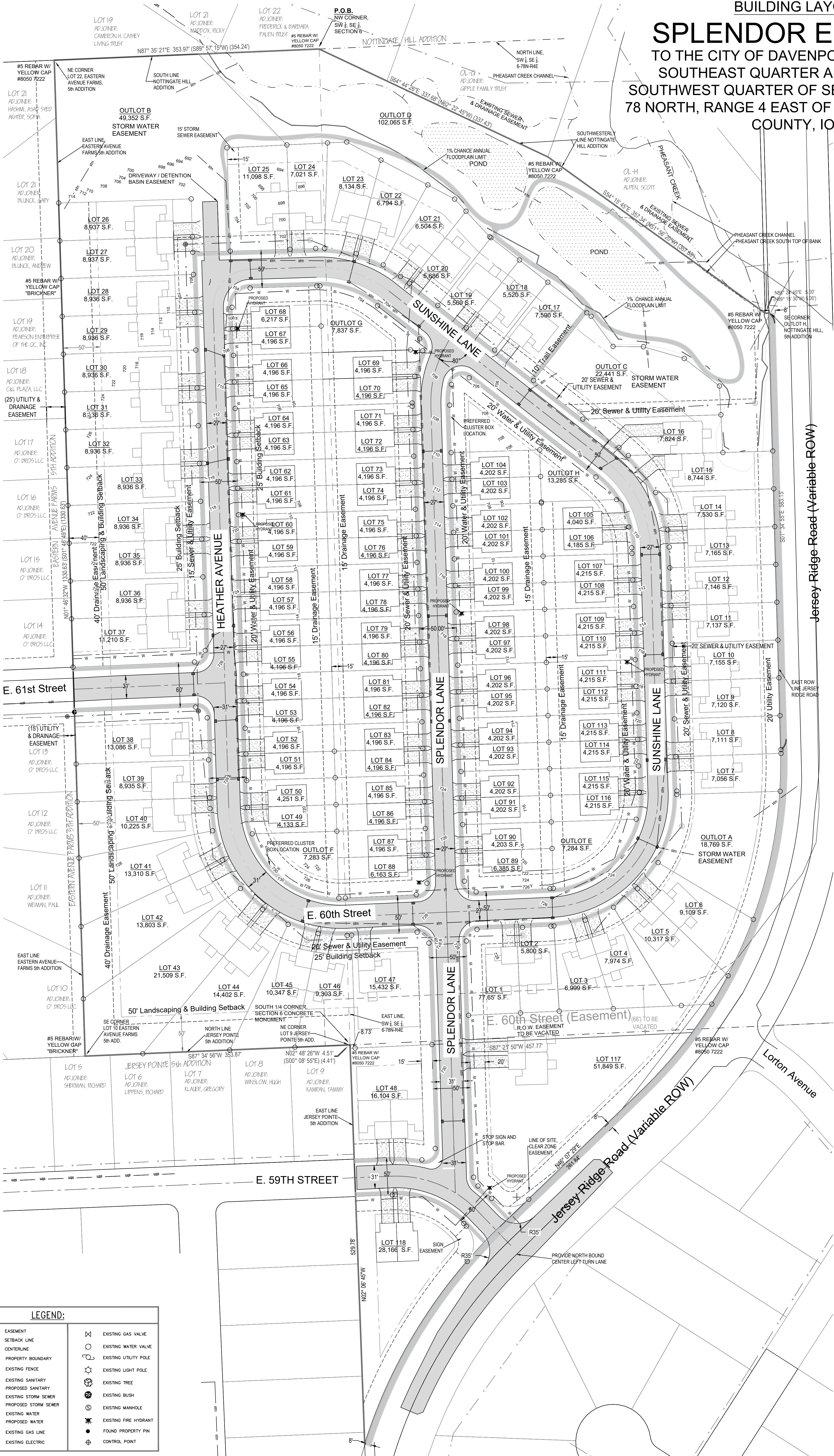


TOWNSEND
ENGINEERING
CIVIL • STRUCTURAL • LAND DEVELOPMENT

SHEET NO.
2
OF
4

PRELIMINARY PLAT
BUILDING LAYOUT

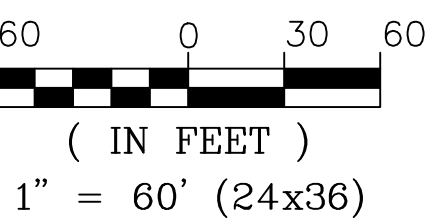
SPLENDOR ESTATES
TO THE CITY OF DAVENPORT, PART OF THE
SOUTHEAST QUARTER AND PART OF THE
SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP
78 NORTH, RANGE 4 EAST OF THE 5TH P.M., SCOTT
COUNTY, IOWA



LEGEND:

---	EASEMENT	⊗	EXISTING GAS VALVE
---	SETBACK LINE	○	EXISTING WATER VALVE
---	CENTERLINE	○	EXISTING UTILITY POLE
---	PROPERTY BOUNDARY	⊙	EXISTING LIGHT POLE
---	EXISTING FENCE	⊙	EXISTING TREE
---	EXISTING SANITARY	⊙	EXISTING BUSH
---	PROPOSED SANITARY	⊙	EXISTING MANHOLE
---	EXISTING STORM SEWER	⊙	EXISTING FIRE HYDRANT
---	PROPOSED STORM SEWER	⊙	FOUND PROPERTY PIN
---	EXISTING WATER	⊙	CONTROL POINT
---	PROPOSED WATER	⊙	
---	GAS	⊙	
---	EXISTING GAS LINE	⊙	
---	ELEC	⊙	

GRAPHIC SCALE



THE MEASURED BEARINGS SHOWN
HEREON ARE BASED ON THE US STATE
PLANE COORDINATE SYSTEM, IOWA
SOUTH ZONE (1402) GEOID 12A, NAD 83
(2011) EPOCH 2010.00.

LEGEND:

DEED DIMENSION = (0.00')
FIELD DIMENSION = (0.00')
MONUMENTS FOUND:
AS NOTED = ●
MONUMENTS SET:
#5 REBAR W/ PINK CAP #8860 = ○
BOUNDARY LINE = ————
FENCE LINE = ————
EASEMENT LINE = ————
SETBACK LINE = ————
SECTION LINE = ————

TOWNSEND
ENGINEERING

DATE:
8/9/2023

563 386.4236 office 386.4231 fax
2224 East 12th Street, Davenport, IA 52803

DRAWN BY:
KLC

CHECKED BY:
BJB

LOCATION BY:
S: STOJAN\WHITTY

REVISIONS:
NO. DESCRIPTION

DATE

PROJECT

PRELIMINARY PLAT
SPLENDOR ESTATES

DAVENPORT, IOWA

DEVELOPER

SPLENDOR HOMES, LLC
3885 KENSINGTON COURT
BETTENDORF, IOWA 52722

SHEET NO.

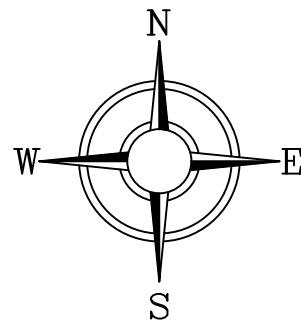
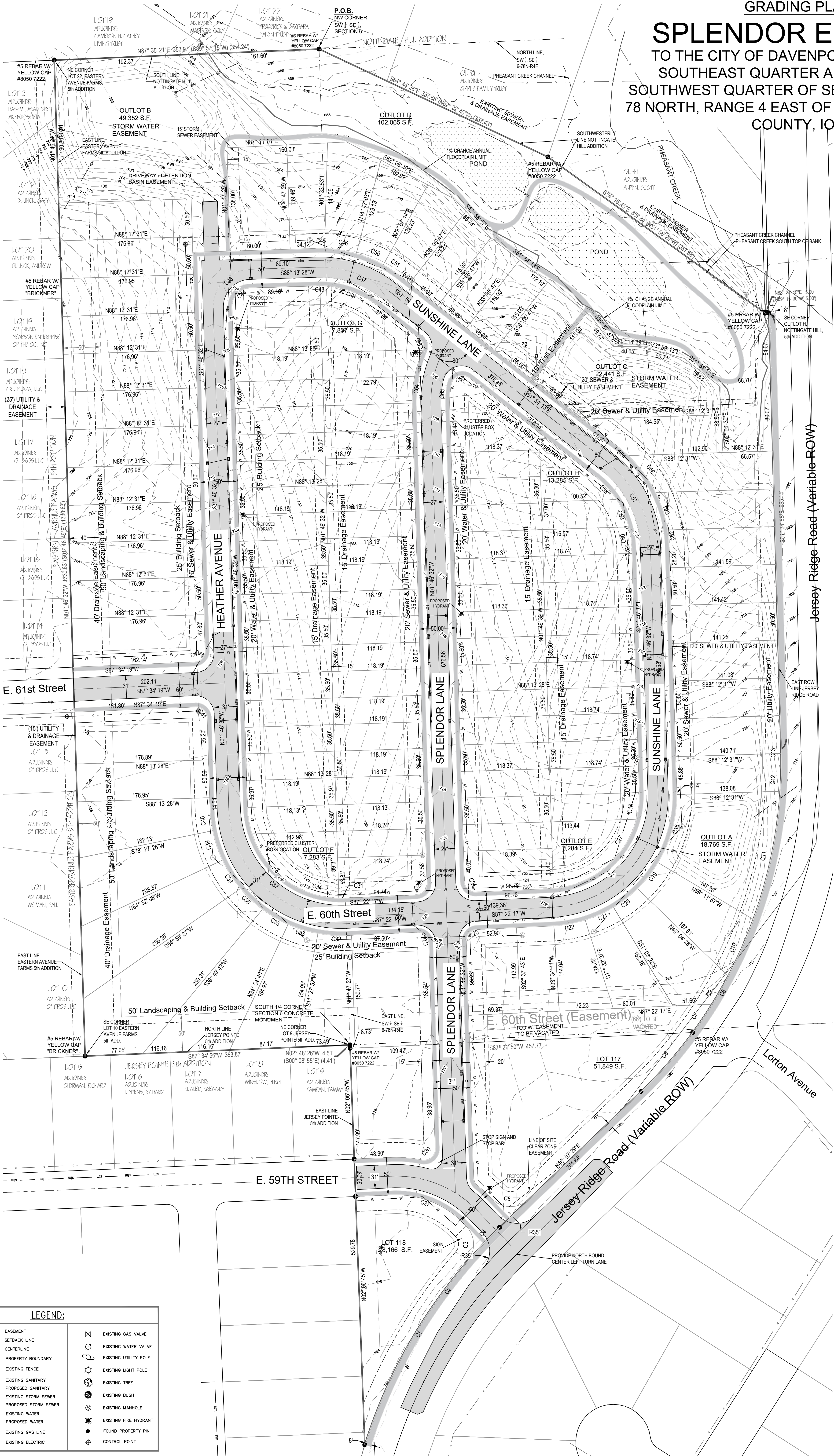
3

OF

4

PRELIMINARY PLAT
GRADING PLAN

SPLENDOR ESTATES
TO THE CITY OF DAVENPORT, PART OF THE
SOUTHEAST QUARTER AND PART OF THE
SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP
78 NORTH, RANGE 4 EAST OF THE 5TH P.M., SCOTT
COUNTY, IOWA



GRAPHIC SCALE
60 0 30 60
(IN FEET)
1" = 60' (24x36)

THE MEASURED BEARINGS SHOWN
HEREON ARE BASED ON THE US STATE
PLANE COORDINATE SYSTEM, IOWA
SOUTH ZONE (1402) GEOID 12A, NAD 83
(2011) EPOCH 2010.00.

LEGEND:
DEED DIMENSION = (0.00)
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
AS NOTED = ●
MONUMENTS SET:
#5 REBAR W/ PINK CAP #8600 = ○
BOUNDARY LINE = ————
FENCE LINE = ————
EASEMENT LINE = ————
SETBACK LINE = ————
SECTION LINE = ————

LEGEND:

-----	EASEMENT	⊗	EXISTING GAS VALVE
-----	SETBACK LINE	○	EXISTING WATER VALVE
-----	CENTERLINE	○	EXISTING UTILITY POLE
-----	PROPERTY BOUNDARY	○	EXISTING LIGHT POLE
-----	EXISTING FENCE	○	EXISTING TREE
-----	EXISTING SANITARY	○	EXISTING BUSH
-----	PROPOSED SANITARY	○	EXISTING MANHOLE
-----	EXISTING STORM SEWER	○	EXISTING FIRE HYDRANT
-----	PROPOSED STORM SEWER	○	FOUND PROPERTY PIN
-----	EXISTING WATER	○	CONTROL POINT
-----	PROPOSED WATER	○	
-----	GAS	○	
-----	EXISTING GAS LINE	○	
-----	ELEC	○	

DATE:
8/9/2023

563 386.4236 office 386.4231
2224 East 12th Street, Davenport, IA 52803

DRAWN BY:
KLC
CHECKED BY:
BJB

LOCATION BY:
S:\STOJAN\WHITTY

REVISIONS:
NO. DESCRIPTION

DATE

PROJECT
PRELIMINARY PLAT
SPLENDOR ESTATES

DAVENPORT, IOWA

DEVELOPER
SPLENDOR HOMES, LLC
3885 KENSINGTON COURT
BETTENDORF, IOWA 52722

SHEET NO.
3

OF
4

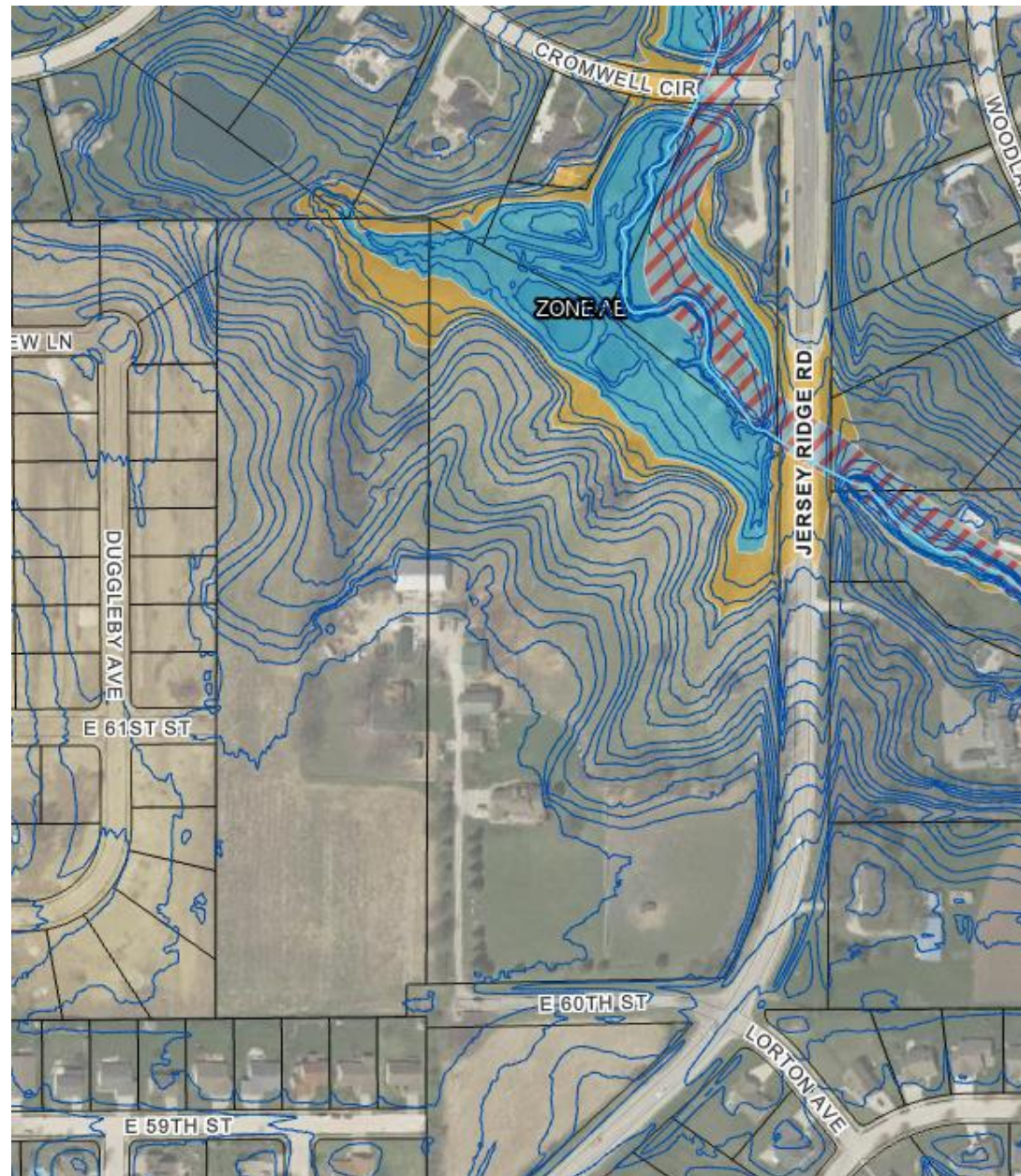
TOWNSEND
ENGINEERING

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Case P23-02: Splendor Estates Vicinity Map



Case P23-02: Splendor Estates Flood & Elevation Map



Case P23-02 : Splendor Estates Zoning Map



Case P23-02 : Splendor Estates Future Land Use Map





1200 E 46th Street
Davenport, Iowa 52807
(563) 326-6198

Planning@davenportiowa.com

Complete application can be emailed to planning@davenportiowa.com

Property Address* 2460 E. 60th St. & 2448 E. 60th St. - See Attached Deed

*If no property address, please submit a legal description of the property.

Applicant (Primary Contact)

Name:	V. Rao Ramavaram
Company:	Splendor Homes, LLC
Address:	3885 Kensington Court
City/State/Zip:	Bettendorf, IA 52722
Phone:	563-592-7999
Email:	hosthospitality@gmx.com

Application Form Type:

Plan and Zoning Commission

Zoning Map Amendment (Rezoning) ☐
Planned Unit Development ☐
Zoning Ordinance Text Amendment ☐
Right-of-way or Easement Vacation ☐
Voluntary Annexation ☐

Owner (if different from Applicant)

Name:	
Company:	
Address:	
City/State/Zip:	
Phone:	
Email:	

Zoning Board of Adjustment

Zoning Appeal ☐
Special Use ☐
Hardship Variance ☐

Engineer (if applicable)

Name:	Chris Townsend
Company:	Townsend Engineering
Address:	2224 E 12th St
City/State/Zip:	Davenport, IA 52803
Phone:	563-386-4236
Email:	chris@townsendengineering.net

Design Review Board

Design Approval ☐
Demolition Request in the Downtown ☐
Demolition Request in the Village of East Davenport ☐

Historic Preservation Commission

Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Architect (if applicable)

Name:	
Company:	
Address:	
City/State/Zip:	
Phone:	
Email:	

Administrative

Administrative Exception ☐
Health Services and Congregate Living Permit ☐

Attorney (if applicable)

Name:	Clark Stojan
Company:	Stojan Law Office P.C.
Address:	423 17th Street, PO Box 4300
City/State/Zip:	Rock Island, IL 61201
Phone:	309-794-9400
Email:	

Preliminary Plat – Required for subdivisions of four lots or more.

Property Location:

2400 E. 60th St., Davenport, IA 52807 & 2448 E. 60th St., Davenport, IA 52807

Total Land Area: 25.56 Acres

Total Number of Lots: 115

Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☐ Yes ☒ No

Submittal Requirements:

- The completed application form.
- Required fee:
Ten or fewer lots - \$400 plus \$25 per lot.
Eleven to twenty-five lots - \$700 plus \$25 per lot.
More than twenty-five lots - \$1,000 plus \$25 per lot.
- A PDF of the proposed plat at a scale of not less than one inch per one hundred feet, which depicts the following:
 - The location of existing property lines, section lines, easements, corporate limits and other legally established districts, streets, buildings, watercourses, tree masses and other existing features within the area to be subdivided and similar facts regarding existing conditions on the land.
 - The proposed location and width of streets, alleys, lots, building setback lines and easements.
 - Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract and immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet shall be indicated in a general way upon the plat.
 - Proposed name of the subdivision (which shall not duplicate any previously filed plat), the name of the land owner, land developer, and land surveyor.
 - The names and adjoining boundaries of all adjacent subdivisions and the names of record owners of adjoining parcels of unsubdivided land.
 - Existing contours with intervals of five feet or less.
 - North point, scale and date.
 - A vicinity sketch showing the proposed subdivision in relationship to surrounding development and street systems.

Final Plat – Required for subdivisions of two lots or more.

Property Location:

2400 E. 60th St., Davenport, IA 52807 & 2448 E. 60th St., Davenport, IA 52807

Total Land Area: Acres

Total Number of Lots:

Linear Feet of Streets Added:

Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☐ Yes ☒ No

Submittal Requirements:

- The completed application form.
- Required fee:
 - Ten or fewer lots - \$400 plus \$25 per lot.
 - Eleven to twenty-five lots - \$700 plus \$25 per lot.
 - More than twenty-five lots - \$1,000 plus \$25 per lot.
- A PDF of the proposed final plat at a scale of not less than one inch per one fifty feet, which depicts the following:
 - The boundary lines of the area being subdivided with accurate distances and bearings.
 - The lines of all proposed streets and alleys with their width and names.
 - The accurate outline of any property which is offered for dedication for public use.
 - The lines of all adjoining lands and the lines of adjacent streets and alleys with their width and names.
 - All lot lines and an identification system for lots and blocks.
 - Building lines and easements for any right-of-way provided for public use, services or utilities, or excess storm water passageways with figures showing their dimensions.
 - All dimensions, both linear and angular, necessary for locating subdivision boundaries, lots, streets, alleys, and of any other areas for public or private use. The linear dimensions are to be expressed in feet and decimals of a foot.
 - Radii, arcs and chords, points of tangency, central angles for all curvilinear streets, and radii and tangents for all rounded corners.
 - All survey monuments and bench marks together with their descriptions.
 - Name of subdivision and description of property subdivided showing its location by distance and bearing to the nearest quarter section monument; points of compass; graphic scale of map; and name and address of owner or owners or the subdivider, or in the case of corporate ownership, the name and address of the registered agent of said corporation shall also appear on the plat;
- Prior to forwarding the proposed final plat to City Council:
 - One full size copy of corrected final plat with the original mylar/sepia and one reduced copy signed/stamped by the utility companies.
 - Executed platting certificates acceptable to the City of Davenport:
 - Acceptance by the City of Davenport.
 - Hold Harmless Agreement.
 - Assessment waiver (sidewalks and subdivision improvements).
 - Dedication of Owner.
 - Consent to platting where applicable.
 - Certificate of Attorney.
 - Surveyor's Certificate.
 - Certificate of County Treasurer.
 - Certificate of Subdivision Name by Scott County Auditor.

The petitioner hereby acknowledges and agrees to the following procedure and requirements for submission and approval of a Preliminary Plat:

- (1) Application:
 - The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.
- (2) Plan and Zoning Commission's consideration of the proposed preliminary plat:
 - Planning staff will perform a technical review of the petition and present its findings and recommendation to the Plan and Zoning Commission.
 - The Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.
- (3) City Council's consideration of the proposed preliminary plat:
 - The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.

The petitioner hereby acknowledges and agrees to the following procedure and requirements for submission and approval of a Final Plat:

- (1) Application:
 - The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.
- (2) Plan and Zoning Commission's consideration of the proposed final plat:
 - Planning staff will perform a technical review of the petition and present its findings and recommendation to the Plan and Zoning Commission.
 - The Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.
- (3) City Council's consideration of the final plat:
 - Prior to forwarding the petition to the City Council, the following must be provided to the Community Planning and Economic Development Department:
 - One full size copy of the corrected final plat and one reduced copy of the corrected final plat signed/stamped by the utility companies.
 - Executed platting certificate.
 - The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.
- (4) Recordation:
 - After the Mayor signs the approved final plats and Acceptance by the City of Davenport, the final will be released to the Surveyor to obtain and return 21 full size copies to the Community Planning and Economic Development Department.
 - After the 21 copies are returned, two copies of the final plat and platting certificates will be released to the petitioner.
 - It is the petitioner's responsibility to record the final plat with the Scott County Recorder's Office.

Petitioner:

Date:

By typing your name, you acknowledge and agree to the aforementioned procedure and requirements.

Received by:

Date:

Planning staff

Date of Plan and Zoning Commission Public Hearing:

Plan and Zoning Commission meetings are held the Tuesday prior to City Council Committee of the Whole meetings at 5:00 p.m. in City Hall Council Chambers, 226 West 4th Street, Davenport, Iowa.

Authorization to Act as Applicant

I, authorize
to act as applicant, representing me/us before the Plan and Zoning Commission and City Council for
the property located at

Signature(s)

State of _____ ,
County of _____ .
Sworn and subscribed to before me

This day of 20

Form of Identification

Notary Public

My Commission Expires:

Petition to ask Davenport Planning and Zoning Commission to deny revised Plat of 118 homes on land formally known as Happy Joe's Ranch on Tuesday July 18th, 2023

We, the named residents of Eastern Avenue Farms, are opposed to the proposed development of the farmland formerly owned by Joe Whitty ("Happy Joe's Farm").

The initial proposal was for the development of 47, single family homes and was consistent with the neighborhoods surrounding Happy Joe's Farm. That would be an acceptable use of the land.

Increasing the number of homes from 47 to 118, however, is unacceptable because it is inconsistent with existing use in the area. The density of the existing homes in Eastern Ave. Farms is far lower than what is being proposed.

The reasonable expectation of the residents of Eastern Ave. Farms is that the surrounding neighborhood will be developed in a similar manner. The proposed development violates that expectation.

Further, adding 118 homes in such a small geography will dramatically increase ingress and egress traffic patterns. The burden of that increase will adversely impact the residents of Eastern Ave. Farms.

We ask that you please reject the proposal to ensure that Davenport neighborhoods are developed in a consistent manner that preserves residents' expectations.

Name:

Address:

Signature:

① <u>TIM SHEA</u>	<u>6123 BELLE COURT</u>	<u>Tim Shea</u>
② <u>FRANK CORNW</u>	<u>6126 BELLE CT.</u>	<u>Frank Cornw</u>
③ <u>Shawna Nuci</u>	<u>6156 Thor Ave</u>	<u>Shawna Nuci</u>
<u>Jeanne Washko</u>	<u>2103 E 61ST ST</u>	<u>Jeanne Washko</u>
<u>Greg Washko</u>	<u>2103 E. 61ST ST</u>	<u>Greg Washko</u>
<u>Kevin Bannor</u>	<u>2201 E. 61ST ST</u>	<u>Kevin Bannor</u>
<u>Jeromy Bannor</u>	<u>2201 E 61ST ST</u>	<u>Jeromy Bannor</u>
<u>Gordon Striegel</u>	<u>2031 E 61ST ST</u>	<u>Gordon Striegel</u>
<u>Maryann Striegel</u>	<u>2031 E 61ST ST</u>	<u>Maryann Striegel</u>
<u>Alexander Trause</u>	<u>6139 Belle Ct.</u>	<u>Alexander Trause</u>
<u>Ruth Weitz</u>	<u>6139 Belle Ct.</u>	<u>Ruth Weitz</u>
<u>Jan Weitz</u>	<u>6144 Belle Ct</u>	<u>Jan Weitz</u>
<u>Steve Weitz</u>	<u>6144 Belle Ct</u>	<u>Steve Weitz</u>
<u>Gordon Jenkins-Kelly</u>	<u>2019 E. 61ST ST.</u>	<u>Gordon Jenkins-Kelly</u>

Petition to ask Davenport Planning and Zoning Commission to deny revised Plat of 118 homes on land formally known as Happy Joe's Ranch on Tuesday July 18th, 2023

We, the named residents of Eastern Avenue Farms, are opposed to the proposed development of the farmland formerly owned by Joe Whitty ("Happy Joe's Farm").

The initial proposal was for the development of 47, single family homes and was consistent with the neighborhoods surrounding Happy Joe's Farm. That would be an acceptable use of the land.

Increasing the number of homes from 47 to 118, however, is unacceptable because it is inconsistent with existing use in the area. The density of the existing homes in Eastern Ave. Farms is far lower than what is being proposed.

The reasonable expectation of the residents of Eastern Ave. Farms is that the surrounding neighborhood will be developed in a similar manner. The proposed development violates that expectation.

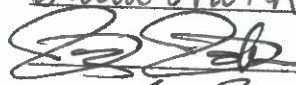
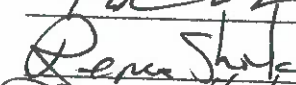
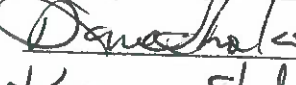
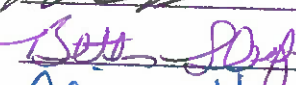
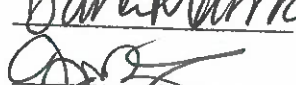
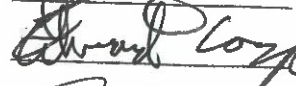
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Name:

Address:

Signature:

15 Tricia Franke	1023 Judson Circle	Tricia Franke
16 Jeremy Johansen	1903 E. 61 st Circle	
Andy Blonck	6149 Dugdale	
Kyle Helm	6134 Christie Ct.	
Renee Shovlain	6122 Belle Ct	
Dave Shovlain	6122 Belle Ct.	
Keegan Shovlain	6122 Belle Ct	
Nash Berins	2052 E 60 th St	
Beth Stefano	2112 Parkview Lane	
Alise Haut	2109 E. 61 st St.	
Emily Coryn	61216 Belle Ct.	
Karla Berins	2052 E 60 th	
Nicholas R. Haut	2109 E. 61 st	
Dana Marrocco	6136 Belle Ct	
Jeffrey Banta	6128 Belle Ct	
Eddie Coryn	6131 Belle Ct	
Kyle Yager	6136 Thor Ave	

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Name:

Address:

Signature:

32) Matt Fitzpatrick
Chelsea Fitzpatrick
Alex Wilge
Laura Wilge
Chris Wallace
Barbara Wallace
Linda Weiman
Becca Kindred
David Kindred
Erin Halluska
Joe Halluska
Paul Sikorski
Deb Sikorski
Aaron Vincent
Megan Vincent
Emily Jacoby
Ben George

6119 Judson Circle
6119 Judson Circle
2140 E 57th St
2140 E 57th St
2107 E 60th St
2109 E 60th St
6001 Duggleby Ave.
2016 E 61st
2016 E 61st
1940 Cromwell Cir.
1940 Cromwell Cir.
6163 Belle Ct.
6163 Belle Ct.
6148 Spring Circle
6148 Spring Circle
6138 Judson Circle
197 E 60th Circle

Matt
Chelsea Fitzpatrick
Alex Wilge
Laura Wilge
Chris Wallace
Barbara Wallace
Linda Weiman
Becca Kindred
David Kindred
Erin Halluska
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Mandy Ketchum

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Name:

Address:

Signature:

Amy Schebler 2622 Julie Ln. Amy Schebler

James A Schebler 2622 Julie Ln James A Schebler

Holly Greese 16006 Lorton Ave Holly Greese

Mark Pascher 6006 Lorton Ave Mark Pascher

Liffany Jaros 2625 Julie Ln Davenport IA 52807 Liffany Jaros

Mike Cuz 6014 Lorton Davenport, IA 52807

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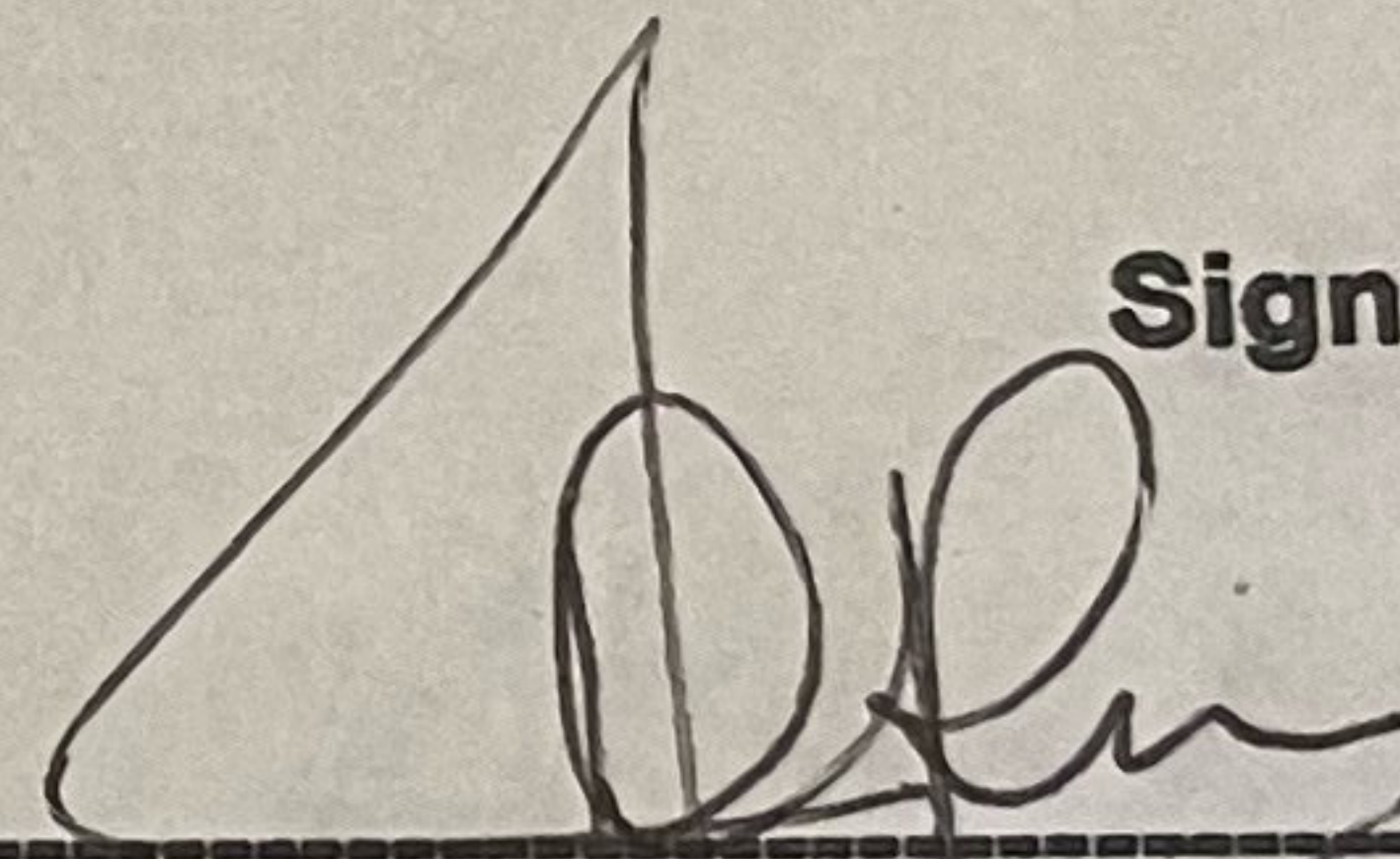
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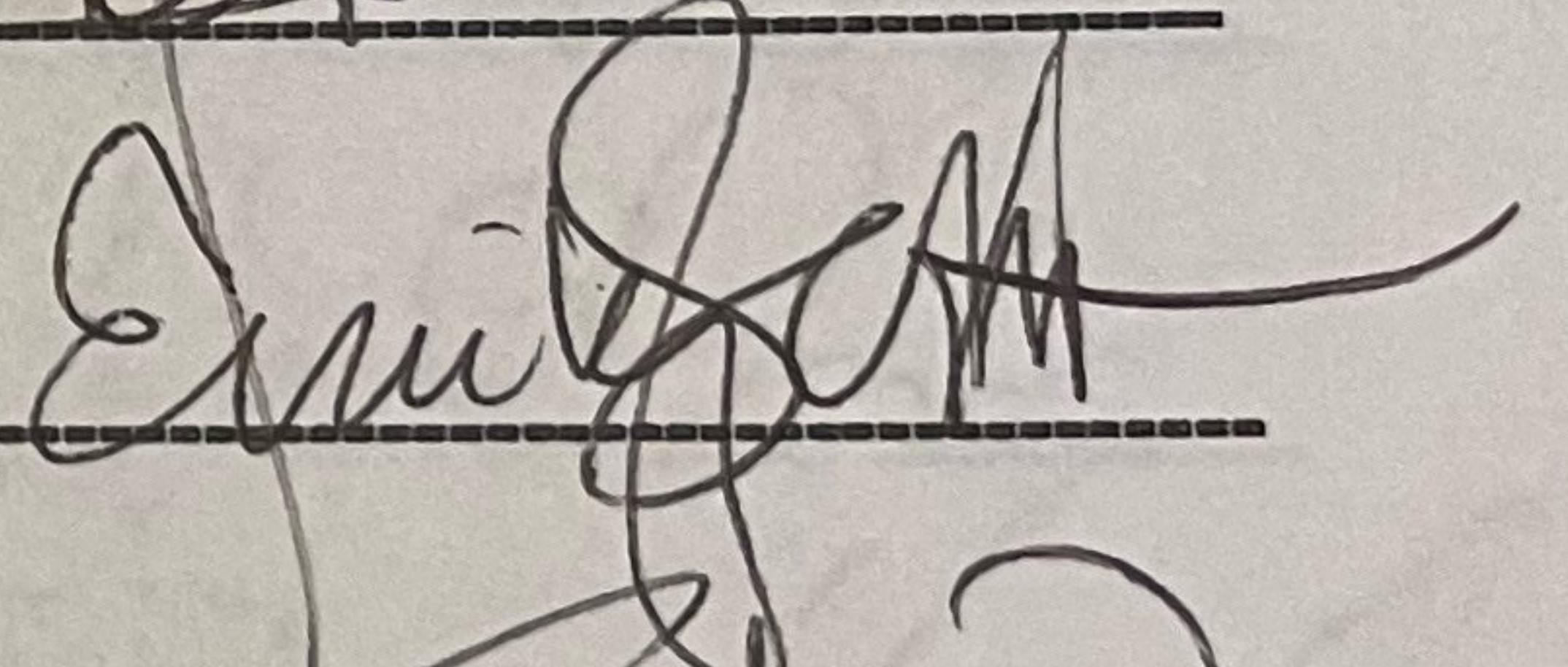
Jonathan D. Rios

5911 Woodland Ave



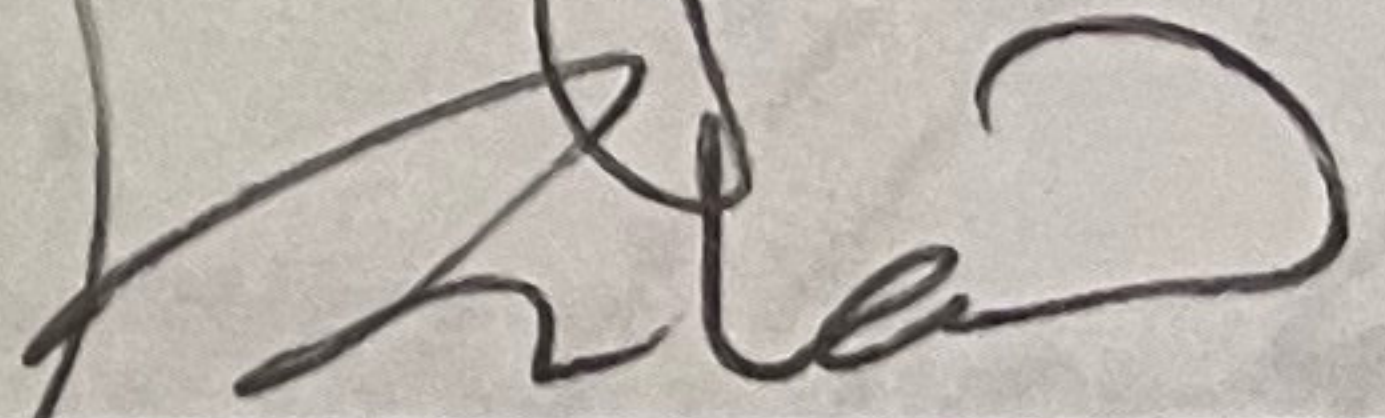
Emily Schrank

5809 Lorton Ave.



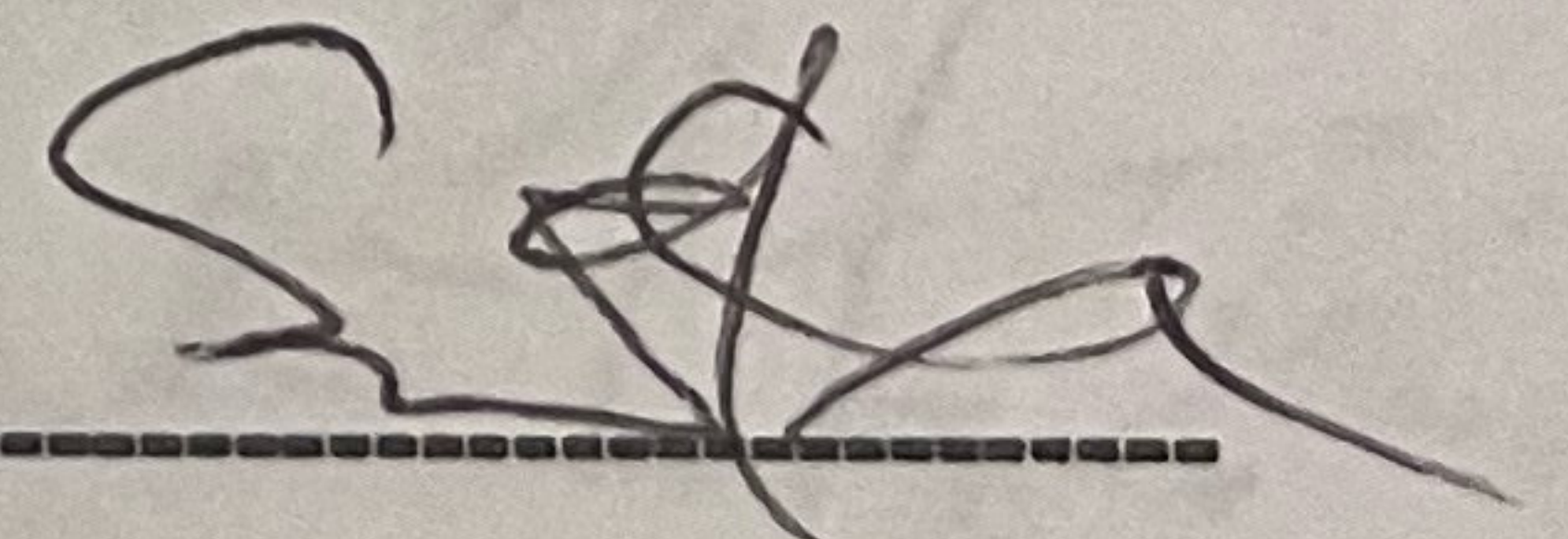
Teresa Landon

2407 E 58 Court



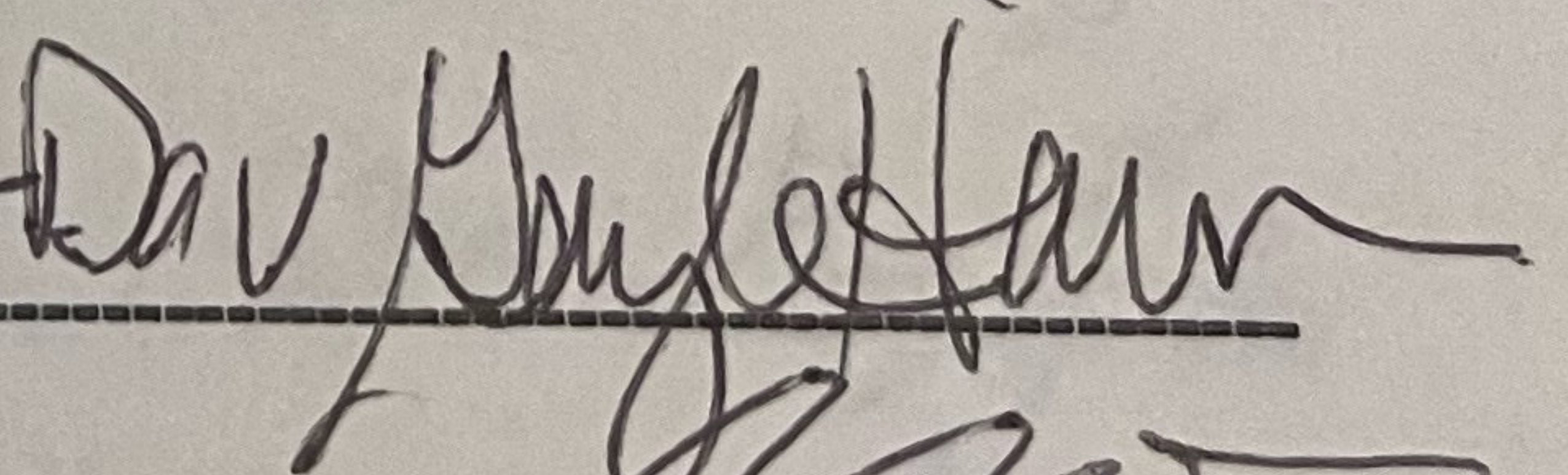
Scott Landon

2407 E 58 Court



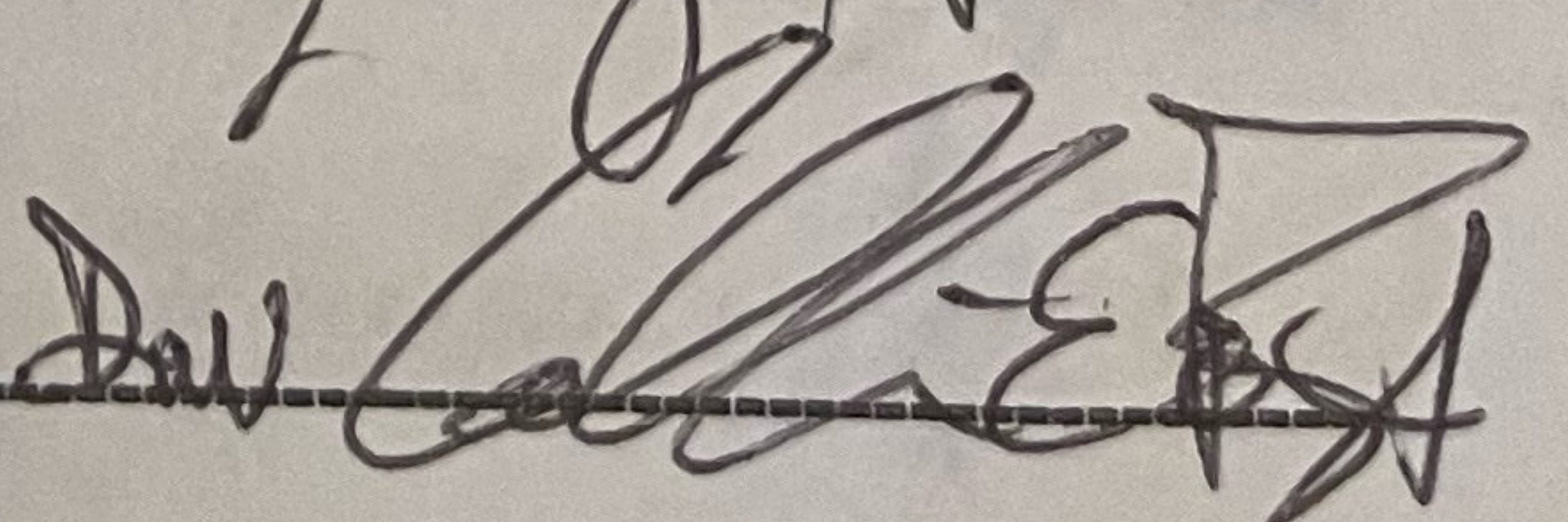
Gayle Hawn

2744 Julie Ln Ct



Collin Post

5817 Woodland Ave



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Name:

Address:

Signature:

Debra Crisci

6014 Lorton Ave

Debra M Crisci

Dan Tarr

2625 Julie LN

Dan Tarr

Doug Highland

2616 Julie Lane

Doug Highland

Julie Highland

2616 Julie Lane

Julie Highland

Adam Hegland

2616 Julie Lane

Adam Hegland

Andrew Highland

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Andrew Highland

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Name:

Address:

Signature:

Nicole Brokloff

5817 Woodland Ave.

N. Brokloff

Sean McGuire

5912 Woodland Avenue

Sean McGuire

Tom Tallman

2701 Julie Ln. Ct.

Tom Tallman

Amy Tallman

2701 Julie Lane Ct.

Amy Tallman

Colleen Tallman

5814 Lorton Ave

Colleen Tallman

David Tallman

5814 Lorton Ave

David Tallman

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Name:

Address:

Signature:

Larry Weipert

2715 Julie Lane Crt

[Signature]

Senn Weipert

2715 Julie Lane Ct

[Signature]

Robert H. Jasper 5832 Woodland

Robert L Miller

2611 Julie Ln

Robert L Miller

Mary Jasper

5832 Woodland Ave

Over Dary. La

Ray Rios

5911 Woodland Ave

[Signature]

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Name:

Address:

Signature:

Spencer Sierra

2510 E. 58th St. Oak.

[Signature]

Justin Harrison

2604 E 58th St

[Signature]

Brian Kopp

5830 Lorton Ave

[Signature]

John J. Hall

2618 E 58th St

[Signature]

Amy McGinn

5912 Waverly Ave

[Signature]

Donna Hughes

6313 Forest Rd - Oak -

58807

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Sharon Lantzky	2402 E 58th Ct	S Lantzky
Lesley Small	2403 E 58th Ct	Small
Robin Geurink	2414 E 58th Ct	Robin Geurink
Brian Geurink	2414 E 58th Ct	Brian Geurink
Cray McKee	2502 E 58th St	C McKee

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Peter & Renee Stolmeier 5902 Lorton Ave

Renee Stolmeier

Danica Kade

2721 E. 59th St

Danica Kade

Kevin & Amy Martens

2755 Julie Lane Ct.

Amy Martens

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Address:

Signature:

Jennifer VanGorder 2736 E 59th St.

Jennifer VanGorder

Lisa Toback 5950 Woodland Ave

Lisa Toback

Cheryl Yoder 2743 E. 59th

Cheryl Yoder

Robin Yoder 2743 E 59th

Robin Yoder

Liz Tallman 5929 Woodland Ave

Liz Tallman

Rod Grage 2808 E 59th St.

Rod Grage

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Address:

Signature:

Angie Possenl

5828 Woodland Ave

Angela Possene

Nate Posschl

5828 Woodland Ave

Nate Posschl

Jennifer Orfitelli

2723 Meadows Pl.

Jennifer Orfitelli

Mike Orfitelli

2723 Meadows Pl.

Mike Orfitelli

Jen McIntosh

2720 E 59th

Jen McIntosh

Jim McIntosh

2720 E. 59th

Jim McIntosh

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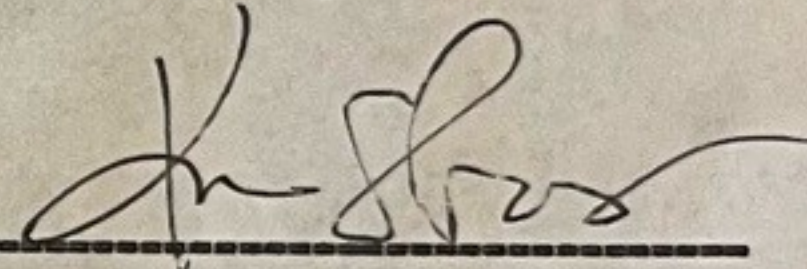
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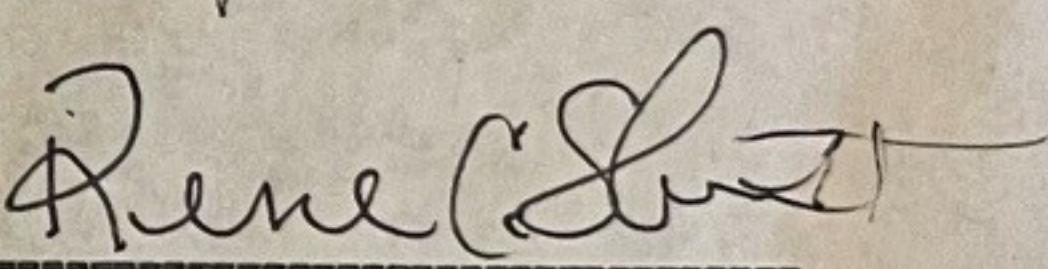
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Name:

Address:

Signature:

Kevin R. Skillett 2764 Julie Lane Ct 

Renee C. Skillett 2764 Julie Lane Ct 

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Laura Berkley | 563-888-3553

Action / Date
4/3/2024

Subject:

Resolution approving Case F24-03 being the request of 5CL Illinois LLC for a final plat of Nor-Dav 2nd Addition, a 2-lot subdivision on 19.3 acres located at 1500 West 76th Street. [Ward 8]

Recommendation:

Adopt the Resolution.

Background:

The property owner submitted a final plat to subdivide the 19.3 acre property at the northeast corner of West 76th Street and North Division Street. The purpose of the final plat is to separate the two industrial buildings on the west side of the property from the warehouse building on the eastern portion of the site. No development is proposed with this subdivision.

The Plan and Zoning Commission reviewed Case F24-03 at its March 5, 2024 meeting and has recommended approval subject to the listed findings and conditions.

Findings

1. The final plat conforms to the comprehensive plan Davenport +2035.
2. The final plat prepares the area for future development.
3. The final plat (with conditions recommended by City Staff) will achieve consistency with subdivision requirements.

Conditions

1. The surveyor signs the plat.
2. The utility providers sign the plat when their easement needs have been met.
3. Vacate existing utility easements that do not contain infrastructure or are no longer required.
4. Provide an access easement for the shared driveway on West 76th Street.
5. Provide continuous sanitary sewer easement through southerly line of proposed lots 1 and 2.
6. Provide a private sanitary sewer easement for the line extending to Hawkeye Motorworks.
7. The existing stormwater detention easement area shall be depicted in the plat.

Comprehensive Plan

1. Within Existing Urban Service Area: Yes
2. Within Urban Service Area 2035: Yes

Future Land Use Designation

The subject property is designated as **Industry (I)** in the Davenport +2035 Future Land Use Map. This land use category designates areas devoted to manufacturing, assembly/fabrication, warehousing and distribution, research and technological innovation centers, and associated commercial/office uses developed at a scale as to warrant access to good transportation networks and separation or buffering from residential uses.

Relevant Goals to be considered in this Case: Strengthen the Existing Built Environment.
The proposed final plat complies with the Davenport +2035 proposed land use section.

Zoning

The subject property is zoned **I-1 Light Industrial District**. This district is intended to provide for a variety of light manufacturing, fabricating, processing, distributing, and warehousing uses. Light industrial uses are enclosed, low-intensity uses with minimal, if any, outside impacts.

Technical Review

- Zoning: The I-1 Light Industrial District does not have a minimum lot area or lot width requirements. Both lots and existing buildings satisfy district dimensional requirements.
- Streets: The existing site has one access point to West 76th Street. An access easement shall be established across the driveway to enable shared ingress/egress to each lot. No right-of-way will be dedicated with this subdivision.
- Storm Water: There is an existing stormwater detention basin on the eastern portion of the site. A Maintenance and Repair Agreement will be required if the basin crosses property lines. The site is currently served by storm sewer, which is located at the intersection of Division Street and West 76th Street.
- Sanitary Sewer: A sanitary sewer line is located along the south and east lot lines of the development.
- Other Utilities: Normal utility services are available on this site. Existing utility easements on the site that do not contain infrastructure will be vacated upon recording.
- Parks/Open Space: There are no impacts to parks/open space.

Public Input

No Public Hearing or public notification is required for a final plat.

Attachments:

1. Resolution
2. Final Plat of Nor-Dav 2nd Addition
3. Maps
4. Application

Resolution No. _____

Resolution offered by Alderman Gripp.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving Case F24-03 being the request of 5CL Illinois LLC for a final plat of Nor-Dav 2nd Addition, a 2-lot subdivision on 19.3 acres located at 1500 West 76th Street.

WHEREAS, the Plan and Zoning Commission reviewed Case F24-03 at the March 5, 2024 regularly scheduled meeting with a recommendation for approval subject to the following seven conditions:

1. The surveyor signs the plat.
2. The utility providers sign the plat when their easement needs have been met.
3. Vacate existing utility easements that do not contain infrastructure or are no longer required.
4. Provide an access easement for the shared driveway on West 76th Street.
5. Provide continuous sanitary sewer easement through southerly line of proposed lots 1 and 2.
6. Provide a private sanitary sewer easement for the line extending to Hawkeye Motorworks.
7. The existing stormwater detention easement area shall be depicted in the plat; and

WHEREAS, the conditions will be added to the plat and/or provided.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the final plat of Nor-Dav 2nd Addition, an addition to the City of Davenport, Scott County, Iowa as filed with the City Clerk by 5CL Illinois LLC, be and the same is hereby approved and accepted; and the dedication for public street purposes and the granting of easements as shown on said plat are accepted and confirmed by the Mayor and Deputy City Clerk of said City; and

BE IT FURTHER RESOLVED that the Mayor and Deputy City Clerk are hereby authorized and directed to certify to the adoption of this Resolution on said plat as required by law.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

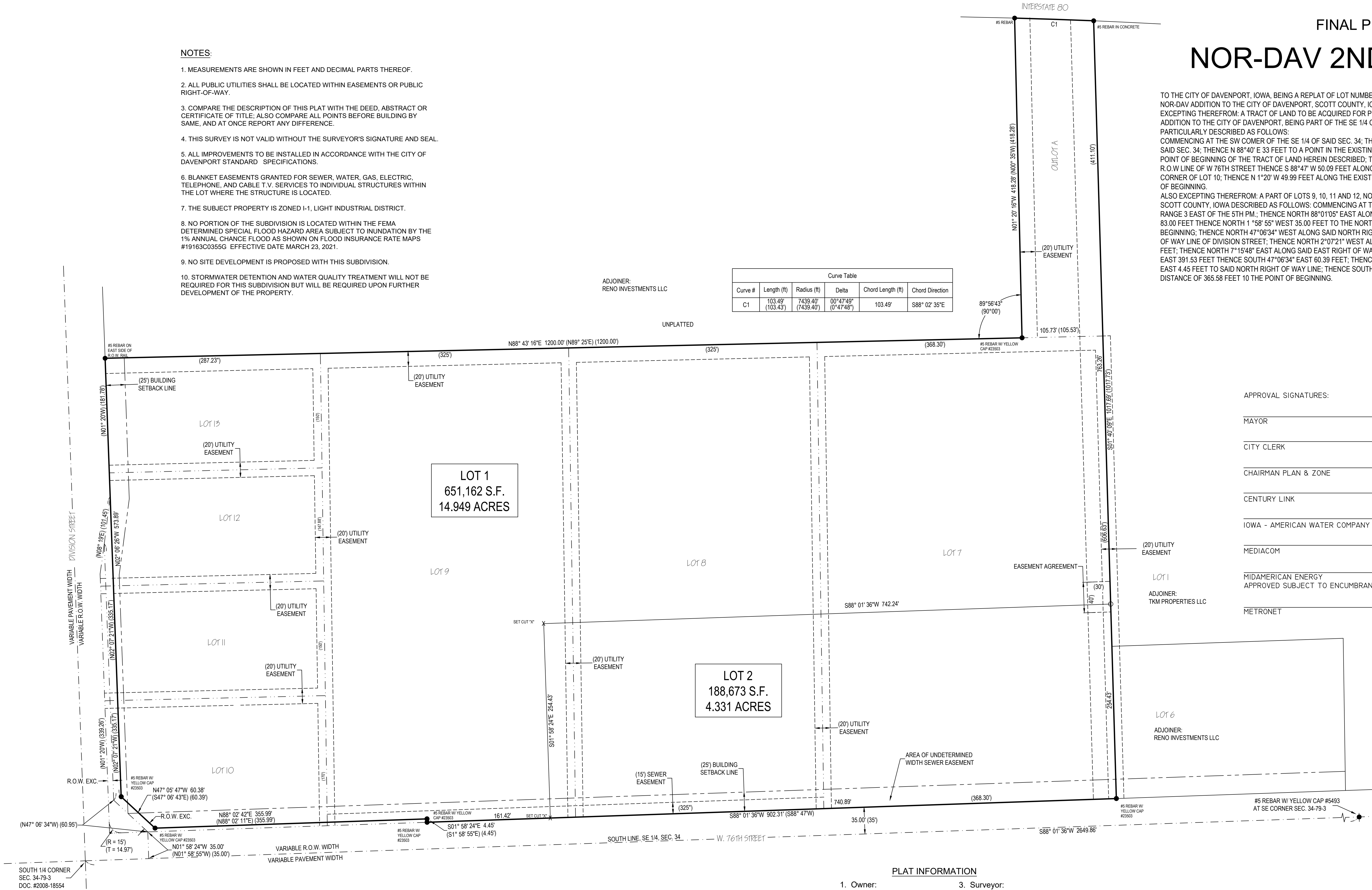
NOTES:

1. MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
2. ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.
3. COMPARE THE DESCRIPTION OF THIS PLAT WITH THE DEED, ABSTRACT OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND AT ONCE REPORT ANY DIFFERENCE.
4. THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND SEAL.
5. ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF DAVENPORT STANDARD SPECIFICATIONS.
6. BLANKET EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE, AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED.
7. THE SUBJECT PROPERTY IS ZONED I-1, LIGHT INDUSTRIAL DISTRICT.
8. NO PORTION OF THE SUBDIVISION IS LOCATED WITHIN THE FEMA DETERMINED SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD AS SHOWN ON FLOOD INSURANCE RATE MAPS #19163C0355G EFFECTIVE DATE MARCH 23, 2021.
9. NO SITE DEVELOPMENT IS PROPOSED WITH THIS SUBDIVISION.
10. STORMWATER DETENTION AND WATER QUALITY TREATMENT WILL NOT BE REQUIRED FOR THIS SUBDIVISION BUT WILL BE REQUIRED UPON FURTHER DEVELOPMENT OF THE PROPERTY.

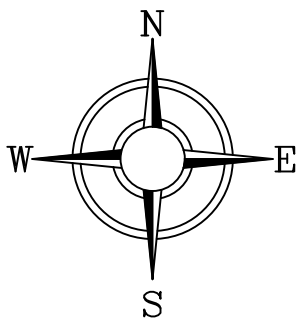
ADJOINER:
RENO INVESTMENTS LLC

UNPLATTED

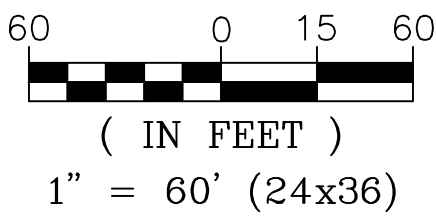
Curve Table					
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Direction
C1	103.49' (103.43')	7439.40' (7439.40')	00°47'49" (0°47'48")	103.49'	S88° 02' 35"E



LEGEND:
DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
AS NOTED =
MONUMENTS SET:
#5 REBAR W/ PINK CAP #8860 =
BOUNDARY LINE =
FENCE LINE =
EASEMENT LINE =
SETBACK LINE =
SECTION LINE =



GRAPHIC SCALE



PLAT INFORMATION

1. Owner:
5CL Illinois LLC
1500 W. 76th Street
Davenport, Iowa 52806
2. Engineer:
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
3. Surveyor:
Jerry D. Rogers
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386-4236
4. Attorney:
Joe Judge
Lane & Waterman LLP
220 N. Main Street, Suite 600
Davenport, Iowa 52801

FINAL PLAT

NOR-DAV 2ND ADDITION

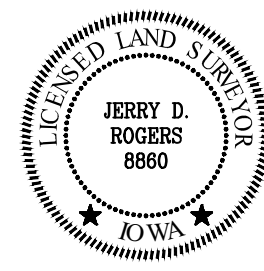
TO THE CITY OF DAVENPORT, IOWA, BEING A REPLAT OF LOT NUMBERS 7, 8, 9, 10, 11, 12, 13 AND OUTOT A IN THE FINAL PLAT OF NOR-DAV ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA, EXCEPTING THEREFROM: A TRACT OF LAND TO BE ACQUIRED FOR PURPOSES, LOCATED IN LOT 10 OF THE FINAL PLAT OF NOR-DAV ADDITION TO THE CITY OF DAVENPORT, BEING PART OF THE SE 1/4 OF SEC. 34, TWP. 79 N., R 3 E OF THE 5TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SW COMER OF THE SE 1/4 OF SAID SEC. 34; THENCE N 1°20' W 84.99 FEET ALONG THE W LINE OF THE SE 1/4 OF SAID SEC. 34; THENCE N 88°40' E 33 FEET TO A POINT IN THE EXISTING 33 FOOT R.O.W LINE OF N. DIVISION STREET WHICH IS THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE S 46°20' E 70.84 FEET TO A POINT ON THE NORTH 33 FOOT R.O.W LINE OF W 76TH STREET THENCE S 88°47' W 50.09 FEET ALONG THE NORTH 35 FOOT R.O.W LINE OF W 76TH STREET TO THE SW CORNER OF LOT 10; THENCE N 1°20' W 49.99 FEET ALONG THE EXISTING 33 FOOT R.O.W LINE OF N. DIVISION STREET TO THE POINT OF BEGINNING.
ALSO EXCEPTING THEREFROM: A PART OF LOTS 9, 10, 11 AND 12, NOR-DAV ADDITION, AN OFFICIAL PLAT IN THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 34, TOWNSHIP 79 NORTH, RANGE 3 EAST OF THE 5TH PM.; THENCE NORTH 88°01'05" EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 83.00 FEET THENCE NORTH 1°58'55" WEST 35.00 FEET TO THE NORTH RIGHT OF WAY OF 76TH STREET AND THE POINT OF BEGINNING; THENCE NORTH 47°06'34" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 60.95 FEET TO THE EAST RIGHT OF WAY LINE OF DIVISION STREET; THENCE NORTH 2°07'21" WEST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 335.17 FEET; THENCE NORTH 7°15'48" EAST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 61.32 FEET; THENCE SOUTH 2°07'21" EAST 391.53 FEET THENCE SOUTH 47°06'34" EAST 60.39 FEET; THENCE NORTH 88°02'11" EAST 355.99 FEET; THENCE SOUTH 1°58'55" EAST 4.45 FEET TO SAID NORTH RIGHT OF WAY LINE; THENCE SOUTH 88°01'05" WEST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 365.58 FEET TO THE POINT OF BEGINNING.

APPROVAL SIGNATURES:

MAYOR	DATE:
CITY CLERK	DATE:
CHAIRMAN PLAN & ZONE	DATE:
CENTURY LINK	DATE:
IOWA - AMERICAN WATER COMPANY	DATE:
MEDIACOM	DATE:
MIDAMERICAN ENERGY	DATE:
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD M.E.C.	
METRONET	DATE:

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.

JERRY D. ROGER
Iowa License Number: 8860
My license renewal date is December 31, 2025
Pages or sheets covered by this seal: 1



DATE: 2/9/2024

563 386.4236 office 386.4231 fax
2224 East 12th Street, Davenport, IA 52803

DRAWN BY: KLC
CHECKED BY: JDR
DRAWING LOCATION
S: \DENHARTOG\1500 76TH STREET

REVISIONS:		
NO.	DESCRIPTION	DATE

PROJECT
FINAL PLAT
NOR-DAV 2ND ADDITION
DAVENPORT, IOWA

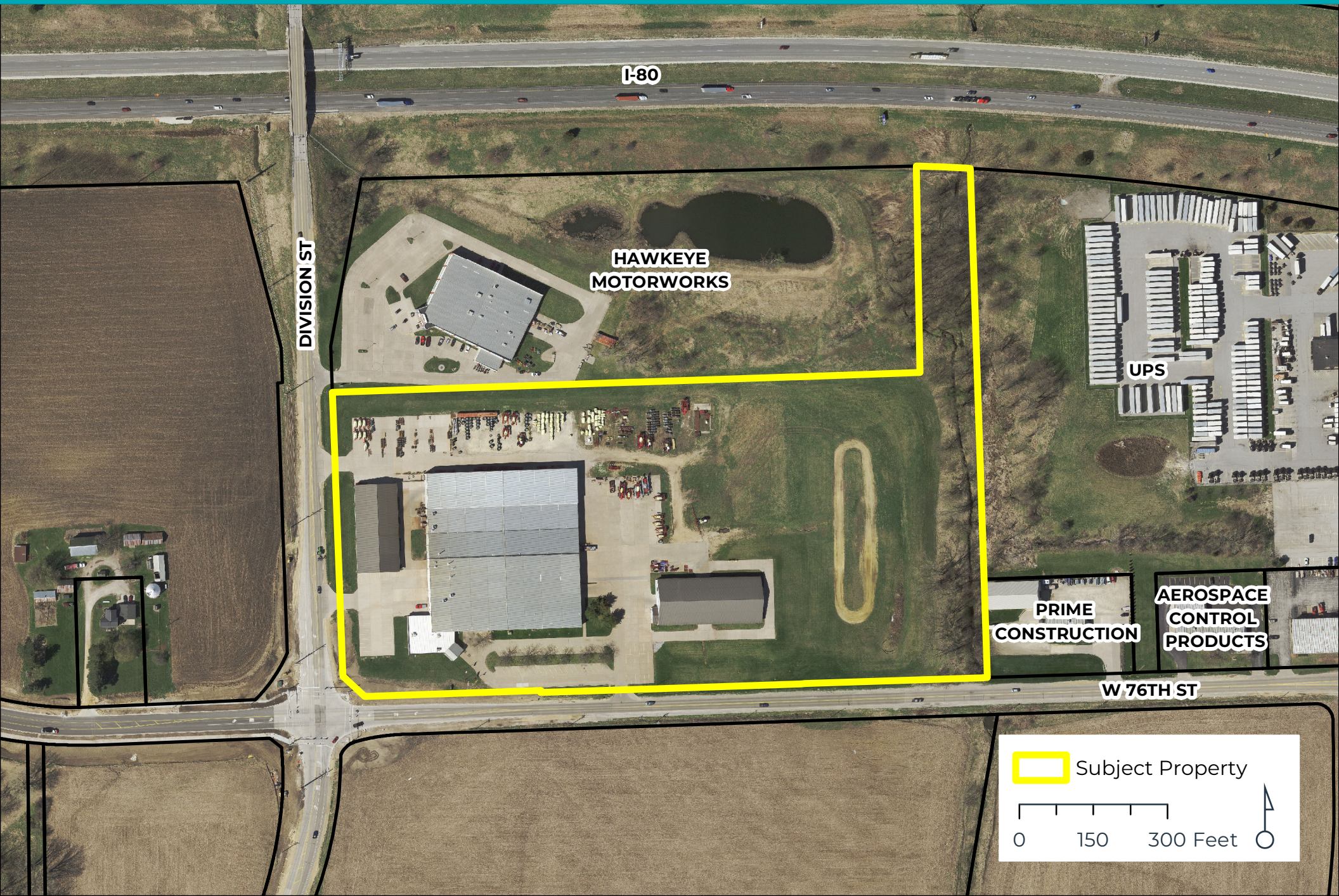
OWNER
5CL ILLINOIS LLC
1500 W 76TH ST
DAVENPORT IA 52806

SHEET NO.
1 OF 1



Vicinity Map | Case F24-03

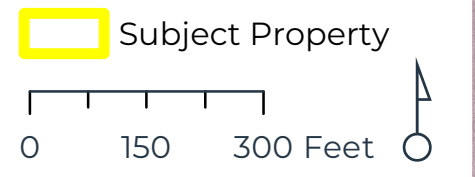
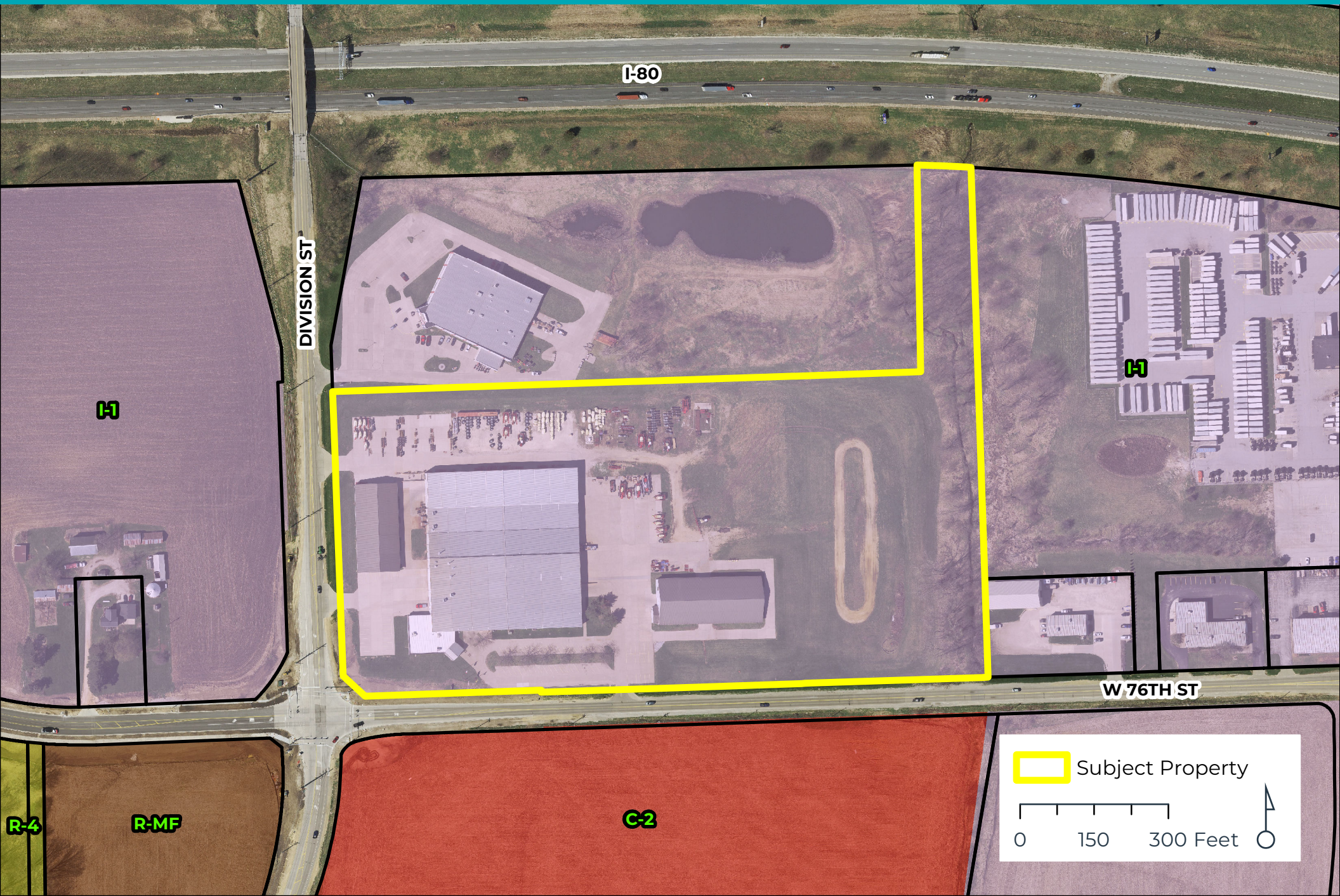
Request of 5CL Illinois LLC for a Final Plat of
Nor-Dav 2nd Addition. The 2-lot subdivision is located at
1500 West 76th Street on 19.3 acres. [Ward 8]





Zoning Map | Case F24-03

Request of 5CL Illinois LLC for a Final Plat of
Nor-Dav 2nd Addition. The 2-lot subdivision is located at
1500 West 76th Street on 19.3 acres. [Ward 8]





CITY OF DAVENPORT
Development & Neighborhood
Services – Planning
1200 W. 46th St
Davenport, IA 52807

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR
SUBDIVISION PLAT
(LAND DIVISION)

APPLICANT INFORMATION

Applicant Name

5CL Illinois LLC

Address

1500 W. 76th St.

City | State | Zip

Davenport, IA 52806

Phone

(614) 410-5654

Secondary Phone

E-Mail Address

joel.yakovac@colliers.com

Acceptance of Applicant

I, the undersigned, certify that the information on this application to the best of my knowledge, is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements.

In addition to the application fee, I understand I am responsible for all development review costs, including but not limited to a traffic study.

Joel Yakovac

Print Applicant's Name

Joel Yakovac

Applicant's Signature

02/09/2024

Date

SUBDIVISION NAME

Nor-Dav 2nd Addition

LOCATION DESCRIPTION

1500 W. 76th St.

SUBMITTED

02/09/2024

NUMBER OF LOTS BY USE TYPE

2 @ M-1

ACRES

19.28

STREETS ADDED

0

PLAT TYPE SUBMITTED:

PRELIMINARY PLAT: §16.16 Requirements ☐

FINAL PLAT: §16.20 Requirements ☒

PRELIMINARY PLAT REQUIREMENTS:

Preliminary Plat ☐

Contours (2') & Infrastructure (pre/post) ☐

FINAL PLAT REQUIREMENTS:

Platting Certificates per §354.11 State Code ☐

Final Plat ☐

GENERAL REQUIREMENTS:

Authorization to Act as Applicant, if needed ☐

Application Fee (REQUIRED) ☐

Subdivision Platting Fee Schedule

Number of Lots	Fee
1 lot to 10 lots	\$400 plus \$25/lot
11 to 25 lots	\$700 plus \$25/lot
26 or more lots	\$1,000 plus \$25/lot

Submit this form, and any questions, to DNS Planning Division at
planning@davenportiowa.com.

DEVELOPMENT TEAM

Developer / Project Manager

Colliers Columbus Industrial Team

Address

Two Miranova Pl., Ste. 900, Columbus, OH 43215

Phone

(614) 410-5654

Secondary Phone

E-Mail Address

joel.yakovac@colliers.com

Owner

CL Illinois LLC

Address

1500 W. 76th St., Davenport, IA 52806

Phone

(614) 410-4654

Secondary Phone

E-Mail Address

joel.yakovac@colliers.com

Engineer

Townsend Engineering

Address

2224 E. 12th St., Davenport, IA 52803

Phone

(563) 386-4236

Secondary Phone

E-Mail Address

chris@townsendengineering.net

Attorney

Lane & Waterman LLP 220 N. Main St., # 600, Dav.

Address

Lane & Waterman LLP 220 N. Main St., # 600, Dav.

Phone

(563) 324-3246

Secondary Phone

E-Mail Address

Authorization to Act as Applicant

I/We, _____
[as property owner(s)]

authorize _____
[the above person(s)]

to act as applicant, representing me/us before the following board: Plan & Zoning Commission *

for the property located at _____.

Signature(s)*

*Please note: original signature(s) are required signed in front of a Notary.

Notarization: _____

Date

State of _____,

County of _____,

Sworn and subscribed before me

this _____ day of _____.

[identification type]

Notary Public

My Commission Expires:

** Application Form by Board Type*

Plan and Zoning Commission

Zoning Map Amendment (Rezoning)
Planned Unit Development
Zoning Ordinance Text Amendment
Right-of-way or Easement Vacation

Zoning Board of Adjustment

Special Use
Hardship Variance
Zoning Appeal
Nonconforming Use Exception

Design Review Board

Design Approval
Demolition Request in the Downtown
Demolition Request in the Village of
East Davenport

Historic Preservation Commission

Certificate of Appropriateness
Landmark Nomination
Demolition Request

City of Davenport

Department: Community & Economic Development
Contact Info: Bruce Berger | 563-326-7769

Action / Date
4/3/2024

Subject:

Resolution setting a Public Hearing on the proposed conditional conveyance of City-owned property located in the 700 block of East 6th Street for the Riverview Heights housing project to Riverview Heights, LLC (Petitioner). [Ward 3]

Recommendation:

Adopt the Resolution.

Background:

The subject properties are vacant lots that were acquired by the City over a period of decades as they were demolished. In the 1990s, working with the LeClaire Heights Neighborhood, the intent was to seek redevelopment as single-family, owner-occupied housing. Despite several available incentives, there was little interest in the market.

By the 2010s, hoping to capture popular interest in "smaller houses", a Request for Proposals was issued by the City. No proposals were received. In 2017, local architect Andrew Dasso proposed building several single-family houses. The City Council approved the sale for \$1 with reversion language if the project was not able to move forward. Ultimately, they were not able to secure financing and the properties reverted to the City in 2019.

The City has now received an offer (at appraised/assessed value) from a local development team led by Jim Thomson to acquire the properties to develop four new 4-unit apartments (16 units total). The offer and the attached Development Agreement are conditioned upon several components.

First, the current zoning does not allow a four-unit building, so the developer plans to apply to rezone to multi-family housing. Second, the back (or north) side of the property is bounded by East 7th Street, which is brick, designated as historic, is in need of work, and is narrow, functioning essentially like an alley. The developer plans to make repairs as it would be the primary access point, but intends to request that the historic designation be removed to allow the repairs to be made as asphalt or concrete to reduce development costs. Lastly, as a street, City code would require that sidewalks be installed along East 7th Street. The developer intends to request that this requirement be waived in this circumstance.

These are all separate actions subject to further review. In addition, the developer hopes to apply for Iowa Workforce Housing Tax Credits later this spring. If this Resolution is adopted, a Public Hearing on this conditional sale would be scheduled for the April 17, 2024 Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

Ultimately, if the developer is successful on all of the above, the sale of these properties could occur later this summer with completion of work anticipated in 2026, but no later than 2027.

Attachments:

1. Resolution
2. Riverview Heights_Combined Renderings
3. Riverview Heights Quad Unit

Resolution No. _____

Resolution offered by Alderman Gripp.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION setting a Public Hearing on the proposed conditional conveyance of City-owned property located in the 700 block of East 6th Street for the Riverview Heights housing project to Riverview Heights, LLC (Petitioner).

WHEREAS, the City of Davenport is the owner of certain property legally described as:

Part of the Southwest Quarter of Section 25, Township 78 North Range 3 East of the 5th P.M. being more particularly described as follows: Lots 1, 2, 3, 4, 5, & 6 of Riverview Collective on Sixth, an addition to the City of Davenport, Scott County, Iowa.
(Parcel numbers: F0052A01, F0052A02, F0052A03, F0052A04, F0052A05, & F0052A06); and

WHEREAS, the City has own most of these properties since the 1990s and desires to see the site redeveloped with housing, simultaneously increasing the vitality of the neighborhood and the tax base over time and alleviate City maintenance responsibilities; and

WHEREAS, the local Petitioner, Riverview Heights, LLC, with Jim Thomson as the managing member, has completed and continues to manage projects in the Quad Cities and desires to create additional housing at this location with close proximity to the downtown; and

WHEREAS, the Developer proposes to construct four 4-unit structures, each with two two-bedroom units and two three-bedroom units, with garages off the 7th Street side, for a total of 16 units on the roughly 2-acre site; and

WHEREAS, the offer and development agreement are contingent upon several items, including securing Workforce Housing Tax Credits, rezoning the property, obtaining flexibility on materials used to repair 7th Street and a waiver on sidewalk construction along 7th Street; and

WHEREAS, most of these separate actions require some form of site control and, per State Code, the setting of a public hearing on a proposed conveyance is required.

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that a Public Hearing on the proposed conditional conveyance of City-owned property located in the 700 block of East 6th Street for the Riverview Heights housing project to Riverview Heights, LLC (Petitioner) shall be set for Wednesday, April 17, 2024 at the Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



OPTION 1





OPTION 1





OPTION 1





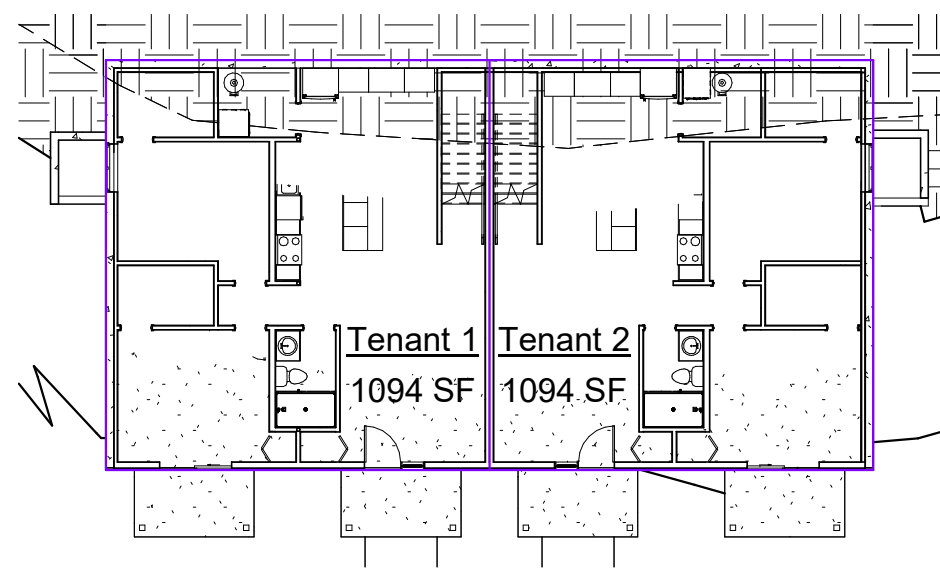
OPTION 1

NOT FOR CONSTRUCTION

ISSUED FOR - BID
08-26-2021



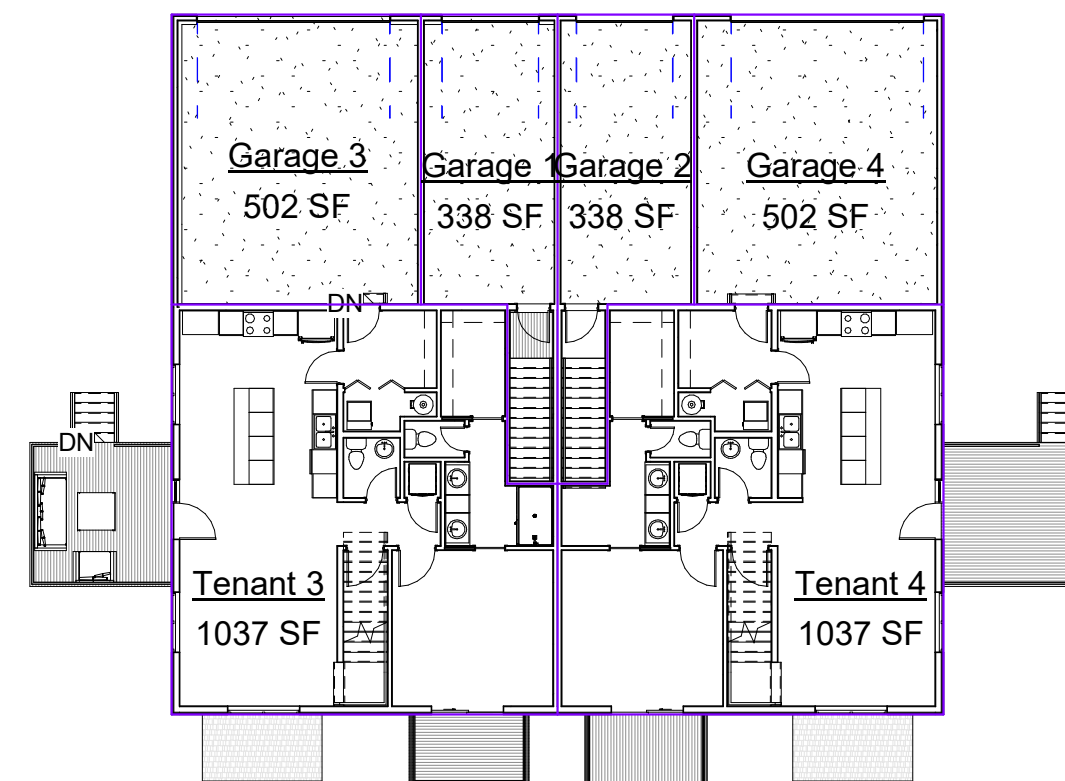
4 Exterior Rendering- For Reference Only



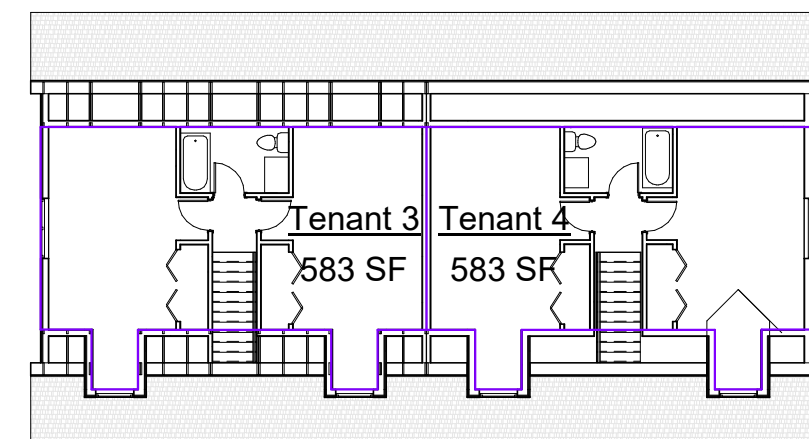
① 00 Basement
1/16" = 1'-0"



5 Interior Rendering - For Reference Only



② 01 Floor Plan
1/16" = 1'-0"



③ 02 Second Floor
1/16" = 1'-0"

CONTACT INFORMATION

BUILDING & PROPERTY OWNER

Riverview Collective
Contact: Andrew Dasso
(309)-737-8587 phone
XXX address

ARCHITECT

Streamline Architects
Andrew Dasso, AIA, LEED AP, NCARB
(309)-737-8587 *phone*
318 E. Third Street, Davenport IA 52801 *address*
andrew@streamlinearchitects.com *email address*

Project Manager
Jonathon Carstens
(309)-235-4588 *phone*
318 E. Third Street, Davenport IA 52801 *address*
jonathon@streamlinearchitects.com *email address*

I HEREBY CERTIFY THAT THE PORTION OF THIS TECHNICAL SUBMISSION DESCRIBED BELOW WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND RESPONSIBLE CHARGE. I AM A DULY REGISTERED ARCHITECT UNDER THE LAWS OF THE STATE OF IOWA.

PRINTED OR TYPED NAME: ANDREW J DASSO

SIGNATURE:	DATE:
------------	-------

REGISTRATION EXPIRES: 06/30/20 DATE ISSUED: 06/20/20

PAGES OR SHEETS COVERED BY THIS SEAL:

A000 - A700, AS100, AD100-AD201

GENERAL CONTRACOR

Construction
Name
(xxx)-xxx-xxx phone
address
email address

Project Manager
-
(xxx)-xxx-xxx phone
address
email address

ELECTRICIAN

Electric
Name
phone
address
email address

Project Manager
Name
(xxx)-xxx-xxx phone
address
email address

PLUMBER

Plumbing
Name _____
(xxx)-xxx-xxx phone _____
address _____
email address _____

Project Manager
Name
(xxx)-xxx-xxx pho
address
email address

MECHANICAL

Mechanical
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Project Manager
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email address

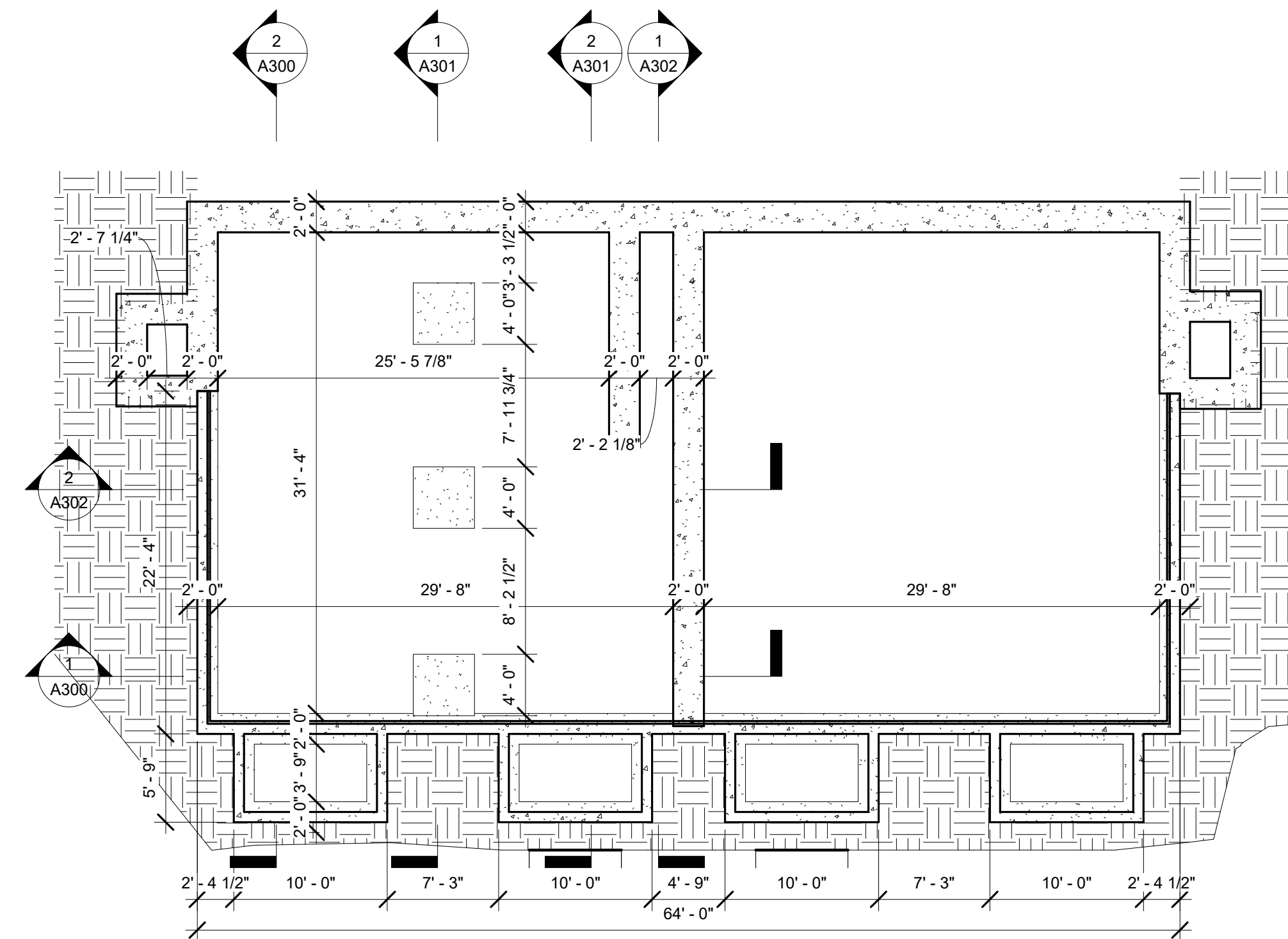
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Sheet Number	Sheet Name
A000	Cover Sheet
A100	Plans
A101	RCP
A200	Elevations
A300	Sections
A301	Sections
A302	Sections
A304	Wall Sections
A305	Wall Section- Details
A306	Details
A400	Enlarged Plans
A600	Schedules
AS100	Site Plan

LOCATION INFORMATION

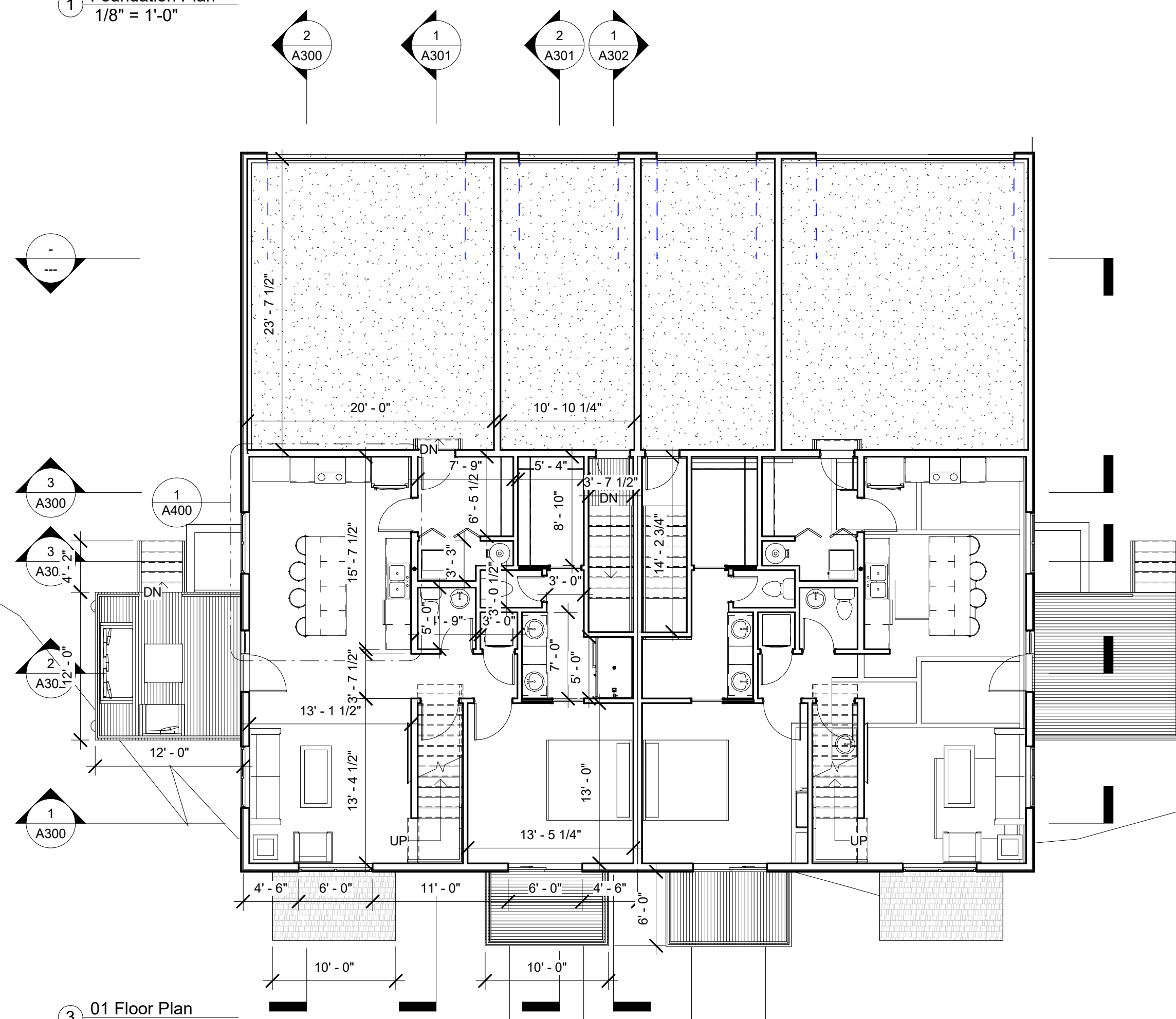
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732-754 6th St
Davenport IA
Cover Sheet

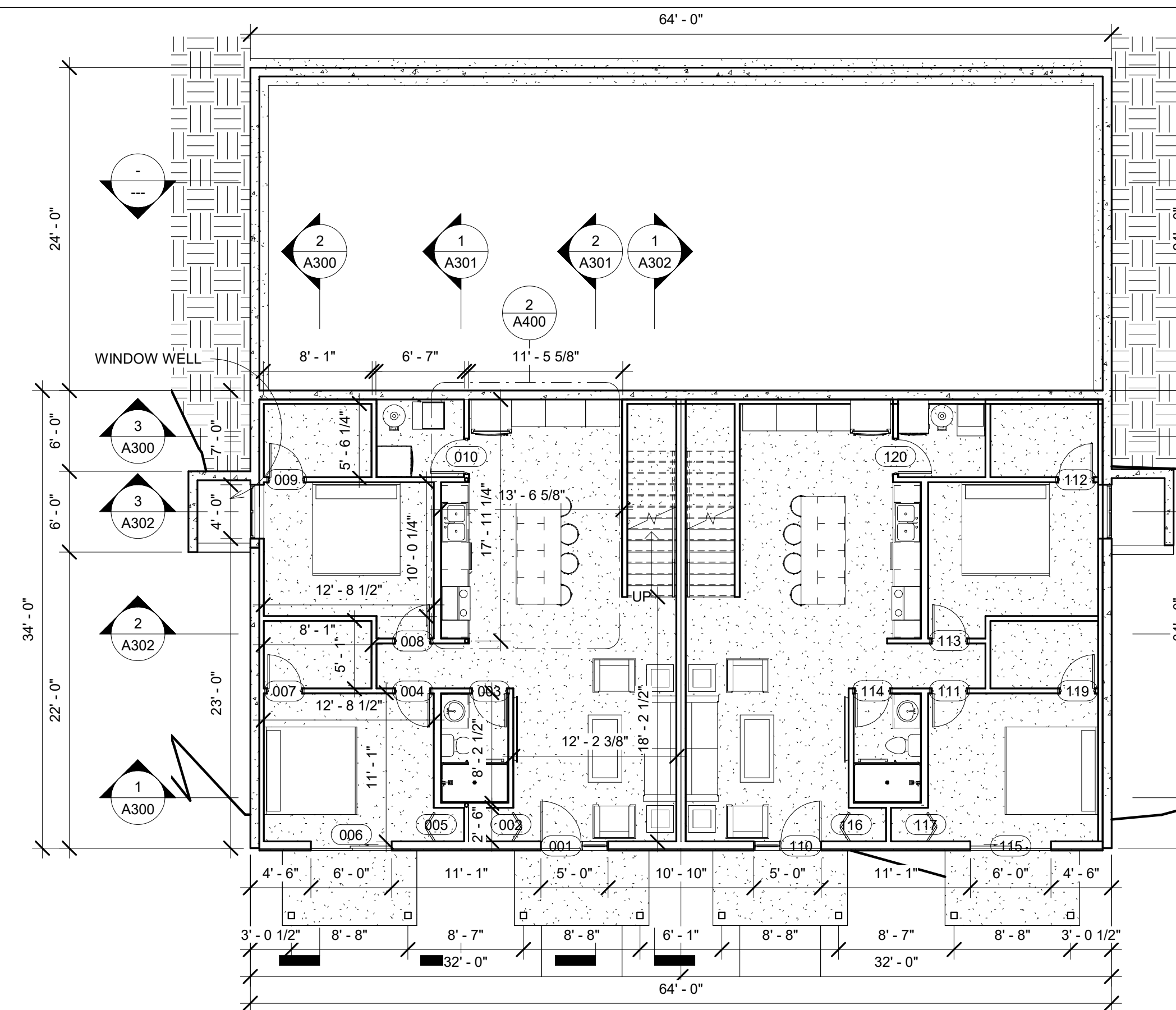
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Date	Issue Date
Drawn by	Author
Checked by	Checker
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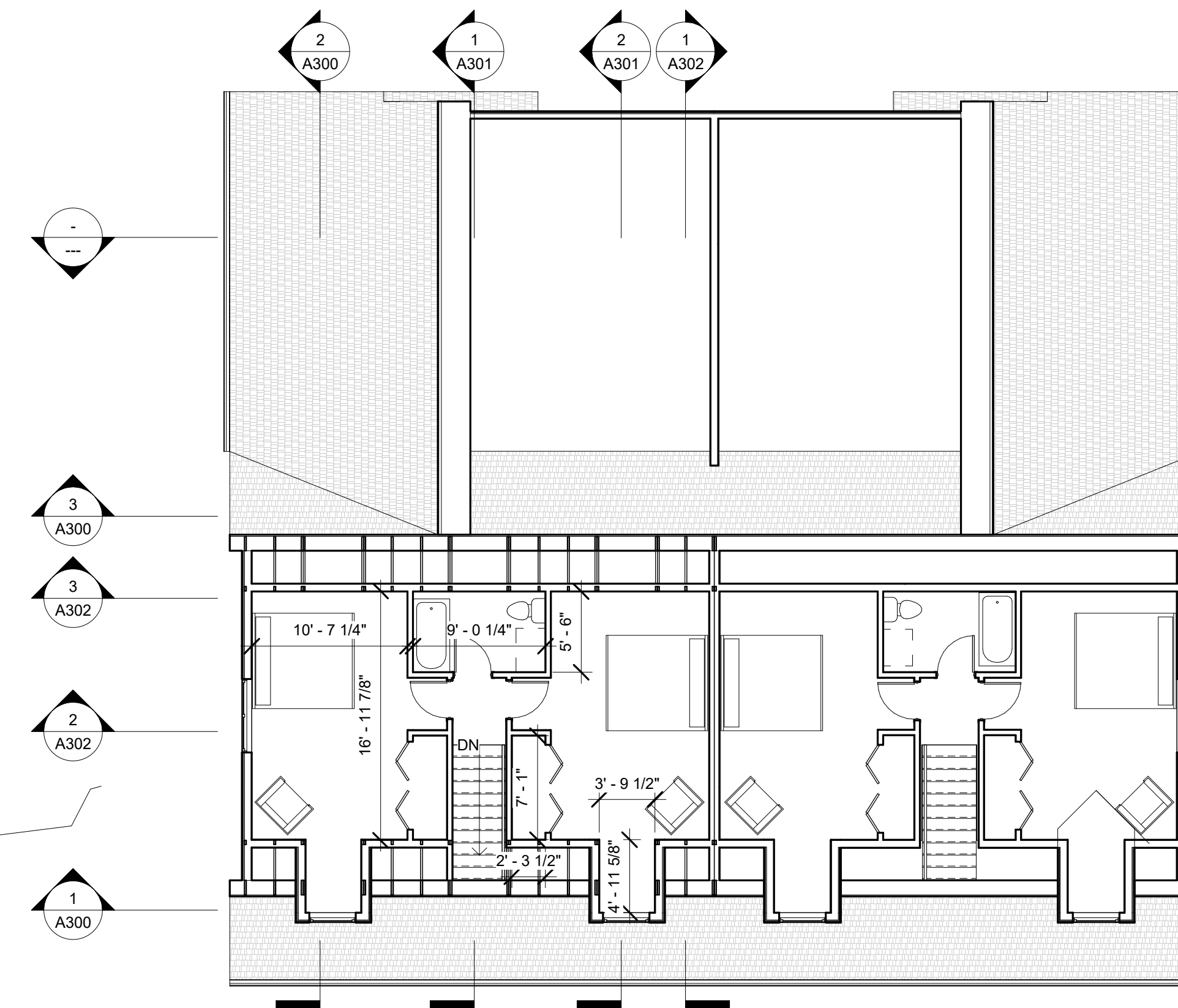
① Foundation Plan
1/8" = 1'-0"



③ 01 Floor Plan
1/8" = 1'-0"



② 00 Basement
1/8" = 1'-0"



④ 02 Second Floor
1/8" = 1'-0"



www.streamlinearchitects.com

Streamline Architects, P.L.C.

Andrew Dasso, AIA
575 12th Ave
East Moline, IL 61244
309-737-8587
andrew@streamlinearchitects.com

[illegible]

732-754 6th St Davenport IA Plans

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
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Scale	1/8" = 1'-0"



Streamline Architects, P.L.C.

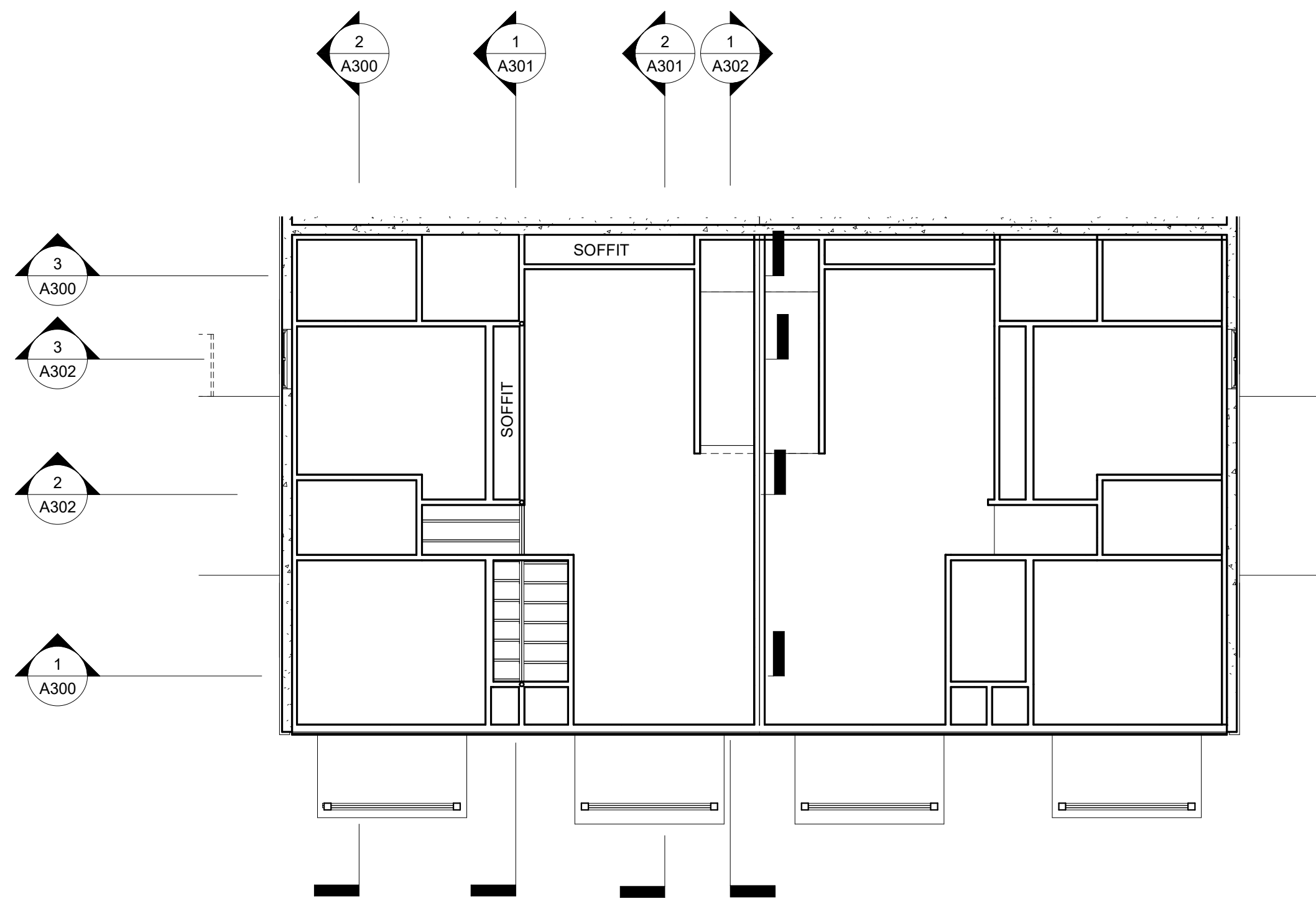
Andrew Dasso, AIA
575 12th Ave
East Moline, IL 61244
309-737-8587
andrew@streamlinearchitects.com

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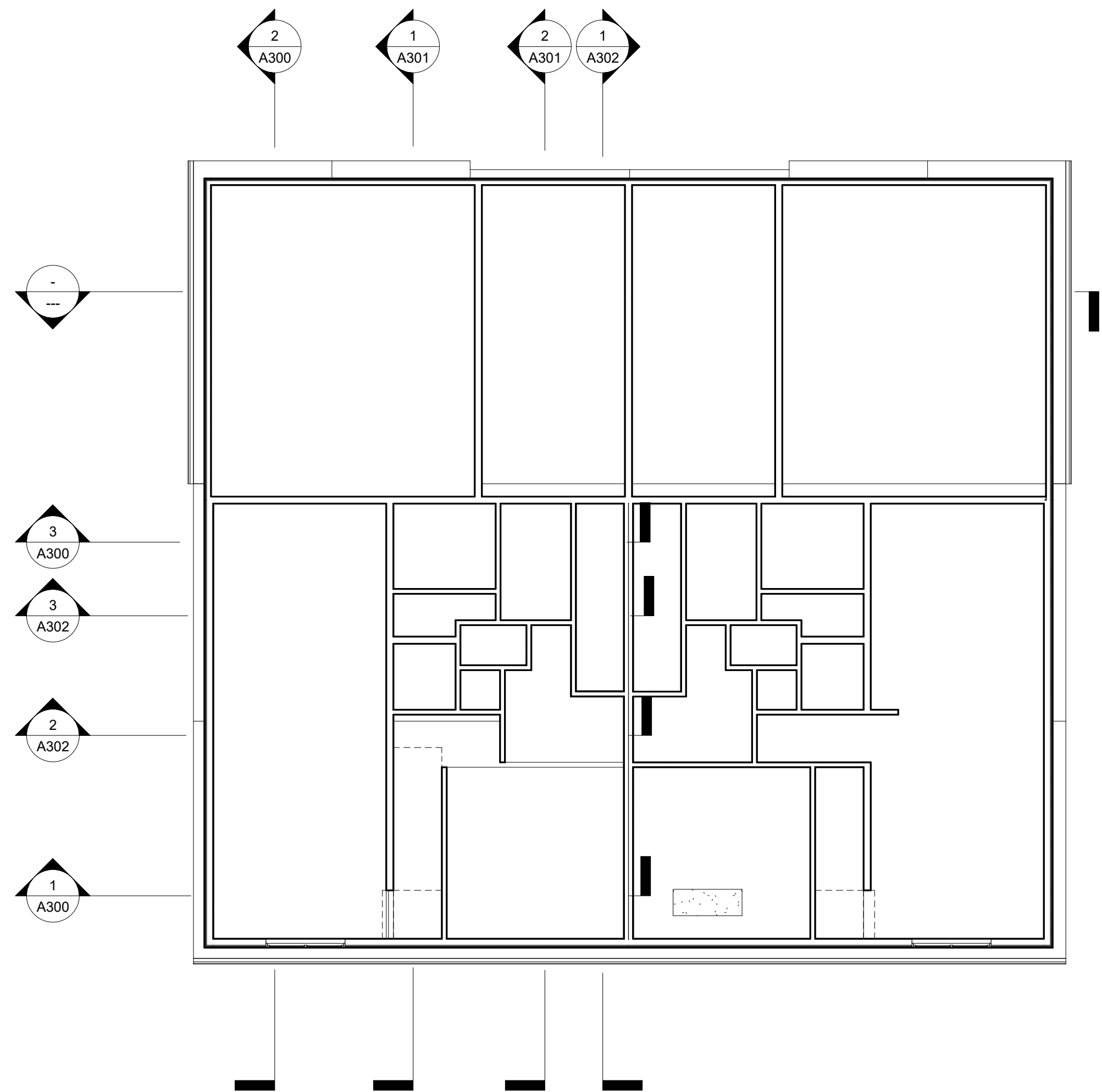
732-754 6th St
Davenport IA
RCP

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Drawn by	Author
Checked by	Checker
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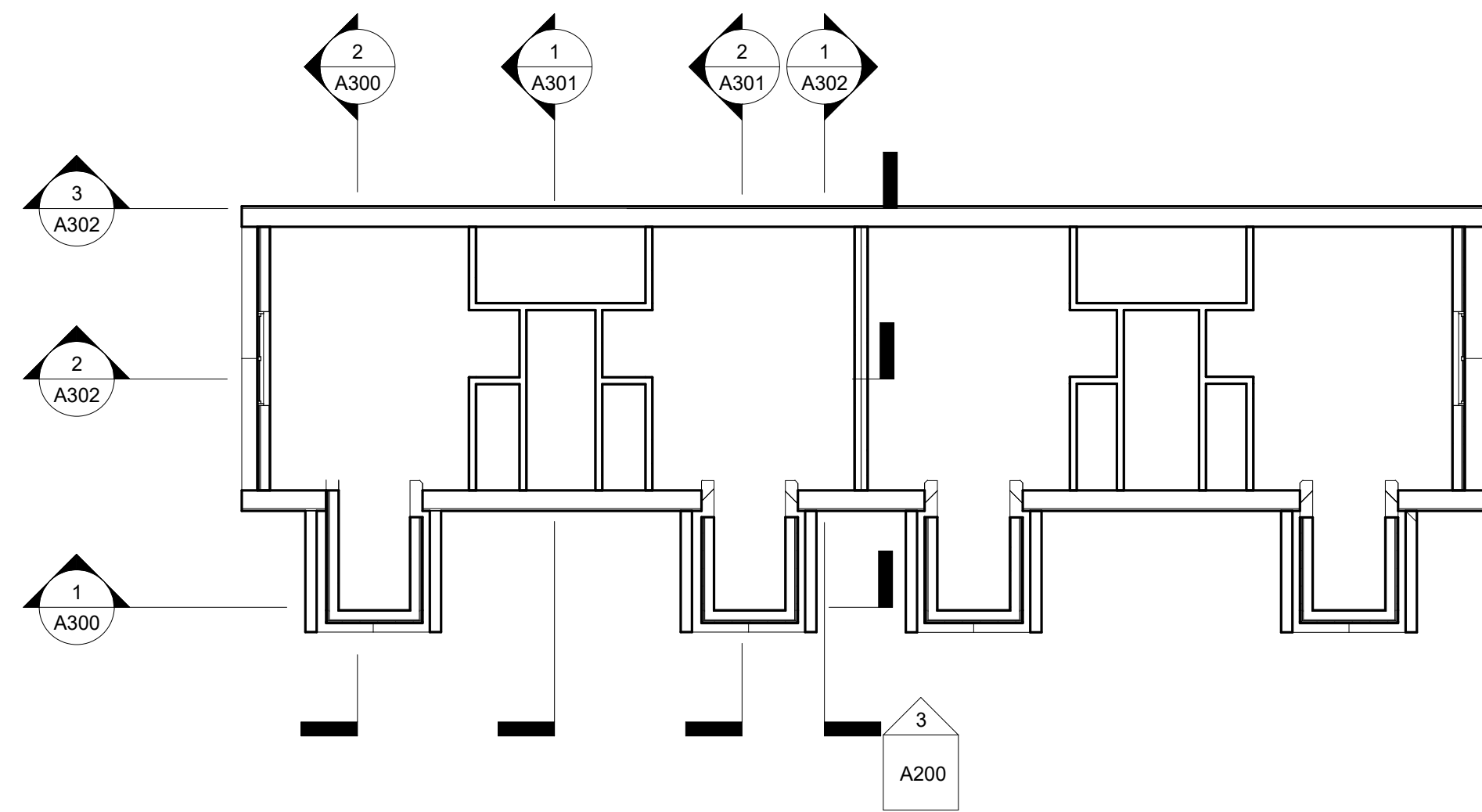
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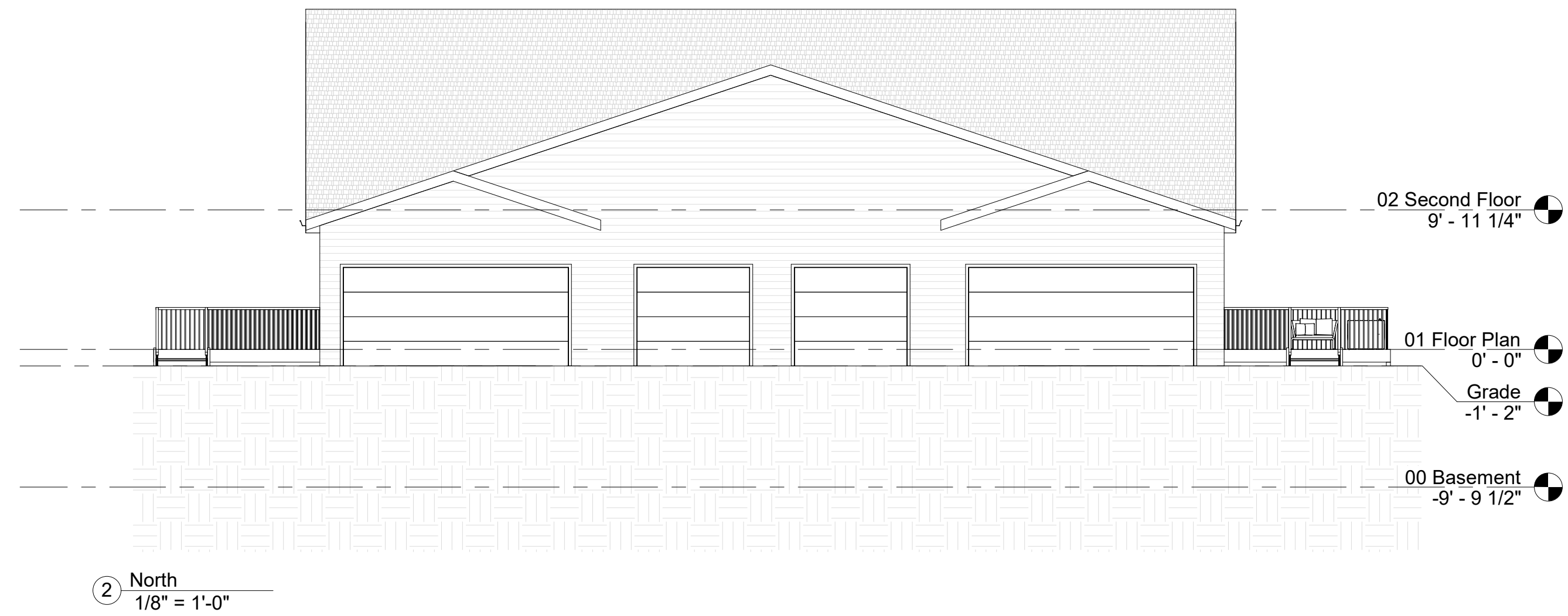
① 00 Basement
1/8" = 1'-0"



② 01 Floor Plan
1/8" = 1'-0"



③ 02 Second Floor
1/8" = 1'-0"



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Streamline Architects, P.L.C.

Andrew Dasso, AIA
575 12th Ave
East Moline, IL 61244
309-737-8587
andrew@streamlinearchitects.com

[illegible]

732-754 6th St
Davenport IA
Elevations

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
A200	
Scale	1/8" = 1'-0"



Streamline Architects, P.L.C.

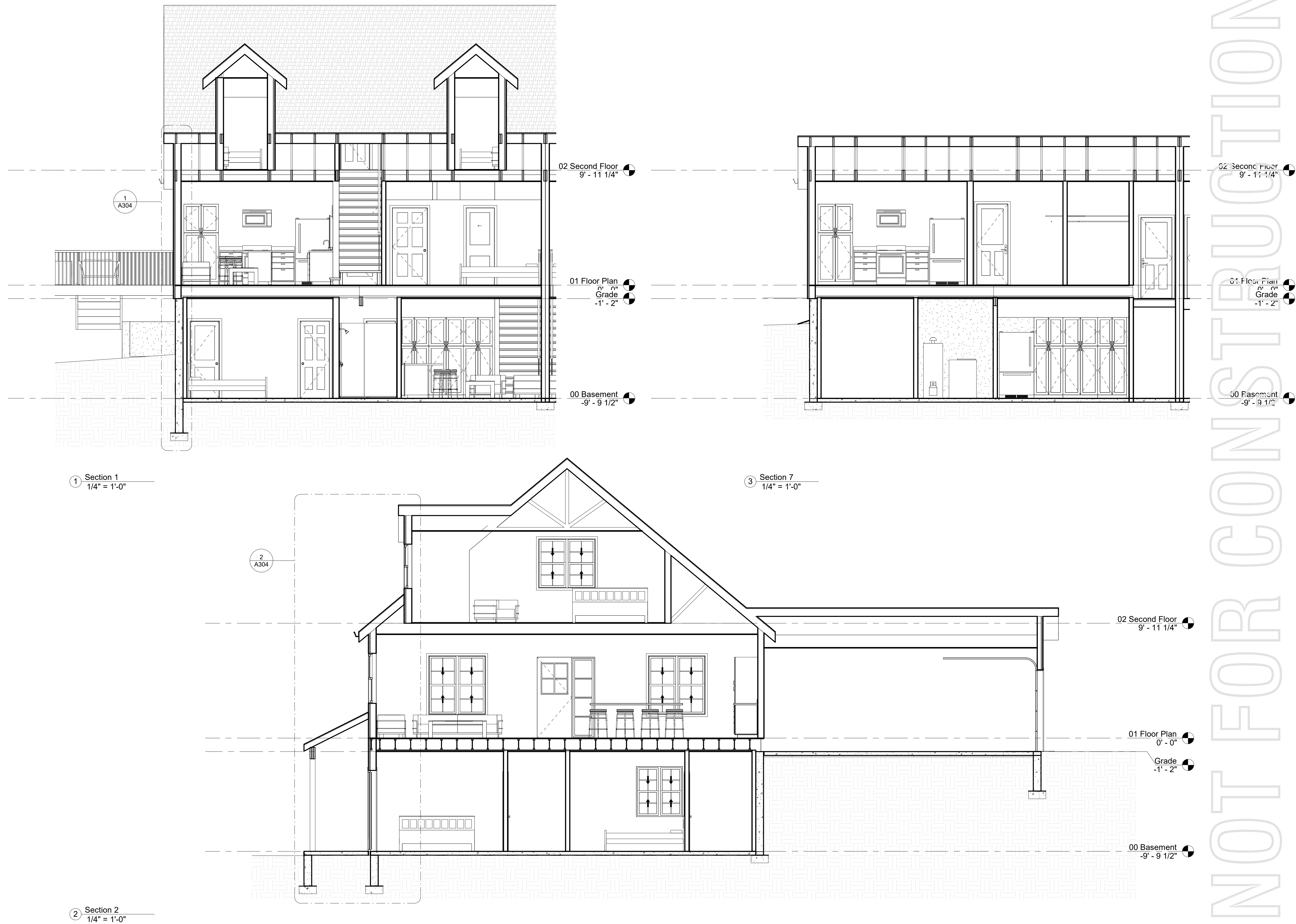
Andrew Dasso, AIA
575 12th Ave
East Moline, IL 61244
309-737-8587
andrew@streamlinearchitects.com

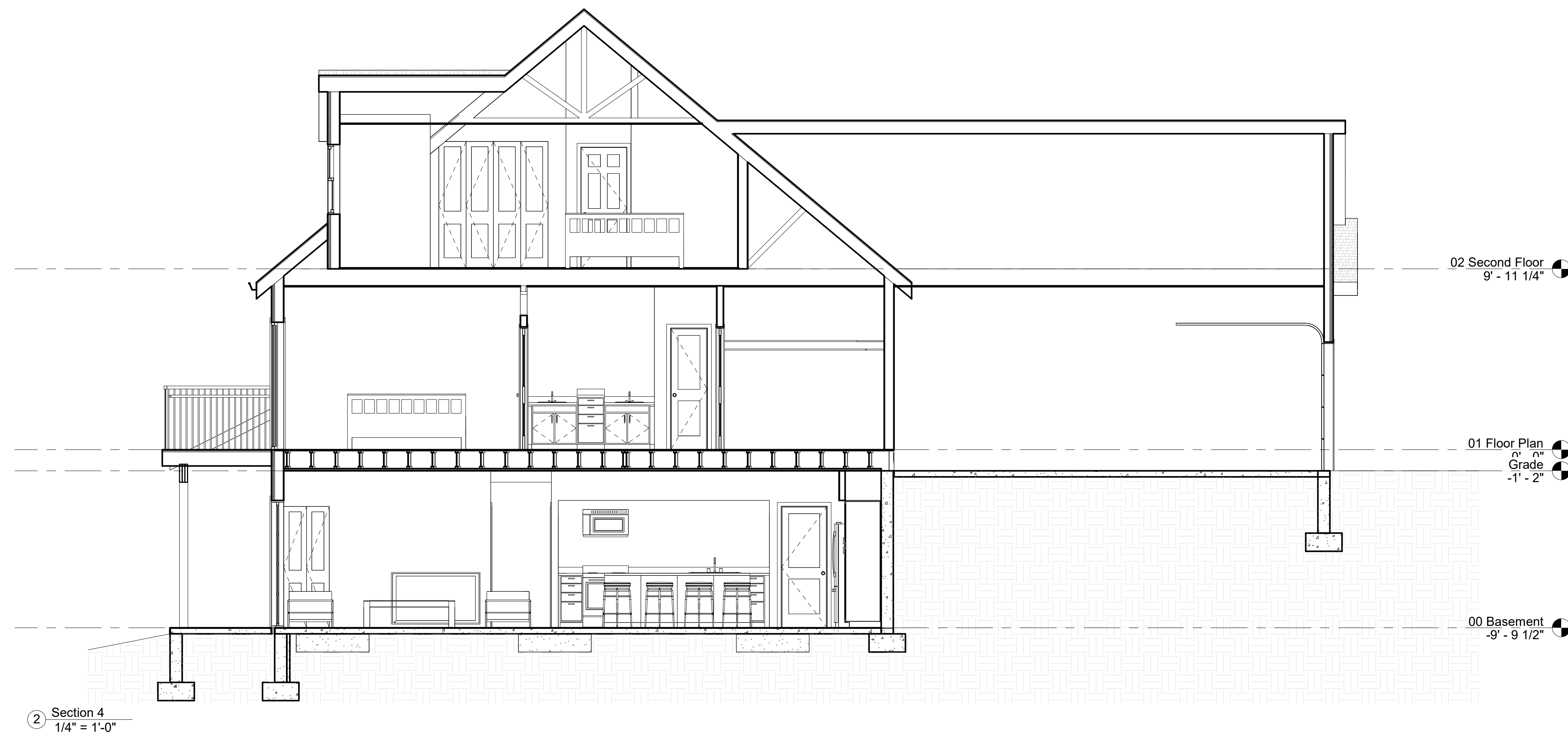
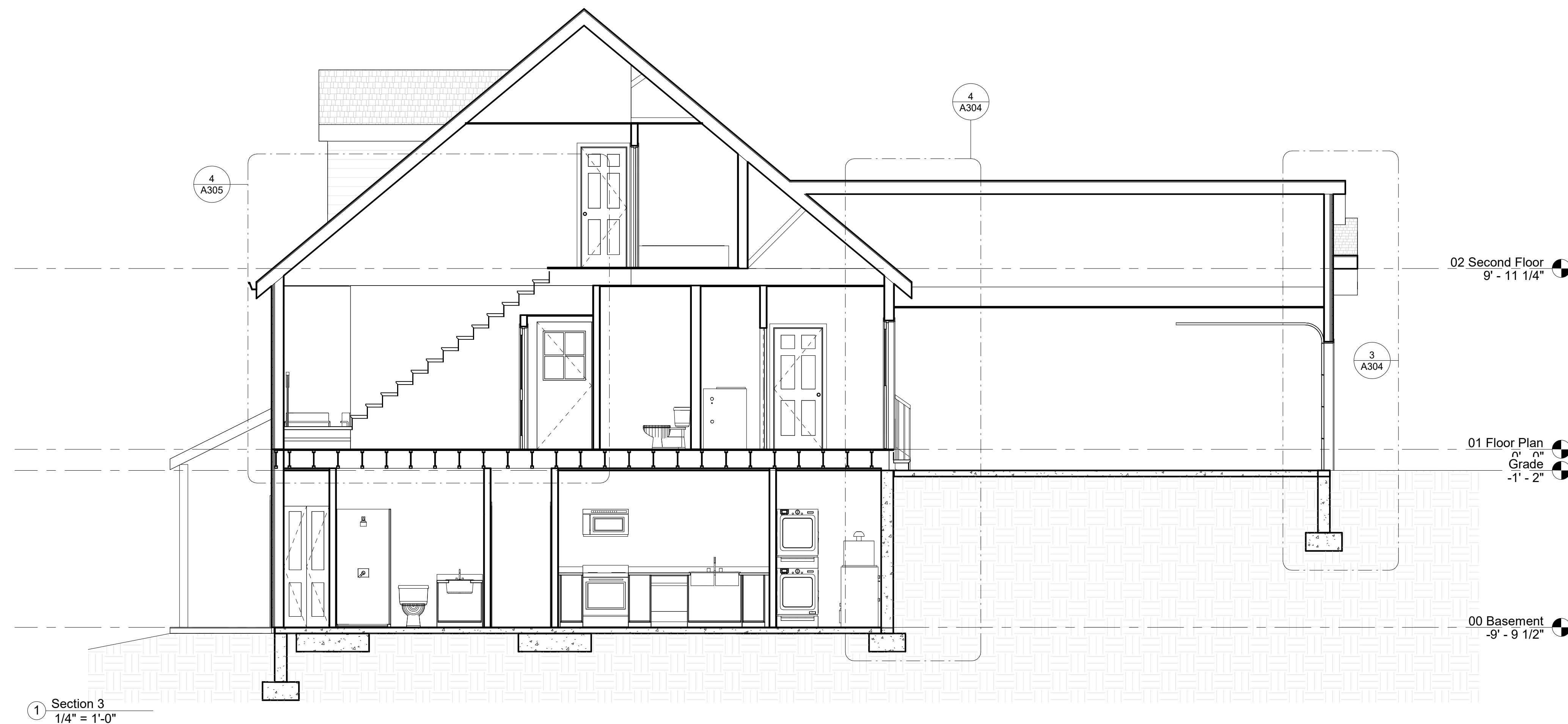
[illegible]

732-754 6th St
Davenport IA
Sections

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
A300	
Scale	1/4" = 1'-0"

8/30/2021 12:05:50 PM





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Streamline Architects, P.L.C.

Andrew Dasso, AIA
575 12th Ave
East Moline, IL 61244
309-737-8587
andrew@streamlinearchitects.com

[illegible]

732-754 6th St
Davenport IA
Sections

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
A301	
Scale	1/4" = 1'-0"

10.1371/journal.pone.0170706



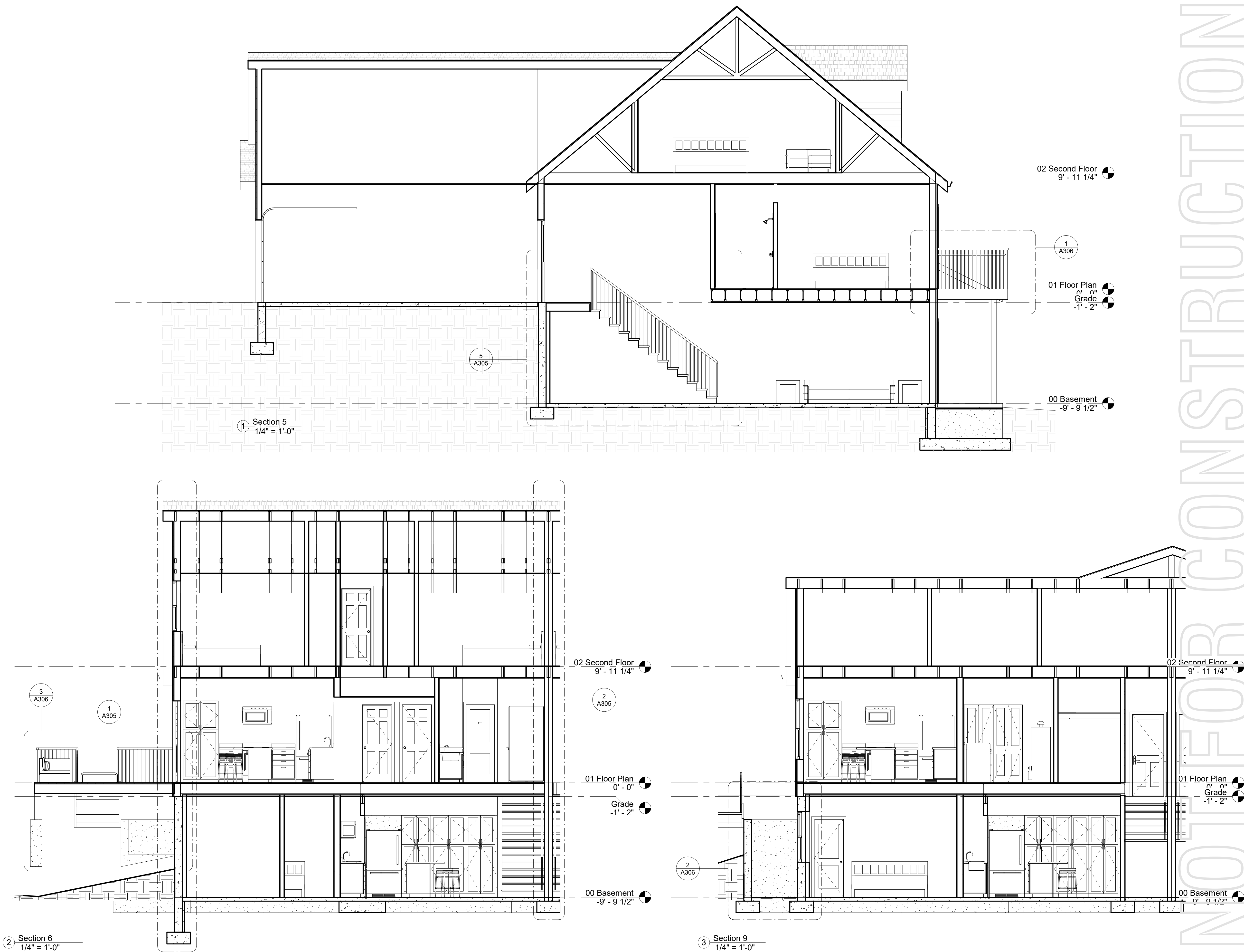
Streamline Architects, P.L.C.

Andrew Dasso, AIA
575 12th Ave
East Moline, IL 61244
309-737-8587
andrew@streamlinearchitects.com

[illegible]

732-754 6th St
Davenport IA
Sections

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
A302	
Scale	1/4" = 1'-0"

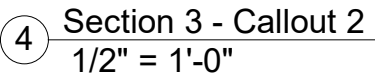
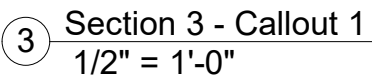
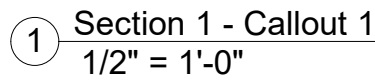


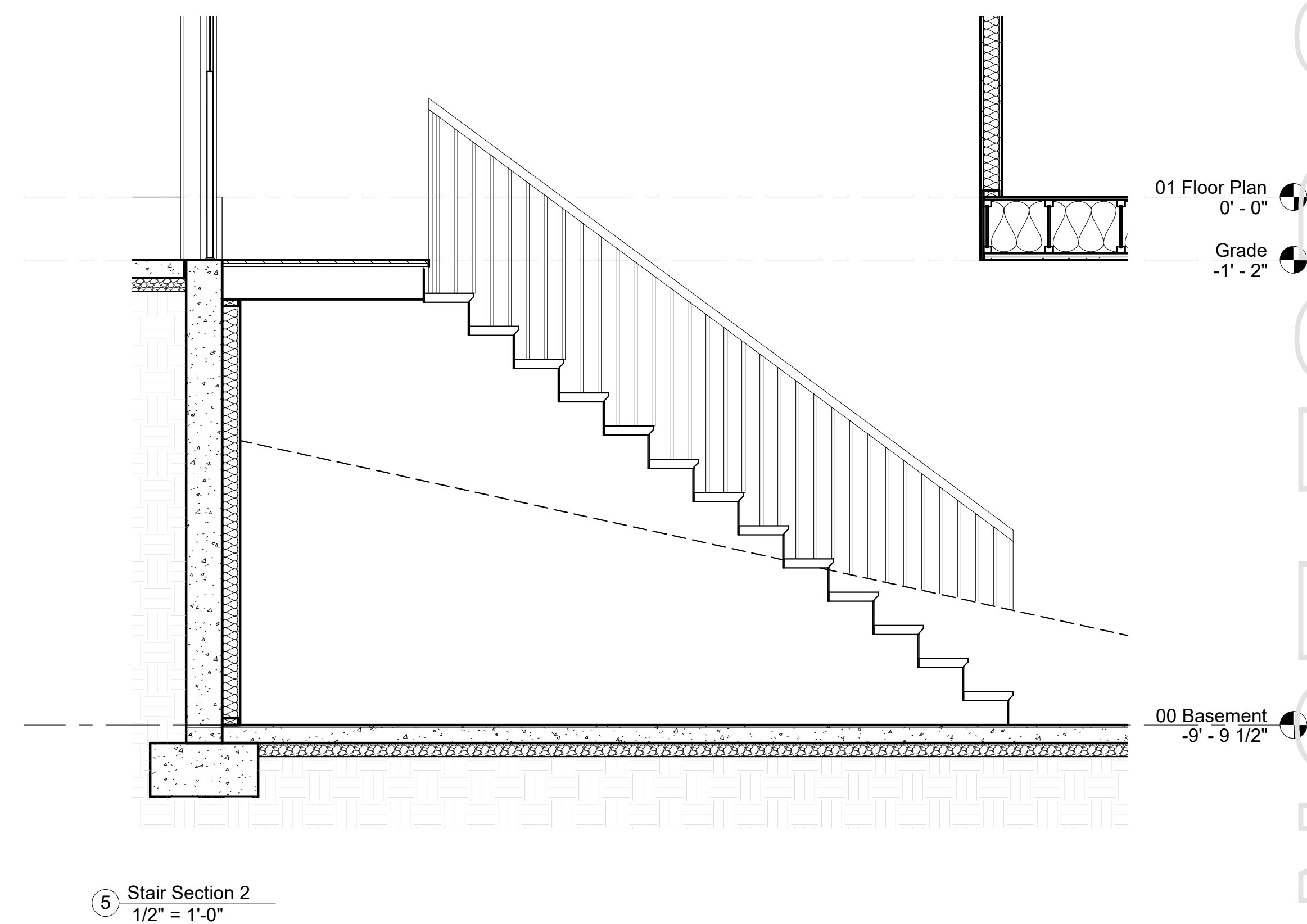
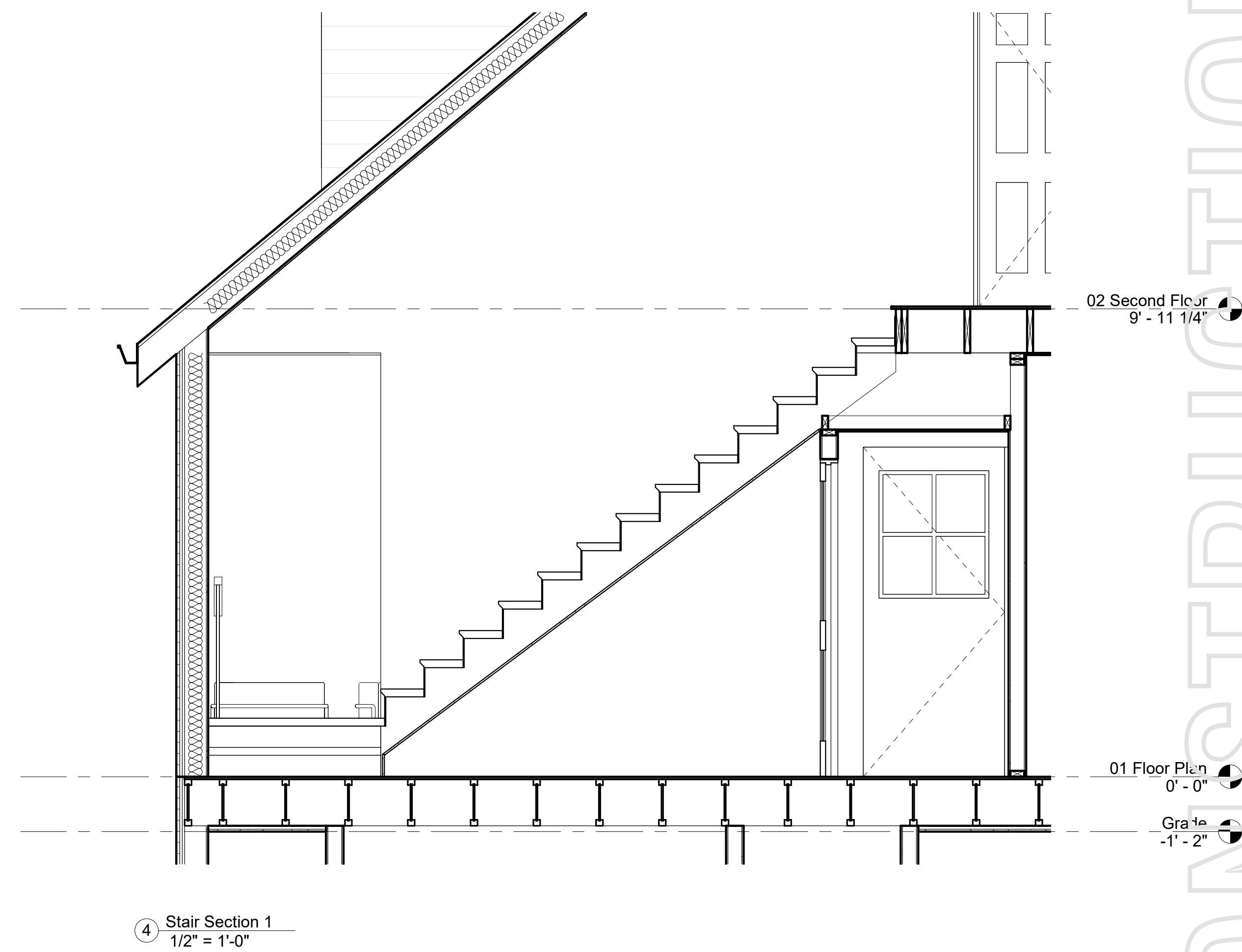
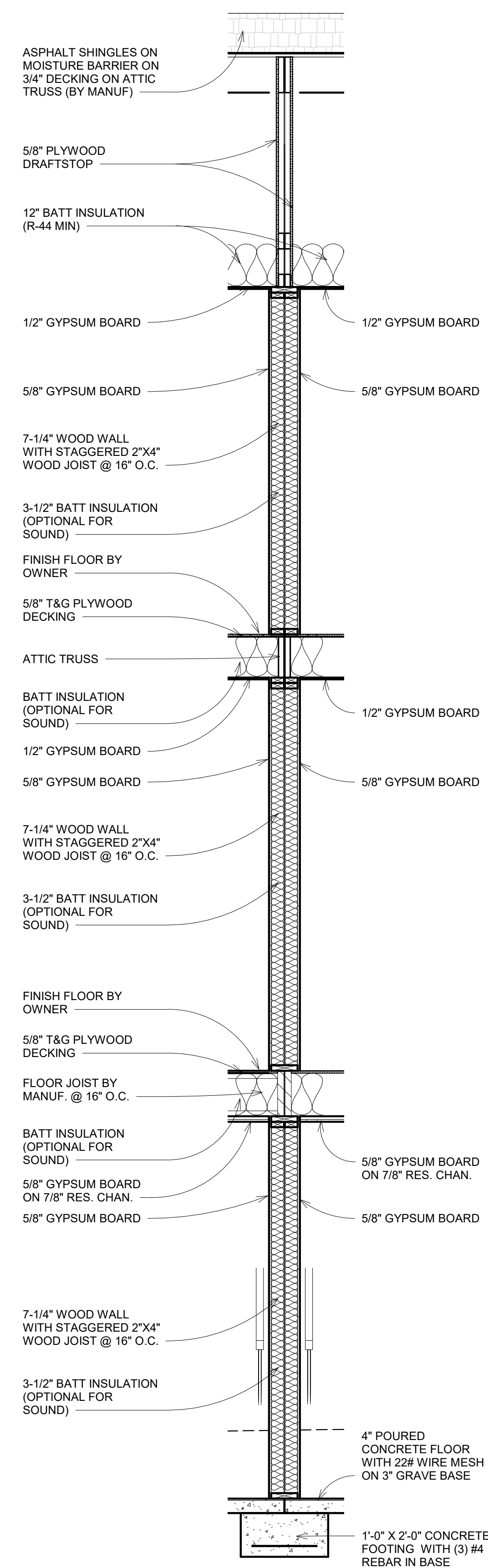
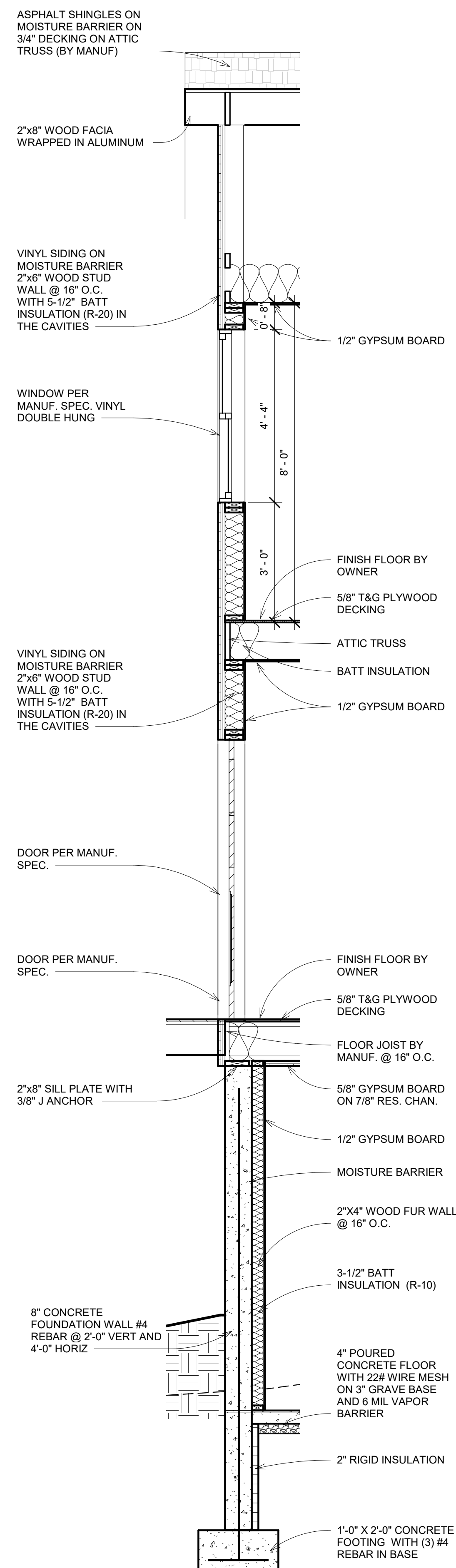


Andrew Dasso, AIA
575 12th Ave
East Moline, IL 61244
309-737-8587
andrew@streamlinearchitects.com

732-754 6th St
Davenport IA
Wall Sections

8/30/2021 12:05:56 PM





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Streamline Architects, P.L.C.

Andrew Dasso, AIA
575 12th Ave
East Moline, IL 61244
309-737-8587
andrew@streamlinearchitects.com

[illegible]

732-754 6th St Davenport IA
Wall Section- Details

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
A305	
Scale	1/2" = 1'-0"



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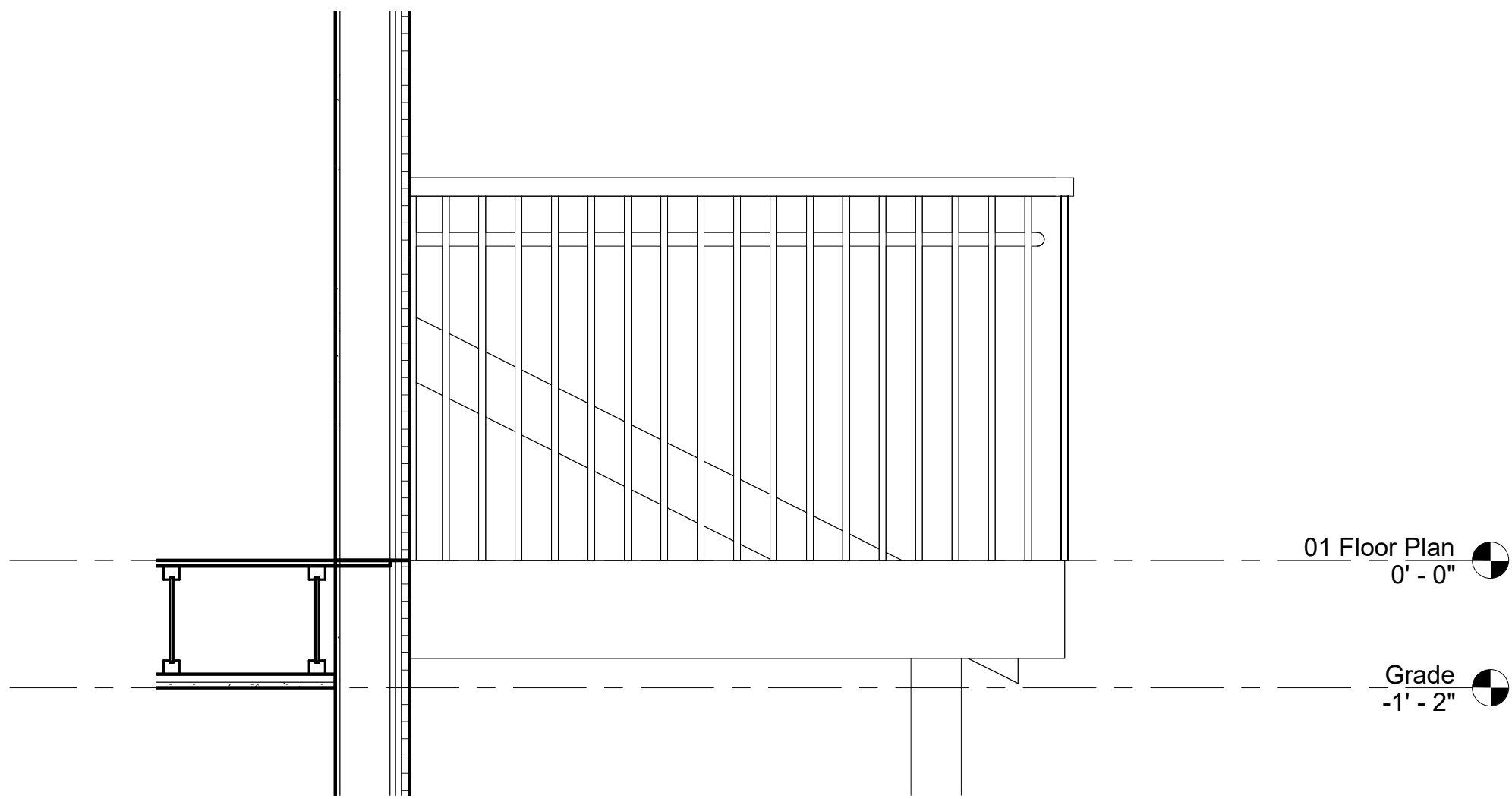
Andrew Dasso, AIA
575 12th Ave
East Moline, IL 61244
309-737-8587
andrew@streamlinearchitects.com

[illegible]

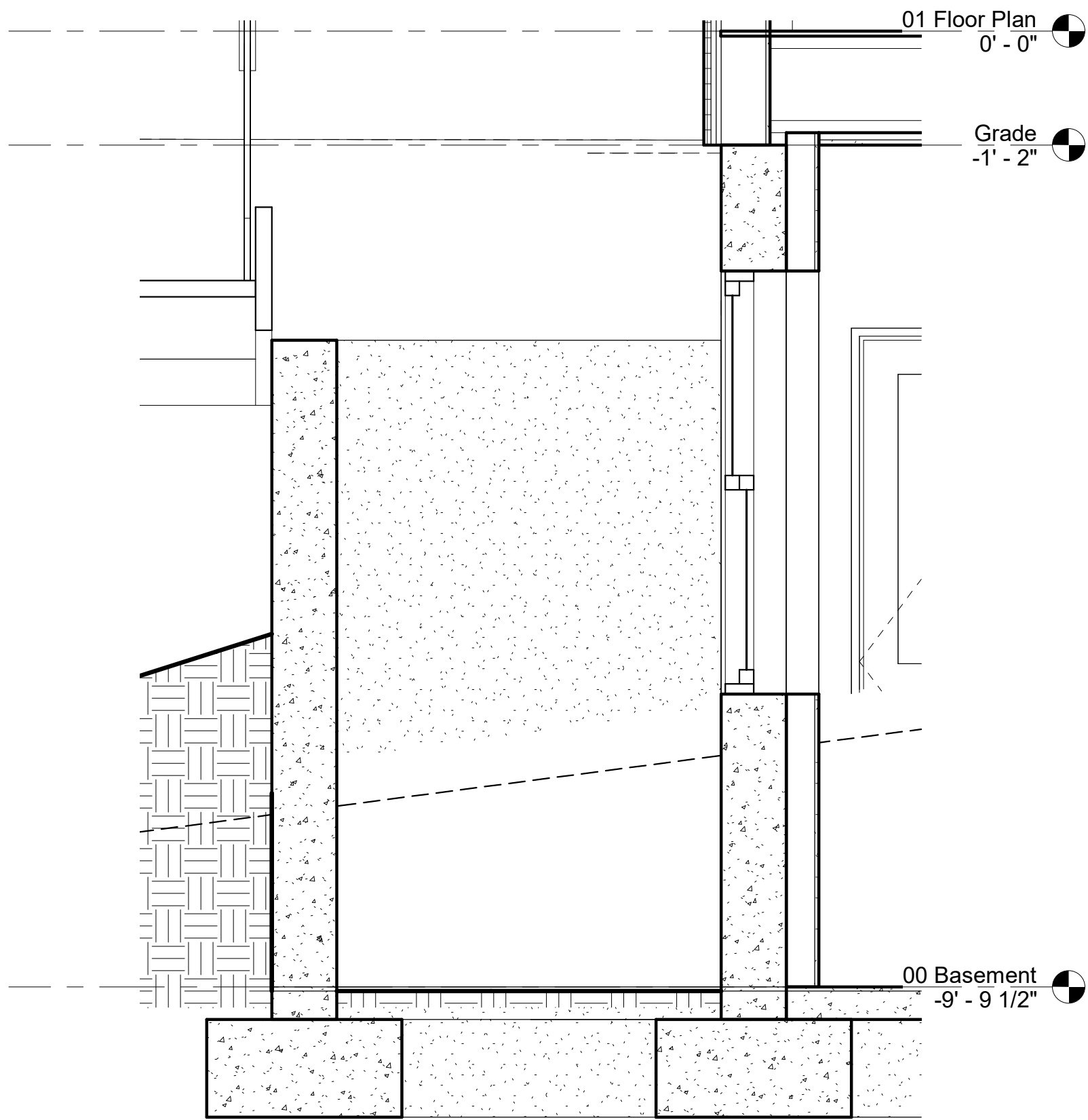
732-754 6th St
Davenport IA
Details

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
A306	
Scale	3/4" = 1'-0"

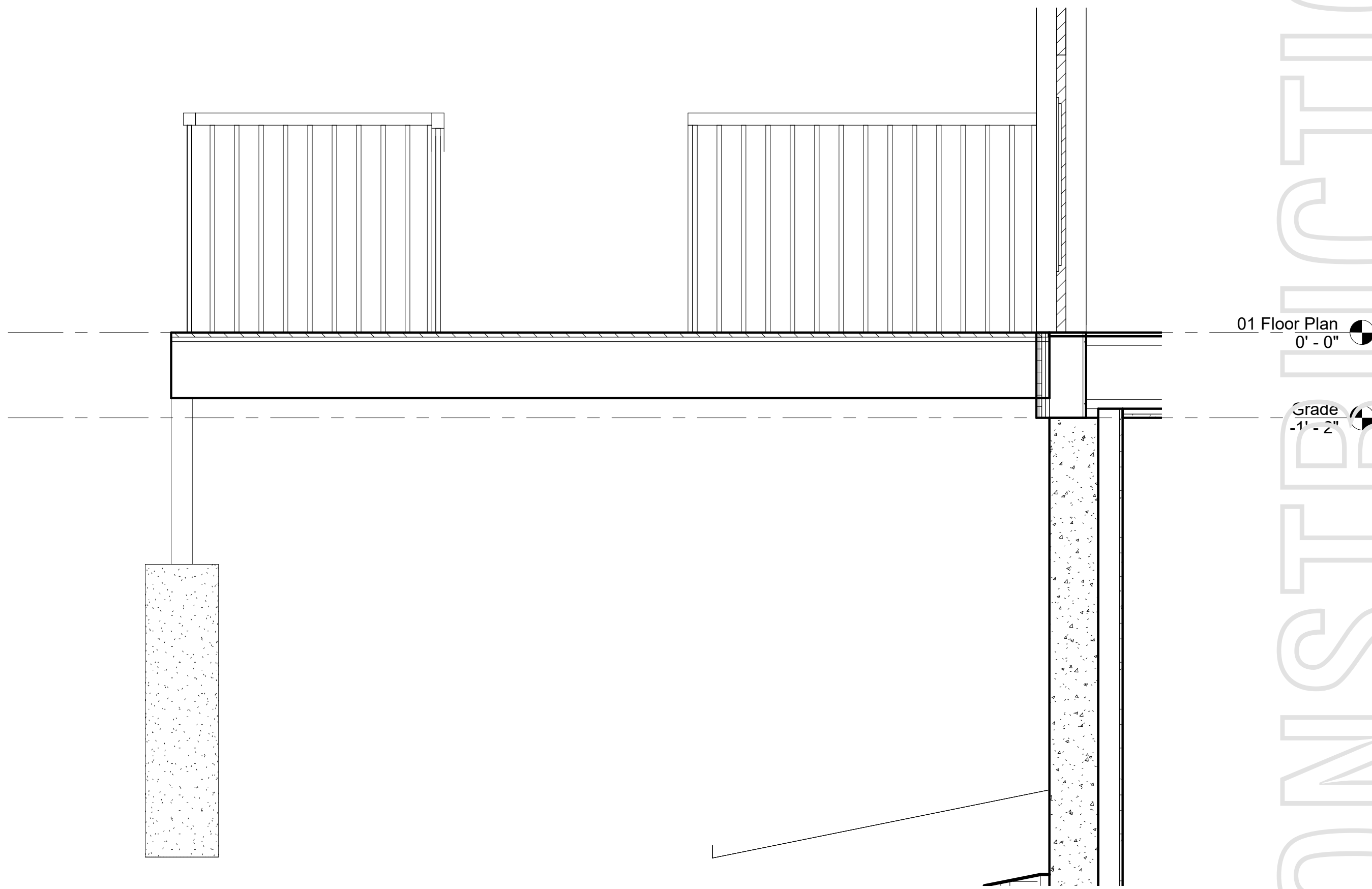
8/30/2021 12:05:59 PM



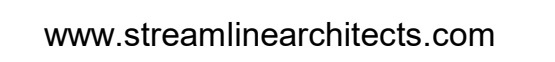
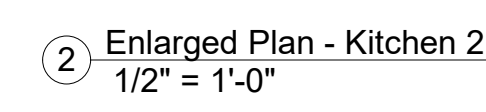
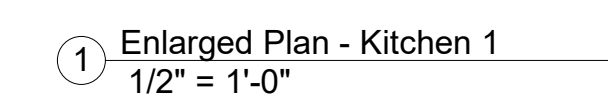
1 Deck Detail 1
3/4" = 1'-0"



2 Window Well Detail
3/4" = 1'-0"



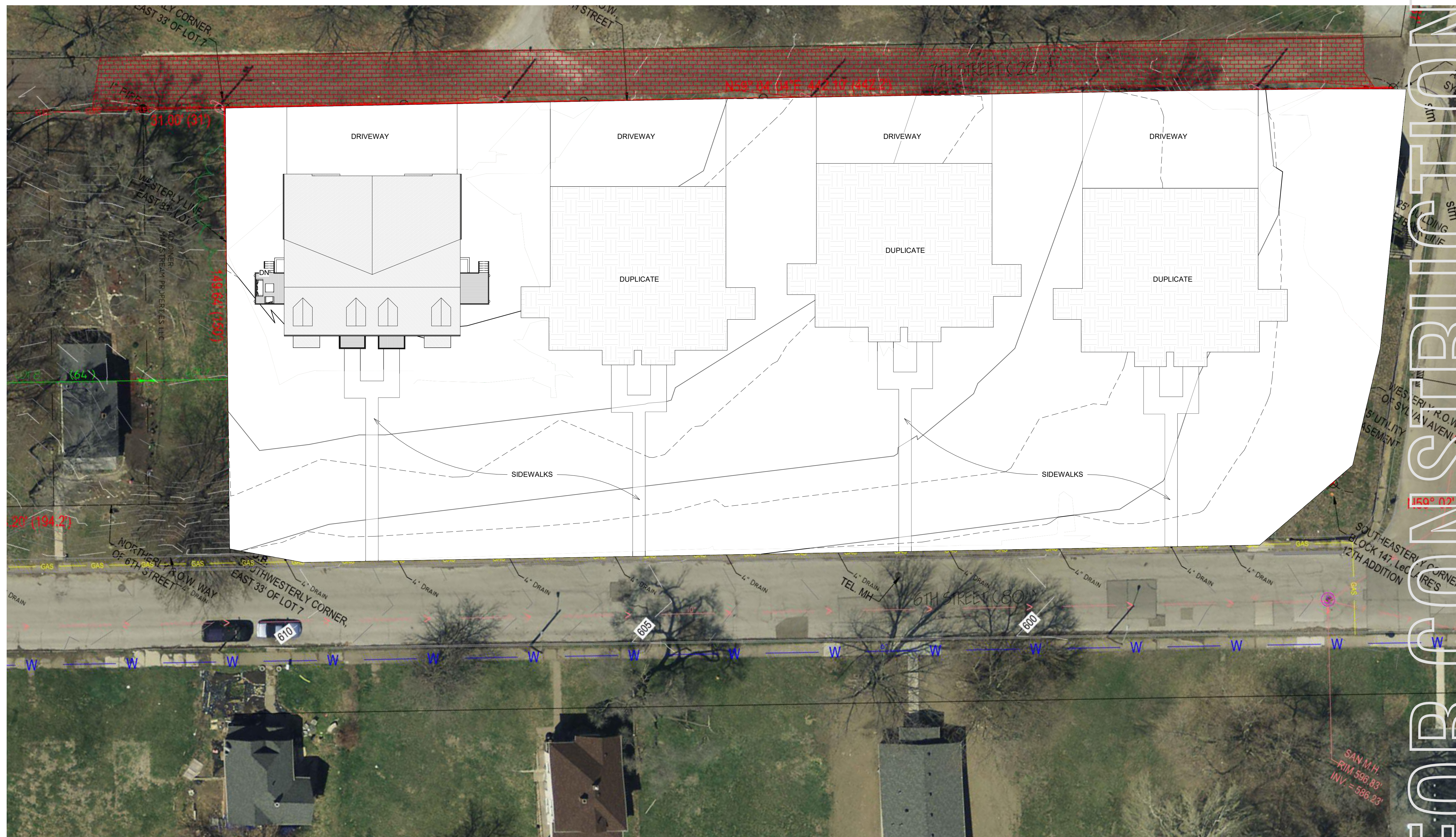
③ Deck Detail 2
3/4" = 1'-0"



Andrew Dasso, AIA
575 12th Ave
East Moline, IL 61244
309-737-8587
andrew@streamlinearchitects.com

732-754 6th St
Davenport IA
Enlarged Plans

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
A400	
Scale	$1/2" = 1'-0"$



① Site
1" = 20'-0"



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Streamline Architects, P.L.C.

Andrew Dasso, AIA
575 12th Ave
East Moline, IL 61244
309-737-8587
andrew@streamlinearchitects.com

[illegible]

732-754 6th St
Davenport IA
Site Plan

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
AS100	
Scale	1" = 20'-0"

City of Davenport

Department: Administration
Contact Info: Brian Krup | 563-326-6163

Action / Date
4/3/2024

Subject:

Resolution approving street, lane, and public ground closure requests on the listed dates and times for outdoor events.

Hope at the BRICK House; Groundbreaking Ceremony; 1431 Ripley Street; 4:30 p.m. - 8:00 p.m. Friday, April 12, 2024; **Closure:** Ripley Street from West 14th Street to West 15th Street. [Ward 5]

Quad Cities Chamber of Commerce; Student Success Symposium; RiverCenter | 136 East 3rd Street; 7:00 a.m. – 3:00 p.m. Tuesday, April 23, 2024; **Closure:** southernmost travel lane and parking lane on East 3rd Street from east of the RiverCenter parking ramp entrance to Pershing Avenue. [Ward 3]

Quad Cities Bicycle Club; Kwik Star Criterium; Village of East Davenport; 5:00 a.m. – 9:00 p.m. Monday, May 27, 2024; **Closures:** Mound Street from East 11th Street to East 12th Street; East 12th Street/Fulton Avenue from Mound Street to Glenwood Avenue; Glenwood Avenue from Fulton Avenue to Hillcrest Avenue; Hillcrest Avenue from Glenwood Avenue to River Street; East 11th Street from Mound Street to River Street. [Ward 5]

Common Chord; Live@Five Block Party; 129 Main Street; 8:00 a.m. - 11:00 p.m. Friday, June 7, 2024; **Closure:** West 2nd Street between Main Street and Brady Street. [Ward 3]

Village of East Davenport Business Association; Village Hops; Village of East Davenport; 12:00 p.m. - 8:00 p.m. Saturday, June 8, 2024; **Closures:** East 11th Street from Mound Street to Jersey Ridge Road; Christie Street from East 11th Street north to the alley; Jersey Ridge Road from East 11th Street north to the alley. [Ward 5]

Recommendation:

Adopt the Resolution.

Background:

Per the City's Special Events Policy, City Council will approve street, lane, and public ground closure requests based on the recommendation of the Special Events Committee.

Common Chord Live@Five Block Party | Access will be maintained to the CBI Bank & Trust drive-thru during business hours.

Attachments:

1. Resolution
2. Hope at the BRICK House Groundbreaking Closure Map
3. Hope at the BRICK House Groundbreaking Street Closure Petition
4. Student Success Symposium Closure Map

5. Kwik Star Criterium Map
6. Live@Five Block Party Map
7. Live@Five Block Party Street Closure Petition
8. Village Hops Closure Map
9. Village Hops Street Closure Petition

Resolution No. _____

Resolution offered by Alderman Jobgen.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving street, lane, and public ground closure requests on the listed dates and times for outdoor events.

*Hope at the BRICK House; Groundbreaking Ceremony; 1431 Ripley Street; 4:30 p.m. - 8:00 p.m. Friday, April 12, 2024; **Closure:** Ripley Street from West 14th Street to West 15th Street. [Ward 5]*

*Quad Cities Chamber of Commerce; Student Success Symposium; RiverCenter | 136 East 3rd Street; 7:00 a.m. – 3:00 p.m. Tuesday, April 23, 2024; **Closure:** southernmost travel lane and parking lane on East 3rd Street from east of the RiverCenter parking ramp entrance to Pershing Avenue. [Ward 3]*

*Quad Cities Bicycle Club; Kwik Star Criterium; Village of East Davenport; 5:00 a.m. – 9:00 p.m. Monday, May 27, 2024; **Closures:** Mound Street from East 11th Street to East 12th Street; East 12th Street/Fulton Avenue from Mound Street to Glenwood Avenue; Glenwood Avenue from Fulton Avenue to Hillcrest Avenue; Hillcrest Avenue from Glenwood Avenue to River Street; East 11th Street from Mound Street to River Street. [Ward 5]*

*Common Chord; Live@Five Block Party; 129 Main Street; 8:00 a.m. - 11:00 p.m. Friday, June 7, 2024; **Closure:** West 2nd Street between Main Street and Brady Street. [Ward 3]*

*Village of East Davenport Business Association; Village Hops; Village of East Davenport; 12:00 p.m. - 8:00 p.m. Saturday, June 8, 2024 ; **Closures:** East 11th Street from Mound Street to Jersey Ridge Road; Christie Street from East 11th Street north to the alley; Jersey Ridge Road from East 11th Street north to the alley. [Ward 5]*

WHEREAS, the City, through its Special Events Policy, has accepted the above applications for events on the listed date and time that are requesting street, lane, or public ground closures; and

WHEREAS, upon review of the applications, it has been determined that streets, lanes, or public grounds will need to be closed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the above street, lane, or public ground closure requests are hereby approved and staff is directed to proceed with the closures.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

th St

W 15th St

N Ripley St

Hope At The Brick House

1407

1415

1413

1409

Increase Healthy
Everyday Updatez

W 14th St

W 14th St

Closure

N Ripley

1330

1329



CITY OF DAVENPORT

NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 12th day of April, 2024, there is proposed an event which will include outdoor music or a band, requested by Hope at the Beach House, during the hours of 5:00-6:30 pm.

Please note: dates and times on this form must match those entered on the special events application.

***Please sign your name and print address below and indicate whether you are in favor of the noise variance, opposed to the noise variance, or are not concerned (mark one).**

NAME AND ADDRESS	NOT		
	IN FAVOR	OPPOSED	CONCERNED
1329 Ripley <u>vacant</u>	<u>NA</u>	_____	_____
1330 Ripley <u>George Palma</u>	<u>IP</u>	_____	_____
<u>Smith</u> 1401 Ripley <u>Al Smith</u>	<u>AS</u>	_____	_____
1409 Ripley <u>3/23/24 3:30pm not home; 3/24 4:30pm not home; favorable in past</u>	<u>✓</u>	_____	_____
1413 Ripley <u>Shaw</u>	<u>✓</u>	_____	_____
1417 Ripley <u>Georgina Chow</u>	<u>✓</u>	_____	_____
1431 Ripley <u>J. Kopp</u>	<u>X</u>	_____	_____
1502 Ripley <u>Jack St.</u>	<u>✓</u>	_____	_____
1503 Ripley <u>Rusty Gull</u>	<u>✓</u>	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

*If you are unable to make contact with a resident/business, please indicate the date(s) and time(s) you attempted.

*If more space is needed, please use additional sheets.

Jane Kopp
Signature of Applicant

3/25/24
Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com



CITY OF DAVENPORT

STREET CLOSURE PETITION FOR SPECIAL EVENTS

On the 12th day of April, 2024 during the hours of 5:00 - 6:30 pm
there is proposed a street closure, requested by Hope at the Beck House, which will
require the closing of Ripley Street between 14th St. and
15th St.

Please note: dates and times on this form must match those entered on the special events application.

***Please sign your name and print address below and indicate whether you are in favor of the street closure, opposed to the street closure, or not concerned (mark one).**

NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
1329 Ripley Vacant	☐	☐	☐
1330 Ripley Jorge Kilma	☒	☐	☐
1401 Ripley All Smith	☒	☐	☐
1409 Ripley 3/23/24 ^{1:30pm} + 3/24/24 ^{4:30pm} not home; favorable in past	☐	☐	☐
1413 Ripley Ashpene	☒	☐	☐
1417 Ripley georgina Chan	☒	☐	☐
1431 Ripley O Klopp	☒	☐	☐
1502 Ripley [Signature]	☒	☐	☐
1503 Ripley [Signature]	☒	☐	☐
	☐	☐	☐
	☐	☐	☐
	☐	☐	☐

* If more space is needed, please use additional sheets.

* If you are unable to make contact with a resident/business, please indicate the date(s) and time(s) you attempted.

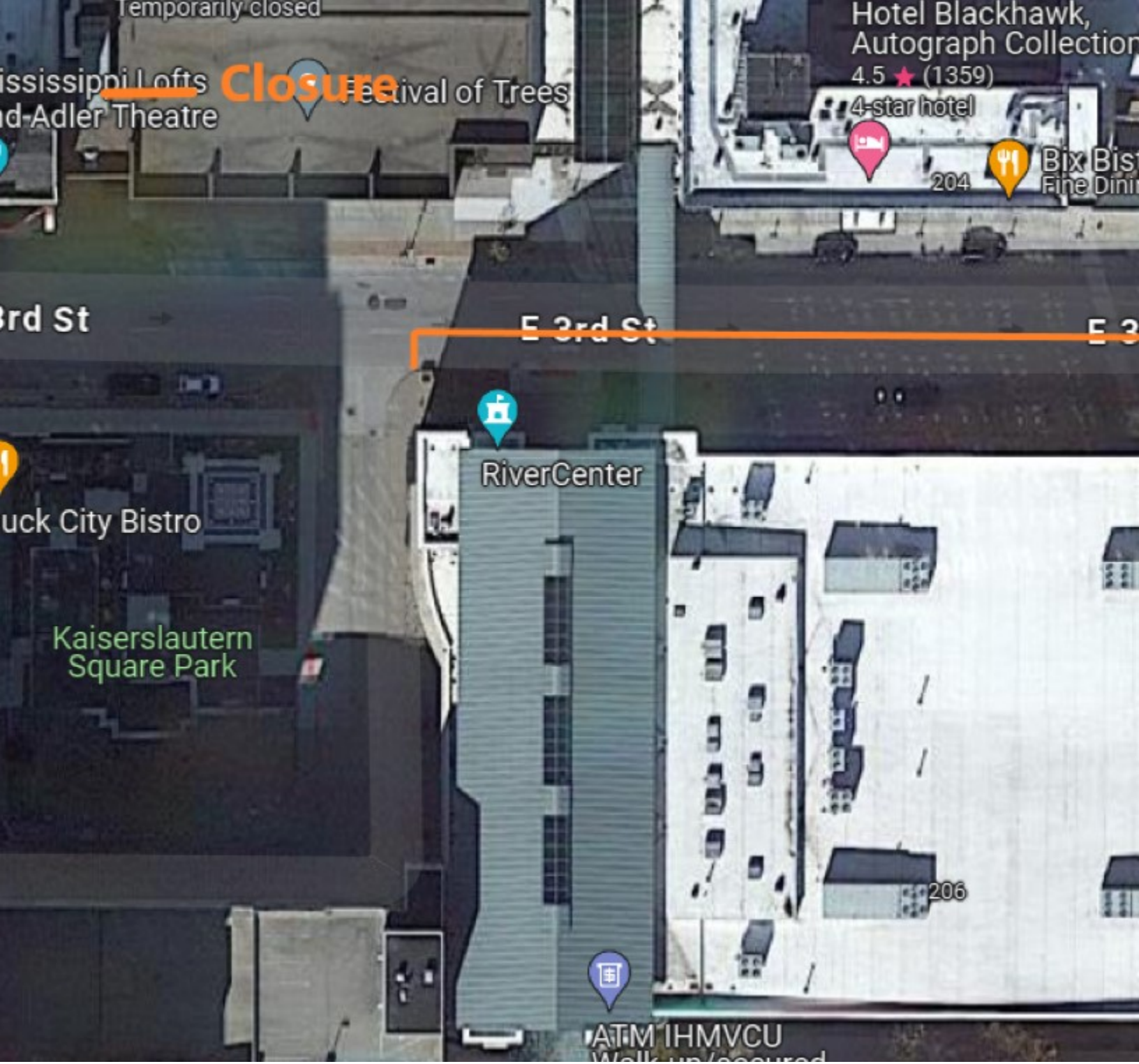
[Signature]
Signature of Applicant

3/25/24
Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com



Temporarily closed

Mississippi Lofts
Adler Theatre

Closure

Festival of Trees

Hotel Blackhawk, Autograph Collection
4.5 ★ (1359)
4-star hotel

204

Bix Bist
Fine Dining

206

ATM IHMVCU
Walk up/secured

2nd St

E 3rd St

E 3rd St

RiverCenter

Kaiserslautern Square Park

uck City Bistro

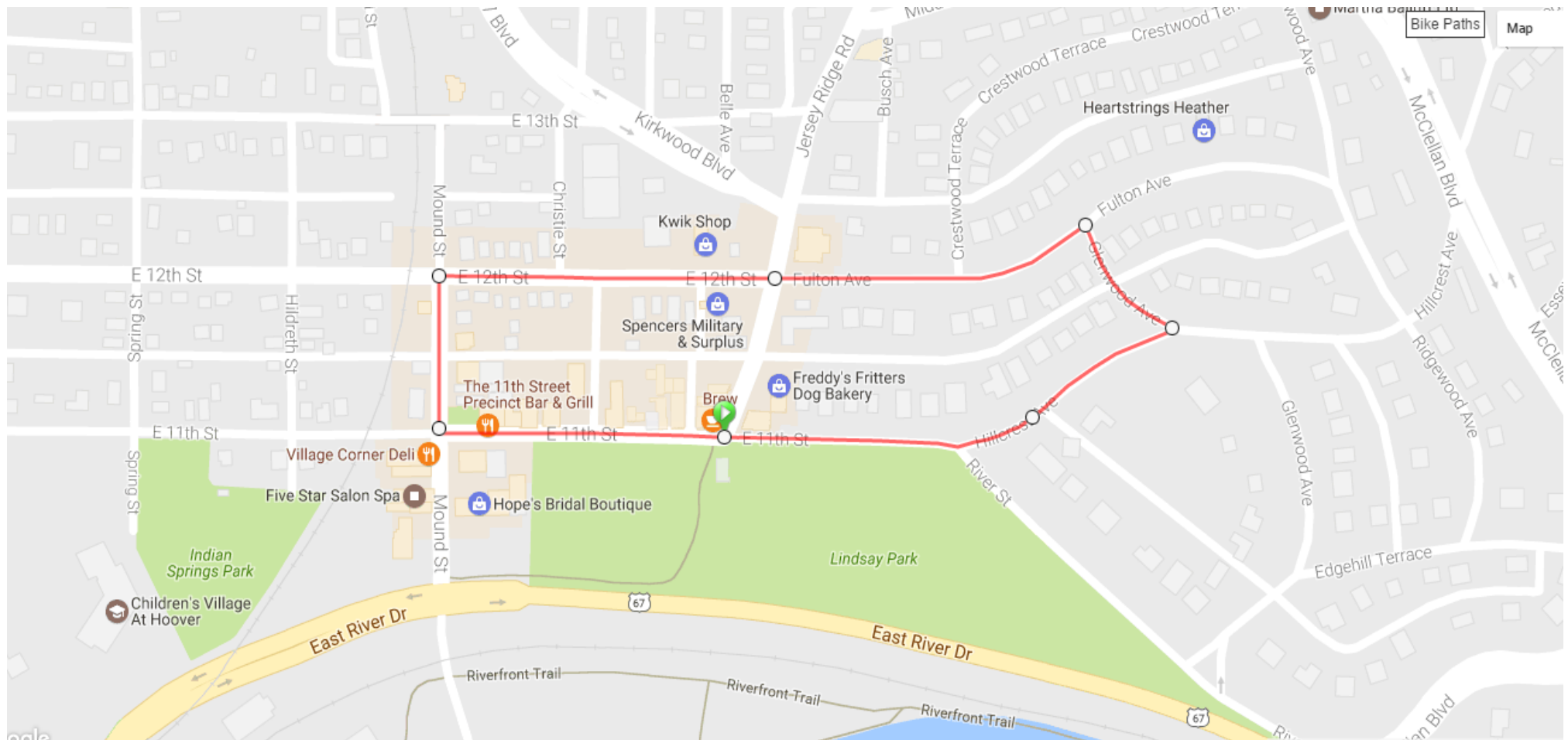


tro
ng

rd St

229

Pershing Ave



Sky Bridge
Elevator

P
A
T
I
O

A
R
E
A

PHOENIX
BUILDING

REDSTONE
BUILDING

COMMUNITY
ARTS/
CULTURE

VENDORS

SIDEWALK

SIDEWALK

SIDEWALK

SIDEWALK

<OPEN VIEW/SEATING>
2ND STREET

BAR

open for art
drive thru

STAGE

ONE SOUND
PIANOS

BRADY STREET

MAIN ST



CITY OF DAVENPORT

STREET CLOSURE PETITION FOR SPECIAL EVENTS

On the 7th day of JUNE, 2024 during the hours of 8AM - 11 PM
there is proposed a street closure, requested by COMMON CHORD, which will
require the closing of 2ND STREET between MAIN STREET and
BRADY STREET.

Please note: dates and times on this form must match those entered on the special events application.

***Please sign your name and print address below and indicate whether you are in favor of the street closure, opposed to the street closure, or not concerned (mark one).**

NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
The Lemonade Stand, 131 W 2nd St ym	☒	☐	☐
Estes Construction, Wendy Olinger	☒	☐	☐
Empower House, Chris Dershauf	☒	☐	☐
The Garrison <i>[Signature]</i>	☒	☐	☐
Sushi etc by m.j's <i>[Signature]</i>	☒	☐	☐
CBI Bank & Trust 101 W 2nd St	☒	☐	☐
The Current Iowa, 215 N Main St	☒	☐	☐
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

* If more space is needed, please use additional sheets.

* If you are unable to make contact with a resident/business, please indicate the date(s) and time(s) you attempted.

Steve Ahrens 3-26-2024
Signature of Applicant Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com



E 12th St

Chenhall's Staffing

E 12th St

E 12th St

Mound St

Mary's Diamonds
and Jewelry
Jewelry store

Pragmadik

Christie St

Betty's Wig Boutique
Wig shop

Jersey Ridge Rd

Eleven17

Lagomarcino's
Confectionery

The 11th Street
Precinct Bar & Grill
Grill • \$9

Christie St

Rudy's Tacos
Mexican • \$8

Brew

Freddy's
Bakery
Pet supply

E 11th St

E 11th St

E 11th St

Mound St

The Mound

The Village Theatre

CITY OF DAVENPORT

VILLAGE OF EAST DAVENPORT BUSINESS ASSOCIATION

STREET CLOSING PETITION FOR SPECIAL EVENTS

Master Business & Address List

NAME & ADDRESS

- #1 11th Street Precinct, 1107 Mound Street
- #2 Winddancer Boutique, 2114 East 11th Street
- #3 Grumpy's Village Saloon, 2120 East 11th Street
- #4 McClellan Stockade, 2124 East 11th Street
- #5 Lagomarcino's, 2132 East 11th Street
- #6 Vacant, 2200 East 11th Street
- #7 Vacant, 1105 Christie Street
- #8 Mint Green, 2208 East 11th Street
- #9 Rudy's Cantina, 2214 East 11th Street
- #10 Bubble Tea Company, 2218 East 11th Street
- #11 D'Ville, 2228 East 11th Street
- #12 Brew, 1104 Jersey Ridge Road
- #13 Edward Jones, 2107 East 11th Street
- #14 Camp McClellan Cellars, 2302 East 11th Street
- #15 Blevins Brothers Bird Shop, 1108 Jersey Ridge Road
- #16 Royal T's, 1114 Jersey Ridge Road
- #17 Kaleidoscope Artworks, 2302 East 11th Street
- #18 Freddy's Fritters, 1111 Jersey Ridge Road
- #19 Sunlight Yoga Studio

CITY OF DAVENPORT

STREET CLOSING PETITION FOR SPECIAL EVENTS - VILLAGE HOPS

On **June 8, 2024** there is proposed a street closing, requested by **The Village of East Davenport Business Association**, which will require the closing of **East 11th Street** between **Mound Street and Jersey Ridge Road and Jersey Ridge Road** between **East 11th Street** and **the alley**, during the hours of **2:00 p.m. to 6:00 p.m.**

SIGNATURE	NOT		
	FAVOR	OPPOSED	CONCERNED
#1_____Per email - John Wisor_____	☒	☐	☐
#2_____Per email - Mhisho Vuong-Lynch_____	☒	☐	☐
#3_____Per email - Carrie Peterman_____	☒	☐	☐
#4_____Per email - Cameron Cartee_____	☒	☐	☐
#5_____Per email— -Lisa Ambrose_____	☒	☐	☐
#6_____Vacant_____	☐	☐	☐
#7_____Vacant_____	☐	☐	☐
#8_____Per email –Aimee Winslow_____	☒	☐	☐
#9_____Per email—Kevin Quijas_____	☒	☐	☐
#10_____No Response_____	☐	☐	☐
#11_____No Response_____	☐	☐	☐
#12___Per email - Tracy Cameron_____	☒	☐	☐
#13___Per email - Paul Schnell_____	☒	☐	☐
#14_____Julie Keefn_____	☒	☐	☐
#15_____No Response_____	☐	☐	☐
#16___Per email - Taylor Jarrin Robinson_____	☒	☐	☐
#17___Per email - Matthew Chouteau_____	☒	☐	☐
#18___Per email - Tami Grady _____	☒	☐	☐
#19___Per email - Rebecca Sebastian_____	☒	☐	☐

City of Davenport

Department: Administration
Contact Info: Brian Krup | 563-326-6163

Action / Date
4/3/2024

Subject:

Motion approving noise variance requests on the listed date and time for outdoor events.

Common Chord; Live@Five Block Party; 129 Main Street; 5:00 p.m. - 10:30 p.m. Friday, June 7, 2024; Outdoor music, over 50 dBA. [Ward 3]

Village of East Davenport Business Association; Villages Hops; Village of East Davenport; 2:00 p.m. - 6:00 p.m. Saturday, June 8, 2024; Outdoor music, over 50 dBA. [Ward 5]

Recommendation:

Pass the Motion.

Background:

This request for a noise variance has been received pursuant to the Municipal Code of Davenport, Iowa Chapter 8.19 Noise Abatement, Section 8.19.090 Special Variances.

Attachments:

None

City of Davenport

Department: Finance
Contact Info: Jamie Swanson | 563-326-7795

Action / Date
4/3/2024

Subject:
Motion approving beer and liquor license applications.

A. New license, new owner, temporary permit, temporary outdoor area, location transfer, etc (as noted):

Ward 2

Yana Mart (Yana Mart, LLC) – 3815 West Kimberly Road – New License/Owners – License Type: Class E Liquor (Carry-Out)

B. Annual license renewals (with outdoor area renewals as noted):

Ward 1

Herbs Tap Inc (Herbs Tap, Inc) - 3701 Rockingham Road - License Type: Class C Liquor (On-Premises)

Ward 3

At the Stardust (At the Stardust, LLC) - 218 Iowa Street - License Type: Class C Liquor (On-Premises)

Daiquiri Factory (Daq Fac, LLC) - 303 West 3rd Street - License Type: Class C Liquor (On-Premises)

Half Nelson (Bucktown Restaurant Company, LLC) - 321 East 2nd Street #100 - Outdoor Area - License Type: Class C Liquor (On-Premises)

Lopiez Pizza (Lopez Curse, LLC) - 429 East 3rd Street #1 - License Type: Class C Liquor (On-Premises)

Redstone Room (River Music Experience) - 129 Main Street (2nd Floor) - License Type: Class C Liquor (On-Premises)

Scotts Shovelhead Shed (SSS, Inc) - 220 North Pine Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 4

Mississippi Valley Fairgrounds (Mississippi Valley Fair, Inc) - 2815 West Locust Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 5

Grumpy's Saloon (2118-2120, In) - 2120 East 11th Street - License Type: Class C Liquor (On-Premises)

Ward 6

Biaggi's Ristorante Italiano, LLC (Biaggi's Ristorante Italiano, LLC) - 5195 Utica Ridge Road - License Type: Class C Liquor (On-Premises)

Fresh Thyme Farmers Market (Lakes Venture, LLC) - 2130 East Kimberly Road - License Type: Class C Beer (Carry-Out)

Your Pie (The Gizzeria Group, Inc) - 4520 East 53rd Street #400 - Outdoor Area - License Type: Special Class C Beer/Wine (On-Premises)

Ward 7

Mo Brady's (DRC Ventures, Inc) - 4830 North Brady Street - License Type: Class C Liquor (On-Premises)

Ward 8

C. Request for 19/20-year-old exemption

Ward 3

At the Stardust (At the Stardust, LLC) - 218 Iowa Street - License Type: Class C Liquor (On-Premises)

Redstone Room (River Music Experience) - 129 Main Street (2nd Floor) - License Type: Class C Liquor (On-Premises)

RME Courtyard (Common Chord) - 121 West 2nd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Recommendation:
Pass the Motion.

Background:
These applications have been reviewed by the Police, Fire, and Zoning Departments.

Attachments:

1. 19-20 Year Old Exemption (Redstone Room)
2. 19-20 Year Old Exemption (At the Stardust)
3. 19-20 Year Old Exemption (RME Courtyard)

Swanson, Jamie

From: Sent on Behalf of City of Davenport, Iowa <no-reply@egovnotices.com>
Sent: Monday, March 11, 2024 11:16 AM
To: Swanson, Jamie
Subject: [EXT] 19/20-Year-Old Exemption Application Submitted - Receipt #2024-AGQHEV

ATTENTION: This is an external email.



Mon, Mar 11, 2024 11:10

City of Davenport, Iowa

19/20-Year-Old Exemption Application Submitted - Receipt #2024-AGQHEV

To:Scharlet Clement <Scharlet.Clement@davenportiowa.com>
Rebecca Woolam <Rebecca.Woolam@davenportiowa.com>
Jim Odean <James.Odean@davenportiowa.com>
Jamie Swanson <Jamie.Swanson@davenportiowa.com>

From:contactus@davenportiowa.com

Date:Mon, Mar 11, 2024 11:10

Subject:19/20-Year-Old Exemption Application Submitted - Receipt #2024-AGQHEV

A citizen submitted the following information for one or more item(s) for which you are on the notification list. The information sent to the citizen is as follows.

Item	Cost	Quantity	Total
19/20-Year-Old Exemption Application			
Application Fee: 50.00	50.00	1	50.00
Total			\$50.00

BUSINESS INFORMATION

Applicant/Legal Entity: River Music Experience
DBA: Redstone Room
Premises Address: 129 N Main Street
Business Phone Number: 563-326-1333 x 107
Retail Alcohol License #: LC0034468

MONITORING AND PREVENTION PLAN

What is the proposed duration for the exemption? (Must be within or equal to the effective dates of the active retail alcohol license.): 4/1/24 - 3/31/25

What is the primary purpose of the licensed premises/establishment?: music venue

What measures will be taken to ensure persons who are of legal age are easily distinguishable from persons who are not of legal age?: wristbands for persons 21 and up, checking IDs at the door and bar

What measures will be taken to prevent persons who are of legal age from purchasing and/or supplying alcohol to persons who are not of legal age?: wristbands given at door and bar staff will follow protocol if ID appears to be fake

Which safeguards are in place to minimize subversions to the measures taken above?: limiting the number of drinks allowed with each person

Application Fee: \$50.00

Swanson, Jamie

From: Sent on Behalf of City of Davenport, Iowa <no-reply@egovnotices.com>
Sent: Monday, March 4, 2024 12:31 PM
To: Swanson, Jamie
Subject: [EXT] 19/20-Year-Old Exemption Application Submitted - Receipt #2024-O1SQED

ATTENTION: This is an external email.



City of Davenport, Iowa

19/20-Year-Old Exemption Application Submitted - Receipt #2024-O1SQED

To:Scharlet Clement <Scharlet.Clement@davenportiowa.com>
Rebecca Woolam <Rebecca.Woolam@davenportiowa.com>
Jim Odean <James.Odean@davenportiowa.com>
Jamie Swanson <Jamie.Swanson@davenportiowa.com>
From:contactus@davenportiowa.com
Date:Mon, Mar 04, 2024 12:28
Subject:19/20-Year-Old Exemption Application Submitted - Receipt #2024-O1SQED

A citizen submitted the following information for one or more item(s) for which you are on the notification list. The information sent to the citizen is as follows.

Item	Cost	Quantity	Total
19/20-Year-Old Exemption Application			
Application Fee: 50.00	50.00	1	50.00
Total			\$50.00

BUSINESS INFORMATION

Applicant/Legal Entity: At The Stardust
DBA: At The Stardust
Premises Address: 218 Iowa St
Business Phone Number: 563-345-3878
Retail Alcohol License #: Lc0044149

MONITORING AND PREVENTION PLAN

What is the proposed duration for the exemption? (Must be within or equal to the effective dates of the active retail alcohol license.): One year

What is the primary purpose of the licensed premises/establishment?: Event venue for weddings, parties, comedy shows, rush events

What measures will be taken to ensure persons who are of legal age are easily distinguishable from persons who are not of legal age?: Over 21 will receive a wristband from security and IDs will be checked at the door and by the bartenders.

What measures will be taken to prevent persons who are of legal age from purchasing and/or supplying alcohol to persons who are not of legal age?: All staff are responsible to watch the crowd- only two drinks may be purchased at a time. Security, bartenders, & staff will watch if this activity takes place. Anyone of legal drinking age that purchases drinks for an underage person shall be removed along with the underage person-if needed the police will be called.

Which safeguards are in place to minimize subversions to the measures taken above?: Experienced security will be contracted to ensure the safety of all guests and underage persons are not drinking on premises.

Application Fee: \$50.00



APPLICATION FOR LETTER OF EXEMPTION

Ordinance 2005-212
Davenport Municipal Code Chapter 5.10.300 (C) (4)

MONITORING/PREVENTION PLAN

LICENSE NUMBER: _____ EFFECTIVE DATE: 04/01/2024
BUSINESS NAME: River Music Experience / RME Courtyard
STREET ADDRESS: 131 W 2nd St. Davenport, IA
NAME OF OWNER: Tyson Danner
PERSON COMPLETING THIS FORM: Emily McBride

DETAILS OF MONITORING/PREVENTION PLAN

The following questions must be answered in detail in order for an exemption from the ordinance to be considered. Answers must be typed or legibly printed. Use additional 8 1/2 x 11 sheet(s) of plain paper as needed.

1. What measures will you employ to cause persons under the age of 21 who are admitted to your premises to be readily distinguishable from persons who are not under 21?

wristbands for persons 21 and up, checking IDs at the door and at the bar

2. Your plan shall include safeguards to minimize subversions. For example, if underage persons are banded, what in your plan will prevent removal of the bands once they gain admittance?

wristbands given at door and bar staff will follow protocol if ID appears to be fake.

3. What measures will you employ to prevent persons on your premises who are of legal age from purchasing and/or supplying alcohol to persons on your premises who are not of legal age?

Limiting the number of drinks allowed with each person

FOR OFFICE USE ONLY	
DATE APPLICATION RECEIVED:	<u>2/26/24</u>
PUBLIC SAFETY COMMITTEE APPROVAL DATE:	_____
APPROVAL LETTER MAILED TO LICENSEE:	_____
NEW APPLICATION FEE	\$50.00
RENEWAL APPLICATION FEE	\$50.00
APPLICATION FEE PAID:	<u>2/26/24</u>

Rev: 01/21/2021

City of Davenport

Department: Public Works
Contact Info: Brian Schadt | 563-326-7923

Action / Date
4/3/2024

Subject:

Second Consideration: Ordinance amending Chapter 12.16 entitled "Curbs" of the Municipal Code of Davenport, Iowa by eliminating sections and updating language. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

The current Municipal Code identifies the street curb as the duty of the property owner to maintain. Staff recommends that since the curb functions both as a component of the street and as a storm water device, the City should maintain the curb.

Curb defects can be summarized into the following categories:

- Structural Defects (i.e., broken, heaving, leaning into traveled way)
- Drainage Issues (ponding after rains or icing issues in the winter)
- Missing
- Aesthetic (scrapes, visual cracks, deformation) – Not considered critical to the performance of the curb.

A priority based system will be instituted to determine needed curb repairs or replacement based upon their direct impact to the safety of the traveling public or impedance to storm drainage or created icing conditions. It is anticipated structural defects, missing curbs or drainage issues will be addressed utilizing existing street or stormwater repair contracts.

Attachments:

1. Ordinance
2. Current Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12.16 ENTITLED "CURBS" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY ELIMINATING SECTIONS AND UPDATING LANGUAGE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1. That Section 12.16.020 entitled "Duty of owner to maintain" of the Municipal Code of Davenport, Iowa is hereby repealed and a new 12.16.020 entitled "Construction standards" is enacted in its place to read as follows:

12.16.020 Construction standards.

Curbs constructed within the limits of the City shall conform to the current accepted construction standards or as directed by the city engineer.

Section 2. That Section 12.16.030 entitled "Power of department of construction and engineering" of the Municipal Code of Davenport, Iowa is hereby repealed and labeled RESERVED.

12.16.030 (RESERVED)

Section 3. That section 12.16.040 entitled "Assessment and levy of costs" of the Municipal Code of Davenport, Iowa is hereby repealed and labeled RESERVED.

12.16.040 (RESERVED)

Section 4. That Section 12.16.050 entitled "Permit required – Permit charge" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

12.16.050. Permit required — Permit charge.

No person, firm or corporation shall construct any curbs on public right-of-way or public easements without first having obtained a permit from the Public Works Department. The application for permit shall be in writing and shall state the owner of the property, the street upon which, and the lot, lots or parcels of ground in front of or adjacent to which the curb is to be built, the length and height and the time when the curb will be completed. The charge for each permit issued shall be as set by City Council policy.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall

be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Chapter 12.16 CURBS

12.16.010. Power of Council. [Prior code § 35-123]

The City Council shall have power to provide for the construction, reconstruction, repair, location and width of permanent curbs upon any street, highway, avenue or public ground within the limits of the City.

12.16.020. Duty of owner to maintain. [Prior code § 35-124]

It shall be the duty of every owner of a lot or piece of ground fronting on any street to keep and maintain in repair the permanent curb, which is, or shall be laid along said street in front of said lot or piece of ground.

12.16.030. Power of department of construction and engineering. [Prior code § 35-125]

The department of construction and engineering shall have power to repair curbs in a defective condition liable to cause injury to persons using the same, without notice to owners of adjacent property, and assess the expenses thereof on the property in front of which such repairs are made, and such costs and expenses shall be assessed, levied and collected as provided for the collection of the cost of the construction or laying or repairing of permanent or temporary sidewalks after notice to property owner, as provided in this chapter.

12.16.040. Assessment and levy of costs. [Ord. 74-248 § 1; prior code S 35-126]

The department of construction and engineering shall report all expenses incurred under this section to the City Council, giving a description of the lot, or part of lots, and the amount of expenses chargeable to each parcel which shall have been paid from the street fund, and the Council shall levy the same, together with all costs, as a special tax upon the lot or lots, or parts thereof, or land in front of which the said work was done, but such levy shall not be in excess of 50% of costs of curb due from each lot or part of lot or lands, and the same shall be a lien upon such land until paid and collected as other special taxes. Such assessment may be by resolution and the same shall be assessed and levied as provided by law.

12.16.050. Permit required — Permit charge. [Ord. 87-275 § 3]

No person, firm or corporation shall construct any curbs on public right-of-way or public easements without first having obtained a permit from the department of construction and engineering. The application for permit shall be in writing and shall state the owner of the property, the street upon which, and the lot, lots or parcels of ground in front of or adjacent to which the curb is to be built, the length and height and the time when the curb will be completed. The charge for each permit issued shall be \$10.

City of Davenport

Department: Public Works
Contact Info: Brian Schadt | 563-326-7923

Action / Date
4/3/2024

Subject:

Second Consideration: Ordinance amending Section 13.34.130 entitled "Storm Sewers" of the Municipal Code of Davenport, Iowa by updating language for storm sewer inspections. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

Current Municipal Code requires new storm sewers within the City to be televised by the Sewer Division of Public Works. In order to provide timely inspection of new sewers as well as maintain Sewer Division operational flexibility, the proposed wording will allow developers to televise new pipe utilizing City standards and submit for staff review prior to acceptance.

There is currently precedence in multiple communities within the State of Iowa that allow privately installed sewer that is to become public to be televised for inspection by private contractors. This televising must be completed per the Statewide Urban Design and Specifications (SUDAS) requirements. All inspection reports will need to be submitted to the Department of Engineering and Capital Projects for review. Prior to recommendation for acceptance by the City Council, any deficiencies identified by City staff will need to be corrected, prior to acceptance by the City Council.

Attachments:

1. Ordinance
2. Current Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 13.34.130 ENTITLED "STORM SEWERS" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY UPDATING LANGUAGE FOR STORM SEWER INSPECTIONS.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1. That Section 13.34.130 entitled "Storm Sewers" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

13.34.130 Storm sewers.

D. Prior to acceptance of storm sewers installed by a private contractor, all storm sewers and structures must be cleaned and televised to ensure that they meet acceptable City standards. Televising will be completed as detailed by the City standards. Fees for this service shall be set from time to time by City Council resolution and will be billed to the developer or property owner and must be paid before the system will be accepted and released for further development.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

SUBCHAPTER II.
Storm Sewers and Stormwater Routing

13.34.110. Applicability. [10-23-2019 by Ord. No. 2019-446]

The provisions of Sections 13.34.120 through 13.34.160 shall apply to the following areas under development:

- A. All residential development of two acres or more and all commercial and industrial developments in excess of one acre;
- B. Any development where the percentage of the impervious area of the lot is 50% or greater;
- C. Any development which, in the opinion of the City Engineer, lacks an adequate internal or external passage of stormwaters as to not exceed the capacity of the receiving storm sewer system.

13.34.120. Runoff calculation. [10-23-2019 by Ord. No. 2019-446]

- A. Design flows shall normally be calculated using the procedures outlined in the Soil Conservation Service's Technical Release No. 55, "Urban Hydrology for Small Watersheds," and the "Iowa Users Guide and Supplement" for said Technical Release No. 55. For drainage basins of 20 acres or less, the Rational Method may be used.
- B. In all cases, all areas are to be considered fully developed, in accordance with the City's current Sanitary Sewer Master Plan Map, which is available from the City Engineer.

13.34.130. Storm sewers. [10-23-2019 by Ord. No. 2019-446]

- A. Storm sewers and intakes shall be designed for a ten-year frequency storm in such a manner that the flooded street width shall not exceed:

Street Width (feet)	Allowable Flooded Width Each Side (feet)	Required Nonflood Lanes
27	8	1 10-foot lane
31	10	1 10-foot lane
35	9	2 8-foot lanes
41	10	2 10-foot lanes
45	11	2 11-foot lanes
49 and wider	12	2 12-foot lanes

- B. An acceptable method of determining the flooded width of the street shall be the

use of width-discharge curves provided by the City.

- C. An acceptable method of determining catch basin capacity for various conditions shall be the use of capacity charts provided by the City.
- D. Prior to acceptance of storm sewers installed by a private contractor, the City of Davenport Sewer Division must televise the lines to ensure that they meet acceptable City standards. Fees for this service shall be set from time to time by City Council resolution and will be billed to the developer or property owner and must be paid before the system will be accepted and released for further development.

13.34.140. Excess stormwater passageway. [10-23-2019 by Ord. No. 2019-446]

- A. An excess stormwater passageway easement shall be provided for all developments. Such passage shall have the capacity to convey through the proposed development the excess stormwater from the tributary watershed. The capacity of such excess stormwater passage shall be constructed in such a manner as to transport the peak rate of runoff from a 100-year return frequency storm, assuming all storm sewers are inoperative, all upstream areas are fully developed in accordance with the City's current land use plan, and that antecedent rainfall has saturated the tributary watershed.
- B. No buildings or structures shall be constructed within such passage; however, streets, parking lots, playgrounds, park areas, pedestrian walkways, utility easements and other open space uses shall be considered compatible uses. In the event such passageway is reshaped or its capacity to transport excess stormwater otherwise restricted, the City Engineer shall notify the agency, party or parties causing said restriction to remove the same and set a reasonable time for its removal. If said persons refuse to or are unable to comply with said order, the City Engineer shall cause said restrictions to be removed at the expense of said persons.
- C. Where specifically approved by the City Engineer, the excess stormwater passageway may consist of a conduit. In such cases, the inlet capacity shall be twice the capacity necessary to convey the 100-year stormwater flow.
- D. Where a proposed development contains existing natural drainage, appropriate land planning shall be undertaken to preserve said natural drainage as part of the excess stormwater passage.
- E. Individual lot grading in a subdivision or other larger common plan of development must comply with the City-approved final grading plan and the lowest entry elevation of the approved plat or construction plans. Final grading shall maintain the original intent and function of final grading plan, drainage areas, stormwater overland flow design and storm sewer system design. Final grading shall also maintain positive drainage away from structures; must not direct water directly toward any downgrade structure foundations; and must comply with Chapter 12.28, Driveway and Approaches, SUDAS Section 7030, International Residential Code (IRC) for frost protection of footing, and the City of Davenport SUDAS

Supplemental Specifications.

- F. Water entry levels for structures adjacent to the excess stormwater passageway shall be established one foot above the 100-year flood elevation.

13.34.150. Open channels. [10-23-2019 by Ord. No. 2019-446]

- A. The size and shape of open channels shall be designed to meet the requirements of runoff, depth, side slopes, gradient, and velocity limitations in accordance with the site conditions. Runoff shall be based on the 100-year storm frequency. Manning's Formula, as cited in most civil engineering handbooks, shall be used in hydraulic design of open channels. Channel banks shall be protected by use of low vegetation, rip-rap, or paving as design velocity dictates, subject to the approval of the City Engineer.

City of Davenport

Department: Public Works
Contact Info: Brian Schadt | 563-326-7923

Action / Date
4/3/2024

Subject:

Second Consideration: Ordinance amending Section 16.28.050 entitled "Sewers" of the Municipal Code of Davenport, Iowa by updating language for sanitary sewer inspections and sewer extensions. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

The current Municipal Code requires new sanitary sewers within the City to be televised by the Sewer Division of Public Works. In order to provide timely inspection of new sewers as well as maintain Sewer Division operational flexibility, the proposed wording will allow developers to televise new pipe utilizing City standards and submit for staff review prior to acceptance.

There is currently precedence in multiple communities within the State of Iowa that allow privately installed sewer that is to become public to be televised for inspection by private contractors. This televising must be completed per the Statewide Urban Design and Specifications (SUDAS) requirements. All inspection reports will need to be submitted to the Department of Engineering and Capital Projects for review. Prior to recommendation for acceptance by the City Council, any deficiencies identified by City staff will need to be corrected, prior to acceptance by the City Council.

Also included in the update is clarification language for extension of sanitary sewer main across developed properties. If a property is developed, this language will ensure sanitary sewer is provided through the new development as appropriate to undeveloped properties upstream.

Attachments:

1. Ordinance
2. Current Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 16.28.050 ENTITLED "SEWERS" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY UPDATING LANGUAGE FOR SANITARY SEWER INSPECTIONS AND SEWER EXTENSIONS.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1. That Section 16.28.050 entitled "Sewers" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

16.28.050 **Sewers.**

Where a public sanitary sewer is reasonably accessible, the subdivider shall connect or provide for the connection with such sanitary sewer and shall provide within the subdivision the sanitary sewer system required to make the sewer accessible to each lot in his subdivision. If additional developable land is present adjacent to the subdivision, sanitary sewer shall be extended through the property in a manner reasonably accessible to serve the undeveloped land as directed by the City Engineer or designee.

Adequate provision shall be made for the disposal of stormwater, subject to the approval of the City Engineer and the City Council. Prior to acceptance of a sanitary sewer installed by a private contractor, all sanitary sewer and structures must be cleaned and televised to ensure that they meet acceptable City standards. Televising will be completed as detailed by the City standards. Fees for this service shall be set from time to time by City Council resolution and will be billed to the developer or property owner and must be paid before the system will be accepted and released for further development.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

16.28.050. Sewers. [8-26-2020 by Ord. No. 2020-351 ; 12-4-2019 by Ord. No. 2019-530 ; Ord. 2015-85 ; Ord. 92-529]

Where a public sanitary sewer is reasonably accessible, the subdivider shall connect or provide for the connection with such sanitary sewer and shall provide within the subdivision the sanitary sewer system required to make the sewer accessible to each lot in his subdivision. Sewers on public property or easements shall have the approval of the Iowa State Board of Health. Adequate provision shall be made for the disposal of stormwater, subject to the approval of the City Engineer and the City Council. Prior to acceptance of a sanitary sewer installed by a private contractor, the City of Davenport Sewer Division must televise the lines to ensure that they meet acceptable City standards. Fees for this service shall be set from time to time by City Council resolution and will be billed to the developer or property owner and must be paid before the system will be accepted and released for further development.

City of Davenport

Department: Public Works

Contact Info: Nicole Gleason | 563-326-7734

Action / Date

4/3/2024

Subject:

First Consideration: Ordinance amending Section 13.16.060 entitled "Local limits for specific pollutants" of the Municipal Code of Davenport, Iowa to revise local discharge limits for specific pollutants. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

This Ordinance will amend Section 13.16.060(B) of the Municipal Code of Davenport, Iowa to revise the local limits for specific pollutants. Revised local discharge limits shall regulate the amounts of certain pollutants that may be discharged to the sanitary sewer system from industrial and hauled waste sources. This will alter Tables 1, 3, and 4 in the Section as is required by the City's NPDES Permit. Local limits head works allowable loading and allocation of pollutant loading to industries has been calculated according to DNR/EPA specifications and has been approved by DNR representatives.

Attachments:

1. Ordinance
2. Current Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 13.16.060 ENTITLED "LOCAL LIMITS FOR SPECIFIC POLLUTANTS" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA TO REVISE LOCAL DISCHARGE LIMITS FOR SPECIFIC POLLUTANTS.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1. That Tables 1, 3, and 4 of Section 13.16.060(B) of the Municipal Code of Davenport, Iowa be and the same are hereby amended to read as follows:

13.16.060 Local limits for specific pollutants.

Table 1	
Davenport Water Pollution Control Plant	
2606 South Concord Street	
Head Works Allowable Loading	
Pollutant	30 Day Average (lbs)
Al	5405.653
As	3.229
Ba	NA
Cd	4.892
Total Cr	86.373
Cu	61.823
Fe	682.836
Pb	17.432
Hg	1.004
Mo	44.749
Ni	34.532
Se	3.828
Ag	14.771
Zn	125.628
Total Phenols	3018.538
Total Cyanide	8.408

Table 3			
Davenport Water Pollution Control Plant			
2606 South Concord Street			
Tier 1 Significant Industrial User Local Limits			
	PB Leiner USA	Nestle Purina	Kraft Heinz
Pollutant	30 Day Average	30 Day Average	30 Day Average
Al	NA	NA	NA
As	0.17 Pounds	0.04 Pounds	0.10 Pounds
Ba	NA	NA	NA
Cd	0.080 Pounds	0.02 Pounds	0.05 Pounds
Total Cr	0.080 Pounds	0.07 Pounds	0.05 Pounds
Cu	0.17 Pounds	0.33 Pounds	0.10 Pounds
Fe	NA	NA	NA
Pb	0.17 Pounds	0.04 Pounds	0.10 Pounds
Hg	NA	NA	NA
Mo	NA	NA	NA
Ni	0.090 Pounds	0.04 Pounds	0.05 Pounds
Se	0.17 Pounds	0.04 Pounds	0.10 Pounds
Ag	0.08 Pounds	0.02 Pounds	0.05 Pounds
Zn	1.07 Pounds	1.63 Pounds	0.34 Pounds
Total Phenols	0.51 Pounds	0.06 Pounds	0.20 Pounds
Total Cyanide	0.10 Pounds	0.03 Pounds	0.06 Pounds

Table 4	
Davenport Water Pollution Control Plant	
2606 South Concord Street	
Tier 2 Significant Industrial User Local Limits	
Pollutant	30 Day Average
Al	NA
As	0.141 mg/L
Ba	NA
Cd	0.242 mg/L
Total Cr	4.441 mg/L
Cu	2.989 mg/L
Fe	NA

Pb	0.629 mg/L
Hg	NA
Mo	NA
Ni	1.770 mg/L
Se	0.121 mg/L
Ag	0.776 mg/L
Zn	5.636 mg/L
Total Phenols	115.828 mg/L
Total Cyanide	0.448 mg/L

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

Published in The Quad-City Times on _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

II.

WASTEWATER TREATMENT AND PRETREATMENT REGULATIONS.**13.16.050. User requirements. [Ord. 2018-354]**

a. The following requirements shall apply to all users of the POTW:

- (1) All users shall promptly notify the POTW in advance of any substantial change in the volume or character of pollutants in their discharge.
- (2) New or increased contributions of pollutants or changes in the nature of pollutant discharged to the POTW shall require prior approval by the Water Pollution Control Plant Manager.
- (3) Industrial users shall notify the POTW, the EPA Regional Waste Management Division Director, and state hazardous waste authorities in writing of any discharge into the POTW of a substance, which if otherwise disposed of, would be a hazardous waste under 40 CFR part 261. The notification shall comply with the requirements set forth in 40 CFR 403.12(p)
- (4) Introduction or contribution of any pollutants without the notice and approval required by this section is prohibited. Upon the receipt of notice required by this section the Water Pollution Control Plant Manager shall within 180 days or less approve the discharge if he finds the proposed discharge meets applicable pretreatment standards and requirements and would not cause the POTW to violate its NPDES permit. The Water Pollution Control Plant Manager shall deny permission for the discharge if he finds applicable pretreatment standards and requirements are not met or the discharge would cause the POTW to violate its NPDES permit. In lieu of denial of permission the Water Pollution Control Plant Manager may allow such contribution or discharge upon conditions, which would not violate applicable pretreatment standards or requirements and would not cause the POTW to violate its NPDES permit.

Any part of this section notwithstanding, upon receipt of the notice required by this section the Water Pollution Control Plant Manager may require, in addition to the requirements of this section, that an industrial user obtain a permit under this chapter.

13.16.055. Discharge prohibitions. [Ord. 2018-354]

The following prohibitions shall apply to all users of the POTW unless the user is subject to a more restrictive NCPS, IDNR, or wastewater discharge permit limit. The following substances are prohibited from discharge to the POTW:

- A. General Prohibitions: No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State or local pretreatment standards or requirements.
- B. Specific prohibitions: No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

1. Pollutants that create a fire or explosion hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 140° F. (60° C.) using test methods referenced in 40 CFR 261.21. At no time shall two successive readings on a meter capable of reading L.E.L. (lower explosive limit) at the nearest accessible point to the POTW, at the point of discharge into the POTW, or at any point in the POTW be more than 5% nor any single reading greater than 10%;
2. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.5 or greater than 12;
3. Solid or viscous pollutants which will cause obstruction to the flow in the POTW resulting in interference. Such pollutants include, but are not limited to: grease, garbage with particles greater than one-half inch any dimension, animal tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, tar, asphalt residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing waste, or tumbling and de burring stones, and wastewater containing fat, wax, O&G, or other substances which may solidify or become viscous at temperatures between 32° F. and 150° F. (0° C. and 650° C.);
4. Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate or pollutant concentration which will cause interference or pass through at the POTW or which constitutes a slug load as defined in this chapter;
5. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case wastewater or vapor having a temperature higher than 150° F. (65° C.) at the point of introduction into the POTW; and in no case waste water or vapor which alone or in concert with other discharges produces a temperature at the POTW treatment plant greater than 104° F. (40° C.);
6. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;
7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems or a public nuisance;
8. Any trucked or hauled pollutants, except at discharge points designated by the POTW;
9. Radioactive wastes unless they comply with IAC 641-40.72, 641-40.88 and 641-40 Appendix B, Table III,
10. Pollutants causing excessive discoloration (such as, but not limited to, dye waste and vegetable tanning solutions);

13.16.060. Local limits for specific pollutants. [Amended 11-9-2022 by Ord. No. 2022-528 ; Ord. 2018-354]

A. General provisions.

1. Dilution. Users shall not increase the use of process water or, in any way; attempt to dilute a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with the limitations contained in the NCPS, or with any other pollutant specific limitation developed by the City.
 2. Sample location. Measurement of pollutant concentrations to determine compliance shall be made at the point immediately following the pretreatment facility and before mixture with other waters, unless another point is designated by the Water Pollution Control Plant Manager. If necessary, the concentrations so measured shall be recomputed to exclude the effect of any dilution that is improper using the combined waste stream formula.
- B. Headworks limits - average mass. The average composite loading of all users contributing the following specific pollutants to the POTW shall not exceed the allowable total pounds. The allocation of pollutants between industrial and non- industrial sources may be adjusted by the Water Pollution Control Plant Manager provided that allowable total loading for any pollutant at the headworks of the POTW treatment plant is not exceeded.

Table 1 Davenport Water Pollution Control Plant 2606 South Concord Street Head Works Allowable Loading	
Pollutant	30 Day Average (lbs)
Al	5408.728
As	15.763
Ba	NA
Cd	3.037
Total Cr	11.252
Cu	46.237
Fe	682.836
Pb	36.657
Hg	1.004
Mo	44.749
Ni	183.286
Se	3.828
Ag	2.662
Zn	147.974
Total Phenols	3018.538

Table 1	
Davenport Water Pollution Control Plant	
2606 South Concord Street	
Head Works Allowable Loading	
Pollutant	30 Day Average (lbs)
Total Cyanide	16.446

Table 2	
Davenport Water Pollution Control Lagoon	
West Locust Street	
Head Works Allowable Loading	
Pollutant	30 Day Average (lbs)
Al	NA
As	NA
Ba	NA
Cd	0.002
Total Cr	0.062
Cu	0.084
Fe	NA
Pb	0.011
Hg	NA
Mo	NA
Ni	0.072
Se	NA
Ag	0.002
Zn	8.338
Total Phenols	NA
Total Cyanide	0.002

Table 3 Davenport Water Pollution Control Plant 2606 South Concord Street Tier 1 Significant Industrial User Local Limits			
	PB Leiner USA	Nestle Purina	Kraft Heinz
Pollutant	30 Day Average	30 Day Average	30 Day Average
Al	NA	NA	NA
As	0.14 Pounds	0.037 Pounds	0.08 Pounds
Ba	NA	NA	NA
Cd	0.070 Pounds	0.018 Pounds	0.04 Pounds
Total Cr	0.110 Pounds	0.03 Pounds	0.03 Pounds
Cu	0.320 Pounds	0.09 Pounds	0.19 Pounds
Fe	NA	NA	NA
Pb	0.070 Pounds	0.02 Pounds	0.04 Pounds
Hg	NA	NA	NA
Mo	NA	NA	NA
Ni	0.080 Pounds	0.02 Pounds	0.04 Pounds
Se	0.08 Pounds	0.02 Pounds	0.05 Pounds
Ag	0.07 Pounds	0.018 Pounds	0.04 Pounds
Zn	1.20 Pounds	0.32 Pounds	0.70 Pounds
Total Phenols	0.27 Pounds	0.071 Pounds	0.15 Pounds
Total Cyanide	0.081 Pounds	0.022 Pounds	0.05 Pounds

Table 4 Davenport Water Pollution Control Plant 2606 South Concord Street Tier 2 Significant Industrial User Local Limits	
Pollutant	30 Day Average
Al	NA
As	0.581 mg/L
Ba	NA
Cd	0.098 mg/L
Total Cr	0.199 mg/L

Table 4 Davenport Water Pollution Control Plant 2606 South Concord Street Tier 2 Significant Industrial User Local Limits	
Pollutant	30 Day Average
Cu	1.475 mg/L
Fe	NA
Pb	1.180 mg/L
Hg	NA
Mo	NA
Ni	6.937 mg/L
Se	0.127 mg/L
Ag	0.074 mg/L
Zn	4.801 mg/L
Total Phenols	115.833 mg/L
Total Cyanide	0.621 mg/L

Table 5 Davenport Water Pollution Control Lagoon West Locust Street Significant Industrial User Local Limits	
Pollutant	30 Day Average
Al	NA
As	NA
Ba	NA
Cd	0.024 mg/L
Total Cr	0.924 mg/L
Cu	1.282 mg/L
Fe	NA
Pb	0.173 mg/L
Hg	NA
Mo	NA
Ni	1.099 mg/L

Table 5	
Davenport Water Pollution Control Lagoon	
West Locust Street	
Significant Industrial User Local Limits	
Pollutant	30 Day Average
Se	NA
Ag	0.029 mg/L
Zn	5.00 mg/L
Total Phenols	NA mg/L
Total Cyanide	0.027 mg/L

C. Discharge concentration limits and review criteria.

1. The admission into the POTW of any materials, water or waste having a pollutant concentration or poundage greater than the limits in Tables 1 through 5 above, or containing pollutants not listed herein, shall be subject to the review and approval of the Water Pollution Control Plant Manager. After review of the proposed discharges, the Water Pollution Control Plant Manager may:
 - a. Reject the waste for reasons consistent with Section 13.16.020.
 - b. Require pre-treatment to an acceptable pollutant concentration for discharge to the POTW.
 - c. Require control of the quantities and rates of discharge of the water or waste.
 - d. Require payment to cover the added cost of handling and treatment of water and waste or any combination thereof.
 - e. Reduce the maximum or average mass loading of present and prospective individual users on any reasonable prorated basis to meet headworks loading limits at the POTW treatment plant.
 - f. Require the user to obtain a wastewater discharge permit and be subject to any of the rules and regulations contained therein.
 - g. Require the user to meet local limits or NCPS in cases where local limits are more restrictive than NCPS provided that headworks loading limits are met.
 - h. Initiate enforcement action in response to any non-compliance with this ordinance using the enforcement procedures outlined in this ordinance.
 - i. Take any combination of steps a through h as appropriate.
2. Users discharging wastewater to the POTW having pollutant concentrations or flows greater than the limits in Table 8 shall be considered non-domestic for purposes of sewer

charges and may be regulated or permitted by the Water Pollution Control Plant Manager as appropriate:

Table 8 Domestic Pollutant Levels	
Pollutant	Domestic Limit
BOD	250 mg/L
TSS	300 mg/L

- D. No provision of this section shall be construed to provide lesser discharge standards than are presently or may hereafter be imposed and required by USEPA or IDNR, nor to allow the average allowable total loading for any pollutant at the headworks of the POTW treatment plant to be exceeded.

13.16.065. National categorical pretreatment standards. [Ord. 2018-354]

- A. Users subject to National Categorical Pretreatment Standards (NCPS) as contained in 40 CFR Chapter I, Subchapter N, Parts 405-471 or future promulgated regulations shall comply with the standards and applicable reporting requirements under 40 CFR 403.12.
- B. New sources of categorical discharge shall meet NCPS in the shortest feasible time but in no case longer than 90 days from the commencement of discharge. Failure to comply shall be a violation of this ordinance and subject the user to enforcement action.
- C. The POTW shall notify all known affected categorical users of the applicable reporting requirements under 40 CFR 403.12. Failure of the POTW to notify the User shall not relieve the user of the duty, if any, to comply with NCPS.
- D. Where a categorical Pretreatment Standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Water Pollution Control Plant Manager may impose equivalent concentrations or mass limits in accordance with 40 CFR 403.6 (c).
- E. When the limits in a categorical Pretreatment Standard are expressed only in terms of mass of pollutant per unit of production, the Water Pollution Control Plant Manager may convert the limits to equivalent limitations expressed either as mass of pollutant discharge per day or effluent concentration for purposes of calculating effluent limitations applicable to individual Industrial Users in accordance with 40 CFR 403.6 (c) (3) and (4).
- F. When wastewater subject to a categorical Pretreatment Standard is mixed with wastewater not regulated by the same Standard, the Water Pollution Control Plant Manager shall impose an alternate limit in accordance with 40 CFR 403.6 (e).
- G. A Categorical User may obtain a net/gross adjustment to a categorical Pretreatment Standard in accordance with 40 CFR 403.15

13.16.070. State requirements. [Ord. 2018-354]

State requirements and limitations on discharges shall apply in any case where they are more

stringent than USEPA or City requirements and limitations unless allowed by the state.

13.16.075. City's right of revision. [Ord. 2018-354]

The City reserves the right to establish more stringent limitations or requirements on discharges to the POTW than those contained in this chapter if deemed necessary to comply with the purpose and policy objectives presented in section 13.16.020.

13.16.080. Pretreatment. [Ord. 2018-354]

- A. A user discharging, or with potential to discharge, any waste into the POTW as set forth in section 13.16.055, 13.16.060, 13.16.065, 13.16.070 or 13.16.075 shall be required by the Water Pollution Control Plant Manager to construct, install and operate, at the user's sole expense, such pretreatment facilities as may be required in order to:
1. Reduce the objectionable characteristics or constituents to within the maximum limits provided for in sections 13.16.055, 13.16.060, 13.16.065, and 13.16.070;
 2. Control the quantities and rates of discharge of such wastewater;
 3. Reduce the pollutants to such concentration and flows as may be contained in the user's wastewater discharge permit;
 - (a) New industrial users discharging into the POTW will be required to design and operate their pretreatment facilities to meet the domestic pollutant limits in Table 8.
 - (b) Existing industrial users planning significant modifications to their facility or discharge to the POTW will be required to install and operate pretreatment facilities to meet the domestic pollutant limits in Table 8.
 4. Prevent the discharge of liquid waste containing O&G, sand in excessive amounts, any flammable waste, or other harmful pollutants. All traps or similar devices shall be of a type and capacity needed to perform effectively and shall be readily and easily accessible for cleaning and inspection. All traps or devices shall be provided and maintained in efficient operating condition at all times. Materials removed from traps shall be considered unacceptable for disposal at the POTW treatment plant unless specifically approved by the Water Pollution Control Plant Manager.
- B. All plans, specifications, technical operating data and other information pertinent to the proposed operation and maintenance of pretreatment facilities shall be reviewed and approved by the Water Pollution Control Plant Manager prior to construction. Design and installation of such facilities shall be subject to the requirements of all applicable codes, chapters and laws, including local zoning regulations. The review and approval of such plans and operating procedures shall, in no way, relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Water Pollution Control Plant Manager under the provisions of this chapter. Any subsequent changes in the pretreatment facilities or method of operations shall be reported to and be acceptable to the Water Pollution Control Plant Manager prior to the user's initiations of the changes.

- C. Users shall continuously maintain all pretreatment facilities required by this chapter in satisfactory and effective operating condition at the sole expense of such user.
- D. No provision contained in this chapter shall be construed to prevent or prohibit a separate or special agreement between the City and any user whereby wastewater containing waste of unusual strength, character or composition may be accepted by the City for treatment, subject to additional payment by such user; provided however, that such agreement shall have the prior approval of the Water Pollution Control Plant Manager, shall not conflict with IDNR and USEPA requirements, and shall be consistent with sections 13.16.060(b), 13.16.065, 13.16.070 and 13.16.080(f) of this chapter.
- E. The Water Pollution Control Plant Manager may reject any waste, which, in the opinion of the Water Pollution Control Plant Manager, may cause interference or pass through.
- F. Users shall obtain the specific approval of the Water Pollution Control Plant Manager prior to discharging any waste resulting from a pretreatment facility to the POTW. The Water Pollution Control Plant Manager may develop a documentation system to track the transportation and final disposition of any pretreatment waste. Pretreatment waste regulated by this paragraph shall include waste generated as a result of pretreatment processes used to comply with NPDES permits, air pollution permits, wastewater discharge permits, soil/groundwater reclamation processes, and pollutants resulting from a spill of any liquid or solid material or the clean up of any such spill. Pretreatment waste is prohibited from disposal to the water of the state except as specifically permitted by IDNR.

13.16.085. Dilution prohibited. [Ord. 2018-354]

Users shall not increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with the limitations contained in the NCPS, or with any other pollutant specific limitation developed by the City.

13.16.090. Slug/spill control. [Ord. 2018-354]

- A. Users, who upon internal review by the user personnel or upon review by the Water Pollution Control Plant Manager, are determined to have the ability to cause interference or pass through at the POTW or to discharge a slug shall provide protection from accidental discharge to the POTW of prohibited materials or other substances regulated by this chapter. Facilities to prevent accidental discharge of prohibited materials shall be at the user's cost and expense.
- B. Slug/Spill Control Plan (SCP). Users meeting the criteria in subsection A thereof shall develop a SCP and implement the plan after approval by the Water Pollution Control Plant Manager. The plan shall contain the following:
 - 1. A description of discharge practices, including non-routine batch discharges;
 - 2. A description of stored chemicals;
 - 3. Procedures for immediately notifying the POTW of slug discharges, including any that would violate the discharge prohibitions in section 13.16.055 of this chapter. Notification procedures shall comply with paragraphs (c) and (d) of this subsection;

4. A description of procedures and structures necessary to prevent adverse POTW impact from accidental spills including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.
 5. A schedule for the completion or implementation of necessary procedures and structures. Complete implementation and installation of any procedures or structures shall be according to the shortest possible schedule but in no case longer than one year. Review and approval of such plans and operating procedures shall not relieve the User from the responsibility to modify and operate its facility as necessary to meet the requirements of this chapter.
- C. Users shall immediately telephone and notify the POTW in the case of
1. Any discharge, including, but not limited to, accidental discharges, discharges of a non-routine episodic nature, a non-customary batch discharge, or a slug discharge that may cause potential problems for the POTW.
 2. Any discharge, which violates section 13.16.055 of this chapter.
 3. Any discharge into the POTW of a substance which is a listed or characteristic waste under 40 CFR 261. This type of discharge will also be require additional immediate reporting to the USEPA Regional Director and IDNR.
- D. Immediate notification requirements shall include the name of caller, location and time of discharge, pollutant concentration, volume and the corrective actions taken.
- E. Users shall submit a written report to the Water Pollution Control Plant Manager within five days following such an accidental or deliberate discharge describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Users shall submit follow up reports as may be required by the Water Pollution Control Plant Manager. Such report, or reports, shall not relieve the User of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such report relieve the user of any fines, civil penalties, or other liability which may be imposed by this chapter or otherwise. Failure to report accidental or deliberate discharges may, in addition to any other remedies available to the City, result in the revocation of the discharger's wastewater discharge permit.
- F. Users shall control production or all discharges to the extent necessary to maintain compliance with all applicable regulations upon reduction, loss, or failure of its pretreatment facility until the facility is restored or an alternative method of pretreatment is provided. This requirement applies in the situation where, among other things, the primary source of power to the user's pretreatment facility is reduced, lost or fails.
- G. Users required to have a SCP must permanently post a notice in English and the language of common use on the user's bulletin board or other prominent place advising employees whom to call should a prohibited discharge occur. Users shall insure that all employees who are in a position to cause, discover, or observe such an accidental discharge are advised of the

emergency notification procedures.

13.16.095. Treatment upsets. [Ord. 2018-354]

- A. For the purposes of this section, Upset means an exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment Standards because of factors beyond the reasonable control of the User. An Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- B. An Upset shall constitute an affirmative defense to an action brought for noncompliance with categorical Pretreatment Standards if the requirements of paragraph (c) are met.
- C. An User who wishes to establish the affirmative defense of Upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - 1. An Upset occurred and the User can identify the cause(s) of the Upset;
 - 2. The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures;
 - 3. The User has submitted the following information to the POTW within 24 hours of becoming aware of the Upset (if this information is provided orally, a written submission must be provided within five days):
 - (a) A description of the Indirect Discharge and cause of noncompliance;
 - (b) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue;
 - (c) Steps being taken and/or planned to reduce, eliminate and prevent recurrence of the noncompliance.
- D. In any enforcement proceeding the Industrial User seeking to establish the occurrence of an Upset shall have the burden of proof.
- E. Users will have the opportunity for a judicial determination on any claim of upset only if an enforcement action brought for noncompliance with categorical pretreatment.
- F. The User shall control production or all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails.

13.16.100. Treatment bypass. [Ord. 2018-354]

- A. Bypass is prohibited unless it is unavoidable to prevent loss of life, personal injury, or severe property damage or no feasible alternatives exist such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment

downtime.

- B. The user may allow a bypass to occur which does not cause a violation of pretreatment standards, but only if it is for essential maintenance to assure efficient operation.
- C. Notification of Bypass:
 - 1. Anticipated Bypass. If the user knows in advance of the need for a bypass, it shall submit prior written notice, at least 10 days before the date of the bypass, to the Water Pollution Control Plant Manager.
 - 2. Unanticipated Bypass. The user shall immediately notify the Water Pollution Control Plant Manager and submit a written notice to the POTW within five days. This report shall specify:
 - (a) A description of the bypass, its cause, and the duration;
 - (b) Whether the bypass has been corrected;
 - (c) The steps being taken or to be taken to reduce, eliminate and prevent a reoccurrence of the bypass.
- D. Proper notification shall not relieve the user of liability for treatment costs and fees or other remedies as provided for in Section 13.16.080.

13.16.105. Comprehensive sewer service charges - Enumerated. [Ord. 2018-354]

Every person whose premises are served by connection to the sanitary sewer system of the City either directly or indirectly, shall pay to the City a comprehensive sewer service charge for the use of and for services supplied by the wastewater facilities of the City, which charges shall consist of:

- (1) A basic user charge;
- (2) A surcharge for the O & M of the wastewater treatment plant for wastes contributed of strengths greater than domestic wastewater. All users contributing wastewater in excess of the concentrations hereafter listed shall be assessed a surcharge, which shall be in addition to the rates and charges ordinarily billed to such users for sewer use:

Table 10 Surcharged Pollutants	
Pollutant	
BOD	
TSS	

- (3) A customer charge.

13.16.106. Rates. [Amended 5-24-2023 by Ord. No. 2023-229 ; Ord. 2018-354]

The rates for the comprehensive sewer service charges shall be reviewed annually and established from time to time by City Council ordinance and shall be as follows:

- A. For Basic User Charge. The basic user charge shall be based on the quantity of flow estimated or actual flow of wastewater recorded by meters. The unit charge for wastewater measured in 100 cubic feet shall be computed as follows:
 - 1. Unit Cost. The unit cost per 100 cubic feet shall be determined by dividing the anticipated budget for operation and maintenance of the wastewater treatment plant and the sanitary sewer system including debt service and anticipated, current year capital improvements by the estimated quantity of flow billed to all users of the sanitary sewer system.
- B. For Surcharge. The surcharge for the O & M cost of the wastewater treatment plant shall be collected from those users who contribute wastes which strengths are greater than domestic wastewater. These users shall be sampled, and the sample analyzed at least once per month.
 - 1. Monthly Excess BOD. The monthly excess BOD, expressed in milligrams per liter, shall be calculated by subtracting the BOD of domestic wastewater (250 milligrams per liter) from the monthly average BOD of a user. If the value is less than zero, zero shall be used to compute the average of excess BOD.
 - 2. BOD Surcharge Amount. The surcharge for BOD shall be calculated by multiplying the excess BOD value by the unit BOD cost per pound.
 - 3. Monthly Excess SS. The monthly excess SS, expressed in milligrams per liter, shall be calculated by subtracting the SS of domestic wastewater (300 milligrams per liter) from the monthly average SS of a user. If the value is less than zero, zero shall be used to compute the average of excess SS.
 - 4. SS Surcharge Amount. The surcharge for SS shall be calculated by multiplying the excess SS value by the unit SS cost per pound. The total surcharge shall then be a summation of the surcharge for BOD and the surcharge for SS.
- C. For the Customer Charge.
 - 1. The cost of determining the amount due from each user and the collecting of same shall be borne by the user. Each user shall be billed on a regular basis, i.e., monthly or quarterly, for the amount of the comprehensive sewer service charges.
 - 2. Each regular bill shall be increased by a charge to defray the cost of computing and mailing the bill. The cost per bill will be determined by dividing the anticipated budget, including the portion of the debt service and the anticipated current year capital improvements, by the total number of bills mailed to the users.
- D. For single-family detached residential customers who are billed quarterly, the basic user charge shall be computed using the rate as determined in subsection A of this section, multiplied by the actual amount of water supplied by the water company (Iowa-American Water Company) as shown by the water meter readings of that company or 35 ccf, whichever

is less. All other customers shall pay a basic user charge based upon the amount of water supplied by the water company as shown by the water meter readings of that company.

- E. **Special Rates. Grounds; Approval.** Where, in the judgment of the Council, special conditions surround the use of water to the extent that the application of the comprehensive sewer user charge or method of measurement would be inequitable or unfair to either the City or the user, a special rate or method of measurement shall be established by the City. Such rates or methods of measurement shall be subject to approval by resolution of the Council. In such cases, the City Council may require that water consumed on the premises concerned shall be separately metered at the expense of the user, who shall also pay the cost of the reading resulting there from. In all cases, the comprehensive sewer user charge resulting shall be on an equal basis as nearly as may be with charges which would apply to an equal quantity and character of waste of other users of the wastewater system.
- F. **Replacement Component. Calculation; Use.** The replacement component shall be 15% of the operation and maintenance (O & M) budget approved for the wastewater treatment plant in each fiscal year. The replacement component shall be calculated in each fiscal year and shall be added to the total O & M budget for the wastewater treatment plant for such year. Any portion of a replacement component which has not been used in a fiscal year shall not lapse but shall be retained, together with any interest accrued thereon; shall be carried forward and combined with any unused portion of any other replacement component for the current fiscal year, to be used to replace equipment at the wastewater treatment plant. A replacement component and any unused portion of a prior replacement component, plus any interest thereon, which has been carried forward as herein provided, shall be used only to replace equipment at the wastewater treatment plant. The O & M budget for the wastewater treatment plant plus the replacement component for the current fiscal year shall be used as the anticipated budget for calculating comprehensive sewer service charges for the use of the wastewater treatment plant.
- G. All sewer fees billed after the ordinance effective date will use the revised rate schedule.

13.16.107. Rates - Amount. [3-9-2022 by Ord. No. 2022-126 ; Ord. 2018-354 ; Ord. 2018-87 §§ 1-9; Ord. 2016-160 §§ 1-3; Ord. 2014-85 §§ 1 — 4; Ord. 2013-277 ; Ord. 2012-49 §§ 1 — 4; Ord. 2010-60 § 1-4; Ord. 2008-155 § 1; Ord. 2007-91 § 1; 2003-27 § 1 (part)]

The rates for comprehensive sewer service supplied by the wastewater facilities of the City shall be as follows:

- A.
 - 1. Effective July 1, 2022: 572.00 cents per one hundred cubic feet of water use as determined by water meter readings.
 - 2. Effective July 1, 2023: 601.00 cents per one hundred cubic feet of water use as determined by water meter readings.
 - 3. Effective July 1, 2024: 631.00 cents per one hundred cubic feet of water use as determined by water meter readings.
- B.
 - 1. Effective July 1, 2022:
 - a. 2184.00 cents per bill for monthly billed commercial customers,

- b. 1196.00 cents per bill for monthly billed residential customers,
 - c. 2937.00 cents per bill for quarterly commercial billed customers,
 - d. 2987.00 cents per bill for quarterly residential billed customers.
- 2. Effective July 1, 2023:
 - a. 2293.00 cents per bill for monthly billed commercial customers,
 - b. 1245.00 cents per bill for monthly billed residential customers,
 - c. 3084.00 cents per bill for quarterly billed commercial customers,
 - d. 3134.00 cents per bill for quarterly billed residential customers.
- 3. Effective July 1, 2024:
 - a. 2408.00 cents per bill for monthly billed commercial customers, .
 - b. 1296.00 cents per bill for monthly billed residential customers,
 - c. 3238.00 cents per bill for quarterly commercial billed customers,
 - d. 3288.00 cents per bill for quarterly residential billed customers
- C. 8.08 cents per pound of excess "BOD" over domestic strength wastewater.
- D. 17.61 cents per pound of excess suspended solids over domestic strength wastewater.
- E. 15,000 CCF Maximum Flow Per Day. The average flow shall be determined by dividing the total flow in the billing period by the number of days in the billing period. If the average flow exceeds 15,000 ccf per day, the quantity of 15,000 ccf multiplied by the number of days in the billing period shall be substituted in the calculation.
- F. 1. Effective July 1, 2018. \$0.50 of rates established in Section B for residential customers per quarter to fund the no-fault sewer backup reimbursement program. [**Ord. 2018-87 § 9**]

13.16.108. Unpaid fees. [Amended 5-11-2022 by Ord. No. 2022-245 ; Ord. 2018-354]

- A. Unpaid sewer fees will be handled by one or a combination of the following collection methods:
 - 1. The City Treasurer shall certify to the County Treasurer any comprehensive sewer user charge which is owed 60 days after the invoice is issued. All certified charges constitute a lien upon the premises served by the sanitary sewer system for which the charges were made and shall be collected in the same manner as taxes. Failure to send or receive a bill for comprehensive sewer user charges is not a defense to the collection of the charges.
 - 2. Add a collection fee to customer balances and turn accounts over to a collection agency.

3. Turn accounts over to the State of Iowa to participate in the Iowa Income Offset program which is covered under Chapter 8A.504 of the Iowa Code.
4. City staff may order suspension of utility services to those premises for which the comprehensive sewer and/or clean water user charge is delinquent including but not limited to notifying Iowa American Water (IAW) to suspend water service as allowed by State of Iowa Code §476.20(I)(b) and 199 IAC 21.4(7).
 - a. Disconnection of service shall be permitted according to the conditions:
 - i. The City must enter into an agreement with Iowa American Water.
 - ii. The City shall notify the person promptly of the reason for refusal to serve and the person's right to file a complaint with the Iowa Utilities Board.
 - iii. The customer must have a combined delinquent balance of sewer and clean water fees in excess of an amount to be established by the Finance Director after notice is provided to the Mayor and City Council.
 - iv. The City must send a letter to the customer notifying the customer of the delinquent balance, allow the customer 12 days to respond excluding Sundays and holidays.
 - v. Allow the customer to enter up to two written agreements for the duration of 12 months to pay off the delinquent balance.
 - vi. Reconnect fees must be consistent with the water utilities approved tariff.
5. Collection fees shall be established by and additional collection methods may be initiated by the Finance Director.

13.16.109. Fees. [Added 3-22-2023 by Ord. No. 2023-130 ; Ord. 2018-354]

Fees for Compost tipping, Water Pollution Control Plant hauled waste, Water Pollution Control Plant permits for hauled waste, and the sale of Compost goods shall be set by resolution of the City Council.

City of Davenport

Department: Public Works

Contact Info: Kevan Oliver | 563-327-5183

Action / Date

4/3/2024

Subject:

Resolution accepting work completed under the FY 2020 Contract Sewer Repair Program by Hagerty Earthworks, LLC of Muscatine, Iowa in the amount of \$767,687.25, CIP #30044 and #33001. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

This program repaired damages to sewer infrastructure by contract. All work has been satisfactorily completed by Hagerty Earthworks, LLC of Muscatine, Iowa. The total cost was \$767,687.25.

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderman R. Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION accepting work completed under the FY 2020 Contract Sewer Repair Program by Hagerty Earthworks LLC of Muscatine, Iowa in the amount of \$767,687.25, CIP #30044 and #33001.

WHEREAS, the City of Davenport entered into a contract with Hagerty Earthworks, LLC of Muscatine, Iowa for sewer repair work; and

WHEREAS, the sewer repair work performed under the above-named program has been duly and fully completed by the contractor in accordance with the terms of the contract; and

WHEREAS, the final cost of the repairs performed under this contract is \$767,687.25.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that work completed under the FY 2020 Contract Sewer Repair Program by Hagerty Earthworks, LLC of Muscatine, Iowa in the amount of \$767,687.25 is hereby accepted.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
4/3/2024

Subject:

Resolution awarding a contract for FY 2025 Iowa DOT Full Depth Patch Program to Langman Construction, Inc of Rock Island, Illinois in an amount not to exceed \$150,000, CIP #35045. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

An Invitation to Bid was issued on February 28, 2024, and sent to contractors. On March 20, 2024, the Purchasing Division opened and read three (3) responsive and responsible bids. See attached bid tab. Langman Construction, Inc of Rock Island, Illinois was the lowest responsive and responsible bidder.

The proposed improvements consist of removing and replacing full depth P.C.C. pavement and other work related thereto of various State routes within the City of Davenport, Iowa. This contract is contingent upon a signed agreement between the City of Davenport and the Iowa DOT, which states work cannot begin until July 1, 2024. Work can start on or after that date, and must be completed by October 25, 2024.

Funding for this project is from CIP #35045 | State DOT Patching Program.

Attachments:

1. Resolution
2. Bid Tab

Resolution No. _____

Resolution offered by Alderman R. Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION awarding a contract for the FY 2025 Iowa DOT Full Depth Patch Program to Langman Construction, Inc of Rock Island, Illinois in an amount not to exceed \$150,000 CIP #35045.

WHEREAS, the City needs a contract for the FY 2025 Iowa DOT Full Depth Patch Program; and

WHEREAS, Langman Construction, Inc of Rock Island, Illinois was the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the FY 2025 Iowa DOT Full Depth Patch Program is hereby awarded to Langman Construction, Inc of Rock Island, Illinois in an amount not to exceed \$150,000.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: FY 2025 Iowa DOT Full Depth Patch Program

BID NUMBER: 24-83

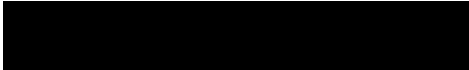
OPENING DATE: March 20, 2024

FUNDING: 7006980 530350 35045 | State DOT Patching Program

RECOMMENDATION: Award the contract to Langman Construction, Inc., of Rock Island, Illinois in an amount not to exceed \$150,000.

<u>VENDOR NAME</u>	<u>PRICE</u>
Langman Construction, Inc. of Rock Island, IL	\$138,744.86
Hawkeye Paving Corporation of Davenport, IA	\$140,258.72
Centennial Contractors of the Quad Cities of Moline, IL	\$143,844.09

Approved By  3-26-2024
Purchasing Date

Approved By  3-26-24
Dept. Director Date

Approved By  3-26-24
Budget/CIP Date

Approved By  3/28/2024
Interim City Administrator Date

City of Davenport

Department: Public Works
Contact Info: Nicole Gleason | 563-326-7734

Action / Date
4/3/2024

Subject:

Resolution awarding a one-year contract with two possible one-year renewals for Natural Resources Landscaping Maintenance Services to Delfs Landscape and Irrigation of Blue Grass, Iowa. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

An Invitation to Bid was issued on March 8, 2024, and sent to contractors. On March 25, 2024, the Purchasing Division opened and read three (3) responsive and responsible bids. See attached bid tab. Delfs Landscape and Irrigation of Blue Grass, Iowa was the lowest responsive and responsible bidder.

This contract is for the landscaping maintenance services for the Native Prairie and Natural Resources Native areas throughout the City. Maintenance is expected to be performed approximately four (4) times per growing season for the Native Prairie areas and eight (8) times per growing season for the Natural Resources Native areas. The estimated cost for this contract based on the number of sessions for each category is \$104,200.

Funding for this project is from 51251660 520217 MOW.

Attachments:

1. Resolution
2. Bid Tab

Resolution No. _____

Resolution offered by Alderman R. Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION awarding a one-year contract with two possible one-year renewals for Natural Resources Landscaping Maintenance Services to Delfs Landscape and Irrigation of Blue Grass, Iowa.

WHEREAS, the City needs a contract for Natural Resources Landscaping Maintenance Services; and

WHEREAS, Delfs Landscape and Irrigation of Blue Grass, Iowa was the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a one-year contract with two possible one-year renewals for the Natural Resources Landscaping Maintenance Services is hereby awarded to Delfs Landscape and Irrigation of Blue Grass, Iowa.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: Natural Resources Landscaping Maintenance Services

BID NUMBER: 24-85

OPENING DATE: March 25, 2024

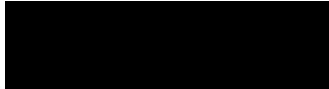
FUNDING: 51251660 520217 MOW

RECOMMENDATION: Award the contract to Delfs Landscape and Irrigation of Blue Grass, Iowa.

<u>VENDOR NAME</u>	<u>PRICE</u>
Delfs Landscape and Irrigation	Blue Grass, IA
Smith Seeding, Inc.	Bettendorf, IA
Lawns Unlimited of Iowa, Inc.	Bettendorf, IA

Approved By  3/26/2024
Purchasing Date

Approved By  3-26-24
Dept. Director Date

Approved By  3/26/24
Budget/CIP Date

Approved By  3/28/2024
Interim City Administrator Date

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
4/3/2024

Subject:

Resolution approving the plans, specifications, form of contract, and estimate of cost for the Veterans Memorial Parkway Trail Extension project, CIP #28027. [Ward 8]

Recommendation:

Adopt the Resolution.

Background:

This project will construct a recreational trail from the existing trail at Veterans Memorial Parkway to East 59th Street. Work shall include the construction of 6" thick concrete recreational trail and work associated with construction, including earthwork and grading, retaining walls, storm sewer improvements, and driveways.

This project will receive grant funding through the Transportation Alternatives Program.

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderman R. Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the Veterans Memorial Parkway Trail Extension project, CIP#28027.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the Veterans Memorial Parkway Trail Extension project; and

WHEREAS, notice of Hearing on the plans, specifications, and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the Veterans Memorial Parkway Trail Extension project.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
4/3/2024

Subject:

Resolution approving the plans, specifications, form of contract, and estimate of cost for the West Central Park Avenue (Division and Marquette Streets) Intersection Improvements project, CIP #35061. [Ward 2, 4, & 7]

Recommendation:

Approve the Resolution.

Background:

This is a pavement reconstruction project including the intersections of West Central Park Ave and Division Street and West Central Park Avenue and Marquette Street. As an intersection reconstruction project, the scope of the reconstruction is somewhat limited in extent. Work also includes bringing existing sidewalks into compliance with ADA requirements, including the installation of pedestrian crossing push button pedestals. The project also includes repair of a leaning retaining wall located along the right-of-way at 2614 Division Street.

This project will be funded by Capital Improvements Program funds using a combination of Local Option Sales Tax, Road Use Tax, and General Obligation Bond proceeds.

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderman R. Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the West Central Park Avenue (Division and Marquette Streets) Intersection Improvements project, CIP #35061.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the West Central Park Avenue (Division and Marquette Streets) Intersection Improvements project; and

WHEREAS, notice of Hearing on the plans, specifications, and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the West Central Park Avenue (Division and Marquette Streets) Intersection Improvements project.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
4/3/2024

Subject:

Resolution approving plans, specifications, form of contract, and estimate of cost for the SRF Duck Creek Golf Course Wetland project, CIP #33041. [Ward 6]

Recommendation:

Adopt the Resolution.

Background:

In conjunction with the WPCP 1930s Sanitary Sewer Interceptor project, which was eligible to utilize funding from the State Revolving Fund (SRF), the City's application for a clean water SRF water restoration sponsored project was approved. The clean water SRF project associated with these dollars will be a stormwater wetland and native prairie planting at Duck Creek Golf Course. The wetland will clean runoff from the golf course, provide a small amount of storage during Duck Creek flooding events, and provide pollinator habitat. This project will be a partnership between the City, the Iowa Department of Natural Resources, and the Iowa Department of Agriculture and Land Stewardship.

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderman R. Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the SRF Duck Creek Golf Course Wetland project, CIP #33041.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the SRF Duck Creek Golf Course Wetland project; and

WHEREAS, notice of Hearing on the plans, specifications, and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the SRF Duck Creek Golf Course Wetland project.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
4/3/2024

Subject:

Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 53rd Street Diamond Grinding project, CIP #35061. [Wards 7 & 8]

Recommendation:

Adopt the Resolution.

Background:

The section of West 53rd Street from Northwest Boulevard to Candlelight Creek was full depth patched in 2021. Intermittent patching, while structurally stable, can create a rougher driving surface. This project will grind a maximum of 1/2" off the surface, providing a smooth driving surface.

The project is scheduled to be bid this spring with construction to be complete by late summer 2024. Funding for the West 53rd St. Diamond Grinding project is established within CIP #35061.

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderman R. Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the West 53rd Street Diamond Grinding project, CIP #35061.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the West 53rd Street Diamond Grinding project; and

WHEREAS, notice of Hearing on plans, specifications, and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the West 53rd Street Diamond Grinding project.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
4/3/2024

Subject:

Resolution approving and authorizing the execution of an agreement between the City of Davenport and the Iowa Department of Transportation (DOT) covering the provision of Federal-aid funding for the Eastern Avenue (south) Bridge Over Goose Creek Replacement project, CIP #21012. [Wards 6 & 7]

Recommendation:

Adopt the Resolution.

Background:

The purpose of the project is to replace the Eastern Avenue (South) Bridge over Goose Creek. The project will consist of removal and disposal of all existing bridge components and replacement with a new bridge meeting current design standards. The Iowa DOT has provided a proposed funding agreement between the Iowa DOT and the City of Davenport. This agreement will provide 100% Federal-aid participation of construction costs or \$1,500,000, whichever is less.

The project is funded as CIP #21012 in FY 2025 to provide design and right-of-way acquisition and in FY 2026 to provide construction. The City will fund 100% of the design and right-of-way acquisition costs. City Engineering staff has reviewed the agreement and recommends its approval.

Attachments:

1. Resolution
2. Agreement

Resolution No. _____

Resolution offered by Alderman R. Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving and authorizing the execution of an agreement between the City of Davenport and the Iowa Department of Transportation (DOT) covering the provision of Federal-aid funding for the Eastern Avenue (south) Bridge Over Goose Creek Replacement project, CIP #21012.

WHEREAS, the City of Davenport recognizes that the Eastern Avenue (south) Bridge over Goose Creek, constructed in 1978, is currently in need of replacement; and

WHEREAS, the Iowa DOT is offering a 100%, or \$1,500,000, whichever is less, Federal-aid funding agreement to the City which will cover eligible construction costs related to the replacement of the above-described bridge.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the agreement between the City of Davenport and the Iowa Department of Transportation (DOT) covering the provision of Federal-aid funding for the Eastern Avenue (south) Bridge over Goose Creek Replacement project is hereby approved; and

BE IT FURTHER RESOLVED, upon passage and approval of this resolution, the Mayor is hereby authorized and directed to execute originals of the associated Federal-aid agreement on behalf of the City.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

**IOWA DEPARTMENT OF TRANSPORTATION
Federal-aid Agreement
for a City Highway Bridge Program Project**

RECIPIENT: City of Davenport

Project No: BRM-1827(698)--8N-82

Iowa DOT Agreement No: 6-24-HBP-003

CFDA No. and Title: 20.205 Highway Planning and Construction

This is an agreement between the City of Davenport, Iowa (hereinafter referred to as the RECIPIENT) and the Iowa Department of Transportation (hereinafter referred to as the DEPARTMENT). Iowa Code Sections 306A.7 and 307.44 provide for the RECIPIENT and the DEPARTMENT to enter into agreements with each other for the purpose of financing transportation improvement projects on streets and highways in Iowa with Federal funds.

The Bridge Formula Program (BFP) and the Surface Transportation Block Grant (STBG) Program make Federal funds available for replacement or rehabilitation of highway bridges on public roads on and off the Federal-aid System. A portion of BFP or STBG funds have been set aside for this purpose and designated as the City Bridge Program. In the event Highway Infrastructure Program (HIP) funding is available, it may be included for this same purpose.

Pursuant to the terms of this agreement, applicable statutes, and 761 Iowa Administrative Code (IAC) Chapter 161, the DEPARTMENT agrees to provide City Bridge Program funding to the RECIPIENT for the authorized and approved costs for eligible items associated with the project.

The RECIPIENT and the DEPARTMENT currently and previously entered into the following agreement(s) for the following funding sources related to the above referenced project:

Funding Source	Agreement No.	Project No.	Full Execution Date
Federal	6-24-HBP-003	BRM-1827(698)--8N-82	This agreement

Under this agreement, the parties further agree as follows:

1. The RECIPIENT shall be the lead local governmental agency for carrying out the provisions of this agreement.
2. All notices required under this agreement shall be made in writing to the appropriate contact person. The DEPARTMENT's contact person will be the Local Systems Project Development Engineer, Jenifer Bates, and the Eastern Region Local Systems Field Engineer, Dillon J. Feldmann, P.E. The RECIPIENT's contact person shall be the Public Works Director, Nicole Gleasen.
3. The RECIPIENT shall be responsible for the development and completion of the following bridge project:
 - A. FHWA Structure Number: 003380
 - B. Location: Eastern Ave over Goose Creek
 - C. Preliminary Estimated Total Eligible Construction Costs: \$1,800,000.00
4. The eligible project construction limits shall include the bridge plus grading and/or paving to reach a "touchdown point" determined by the DEPARTMENT. Eligible project costs include only costs associated with actual construction costs within the eligible project construction limits.
5. Costs associated with work outside the eligible project construction limits, routine maintenance activities, operations, and monitoring expenses, are not eligible. In addition, administrative costs, engineering, inspection, legal, right of way, utility relocations, activities necessary to comply with Federal and State environmental or permit requirements, and fees or interest associated with bonds or loans are not eligible.

6. The RECIPIENT shall receive reimbursement for costs of authorized and approved eligible construction project activities from City Bridge Program funds. The portion of the eligible construction project costs reimbursed by City Bridge Program funds shall be limited to a maximum of 100% of eligible costs or \$1,500,000, whichever is less. Reimbursed costs will be limited to funding made available for cities through the City Bridge Program outlined in 761 Iowa Administrative Code, Chapter 161 and Local Systems Instructional Memorandum [\(I.M.\) 1.100](#) in place at the time of this agreement being fully executed.
7. The RECIPIENT shall conduct project development and implementation in compliance with applicable laws, ordinances, and administrative rules. For projects which also include Farm-to-Market funds, the RECIPIENT shall follow all administrative and contracting procedures required for Farm-to-Market projects.
8. The RECIPIENT shall pay for all project costs not reimbursed with City Bridge Program funds.
9. The RECIPIENT shall let the project for bids through the DEPARTMENT.
10. If any part of this agreement is found to be void and unenforceable, the remaining provisions of this agreement shall remain in effect.
11. It is the intent of both (all) parties that no third-party beneficiaries be created by this agreement.
12. Responsibility for compliance with the Federal and State laws, regulations, policies, or procedures required by this agreement is not assignable without the prior written consent of the DEPARTMENT.
13. The project shall be let to contract within 3 years of the date this agreement is signed by the DEPARTMENT. If not, the RECIPIENT may be in default, for which the DEPARTMENT may revoke funding commitments. This agreement may be extended for a period of 6 months upon receipt of a written request from the RECIPIENT at least 30 days prior to the 3-year deadline.
14. This agreement and the attached Exhibit 1 constitute the entire agreement between the DEPARTMENT and the RECIPIENT concerning this project. Representations made before the signing of this agreement are not binding, and neither party has relied upon conflicting representations in entering into this agreement. Any change or alteration to the terms of this agreement shall be made in the form of an addendum to this agreement. The addendum shall become effective only upon written approval of the DEPARTMENT and the RECIPIENT.

IN WITNESS WHEREOF, each of the parties hereto has executed this Agreement as of the date shown opposite its signature below.

RECIPIENT: City of Davenport

By _____ Date _____, _____

Title _____

I, _____, certify that I am the Clerk of the City, and that _____,

who signed said Agreement for and on behalf of the City was duly authorized to execute the same by virtue of a

formal Resolution duly passed and adopted by the City, on the _____ day of _____, _____.

Signed _____ Date _____, _____

City Clerk of Davenport, Iowa

IOWA DEPARTMENT OF TRANSPORTATION
Highway Administration

By _____ Date _____, _____

Eryn M. Stone, P.E.
Urban Engineer
Local Systems Bureau

EXHIBIT 1

General Agreement Provisions for use of Federal Highway Funds on Non-primary Projects

Unless otherwise specified in this agreement, the RECIPIENT shall be responsible for the following:

1. General Requirements.

- a. The RECIPIENT shall take the necessary actions to comply with applicable State and Federal laws and regulations. To assist the RECIPIENT, the DEPARTMENT has provided guidance in the Federal-aid Project Development Guide (Guide) and the Instructional Memorandums to Local Public Agencies (I.M.s) that are referenced by the Guide. Both are available on-line at: https://www.iowadot.gov/local_systems/publications/im/lpa_ims.htm. The RECIPIENT shall follow the applicable procedures and guidelines contained in the Guide and I.M.s in effect at the time project activities are conducted.
- b. In accordance with Title VI of the Civil Rights Act of 1964 and associated subsequent nondiscrimination laws, regulations, and executive orders, the RECIPIENT shall not discriminate against any person on the basis of race, color, national origin, sex, age, or disability. In accordance with Iowa Code Chapter 216, the RECIPIENT shall not discriminate against any person on the basis of race, color, creed, age, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability. The RECIPIENT agrees to comply with the requirements outlined in [I.M. 1.070](#), Title VI and Nondiscrimination Requirements, which includes the requirement to provide a copy of the Subrecipient's Title VI Plan or Agreement and Standard DOT Title VI Assurances to the Department.
- c. The RECIPIENT shall comply with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973 (Section 504), the associated Code of Federal Regulations (CFR) that implement these laws, and the guidance provided in [I.M. 1.080](#), ADA Requirements. When bicycle and/or pedestrian facilities are constructed, reconstructed, or altered, the RECIPIENT shall make such facilities compliant with the ADA and Section 504, which includes following the requirements set forth in Chapter 12A for sidewalks and Chapter 12B for Bicycle Facilities of the Iowa DOT Design Manual.
- d. To the extent allowable by law, the RECIPIENT agrees to indemnify, defend, and hold the DEPARTMENT harmless from any claim, action or liability arising out of the design, construction, maintenance, placement of traffic control devices, inspection, or use of this project. This agreement to indemnify, defend, and hold harmless applies to all aspects of the DEPARTMENT's application review and approval process, plan and construction reviews, and funding participation.
- e. As required by the 2 CFR 200.501 "Audit Requirements," a non-Federal entity expending \$750,000 or more in Federal awards in a year shall have a single or program-specific audit conducted for that year in accordance with the provision of that part. Auditee responsibilities are addressed in Subpart F of 2 CFR 200. The Federal funds provided by this agreement shall be reported on the appropriate Schedule of Expenditures of Federal Awards (SEFA) using the Catalog of Federal Domestic Assistance (CFDA) number and title as shown on the first page of this agreement. If the RECIPIENT will pay initial project costs and request reimbursement from the DEPARTMENT, the RECIPIENT shall report this project on its SEFA. If the DEPARTMENT will pay initial project costs and then credit those accounts from which initial costs were paid, the DEPARTMENT will report this project on its SEFA. In this case, the RECIPIENT shall not report this project on its SEFA.
- f. The RECIPIENT shall supply the DEPARTMENT with all information required by the Federal Funding Accountability and Transparency Act of 2006 and 2 CFR Part 170.
- g. The RECIPIENT shall comply with the following Disadvantaged Business Enterprise (DBE) requirements:
 - i. The RECIPIENT shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The RECIPIENT shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts.
 - ii. The RECIPIENT shall comply with the requirements of [I.M. 5.010](#), DBE Guidelines.

- iii. The DEPARTMENT's DBE program, as required by 49 CFR Part 26 and as approved by the Federal Highway Administration (FHWA), is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the RECIPIENT of its failure to carry out its approved program, the DEPARTMENT may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
- h. Termination of funds. Notwithstanding anything in this agreement to the contrary, and subject to the limitations set forth below, the DEPARTMENT shall have the right to terminate this agreement without penalty and without any advance notice as a result of any of the following: 1) The Federal government, legislature or governor fail in the sole opinion of the DEPARTMENT to appropriate funds sufficient to allow the DEPARTMENT to either meet its obligations under this agreement or to operate as required and to fulfill its obligations under this agreement; or 2) If funds are de-appropriated, reduced, not allocated, or receipt of funds is delayed, or if any funds or revenues needed by the DEPARTMENT to make any payment hereunder are insufficient or unavailable for any other reason as determined by the DEPARTMENT in its sole discretion; or 3) If the DEPARTMENT's authorization to conduct its business or engage in activities or operations related to the subject matter of this agreement is withdrawn or materially altered or modified. The DEPARTMENT shall provide the RECIPIENT with written notice of termination pursuant to this section.

2. Programming.

- a. The RECIPIENT shall be responsible for including the project in the appropriate Regional Planning Affiliation (RPA) or Metropolitan Planning Organization (MPO) Transportation Improvement Program (TIP). The RECIPIENT shall also ensure that the appropriate RPA or MPO, through their TIP submittal to the DEPARTMENT, includes the project in the Statewide Transportation Improvement Program (STIP). If the project is not included in the appropriate fiscal year of the STIP, Federal funds cannot be authorized.
- b. Upon receipt of Federal Highway Administration (FHWA) authorization a Federal Award Identification Number (FAIN) will be assigned to this project by the FHWA based on a methodology that incorporates identifying information about the federal award such as the federal funding program code and the federal project number. This FAIN will be used to identify this project and award on the federal government's listing of financial assistance awards consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA) at usaspending.gov.
- c. A period of performance for this federal funding award will be established at the time of FHWA authorization. The start date of the period of performance will be the FHWA authorization date. The project end date (PED) will be determined according to the methodology in I.M. 1.200, Federal Funds Management. Costs incurred before the start date or after the PED of the period of performance will not be eligible for reimbursement.

3. Design and Consultant Services

- a. The RECIPIENT shall be responsible for the design of the project, including all necessary plans, specifications, and estimates (PS&E). The project shall be designed in accordance with the design guidelines provided or referenced by the DEPARTMENT in the Guide and applicable I.M.s.

4. Environmental Requirements and other Agreements or Permits.

- a. The RECIPIENT shall take the appropriate actions and prepare the necessary documents to fulfill the FHWA requirements for project environmental studies including historical/cultural reviews and location approval. The RECIPIENT shall complete any mitigation agreed upon in the FHWA approval document. These procedures are set forth in [I.M. 3.020](#), Concept Statement Instructions; [4.020](#), NEPA Process; [4.110](#) Threatened and Endangered Species; and [4.120](#), Cultural Resource Regulations.
- b. If farmland is to be acquired, whether for use as project right-of-way or permanent easement, the RECIPIENT shall follow the procedures in I.M. [4.170](#), Farmland Protection Policy Act.

- c. The RECIPIENT shall obtain project permits and approvals, when necessary, from the Iowa DEPARTMENT of Cultural Affairs (State Historical Society of Iowa; State Historic Preservation Officer), Iowa Department of Natural Resources, U.S. Coast Guard, U.S. Army Corps of Engineers, the DEPARTMENT, or other agencies as required. The RECIPIENT shall follow the procedures in I.M. [4.130](#), 404 Permit Process; [4.140](#), Storm Water Permits; [4.150](#) Iowa DNR Floodplain Permits and Regulations; [4.190](#), Highway Improvements in the Vicinity of Airports or Heliports; and [4.160](#), Asbestos Inspection, Removal, and Notification Requirements.
- d. In all contracts entered into by the RECIPIENT, and all subcontracts, in connection with this project that exceed \$100,000, the RECIPIENT shall comply with the requirements of Section 114 of the Clean Air Act and Section 308 of the Federal Water Pollution Control Act, and all their regulations and guidelines. In such contracts, the RECIPIENT shall stipulate that any facility to be utilized in performance of or to benefit from this agreement is not listed on the Environmental Protection Agency (EPA) List of Violating Facilities or is under consideration to be listed.

5. Right-of-Way, Railroads and Utilities.

- a. The RECIPIENT shall acquire the project right-of-way, whether by lease, easement, or fee title, and shall provide relocation assistance benefits and payments in accordance with the procedures set forth in [I.M. 3.600](#), Right-of-Way Acquisition, and the DEPARTMENT's Right of Way Bureau Local Public Agency Manual. The RECIPIENT shall contact the DEPARTMENT for assistance, as necessary, to ensure compliance with the required procedures, even though no Federal funds are used for right-of-way activities. If Federal-aid will not be used in the cost of acquiring right-of-way, acquisition activities may begin prior to FHWA Environmental Concurrence. However, such acquisitions cannot affect the National Environmental Policy Act (NEPA) decision making process.
- b. If a railroad crossing or railroad tracks are within or adjacent to the project limits, the RECIPIENT shall obtain agreements, easements, or permits as needed from the railroad. The RECIPIENT shall follow the procedures in [I.M. 3.670](#), Work on Railroad Right-of-Way and [I.M. 3.680](#), Federal-aid Projects Involving Railroads.
- c. The RECIPIENT shall comply with the Policy for Accommodating Utilities on City and County Federal-aid Highway Right of Way for projects on non-primary Federal-aid highways. For projects connecting to or involving some work inside the right-of-way for a primary highway, the RECIPIENT shall follow the DEPARTMENT's Policy for Accommodating Utilities on Primary Road System. The RECIPIENT should also use the procedures outlined in [I.M. 3.640](#), Utility Accommodation and Coordination, as a guide to coordinating with utilities.

6. Contract Procurement.

The following provisions apply only to projects involving physical construction or improvements to transportation facilities:

- a. The project plans, specifications, and cost estimate (PS&E) shall be prepared and certified by a professional engineer, architect, or landscape architect, as applicable, licensed in the State of Iowa.
- b. For projects let through the DEPARTMENT, the RECIPIENT shall be responsible for the following:
 - i. Prepare and submit the PS&E and other contract documents to the DEPARTMENT for review and approval in accordance with [I.M. 3.700](#), Check and Final Plans and [I.M. 3.500](#), Bridge or Culvert Plans, as applicable.
 - ii. The contract documents shall use the DEPARTMENT's Standard Specifications for Highway and Bridge Construction. Prior to their use in the PS&E, specifications developed by the RECIPIENT for individual construction items shall be approved by the DEPARTMENT.
 - iii. Follow the procedures in [I.M. 5.030](#), Iowa DOT Letting Process, to analyze the bids received, make a decision to either award a contract to the lowest responsive bidder or reject all bids, and if a contract is awarded, and execute the contract documents in Doc Express.

- c. For projects that are let locally by the RECIPIENT, the RECIPIENT shall follow the procedures in [I.M. 5.120](#), Local Letting Process- Federal-aid.
- d. The RECIPIENT shall forward a completed Project Development Certification (Form 730002) to the DEPARTMENT in accordance with [I.M. 5.050](#), Project Development Certification Instructions. The project shall not receive FHWA Authorization for construction or be advertised for bids until after the DEPARTMENT has reviewed and approved the Project Development Certification.
- e. If the RECIPIENT is a city, the RECIPIENT shall comply with the public hearing requirements of the Iowa Code section 26.12.
- f. The RECIPIENT shall not provide the contractor with notice to proceed until after receiving notice in Doc Express that the Iowa DOT has concurred in the contract award.

7. Construction.

- a. A full-time employee of the RECIPIENT shall serve as the person in responsible charge of the construction project. For cities that do not have any full-time employees, the mayor or city clerk will serve as the person in responsible charge, with assistance from the DEPARTMENT.
- b. Traffic control devices, signing, or pavement markings installed within the limits of this project shall conform to the "Manual on Uniform Traffic Control Devices for Streets and Highways" per 761 IAC Chapter 130. The safety of the general public shall be assured through the use of proper protective measures and devices such as fences, barricades, signs, flood lighting, and warning lights as necessary.
- c. For projects let through the DEPARTMENT, the project shall be constructed under the DEPARTMENT's Standard Specifications for Highway and Bridge Construction and the RECIPIENT shall comply with the procedures and responsibilities for materials testing according to the DEPARTMENT's Materials I.M.s. Available on-line at: <http://www.iowadot.gov/erl/current/IM/navigation/nav.htm>.
- d. For projects let locally, the RECIPIENT shall provide materials testing and certifications as required by the approved specifications.
- e. If the DEPARTMENT provides any materials testing services to the RECIPIENT, the DEPARTMENT will bill the RECIPIENT for such testing services according to its normal policy as per [Materials I.M. 103](#), Inspection Services Provided to Counties, Cities, and Other State Agencies.
- f. The RECIPIENT shall follow the procedures in [I.M. 6.000](#), Construction Inspection, and the DEPARTMENT's Construction Manual, as applicable, for conducting construction inspection activities.

8. Reimbursements.

- a. After costs have been incurred, the RECIPIENT shall submit to the DEPARTMENT periodic itemized claims for reimbursement for eligible project costs. Requests for reimbursement shall be made at least once every six months, but not more than bi-weekly.
- b. To ensure proper accounting of costs, reimbursement requests for costs incurred prior to June 30 shall be submitted to the DEPARTMENT by August 1.
- c. Reimbursement claims shall include a certification that all eligible project costs, for which reimbursement is requested, have been reviewed by an official or governing board of the RECIPIENT, are reasonable and proper, have been paid in full, and were completed in substantial compliance with the terms of this agreement.
- d. Reimbursement claims shall be submitted on forms identified by the Department along with all required supporting documentation. The DEPARTMENT will reimburse the RECIPIENT for properly documented and certified claims for eligible project costs. The DEPARTMENT may withhold up to 5% of the Federal share of construction costs or 5% of the total Federal funds available for the project, whichever is less. Reimbursement will be made either by State warrant or by crediting other accounts from which payment was initially made. If, upon final audit or review, the DEPARTMENT determines the RECIPIENT has been

overpaid, the RECIPIENT shall reimburse the overpaid amount to the DEPARTMENT. After the final audit or review is complete and after the RECIPIENT has provided all required paperwork, the DEPARTMENT will release the Federal funds withheld.

- e. The total funds collected by the RECIPIENT for this project shall not exceed the total project costs. The total funds collected shall include any Federal or State funds received, any special assessments made by the RECIPIENT (exclusive of any associated interest or penalties) pursuant to Iowa Code Chapter 384 (cities) or Chapter 311 (counties), proceeds from the sale of excess right-of-way, and any other revenues generated by the project. The total project costs shall include all costs that can be directly attributed to the project. In the event that the total funds collected by the RECIPIENT do exceed the total project costs, the RECIPIENT shall either:
 - i. In the case of special assessments, refund to the assessed property owners the excess special assessments collected (including interest and penalties associated with the amount of the excess), or
 - ii. Refund to the DEPARTMENT all funds collected in excess of the total project costs (including interest and penalties associated with the amount of the excess) within 60 days of the receipt of any excess funds. In return, the DEPARTMENT will either credit reimbursement billings to the FHWA or credit the appropriate State fund account in the amount of refunds received from the RECIPIENT.

9. Project Close-out.

- a. Within 30 days of completion of construction or other activities authorized by this agreement, the RECIPIENT shall provide written notification to the DEPARTMENT. The RECIPIENT shall follow and request a final audit, in accordance with the procedures in [I.M. 6.110](#), Final Review, Audit, and Close-out Procedures for Federal-aid, Federal-aid Swap, and Farm-to-Market Projects. Failure to comply with the procedures will result in loss of federal funds remaining to be reimbursed and the repayment of funds already reimbursed. The RECIPIENT may be suspended from receiving federal funds on future projects.
- b. For construction projects, the RECIPIENT shall provide a certification by a professional engineer, architect, or landscape architect as applicable, licensed in the State of Iowa, indicating the construction was completed in substantial compliance with the project plans and specifications.
- c. Final reimbursement of Federal funds shall be made only after the DEPARTMENT accepts the project as complete.
- d. The RECIPIENT shall maintain all books, documents, papers, accounting records, reports, and other evidence pertaining to costs incurred for the project. The RECIPIENT shall also make these materials available at all reasonable times for inspection by the DEPARTMENT, FHWA, or any authorized representatives of the Federal Government. Copies of these materials shall be furnished by the RECIPIENT if requested. Such documents shall be retained for at least 3 years from the date of FHWA approval of the final closure document. Upon receipt of FHWA approval of the final closure document, the DEPARTMENT will notify the RECIPIENT of the record retention date.
- e. The RECIPIENT shall maintain, or cause to be maintained, the completed improvement in a manner acceptable to the DEPARTMENT and the FHWA.

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
4/3/2024

Subject:

Resolution approving the Water Quality Initiative (WQI) Grant Program agreement with the Iowa Department of Agriculture and Land Stewardship in the amount of \$99,500 for the Goose Creek Park Environmental Restoration project, and authorizing the Public Works Director/Assistant City Administrator or designer to sign necessary documents and agreements. [Ward 8]

Recommendation:

Adopt the Resolution.

Background:

In an effort to better distribute stream bank stabilization projects throughout City-owned properties and incorporate environmental justice more fully to project areas, the Goose Creek Park Environmental Restoration project was identified as a high priority. The City of Davenport entered into a contract with Impact 7G in 2022 to perform work on grant applications and preliminary plan design. The full scope of the project has an estimated cost of \$1,570,000. Since that time, both Impact 7G and City staff have been actively seeking out grant dollars in order to fully fund the Goose Creek project. The City has preliminary approval from the Land and Water Conservation fund for a grant of \$200,000. Other grants that have been applied for include the Five Star Urban Waters grant through Arconic and the Iowa American Water Environmental grant. The CIP budgeted for the project totals \$625,000 over FY 2025 and FY 2026.

Project partners include the Davenport Community School District, Partners of Scott County Watersheds, X-Stream Cleanup, Davenport Parks and Recreation, the US Fish and Wildlife Service, QC Audubon Society and QC Wild Ones.

This Water Quality Initiative (WQI) grant will partially fund two project components including two bioretention cells and a new technology called 'regenerative conveyance', which consists of a series of step pools connected with a subdrain tile and planted with native plant species. Together, these practices will slow down and clean runoff from Appomattox Road.

Other best management practices included with the overall project include:

- Community engagement with adjacent residential neighborhoods
- Stream bank stabilization with floodplain benching and in-stream habitat
- Nature-based play features
- Stream access and crossing points
- Native prairie establishment
- Canopy restoration through tree plantings
- Public education interpretive signage

Attachments:

1. Resolution
2. Contract
3. 24WQUI-007 Exhibit B Budget

Resolution No. _____

Resolution offered by Alderman R. Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving the Water Quality Initiative (WQI) Grant Program agreement with the Iowa Department of Agriculture and Land Stewardship in the amount of \$99,500 for the Goose Creek Park Environmental Restoration project, and authorizing the Public Works Director/Assistant City Administrator or designee to sign any necessary documents and agreements.

WHEREAS, the City of Davenport (the "City") is a political subdivision organized and existing under the law and the Constitution of the State of Iowa (the "State"); and

WHEREAS, the Iowa Department of Agriculture and Land Stewardship is offering a funding agreement to the City of Davenport which will cover eligible costs up to \$99,500 related to the Goose Creek Park Environmental Restoration project; and

WHEREAS, the City approves signing of the funding agreement with the Iowa Department of Agriculture and Land Stewardship.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the Water Quality Initiative (WQI) Grant Program agreement with the Iowa Department of Agriculture and Land Stewardship in the amount of \$99,500 for the Goose Creek Park Environmental Restoration project is hereby approved, and the Public Works Director/Assistant City Administrator or designee is authorized to sign the funding agreement on behalf of the City, and City staff will execute the agreement during all project stages.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

WATER QUALITY INITIATIVE
Urban Conservation Demonstration Projects

CONTRACT NUMBER:	Urban24WQUI-007
Project Name:	Goose Creek Park Bioretention Cell Project
Contract Effective Date:	March 15, 2024
Project Completion Date:	December 31, 2025
Award Amount:	\$99,500.00

COST-SHARE GRANT CONTRACT (“Contract”)

BETWEEN IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
(IDALS)
Wallace State Office Building
502 East 9th St.
Des Moines, Iowa 50319

IDALS Contact Person: Paul Miller

Phone: (515) 281-5833

AND City of Davenport (“*GRANTEE*”)
1200 E 46th Street
Davenport, IA 52807

Grantee Contact Person: Amy Kay

Phone: (563) 327-5160

Grantee ID Number: (federal identification #): _____

WHEREAS, pursuant to Iowa Code section 466B.42, the Water Quality Initiative Program was established in order to assess and reduce nutrients in the state’s watersheds, including subwatersheds and regional watersheds, with the goal of establishing and administering projects to reduce nutrients in surface waters from nonpoint sources in a scientific, reasonable, and cost-effective manner; and,

WHEREAS, Grantee has submitted an application to the Iowa Department of Agriculture and Land Stewardship requesting assistance to help finance such a project; and,

WHEREAS, IDALS has determined Grantee’s proposed project meets the requirements established for participation in the Water Quality Initiative Program.

NOW, THEREFORE, in consideration of the mutual promises, covenants, and contracts contained herein, IDALS and Grantee agree as follows:

SECTION 1. PROJECT

“*Project*” means the detailed description of the work, services, budget and other obligations to be performed or accomplished by the Grantee as described in its Water Quality Initiative Program Application, as approved by IDALS and incorporated as Exhibit A to this Contract.

SECTION 2. PROJECT COMPLETION DEADLINE

The Project must be completed no later than **December 31, 2025**. An extension may be granted by IDALS, through an amendment, if a written request showing demonstrable progress toward completion of the Project is submitted and IDALS determines such an extension is warranted. Any extension request submitted by the Grantee must be received by IDALS no later than 30 days prior to expiration of this contract.

SECTION 3. DURATION OF COST-SHARE GRANT CONTRACT

3.1 This Contract shall become effective on the Contract Effective Date and shall remain in effect as follows:

- a) *Through Project Period Completion Date.* Through the Project Period Completion Date and for the period of time after Project Completion Date during which IDALS, or its designee, conducts Project closeout procedures to verify that the Project has been completed in compliance with the Contract.
- b) *Until Repayment or Satisfaction of Outstanding Obligation.* Until all outstanding amounts due to IDALS, if any, are received by IDALS, or all outstanding obligations to IDALS are satisfied in full.
- c) *Through Contract End Date.* Until IDALS, or its designee, has completed Contract closeout procedures and provided Grantee with written Notice of Final Contract Closeout. This Contract shall terminate as of the date stated in the written Notice of Final Contract Closeout; such date shall be the Contract End Date.

3.2 SURVIVAL OF OBLIGATIONS. Section 3.1 shall not abrogate or otherwise effect the obligations, terms, and conditions that survive beyond the Contract End Date, including but not limited to the following sections of this Contract: Section 4.4 (Accounting Records), Section 4.5 (Documentation), and Section 4.6 (Conveyance of Project Property).

SECTION 4. TERMS OF CONTRACT

4.1 GRANT. IDALS shall provide a Grant to Grantee up to the Award Amount stated on page 1 of this Contract in order to assist in financing the Project, subject to Iowa Code chapter 466B, IDALS administrative rules (located at 27 Iowa Admin. Code chapter 16), and the terms and conditions of this Contract. A copy of Grantee's Application describing the Project is an integral part of this Contract and is marked as Exhibit A and hereby incorporated herein.

4.2 MAXIMUM PAYMENTS. It is expressly understood and agreed that the maximum amounts to be paid to the Grantee by IDALS for Project activities shall conform to the budget as presented in

Contract Exhibit B - Project Budget. It is further understood and agreed that the total of all payments to the Grantee by IDALS for Project activities shall not exceed the Award Amount unless modified by written amendment of this Contract.

4.3 USE OF FUNDS. The Grantee hereby agrees to construct and operate the Project as described in its Application Exhibit A, as approved by IDALS, and Exhibit B, Project Budget. Grantee shall maintain the Project in accordance with the representations in Exhibits A and B during the term of this Contract. Grantee shall allow IDALS, its internal or external auditors, the Auditor of the State of Iowa, the Treasurer of the State of Iowa, the Attorney General of the State of Iowa, and the Iowa Division of Criminal Investigation, to inspect the Project facilities at all reasonable times in order to monitor and evaluate performance with the terms of this Contract and Iowa law.

4.4 ACCOUNTING RECORDS. Grantee shall maintain its books, records and all other evidence pertaining to this Contract in accordance with generally accepted accounting principles and such other procedures as may be specified by IDALS. These records shall be available to IDALS, its internal or external auditors, the Auditor of the State of Iowa, the Treasurer of the State of Iowa, the Attorney General of the State of Iowa, and the Iowa Division of Criminal Investigation, at all times during the duration of this Contract and any extension thereof, and for three (3) full years following the Contract End Date.

4.5 DOCUMENTATION. Within 10 days of receipt of a written request from IDALS, Grantee shall deliver to IDALS: (i) copies of all contracts or documents relating to the Project; (ii) copies of all invoices, receipts, statements or vouchers relating to the Project; (iii) a list of all unpaid bills in connection with the Project; and, (iv) budgets and revisions showing estimated Project costs and funds required at any given time to complete and pay for the Project. Grantee shall be bound by this requirement from the Effective Date to a date three (3) full years following the Contract End Date.

4.6 CONVEYANCE OF PROJECT PROPERTY. Between the Effective Date and a date three (3) full years following the Contract End Date, Grantee shall not sell, transfer, convey, assign, encumber or otherwise dispose of any portion of the Project property as described in Exhibit A without express written permission of IDALS, which permission may be withheld in the sole discretion of IDALS.

4.7 INDEPENDENT CONTRACTOR. Grantee's status shall be that of an independent contractor. Neither the Grantee, its employees, agents, or any subcontractors performing work or services for the Grantee are, or shall be deemed to be, employees or agents of the State of Iowa, and shall not be considered employees of IDALS or the State of Iowa for federal or state tax purposes. IDALS shall not withhold taxes on behalf of the Grantee unless required to do so by law.

4.8 USE OF THIRD PARTIES. IDALS acknowledges that Grantee may contract with third parties for the performance of any of the Grantee's obligations under this Contract. All subcontracts shall be subject to prior approval by IDALS. Grantee may enter into such contracts to complete the Project provided that Grantee remains responsible for all services performed under this Contract. All restrictions, obligations and responsibilities of the Grantee under this Contract shall apply to any subcontractors retained by Grantee. IDALS shall have the right to request the removal of any subcontractor from the Project for good cause. Subcontracts shall be submitted to IDALS for approval before entry into force and effect.

4.9 AWARD AMOUNT, TYPE. This is a cost-share grant award in the amount of \$99,500.

4.10 USE OF LOGOS AND SIGNAGE. The Grantee will be required to include the CleanwaterIowa.org and the IDALS logo in any marketing and outreach materials developed in conjunction with the project and funded either with grant proceeds or with matching funds.

4.11 STANDARDS AND SPECIFICATIONS. The practices installed shall comply with Iowa Stormwater Management Manual (ISWMM) standards and specifications or with USDA Natural Resources Conservation Service (NRCS) Standards and Specifications, where available.

Practice plans and designs must be approved by an Urban Conservationist assigned by IDALS following the project review and implementation guidelines established in the Water Quality Initiative Milestone Checklist prior to proceeding with design finalization or any associated construction activities.

All practices installed with WQI funds will be subject to IDALS maintenance agreement requirements to ensure the respective practice(s) will be maintained through its anticipated lifespan. Agreement durations and requirements are practice specific and should be discussed with the Urban Conservationist assigned by IDALS.

4.12 PROJECT REPORTING AND TRAINING REQUIREMENTS. A representative of the Grantee will be required to attend any IDALS identified training events and/or meetings. IDALS will provide sufficient notification of required training sessions.

In addition, the Grantee is required to submit progress reports periodically during the project to document activities and progress in conformance with printed report guidance provided by IDALS.

Any failure by a grantee to meet established deadlines for submission of progress reports will result in immediate suspension of all disbursement of funds to the Grantee, including advance requests and all reimbursements. This suspension will continue until receipt by IDALS of all outstanding reports associated with this Contract.

Specifically, Grantee is required to:

- a) Provide IDALS with quarterly progress reports within fifteen (15) days after the end of each quarterly reporting period.
- b) Provide a comprehensive final report in conformance with the printed report guidance provided by IDALS, within 30 days of conclusion of the project.

SECTION 5. RELEASE AND DISBURSEMENT OF FUNDS

5.1 CONDITIONS FOR RELEASE OF FUNDS. No funds shall be released for disbursement until this Contract has been executed and the Grantee has properly completed each of the following items:

- a) Attendance by at least one representative of the applicant at program orientation offered by IDALS staff.
- b) Completion and submission of form “W-9, Request for Taxpayer Identification Number and Certification.”

- c) Evidence, acceptable to IDALS or its designee, that acceptable accounting policies and procedures are in place within 90 days of contract execution by all parties.

5.2 REQUESTS FOR DISBURSEMENT. All disbursements of proceeds shall be subject to receipt by IDALS of requests for disbursement submitted by Grantee. Requests for disbursement shall be in a form and content acceptable to IDALS.

Grantee or its designee shall request disbursement by submitting to IDALS or its designee the request form provided by IDALS (as the same may be modified from time to time by IDALS), which request form shall itemize Grantee's total allowable expenses, if any. Expenses shall be documented in a manner acceptable to IDALS or its designee.

IDALS or its designee shall review the request and, if acceptable to IDALS or its designee, make the appropriate disbursement from the *Water Quality Infrastructure* Fund.

The disbursement authorized by IDALS or its designee will be limited to the expected allowable expenses for the relevant period. Major budget category Practice Costs may deviate by ten (10) percent by line item without prior approval of the Division, but total expenditures shall not exceed the total budget amount provided in the project contract.

5.3 SUSPENSION OF DISBURSEMENT. Upon the occurrence of an Event of Default (as defined in this Contract) by Grantee, IDALS or its designee may suspend payments to Grantee until such time as the default has been cured to IDALS' satisfaction. Notwithstanding anything to the contrary in this Contract, upon a termination of this Contract on account of an Event of Default by the Grantee, Grantee shall no longer have the right to receive any disbursements after the date of the Event of Default.

5.4 INVESTMENT OF GRANT FUNDS. In the event grant funds are not immediately utilized, temporarily idle grant funds held by Grantee may be invested, provided such investments shall be in accordance with State law, including but not limited to the provisions of Iowa Code chapter 12C concerning the deposit of public funds. Interest accrued on temporarily idle grant funds held by the Grantee shall be credited to and expended on the Project prior to the expenditure of other grant proceeds.

All proceeds remaining, including accrued interest, after all allowable Project costs have been paid or obligated shall be returned to IDALS within thirty (30) days following the Project Completion Date. Within ten (10) days of receipt of a written request from IDALS, Grantee shall inform IDALS in writing of the amount of unexpended grant funds in Grantee's possession or under the Grantee's control, whether in the form of cash on hand, investments, or otherwise.

5.5 USE OF GRANT FUNDS FOR EQUIPMENT AND NON-CONSUMABLE SUPPLIES. The use of grant funds through this contract is permitted for the purchase of equipment and non-consumable supplies, subject to all of the following conditions:

- a) All purchases for which reimbursement will be requested must be approved by IDALS prior to any expense being incurred by Grantee. Failure to adhere to this condition will result in forfeiture of all claims for reimbursement for the item(s) in question.
- b) In no instance will the reimbursement rate for an item purchased in this category exceed fifty percent (50%) of the documented cost of the item. Furthermore, no other source of state funding may be used to provide the non-IDALS share of expense for the item.

- c) If at any point prior to completion of the project, a piece of equipment or non-consumable supply item is sold, liquidated, or transferred for use outside of the project, full and immediate repayment of grant proceeds used to purchase the item by the Grantee to IDALS will be required.
- d) Recurring expenses associated with operation and maintenance of such equipment shall be the sole responsibility of the Grantee.

SECTION 6. REPRESENTATIONS AND WARRANTIES

Grantee represents and warrants to IDALS as follows:

6.1 Grantee is duly organized, validly existing and in good standing as a recognized legal entity under Iowa law. Grantee has full and adequate power to own its property and conduct its business as now conducted, and is duly licensed or qualified and in good standing in each jurisdiction in which the nature of the business conducted by it or the nature of the property owned or leased by it requires such licensing or qualifying.

6.2 Grantee has full right and authority to enter into this Contract and the person signing this Contract on behalf of Grantee has full authority to do so.

6.3 Grantee hereby agrees to use Award proceeds only for the Project and the activities described in the approved Water Quality Initiative Application.

6.4 The Application furnished to IDALS by Grantee does not contain any untrue statements of a material fact or omit a material fact.

6.5 Grantee has received all licenses, permits, and approvals of all Federal, state, local, and foreign governmental authorities, if any, necessary to conduct its businesses; no investigation or proceeding which, if adversely determined, could reasonably be expected to result in revocation or denial of any material license, permit, or approval is pending or, to the knowledge of the Grantee threatened.

6.6 Grantee shall complete the Project by the Project Completion Date.

6.7 All financial statements and related materials concerning the Grantee and the Project provided to IDALS are true and correct in all material respects and completely and accurately represent the subject matter thereof as of the Effective Date of the statements and related materials, and no material adverse change has occurred since that date.

SECTION 7. DEFAULT

7.1 EVENTS OF DEFAULT. The occurrence of any one or more of the following events shall constitute cause for IDALS to declare Grantee in default of its obligations under this Contract: (i) a failure of Grantee to complete the Project by the Project Completion Date; (ii) a breach of any other term of this Contract.

7.2 NOTICE OF DEFAULT, REMEDIES. When IDALS determines that an Event of Default has occurred and is continuing, IDALS may, by written notice to Grantee: (i) terminate this Grant Contract and all obligations of IDALS under the Contract as of the date stated in such notice, and (ii) declare the full amount of Award funds, disbursed, immediately due and payable. Grantee agrees to pay to IDALS all expenses reasonably incurred or paid by IDALS, including reasonable attorneys'

fees and court costs, in connection with the enforcement of any of the terms of this Grant Contract.

7.3 REPAYMENT OR PENALTY. Upon the happening of any Event of Default, IDALS reserves the right to terminate this Contract and to require immediate repayment of the full amount of funds disbursed to Grantee under this Contract.

SECTION 8. TERMINATION

8.1 TERMINATION UPON NOTICE. Following ten (10) days' written notice, IDALS may terminate this contract in whole or in part without payment of any penalty or the incurring of any further obligation to the Grantee. Following termination upon notice, Grantee shall be entitled to compensation, upon submission of invoices and proper proof of claim, for services provided under this Contract to IDALS up to and including the date of termination.

8.2 NON-APPROPRIATION. Notwithstanding anything in this contract to the contrary, and subject to the limitations, conditions and procedures set forth below, IDALS shall have the right to terminate this contract without penalty by giving thirty (30) days written notice to the Grantee as a result of any of the following: (1) the legislature or governor fail to appropriate funds sufficient to allow IDALS to operate as required and to fulfill its obligations under this contract; (2) if funds are de-appropriated or not allocated; (3) if IDALS' authorization to operate is withdrawn or there is a material alteration in the programs administered by IDALS; and (4) if IDALS' duties are substantially modified. In the event of termination of this Contract due to non-appropriation, the exclusive, sole, and complete remedy of the Grantee shall be payment for services completed prior to termination.

8.3 REMEDIES OF THE GRANTEE IN EVENT OF TERMINATION BY IDALS. In the event of termination of this Contract for any reason by IDALS, IDALS shall pay only those amounts, if any, due and owing to the Grantee for services actually rendered up to and including the date of termination of the Contract and for which IDALS is obligated to pay pursuant to this Contract. Payment will be made only upon submission of invoices and proper proof of the Grantee's claim. This provision in no way limits the remedies available to IDALS under this Contract in the event of termination.

8.4 THE GRANTEE'S TERMINATION DUTIES. The Grantee, upon receipt of notice of termination or upon request of IDALS, shall:

8.4.1 Cease work under this Contract and take all necessary or appropriate steps to limit disbursements and minimize costs, and furnish a report within thirty (30) days of the date of notice of termination, describing the status of all work under the Contract, including, without limitation, results accomplished, conclusions resulting therefrom, any other matters IDALS may require.

8.4.2 Comply with the IDALS's instructions for the timely transfer of any active files and work product produced by the Grantee under this Contract.

8.4.3 Immediately return to IDALS any payments made by IDALS for services that were not rendered by Grantee.

SECTION 9. CONFLICT OF INTEREST

Grantee represents, warrants, and covenants that no relationship exists or will exist during the

Contract period between IDALS and Grantee that is a conflict of interest. No employee, officer or agent of Grantee shall participate in the selection or the award or administration of a subcontract if a conflict of interest, real or apparent, exists. The provisions of Iowa Code Ch. 68B shall apply to this Contract. If a conflict of interest is proven to IDALS, IDALS may terminate this Contract, and Grantee shall be liable for any excess costs to IDALS as a result of the conflict of interest. Grantee shall establish safeguards to prevent employees, consultants, or members of governing bodies from using their positions for purposes that are, or give the appearance of being, motivated by the desire for private gain for themselves or others with whom they have family, business, or other ties. Grantee shall report any potential, real, or apparent conflict of interest to IDALS.

SECTION 10. INDEMNIFICATION

Grantee shall jointly and severally defend, indemnify and hold IDALS, its successors and assigns, harmless from and against any liability, loss, damage or expense, including reasonable counsel fees, which IDALS may incur or sustain by reason of: (a) the failure of Grantee to fully perform and comply with the terms and obligations of this Contract; (b) Grantee's performance or attempted performance of this Contract; (c) Grantee's activities with subgrantees and third parties.

SECTION 11. CONTRACT ADMINISTRATION

11.1 NONASSIGNMENT. This Contract may not be assigned without prior written consent of IDALS.

11.2 COMPLIANCE WITH THE LAW; NONDISCRIMINATION IN EMPLOYMENT. The Grantee, its employees, agents, and subcontractors shall not engage in discriminatory employment practices which are forbidden by federal or state law, executive orders, and rules of the Iowa Department of Administrative Services. The Grantee, its employees, agents, and subcontractors shall comply with all applicable federal, state, and local laws, rules, ordinances, regulations, orders when performing under the Contract, including without limitation, all laws applicable to the prevention of discrimination in employment (e.g., Iowa Code chapter 216 and section 19B.7) and the use of targeted small businesses as subcontractors and suppliers. Upon the State's written request, the Grantee shall submit to the State a copy of its affirmative action plan, containing goals and time specifications, and accessibility plans and policies as required under Iowa Administrative Code chapter 11—121.

The Grantee, its employees, agents and subcontractors shall also comply with all federal, state, and local laws, including any permitting and licensure requirements, in carrying out the work performed under this Contract.

In the event Grantee contracts with third parties for the performance of any of the Grantee obligations under this Contract as set forth in section 4.8, Grantee shall take such steps as necessary to ensure such third parties are bound by the terms and conditions contained in this section.

Notwithstanding anything in this Contract to the contrary, Grantee failure to fulfill any requirement set forth in this section shall be regarded as a material breach of this Contract and the State may cancel, terminate, or suspend, in whole or in part, this Contract. The State may further declare Grantee ineligible for future state contracts in accordance with authorized procedures or the Grantee may be subject to other sanctions as provided by law or rule.

If all or a portion of the funding used to pay for the Deliverables is being provided through a grant from the Federal Government, Grantee acknowledges and agrees that pursuant to applicable federal laws, regulations, circulars and bulletins, the awarding agency of the Federal Government reserves certain rights including, without limitation a royalty-free, non-exclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, for Federal Government purposes, the Deliverables developed under this Contract and the copyright in and to such Deliverables.

11.3 AMENDMENTS. No change, modification, or termination of any of the terms, provisions or conditions of this Grant Contract shall be effective unless made in writing and signed by both parties.

11.4 COMPLIANCE WITH LAWS AND REGULATIONS. Grantee shall comply with all applicable State and federal laws, rules, ordinances, regulations and orders, including those governing procurement. Grantee declares that it has complied with all federal, state, and local laws regarding business permits and licenses that may be required to carry out the work to be performed under this Contract.

11.5 ACCESS TO RECORDS. Grantee shall permit IDALS or its representatives and the State Auditor to access and examine, audit, excerpt and transcribe any pertinent books, documents, papers and records of Grantee relating to orders, invoices, or payments, or any other documentation or materials pertaining to this Contract. All records of Grantee relating to this Contract shall be retained for a period of three (3) years following the date of final payment or completion of any required audit, whichever is later.

11.6 AUDITS. IDALS reserves the right to require an audit of the Grantee's approved project and related activities at any time, during or after completion of the project. Any expenses pertaining to the project as a result of the audit will be an allowable expense under this Contract and will follow normal disbursement procedures.

11.7 UNALLOWABLE COSTS. If IDALS determines at any time, whether through monitoring, audit, closeout procedures or other means that Grantee has received Grant funds or requested disbursement for costs which are unallowable under the terms of this Contract, Grantee shall immediately repay to IDALS any and all unallowable costs.

11.8 SURVIVAL OF CONTRACT. If any portion of this Contract is held to be invalid or unenforceable, the remainder shall be valid and enforceable.

11.9 GOVERNING LAW. This Contract shall be interpreted in accordance with the law of the State of Iowa, and any action relating to the Contract shall only be commenced in the Iowa District Court for Polk County or the United States District Court for the Southern District of Iowa.

11.10 INTEGRATION. This Contract contains the entire understanding between Grantee and IDALS relating to this Project and any representations that may have been made before or after the signing of this Contract, which are not contained herein, are nonbinding, void and of no effect. Neither of the parties has relied on any such prior representation in entering into this Contract.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed as of the latest date stated below.

FOR GRANTEE:

City of Davenport

_____	_____	____/____/____
Signature	Print Name/Title	Date

FOR IDALS:

_____	____/____/____
Grant Menke, Deputy Secretary of Agriculture	Date

Exhibit B Budget

Component	Total	IDALS/ WQI	Local Match Amount	Match Source(s)
Practices (list & number)				
1. Bioretention Cells	\$133,500	\$66,750	\$66,750	<u>Local</u>
2. Regenerative Conveyance	\$62,500	\$31,250	\$31,250	<u>Local</u>
3. Educational Signage	\$3,000	\$1,500	\$1,500	<u>Local</u>
4.	\$	\$	\$	
5.	\$	\$	\$	
6.	\$	\$	\$	
(add lines as needed)	\$	\$	\$	
TOTALS	\$199,000	\$99,500	\$99,500	

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
4/3/2024

Subject:

Resolution approving the Land and Water Conservation Fund (LWCF) Grant Program agreement with the Iowa Department of Natural Resources in the amount of \$200,000 for the Goose Creek Park Environmental Restoration project, and authorizing the Public Works Director/Assistant City Administrator or designee to sign necessary documents and agreements. [Ward 8]

Recommendation:

Adopt the Resolution.

Background:

In an effort to better distribute stream bank stabilization projects throughout City-owned properties and incorporate environmental justice more fully to project areas, the Goose Creek Park Environmental Restoration project was identified as a high priority. The City of Davenport entered into a contract with Impact 7G in 2022 to perform work on grant applications and preliminary plan design. The full scope of the project has an estimated cost of \$1,570,000. Since that time, both Impact 7G and City Natural Resources staff have been actively seeking out grant dollars in order to fully fund the Goose Creek project. The City has preliminary approval from the Land and Water Conservation fund for a grant of \$200,000. Other grants that have been applied for include the Five Star and Urban Waters Restoration grant through Arconic and the Iowa American Water Environmental grant. The CIP budgeted for the project totals \$625,000 over FY 2025 and FY 2026.

Project partners include the Davenport Community School District, Partners of Scott County Watersheds, X-Stream Cleanup, Davenport Parks and Recreation, the US Fish and Wildlife Service, QC Audubon Society, and QC Wild Ones.

The LWCF grant program provides assistance for the purpose of acquisition and/or development of land for outdoor recreation. As such, this grant will fund the planned stream crossings, natural playscape features and limestone trail construction.

Other best management practices included with the overall project include:

- Community engagement with adjacent residential neighborhoods
- Stream bank stabilization with floodplain benching and in-stream habitat
- Nature-based play features
- Stream access and crossing points
- Native prairie establishment
- Canopy restoration through tree plantings
- A series of bioretention cells
- Public education interpretive signage

Attachments:

1. Resolution
2. Conditional Award Letter Davenport
3. LWCF Application_Goose Creek_3.14.2023

Resolution No. _____

Resolution offered by Alderman R. Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving the Land and Water Conservation Fund (LWCF) Grant Program agreement with the Iowa Department of Natural Resources in the amount of \$200,000 for the Goose Creek Park Environmental Restoration project, and authorizing the Public Works Director/Assistant City Administrator or designee to sign any necessary documents and agreements.

WHEREAS, the City of Davenport (the "City") is a political subdivision organized and existing under the law and the Constitution of the State of Iowa (the "State"); and

WHEREAS, the Iowa Department of Natural Resources is offering a funding agreement to the City of Davenport which will cover eligible costs up to \$200,000 related to the Goose Creek Park Environmental Restoration project; and

WHEREAS, the City approves signing of the funding agreement with the Iowa Department of Natural Resources.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the Land and Water Conservation Fund agreement with the Iowa Department of Natural Resources in the amount of \$200,00 for the Goose Creek Park Environmental Restoration project is hereby approved, and the Public Works Director/Assistant City Administrator or designee is authorized to sign the funding agreement on behalf of the City, and City staff will execute the agreement during all project stages.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



June 13, 2023

Congratulations! The City of Davenport Goose Creek Park Restoration is one of nine projects that will be recommended by the Iowa Department of Natural Resources (DNR) to receive funding from the Land and Water Conservation Fund (LWCF) and move forward to the National Park Service (NPS) for approval. Your grant project was selected to move forward at the full requested amount of \$200,000. The Department received nine applications for the 2023 LWCF grant cycle with funding requests totaling nearly \$1.1 million.

In accordance with Iowa's Open Project Selection Process and Iowa Administrative Code 571.27, the Review & Selection Committee reviewed and scored all eligible applications that the Department received. Their recommendations were presented and approved by the Natural Resources Commission on Thursday, June 8, 2023. The recommendations now move forward to the National Park Service for federal review and approval.

I will be coordinating with NPS to collect the required documentation for submission and final approval. NPS may also request additional project information while working through the submission process. We expect this process to take several months; grant agreements are often not in place until the following summer or fall so your patience is greatly appreciated. Grant project work and expenditures, whether being funded with LWCF funds or match funds cannot take place until the grant agreement is in place (estimated summer 2024). **Any ground disturbance or expenses that take place prior to the grant agreement being in place may not be eligible for reimbursement**, could reduce the grant award amount, and/or could disqualify the applicant from receiving LWCF support. Exceptions can be made for planning/design work and archaeological or historical reviews, but prior coordination with DNR is required. Projects supported through the Land and Water Conservation Fund are subject to the "Buy America" requirement of the Bipartisan Infrastructure Law. More information on "Buy America" can be found here: www.doi.gov/grants/buyamerica.

The next step is to provide any additional information requested to move the grant forward with NPS so please keep an eye out for emails from me in regards to this. If you have any questions while we work through this process, please feel free to contact me at 515-975-8569 or by email at jessica.flatt@dnr.iowa.gov. I look forward to working with you!

Sincerely,

A handwritten signature in black ink, appearing to be "J. Flatt", written over a light blue grid background.

Jessica Flatt, Recreational Grants Manager
Iowa Department of Natural Resources
502 E 9th Street
Des Moines, IA 50319
515-975-8569
jessica.flatt@dnr.iowa.gov

LAND & WATER CONSERVATION FUND

STATE GUIDELINES AND APPLICATION FOR LOCAL PARTICIPATION

Applications Due March 15th Annually



Iowa Department of Natural Resources
Kayla Lyon, Director 2023

LAND AND WATER CONSERVATION FUND

Twenty First Edition 2023

FORWARD

This booklet has been prepared to assist grant applicants, planning agencies, and planning consultants in preparing applications for federal assistance from the Land and Water Conservation Fund. It makes no attempt to cover all aspects of the LWCF program; but it does attempt to cover the major items of interest and concern to most applicants. Any unanswered questions concerning the program should be directed to:

Iowa Department of Natural Resources
Jessica Flatt
Parks, Forests, and Preserves Bureau
502 E 9th St
Des Moines, IA 50319-0034
515-975-8569
Jessica.Flatt@dnr.iowa.gov

The Department of Natural Resources receives Federal financial assistance from the Land and Water Conservation Fund (LWCF). Under Title VI of the 1964 Civil Rights Act, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, the US Department of the Interior prohibits discrimination on the basis of race, color, national origin, age, sex, or disability. If you believe that you have been discriminated against in any program, activity, or facility as described above, or if you desire further information, please write to: Director, Iowa Department of Natural Resources, 502 E Ninth St, Des Moines, Iowa 50319-0034, or the Office of Equal Opportunity, US Department of the Interior, Washington, DC 20240.

LAND AND WATER CONSERVATION FUND GUIDELINES FOR LOCAL PARTICIPATION

Introduction

The Land and Water Conservation Fund Act (LWCF), signed into law September 4, 1964, provides federal financial assistance to the State of Iowa and its political subdivisions for the purpose of acquisition and/or development of land for outdoor recreation. The LWCF program is administered by the National Park Service (NPS). The Iowa Department of Natural Resources (DNR) administers the program at the state level. State Administrative Rules and Federal General Provisions for the program are included in this application, read both carefully before applying.

Funds are provided to the states and passed to political subdivisions in the form of 50% reimbursement grants. Reimbursements are made on all eligible expenditures up to the amount of the approved grant.

Control and Tenure of Project Sites

The grant applicant must be an incorporated city or a county conservation board and have physical control of the project site by fee title or a minimum 25-year land management agreement in order for the project to be eligible. Land being acquired by contract purchase will not be eligible for development assistance until the fee title has been obtained. **The applicant is responsible for the maintenance of the site as an outdoor recreation area open to the public in perpetuity.**

Prior to the final billing, a "Notice of Use Restriction" will be required to be recorded with the respective county recorder. The restriction is a legal document which attaches to the title of the project site and halts the sale or conversion of the subject site/property prior to National Park Service review and approval. Upon approval of the National Park Service, a grantee may enter into a "conversion of use" by changing the boundaries, or selling all or a portion of a project site, understanding that the sponsor is responsible for replacing all or the portion of the site with equal or greater value property. The replacement land may not already be used for outdoor recreation.

Section 6(f)(3) of the Land and Water Conservation Fund Act states: "No property acquired or developed with assistance under this section shall, without the approval of the secretary, be converted to other than public outdoor recreation uses. **Property sold or used for purposes other than outdoor recreation must be replaced with new park land of equal or greater dollar value.** Examples of conversions include:

- The sale or trade of all or a portion of land acquired and/or developed with LWCF assistance.
- The construction of non-outdoor recreational facilities (such as roads/streets, libraries, city halls, fire/police stations, community centers, senior citizen centers) on properties acquired and/or developed with LWCF assistance.

Eligible Projects

- Observation and sight-seeing facilities; including hiking, biking, equestrian, cycle, snowmobile and nature trails.
- Picnic facilities, including open shelters.
- Camping facilities.
- Acquisition of land specifically for active outdoor recreation purposes.
- Swimming facilities, including beaches, pools, bathhouses and related equipment.
- Winter sports facilities, including ski runs/lifts, outdoor skating rinks, sledding slopes, warming huts, etc.
- Playground equipment and outdoor sports facilities such as ball fields and game courts, golf courses, etc.
- Sport shooting areas for skeet, trap, rifle, pistol and archery.
- Lake and pond construction for boating, fishing and aesthetic purposes.
- Landscaping and plantings for wildlife food and cover.
- Renovation or redevelopment of existing facilities which have deteriorated or become outdated.
- Support facilities including roads, parking, signs, walkways, utility systems, lighting, restrooms, concession buildings, trailer dumps, fences, etc.

(Phased projects are eligible for funding and must be submitted as a new project for scoring each phase.)

Ineligible Projects

- Acquisition or development of areas and facilities to be used primarily for semiprofessional and professional arts and athletics.
- Development of school “athletic plant” facilities.
- Construction of employee residences.
- Development of amusement facilities, convention facilities, and commemorative exhibits.
- Development of nature and geological interpretive facilities which go beyond interpreting the project site and its immediate surrounding area.
- Development of outdoor recreation and support facilities to be used exclusively by people with disabilities.
- Acquisition, restoration or preservation of historic structures.
- Acquisition, construction or renovation of lodges, motels, and luxury or “nonaustere” cabins.
- Facilities at a zoo for the purpose of housing, caging, displaying or caring for animals.
- Acquisition of museums and sites to be used for museums.
- Mobile recreation units such as playmobiles, skatemobiles, swimmobiles, show wagons, puppet wagons, and porta-bleachers.
- Acquisition of areas and facilities to be used solely for game refuges or fish production purposes.

(No funds will be made available for the operation and maintenance of outdoor recreation areas and facilities.)

Project Scoring

LWCF applications are reviewed and scored by a five member committee represented by the cities, counties and DNR staff. More specific information and details on the scoring criteria can be found in the [LWCF State Administrative Rules, 571-27](#). The grant scoring criteria consists of:

- Relationship to the Statewide Comprehensive Outdoor Recreation Plan (SCORP): up to 50 points
- Recreation benefits: up to 10 points
- Local need: up to 10 points
- Quality of the site: up to 10 points
- Benefit for people with disabilities and elderly persons: up to 3 bonus points
- Use of recycled materials: up to 2 bonus points
- Minority population of project area: up to 3 points bonus points
- Coordination and planning: up to 3 bonus points
- Prior Assistance: +5 bonus points for no prior assistance; 0 to -5 penalty points for prior assistance above the calculated fair share

Eligible Project Costs and Match Funds

Reimbursements are made only on costs incurred and paid by the grantee during the project period as identified on the grant agreement. The only exception to this is on “pre-agreement planning costs”, which can include site investigation and selection, site planning, feasibility studies, preliminary design, environmental assessment, preparation of cost estimates, and construction drawings and specifications.

In general, federal funds cannot be utilized as match funds for an LWCF grant project. The only exception to this requirement is if the other federal program states in its rules that it can specifically be utilized as an eligible match for the LWCF program.

The following items are ineligible for reimbursement:

- Incidental costs incurred by the grantee relating to the acquisition of real property, such as appraisals, surveys, recording fees.
- State sales taxes, interest expenses.
- Equipment to be used for the maintenance of recreation areas and facilities.
- Sport equipment such as bats, balls, etc.
- Donated labor, materials, and equipment use, donated real property.

- Force account labor and equipment use
- Cost overruns on an active project are not eligible for grant amendments.

Waiver of Retroactivity

In cases involving extreme urgency of land acquisition, where a grant applicant needs to purchase land prior to the grant round, a grant applicant may request a “waiver of retroactivity”. Waivers allow acquisitions of real property to take place immediately without jeopardizing a grant applicant’s chances for a future grant, but in no way implies or guarantees that a grant will be awarded. Grant applicants must formally request a waiver of retroactivity through the department to the National Park Service.

Operation and Maintenance Statement

On a five year basis, grantees will be required to complete and sign/date an Operation and Maintenance Statement and a Post-Completion Inspection Certification Report. Both are required to ensure that property and development for which these federal funds are provided will not be converted to any other use than public outdoor recreation. Projects developed and lands acquired with this program will be held in perpetuity. If a portion or all of the project lands are converted to a use other than outdoor recreation, or a portion or all of the project land is sold or donated, a “conversion in use” has taken place, and those lands will have to be replaced.

Program Income

Any non-recreational income derived from a project site and earned during the project period must be credited to the project on the next reimbursement request following receipt of the income. Nonrecreational income includes the sale of natural products such as timber, gravel, farm crops and rental fees. Income from the sale of buildings acquired with LWCF assistance must be credited or reimbursed no matter when the sale occurs.

State Historic Preservation Office (SHPO) Clearance - Section 106

State Historic Preservation Officer (SHPO) review and approval is required on all applications selected for funding. A thorough review and explanation of the property’s history is critical for an accurate review by the Department and the National Park Service for a potential determination of no adverse effect. If selected for funding, and depending on past use and potential for historic significance, a historical survey and/or Cultural Resource Management Plan may be required by the SHPO office. SHPO and tribal office reviews are required as part of Environmental Screening.

An initial archaeological review conducted by a professional archaeologist is required prior to grant application submission. Further guidance on this requirement can be found under the Section 106, Archaeological Desktop Review in the application section in this document.

Environmental Screening Information

Provisions of the National Environmental Policy Act of 1969 (P.L. 91-190) are applicable to the LWCF program. To determine the environmental impact of a proposed project, an applicant will need to provide adequate environmental information by completing the required Project Description and Environmental Screening (A&R) Form section of the application.

The environmental review process may involve producing documents for public review and comment, coordinating compliance with applicable local, state and federal laws and regulations, and acquiring other federal state and local approvals.

This section assists the project review and selection committee by ensuring the necessary information is included to determine the best projects are funded by:

- developing the project narrative to clearly explain the benefits to the community;
- explaining how the proposal is in accord with the State Comprehensive Outdoor Recreation Plan (SCORP);
- screening the proposal for potential environmental impacts in order to determine the appropriate NEPA process to conduct: 1) recommendation for a categorical exclusion, 2) production of an environmental assessment, or 3) production of an environmental impact statement. The environmental screening step requires an applicant to follow the Section 106 of the National Historic Preservation Act, in conjunction with the NEPA process;

- certifying that any appraisals conducted for the LWCF application meet the Uniform Appraisal Standards for Federal Land Acquisitions.

Whenever possible, impacts should be quantified (i.e., number of acres of trees to be removed, cubic yards of fill to be required, number of acres of land to be inundated, whether temporary during construction or permanent impact, etc.).

Applicant Risk Assessment

Federal law requires our State Agency to conduct a risk assessment of each applicant or sub-recipient. Your agency will be required to support your application by answering questions regarding your financial and budgeting practices.

Grant Approval Process

LWCF grants consist of a two-stage approval process.

1. The first process consists of grant review and scoring by the five person LWCF review committee. Any additional information or clarification on individual grant applications will be sent to applicants via email. A grant review meeting open to applicants and the public is then held for review committee grant discussion. This meeting also provides a comment opportunity for the public and grant applicants. Final grant review scores and funding recommendations are then provided to the Natural Resource Commission (NRC) for the first approval by the State.
2. The second process consists of DNR staff working with grant applicants to acquire any necessary additional information and work through the required submission materials for review and approval by the National Parks Service (NPS). Once all materials are compiled, NPS will conduct an initial review for each grant to make sure it meets all grant requirements and determine if any further information or documentation will be needed prior to the official submission with NPS. After the initial review has been conducted, DNR conducts the official grant submission during the next open submission period with NPS. The final grant approval and grant agreement with NPS takes approximately 3 months from the submission period end date. **Work associated with both grant and match funds can not begin until the grant agreement is in place.**

Tentative Grant Application and Funding Timeline

Timeline is subject to change yearly based on NPS review and submission schedules. Grant agreements have historically been in place 12 months to 21 months after the grant application deadline.

- January 15: Yearly updated grant application materials are available on the [Iowa LWCF](#) webpage
- March 15: Application submission deadline
- March-April: Grant review committee conducts reviews and scoring
- Late April-Early May: Grant review meeting
- June: State grant and funding approval by the NRC
- July-December: Develop materials for NPS initial review and official grant submission
- December-January: Initial grant review by NPS
- February-March: Submit grants to NPS for official review, approval, and grant agreement (official submission periods can change and are contingent upon scheduled timeframes by NPS on a yearly basis).
- July: Grant agreement with NPS and grant start date (contingent upon official submission period dates and completion of Section 106 environmental, cultural, historical, and tribal approvals)

Iowa Department of Natural Resources

Land and Water Conservation Fund

Applications are due by 4:30pm, March 15 or the closest working day, each yearSend Application and Attachments electronically to: Jessica.Flatt@dnr.iowa.gov

AND

Mailed applications must be post marked by the grant submission deadline of 4:30pm, March 15, 2023

Mail one (1) original and one (1) copy to:

Jessica Flatt

Iowa Department of Natural Resources

502 E 9th St

Des Moines IA 50319

Application and Applicant Information**1. PROJECT**Project Title: Goose Creek Park RestorationProject 911 Address: 6000 Scott StreetCity: DavenportState: IowaZip + 4: 52806-1947**2. TYPE OF PROJECT**☐ Acquisition (appraisals required) ☒ Development ☐ Combination # of Existing Park Acres: 29.85Park GPS Coordinates: 41.58186, -90.58043 # of Acres Acquired: 0**3. APPLICANT CONTACT INFORMATION**Agency: The City of DavenportContact Person: Amy KayEmail: Amy.Kay@davenportiowa.comTitle: Clean Water ManagerApplicant Mailing Address: 1200 E 46th StreetTelephone #: 563-327-5160City & Zip Code: Davenport, 52807

DUNS #: _____

County: Scott County**4. DESCRIPTION & COSTS**

Project Description: (Maximum of 500 characters summarizing the project and use of LWCF Funds)

The city of Davenport is planning to restore sections of Goose Creek Park. The restoration project will include stream and vegetation restoration, addition of creek access points for safety and recreation, a new trail, and natural playscapes within the park. This restoration will provide equity, recreation, and safe access to natural amenities that will improve the life of residents of Davenport.

Project Costs (Including Required 50% Cash Match):

Federal LWCF Funds Requested: \$ 200,000

Local Share:

Source: City of Davenport \$ 1,110,880.50

Source: _____ \$ _____

Source: _____ \$ _____

Total Project Cost: \$ _____

5. SIGNATURE

The Applicant agrees to conform with the Americans with Disabilities and Civil Rights Acts, as well as keeping the Project Site open to the public for outdoor recreation in perpetuity and completing the 5 Year Post Completion Inspections.

Applicant Signature and Date

Applicant Name and Title

LWCF Grant Application Checklist
(Return this completed form with your application))

Mandatory

- ☒ Signed letter of resolution from Governing Body that includes resources/support committed to the project
- ☒ Application
- ☒ Budget and budget narrative
- ☒ Proposal description and environmental screening (A&R) form with contributors' names, titles, agencies, and qualifications
- ☒ Boundary map, vicinity map, site plan and project area photographs
- ☒ Signed Risk Assessment or auditor's report
- ☒ Signed Minority Impact Statement
- ☒ Proposed grant project timeline
- ☒ Project can be completed within 2.5 years from receiving grant agreement
- ☒ Required MATCH funding is secured
- ☒ Project meets state priorities outlined in the 2018 Iowa Statewide Comprehensive Outdoor Recreation Plan (SCORP).
- ☒ Control and tenure Information (Deed, applicable lease, easements, use agreements)
- ☒ Project area is owned by public land agency that designates the area to be open to public outdoor recreation for perpetuity.
- ☒ Project area complies with the Americans with Disabilities Act (ADA)
- ☒ Response from initial archaeological review conducted by the Office of State Archaeologist (OSA) or a professional archaeologist. This may be substituted with a Phase I archaeological survey report if completed.

Other documents required after project has been approved for funding by DNR

- Section 6(f) Boundary Map
- Agency Coordination and Section 106 Review

GRANT PROPOSAL OVERVIEW

The scoring criteria for LWCF grants is based on four main categories: Relationship to Iowa SCORP priorities (50 pts.), Direct recreation benefits (10 pts.), Local need (10 pts.) and Quality of site (10 pts.). Applications are additionally reviewed and scored for bonus and penalty points based on the following categories: Prior LWCF grant assistance (+5 points for no prior assistance; 0 to -5 penalty points for prior assistance above the calculated fair share), Special features for the elderly and persons with disabilities (3 pts.), Minority populations served (3 pts.), Level of project planning including the degree of public participation and support (3 pts.) and Recycled content material use (2 pts.).

Please keep answers concise to they fit into the allotted typing boxes. If more space is needed, responses may be continued as an attachment.

1. Describe the scope of the proposed project and the recreational benefits. Include a description of the location of the project site, and any facilities or improvements on the project site. If the proposed project is part of a multi-phased project, outline which phase the LWCF grant portion will be included in. Further details about the additional or separate project phases should be included in your response here to provide grant reviewers with a full overview of the project as a whole, but not included in the required budget forms and budget narrative (10 pts).

The city of Davenport is looking to expand recreational opportunities at Goose Creek Park. This 28 acre park located at 6000 Scott Street just west of Highway 61 and South of Interstate 80 in Northern Davenport is benefited by access to Goose Creek. Goose Creek is a 7.18 mile-long river which flows through the park and is part of the HUC 8 (07080101) Goose Creek Watershed. Park improvements include stream and vegetation restoration, access points to Goose Creek, a new Goose Creek trail educational signage, and natural playscapes. Goose Creek Park enhancements will improve lowans ability to participate in physical activity by adding choices to where and how they enjoy nature. Families can go on walks down the new trail, older kids can hop into the stream and go crayfishing, and younger kids can learn how to enjoy nature in the natural playscapes part of the playground in the park. These proposed improvements will get lowans of all ages outside, moving, enjoying nature, and learning a lot along the way.

Not only will this project improve recreational opportunities, physical, and mental heath of park visitors, but it also improves the natural health of the area. The currently overgrown and invasive vegetation surrounding the steep and eroded banks of Goose creek will transform into a beautiful and healthy natural area with native vegetation and safe access to a newly re-meandered Goose Creek.

2. Describe the purpose and justification of the proposed project, including the local need for the project (10 pts).

The main goal of the project is to provide access to natural recreational opportunities. Currently dense vegetation hides Goose Creek and makes access difficult. Vegetation removal, restoration, and native plants will allow for access to the stream and improve the natural health and beauty of the area. The creek access points and new creek trail will provide safe and fun ways to interact with the newly restored section of Goose Creek. The added natural playscapes in the playground will allow for kids to get out into nature, learn about it, and enjoy it. It has been proven that access to natural areas has astounding physical, mental, and societal health benefits. Currently, the area surrounding Goose Creek Park not only lacks healthy green space overall, but also has not historically been invested in in order to add these necessary amenities. It is important to invest in all communities, but specifically in communities with higher need.

The CDC vulnerability Index for this area of Davenport claims there is, "Medium to High Levels off Vulnerability" according to the 2020 National Racial and Ethnic Minority Status reading. Similarly, the EPA Environmental Justice Screening Tool (EJSCREEN) shows that this area is in the 60th percentile for people of color, and 90th percentile for low income. Additionally, life expectancy, heart disease among adults, and asthma among adults all come in over the average at the 63rd, 59th, and 61st percentile respectively. Better access to nature, recreation opportunities, and natural amenities, like this restoration project is supplying, will not only be enjoyable to the residents of the area, but it can also help improve physical and mental health. This proposed project will directly serve the local needs of the area.

3. Describe the quality and environment of the project site. The history of the site, future of site without implementation of the proposed project, environmental intrusions, etc. (10 pts.).

Currently, Goose Creek Park is a bit outdated in many aspects. The single concrete path leads to the playgrounds, crosses the creek and heads into the residential area south of the park. The playground and baseball field are outdated. Additionally, the main natural amenity and possible source of recreation, Goose Creek itself, is completely hidden by dense, unhealthy and overgrown vegetation. Similarly, the banks of Goose Creek are very steep, eroded, and in poor shape. Between the steep and erosive banks, and dense overgrown vegetation, Goose Creek is nearly inaccessible within the park for both viewing and recreation.

The proposed project will provide the necessary enhancements the community wants. This project plans to clear, restore, and replant (if needed) vegetation along the banks of Goose Creek. This will make the area beautiful to look at, and allow for safe and fun access to Goose Creek. The stream restoration will also improve the bank health of Goose Creek, connect the stream to its floodplain, and make it much more accessible. This restoration, along with a crushed limestone trail will make the stream a spotlight within the park where fun, recreation, and exercise can occur, instead of a hidden hazard like it currently is today. The educational signs, stream access points, and natural playscapes will also contribute to the overall lift of the park and make it seem like an updated amenity for all residents.

4. Describe how the proposed project implements statewide outdoor recreation priorities and goals as presented in the 2018 Iowa [Statewide Comprehensive Outdoor Recreation Plan](#) (SCORP). Include references to the specific priorities and goals (50 pts).

The proposed outcomes of the Goose Creek Park Restoration Project strongly align with the priorities and goals of the 2018 Iowa Statewide Comprehensive Outdoor Recreation Plan (SCORP). The first priority in the SCORP, to provide availability and diversity of natural resources, parks and outdoor recreation opportunities to enhance the quality of life of Iowans, will be a direct result of the proposed project. This will first be achieved through the Goose Creek restoration work including creek accessibility accomplished by vegetation improvements, clearing, and restoration, lowering of the floodplain during river restoration work, and the addition of stream access points. The project also includes the addition of a crushed limestone trail adjacent to Goose Creek and natural playscapes. These amenities will be accompanied by educational signage that allows users to further understand the natural beauty around them and what they can enjoy around Goose Creek Park. Iowans will now have unique recreational opportunities that center around natural resources.

This project also assists with improving accessibility through embracing diversity, equity, and inclusion as the second priority of the SCORP states. This area of davenport ranks in the 90th percentile of low income according to the EPA EJSCREEN. It also is above average in low life expectancy, heart disease among adults, and asthma among adults. These factors, that put the population in the medium to high level of vulnerability according to the CDC Social Vulnerability Index, show the need the area has for natural recreational amenities that can improve physical and mental health through recreation. That is exactly why this project is so important to carry out in this location. This area, which is 35% minority populations (non-white), deserves equity through equal opportunities for safe, fun, and healthy recreation opportunities.

The final priority within the SCORP is also impacted by this project. A goal of this priority is to develop partnerships with outdoor recreation business and industry. This project opens the doors for this to occur in the future. With a restored stream and new access points, the door is open for industries who involve themselves with river recreation to collaborate with Goose Creek Park.

5. What, if any, interrelationships with other federal, state, or local projects are there?

The United States Army Corps of Engineers (USACE) will be involved in the stream restoration work that is associated with this project. The City of Davenport will collaborate, work closely with, and heed recommendations from the USACE while re-meandering Goose Creek and connecting it to its natural floodplain. This relationship will assure that all rules and laws are being followed while also providing the most beneficial natural lift to the site as is possible.

On a more local level, The City of Davenport has support from local organizations to complete this project, specifically the Partners of Scott County Watershed group. This group supports the goals and outcomes of the Goose Creek Park Restoration Project as it will improve overall watershed health. Similarly, the limestone trail that is being added to Goose Creek Park as part of this project is supported by goals set in the Davenport "Parks Master Plan." This comprehensive master plan created in 2020 is used to provide a clear vision and a basis for decision making regarding development and redevelopment of parks, local and regional trail connections, recreational opportunities, and funding. The limestone trail that will be added to Goose Creek Park as a part of this project will benefit the goals of the above said Master plan, assist the city in having an interconnected trail system, and provide healthy natural areas for residents and visitors to recreate.

BUDGET SHEET

A budget must be included with your application along with a budget narrative of how the LWCF funds will be used, and sources of match funds for the entire project. Make sure to specifically identify what item(s) will be funded with LWCF grant funds. For multi-phased projects, only include budgetary information for the phase that the LWCF grant will be included in. **The budget table below along with your narrative are required.** An additional more detailed budget may be included as an attachment.

In general, federal funds cannot be utilized as match funds for an LWCF grant project. The only exception to this requirement is if the other federal program states in its rules that it can specifically be utilized as an eligible match for the LWCF program.

Narrative:

The project budget is as follows below. This project will be completed in a single phase, but includes many different action items as shown in the budget. While many of these items do relate to the LWCF, the City of Davenport acknowledges that it is asking for \$200,000 as that is the budget ceiling for a town of their size. Despite items including the limestone trail, stream crossing and access, educational signs, natural playscapes, and even stream and vegetation restoration all relating to the SCORP and this application, only \$200,000 is requested for. The City of Davenport plans to fully fund the remainder of the project.

The full cost estimate has been attached at the end of this page as well as there were too few lines for all of the items included in this project. Silt fence application and removal can not be seen below due to lack of space. The total project cost below and attached at the end of this page includes a 10% contingency addition.

Budget Category	Quantity	Unit	Unit Price	Total Cost	Source of Funds
Clearing and Grubbing	1	1	30,000	30,000	City of Davenport
Excavation, Class 10	62,072	CY	6	372,432	City of Davenport
Interactive Stream Crossing, Rock Stairs	2	EA	20,000	40,000	LWCF
Conventional Seeding - Prairie Mix	8.5	AC	3,000	25,500	City of Davenport
Temporary Rolled Erosion Control, 3A	6,427	SY	4	25,708	City of Davenport
Wattles, 9" Natural Fiber	7,388	LF	3	22,164	City of Davenport
Rip Rap, Class E	639	TON	80	51,120	City of Davenport
Stabilized Construction Entrance	100	SY	14	1,400	City of Davenport
Crushed Limestone Trail	2,640	LF	50	132,000	LWCF - partial
Natural Playscapes	1	LS	90,000	90,000	LWCF
Bioretention	1,500	SF	10	15,000	City of Davenport
Educational Signage	1	LS	50,000	50,000	City of Davenport
Mobilization (10%)	1	LS	89,500	89,500	City of Davenport
SWPP Management	1	LS	10,000	10,000	City of Davenport
Phase 1 Archaeological Study	1	LS	23,985	23,985	City of Davenport
Total Project Costs				\$ 1,310,880	
LWCF Request				\$ 200,000	(no more than 50% of total cost)

The following are the assistance ceilings for communities:

Population of Area of Jurisdiction	LWCF Assistance (\$) Ceiling
0-1,000	\$50,000
1,001-5,000	\$75,000
5,001-10,000	\$100,000
10,001-25,000	\$125,000
25,001-50,000	\$150,000
50,001-75,000	\$175,000
over-75,000	\$200,000

IMPACT7G

**CITY OF DAVENPORT
GOOSE CREEK RESTORATION
DAVENPORT, IA**

[https://impact7ginc.sharepoint.com/sites/IowaCity/Iowa City Projects/_WatershedPD/Goose Creek/Quantities & Cost/CostOpinion_Concept](https://impact7ginc.sharepoint.com/sites/IowaCity/Iowa%20City%20Projects/_WatershedPD/Goose%20Creek/Quantities%20&%20Cost/CostOpinion_Concept)

GRANT PROJECT TIMELINE

Please reference the LWCF grant application and funding timeline in the grant guidelines section when considering project timelines and completing this form.

Provide a timeline estimate using the following form. Remember that the project is to be completed within two and a half years of the grant award date and project work (including match funded items) cannot begin until the grant agreement is in place. Any proposed changes, including extensions or modifications in the project timeline, must be requested in writing and approved in advance by the DNR.

PRELIMINARY TIMELINE ESTIMATE

TASK	Jul-Sep 2024	Oct- Dec 2024	Jan- Mar 2025	Apr- Jun 2025	Jul-Sep 2025	Oct- Dec 2025	Jan- Mar 2026	Apr- Jun 2026	Jul-Sep 2026	Oct- Dec 2026
Project Initiation	☒	☐	☐	☐	☐	☐	☐	☐	☐	☐
Final Design	☒	☒	☐	☐	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
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	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
Mobilization	☐	☐	☒	☐	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
Construction Phase	☐	☐	☐	☒	☒	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
Administrative Close-Out	☐	☐	☐	☐	☐	☒	☐	☐	☐	☐
Grand Opening	☐	☐	☐	☐	☐	☐	☐	☒	☐	☐

FEDERAL PROPOSAL DESCRIPTION AND ENVIRONMENTAL SCREENING FORM

The purpose of this Application and Revision Form (A&R) is to provide descriptive and environmental information about a variety of Land and Water Conservation Fund (LWCF) state assistance proposals submitted for National Park Service (NPS) review and decision. The completed A&R becomes part of the "federal administrative record" in accordance with the National Environmental Policy Act (NEPA) and its implementing regulations. The form captures administrative and descriptive details enabling the NPS to understand the proposal while also providing a resource for the States and/or project sponsors to use while the LWCF proposal is under development. Upon completion, the form will indicate the resources that could be impacted by the proposal enabling States and/or project sponsors to more accurately follow an appropriate pathway for NEPA analysis: 1) a recommendation for a Categorical Exclusion (CE), 2) production of an Environmental Assessment (EA), or 3) production of an Environmental Impact Statement (EIS). This form should also be used to document any previously conducted yet still viable environmental analysis if used for this federal proposal. The completed A&G form must be submitted as part of the State's LWCF proposal to NPS.

If needed, use a separate sheet for narrative descriptions and explanations, address each item and question in the order it is presented, and identify each response with its item number such as Section 1-A1, A2; Section 3-B1; Section 6-A1, A29; etc.

Section 1.0 New Project Grant Application

1. How was the cost estimate derived?

Each of the 17 items within the cost estimate (as attached to this application above) were meticulously and precisely calculated. Depending on the item, previous projects were used to estimate how much the same or similar items cost per unit. Other items have set in stone industry ranges or standards for price that were used like the cost of a silt fence. Once these prices were found and verified from multiple sources, the unit quantity was calculated based on preliminary plans on AcrGIS, Civil3D, and other similar resources.

2. What assurances are there that the costs listed are reasonable?

The costs listed are based on industry standards and were verified using multiple sources in order to assure the prices are reasonable.

3. Describe any project elements or costs that will improve site resiliency and facility longevity, if any.

Many aspects of this project improve longevity of the site. All added amenities from the crushed limestone trail to the interactive stream crossing are going to be built to last through meticulous design work. There are also items like a silt fence, SWPPP Management, and temporary erosion control that are being implemented during and after construction to allow added amenities and restoration practices to take place and become healthy permanent fixtures within Goose Creek Park.

Section 2.0 Site Based Project Grants

A. Sub-Recipient (Grant Applicant) Information (repeat if needed for Co-Applicants)

Sub-Recipient Agency Name: _____

Sub-Recipient Contact Name: _____

Address: _____

Phone: _____ **Email:** _____

B. Public Benefits

1. Describe both short- and long-term outdoor recreation benefits that will be achieved as a result of this project.

The proposed park enhancements will provide equity in recreation opportunities, and safe access to natural amenities that will improve the life of residents of Davenport. There will be many more options for how to recreate within Goose Creek Park following the completion of this project. Access to the stream, a trail adjacent to the stream, added natural playscapes, and educational signs will all be added to Goose Creek Park to alert the public to the recreational opportunities. These factors will allow visitors to exercise, and most importantly, recreate in nature in a healthy and safe way. These amenities will bring new physical and mental health benefits to all who visit the park.

2. Explain how this project fits as part of any other projects planned for this same site in the next three years.

There are no other known project planned for this site within the next three years. If slight modifications to the current disc gold park or playground are needed in the future, this project will not interfere with those tasks.

3. Describe the process that led to the development of this proposal and how the public was involved.

In April of 2022, the city of Davenport adopted the Davenport Parks & Recreation Comprehensive Master Plan. This plan utilized Social Pinpoint to collect public input. A mapping tool that asked participants to provide comments in specific locations using different pre-configured comments types was developed. An exercise that asked participants to indicate their preference (visual) of a series of different images organized into six categories: parks types, playground types, shelter types, hardscapes, signage, and paths & trails. Finally, input was requested through the completion of a short survey designed to gather information about the respondents' use of parks facilities and programs; their impressions of the facilities and programs; their desire for additional or new facilities; and some basic demographic information. This improved provided that enhancements were needed at Goose Creek Park and the proposed project was developed to meet the sustainability theme to identify, protect, and celebrate natural areas and resources, which the proposed project does.

Section 2.1 Acquisition and Combination Grants**A. Need**

1. Why is this acquisition (whether attained via purchase or donation) needed?

Not applicable as the City already owns Goose Creek Park.

2. Describe the existing resources and features of the site that make it desirable for public outdoor recreation.

Not applicable

3. Explain how you envision this acquisition contributing to outdoor recreation in the long term.

Not applicable

B. Acquisition Schedule & Appraisal/Waiver Valuation Certification

Parcel Name: _____

Parcel Size: _____ Parcel Value: _____ Anticipated Acquisition Date: _____

☐ A State-certified Review Appraiser has reviewed the appraisal and has determined that it was prepared in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions

C. Property Information

1. From whom is this property being purchased?

Not applicable

2. Are any buildings or structures being purchased along with the property?

☐ Yes ☒ No

If yes, describe what is planned for those structures and whether the grant funded project includes the value of those structures.

Not applicable

3. How will the site be made open and accessible for public outdoor recreation use (signage, entries, parking, site improvements, allowable activities, etc.)?

The site is currently utilized as Goose Creek Park and is open to the public for outdoor recreation.

4. When will access to the site for public outdoor recreation become available?

The site is currently open to the public for outdoor recreation.

5. Describe development planned for the site(s) for the three (3) years following acquisition. As this will impact NHPA and NEPA compliance, focus on what you reasonably expect to accomplish.

The City currently owns and operates the site as a park. The proposed park enhancements are the only planned projects for the site over the next three years.

6. If development will be delayed by more than three years from grant close, explain why this acquisition is still a priority for grant funding at this time and what ability the public will have to use the site in the interim.

Not applicable.

7. Is this acquisition an addition to an existing park or other recreation area?
If yes, how will it support and enhance that existing park?

☐ Yes ☒ No

Not applicable.

D. Acquisition Approach

1. Is this property being acquired under threat of condemnation?
If yes, explain:

☐ Yes ☒ No

Not applicable.

2. Was the property listed for public sale?

☐ Yes ☒ No

If yes, explain how the property owner was made aware of the grant sponsor interest in the property.

Not applicable as the already owns and operates the site as a public park.

3. Does this project involve donated property?

☐ Yes ☒ No

If yes, include evidence that the seller was offered the fair market value of the property as just compensation and willingly chose to donate the property instead. (If the donation is subject to a waiver of retroactivity the evidence must pre-date the donation.)

Not applicable as the already owns and operates the site as a public park.

Section 2.2 Development and Combination Grants

A. Grant Elements

1. What new facilities will be constructed as part of this project?

As part of this project, a crushed limestone trail will be added adjacent to the newly restored Goose Creek. Creek access points, educational signs, and natural playscapes will also all be new additions to Goose Creek Park as part of this project.

2. What existing facilities will be renovated or replaced (specify which) as part of this project? Provide the age/original construction date of each facility that will be renovated or replaced.

No facilities within Goose Creek Park will be fully removed. The natural playscapes will be an addition to the current playground. The only real removal will be of overgrown, unhealthy, and invasive vegetation that is blocking access to Goose Creek. This vegetation will be removed and restored to allow access and improve the health and beauty of the site.

3. What general site improvements (e.g. demolition, site preparation, landscaping, habitat improvements, etc.) will be completed as part of this project?

Creek and vegetation restoration along with added recreational amenities are the main goals of this project. This will provide habitat improvements, recreational opportunities, and safe access to nature.

4. What is the anticipated life span of the facilities that will be funded as part of this project?

The stream restoration, crushed limestone trail, creek access points, educational signs, and natural playscapes are all intended to be permanent features for perpetuity. In order for this to be true, the City of Davenport will provide regular maintenance and monitoring of all features to ensure that they continue to act as they should and are not damaged or in need to repair.

5. Does the project scope include facilities that also eligible for Dingell-Johnson or Wallop-Breaux Act funding (i.e., boat/fish access)? ☐ Yes ☒ No
6. Does this project involve the new development of a sheltered/enclosed swimming pool or ice-skating rink or the sheltering/enclosure of an existing outdoor pool or rink? ☐ Yes ☒ No
- i. Explain how it was determined that the site meets the cold climatic criteria described in the LWCF manual. Provide a copy of the cold climatic data used to make the eligibility determination with the application (see manual).

Not applicable.

- ii. Explain the nature of the project - is this a new sheltered facility, or construction of the shelter only? If the pool or ice rink already exists, was it LWCF-funded? If yes, what year was it built and how much LWCF assistance was provided?

Not applicable.

- iii. What is the total cost of the sheltered facility and what amount of grant funding will be spent on the actual shelter/enclosure structure itself (if any)?

Not applicable.

- iv. Explain the significantly increased public use that will be made possible by the shelter/enclosure to justify the construction of such a facility.

Not applicable.

B. Design Elements

1. How are access requirements under the Americans with Disabilities Act (ADA) and Architectural Barriers Act (ABA) being addressed in this project?

Goose Creek Park currently has a cement trail that leads from the parking lot, to the playgrounds, and across the river. This cement trail will not be taken out as part of this project. In addition to the already existing ADA compliant cement trail, an ADA compliant crushed limestone trail will be added adjacent to the newly restored creek. This trail will be on less than an 8% grade and be composed of small crushed rock small enough to be ADA compliant. The goal of the Goose Creek Park Restoration is to make nature accessible to all populations, especially those at higher risk or have less of an opportunity to enjoy nature.

2. What design elements are included that contribute to preserving environmental resources as part of ensuring a quality outdoor recreation experience for present and future generations?

Not only will this project improve recreational opportunities, physical, and mental health of park visitors, but it also improves the natural health of the area. The currently overgrown and invasive vegetation surrounding the steep and eroded banks of Goose Creek will transform into a beautiful and healthy natural area with native vegetation and safe access to a newly re-meandered Goose Creek.

Section 3.0 Site Information

A. Basic Information

1. Will this proposal create a new public park/recreation area where none previously existed? ☐ Yes ☒ No
If yes, explain.

This project is a restoration/renovation of the existing Goose Creek Park. Facilities and natural areas within the park plan to be updated, improved, or added upon.

2. If this is an existing LWCF site, has the park name changed since the last grant? ☐ Yes ☒ No
If yes, explain and confirm that you have met applicable federal insurance requirements.

This site is not an existing LWCF site and has not changed names in recent history.

3. Is this project located in a floodplain? ☒ Yes ☐ No
If yes, explain.

The site (Goose Creek Park) is located within and adjacent to Goose Creek. Sections of the project area are within the regulatory floodplain, while other sections are within the 1% annual chance flood hazard area.

4. Is your site contiguous with or connected to any federally owned recreation area? ☐ Yes ☒ No
If yes, explain.

Not applicable.

5. Is your site part of a larger management area, such as a greenway or regional recreation area? ☐ Yes ☒ No
If yes, explain.

Not applicable.

6. Describe the existing site conditions.

Currently, Goose Creek Park is outdated to meet current recreation needs. The one concrete path leads from the playground across the creek to the residential area south of the park. Additionally, the main natural amenity and proposed source of new recreation, Goose Creek, is completely hidden by dense, unhealthy and overgrown vegetation. This vegetation makes it very hard to access Goose Creek anywhere within the park and even hides Goose Creek from view in most places. Similarly, the banks of Goose Creek are steep, very high, eroded, and in poor shape.

7. Explain why the site is suitable for the type of outdoor recreation proposal being submitted.

The proposed restoration will not only create a new and beautiful looking Goose Creek Park, but it will specifically aid the effort to increase recreational opportunities for people of higher need through the increased access to interact with nature in safe and enjoyable ways.

8. Does the site include any elements that visually detract from the outdoor recreation experience or that represent a potential public safety hazard? ☐ Yes ☒ No

If yes, explain and describe whether this project will help to address those concerns.

Not applicable.

9. What is/will be the applicant's type of ownership and control of the property?

- ☒ Fee simple ownership. ☐ Less than fee simple. Explain what rights the applicant has and what agency holds the underlying fee simple ownership. ☐ Lease. Include a copy of the lease with the application.

B. Stewardship Consideration

1. Is this a multi-use site (i.e. school, reservoir, state forest, etc.)?

☐ Yes ☒ No

If yes, explain.

- i. How often will the public have recreation access to the site?

This site is a city owned park that is open to the public in perpetuity.

- ii. What kinds of restrictions to public outdoor recreation will occur?

During park hours, the site will always be open to the public. It is possible that sports teams use different areas of the park like the baseball field or disc golf course at specific times, but this will not hinder public use of the park.

2. Who will manage and operate the site(s)?

The City of Davenport will manage and operate the site.

3. Describe the nature of any rights-of-way, easements, reversionary interests, etc. within the proposed LWCF boundary area:

Not applicable as there are no rights-of-way, easements, revisionary interests, etc. within the proposed LWCF boundary.

4. Are there any pre-existing or planned indoor facilities on site that would not themselves be eligible for LWCF grant funding?

☐ Yes ☒ No

If yes, describe and explain how/if the structure(s) support public outdoor recreation.

Not applicable.

5. Is the proposed LWCF boundary the same as the boundary of the park/recreation area as it exists in its totality?

☒ Yes ☐ No

If yes, explain any area proposed for exclusion and why, and ensure it is clearly depicted on the proposed LWCF boundary map.

The boundary map attached to the application show that the 28 Acres bounds of the project are the same boundaries as Goose Creek Park overall.

6. Are there any pre-existing or planned resource management practices (i.e. timber management, grazing, etc.)?

☒ Yes ☐ No

If yes, describe the nature of the practice, the anticipated duration, and how the practice supports outdoor recreation.

As part of the proposed project, vegetation restoration will be part of the project in order to improve stream access.

7. Are there any pre-existing or planned uses on site that are incompatible with LWCF requirements that should be excluded from the LWCF boundary?

☐ Yes ☒ No

If yes, describe the nature of the use and ensure it is clearly depicted on the proposed LWCF boundary map. Clarify whether the future intent is for the area to become subject to LWCF once the use is terminated, or if the intent is for the use to continue within the park in perpetuity.

Not applicable.

C. Environmental Resources Survey

The tables below serves as a record of the environmental resources present at the site, whether the proposed action is likely to have a significantly negative impact on those resources, and whether further information is needed to determine the potential impact. Review the listed resources and identify any resources that may be significantly impacted by the action. **The Environmental Resources Survey should be completed with professional input from resource experts and in consultation with relevant local, state, tribal, and federal governments, as appropriate.**

Table 1 – For each resource indicate if positive impacts or negative impacts are anticipated to result from the action or if further information is needed to determine the potential impact. Consider both direct and indirect impacts associated with each resource. If the project will not have an impact on the identified resource, leave all boxes for that resource blank.

+: indicates positive impacts are anticipated to result from the action

-: indicates negative impacts are anticipated to result from the action

?: indicates further information is needed to determine the potential impact

Site Name: Goose Creek Park

	How will the project affect the following resources?	+	-	?
1	Air quality	☐	☐	☐
2	Circulation and transportation	☐	☐	☐
3	Climate	☐	☐	☐
4	Contamination or hazardous materials even if remediated	☐	☐	☐
5	Endangered species: (listed or proposed threatened or endangered) including associated habitat	☐	☐	☒
6	Environmental justice: minority and low-income populations	☐	☐	☐
7	Geological resources: soils, bedrock, slopes, streambeds, landforms, etc.	☒	☐	☐
8	Historic or cultural resources	☐	☐	☒
9	Invasive species	☒	☐	☐
10	Land use plans or policies from other agencies including tribes	☐	☐	☐
11	Lightscares, especially night sky	☐	☐	☐
12	Migratory birds	☐	☐	☐
13	Recreation resources	☒	☐	☐
14	Socioeconomics: changes to tax base or competition with private sector	☐	☐	☐
15	Sound (noise impacts)	☐	☐	☐
16	Unique ecosystems, such as biosphere reserves, World Heritage sites, old growth forests, etc.	☐	☐	☐
17	Water quality and/or quantity	☒	☐	☐
18	Water: coastal barrier resources or coastal zones	☐	☐	☐
19	Water: marine and/or estuarine	☐	☐	☐
20	Water: stream flow characteristics	☒	☐	☐
21	Water: wetlands and floodplains	☐	☐	☒
22	Other important resources	☐	☐	☐
	Explain:			

Table 2 – This is a list of mandatory impact criteria that preclude the use of a categorical exclusion. If you answer “yes” or “?” for any of the mandatory criteria, you must develop an EA or EIS regardless of your answers in table 1.

Site Name: Goose Creek Park

	Will your proposal:	Y	N	?
1	Have significant negative impacts on public health or safety?	☐	☒	☐
2	Have significant negative impacts on unique natural resource or geographic characteristics such as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas?	☐	☒	☐
3	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources?	☐	☒	☐
4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	☐	☒	☐
5	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	☐	☒	☐
6	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?	☐	☒	☐
7	Have significant adverse effects on properties listed or eligible for listing in the National Register of Historic Places as determined by NPS?	☐	☐	☒
8	Have significant negative impacts to species listed, or proposed to be listed, on the List of Endangered or Threatened Species or have significant impacts on designated critical habitat for these species? Please utilize the USFWS IPaC Planning Tool for an initial assessment of potential impacts to federally listed endangered and threatened species and habitat if an environmental assessment has not been completed to date. Mitigation efforts may be considered to reduce or alleviate potential impacts.	☐	☐	☒
9	Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?	☐	☒	☐
10	Have a disproportionately high and adverse effect on low income or minority populations (EO 12898)?	☐	☒	☐
11	Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites?	☐	☒	☐
12	Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species?	☐	☒	☐

1. Have there been any previous NEPA/SEPA documents that are relevant to this project or this specific site? ☐ Yes ☒ No

If yes, attach and summarize findings and include page number references below.

Not applicable.

2. Explain any negative or unknown impacts identified in Table 1 of the Environmental Resources Survey, or any boxes marked "yes" in Table 2 (mandatory criteria).

Should the project move forward using a LWCF grant, the City would complete the necessary protect-species assessment and cultural resources inventory to fulfill its Section 7 and Section 106 responsibilities. Should an adverse effect recommendation result from these studies, the City would prepare the necessary National Environmental Protection Act review and documentation.

3. How was the information identified in the tables derived and what sources of data were used to justify the impact selection?

This analyses were developed using a combination of spatial data and on-line databases from the following sources: NEPAassist, Iowa BioNet, U.S. Fish and Wildlife Service Interagency Planning and Consultation portal, National Transportation Noise Map, I-Sites Pro, Iowa Office of the State Archaeologist, Keeper of the National Register of Historic Places, Natural Conservation Service Web Soil Survey, National Wetland Inventory, Iowa Geospatial Data Clearinghouse, and National Park Service Wild and Scenic River program.

4. Who contributed to filling out the Environmental Resources Survey (include name, title, agency) and what qualifications do they have that provide the necessary resource expertise to determine impact significance?

Bill Martin, CEP, senior environmental planner, prepared the analysis presented above. Mr. Martin has over 30 years experience preparing resource reports, constraint analysis, environmental reviews, environmental assessments, and environmental impact statements for a wide range of project scopes, including for Land and Water Conservation Fund projects.

5. List all required federal, state, and local permits/approvals needed for the proposal and explain their purpose and status. Additional environmental and/or historical assessments, surveys, reports and/or permits may be required after further review of the grant project by Iowa DNR, NPS, the Iowa SHPO or other associated agencies.

The City anticipates having a wetland delineation, cultural and archaeological resources inventory, and protect-species review prepared for the project in the Spring of 2023. Section 404 Clean Water Act, Section 106 National Historic Preservation Act, and Section 7/10 Endangered species consultation would be completed. Additionally, the City will comply obtain any and all necessary stormwater and floodplain permits. Best practices for noxious weed control, sediment control, and lighting would be integrated into the project plans.

D. Cultural and Historic Resources Review

Have there been any previous cultural and/or historic resource surveys completed that included this site within the area of potential effect that was assessed?

- ☒ No - Describe any construction planned as a result of this project that will extend beyond the pre-existing disturbance area (including surface area and depth).
- ☐ Yes - Attach survey and summarize findings and include page number references below.

A Phase IA cultural resources assessment prepared for this grant showed that the project area has not been previously inventoried for archaeological or other types of cultural resources by a Secretary of Interior qualified archaeologist or historian. No archaeological or historical resources are recorded with the Iowa Office of the State Archaeologists or Iowa State Historic Preservation Office. No property currently listed on the National Register would be affected by the proposed project. The City anticipates completing an intensive cultural resources inventory for the proposed project in the Spring of 2023.

SECTION 106, ARCHAEOLOGICAL INITIAL DESKTOP REVIEW (ATTACH SEPARATELY)

State Historic Preservation Office (SHPO) review is required under Section 106 of the National Historic Preservation Act of 1966 for all projects/proposals. The following information is required in order for the Department and the National Park Service to make a recommendation to SHPO.

SHPO does not accept request for reviews directly from the Applicant. The request for SHPO review and concurrence must come from the authorizing agency, in this case, the National Park Service. If your project is selected for funding, the Department and National Park Service will use this information to send to the SHPO and tribal offices for review and concurrence.

LWCF Applicants must complete an initial desktop archaeological review and submit the recommendation with their LWCF application. If a Phase I or other archaeological survey has previously been completed for the project area, it will also need to be submitted with the grant application.

The Office of the State Archaeologist (OSA) offers free-of-charge initial desktop reviews of projects for LWCF grant applicants. Further recommended in depth reviews or surveys are on a fee-for-service basis. A list of professional archaeologists in Iowa can be found on the Association of Iowa Archaeologist website at <http://aiarchaeologist.org/membership-directory/>. OSA will recommend one of the following:

- A. That no further archaeological work is recommended.
- OR
- B. That a Phase I or other archaeological resource surveys are recommended.

For a desktop review with OSA, please contact Mr. John Doershuk at john-doershuk@uiowa.edu or 319-384-0751.

The following information should be provided when requesting a desktop review:

- A. Project Description
Include a project description identifying purpose, acreage, and location. It should include enough detail to fully communicate the action, especially with regard to its potential effects on historic properties.
- B. Previous Known Studies
The applicant should include any previous known archaeological studies conducted at the project site.
- C. Area of Potential Effect (APE)
In accordance with 36 CFR 800.4(a) (1), the agency shall determine and document the APE. The APE is defined at 36 CFR 800.16(d) as “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.” In order to sufficiently cover all aspects of the undertaking, APE should include access points and staging areas. If a known historic property is located in the APE, the entire property should be included in the APE.

From: [Doershuk, John F](#)
To: [Owen Baldwin](#); [Flatt, Jessica](#)
Subject: RE: [External] LWCF Section 106 Desktop Review--Davenport Goose Creek Park
Date: Wednesday, February 22, 2023 9:01:25 AM
Attachments: [image001.png](#)

Owen,

Thanks for the opportunity to comment. I'm copying Jessica Flatt with DNR's LWCF program but you should include the following information in your application submittal. The proposed park area in Davenport is in a location for which no archaeological sites have been recorded, although there are recorded precontact era sites approximately 1 km distance both upstream and downstream along Goose Creek, signaling that there is strong potential for archaeological preservation in undisturbed portions of the park. Review of available historic and modern aerial photography and lidar suggests relatively little of the park has been adversely impacted by modern development. My recommendation is the proposed project activities have sufficient potential for intersecting with as yet undiscovered near-surface or buried archaeological deposits of significance that an archaeological survey should be "built in" to the project. To meet the requirements associated with receipt of LWCF support, please secure a Phase I archaeological scope of work and cost estimate structured in accordance with the Association of Iowa Archaeologists *Guidelines for Archaeological Investigations in Iowa* (available at: <http://aiarchaeologist.org/guidelines/>). This same website also has a list of qualified archaeological consultants familiar with implementing the AIA best practices. Jessica can confirm, but I believe Phase I archaeological survey and reporting costs such as I'm recommending as required for the proposed project can be included as a grant expense. Be sure to provide this email (and your project information as sent to me) to any consultant from whom you secure a cost proposal so they understand what is being required as the scope of work. If the Phase I investigation reveals archaeological deposits then additional consultation will be needed to discuss preservation in place or eligibility testing.

Sincerely,
John F. Doershuk, PhD
State Archaeologist and Director, Office of the State Archaeologist
Adjunct Associate Professor, Anthropology
700 Clinton St. Building, University of Iowa
Iowa City, IA 52242
Office: 319-384-0751 Mobile: 319-530-9148
<https://archaeology.uiowa.edu>

MEMO

TO: Owen Baldwin and Nicole Turpin – Impact7G

FROM: Bill Martin, CEP, RPA – Impact 7G

DATE: Tuesday, February 21, 2023

RE: Preliminary Phase IA Cultural Resources Assessment – Goose Creek Park – Davenport, Scott County, Iowa

The City of Davenport (City) is proposing to develop portions of Goose Creek Park for a recreational purposes to serve the growing population. Impact7G is assisting with preparing a Land and Water Conservation Fund (LWCF) grant application to be used in the development. This assessment provides an initial review of archaeological and cultural resources within the park that may be impacted as a result of the planned park development.

This initial review is designed to assist with the long-term planning and management for the park. Impact7G prepared this review for the City. The City and Impact7G will incorporate the results and recommendations of this review into the design and permitting of the project. This study provides an initial assessment of known and potential archaeological and cultural resources that may need to be identified and evaluated as part of the review and compliance process stipulated in Section 106 of the *National Historic Preservation Act*. The nexus requiring compliance with Section 106 would be through the National Park Service funding the project with LWCF monies.

A Phase IA assessment is designed exclusively for administrative, due diligence, planning, and management purposes, and it does not include the fieldwork necessary to locate sites and historical properties that have not been previously recorded or confirm the presence of those that have been. The goals of this review were accomplished using a variety of methods and approaches, specifically:

- Review of structures, buildings, cemeteries, and archaeological site locations, previously inventoried areas, and potential historical resources and events on the ISites and ISites Pro portals administered by the Iowa Office of the State Archaeologist (OSA) at the University of Iowa.
- Analysis of pertinent cultural resource reports curated at the Iowa State Historic Preservation Office.
- Review of soil data on the Web Soil Survey sponsored by the Natural Resources Conservation Service and geomorphological source materials.
- On-line literature search and review of records and county histories at the University of Iowa Archives and Library (<http://www.lib.uiowa.edu/sc/archives/>).
- Review of orthographic aerial photographs, plat maps, and historical topographic maps of the proposed study area housed on the server hosted by the Iowa State University GIS Facility.
- Review of spatial data provided by the Keeper of the National Register of Historic Places for currently listed properties (excluding archaeological sites).

The review showed:

- Most of the immediate review area was in continuous intensive row-crop production or pasture up into the 1990s, when the property became public open space.
- Soils are a mix of shallow till, heavily modified loess, and silty alluvium associated with the Holocene-aged DeForest Formation. Alluvial soils have some limited potential for intact, subsurface

archaeological deposits, layers, or signatures. Artifacts associated with till and loessal soils would be in a surface to near-surface context and association and not be considered significant archaeological resources.

- No previously recorded historical resources (buildings, structures, cemeteries, or objects) or National Register properties are reported within or proximal to the review area. None are indicated on the historical aerial orthographic photographs examined for this review.
- No portion of the study area has been inventoried to current standards for archaeological resources.
- No archaeological or other types of cultural resources are recorded within the project area.
- No Notable Locations, Historic Indian Location Data, or Historic Indian Location Data – Burial occur within the project area in the on-line database administered by the OSA examined for this review.
- No burials or human remains are reported within the project area.
- In general, the area is characterized by a moderate density and frequency of prehistoric archaeological resources. It is likely that sites would consist of a small number of unmodified and minimally modified flaked stone artifacts that could not be dated or assigned to a specific cultural affiliation. They would likely be evaluated as not significant or not eligible for listing on the National Register. Historical archaeological resources appear slightly more abundant and include a range of site types that are easily identified in historical documents. If encountered, historic-period sites would likewise be ephemeral and associated with agricultural use of the area and would be evaluated as not significant. The former farmstead would likely be recorded and evaluated during the intensive archaeological inventory of the project area.

Given the potential for yet unrecorded archaeological resources, it is likely that National Park Service would require an intensive archaeological and cultural resources inventory of the project area to fulfill its Section 106 responsibilities to consider impacts that the project may have on historic properties. Only the federal agency – in consultation with its partners at the regional Tribal Historic Preservation Offices and the Iowa State Historic Preservation Office – can make this determination.

The information presented in this review is should not be disseminated beyond agency and city officials, as it contains sensitive archaeological site location information.

REQUIRED PROJECT MAPS

Project maps are one of the most important components of the Project Proposal. The maps will be used for inspection years after the project has been completed. For this reason, accuracy is crucial. Send a legal description of the boundary with your maps. The State will submit the signed and dated project boundary map to the National Park Service for approval.

Required Maps - Include two original copies of each of the following:

1. Dated Project Boundary Map
2. Legal Description Map outlining ownership and parcel data
3. Tract Map (acquisition projects only)
4. Site Development Map (development projects only)
5. City/County Map with project location

The following information is required to be included on the Dated Project Boundary Map, Tract Map and Site Development Map:

1. title of the project;
2. date of map preparation, certified by the grantee signature;
3. maps must be to scale, project boundary outlined, showing feet, acres, and directional arrow;
4. show planned development for project site, color code existing and planned development;
5. show all tracts to be purchased (acquisition projects only);
6. show existing roads (include names), overhead utility lines or other environmental intrusions;
7. show existing land use of land adjoining project site;

Example Maps: Urban Park

Project Boundary Map

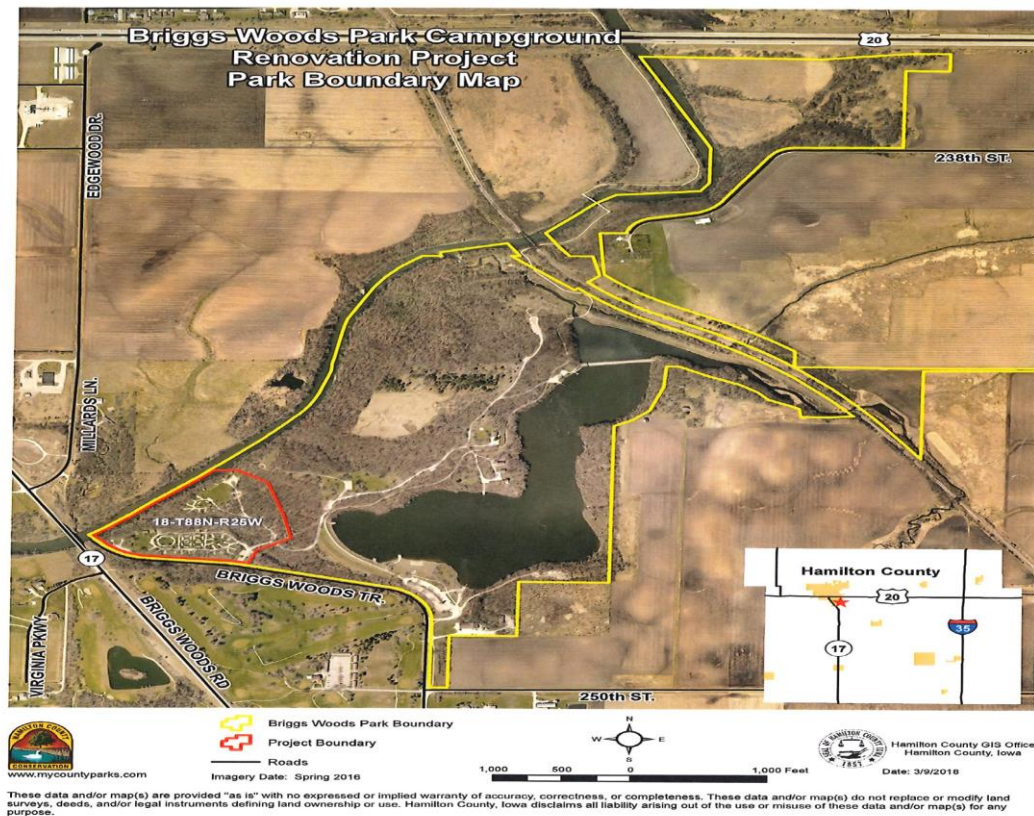


Site Development Map

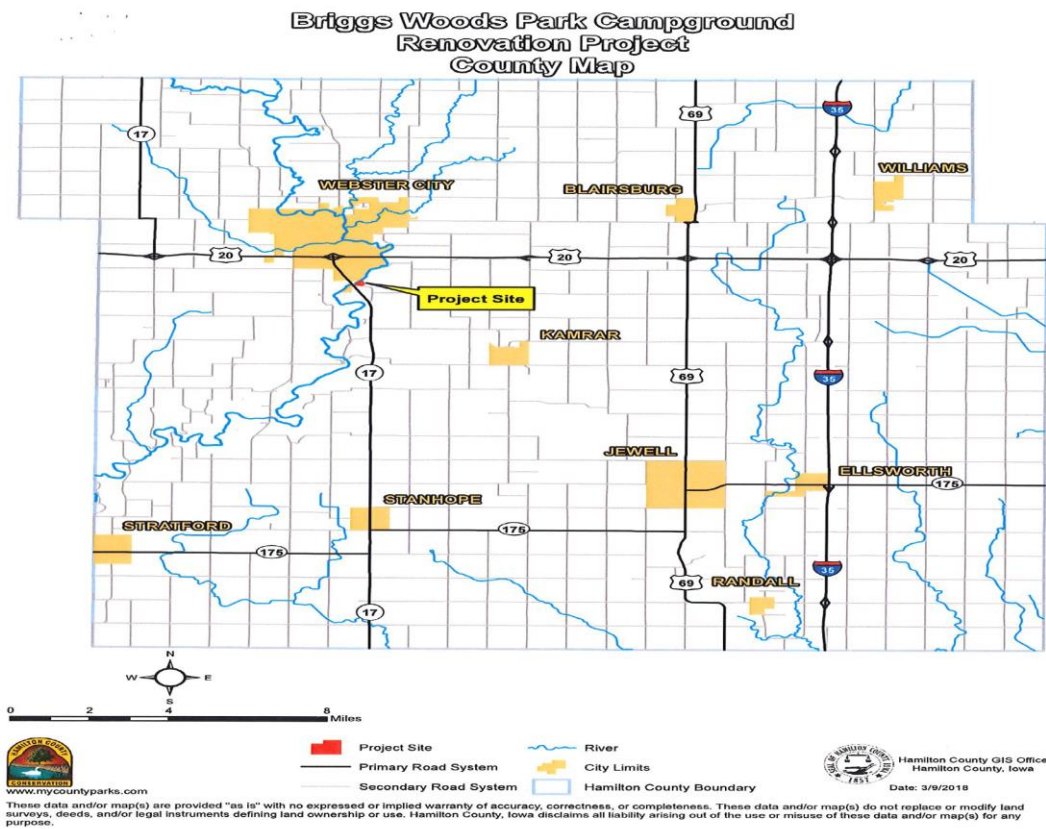


Example Maps: Rural Park

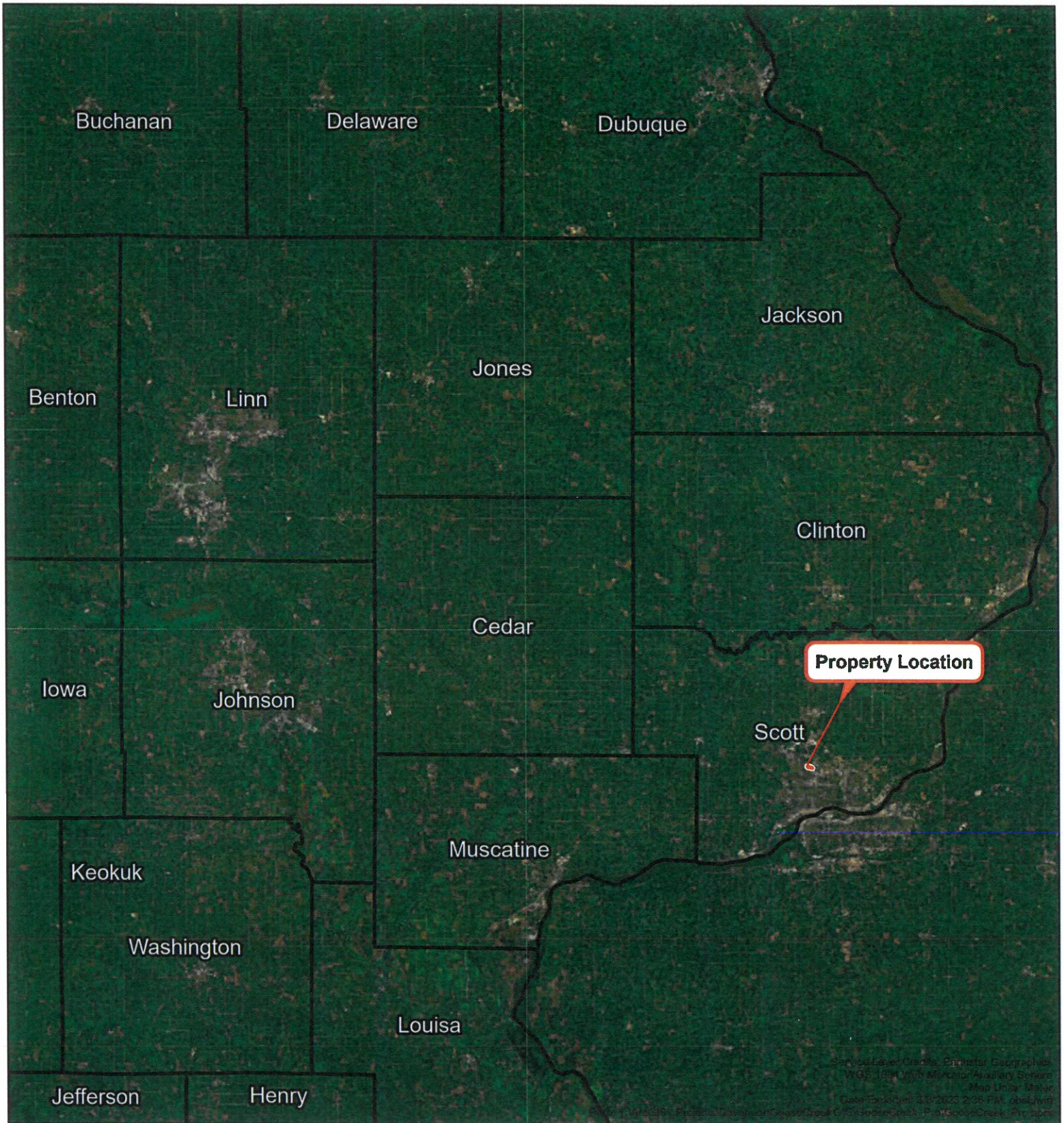
Project Boundary Map



Project Location Map



County Map



Legend

 Project Boundary - 29.85 Acres

 Counties



Miles 0 10 20



Grantee Signature:

Amy Kay

Goose Creek Park Restoration
City of Davenport
LWCF Application Maps
Date of Map Creation: 3/6/2023

Project Boundary Map



Legend

Project Boundary - 29.85 Acres

Roads

Grantee Signature:

Amy Kay



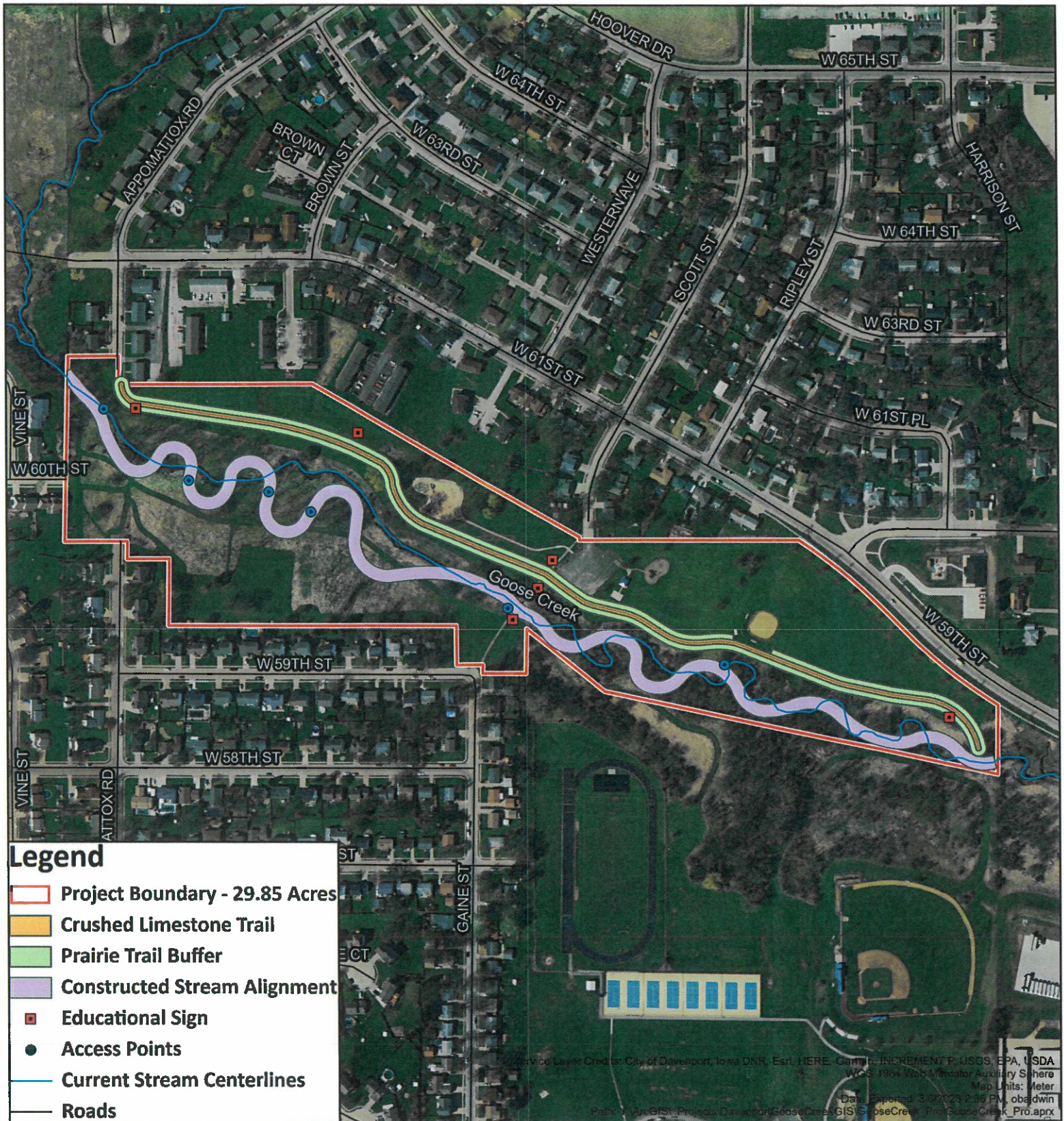
US Feet 0 300 600

Goose Creek Park Restoration
City of Davenport
LWCF Application Maps
Date of Map Creation: 3/6/2023

Parcel Data Map



Site Development Map



Grantee Signature:

Amy Kays



US Feet 0 300 600

Goose Creek Park Restoration
City of Davenport
LWCF Application Maps
Date of Map Creation: 3/6/2023

RESOLUTION ON ACQUISITION OR DEVELOPMENT FOR OUTDOOR RECREATIONCounty: Scott County*WHEREAS*, the City of Davenport (City/County) is interested in acquiring lands or developing outdoor recreational facilities on the following described project for the enjoyment of the citizenry ofSite Name: Goose Creek Park and the State Iowa.Site Address: 6000 Scott Street, Davenport IA. 52806Project Title: Goose Creek Park RestorationTotal Estimated Cost: \$ 1,310,880.50

Brief Description of Project:

The City of Davenport is planning to make several improvements to Goose Creek Park. The restoration phase of the project will include stream and vegetation restoration, addition of creek access points for safety and recreation, a new trail adjacent to Goose Creek, and natural playscapes. Slight modifications to the existing disc golf park may be necessary. These park enhancements will provide equity in recreation opportunities, and safe access to natural amenities that will improve the life of residents of Davenport.

AND, Land and Water Conservation Fund financial assistance is being sought for the acquisition or development of said outdoor recreational facilities,

NOW THEREFORE, be it resolved by the City of Davenport that the project described above be authorized,

AND, be it further resolved that said the City of Davenport make application to the Iowa Department of Natural Resources to seek Land and Water Conservation Fund financial assistance from the National Park Service in the amount of 15.25 % of the actual cost of the project,

AND, be it further resolved that said City of Davenport certifies to the following:

1. That it will accept the terms and conditions set forth in the NPS Grants-in-Aid Manual and which will be a part of the Project Agreement for any grant awarded under the attached proposal.
2. That it is in complete accord with the attached proposal and that it will carry out the acquisition and/or development in the manner described in the proposal and any plans and specifications attached thereto unless prior approval for any change has been received from the Iowa Department of Natural Resources.
3. That it has the ability and intention to finance its share of the cost of the project and that the project will be operated and maintained at the expense of said City of Davenport for public outdoor recreational use.
4. That no financial assistance has been given or promised under any other federal program or activity with regard to the proposed project.
5. That it will not discriminate against any person on the basis of race, color, or natural origin in the use of any property or failure acquired or developed pursuant to this proposal, and shall comply with the terms and intent of the Title VI of the Civil Rights Act of 1964, P.L. 88-352 (1964), and of the regulations promulgated pursuant to such Act by the Secretary of the Interior and contained in 43 CFR 17.
6. That it will maintain adequate financial records on the proposed project to substantiate claims for cost-sharing.

THIS IS TO CERTIFY that the foregoing is a true and correct copy of a resolution duly and legally adopted by the

_____ at a legal meeting held on this _____ Day

of _____, 20 _____.

(signature)

(signature)

(title)

(title)

APPLICANT RISK ASSESSMENT QUESTIONNAIRE

2 CFR 200.331 of the Federal Code requires pass-through entities to conduct a risk assessment of each sub-recipient. Please complete and return this section as part of your grant application. If the answer to any question is not yes, please provide a brief explanation of your entity's process. If questions arise while completing the questionnaire please contact the DNR Department Auditor at 515-725-8208.

- A. Was an audit performed in the prior fiscal year? If so, please skip to question 21, provide your information and signature at the bottom of this form and provide a copy of your audit report with your application.

Yes, an audit was conducted in FY 2022.

- B. If not, please answer all of the following questions and provide your information and signature at the bottom of the form.

1. Are the accounting records maintained on a current basis?
2. Are bank accounts reconciled by an employee who does not sign checks, handle or record cash?
3. Are reconciliations reviewed and approved by a person who is not responsible for receipts and disbursements?
4. Are inventory counts verified by persons independent of those in charge of the inventory records?
5. Are capital assets tested periodically by an individual having no responsibility for the assets?
6. Are capital expenditures authorized by appropriate officials and the governing body?
7. Is a physical inventory taken periodically (at least annually) and reconciled to detailed capital asset records?
8. Is a list of receipts prepared by the mail opener?
9. Is an independent reconciliation of recorded receipts to the initial listing performed?
10. Is a restrictive endorsement placed on each incoming check upon receipt?
11. Are responsibilities for the disbursement/expenditure approval function segregated from those for the voucher preparation and purchasing functions?
12. Are responsibilities for reconciling disbursements/ expenditures with the check/warrant register segregated from those preparing the vouchers?
13. Is final approval for payment made by a different individual than the check/warrant signer?

14. Are all disbursements/expenditures required to be supported by invoices or other documentation?
15. Does the person reviewing the claims have sufficient knowledge of federal and state grant requirements, laws and regulations to determine cost allowability?
16. Are supporting documents for claims effectively canceled at the time of approving the payment to prevent their reuse?
17. Are controls maintained over the supply of unused and voided checks/warrants?
18. Are salaries approved by the governing body for full-time and part-time employees?
19. Are time sheets used and approved by appropriate personnel?
20. Are financial reports reviewed and approved at appropriate levels of management?

21. Is management committed to providing proper stewardship for property acquired with federal awards?

Yes, the City of Davenport owns the land and will continue to indefinitely provide proper stewardship for the property.

22. Are accurate records maintained for all acquisitions and dispositions of property acquired with federal awards?

Yes

23. Is a physical inventory of equipment periodically taken and compared to property records?

Yes

24. Are procedures established to ensure the federal awarding agency is appropriately reimbursed for dispositions of property acquired with federal awards?

Yes

25. If requested, could a certification from the donor be obtained or other procedures be performed to identify whether matching contributions are from non-federal sources?

Yes

26. Have procedures been established to verify vendors providing goods and services under the award have not been suspended or debarred by the federal government?

Yes

Completed by: Amy Kay

Signature: Amy Kay

Digitally signed by Amy Kay
DN: cn=Amy Kay, o=City of Davenport, ou=Division, e=amy.kay@davenportiowa.com, c=US
Reason: I am the author of this document
Location:
Date: 2023.03.07 10:43:24-0600
Foxit PDF Editor Version: 12.1.1

Title: Clean Water Manger

Date: 3-7-2023

Phone Number: 563-327-5160

Email: amy.kay@davenportiowa.com

MINORITY IMPACT STATEMENT

Pursuant to 2008 Iowa Acts, HF 2393, Iowa Code Section 8.11, all grant applications submitted to the State of Iowa which are due beginning January 1, 2009 shall include a Minority Impact Statement. This is the state's mechanism to require grant applicants to consider the potential impact of the grant project's proposed programs or policies on minority groups. **Please choose the statement(s) that pertains to this grant application. Complete all the information requested for the chosen statement(s).**

- ☒ The proposed grant project programs or policies could have a disproportionate or unique positive impact on minority persons.
Describe the positive impact expected from this project

Access to improved outdoor spaces with an ADA compliant crushed limestone trail improves health for minority persons in the area.

Indicate which group is impacted:

- | | |
|---|---|
| ☐ Women | ☐ Pacific Islanders |
| ☒ Persons with a Disability | ☐ American Indians |
| ☒ Blacks | ☐ Alaskan Native Americans |
| ☐ Latinos | ☒ Other |
| ☐ Asians | |

- ☐ The proposed grant project programs or policies could have a disproportionate or unique negative impact on minority persons.
Describe the negative impact expected from this project

None

Present the rationale for the existence of the proposed program or policy.

CDC Social Vulnerability Scale: There is medium to high levels of vulnerability in the area. The project benefits these populations.

Provide evidence of consultation of representatives of the minority groups impacted.

EPA EJScreen for this area: People of color - 60th%. Low income -90th%. Project will provide both mental and physical benefits.

Indicate which group is impacted:

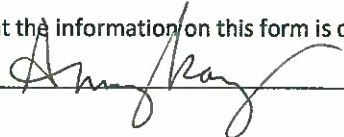
- | | |
|---|---|
| ☐ Women | ☐ Pacific Islanders |
| ☒ Persons with a Disability | ☐ American Indians |
| ☒ Blacks | ☐ Alaskan Native Americans |
| ☐ Latinos | ☒ Other |
| ☐ Asians | |

- ☐ The proposed grant project programs or policies are not expected to have a disproportionate or unique impact on minority persons.

Present the rationale for determining no impact.

The project benefits all populations in the area, but will especially elevate the opportunities, access, and health for minority persons.

I hereby certify that the information on this form is complete and accurate, to the best of my knowledge:

Name:  Title: 3-7-2023

Definitions

"Minority Persons", as defined in Iowa Code Section 8.11, mean individuals who are women, persons with a disability, Blacks, Latinos, Asians or Pacific Islanders, American Indians, and Alaskan Native Americans.

"Disability", as defined in Iowa Code Section 15.102, subsection 5, paragraph "b", subparagraph (1):

b. As used in this subsection:

- (1) "Disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of the individual, a record of physical or mental impairment that substantially limits one or more of the major life activities of the individual, or being regarded as an individual with a physical or mental impairment that substantially limits one or more of the major life activities of the individual.

"Disability" does not include any of the following:

- Homosexuality or bisexuality.
- Transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments or other sexual behavior disorders.
- Compulsive gambling, kleptomania, or pyromania.
- Psychoactive substance abuse disorders resulting from current illegal use of drugs.

"State Agency", as defined in Iowa Code Section 8.11, means a department, board, bureau, commission, or other agency or authority of the State of Iowa.

Auditors Report



Independent Auditor's Report

To the Honorable Mayor and
Members of the City Council
City of Davenport, Iowa

Report on the Audit of the Financial Statements

Opinions

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Davenport, Iowa, (City) as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Davenport, Iowa, as of June 30, 2022, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States (*Government Auditing Standards*). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Adoption of New Accounting Standard

As discussed in Notes I and XVI to the financial statements, the City has adopted the provisions of Government Accounting Standards Board (GASB) Statement No. 87, *Leases*, for the year ended June 30, 2022. Accordingly, a restatement has been made to the City's net position and fund balance as of July 1, 2021, to restate beginning net position and fund balance. Our opinions are not modified with respect to this matter.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America; and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.

- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control–related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and other required supplementary information listed in the table of contents be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The combining nonmajor fund statements are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining nonmajor fund statements are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Information

Management is responsible for the other information included in the annual report. The other information comprises the introductory and statistical sections but does not include the basic financial statements and our auditor's report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated December 5, 2022, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of City's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

A handwritten signature in cursive script that reads "Eide Sully LLP".

Dubuque, Iowa
December 5, 2022

Deed

THE IOWA STATE BAR ASSOCIATION Official Form No. 106		Richard A. Davidson ISBA # 282560 3-56571		FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER	
		\$26⁰⁰ FEES AUDITOR <i>Richard A. Davidson</i> RECORDER OF DEEDS SCOTT COUNTY, IOWA			
		2003 OCT 27 AM 11 18			
Preparer Information Richard A. Davidson, 220 N. Main, Suite 600, Davenport, (563) 333-6624					
		Individual's Name	Street Address	City	Phone
		Address Tax Statement : City of Davenport, 226 W. 4th Street, Davenport, IA 52801			SPACE ABOVE THIS LINE FOR RECORDER
QUIT CLAIM DEED					
For the consideration of <u>One (\$1.00)</u> Dollar(s) and other valuable consideration, <u>Davenport Community School District in the Counties of Scott and Muscatine, State of Iowa,</u>					
do hereby Quit Claim to <u>City of Davenport, Iowa</u>					
all our right, title, interest, estate, claim and demand in the following described real estate in <u>Scott</u> County, Iowa:					
See attached Exhibit "A".					
This deed is exempt pursuant to Iowa Code § 428A.2(6).					
Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate. Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context. Davenport Community School District in the Counties of Scott and Muscatine, State of Iowa					
Dated: _____, 2003		<i>Susan S. Low</i> Susan S. Low, Board President (Grantor) <i>Linda Smith Kortemeyer</i> Linda Smith Kortemeyer, Board Secretary (Grantor)			
STATE OF _____, ss: _____					
On this _____ day of _____, _____, before me, the undersigned, a Notary Public in and for said State, personally appeared _____					
_____		(Grantor)			
_____		(Grantor)			
_____		(Grantor)			
_____		(Grantor)			
_____		(Grantor)			
_____		(Grantor)			
Notary Public					
(This form of acknowledgment for individual grantor(s) only)					

STATE OF _____, _____ COUNTY, ss:
On this _____ day of _____, _____ before me, the undersigned, a
Notary Public in and for said County and said State, personally appeared

to me known to be the identical persons named in and who executed the foregoing instrument, and
acknowledged that they executed the same as their voluntary act and deed.

Notary Public

STATE OF IOWA, SCOTT COUNTY, ss:
On this 13th day of May, 2003 before me, the undersigned, a
Notary Public in and for said County and said State, personally appeared

Susan S. Low and Linda Smith Kortemeyer
to me personally known, who, being by me duly sworn, did say that they are the
Board President and Board Secretary
respectively, of said corporation; that (no seal has been procured by the said) corporation; that said
instrument was signed ~~(and sealed)~~ ^(the seal affixed thereto is the seal of said) on behalf of said corporation by authority of its Board of Directors;
and that the said Susan S. Low and Linda Smith Kortemeyer
as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of
said corporation, by it and by them voluntarily executed.

Susan K. Herzmann

Notary Public



EXHIBIT "A"

Part of the Northwest Quarter of the Northeast Quarter of Section 11, Township 78 North, Range 3 East of the 5th Principal Meridian, City of Davenport, Scott County, Iowa, more particularly described as follows: Commencing at the Northwest corner of said Northeast Quarter of Section 11, said point being the Point of Beginning; thence North 90 degrees 00 minutes 00 seconds East along the North line of said Northwest Quarter of the Northeast Quarter, a distance of 758.23 feet to the Southwesterly right of way line of 59th Street at a point of curvature of a non-tangent curve, concave to the Southwest, having a radius of 1455.00 feet, a central angle of 10 degrees 31 minutes 58 seconds, and a chord of 267.10 feet bearing South 50 degrees 16 minutes 41 seconds East; thence following said Southwesterly right of way line, southeast along said curve, a distance of 267.48 feet; thence South 45 degrees 00 minutes 42 seconds East, a distance of 124.12 feet to the point of curvature of a non-tangent curve, concave to the Northeast, having a radius of 1545.00 feet, a central angle of 12 degrees 23 minutes 18 seconds, and a chord of 333.41 feet bearing South 51 degrees 16 minutes 34 seconds East; thence Southeast along said curve, a distance of 334.06 feet to the East line of said Northwest Quarter of the Northeast Quarter; thence South 0 degrees 49 minutes 41 seconds West along said East line, a distance of 192.94 feet; thence North 77 degrees 52 minutes 28 seconds West, a distance of 1122.08 feet; thence North 51 degrees 11 minutes 00 seconds West, a distance of 278.03 feet to the West line of said Northeast Quarter of Section 11; thence North 1 degree 07 minutes 19 seconds East, a distance of 250.00 feet to the point of beginning; said described tract containing 12.33 acres (537,040 square feet), more or less.

Letter of Perpetuity



The City of Davenport
Nicole Gleason
1200 E 46th Street
Davenport, IA 52807
(563)-326-7923

Letter of Perpetuity for Goose Creek Park

March, 2023

Iowa Department of Natural Resources
Land and Water Conservation Fund Application
502 East 9th Street
Des Moines, IA 50319

Dear Jessica Flatt and the IDNR,

This City of Davenport has owned and continues to own Goose Creek Park. This park is the project location for the proposed Goose Creek Park Restoration Project that is applying for the Land and Water Conservation Fund.

The City of Davenport certifies that Goose Creek Park is designated as a publicly accessible outdoor recreation space. This space is open to public use and will continue to be open to the public for perpetuity to the best of our knowledge and according to current long range plans.

Sincerely,

Nicole Gleason
Public Works Director/Assistant City Administrator

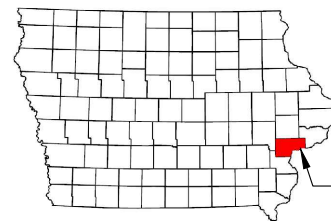
IMPACT7G
impact7g.com
108 E 7TH ST STE 2,
CORALVILLE, IA 52241
O: (515) 473-6256

SHEET INDEX



 **IOWA** 
ONE CALLSM
1-800-292-8989
www.iowaonecall.com


811
Know what's below.
Call before you dig.

[illegible]

SHEET NO.	SHEET TITLE
A.01	TITLE SHEET
A.02	LEGEND
B.01	TYPICAL CHANNEL CROSS SECTION
B.02	IDNR RIVER RESTORATION TOOLBOX TYPICAL DETAILS
B.03	NATIONAL FOREST SERVICE STANDARD TRAIL DETAILS
C.01	EXISTING CONDITIONS
C.02	SITE OVERVIEW
D.01	CHANNEL PLAN AND PROFILE
D.02	CHANNEL PLAN AND PROFILE
D.03	CHANNEL PLAN AND PROFILE

PROFESSIONAL SEALS

TITLE SHEET

GOOSE CREEK PARK RESTORATION

THE CITY OF DAVENPORT, IOWA

SHEET NO.

A.01

GENERAL SHEET LEGEND	
	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
	PROPOSED MAJOR CONTOUR
	PROPOSED MINOR CONTOUR
	PARCEL BOUNDARY
	EXISTING SANITARY SEWER PIPE
	EXISTING STORM PIPE
	CENTERLINE
	EXISTING SANITARY SEWER MANHOLE

impact7g.com

108 E 7TH ST STE 2,
CORALVILLE, IA 52241
O: (515) 473-6256

[illegible]

GOOSE CREEK PARK RESTORATION

THE CITY OF DAVENPORT, IOWA

SHEET NO.

A.02

[illegible]

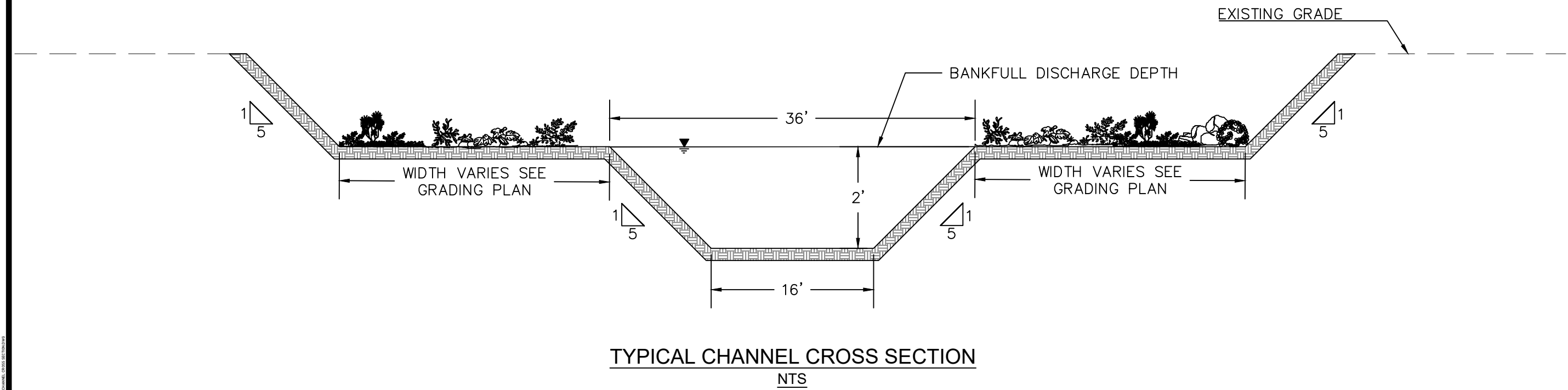
TYPICAL CHANNEL CROSS SECTION

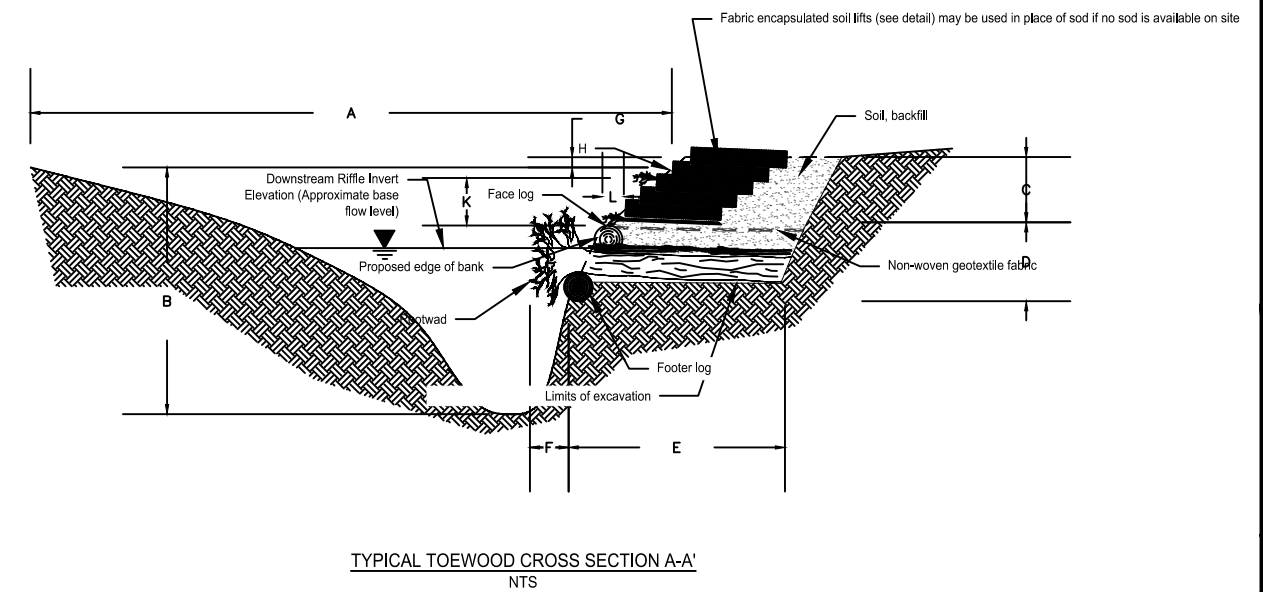
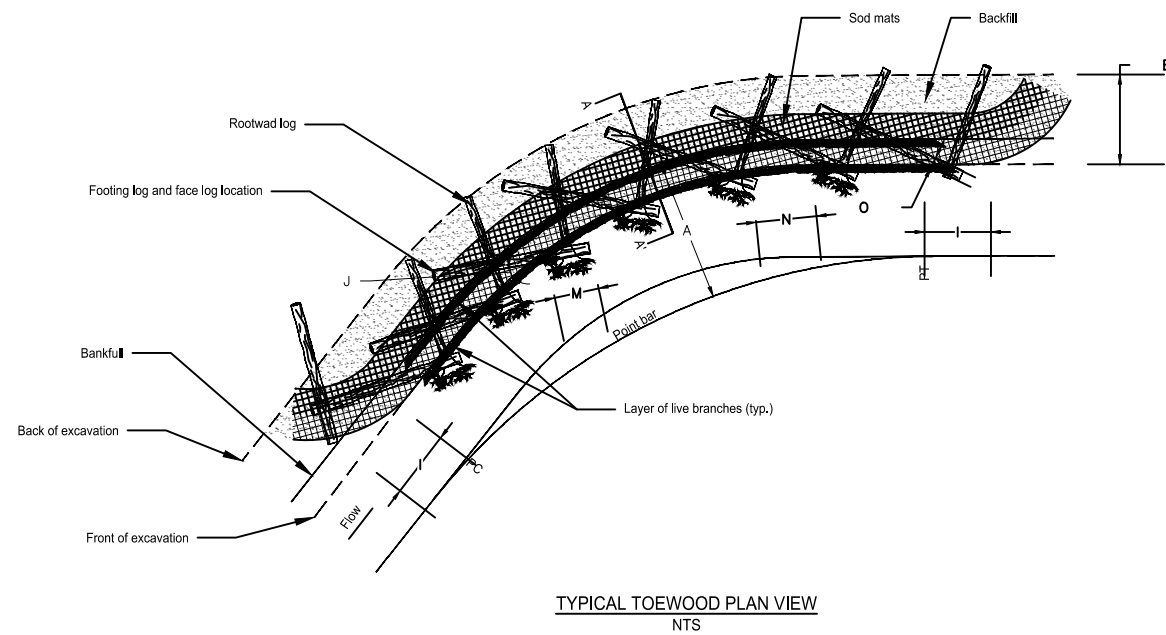
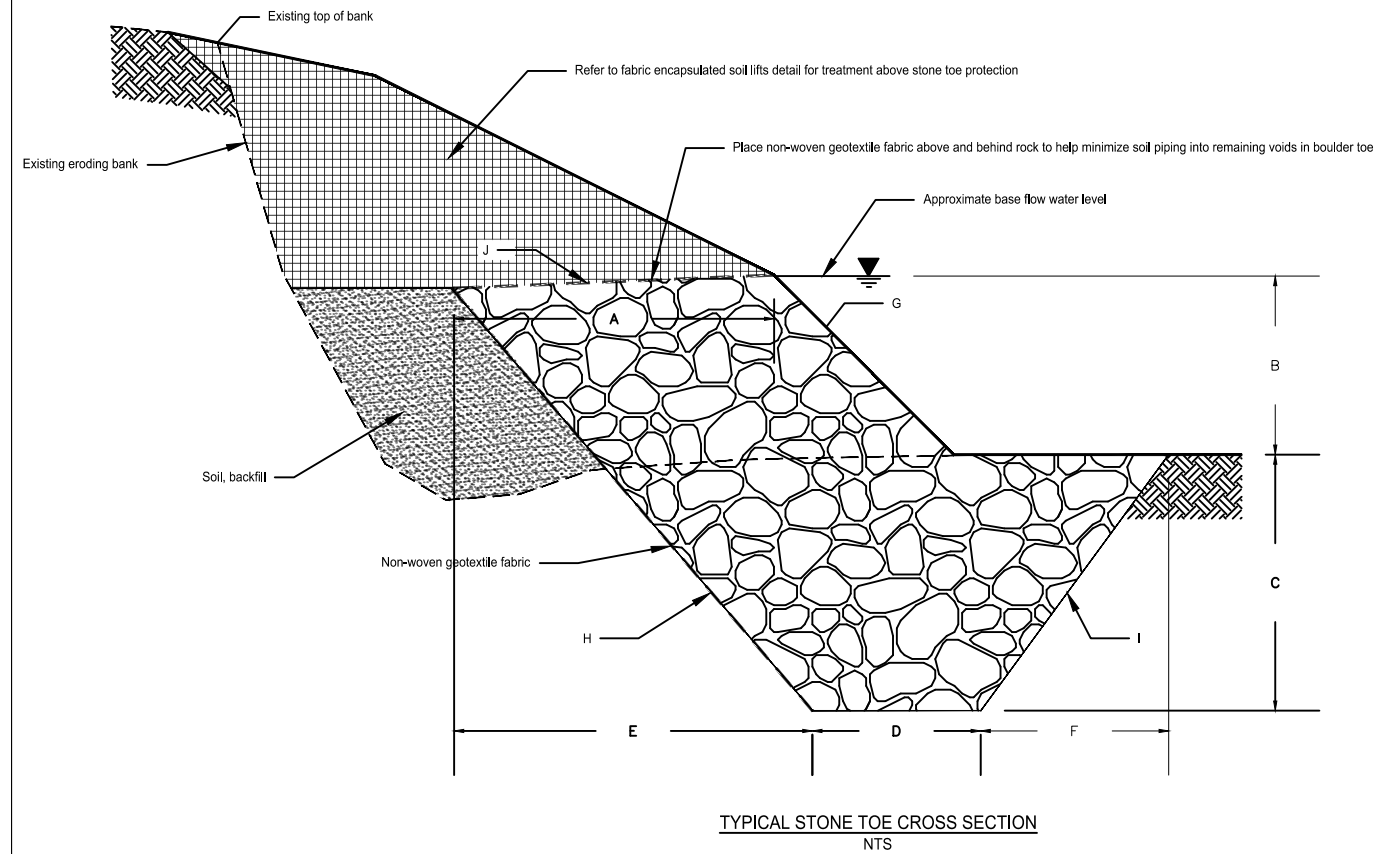
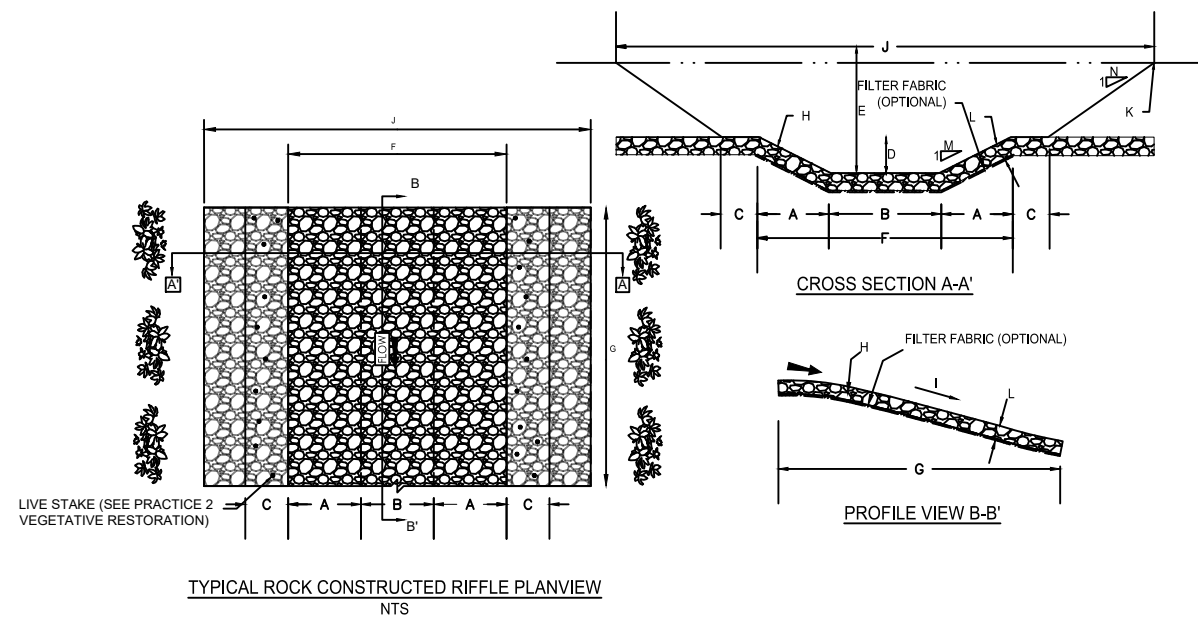
GOOSE CREEK PARK RESTORATION

THE CITY OF DAVENPORT, IOWA

SHEET NO.

B.01



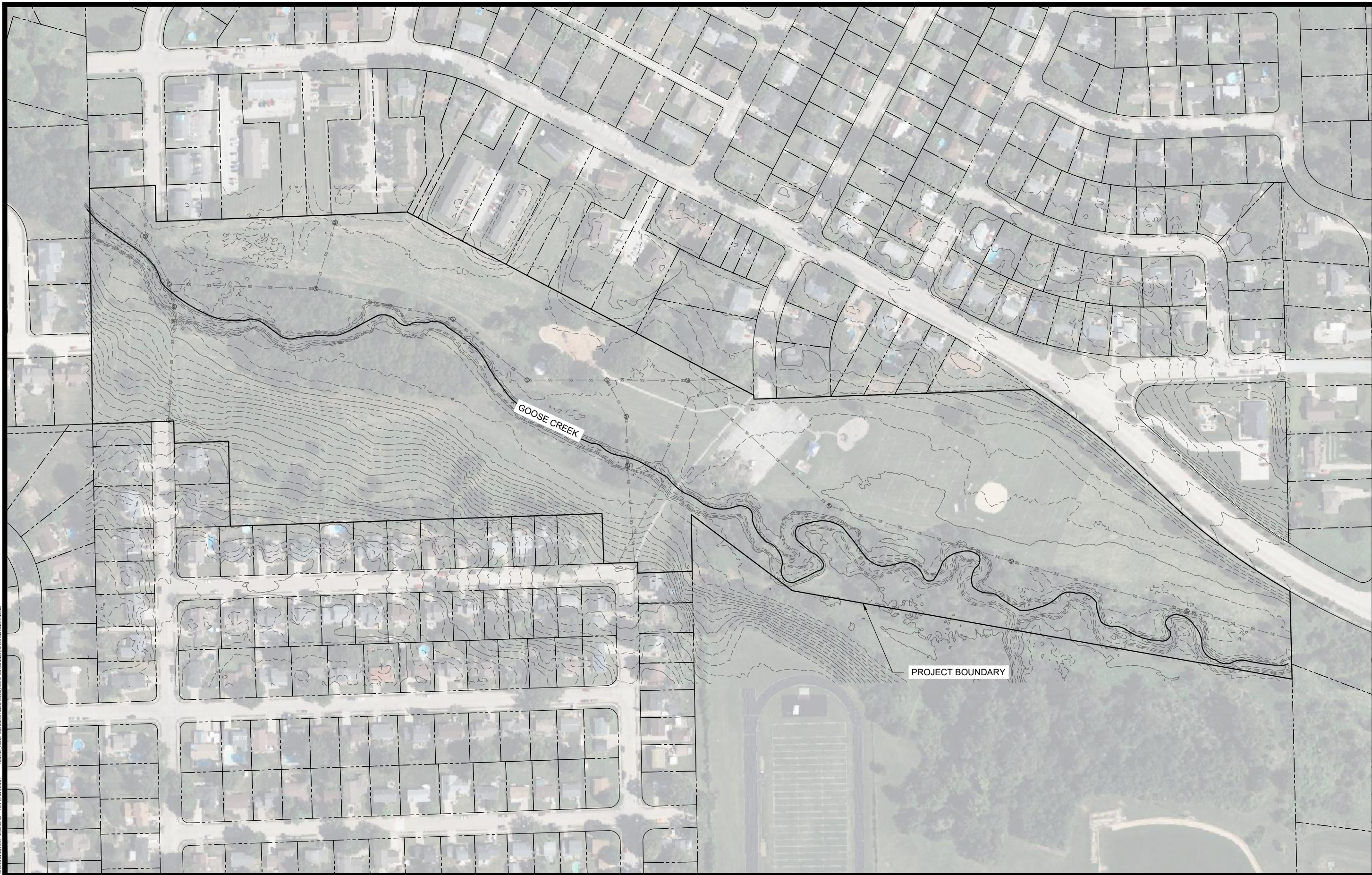
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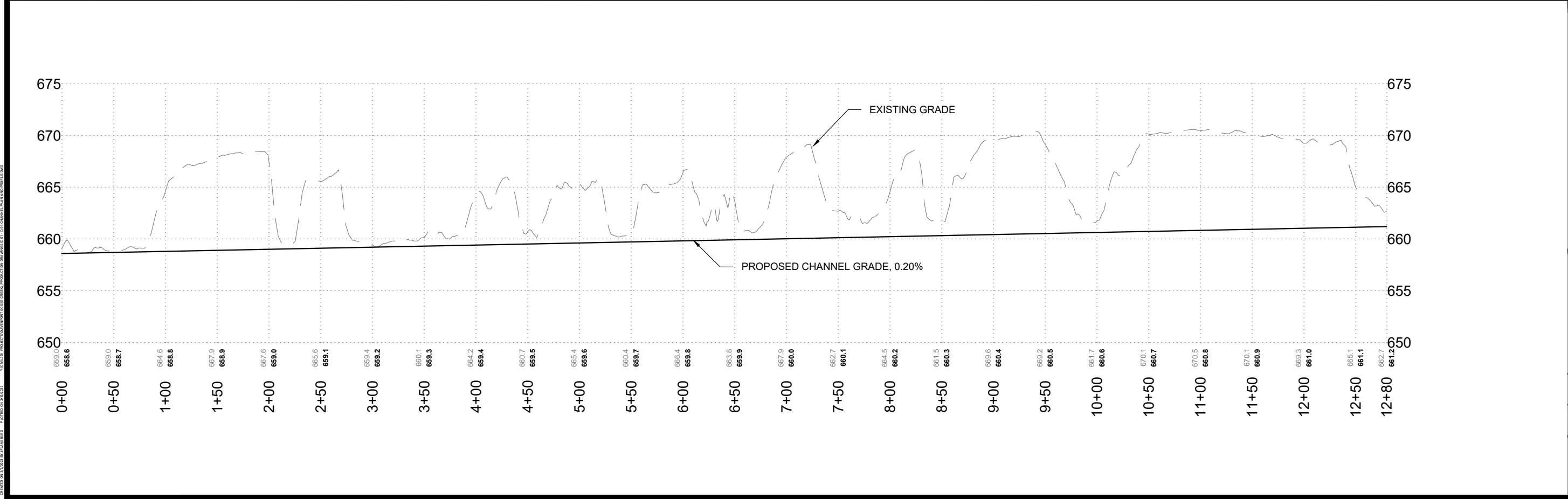
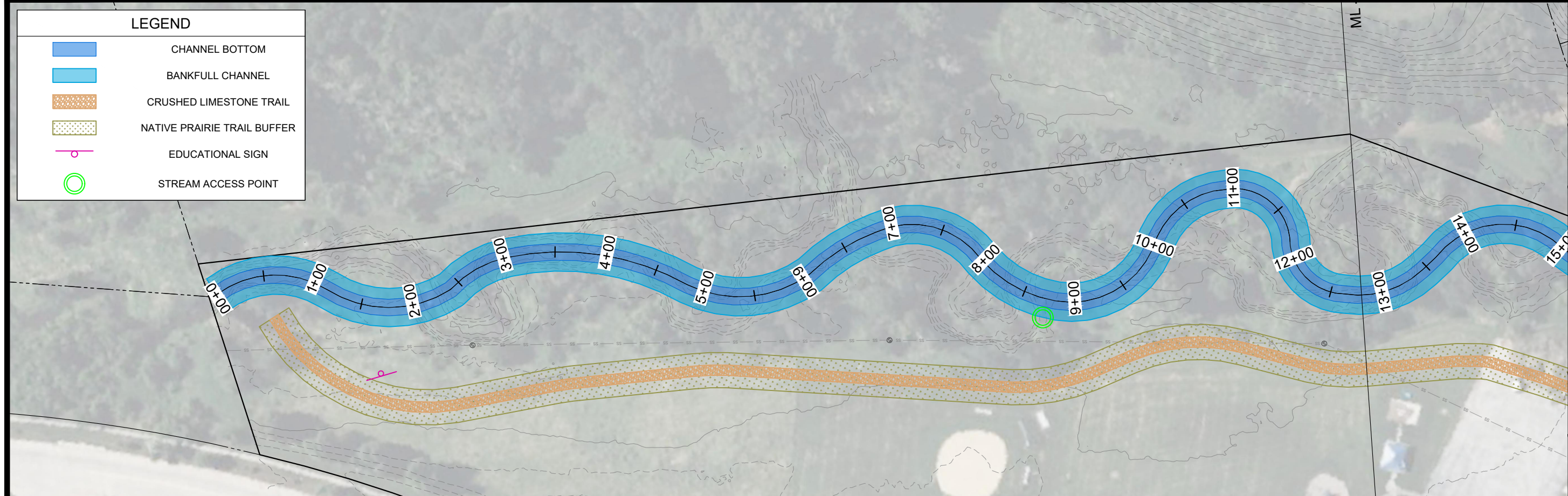
IDNR RIVER RESTORATION TOOLBOX TYPICAL DETAILS

GOOSE CREEK PARK RESTORATION

THE CITY OF DAVENPORT, IOWA







IMPACT7G

impact7g.com

108 E 7TH ST STE 2,
CORALVILLE, IA 52241
O: (515) 473-6256

PROJECT MGR: MDC

DESIGN BY: JMF

CHECKED BY: MDC

REVISIONS

REV	DESCRIPTION	DATE	CHANGED BY	CHECKED BY

0

50

100

Feet

CHANNEL PLAN AND
PROFILE

GOOSE CREEK PARK
RESTORATION

THE CITY OF DAVENPORT, IOWA

SHEET NO.

D.01

Letter of Support



Partners of Scott County Watersheds
Kelsi Massengale, Coordinator
1200 E 46th Street
Davenport, IA, 52807

Letter of Support for the Goose Creek Park Restoration Project

March 10, 2023

Dear Jessica Flatt and the IDNR,

Partners of Scott County Watersheds is excited for the Goose Creek Park Restoration Project. This desperately-needed project will vastly improve the overall health of Goose Creek, and thus, the entire interconnected watershed. It will also improve facilities and access to Goose Creek within the City of Davenport to connect people to the natural resource.

Partners of Scott County Watersheds is in full support of this project, as we expect it will improve Goose Creek's water quality through increased dissolved oxygen levels, stabilized streambanks, and reduced nutrient levels. Additionally, we believe that connecting people to the resource and creating spaces for interaction is the first step in instilling environmental stewardship, and therefore are also in support of the accessibility, recreation, and education components of this project.

We are greatly looking forward to seeing these improvements made in our local watersheds and plan to highlight the restoration efforts as a Scott County success story.

Sincerely,

A handwritten signature in cursive script that reads "Kelsi Massengale".

Kelsi Massengale
Partners of Scott County Watersheds Coordinator

City of Davenport

Department: Public Works
Contact Info: Jim Erwin | 563-326-7922

Action / Date
4/3/2024

Subject:

Resolution approving the purchase of four solid waste trucks for Public Works from Kilburg Equipment of Preston, Iowa in the amount of \$1,018,663 using Sourcewell contract #110223-LEG, CIP #10503. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

This purchase is for the FY 2024 solid waste truck order. The reason for the order occurring this late in the fiscal year was due to manufacturers' uncertainty on chassis availability and pricing. This purchase includes four trucks built through Labrie. These new units will replace the City's small side loader waste fleet and one 20 cubic yard rear loader. These trucks and bodies were quoted under Sourcewell contract #110223-LEG via Kilburg Equipment of Preston, Iowa.

The total purchase price for these four trucks is \$1,018,663 and will be funded through the FY 2024 Solid Waste CIP #10503.

Attachments:

1. Resolution
2. Davenport 10yd Small Side Loader Quote
3. Davenport 14yd Small Side Loader Quote
4. Davenport 20yd Rear Loader Quote

Resolution No. _____

Resolution offered by Alderman R. Dunn.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving the purchase of four solid waste trucks for Public Works from Kilburg Equipment of Preston, Iowa in the amount of \$1,018,663 using Sourcewell contract #110223-LEG, CIP #10503.

WHEREAS, the City needs to purchase four solid waste trucks and;

WHEREAS, Kilburg Equipment of Preston, Iowa was awarded Sourcewell contract #110223-LEG as the lowest responsive and responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the purchase of four solid waste trucks for Public Works from Kilburg Equipment of Preston, Iowa in the amount of \$ \$1,018,663 using Sourcewell contract #110223-LEG is hereby approved.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



Seller

Labrie Environmental Group
175-B Rte Marie Victorin
Lévis, Québec
Canada
G7A 2T3

Phone : 418-831-8250
Toll-Free : 1-800-463-6638
Website : www.labriegrup.com

Customer

QUOTE FORM

Quote # / Rev. #	Reference #	Quoted Date
3166 / 4		2024-03-20
Price List / Currency	Terms	Quote Valid Until
2024-A-SW / USD	Net 30 Days	2024-05-19
Regional Sales Manager	Customer Service Rep.	Product Specialist
Andrew LeVasseur	Heidi Valiquette	Justin Whitehurst
Opportunity Type	Carrier	Departure Region
SW End Client	To Be Determined	Quebec, QC, CA

SOLD TO	SHIP TO	END CLIENT
Kilburg Equipment, LLC 58278 50th St Sabula, IA 52070 United States Email : Phone : 563-590-2455	Kilburg Equipment, LLC 58278 50th St Sabula, IA 52070 United States Email : Phone :	City of Davenport 1200 E 46th St Davenport, IA 52807 United States Email : Phone : 563-326-7922

CHASSIS INFORMATION

Chassis Provided By : Supplied by Customer	Engine Make :
Chassis Manufacturer : Freightliner	Engine Model :
Chassis Model : M2 106	Engine Power :
Cab Style :	Engine Torque :
Drivetrain : 4X2	Transmission Make : Without
Auxiliary Axle : Without Auxiliary Axle	Transmission Model : Without
CNG System Upon Arrival : Without	Transmission Type : Automatic Transmission
Driving Configuration at Delivery : Sit-Down from Company on Streetside + Sit-Down from Labrie on Curbside	
Chassis Delivery Address : Canada: 175-B Rte. Marie-Victorin, Lévis, QC, Canada G7A 2T3	

COLOR INFORMATION

Cab Color : To Be Confirmed	Cab Color Code : To Be Confirmed
Body Color : To Be Confirmed	Body Color Code : To Be Confirmed
Chassis Color : Black from Factory	Chassis Color Code : Color Code NOT Required
Paint Scheme Number : Without	Match Cab : Yes

CARTS INFORMATION

Cart Make : Without or NOT Required	Cart Type : Without or NOT Required
Cart Capacity : 32 to 95 US Gallons (120 to 360 Litres)	

BODY CONFIGURATION

Body Model : MINIMAX	Total Capacity : 10yd ³ (10+0)
Arm Model : Single Helping-Hand (Curb)	Body Capacity : 10yd ³
Body Type : Standard	Tailgate Capacity : 0yd ³
Body Division : Without Division	

BASE PRICE 270,200.00\$

OPTIONS

#	Category	Option Description	Price
2	Lifting	AGRA-STD03 Helping-Hand, Basic Arm, "32 to 95 US gal"	0.00 \$
3	Lifting	EAOA-STD01 Arm out alarm at 6 km/h - 4 mph	0.00 \$
#	Category	Option Description	Price
4	Consoles & Controls	AAJC-0000 Single Arm Joystick Moveable for Dual Drive	1,760.00 \$
5	Consoles & Controls	ATJC-STD01 Grabber Control on Joystick	0.00 \$



Seller

Labrie Environmental Group

175-B Rte Marie Victorin

Lévis, Québec

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Andrew LeVasseur	Heidi Valiquette	Justin Whitehurst
Opportunity Type	Carrier	Departure Region
SW End Client	To Be Determined	Quebec, QC, CA

#	Category	Option Description	Price
6	Hydraulic	HCON-STD01 JIC	0.00 \$
7	Hydraulic	HPTO-STD02 PTO Muncie A20 Hot Shift for Remote Pump	0.00 \$
8	Hydraulic	CCPM-STD09 Dual Pump Denison T6CC (Remote)	0.00 \$
9	Hydraulic	CHFT-STD03 Hydraulic Tank Mounted on the Front of the Body	0.00 \$
#	Category	Option Description	Price
10	Accessories	BBTS-STD01 Standard Tailgate Seal	0.00 \$
#	Category	Option Description	Price
11	Lighting	LLPA-0010 Add. Lights on Tg.: 2/3 Lightbar + Central Brake Light + Multifunctions Lights (4) (X Pattern)	2,440.00 \$
12	Lighting	LWLK-0025 Work Light Package - LED (2)	1,520.00 \$
13	Lighting	WL01-0000 Hopper Streetside (1)	0.00 \$
14	Lighting	WL04-0000 Rail Curbside (4)	0.00 \$
15	Lighting	CSLA-7116 Strobe Light Mini Light Bar Style on Cab Centered - Grote 76983 (1)	2,420.00 \$
#	Category	Option Description	Price
16	Electronic	CCCC-0103 Triple EnviroLink Cameras (3) With Heater/Without Shutter	7,640.00 \$
17	Electronic	CL01-0000 Tailgate Center 2/3 (1) - Pointing Back	0.00 \$
18	Electronic	CL04-0000 Hopper Streetside (4) - Pointing Curbside	0.00 \$
19	Electronic	CL05-0000 Post Curbside (5) - Pointing Curbside	0.00 \$
20	Electronic	CCCM-INC11 EnviroLink 7" Color Monitor (Included in Camera System Base Price)	0.00 \$
21	Electronic	CCML-INC01 On Ceiling, Centered, Near the Windshield (If Possible)	0.00 \$
22	Electronic	CCMM-STD01 Monitor Mounting Brackets for Labrie Standard Installation	0.00 \$
#	Category	Option Description	Price
23	Electrical	ESYV-STD01 12V Body Electrical System	0.00 \$
#	Category	Option Description	Price
24	Unit Appearance	PCBP-STD01 Urethane Body Paint	0.00 \$
25	Unit Appearance	UAPP-STD01 One (1) Coat of Urethane Primer	0.00 \$
26	Unit Appearance	PCCP-STD01 Paint Chassis Components same Color as Chassis	0.00 \$
27	Unit Appearance	BASA-STD01 Rubber Mud Guards - Rear of Rear Axle	0.00 \$
28	Unit Appearance	BASN-STD01 Mud Guards with Labrie Logo	0.00 \$
29	Unit Appearance	BODL-STD01 Informative Decals English	0.00 \$
#	Category	Option Description	Price
30	Chassis	CFTD-STD01 Diesel Tank from Company or CNG/Electric	0.00 \$
#	Category	Option Description	Price
31	Cab	CHBM-INC01 Heated Bus Type Mirrors (2)	0.00 \$
32	Cab	CSRH-0010 Sit-down Drive Curbside LABRIE	31,700.00 \$
SUBTOTAL OPTIONS :			47,480.00 \$

**Seller**

Labrie Environmental Group
175-B Rte Marie Victorin
Lévis, Québec
Canada
G7A 2T3

Phone : 418-831-8250
Toll-Free : 1-800-463-6638
Website : www.labriegrup.com

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Regional Sales Manager	Customer Service Rep.	Product Specialist
Andrew LeVasseur	Heidi Valiquette	Justin Whitehurst
Opportunity Type	Carrier	Departure Region
SW End Client	To Be Determined	Quebec, QC, CA

NON-STANDARD OPTIONS

SUBTOTAL NON-STANDARD OPTIONS : 0.00\$

COMMENTS

Chassis price: \$123,000.00

-Add Trade in #T126 2015 International with MiniMax \$12,000.00
-Add trade in #T128 2017 International with MiniMax \$38,000.00

Trade ins to operate as they should and no check engine lights on

Expected Delivery Date :		Subtotal Base Price and Options :	317,680.00 \$
		Discount (51.00%) :	162,016.80 \$
		Subtotal Base Price and Options (Net) :	155,663.20 \$
		Body Miscellaneous Charge #1 :	(12,000.00) \$
		Body Miscellaneous Charge #2 :	(38,000.00) \$
		Body Miscellaneous Charge #3 :	0.00 \$
		Sourcewell Fee :	0.00 \$
		Material Surcharge :	7,000.00 \$
		Extended Warranty :	0.00 \$
		Extended Warranty Other :	0.00 \$
		Additional Trade Discount :	0.00 \$
		Subtotal Body (Net) :	112,663.20 \$
		Chassis Price :	123,000.00 \$
		Subtotal Unit (Net) :	235,663.20 \$
		FET (12%) :	0.00 \$
		Change Fee #1 :	0.00 \$
		Change Fee #2 :	0.00 \$
		EV Fee :	0.00 \$
		Miscellaneous Charge #1 :	0.00 \$
		Miscellaneous Charge #2 :	0.00 \$
		Miscellaneous Charge #3 :	0.00 \$
		Freight Charges :	5,642.00 \$
		Total Unit (Net) :	241,305.20 \$
		Number of Units :	2
		Grand Total :	482,610.40 \$
		Currency :	USD

Labrie Representative :

Customer : Kilburg Equipment, LLC



Seller
Labrie Environmental Group
175-B Rte Marie Victorin
Lévis, Québec
Canada
G7A 2T3



Phone : 418-831-8250
Toll-Free : 1-800-463-6638
Website : www.labriegrup.com

QUOTE FORM		
Quote # / Rev. #	Reference #	Quoted Date
4311 / 2		2024-03-20
Price List / Currency	Terms	Quote Valid Until
2024-B / USD	Net 30 Days	2024-05-19
Regional Sales Manager	Customer Service Rep.	Product Specialist
Andrew LeVasseur	Heidi Valiquette	Justin Whitehurst
Opportunity Type	Carrier	Departure Region
SW End Client	To Be Determined	Quebec, QC, CA

SOLD TO		SHIP TO		END CLIENT	
Kilburg Equipment, LLC		Kilburg Equipment, LLC		City of Davenport	
58278 50th St		58278 50th St		1200 E 46th St	
Sabula, IA		Sabula, IA		Davenport, IA	
52070		52070		52807	
United States		United States		United States	
Email : 563-590-2455		Email :		Email :	
		Phone :		Phone : 563-326-7922	

CHASSIS INFORMATION	
Chassis Provided By : Supplied by Customer	
Chassis Manufacturer : Freightliner	
Chassis Model : M2 106	
Cab Style :	
Drive Train : 4X2	
Auxiliary Axle : Without Auxiliary Axle	
CNG System Upon Arrival : Without	
Driving Configuration at Delivery : Sit-Down from Company on Streetside + Sit-Down from Labrie on Curb Side	
Chassis Delivery Address : Canada: 175-B Rte. Marie-Victorin, Lévis, QC, Canada G7A 2T3	

COLOR INFORMATION	
Cab Color : To Be Confirmed	Cab Color Code : To Be Confirmed
Body Color : To Be Confirmed	Body Color Code : To Be Confirmed
Chassis Color : Black from Factory	Chassis Color Code : Color Code NOT Required
Paint Scheme Number : Without	Match Cab : Yes

CARTS INFORMATION	
Cart Make : Without or NOT Required	Cart Type : Without or NOT Required
Cart Capacity : 32 to 95 US Gallons (120 to 360 Litres)	

BODY CONFIGURATION	
Body Model : MINIMAX	Total Capacity : 14yd ³ (10+4)
Arm Model : Single Helping-Hand (Curb)	Body Capacity : 10yd ³
Body Type : Standard	Tailgate Capacity : 4yd ³
Body Division : Without Division	

OPTIONS	
BASE PRICE 148,670.00\$	

#	Category	Option Description	Price
2	Lifting	AGRA-STD03 Helping-Hand, Basic Arm, "32 to 95 US gal"	0.00 \$
3	Lifting	EAOA-STD01 Arm out alarm at 6 km/h - 4 mph	0.00 \$
#	Category	Option Description	Price
4	Consoles & Controls	AAJC-0000 Single Arm Joystick Moveable for Dual Drive	910.00 \$
5	Consoles & Controls	ATJC-STD01 Grabber Control on Joystick	0.00 \$



Seller

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Website : www.labriegrup.com

QUOTE FORM			
Quote # / Rev. #	Reference #	Quoted Date	4311 / 2
Price List / Currency	Terms	Quote Valid Until	2024-03-20
2024-B / USD	Net 30 Days	Product Specialist	2024-05-19
Regional Sales Manager	Customer Service Rep.	Justin Whitehurst	
Andrew LeVasseur	Heidi Valiquette	Departure Region	
Opportunity Type	Carrier	SW End Client	Quebec, QC, CA
To Be Determined			

#	Category	Option Description	Price
6	Hydraulic	HCON-STD01 JIC	0.00 \$
7	Hydraulic	HPTO-STD02 PTO Muncie A20 Hot Shift for Remote Pump	0.00 \$
8	Hydraulic	CCPM-STD09 Dual Pump Denison T6CC (Remote)	0.00 \$
9	Hydraulic	CHFT-STD03 Hydraulic Tank Mounted on the Front of the Body	0.00 \$
10	Accessories	BRTS-STD01 Standard Tailgate Seal	0.00 \$
#	Category	Option Description	Price
11	Lighting	LLPA-0010 Add. Lights on Tg.: 2/3 Lightbar + Central Brake Light + Multifunctions Lights (4) (X Pattern)	1,260.00 \$
12	Lighting	LWLK-0025 Work Light Package - LED (2)	790.00 \$
13	Lighting	WL01-0000 Hopper Streetside (1)	0.00 \$
14	Lighting	WL04-0000 Rail CurbSide (4)	0.00 \$
15	Lighting	CSLA-7116 Strobe Light Mini Light Bar Style on Cab Centered - Grote 76983 (1)	1,250.00 \$
#	Category	Option Description	Price
16	Electronic	CCCC-0103 Triple EnviroLink Cameras (3) With Heater/Without Shutter	3,940.00 \$
17	Electronic	CL01-0000 Tailgate Center 2/3 (1) - Pointing Back	0.00 \$
18	Electronic	CL04-0000 Hopper Streetside (4) - Pointing CurbSide	0.00 \$
19	Electronic	CL05-0000 Post CurbSide (5) - Pointing CurbSide	0.00 \$
20	Electronic	CCCM-INC11 EnviroLink 7" Color Monitor (Included in Camera System Base Price)	0.00 \$
21	Electronic	CCML-INC01 On Ceiling, Centered, Near the Windshield (if Possible)	0.00 \$
22	Electronic	CCMM-STD01 Monitor Mounting Brackets for Labrie Standard Installation	0.00 \$
#	Category	Option Description	Price
23	Electrical	ESV-STD01 12V Body Electrical System	0.00 \$
#	Category	Option Description	Price
24	Unit Appearance	PCBP-STD01 Urethane Body Paint	0.00 \$
25	Unit Appearance	UAPP-STD01 One (1) Coat of Urethane Primer	0.00 \$
26	Unit Appearance	PCCP-STD01 Paint Chassis Components same Color as Chassis	0.00 \$
27	Unit Appearance	BASA-STD01 Rubber Mud Guards - Rear of Rear Axle	0.00 \$
28	Unit Appearance	BASN-STD01 Mud Guards with Labrie Logo	0.00 \$
29	Unit Appearance	BODL-STD01 Informative Decals English	0.00 \$
#	Category	Option Description	Price
30	Chassis	CFTD-STD01 Diesel Tank from Company or CNG/Electric	0.00 \$
#	Category	Option Description	Price
31	Cab	CHBM-INC01 Heated Bus Type Mirrors (2)	0.00 \$
32	Cab	CSRH-0010 Sit-down Drive CurbSide LABRIE	16,330.00 \$
SUBTOTAL OPTIONS :			24,480.00 \$



Seller
Labrie Environmental Group
175-B Rte Marie Victorin
Lévis, Québec
Canada
G7A 2T3



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Website : www.labriegrup.com

QUOTE FORM			
Quote # / Rev. #	Reference #	Quoted Date	
4311 / 2		2024-03-20	
Price List / Currency	Terms	Quote Valid Until	
2024-B / USD	Net 30 Days	2024-05-19	
Regional Sales Manager	Customer Service Rep.	Product Specialist	
Andrew LeVasseur	Heidi Valiquette	Justin Whitehurst	
Opportunity Type	Carrier	Departure Region	
SW End Client	To Be Determined	Quebec, QC, CA	

NON-STANDARD OPTIONS	
SUBTOTAL NON-STANDARD OPTIONS : 0.00\$	
COMMENTS	
Chassis price: \$123,000.00 trade in # T127 2017 International with MiniMax \$38,000.00 Trade ins to operate as they should and no check engine lights on	

Chassis Terms (if applicable) :
Net on delivery for release of MSO.
Weight Distribution:
Quotes and pricing are subject to changes according to W/D analysis which can alter specs.
Upon receipt of PO and chassis specs, W/D will be conducted and a confirmation of acceptance will be issued.
Taxes :
Not Included.
Disclaimer :
It is the quoting distributor's responsibility to verify the accuracy of this quote versus the specifications for the body and chassis.
Labrie Environmental Group will not be responsible for any price differential between this quotation and what is required by the provided specifications. Interest fees on past due account of 1.5% per month (18% annual). Price list subject to change at all time due to the steel price index.
Labrie Environmental Group (LEG) does not accept floorplan charges, back charges, liquidated damages or third-party claims for any reason or cause, whether expressed or implied by specifications or other form of communication, including purchase order terms and conditions unless approved in writing by CEO or CFO at time of quotation.
Labrie Environmental Group (LEG) and/or seller shall not be responsible for any failure to perform, or delay in performance of, its obligations resulting from the COVID-19 pandemic or any future epidemic.

Subtotal Base Price and Options : 173,150.00 \$	
Discount (2.00%) : 3,463.00 \$	
Subtotal Base Price and Options (Net) : 169,687.00 \$	
Body Miscellaneous Charge #1 : (38,000.00) \$	
Body Miscellaneous Charge #2 : 0.00 \$	
Body Miscellaneous Charge #3 : 0.00 \$	
Sourcewell Fee : 0.00 \$	
Material Surcharge : 0.00 \$	
Extended Warranty : 0.00 \$	
Extended Warranty Other : 0.00 \$	
Additional Trade Discount : 0.00 \$	
Subtotal Body (Net) : 131,687.00 \$	
Chassis Price : 123,000.00 \$	
Subtotal Unit (Net) : 254,687.00 \$	
FET (12%) : 0.00 \$	
Change Fee #1 : 0.00 \$	
Change Fee #2 : 0.00 \$	
EV Fee : 0.00 \$	
Miscellaneous Charge #1 : 0.00 \$	
Miscellaneous Charge #2 : 0.00 \$	
Miscellaneous Charge #3 : 0.00 \$	
Freight Charges : 5,642.00 \$	
Total Unit (Net) : 260,329.00 \$	
Number of Units : 1	
Grand Total : 260,329.00 \$	
Currency : USD	

Labrie Representative :

Customer : Kilburg Equipment, LLC

Initials :



Seller
Labrie Environmental Group
175-B Rte Marie Victorin
Lévis, Québec
Canada
G7A 2T3



Phone : 418-831-8250
Toll-Free : 1-800-463-6638
Website : www.labriegrup.com

QUOTE FORM			
Quote # / Rev. #	Reference #	Quoted Date	
4119 / 1		2024-03-15	
Price List / Currency	Terms	Quote Valid Until	
2024-A / USD	Net 30 Days	2024-05-14	
Regional Sales Manager	Customer Service Rep.	Product Specialist	
Andrew LeVasseur	Heidi Valliquette	Justin Whitehurst	
Opportunity Type	Carrier	Departure Region	
SW End Client	To Be Determined	San Luis, AZ, US	

SOLD TO		SHIP TO		END CLIENT	
Kilburg Equipment, LLC 58278 50th St Sabula, IA 52070 United States Email : Phone : 563-590-2455		Kilburg Equipment, LLC 58278 50th St Sabula, IA 52070 United States Email : Phone : 563-326-7922		City of Davenport 1200 E 46th St Davenport, IA 52807 United States Email : Phone : 563-326-7922	

CHASSIS INFORMATION	
Chassis Provided By : Supplied by Customer Chassis Manufacturer : Battle Motors Chassis Model : LET2 Cab Style : Cab Over Drivetrain : 6X4 Auxiliary Axle : Without Auxiliary Axle CNG System Upon Arrival : Without Driving Configuration at Delivery : Sit-Down from Company on Streetside Only Chassis Delivery Address : Mexico: 919 Urizuasstegui St., San Luis, AZ 85349	
COLOR INFORMATION	
Cab Color : White from Factory Body Color : White Chassis Color : Black from Factory Paint Scheme Number : Without Cab Color Code : To Be Confirmed Body Color Code : To Be Confirmed Chassis Color Code : Color Code NOT Required Match Cab : Yes	
CARTS INFORMATION	
Cart Make : Without or NOT Required Cart Capacity : Without or NOT Required	
BODY CONFIGURATION	
Body Model : LEACH AL-III Arm Model : Base Model Body Type : Factory Mounted Body Division : Without Division Total Capacity : 20yd³ Body Capacity : 20yd³ Tailgate Capacity : N/A	

COLOR INFORMATION	
Cab Color : White from Factory	Cab Color Code : To Be Confirmed
Body Color : White	Body Color Code : To Be Confirmed
Chassis Color : Black from Factory	Chassis Color Code : Color Code NOT Required
Paint Scheme Number : Without	Match Cab : Yes

CARTS INFORMATION	
Cart Make : Without or NOT Required	Cart Type : Without or NOT Required
Cart Capacity : Without or NOT Required	

BODY CONFIGURATION	
Body Model : LEACH AL-III	Total Capacity : 20yd³
Arm Model : Base Model	Body Capacity : 20yd³
Body Type : Factory Mounted	Tailgate Capacity : N/A
Body Division : Without Division	

Customer



Seller

Labrie Environmental Group

175-B Rte Marie Victorin
Lévis, Québec

Canada
G7A 2T3



Phone : 418-831-8250
Toll-Free : 1-800-463-6638
Website : www.labriegrup.com

QUOTE FORM			
Quoted Date	Reference #	Quote # / Rev. #	
2024-03-15		4119 / 1	
Quote Valid Until	Terms	Price List / Currency	
2024-05-14	Net 30 Days	2024-A / USD	
Product Specialist	Customer Service Rep.	Regional Sales Manager	Andrew LeVasseur
Justin Whitehurst	Heidi Valliquette	Opportunity Type	SW End Client
Departure Region	Carrier	To Be Determined	San Luis, AZ, US

#	Category	Option Description	Price
6	Hydraulic	HCON-STD01 JIC	0.00 \$
7	Hydraulic	HHSP-STD01 Nylon Protective Sleeves on all Hydraulic Hoses	0.00 \$
8	Hydraulic	HPTO-INC04 PTO Chaisea 280 Hot Shift OR Equiv. for Married Pump	0.00 \$
9	Hydraulic	CCPM-0065 Single Pump Hyva CVP HD Series 113cc OR Equiv. (Married) - Conditional to Engineering Approval	1,070.00 \$
10	Hydraulic	EPOP-STD02 Engine Speedup at 1350 RPM and Pump Overspeed Protection at 1600 RPM	0.00 \$
11	Hydraulic	CHFT-STD05 Hydraulic Tank Mounted Inside Body	0.00 \$
12	Accessories	BBTS-STD01 Standard Tailgate Seal	0.00 \$
#	Category	Option Description	Price
13	Lighting	LLPA-0020 Multifunctions Lights (4)	900.00 \$
14	Lighting	LWLT-0035 Work Lights Tailgate Sides - LED (2)	840.00 \$
15	Lighting	LMTS-STD01 Mid-Body Turn Signals - LED (2)	0.00 \$
#	Category	Option Description	Price
16	Electronic	CCCC-0101 Single EnviroLink Camera (1) With Heater/Without Shutter	2,240.00 \$
17	Electronic	CL29-0000 Tailgate Top Offset Curbside (29) - Pointing Back	0.00 \$
18	Electronic	CCCM-INC11 EnviroLink 7" Color Monitor (Included in Camera System Base Price)	0.00 \$
19	Electronic	CCML-INC01 On Ceiling, Centered, Near the Windshield (If Possible)	0.00 \$
20	Electronic	CCMM-STD01 Monitor Mounting Brackets for Labrie Standard Installation	0.00 \$
#	Category	Option Description	Price
21	Electrical	ESYV-STD01 12V Body Electrical System	0.00 \$
#	Category	Option Description	Price
22	Unit Appearance	PCBP-STD01 Urethane Body Paint	0.00 \$
23	Unit Appearance	UAPP-STD01 One (1) Coat of Urethane Primer	0.00 \$
24	Unit Appearance	BODL-STD01 Informative Decals English	0.00 \$
#	Category	Option Description	Price
25	Chassis	CFTD-STD01 Diesel Tank from Company or CNG/Electric	0.00 \$
#	Category	Option Description	Price
26	Other	EXTM-6887 Two (2) Hard Copies of each Manual	270.00 \$
SUBTOTAL OPTIONS :			
13,210.00\$			
NON-STANDARD OPTIONS			
SUBTOTAL NON-STANDARD OPTIONS :			
0.00\$			
COMMENTS			
Chassis Price: \$187,000.00 Trade in amount: \$21,000.00 Truck # T118 Trade in to operate as it should + no check engine lights on			



Seller

Labrie Environmental Group
175-B Rte Marie Victorin
Lévis, Québec
Canada
G7A 2T3

Phone : 418-831-8250
Toll-Free : 1-800-463-6638
Website : www.labriegrup.com



QUOTE FORM			
Quote # / Rev. #	Reference #	Quoted Date	
4119 / 1		2024-03-15	
Price List / Currency	Terms	Quote Valid Until	
2024-A / USD	Net 30 Days	2024-05-14	
Regional Sales Manager	Customer Service Rep.	Product Specialist	
Andrew LeVasseur	Heidi Valiquette	Justin Whitehurst	
Opportunity Type	Carrier	Departure Region	
SW End Client	To Be Determined	San Luis, AZ, US	

Expected Delivery Date :		Subtotal Base Price and Options :	96,720.00 \$
		Discount (2.00%) :	1,934.40 \$
		Subtotal Base Price and Options (Net) :	94,785.60 \$
		Body Miscellaneous Charge #1 :	(21,000.00) \$
		Body Miscellaneous Charge #2 :	0.00 \$
		Body Miscellaneous Charge #3 :	0.00 \$
		Sourcewell Fee :	0.00 \$
		Material Surcharge :	7,000.00 \$
		Extended Warranty :	0.00 \$
		Extended Warranty Other :	0.00 \$
		Additional Trade Discount :	0.00 \$
		Subtotal Body (Net) :	80,785.60 \$
		Chassis Price :	187,000.00 \$
		Subtotal Unit (Net) :	267,785.60 \$
		FET (12%) :	0.00 \$
		Change Fee #1 :	0.00 \$
		Change Fee #2 :	0.00 \$
		EV Fee :	0.00 \$
		Miscellaneous Charge #1 :	0.00 \$
		Miscellaneous Charge #2 :	0.00 \$
		Miscellaneous Charge #3 :	0.00 \$
		Freight Charges :	7,938.00 \$
		Total Unit (Net) :	275,723.60 \$
		Number of Units :	1
		Grand Total :	275,723.60 \$
		Currency :	USD

Chassis Terms (if applicable) :
Net on delivery for release of MSCO.

Weight Distribution :
Quotes and pricing are subject to changes according to WD analysis which can alter specs.
Upon receipt of PO and chassis specs, WD will be conducted and a confirmation of acceptance will be issued.

Taxes :
Not Included.

Disclaimer :
It is the quoting distributor's responsibility to verify the accuracy of this quote versus the specifications for the body and chassis.
Labrie Environmental Group will not be responsible for any price differential between this quotation and what is required by the provided specifications. Interest fees on past due account of 1.5% per month (18% annual). Price list subject to change at all time due to the steel price index.

Labrie Environmental Group (LEG) does not accept floorplan charges, back charges, liquidated damages or third-party claims for any reason or cause, whether expressed or implied by specifications or other form of communication, including purchase order terms and conditions unless approved in writing by CEO or CFO at time of quotation.

Labrie Environmental Group (LEG) and/or seller shall not be responsible for any failure to perform, or delay in performance of, its obligations resulting from the COVID-19 pandemic or any future epidemic.

Labrie Representative :

Customer : Kilburg Equipment, LLC

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
4/3/2024

Subject:

Motion approving Amendment #2 to Snyder & Associates, Inc of Iowa City, Iowa in the amount of \$59,383 for additional design services for the Goose Creek Trail Phase III | Duck Creek Trail to East 46th Street project, ARP #17. [Ward 7]

Recommendation:

Pass the Motion.

Background:

In 2022, Snyder & Associates was contracted to design the Goose Creek Trail Phase III project.

Because the proposed trail includes construction within a floodplain, the Iowa DNR has required that the portions of Goose Creek impacted by the trail be modeled to ensure no rise in the 100-year flood elevation throughout the project corridor. Due to the flood models showing a significant reduction in the proposed 100-year flood elevation in the areas impacted by the proposed trail, the DNR has required the City provide both a Conditional Letter of Map Revision and a Letter of Map Revision.

Unrelated to this trail project, FEMA has initiated a community-wide flood map revision process anticipated to go into effect April 11, 2024. The FEMA flood map revisions raise the 100-year flood elevation within the project corridor. Although the trail project does result in a significant reduction of 100-year flood elevation in the area of the project as compared to the new FEMA maps, the reduction anticipated from the trail project is less than the increase from the FEMA map revisions.

Attachments:

None

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
4/3/2024

Subject:

Motion approving the plans, specifications, form of contract, and estimate of cost for the Permeable Paver Repair project, CIP #33059. [Wards 3 & 4]

Recommendation:

Pass the Motion.

Background:

Permeable pavement roadways were installed on West Dover Court at Peterson Park and East 5th Street between Brady Street and Perry Street in 2014 and 2016, respectively. Through routine winter maintenance such as plowing and salting, and due to a lack of sealing the paver surface, the surface of many of the pavers has deteriorated. Sealing of the paver surface is a newer technology found to aid in preserving the surface of this particular type of paver. The road sections have also experienced some settling of the rock and paver section at locations where it meets up with the standard concrete pavement sections. This project will replace the pavers that have surface spalling, reset pavers at the end sections that have settled, and will include the new and recommended sealant application.

The estimated cost of this project is \$55,216.

Attachments:

None

City of Davenport

Department: Finance
Contact Info: Mallory Merritt | 563-326-7792

Action / Date
4/3/2024

Subject:

First Consideration: Ordinance providing for the sale and issuance of \$27,715,000 General Obligation Corporate Bonds, Series 2024, and for the levy of taxes to pay the same. [All Wards]

STAFF RECOMMENDS SUSPENSION OF THE RULES AND PASSAGE OF SECOND AND THIRD CONSIDERATIONS AT THE APRIL 10, 2024 CITY COUNCIL MEETING

Recommendation:

Adopt the Ordinance.

Background:

On April 19, 2023, the City held a Public Hearing on the issuance of General Obligation Bonds in an amount not-to-exceed \$31,000,000. Proceeds of these bonds are to finance the FY 2024 Capital Improvement Program. The bond sale date is scheduled for Wednesday, April 10, 2024.

Bond ratings have been sought from Moody's and Standard & Poor's (S&P). Moody's reaffirmed the City's Aa2.

At the April 10, 2024 City Council Meeting, staff will update the City Council on the result of the bond sale and provide a recommendation to amend and replace this Ordinance to include the name of the winning firm and the true interest costs of the borrowing. It is recommended that the Ordinance be approved on first consideration to facilitate the closing of the bond sale.

Attachments:

1. Ordinance

March 20, 2024

Via Email

Mallory Merritt
CFO/Interim City Administrator
City Hall
Davenport, Iowa

Re: General Obligation Corporate Bonds, Series 2024
Our File No. 629872-94

Dear Mallory:

We have prepared and attach near-final proceedings to be used at the April 10, 2024 City Council meeting to enable the Council to adopt the ordinance (the “Ordinance”) reflecting the sale of General Obligation Corporate Bonds, Series 2024 (the “Bonds”) and providing for the issuance of the Bonds. The Ordinance will be updated with the final numbers and Purchaser when the sale has been conducted.

The proceedings attached include the following items:

1. Minutes of the meeting reporting the bids received for the Bonds, followed by the Ordinance awarding and issuing the Bonds.

The blanks in the form of Bond, the form of Certificate of Authentication and the form of Assignment included as part of the Ordinance should not be completed or executed.

2. Attestation Certificate with respect to the validity of the transcript.

3. County Filing Certificate. A certified copy of the Ordinance must be filed with the Scott County Auditor, and we have prepared a certificate to be signed by the Auditor relating to the filing of a certified copy of the Ordinance in that office.

As provided in this Ordinance, beginning in the 2024-2025 fiscal year, the County Auditor will have a mandatory duty to make a levy of taxes to pay principal of and interest on the Bonds unless the City’s budget each year affirmatively shows that the tax should not be levied because other funds will be applied to the payment of the Bonds for that budget year. To the extent the City determines that property tax levies will be needed for payment in any year, the tax levy amounts needed must be certified for that year in the City’s budget as part of the Debt Service Fund, and the funds derived from sources other than taxes must be shown on the appropriate budget document.

4. Publication Certificate. Once the Ordinance has been adopted, it must be published. Please print an extra copy of the Ordinance for that purpose.

As these proceedings are completed, please return one fully executed copy to our office.

We are also attaching a Continuing Disclosure Certificate for the Deputy City Clerk and Mayor to sign after the adoption of the Ordinance. Please retain one executed copy for the City's records and return one copy to us via email as it is available.

If you have any questions, please contact Emily Hammond, Erin Regan or me.

Best regards,

John P. Danos

Attachments

cc: Brian Krup
Jon Burmeister

SALE AND ISSUANCE OF GENERAL
OBLIGATION CORPORATE BONDS, SERIES
2024

629872-94

Davenport, Iowa

April 10, 2024

The City Council of the City of Davenport, Iowa met pursuant to law and the rules of the City Council on April 10, 2024, at 5:30 p.m., at the Council Chambers, City Hall, Davenport, Iowa. The meeting was called to order and upon the roll being called there were present the Mayor, presiding, and the following named Aldermen:

Present: _____

Absent: _____.

This being the time and place fixed for the consideration of proposals for the purchase of the City's General Obligation Corporate Bonds, Series 2024, it was announced that sealed bids had been received and canvassed on behalf of the City, and such bids were then placed on file and the substance of such sealed bids was noted in the minutes, as follows:

Name and Address of Bidder

Final Bid
(interest cost)

(ATTACH BID TABULATION)

Alderman _____, on behalf of the Ordinance Committee, introduced a proposed ordinance entitled, "An Ordinance providing for the sale and issuance of \$27,715,000 General Obligation Corporate Bonds, Series 2024, and for the levy of taxes to pay the same," and moved its adoption, seconded by Alderman _____.

The Mayor put the question on the motion and the roll being called, the following named Aldermen voted:

Ayes: _____

Nays: _____.

The Mayor declared the motion duly carried and the ordinance initially adopted.

It was then moved by Alderman _____ to suspend the requirement that certain ordinances be considered and voted on for passage at two Council meetings prior to the meeting at which they are finally passed and that this ordinance be now placed on its final consideration. The motion was seconded by Alderman _____. The Mayor put the question upon the motion and, the roll being called, the following named Aldermen voted:

Ayes: _____

Nays: _____.

The Mayor declared the motion duly carried and said ordinance was placed on its final consideration. Alderman _____ moved that the said ordinance be adopted; seconded by Alderman _____. After due consideration the Mayor put the question on the adoption of the ordinance and, the roll being called, the following named Aldermen voted:

Ayes: _____

Nays: _____.

The Mayor declared the ordinance finally adopted and signed approval thereto.

• • • •

At the conclusion of the meeting, and upon motion and vote, the City Council adjourned.

Mayor

Attest:

Deputy City Clerk

ORDINANCE NO. _____

An Ordinance providing for the sale and issuance of \$27,715,000 General Obligation Corporate Bonds, Series 2024, and for the levy of taxes to pay the same

WHEREAS, the City of Davenport (the “City”), in Scott County, Iowa, in the performance of its corporate functions as prescribed by the laws of the State of Iowa and the Charter of the City, and pursuant to notice duly published and a hearing held thereon on April 19, 2023, has proposed that it is in the best interest of the City that not to exceed \$31,000,000 General Obligation Corporate Bonds, Series 2024 (the “Series 2024 Bonds”) be authorized by the City to provide funds to pay costs in connection with making improvements to sanitary sewers, storm water drainage systems, waterway and flood control assets, streets, street lighting, signage and signalization, streetscapes, sidewalks and paths, the municipal airport, municipal buildings and facilities, and municipal parks; acquiring and maintaining vehicles and/or equipment for municipal parks, streets, public safety department, solid waste collection, and the municipal library; repair and maintenance of bridges; information technology improvements; and municipal housing projects; and

WHEREAS, a preliminary official statement (the “Preliminary Official Statement”) has been prepared in connection with the sale of the Series 2024 Bonds, and the City Council has made provision for the approval of the Preliminary Official Statement and has authorized its use by PFM Financial Advisors LLC (the “Financial Advisor”), as municipal financial advisor to the City; and

WHEREAS, in order to pay the costs of the purposes set forth above, sealed bids for the purchase of the Series 2024 Bonds were received and canvassed on behalf of the City; and

WHEREAS, the Financial Advisor has reported that, upon review of all bids received for the purchase of the Series 2024 Bonds, the bid of _____, _____, (the “Purchaser”) proposes the lowest interest cost to the City and the City should issue the Series 2024 Bonds in the principal amount of \$27,715,000; and

WHEREAS, it is necessary at this time to award the Series 2024 Bonds to the Purchaser and to adopt an ordinance to provide for the principal amount, interest rates and other terms of issuance of the Series 2024 Bonds and the levy of taxes to pay the same;

NOW, THEREFORE, Be It Ordained by the City Council of the City of Davenport, Iowa, as follows:

Section 1. The bid referred to in the preamble hereof is hereby accepted, and the Series 2024 Bonds are hereby awarded to the Purchaser at the price specified in such bid, together with accrued interest.

Section 2. The form of agreement of sale of the Series 2024 Bonds is hereby approved, and the Mayor and Deputy City Clerk are hereby authorized to execute the same for and on behalf of the City.

Section 3. The Series 2024 Bonds, dated May 8, 2024, in the denomination of \$5,000 each or any integral multiple thereof, are hereby authorized to be issued in the aggregate principal

amount of \$27,715,000, and shall mature on June 1 in each of the years, in the respective principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>
2025	\$1,975,000	_____%	2033	\$1,735,000	_____%
2026	\$2,170,000	_____%	2034	\$1,825,000	_____%
2027	\$1,455,000	_____%	2035	\$1,925,000	_____%
2028	\$1,530,000	_____%	2036	\$2,020,000	_____%
2029	\$1,600,000	_____%	2037	\$2,130,000	_____%
2030	\$1,500,000	_____%	2038	\$2,250,000	_____%
2031	\$1,575,000	_____%	2039	\$2,370,000	_____%
2032	\$1,655,000	_____%			

Section 4. The CFO/Interim City Administrator is hereby designated as the Bond Registrar and Paying Agent for the Series 2024 Bonds and may be hereinafter referred to as the “Bond Registrar” or the “Paying Agent”.

All of the interest on the Series 2024 Bonds is payable semiannually on the first day of June and December in each year, commencing December 1, 2024. Payment of interest on the Series 2024 Bonds shall be made in lawful money of the United States of America to the registered owners appearing on the bond registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owners at the addresses shown on such registration books. Principal of the Series 2024 Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Series 2024 Bond or Bonds at the office of the Paying Agent.

The City reserves the right to call for redemption prior to maturity the Series 2024 Bonds maturing in the years 2033 to 2039, inclusive, in whole or from time to time in part, in one or more units of \$5,000, on June 1, 2032, or on any date thereafter prior to and in any order of maturity (and within a maturity by lot), upon terms of par and accrued interest. If less than all of the Series 2024 Bonds of any like maturity are to be redeemed, the particular part of those Series 2024 Bonds to be redeemed shall be selected by the Registrar by lot. The Series 2024 Bonds may be called in part in one or more units of \$5,000.

If less than the entire principal amount of any Series 2024 Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Series 2024 Bond, a new bond or bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Series 2024 Bond. Notice of such redemption as aforesaid identifying the bond or bonds (or portion thereof) to be redeemed shall be sent by electronic means or mailed by certified mail to the registered owners thereof at the addresses shown on the City’s registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Series 2024 Bonds so called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Series 2024 Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Series 2024 Bonds as to which the City reserves

and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

The Series 2024 Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Deputy City Clerk, and shall be fully registered bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Series 2024 Bonds shall cease to be such officer before the delivery of the Series 2024 Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until delivery.

The Series 2024 Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the City kept by the Bond Registrar. Each Series 2024 Bond shall be transferable only upon the registration books of the City upon presentation to the Bond Registrar, together with either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Series 2024 Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

The Series 2024 Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Bond Registrar.

Section 5. Notwithstanding anything above to the contrary, the Series 2024 Bonds shall be issued initially as Depository Bonds, with one fully registered Series 2024 Bond for each maturity date, in aggregate principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York (“DTC”). On original issue, the Series 2024 Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the “Participants”). In the event that DTC determines not to continue to act as securities depository for the Series 2024 Bonds or the City determines not to continue the book-entry system for recording ownership interests in the Series 2024 Bonds with DTC, the City will discontinue the book-entry system with DTC. If the City does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the City will register and deliver replacement bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the City identifies a qualified securities depository to replace DTC, the City will register and deliver replacement bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Series 2024 Bonds.

Ownership interest in the Series 2024 Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Series 2024 Bonds as nominees will not receive certificated Series 2024 Bonds, but each such Participant will receive a

credit balance in the records of DTC in the amount of such Participant's interest in the Series 2024 Bonds, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Series 2024 Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the City to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The City will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for which they act as nominees.

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for which the Participant acquires an interest in the Series 2024 Bonds.

DTC will receive payments from the City, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Series 2024 Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the City to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Series 2024 Bonds acquired. Transfers of ownership interest in the Series 2024 Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Series 2024 Bonds, except as specifically provided herein. Interest and principal will be paid when due by the City to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 6. The form of the Series 2024 Bonds shall be substantially as follows:

(Form of Series 2024 Bond)

UNITED STATES OF AMERICA
STATE OF IOWA
COUNTY OF SCOTT
CITY OF DAVENPORT

GENERAL OBLIGATION CORPORATE BOND, SERIES 2024

No. _____			\$ _____
RATE	MATURITY DATE	BOND DATE	CUSIP
_____ %	June 1, 20__	May 8, 2024	238388-__

The City of Davenport (the “City”), in Scott County, State of Iowa, for value received, promises to pay on the maturity date of this Bond to

Cede & Co.
New York, New York

or registered assigns, the principal sum of

DOLLARS

in lawful money of the United States of America upon presentation and surrender of this Bond at the office of the CFO/Interim City Administrator, Davenport, Iowa (hereinafter referred to as the “Bond Registrar” or the “Paying Agent”), with interest on said sum, until paid, at the rate per annum specified above from the date of this Bond, or from the most recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing December 1, 2024. Interest on this Bond is payable to the registered owner appearing on the bond registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owner at the address shown on such registration books.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Bond Registrar.

This Bond is one of a duly authorized series of General Obligation Corporate Bonds, Series 2024 (the “Series 2024 Bonds”), issued by the City in the aggregate principal amount of \$27,715,000, pursuant to and in strict compliance with the laws of the State of Iowa and the special Charter of the City, and all laws amendatory thereof and supplementary thereto, and in conformity with an ordinance (the “Ordinance”) adopted by the City Council of the City providing for the issuance of the Series 2024 Bonds and for the levy of taxes to pay the same for the purpose of paying costs in connection with various improvements and projects in the City.

The City reserves the right to prepay part or all of the principal of the Series 2024 Bonds maturing in each of the years 2033 to 2039, inclusive, prior to and in any order of maturity on June

1, 2032, or on any date thereafter upon terms of par and accrued interest. If less than all of the Series 2024 Bonds of any like maturity are to be redeemed, the particular part of those Series 2024 Bonds to be redeemed shall be selected by the Registrar by lot. The Series 2024 Bonds may be called in part in one or more units of \$5,000. If less than the entire principal amount of any Series 2024 Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Series 2024 Bond, a new bond or bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Series 2024 Bond. Notice of such redemption as aforesaid identifying the bond or bonds (or portion thereof) to be redeemed shall be sent by electronic means or by certified mail to the registered owners thereof at the addresses shown on the City's registration books not less than 30 days prior to such redemption date. All of such Series 2024 Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the City in the office of the Bond Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Bond Registrar, together with either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The City, the Bond Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purposes of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the City, the Bond Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa to exist, to be had, to be done or to be performed precedent to and in the issue of this Bond were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the City for the payment of the principal of and interest on this Bond as the same will respectively become due; and that the total indebtedness of the City, including this Bond, does not exceed any constitutional, statutory or Charter limitations or provisions.

IN TESTIMONY WHEREOF, the City of Davenport, Iowa, by its City Council, has caused this Bond to be executed with the duly authorized facsimile signature of its Mayor and attested with the duly authorized facsimile signature of its Deputy City Clerk, all as of May 8, 2024.

CITY OF DAVENPORT, IOWA

By (DO NOT SIGN)
Mayor

Attest:

(DO NOT SIGN)
Deputy City Clerk

Registration Date: (Registration Date)

BOND REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Series 2024 Bonds described in the within-mentioned Ordinance.

By (DO NOT SIGN)
CFO/Interim City Administrator

ABBREVIATIONS

TEN COM	-	as tenants in common	UTMA_____
TEN ENT	-	as tenants by the entireties	_____ (Custodian)
JT TEN	-	as joint tenants with right of survivorship and not as tenants in common	As Custodian for_____ (Minor) under Uniform Transfers to Minors Act _____ (State)

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint _____, Attorney, to transfer this Bond on the books kept for registration thereof with full power of substitution.

Dated: _____

Signature guaranteed:

(Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.)

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

Section 7. The Series 2024 Bonds shall be executed as herein provided as soon after the adoption of this Ordinance as may be possible, and thereupon they shall be delivered to the Bond Registrar for registration, authentication and delivery to or upon the order of the Purchaser, upon confirmation of receipt by the Bond Registrar of the purchase price thereof, with accrued interest thereon, and all action heretofore taken in connection with the sale and award of the Series 2024 Bonds is hereby ratified and confirmed in all respects. The proceeds from the sale of the 2024 Bonds shall be used for the purposes identified in the preamble hereof, including the payment of costs of issuance of said Bonds.

Section 8. As required by Chapter 76 of the Code of Iowa, and for the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the interest on the Series 2024 Bonds as it falls due on December 1, 2024, and on each interest payment date thereafter to maturity, and also to pay and discharge the principal thereof at maturity, there is hereby ordered levied on all the taxable property in the City in each of the years while the Series 2024 Bonds or any of them are outstanding, a tax sufficient for that purpose, and in furtherance of this provision, but not in limitation thereof, there is hereby levied on all the taxable property in the City the following direct annual tax for collection in each of the following fiscal years, to-wit:

For collection in the fiscal year beginning July 1, 2024,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2025,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2026,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2027,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2028,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2029,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2030,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2031,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2032,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2033,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2034,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2035,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2036,
sufficient to produce the net annual sum of \$_____;

For collection in the fiscal year beginning July 1, 2037,
sufficient to produce the net annual sum of \$_____; and

For collection in the fiscal year beginning July 1, 2038,
sufficient to produce the net annual sum of \$_____.

Section 9. A certified copy of this Ordinance shall be filed with the County Auditor of Scott County, and the County Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Series 2024 Bonds hereby authorized and for no other purposes whatsoever. The amounts received by the City as accrued interest shall be deposited into such special account and used to pay interest due on the Series 2024 Bonds on the first interest payment date.

Section 10. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced.

Section 11. The City has heretofore determined that certain revenues from special funds shall be available for retirement of that portion of the Series 2024 Bonds utilized to defray the costs of certain projects related to such funds. Therefore, such funds may be employed and used to the extent available from year to year for the payment of that portion of the principal of and interest on the Series 2024 Bonds which is applicable to that portion of the total Series 2024 Bond issue applicable to such fund. Each year while any of said Series 2024 Bonds remain outstanding and unpaid, such of said available funds in amounts sufficient to meet the interest on that portion of the Series 2024 Bonds applicable to such fund and to pay the principal becoming due on such portion of the Series 2024 Bonds during each year may be used for that purpose, in accordance with the Series 2024 Bond Financing Plan on file with the CFO/Interim City Administrator, and in that event, the tax hereinbefore provided for the payment of such interest and principal may be reduced by the amount so used. The Deputy City Clerk is hereby authorized and directed to certify to the County Auditor of Scott County as to the remission or reduction of said ad valorem tax so that said tax, to the extent such fund is actually available and set aside for such purpose, shall not be extended or entered upon the tax rolls for collection.

It is hereby declared to be the purpose and intent of the City to issue the Series 2024 Bonds hereby authorized as general municipal obligations, but at the same time permitting the use of such funds for the payment of the principal of and interest on that portion of the Series 2024 Bonds issued with respect to such funds.

Section 12. All funds held in any fund or account created or required to be maintained under the terms of this Ordinance shall be deposited in lawful depositories of the City or invested in accordance with Chapters 12B and 12C of the Code of Iowa and continuously held and secured as provided by the laws of the State of Iowa relating to the depositing, securing, holding and investing of public funds, or as may be otherwise required to comply with the rebate provisions of the Internal Revenue Code.

All interest received by the City as a result of investments under this section in excess of the amount, if any, required to be paid to the United States Government in order to comply with the rebate provisions of the Internal Revenue Code, shall be deposited into or transferred to the Debt Service Fund subaccount referred to herein and used solely and only for the purpose of paying principal of and/or interest on the Series 2024 Bonds. The City hereby covenants and agrees that no such investment shall ever be made so as to cause the interest on the Series 2024 Bonds to become taxable as “arbitrage bonds” pursuant to the provisions of Section 148 of the Internal Revenue Code.

Section 13. The Securities and Exchange Commission has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the “Rule”) that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of \$1,000,000 or more unless, before submitting a bid or entering into a purchase contract for such securities, it has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the holders of such securities to provide certain disclosure information to prescribed information repositories on a continuing basis so long as such securities are outstanding.

On the date of issuance and delivery of the Series 2024 Bonds, the City will execute and deliver a Continuing Disclosure Certificate pursuant to which the City will undertake to comply with the Rule. The City covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate.

Section 14. It is the intention of the City that interest on the Series 2024 Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the “Internal Revenue Code”). In furtherance thereof the City covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Series 2024 Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

Section 15. All ordinances or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved April 10, 2024.

Mayor

Attest:

Deputy City Clerk

Published on the _____ day of _____, 2024.

Deputy City Clerk

ATTESTATION CERTIFICATE

STATE OF IOWA
COUNTY OF SCOTT
CITY OF DAVENPORT

SS:

I, the undersigned, Deputy City Clerk of the City of Davenport, Iowa, do hereby certify that attached hereto is a true, correct and complete transcript of the minutes of the meeting of the City Council related to the adoption of an ordinance providing for the sale and issuance of the City's General Obligation Corporate Bonds, Series 2024, and for the levy of taxes to pay the same, including a true and correct copy of such ordinance.

WITNESS MY HAND this _____ day of _____, 2024.

Deputy City Clerk

COUNTY FILING CERTIFICATE

STATE OF IOWA

SS:

COUNTY OF SCOTT

I, the undersigned, County Auditor of Scott County, do hereby certify that the Deputy City Clerk of the City of Davenport, Iowa, certified and delivered to me a complete copy of an ordinance of that municipality adopted by the City Council thereof on April 10, 2024, providing for the sale and issuance of \$27,715,000 General Obligation Corporate Bonds, Series 2024, and for the levy of taxes to pay the same, and that I have duly placed said copy of the ordinance on file in my records.

I further certify that the taxes provided for in the ordinance will, in due time, manner and season, be entered on the State and County tax lists of the County for collection in each fiscal year as provided in the said ordinance.

WITNESS MY HAND this _____ day of _____, 2024.

County Auditor

PUBLICATION CERTIFICATE

STATE OF IOWA
COUNTY OF SCOTT
CITY OF DAVENPORT

SS:

I, the undersigned, Deputy City Clerk of the City of Davenport, Iowa, do hereby certify that an ordinance providing for the sale and issuance of \$27,715,000 General Obligation Corporate Bonds, Series 2024, and for the levy of taxes to pay the same, of which the printed slip attached to the publisher's affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this _____ day of _____, 2024.

Deputy City Clerk

(Attach hereto publisher's affidavit of publication with a clipping of the ordinance as published)

City of Davenport

Department: Finance
Contact Info: Mallory Merritt | 563-326-7792

Action / Date
4/3/2024

Subject:

Resolution setting a Public Hearing on the FY 2025 Operating Budget, FY 2025 Capital Improvement Budget, and the FY 2025 - FY 2030 Capital Improvement Program. [All Wards]

TO BE VOTED ON LATER ON THIS AGENDA

Recommendation:

Adopt the Resolution.

Background:

This Resolution sets the Public Hearing for the purpose of adopting the FY 2025 Operating and Capital Budgets.

Under the laws of the State of Iowa, the city is required to adopt an annual budget and certify it to the County Auditor no later than April 30th of each year. Prior to the adoption of the budget, a public hearing is required.

This Resolution formally sets the Public Hearing for the Committee of the Whole Meeting on April 17, 2024, beginning at 5:30 p.m. in Council Chambers at Davenport City Hall, 226 West 4th Street. Specific budget adoption information will be provided with the agenda item appearing on that Council Cycle.

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderwoman Newton.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION setting a Public Hearing on the FY 2025 Operating Budget, FY 2025 Capital Improvement Budget, and the FY 2025 – FY 2030 Capital Improvement Program.

WHEREAS, the State of Iowa requires that the City of Davenport hold a Public Hearing prior to the adoption of its annual budget; and

WHEREAS, adoption of this Resolution will set the Public Hearing for Wednesday, April 17, 2024 at the Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the Public Hearing on the FY 2025 Operating Budget, FY 2025 Capital Improvement Budget, and the FY 2025 – FY 2030 Capital Improvement Program is hereby set for April 17, 2024 at the Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Finance
Contact Info: Chad Dyson |

Action / Date
4/3/2024

Subject:

Resolution awarding a contract for the Davenport Skate Park Improvements project to Spohn Ranch, Inc of Los Angeles, California in the amount of \$350,000 using Sourcewell contract #112420-SRI, CIP#64115. [Ward 3]

Recommendation:

Adopt the Resolution.

Background:

Work under this contract includes labor, materials, and equipment for the Davenport Skate Park Improvements project. The project includes repairs to and expansion of the existing skate park.

At no cost, the City of Davenport is a member of Sourcewell, a cooperative purchasing group. Cooperative purchasing is "Procurement conducted by, or on behalf of, one or more Public Procurement Units" as defined by the American Bar Association Model Procurement Code for State and Local Governments. Due to the volume created by purchases from several communities, members see the advantage of lower contracted prices. Spohn Ranch, Inc was awarded Sourcewell contract #112420-SRI for skateparks, pump tracks, and wheel sports facilities via Request for Proposals #112420.

Funding for this purchase is from CIP #64115 | Skate Park Repairs and Pump Track and #64119 | Park Development Program.

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderwoman Newton.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION awarding a contract for the Skate Park Improvements project to Spohn Ranch, Inc of Los Angeles, California in the amount of \$350,000 using Sourcewell contract #112420-SRI, CIP #64115.

WHEREAS, the City of Davenport needs to contract for the Skate Park Improvements project; and

WHEREAS, Spohn Ranch, Inc of Los Angeles, California was awarded a contract by Sourcewell for skateparks, pump tracks, and wheel sports facilities; and

WHEREAS, the applicable purchasing process was followed by Sourcewell resulting in a contract to Spohn Ranch, Inc as a responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the Skate Park Improvements project is hereby awarded to Spohn Ranch, Inc of Los Angeles, California in the amount of \$350,000 using Sourcewell contract #112420-SRI.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Finance

Contact Info: |

Action / Date

4/3/2024

Subject:

Resolution approving eight Open Prairie/Forest Cover property tax exemptions. [Wards 1, 6, 7, & 8]

Recommendation:

Adopt the Resolution.

Background:

Brian Ritter, Shirley Perry, Genesis Systems Group LTD, John Carillo, Lillian Voss/Burton Voss Trust, David Bierl, Dean Krueger, and Plumb Supply applied for an exemption from the local property taxes for certain properties. This exemption is applied for annually (see attached). As provided by Iowa Law (Slough Bill), land committed to certain open spaces may be exempted from local real estate taxes with approval of the Board of Supervisors. In Scott County, the practice is to refer such requests to the City Council when the property is within the corporate limits of a municipality.

Attachments:

1. Resolution
2. Additional Documents

Resolution No. _____

Resolution offered by Alderwoman Newton.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving eight 2024 Open Prairie/Forest Cover property tax exemptions.

WHEREAS, the Scott County Board of Supervisors has implemented the "Slough Bill" which provides for exemption from local real estate taxes of real estate committed to certain uses, including wetlands, forest cover, and open prairies; and

WHEREAS, Scott County has received applications for exemption for the following properties, with the owner and use also noted:

3.8 acres of forest cover located at parcel 20519-03, owned by Brian Ritter;

5.0 acres of open prairie located at parcel Y3337-04A, owned by Shirley Perry;

7.0 acres of open prairie located at parcel X3501-01, owned by Genesis Systems Group LTD;

57.59 acres of forest cover located at parcels 31807-01, 31717-06A, 31717-01, 31703-13, 31703-14, 30851-20, 31719-19, 31719-20, 31719-21, 31703-15A, owned by Lillian Voss/Burton Voss Trust;

2.3 acres of open prairie and 5.65 acres of forest cover at parcel S3021-OLA, owned by David Bierl;

22.51 acres of open prairie and 25.8 acres of forest cover at parcel 31803-09 and 31805-02, owned by Dean Krueger;

6.6 acres of open prairie located at parcel S3123-03A, owned by John Carrillo;

2.4 acres of forest cover located at parcel P1215-04, owned by Plumb Supply Co LLC; and

WHEREAS, the land lies within the corporate limits of the City of Davenport, and the exemptions are referred to the City Council for its review and approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the eight 2024 Open Prairie/Forest Cover property tax exemptions are hereby approved.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

OFFICE OF THE COUNTY ADMINISTRATOR
600 West Fourth Street
Davenport, Iowa 52801-1030

Ph: (563) 326-8702 Fax: (563) 328-3285
www.scottcountyiowa.gov



March 20, 2024

Executive Assistant/Office of the Mayor & City Council
City of Davenport
226 West 4th Street
Davenport, Iowa 52801

The Board of Supervisors approved the implementation of the Slough Bill on March 29, 1990. The Slough Bill provisions allow exemptions for wetlands, recreational lakes, forest cover, forest reservations, rivers and streams, river and stream banks, wildlife habitat, native prairies and open prairies.

The resolution states that the Board will not consider exemptions for otherwise qualifying real property when it is located within the corporate limits of any municipality until the city council of that municipality first gives approval to the exemption request. Below is a list of exemptions the Davenport City Assessor received:

<u>Name</u>	<u>Acres</u>	<u>Tax Exemption</u>	<u>Amount</u>
Brian Ritter	3.8	Forest Cover	\$43,100
Shirley Perry	5.0	Open Prairie	\$5,990
Genesis Systems Group LTD	7.0	Open Prairie	\$116,500
John Carillo	6.6	Open Prairie	\$7,150
Lillian Voss/Burton Voss Trust	57.59	Forest Cover	\$67,580
David R. Bierl	2.3	Open Prairie	\$1,150
David R. Bierl	5.65	Forest Cover	\$2,830
Dean Krueger	22.51	Open Prairie	\$19,010
Dean Krueger	25.8	Forest Cover	\$21,500
Plumb Supply	2.4	Forest Cover	\$1,050

The exemption requests are enclosed for your city council's review and consideration.

Please notify me as soon as possible once the Davenport City Council has taken action on these exemption requests, and if possible email a copy of the resolution. Contact Nick VanCamp, Davenport City Assessor, should additional information be needed. Thank you for your attention to this matter.

Sincerely,

Deborah Dierkes
Executive Assistant
deborah.dierkes@scottcountyiowa.gov

cc: Nick Van Camp, Davenport City Assessor
Property Owners

DAVENPORT CITY ASSESSOR'S OFFICE

SCOTT COUNTY ADMINISTRATIVE CENTER

February 23, 2024

Scott County Board of Supervisors
Scott County Administrative Center
600 West 4th Street
Davenport, Iowa 52801

The Davenport City Assessor's Office has received eight applications for Open Prairie/Forest Cover Property Tax Exemption for 2024.

These applications were certified by the Chairman of the County Soil Conservation District that the properties are eligible for exemption. The properties that meet the qualifications are described as follows:

- 1) Brian Ritter – **3.8 acres** – Residential – 20519-03 - **\$43,100** – Forest Cover ✓
- 2) Shirley Perry - **5 acres** - Agricultural – Y3337-04A - **\$5,990** – Open Prairie ✓
- 3) Genesis Systems Group LTD – **7 acres** - Industrial – X3501-01 - **\$116,500** - Open Prairie ✓
- 4) Lillian Voss – **57.59 acres** – **\$67,580** – Forest Cover ✓

Agricultural – 31807-01, 31717-06A, 31717-01, 31703-14, 30851-20, 31719-21, 31719-20,
31719-19, 31703-15A

Residential – 31703-13

- 5) David P. Bierl – **7.95** total acres – 2.3 acres Open Prairie & 5.65 acres Forest Cover
Residential - S3021-OLA - **\$3,980** ✓
- 6) Dean Krueger – **48.31 total acres** - Residential– 31803-09 & 31805-02 – **\$40,510** ✓
22.51 acres - **\$19,010** – Open Prairie ✓
25.80 acres - **\$21,500** – Forest Cover ✓

- 7) John Carrillo – **6.6 acres** – Agricultural – S3123-03A - **\$7,150** - Open Prairie ✓
- 8) Plumb Supply Co LLC – **2.4 acres** – Commercial – P1215-04 - **\$1,050** – Forest Cover ✓

It is recommended that the above referenced applications be approved by the Scott County Board of Supervisors for 2024 and the property owners be notified of the board's decision.

Sincerely,

Nick Van Camp
Davenport City Assessor

Encl: Open Prairie/Forest Cover Application List and Applications



Property Tax

Natural Conservation and Wildlife Areas Property Tax Exemption

Iowa Code section 427.1(22)

This application must be filed or postmarked to your local soil and water conservation district by February 1 of each year. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: (cdiowa.org).

Property Information – Please Print

Parcel number: 20519-03 (forest cover) (207004) Res
 Owner: Brian Ritter \$43,100
 Property location address: _____
 City: _____ State: _____ ZIP: _____
 Property owner mailing address: 4622 Rockingham Rd.
 City: Davenport State: IA ZIP: 52802
 County: Scott Number of acres: 3.8 acres
 Phone: 563-529-0110 Email: britter77@gmail.com

Applicant if other than owner – Please Print

Name: _____
 Applicant mailing address: _____
 City: _____ State: _____ ZIP: _____
 Phone: _____ Email: _____
 Relationship to owner: _____

Property type:

Recreational lakes ☐ Rivers and streams ☐ Forest covers ☒
 Open prairies ☐ River and stream banks ☐ Section 427.1(22)(g) property ☐

An aerial photo of the property on which the property to be exempted is outlined:

Is included: ☐ On file: ☒

If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners: Is included ☐ On file ☐

I Brian Ritter swear or affirm that the above property will not be used for economic gain of any kind during the assessment year.

Applicant Signature: Brian Ritter Date: 12/18/23

OFFICE USE ONLY

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: X CD Date: 2/7/24
 Chairman, Scott County Soil and Water Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____ Date: _____

Chairman, _____ County Board of Supervisors



Natural Conservation and Wildlife Areas
Property Tax Exemption

Iowa Code section 427.1(22)

This application must be filed or postmarked to your local soil and water conservation district by February 1 of each year. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: (cdiowa.org).

5,990

Property Information – Please Print

Parcel number: Y3337-04A (open prairie)

(Y03009)

Ag

Owner: Shirley Perry

Property location address:

City: State: ZIP:

Property owner mailing address: 20739 210th St.

City: Bettendorf State: IA ZIP: 52722

County: Scott Number of acres: 5 acres

Phone: 563-343-3450 Email:

Applicant if other than owner – Please Print

Name:

Applicant mailing address:

City: State: ZIP:

Phone: Email:

Relationship to owner:

Property type:

Recreational lakes ☐ Rivers and streams ☐ Forest covers ☐
Open prairies ☒ River and stream banks ☐ Section 427.1(22)(g) property ☐

An aerial photo of the property on which the property to be exempted is outlined:

Is included: ☐ On file: ☒

If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners: Is included ☐ On file ☐

I, Shirley Perry swear or affirm that the above property will not be used for economic gain of any kind during the assessment year.

Applicant Signature: Shirley J. Perry Date: 1-26-2024

OFFICE USE ONLY

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: C. D. Smith Date: 2/7/24

Chairman, Scott County Soil and Water Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: Date:

Chairman, County Board of Supervisors

7



Natural Conservation and Wildlife Areas Property Tax Exemption

Iowa Code section 427.1(22)

This application must be filed or postmarked to your local soil and water conservation district by February 1 of each year. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: (cdiowa.org).

116,500

Property Information – Please Print

Parcel number: X3501-01

(X01036)

Ind

Owner: Genesis Systems Group LLC

Property location address: _____

City: _____ State: _____ ZIP: _____

Property owner mailing address: 8900 N. Harrison St.

City: Davenport State: IA ZIP: 52806

County: Scott Number of acres: 7 acres

Phone: 563-445-5600 Email: lbunn@genesis-systems.com

Applicant if other than owner – Please Print

Name: _____

Applicant mailing address: _____

City: _____ State: _____ ZIP: _____

Phone: _____ Email: _____

Relationship to owner: _____

Property type:

Recreational lakes ☐ Rivers and streams ☐ Forest covers ☐
Open prairies ☒ River and stream banks ☐ Section 427.1(22)(g) property ☐

An aerial photo of the property on which the property to be exempted is outlined:

Is included: ☐ On file: ☒

If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners: Is included ☐ On file ☐

I Genesis Systems Group swear or affirm that the above property will not be used for economic gain of any kind during the assessment year.

Applicant Signature: Ala Bunn Date: 11/1/2023

OFFICE USE ONLY

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: X CLD Date: 2/7/24

Chairman, Scott County Soil and Water Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____ Date: _____

Chairman, _____ County Board of Supervisors



Property Tax

Natural Conservation and Wildlife Areas Property Tax Exemption

Iowa Code section 427.1(22)

This application must be filed or postmarked to your local soil and water conservation district by February 1 of each year. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: (cdiowa.org).

Property Information – Please Print

Parcel number: See attached page for parcel #'s

Owner: Michael Voss/ Burton Voss Trust

Property location address: _____

City: _____ State: _____ ZIP: _____

Property owner mailing address: 4336 S. Concord St.

City: Davenport State: IA ZIP: 52802

County: Scott Number of acres: 85.29 acres

Phone: 563-323-1173 / 563-210-0331 Email: _____

Applicant if other than owner – Please Print

Name: _____

Applicant mailing address: _____

City: _____ State: _____ ZIP: _____

Phone: _____ Email: _____

Relationship to owner: _____

Property type:

Recreational lakes ☐ Rivers and streams ☐ Forest covers ☒
Open prairies ☐ River and stream banks ☐ Section 427.1(22)(g) property ☐

An aerial photo of the property on which the property to be exempted is outlined:

Is included: ☐ On file: ☒

If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners: Is included ☐ On file ☐

I Michael Voss/ Burton Voss Trust swear or affirm that the above property will not be used for economic gain of any kind during the assessment year.

Applicant Signature: Michael Voss Date: 11/8/2023

OFFICE USE ONLY

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: [Signature] Date: 2-7-24

Chairman, Scott County Soil and Water Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____ Date: _____

Chairman, _____ County Board of Supervisors

ATTACHMENT TO BURTON VOSS TRUST APPLICATION FOR PROPERTY TAX EXEMPTION

<u>PARCEL #</u>	<u>ACRES</u>	<u>EXEMPTION</u>
31701-01	25.00	FOREST COVER – acres?? 28,450 Ag
31717-06A	0.63	FOREST COVER – Michael Voss/Lillian Voss 700 Ag
31703-13	1.00	FOREST COVER 1,980 Res
31703-14	6.53	FOREST COVER 7,690 Ag
31717-01	13.22	FOREST COVER 15,890 Ag
31719-19	0.36	FOREST COVER 450 Ag
31719-20	2.70	FOREST COVER 3,660 Ag
31719-21	0.32	FOREST COVER 450 Ag
31807-01	10.74	FOREST COVER 12,910 Ag
30851-20	5.62	FOREST COVER 7,030 Ag
31703-15A	<u>16.47</u>	FOREST COVER – Burton Voss 16,820 Ag
TOTAL EXEMPTION =	57.59	

*parcel 31703-15A was reviewed and qualifies for Forest Cover. The parcel is 22.16 acres. There are 2.7 acres that qualify for Forest Reserve. The remaining acres (16.47) less the acres that are water or wetlands qualify for Forest Cover. 19.17 acres qualify.



Natural Conservation and Wildlife Areas
Property Tax Exemption

Iowa Code section 427.1(22)

This application must be filed or postmarked to your local soil and water conservation district by February 1 of each year. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: (cdiowa.org). $OP: 1150$ $FC: 2830 = 13980$ *Res*

Property Information – Please Print

Parcel number: S3021-OLA (2.3 ac. open prairie, 6.15 ac. forest cover) *(521030)*

Owner: David Bierl *All Ex*

Property location address: _____

City: _____ State: _____ ZIP: _____

Property owner mailing address: 5819 Shawnee Dr.

City: Davenport ✓ State: IA ZIP: 52804

County: Scott Number of acres: 8.45 acres *7.95* ✓

Phone: 563-391-3081 Email: 794-5581 (work)

Applicant if other than owner – Please Print

Name: _____

Applicant mailing address: _____

City: _____ State: _____ ZIP: _____

Phone: _____ Email: _____

Relationship to owner: _____

Property type:

Recreational lakes ☐ Rivers and streams ☐ Forest covers ☒
Open prairies ☒ River and stream banks ☐ Section 427.1(22)(g) property ☐

An aerial photo of the property on which the property to be exempted is outlined:

Is included: ☐ On file: ☐

If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners: Is included ☐ On file ☐

I, David Bierl swear or affirm that the above property will not be used for economic gain of any kind during the assessment year.

Applicant Signature: X David T. Bierl Date: 1/16/24

OFFICE USE ONLY

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: X [Signature] Date: 2/7/24

Chairman, Scott County Soil and Water Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____ Date: _____

Chairman, _____ County Board of Supervisors

This application must be filed or postmarked to your local soil and water conservation district by February 1 of each year. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: (cdiowa.org).

Property Information – Please Print

30302 Res ✓
303015 Res

Parcel number: 31803-09 and 31805-02, Open Prairie 22.51, Forest Cover 25.80

Owner: Dean Krueger

Property location address: 3750 Nobis Dr

City: Davenport State: IA ZIP: 52802

Property owner mailing address: _____

City: _____ State: _____ ZIP: _____

County: _____ Number of acres: 48.31

Phone: 563-343-9123 Email: d.krueger@mchsi.com

Applicant if other than owner – Please Print

Name: _____

Applicant mailing address: _____

City: _____ State: _____ ZIP: _____

Phone: _____ Email: 02- 0P - 5,610 5.01

Relationship to owner: _____

Property type: _____

Recreational lakes ☐ Rivers and streams ☐ Forest covers ☒

Open prairies ☒ River and stream banks ☐ Section 427.1(22)(g) property ☐

An aerial photo of the property on which the property to be exempted is outlined:

Is included: ☐ On file: ☐

If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners: Is included ☐ On file ☐

I Dean Krueger swear or affirm that the above property will not be used for economic gain of any kind during the assessment year.

Applicant Signature: Dean Krueger Date: 10/17/23

OFFICE USE ONLY

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: X CD Date: 2/7/24

Chairman, Scott County Soil and Water Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____ Date: _____

Chairman, _____ County Board of Supervisors



Property Tax

Natural Conservation and Wildlife Areas Property Tax Exemption

Iowa Code section 427.1(22)

This application must be filed or postmarked to your local soil and water conservation district by February 1 of each year. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: (cdiowa.org).

Property Information – Please Print

Parcel number: S3123-03A (open prairie) 7,150 (Net 41,300)
(S17014) Ag

Owner: John Carrillo

Property location address: _____

City: _____ State: _____ ZIP: _____

Property owner mailing address: 5505 Telegraph Rd.

City: Davenport State: IA ZIP: 52804

County: Scott Number of acres: 6.6 acres

Phone: 563-940-7042 Email: Johnjc66@yahoo.com

Applicant if other than owner – Please Print

Name: _____

Applicant mailing address: _____

City: _____ State: _____ ZIP: _____

Phone: _____ Email: _____

Relationship to owner: _____

Property type:

Recreational lakes ☐ Rivers and streams ☐ Forest covers ☐
Open prairies ☒ River and stream banks ☐ Section 427.1(22)(g) property ☐

An aerial photo of the property on which the property to be exempted is outlined:

Is included: ☐ On file: ☒

If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners: Is included ☐ On file ☐

I, John Carrillo swear or affirm that the above property will not be used for economic gain of any kind during the assessment year.

Applicant Signature: [Signature] Date: 10/12/2023

OFFICE USE ONLY

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: [Signature] Date: 2/7/24

Chairman, Scott County Soil and Water Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____ Date: _____

Chairman, _____ County Board of Supervisors



Property Tax

Natural Conservation or Wildlife Areas Property Tax Exemption

Iowa Code section 427.1(22)

This application must be filed or postmarked to your local soil and water conservation district on or before February 1 of each year. However, the exemption for the owner of property described under Iowa Code section 427.1(22)(g) shall continue from year to year without additional application as long as the property qualifies and is not used for economic gain. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: cdiowa.org.

1050

Com

Print property Information

Parcel number: P1215-04

(P06024A)

Owner: Plumb Supply Co LLC

Property location address: 4601 Grand Ave.

City: Davenport

State: IA

ZIP: 52807

Property owner mailing address: PO BOX 4558

City: Des Moines

State: IA

ZIP: 50305

County: Scott

Number of acres: 2.4 acres

Phone: (515) 299-8540

Email: jbartlett@plumbsupply.com

Print applicant information if other than owner

Name:

Applicant mailing address:

City:

State:

ZIP:

Phone:

Email:

Relationship to owner:

Property type:

Recreational lakes ☐

Rivers and streams ☐

Forest covers ☒

Open prairies ☒

River and stream banks ☐

Section 427.1(22)(g) property ☐

An aerial photo of the property on which the property to be exempted is outlined:

Is included: ☒

Is on file with the assessor: ☐

If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners: Is included ☐ Is on file with the assessor ☐

I, John Bartlett, swear or affirm that the above property will not be used for economic gain of any kind during the assessment year. I declare under penalties of perjury or false certificate, that I have examined this application, and, to the best of my knowledge, it is true, correct, and complete.

Applicant signature:

John B Bartlett

Date: 12/14/2023

OFFICE USE ONLY

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: CD Scott Date: 2/7/24
Chairman, SCOTT County Soil and Water Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____ Date: _____
Chairman, _____ County Board of Supervisors

Natural Conservation or Wildlife Areas Property Tax Exemption Instructions, page 3

The exemption may be applied to recreational lakes, forest covers, rivers and stream banks, and open prairies as designated by the board of supervisors of the county in which the property is located.

This exemption is only available to parcels of property of two acres or more. The property must also be utilized for the purposes of providing soil erosion control, wildlife habitat, or both.

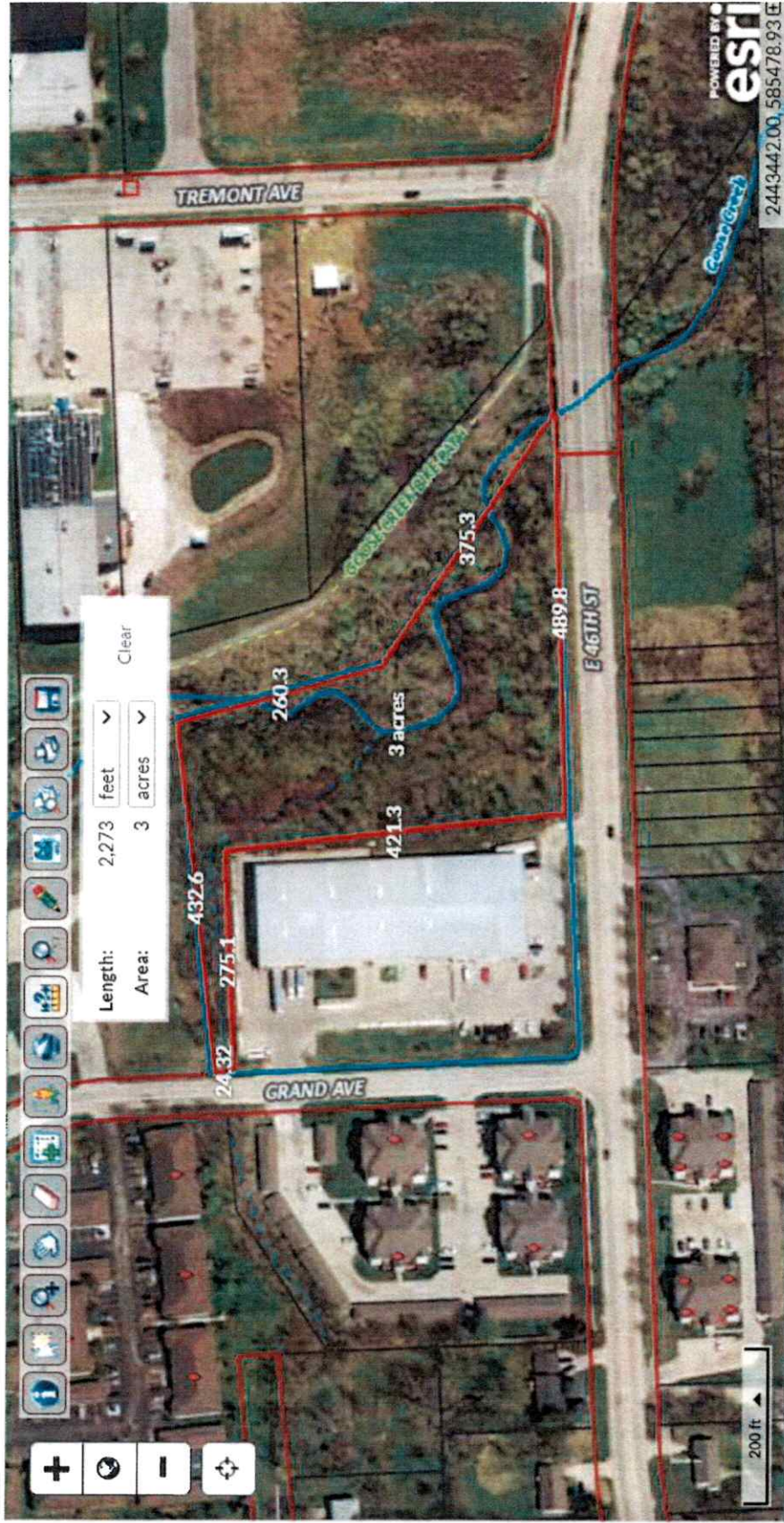
An exemption is allowed for rivers and streams or river and stream banks only if the land is located at least 33 feet from the ordinary high water mark of the rivers and streams or river and stream banks.

If the property is an open prairie, the property will be inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

If the real property is located within a city, the approval of the governing body must be obtained before the real property is eligible for an exemption.

A property receiving this exemption shall not be used for economic gain of any kind during the assessment year. This includes, but is not limited to, the storage of equipment, machinery, or crops.

If the property is used for economic gain during an assessment year in which it has received this exemption, the property shall lose its exemption and be taxed at the rate levied by the county for the fiscal year beginning in that assessment year.



2.4 acres

.6 acres not
eligible

Picture 11: Forestry Acreage

City of Davenport

Department: Finance
Contact Info: Courtney Jones | 563-888-3106

Action / Date
4/3/2024

Subject:

Resolution approving a 28D Intergovernmental Agreement between the City of Davenport and the Davenport Community School District for the purpose of providing school resource officers at Davenport Schools. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

The City of Davenport currently assigns five Davenport Police Department police officers to the Davenport Community School District as School Resource Officers (SRO). The new agreement covers the 2024-2025 and 2025-2026 school years.

As provided for in the agreement, the City shall pay and provide the benefits to the SROs. The DCSD shall reimburse the City for all of said salaries paid to the SROs by the City. The City shall bill DCSD for the cost of the salary of the officers' position.

Attachments:

1. Resolution
2. SRO 28D Agreement 2024

Resolution No. _____

Resolution offered by Alderwoman Newton.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION approving a 28D Intergovernmental Agreement between the City of Davenport and the Davenport Community School District (hereinafter "Parties") for the purpose of providing School Resource Officers at Davenport Schools.

WHEREAS, the Parties believe that entering into a 28D Intergovernmental Agreement for the purpose of providing sworn School Resource Officers at DCSD schools will be in their collective best interests; and

WHEREAS, the Parties have the authority to enter into the Agreement and provide funding pursuant to Iowa Code Chapter 28D.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a 28D Intergovernmental Agreement between the City of Davenport and the Davenport Community School District for the purpose of providing School Resource Officers at Davenport schools is hereby approved.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

INTERGOVERNMENTAL 28D AGREEMENT
BETWEEN THE
DAVENPORT COMMUNITY SCHOOL DISTRICT
AND THE CITY OF DAVENPORT

Pursuant to Iowa Code Chapter 28D, this agreement is made and entered into by and between the Davenport Community School District (hereinafter referred to as "DCSD") and the City of Davenport (hereinafter referred to as "City").

Statement of Purpose

The purpose of this agreement is to affect an interchange of personnel between the above-named governmental subdivisions in an effort to address and resolve some public concerns through intergovernmental cooperation; specifically, this agreement provides for the assignment of five designated police officers from the City of Davenport to act as DCSD School Resource Officers.

Authority

This agreement is entered into pursuant to the provisions of Chapter 28D of the Iowa Code entitled "Interchange of Federal, State and Local Government Employees".

Term of Agreement

Said officers will be assigned to the DCSD during the academic school years which begin in August 2024 and August 2025 for academic school years 2024-2025 and 2025-2026. However, during the academic calendar school year when classes are not in session as a result of designated holidays, vacation days, in-service days, non-attendance days or similar days said officers shall be assigned to relevant district special projects or the Services Division under the direct supervision of the Crime Prevention Bureau Lieutenant with the Davenport Police Department. Either party may terminate this agreement by providing ninety (90) days written notice to the other party. Unless renewed, this agreement automatically terminates at the conclusion of the 2025-2026 school year. This agreement may only be modified by mutual agreement of the parties in writing.

Selection of School Resource Officers

Should officers who are not already in place and will be serving as school resource officers between the City and DCSD be needed, they will be interviewed by a selection panel comprised of members of the Davenport Police Department and DCSD. At the conclusion of the interview process, a list of possible candidates will be submitted with collaboration from the DCSD.

Status of School Resource Officers

The school resource officers will be considered on detail to regular work assignment of the Davenport Police Department, entitled to the same salary and benefits to which he or she would otherwise be entitled and shall remain an employee of the City for all other purposes except

that the supervision of his or her duties during the period of detail shall be as provided for hereinafter.

Supervision

The school resource officers assigned to this position by the City shall be under the general supervision of the Davenport Police Department and will conduct himself or herself in accordance with all federal, state and local laws and the current general orders of the Davenport Police Department. In accordance with the foregoing, the DCSD will assign the school resource officers daily activity during the time schools and classes are in session, but it will not interfere in the officers' lawful execution of his or her duties as a law enforcement officer for the City. When schools are not in session and classes are not being held, the school resource officers will be under the direct supervision of the Services Division Crime Prevention Bureau of the Davenport Police Department.

During time of a declared city or state emergency, the officers will perform the duties of a police officer for the City of Davenport and will be re-assigned from the DCSD to the City for the duration of the declared emergency.

The DCSD may provide the Davenport Police Department with a weekly staffing agenda for the officers' work and shall also provide a work station within the school building for the officers' use and may provide on-site office equipment for the officers' use. All standard or customary law enforcement equipment shall be provided by the Davenport Police Department or the school resource officers pursuant to the officers' employment agreement with the city. The officers will provide the bureau commander with a monthly summary of the activities the officer has performed for the DCSD. The officers shall provide services to the DCSD including, but not limited to, enforcement of state and local laws, safety consultation and planning, assist with and help maintain security at the school, coordinate crises responses with school administrators, respond to and investigate incidents, and train school staff on safety measures, etc. The school resource officers shall be considered employees of the city for purposes of Iowa Code 670.8.

Law Enforcement Training and Activities

The parties agree that the school resource officers shall be allowed to attend mandatory training in order to retain his or her law enforcement officer certification or continuing education as required by state law and regulations and the Davenport Police Department.

Financing of School Resource Officer Positions

The City shall pay and shall provide the benefits to the school resource officers. The DCSD shall reimburse the City all of said salaries paid to the officers by the City. The City shall be responsible for any overtime wages associated with the school resource officer's salaries. The City shall bill DCSD for the costs of the salary of the officers' position.

Liability

Except as provided in Sections 28D.4(4) and 28D.6(4) of the Code of Iowa which are specifically related to workers' compensation, each party agrees to waive, indemnify and hold harmless the other party against any and all claims for compensation for damage or loss of any equipment or

property, and for personal injury or death of its employees or agents occurring as a consequence of the performance of this agreement.

Each party shall be responsible for all losses, liabilities, costs, expenses, lawsuits, actions, claims and demands whatsoever, including without limitation all judgments and attorney fees and other expenses caused by or attributed to its personnel or property while in the performance of this agreement. In the event of joint liability of the parties, liability of each party shall be determined by comparative fault under Iowa law.

In witness whereof, the parties have duly executed this agreement on this ____ day of _____, 2024.

Davenport Community School District

President, DCSD School Board

City of Davenport

Mike Matson, Mayor

City of Davenport

Department: Office of the Mayor

Contact Info: Mayor Matson and City Council | 563-326-7701 |

Action / Date

4/3/2024

Subject:

Resolution ratifying Executive Order 2023-22 appointing Mallory Merritt as Interim City Administrator; ratifying the Personnel Memorandum of Understanding between the City of Davenport and Mallory Merritt, memorializing Ms. Merritt's appointment as Interim City Administrator; and approving Amendment 1 to the personnel Memorandum of Understanding between the City of Davenport and Mallory Merritt. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

On October 6, 2023, the City entered into an agreement with former City Administrator, Corrin Spiegel, to end Ms. Spiegel's employment effective January 2, 2024. As part of Ms. Spiegel's agreement, her last work day was November 17, 2023, and included a provision for her to take administrative leave until January 2, 2024. To facilitate the orderly transition of City Administration, on November 8, 2023 the Mayor issued Executive Order 2023-22 appointing Mallory Merritt as Interim City Administrator effective November 17, 2023. On November 8, 2023, the City entered into a Personnel Memorandum of Understanding with Mallory Merritt memorializing her appointment as interim City Administrator effective November 17, 2023, setting forth the City's expectations for Ms. Merritt and reflecting adjustments to her compensation. Additionally, Ms. Merritt and the City have negotiated Amendment 1 to her Personnel Memorandum of Understanding to extend Ms. Merritt's appointment as Interim City Administrator.

The City's outside legal counsel advises that the Executive Order and Ms. Merritt's Personnel Memorandum of Understanding be ratified and Amendment 1 be approved by City Council.

Attachments:

1. Resolution
2. Executive Order
3. Personnel Memorandum of Understanding
4. Amendment Personnel Memorandum of Understanding

Resolution No. _____

Resolution offered by Alderwoman Newton.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION ratifying Executive Order 2023-22 appointing Mallory Merritt as Interim City Administrator; ratifying the Personnel Memorandum of Understanding between the City of Davenport and Mallory Merritt memorializing Ms. Merritt's appointment as Interim City Administrator; and approving Amendment 1 to the Personnel Memorandum of Understanding between the City of Davenport and Mallory Merritt.

WHEREAS, on October 6, 2023, the City entered into an agreement with former City Administrator Spiegel in which Spiegel's employment ended effective January 2, 2024, and as part of said agreement Spiegel's last work day was November 17, 2023 and she would take administrative leave until January 2, 2024; and

WHEREAS, to facilitate the orderly transition of City Administration, the Mayor, with the assistance from the City Attorney, issued Executive Order 2023-22 appointing Mallory Merritt as Interim City Administrator effective November 17, 2023; and

WHEREAS, also through the assistance of the City Attorney, on November 8, 2023 the City entered into a Personnel Memorandum of Understanding with Merritt memorializing the terms of her appointment as Interim City Administrator effective November 17, 2023; and

WHEREAS, in addition, Ms. Merritt and the City have negotiated Amendment 1 to said Personnel Memorandum of Understanding to extend Merritt's interim appointment while the search for a permanent City Administrator moves forward; and

WHEREAS, the City's outside legal counsel advises that the Executive Order and Personnel Memorandum of Understanding be ratified, and Amendment 1 to the Personnel Memorandum of Understanding be approved by City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that Executive Order 2023-22 appointing Mallory Merritt as Interim City Administrator and the Personnel Memorandum of Understanding between the City of Davenport and Mallory Merritt memorializing Ms. Merritt's appointment as Interim City Administrator are hereby ratified, and Amendment 1 to said Personnel Memorandum of Understanding is hereby approved, and the Mayor is authorized and directed to sign any agreements necessary to effect the ratification and approval of said interim appointment.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

November 8, 2023

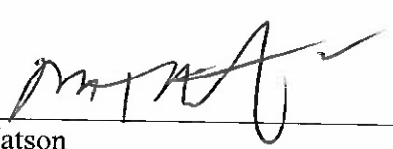
EXECUTIVE ORDER 2023-22

APPOINTING MALLORY MERRITT AS THE INTERIM CITY ADMINISTRATOR

The current city administrator is amicably parting ways with the City, and in order to have an orderly transition, an interim city administrator must be appointed until a new city administrator can be appointed. Accordingly, it is hereby ordered:

1. Mallory Merritt is appointed as interim city administrator and authorized to exercise the powers of position of city administrator;
2. There are some specific terms related to Mallory Merritt's interim appointment that are outlined in a letter of understanding executed by me on behalf of the City and reviewed by the Corporation Counsel; and
3. To be clear Mallory Merritt will continue in her capacity as an Assistant City Administrator and Chief Financial Officer during the time of this temporary assignment.

This order takes effect at 12:01 AM November 17, 2023, and shall remain in effect until Mallory Merritt's service as interim city administrator is ended by action of Mallory Merritt or the City.



Mike Matson
Mayor of Davenport, Iowa
November 8, 2023



PERSONNEL MEMORANDUM OF UNDERSTANDING CONFIDENTIAL – PERSONNEL

This Personnel Memorandum of Understanding is made and agreed to this 8th day of November, 2023 with an effective date of November 17, 2023 and referenced in an executive order of the Mayor. Upon execution, this personnel document shall be incorporated into the named employee's personnel file.

BY & BETWEEN: City of Davenport
AND: Mallory L. Merritt, Employee of City of Davenport
CC: Personnel File

Purpose

This memorandum of understanding is meant to commemorate the terms of Mrs. Merritt's appointment as the Interim City Administrator including compensation adjustment, performance and responsibilities, address possible conflicts of interest, and eventual termination of duties.

Performance & Responsibilities

As part of this assignment, Mrs. Merritt and the City agree to the following:

1. On an interim basis, Mrs. Merritt will discharge both the duties of the Interim City Administrator and Chief Financial Officer positions.
2. The employee acknowledges that the position holds immense responsibility and understands that it entails responsibilities well above-and-beyond current duties. To this end, the employee agrees to the following performance benchmarks:
 - ✓ Successful preparation, coordination, adoption, and submission of the FY 2025 Operating and Capital Budgets under new legislative requirements.

- ✓ Provide an onboarding protocol for new and current elected officials including briefings on major City functions, overview of current initiatives, and required human resources-related trainings.
 - ✓ Continue progress on the existing adopted workplan including a strategic focus on the following:
 - i. Police Department Recruitment & Retention
 - ii. Fire Station 3 Completion & Operational Transition
 - iii. ARPA & Infrastructure Projects
 - iv. NorthPark Mall Revitalization Strategy & Market Study
 - ✓ Collaborate with the City's leadership team and City Council and lead the development and adoption of the CY 2024 City Administrator's Workplan.
 - ✓ Work with the Mayor & City Council to staff the Legal Department and secure any necessary related professional services contracts.
 - ✓ Serve as a strategic resource and partner for the Mayor & City Council on the recruitment of the permanent City Administrator and Corporation Counsel positions.
3. The City acknowledges that the Interim City Administrator may make personnel adjustments to carry out the benchmarks and initiatives agreed to above and may include compensation adjustments for employees in accordance with City administrative policies. The City also acknowledges that Mrs. Merritt may exercise all powers of the City Administrator while serving in this temporary capacity.

Compensation

To compensate for the increased responsibilities associated with holding both positions, Mrs. Merritt and the City agree to the following:

1. Mrs. Merritt's annual base compensation shall remain at her current rate of \$174,420.00.
2. The employee will remain entitled to all other benefits as outlined in previous employment offer letters, agreements, and amendments, including general wage increases afforded to other department head employees.

3. Upon the completion of responsibilities mutually agreed to between Mrs. Merritt and the City as outlined in the prior section, the employee shall be paid a lump sum merit bonus of \$50,000 payable on the May 3, 2024 payroll cycle. In the case of an early ending of the temporary appointment, this will be paid on a pro-rated monthly basis where any day of a month constitutes as a full month for this purpose.
4. If the Mayor & City Council extend the appointment of Mrs. Merritt's tenure in the Interim City Administrator position beyond April 30, 2024, the parties acknowledge that the compensation of the position should be mutually revisited and agreed to by Merritt and the Mayor and Finance Chair.

Conflict of Interest Provisions

Both the City and Mrs. Merritt acknowledge and agree to adhere to the following conflict of interest provisions:

1. Consistent with Administrative Policy 3.2(5&6), the employee has previously disclosed a *familial association* with another City employee, Clay Merritt (spouse).
2. Consistent with Administrative Policy 3.2(6), Mrs. Merritt's conflict of interest letters included in her current personnel file will be amended to reflect the below protocols to mitigate potential perceived or actual conflicts of interest arising through the *familial association*:
 - a. Reporting Structure: The City acknowledges that some aspects of the reporting structure while Mrs. Merritt is interim City Administrator will be contrary to the City's Administrative Policy Manual; however, efforts will be taken to mitigate or reduce these issues through the below mechanisms included in this entire section 2. During her tenure as Interim Administrator, her spouse shall continue to directly report to the Assistant City Administrator/Public Works Director. Additionally:
 - i. Any financial benefit, above and beyond that for other directors, provided to Clay Merritt will be approved by the Assistant City Administrator/Public Works Director, Human Resources Director, and Head City Attorney. Mrs. Merritt shall not be involved in any conversations around this determination.
 - ii. Any disciplinary matter involving Clay Merritt as a subject will be handled by an outside legal counsel; any related discipline will be imposed by agreement of the Assistant City Administrator/Public

Works Director, Human Resources Director, and Head City Attorney. Mrs. Merritt shall not be involved in these matters.

- b. **Contract Signatures:** It is acknowledged that Mrs. Merritt will not sign contracts initiated by her spouse without first obtaining a legal review and sign-off.
- c. **Change Orders:** It is acknowledged that Mrs. Merritt will not sign or authorize any contract change orders initiated by her spouse without obtaining review and approval of the Assistant City Administrator/Public Works Director and legal review and sign-off.
- d. **Transfers & Amendments:** It is acknowledged that Mrs. Merritt will not authorize any budgetary transfer or amendment initiated by her spouse without the approval of the Assistant City Administrator/Public Works Director. Upon review and approval, Mrs. Merritt will authorize staff to process the transfer/amendment.
- e. **Personnel Decisions:** It is acknowledged that Mrs. Merritt will not be involved in personnel-related decision-making for her spouse's functional area or any of his employees. In the event that a personnel decision requires a City Administrator authorization, the authorization will only be given at the sole direction of internal or external legal counsel and shall be documented the same.
- f. **City Council-Directed Strategic Initiatives Guidance:** Mrs. Merritt acknowledges that her spouse leads and works cooperatively with the Mayor & City Council, City Administrator's Office, and other leadership staff on the development and implementation of numerous City Council-focused strategic initiatives. Mrs. Merritt acknowledges that she will continue to take guidance from the City Council on these matters and that implementation by staff shall reflect the same.

Other

Additionally, Mrs. Merritt and the City acknowledge the below additional personnel related terms:

- 1. Based on the employee's current familial status, the employee will extend her maternity leave to include emergency availability only on Friday afternoons.

2. Mrs. Merritt acknowledges that the position will require response to emergencies and reasonable attendance at meetings outside of typical office hours and will continue to make arrangements to attend pre-planned and arranged meetings.
3. The Mayor & City Council acknowledge that inappropriate accusations or allegations could harm both the City and the employee in her current role as Chief Financial Officer given the numerous regulating bodies around the position such as the bond market, SEC, and auditors. Therefore, the Mayor & City Council agree to respond to, and address, inappropriate accusations that impede Mrs. Merritt's ability to discharge the duties of the position including the responsibilities of the Chief Financial Officer.
4. The Mayor & City Council acknowledge that the recruitment process for the permanent City Administrator position will begin in Q1 2024.

Termination of Duties

The City and Mrs. Merritt both acknowledge that the employee's responsibilities as the Interim City Administrator will conclude at some future date currently contemplated as May 2024. At conclusion and to ensure appropriate transitions, the below terms are acknowledged:

1. Upon the Mayor or City Council's termination of the employee's Interim City Administrator responsibilities due to the appointment of a permanent City Administrator or for some other cause, the Mayor & City Council acknowledge that Mrs. Merritt will simply return to performing only the duties of the Assistant City Administrator & Chief Financial Officer position.
2. The Mayor & City Council acknowledge that Mrs. Merritt may also request to stop and simply return to performing only the duties of the Assistant City Administrator & Chief Financial Officer position. Mrs. Merritt acknowledges that this will require a transition period to name a new Interim City Administrator and agrees to work cooperatively during this period.
3. Upon any involuntary separation within twelve months of the appointment of a new City Administrator, Mrs. Merritt shall be paid a severance payment in the amount of twelve (12) months of her then current rate. Upon any involuntary separation after twelve months of the appointment of a new City Administrator or voluntary separation from today moving forward, Mrs. Merritt shall be paid nine months of the employee's then current rate. These provisions will

continue beyond the life of this temporary appointment and should be reflected accordingly in Mrs. Merritt's personnel file.

4. In the absence of a permanent City Administrator, termination of Mrs. Merritt from all employment shall be by unanimous consent of the Mayor, Mayor Pro Tem, and the four chairs.

SIGNATURE PAGE FOLLOWS

SIGNATURES

EMPLOYEE



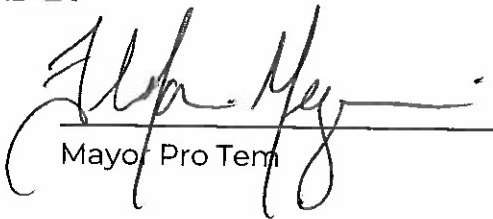
Employee (Signature):
Mallory L. Merritt

FOR THE CITY In accordance with Ch. 2.06 of the Davenport Municipal Code:

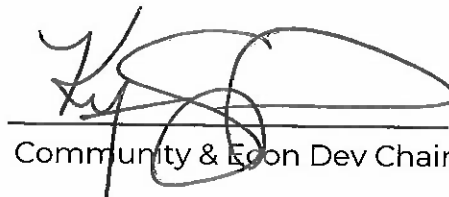


Mayor
Michael Matson

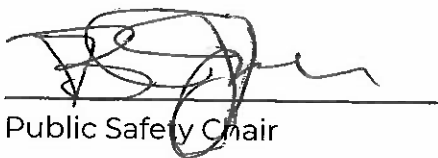
AFFIRMED BY



Mayor Pro Tem



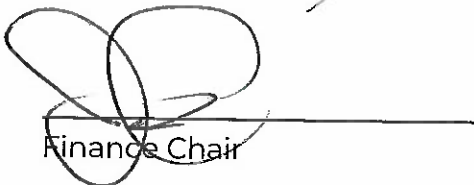
Community & Econ Dev Chair



Public Safety Chair



Public Works Chair



Finance Chair



Corporation Counsel



AMENDMENT 1
PERSONNEL MEMORANDUM OF UNDERSTANDING
CONFIDENTIAL – PERSONNEL

This amendment to the Personnel Memorandum of Understanding is made and agreed to this 13th day of March 2024. Upon execution, this personnel document shall be incorporated into the named employee's personnel file and serve as an attachment to the original memorandum of understanding.

BY & BETWEEN: City of Davenport
AND: Mallory L. Merritt, Employee of City of Davenport

CC: Personnel File

Purpose

This amendment is meant to commemorate the terms of Mrs. Merritt's appointment as the Interim City Administrator including an amendment to compensation and term. All other terms of the personnel memorandum of understanding shall remain in force except for those modified below.

Compensation

To compensate for the increased responsibilities associated with holding both positions, Mrs. Merritt and the City agree to the following:

1. Mrs. Merritt's annual base compensation, currently reflected as her current rate of \$174,420, shall be increased by 2.5% retroactive to January 7, 2024.
2. The employee will remain entitled to all other benefits as outlined in previous employment offer letters, agreements, and amendments, including general wage increases afforded to other department head employees.
3. Mrs. Merritt agrees to serve as the Interim City Administrator until a permanent Administrator is appointed. For any length of appointment that extends beyond the original agreement of April 30, 2024, Merritt shall be paid an additional \$5,000 per month. For these purposes, work performed for any day

of the month shall constitute as a whole month. Payment shall be rendered on the second pay cycle of that corresponding month of service.

4. In the event that a permanent City Administrator is not appointed by November 17, 2024, and the parties mutually desire to continue Merritt's interim appointment, the current memorandum of understanding and this amendment will terminate and the parties agree to negotiate a revised memorandum of understanding going forward.

SIGNATURE PAGE FOLLOWS

SIGNATURES

EMPLOYEE

Employee (Signature):
Mallory L. Merritt

FOR THE CITY

Mayor
Michael Matson

City of Davenport

Department: Office of the Mayor

Contact Info: Mayor Matson and City Council | 563-326-7701 |

Action / Date

4/3/2024

Subject:

Resolution ratifying Executive Order 2024-01 appointing Brian Heyer as Interim Corporation Counsel and approving the Personnel Memorandum of Understanding between the City of Davenport and Brian Heyer, memorializing Mr. Heyer's appointment as Interim Corporation Counsel. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

On August 2, 2022, the City entered into a agreement with former City Attorney, Tom Warner, ending Mr. Warner's employment effective January 2, 2024. To facilitate the orderly transition of City legal affairs, on January 2, 2024, the Mayor issued Executive Order 2024-01 appointing Mr. Heyer as Interim City Attorney. Mr. Heyer and the City have negotiated a proposed Personnel Memorandum of Understanding to memorialize his appointment as Interim City Attorney and set forth the City's expectations for Mr. Heyer and to reflect adjustments to his compensation.

The City's outside legal counsel advises that the Executive Order be ratified and Mr. Heyer's Personnel Memorandum of Understanding be approved by City Council.

Attachments:

1. Resolution
2. Executive Order
3. Personnel Memorandum of Understanding

Resolution No. _____

Resolution offered by Alderwoman Newton.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION ratifying Executive Order 2024-01 appointing Brian Heyer as Interim Corporation Counsel, and approving the Personnel Memorandum of Understanding between the City of Davenport and Brian Heyer, memorializing Mr. Heyer's appointment as Interim Corporation Counsel.

WHEREAS, on August 2, 2022, the City entered into an agreement with former Corporation Counsel Tom Warner, pursuant to which Warner's employment would end on January 2, 2024; and

WHEREAS, to facilitate the orderly transition of the City's legal affairs, on January 2, 2024 the Mayor issued Executive Order 2024-01 appointing Brian Heyer as Interim Corporation Counsel; and

WHEREAS, Mr. Heyer and the City have negotiated a proposed Personnel Memorandum of Understanding memorializing the terms of said interim appointment; and

WHEREAS, the City's outside legal counsel advises that the Executive Order be ratified and the Personnel Memorandum of Understanding be approved by City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that Executive Order 2024-01 appointing Brian Heyer as Interim Corporation Counsel is hereby ratified, and the Personnel Memorandum of Understanding between the City of Davenport and Brian Heyer memorializing Mr. Heyer's appointment as Interim Corporation Counsel is hereby approved, and Mayor Matson is authorized and directed to sign any agreements necessary to effect the ratification and approval of said interim appointment.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

January 2, 2024

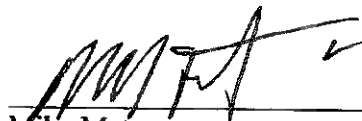
EXECUTIVE ORDER 2024-01

APPOINTING BRIAN HEYER AS THE INTERIM CITY ATTORNEY

The current city attorney is amicably parting ways with the City, and in order to have an orderly transition, an interim city attorney must be appointed until a new city attorney can be appointed. Accordingly, it is hereby ordered:

1. Brian Heyer is appointed as interim city attorney and authorized to exercise the powers of position of city attorney; and
2. There are some specific terms related to Brian Heyer's interim appointment that are outlined in a letter of understanding executed by me on behalf of the City and reviewed by Interim City Administrator/CFO Mallory Merritt; and

This order takes effect at 12:01 AM January 3, 2024, and shall remain in effect until Brian Heyer's service as interim city attorney is ended by action of Brian Heyer or the City.

A handwritten signature in black ink, appearing to read 'Mike Matson', is written over a horizontal line.

Mike Matson
Mayor of Davenport, Iowa
January 2, 2024



PERSONNEL MEMORANDUM OF UNDERSTANDING CONFIDENTIAL – PERSONNEL

This Personnel Memorandum of Understanding, referenced in Executive Order 2024-01 signed by Mayor Matson, is made and agreed to on this 13th day of March, 2024, and is effective immediately upon execution. Upon execution this personnel document shall be incorporated into the named employee's personnel file.

BY and BETWEEN City of Davenport
And Brian Heyer, Employee

CC: Employee's Personnel File

This memorandum of understanding is meant to commemorate the terms of Mr. Heyer's appointment as the Interim Corporation Counsel including, but not limited to, performance and responsibilities, compensation, conflicts of interest, and anticipated termination of duties.

Performance and Responsibilities

Mr. Heyer and the City agree to the following:

1. On an interim basis, Mr. Heyer will discharge both the duties of Interim Corporation Counsel and Assistant Corporation Counsel.
2. The employee acknowledges that the position holds immense responsibility and understands that it entails responsibilities well above-and-beyond his current employment duties. To this end, the employee agrees to the following performance benchmarks:
 - a. Advise the Mayor and City Council, or any Council member, the City Administrator, upon all legal questions arising in the conduct of City business.

- b. Attend Council meetings for the purpose of giving the Council any legal advice required or requested.
- c. Prepare legal instruments, contracts, etc.
- d. Assume responsibility and discharge all other duties set forth in Davenport Municipal Code §2.40.020 and §2.40.050(E).

3. The City acknowledges that the Interim Corporation Counsel may make personnel adjustments to carry out benchmarks and initiatives agreed to above and may include compensation adjustments for employees in accordance with City administrative policies. The City also acknowledges that Mr. Heyer may exercise all powers of the Corporation Counsel while serving in this temporary capacity.

Compensation

To compensate for the increased responsibilities associated with holding both positions, Mr. Heyer and the City agree to the following:

- 4. Mr. Heyer's annual base compensation shall remain at his current rate of \$123,708.03.
- 5. Mr. Heyer will remain entitled to all other benefits he currently receives as Assistant Corporation Counsel including wage increases available to other employees in the non-bargaining exempt or director classifications.
- 6. Upon the completion of responsibilities mutually agreed to between Mr. Heyer and the City, the employee shall be paid a lump sum retention bonus of \$50,000.00 on the May 3, 2024 payroll cycle. In the case of an early ending of the temporary appointment, this will be paid on a pro-rated monthly basis where any day of a month constitutes as a full month for this purpose.
- 7. The City agrees that it will keep Mr. Heyer on the City's health insurance, at his current level, until 11:59:59 p.m., December 31, 2025, as already agreed to.

8. If the Mayor and City Council extend the appointment of Mr. Heyer's tenure as Interim Corporation Counsel beyond May 2, 2024, the parties acknowledge that the compensation of the position shall be mutually revisited and agreed to.

Conflict of Interest Provisions

Both the City and Mr. Heyer acknowledge and agree to adhere to the following conflict of interest provisions:

9. Mr. Heyer shall, in writing, report any and all potential conflicts of interest between himself and the City Administrator, and himself and the City, to the Mayor and City Council immediately upon the conflict arising.

Miscellaneous

Additionally, Mr. Heyer and the City acknowledge and agree to the following terms:

10. Mr. Heyer acknowledges that the position of Interim Corporation Counsel will require response to emergencies and reasonable attendance at meetings outside of typical office hours and will continue to make arrangements to attend pre-planned and arranged meetings.

11. The City acknowledges that the recruitment process for the permanent Corporation Counsel position will begin in Q1 2024.

12. This agreement may not be modified or amended except by mutual agreement of the parties, in writing, signed by both, explicating stating it is intended to amend this agreement. This agreement shall be governed and interpreted by the laws of the State of Iowa.

13. This agreement is not a contract of employment and no provision hereof shall be construed to affect the employee's employment at will status.

Termination of Duties

The City and Mr. Heyer agree and acknowledge that the employee's responsibilities as the Interim Corporation Counsel will conclude at some future date, currently contemplated to be May 2, 2024. At said conclusion, and to ensure appropriate transition, the following terms are acknowledged:

14. Upon the Mayor or City Council's termination of the employee's Interim Corporation Counsel responsibilities due to the appointment of a permanent Corporation Counsel prior to May 2, 2024, Mr. Heyer acknowledges that such hiring will require a transition period and agrees to remain and work cooperatively with the permanent Corporation Counsel as Assistant Corporation Counsel until May 2, 2024 and thereafter to remain available as a resource to the permanent Corporation Counsel until June 30, 2024.

15. Apart from the provisions in paragraph 13, Mr. Heyer's employment as set forth in this agreement shall not be otherwise terminated for any reason except for good cause. Good cause means the employee's conviction of any criminal violation involving dishonesty, fraud, or moral turpitude, the employee's failure to comply with reasonable directives of the City that result in material injury to the City, or the employee's material breach of any term of this agreement.

16. Termination of Mr. Heyer's employment as Interim Corporation Counsel shall be by unanimous consent of the Interim City Administrator, Mayor, Mayor Pro Tem, and the four chairs.

Signed and executed on the date subscribed above.

For the City of Davenport

Mike Matson, Mayor

Mallory Merritt, ICA/CFO

Employee

Brian Heyer

City of Davenport

Department: Finance

Contact Info: |

Action / Date

4/3/2024

Subject:

Motion for suspension of the rules to vote on the item below.

City of Davenport

Department: Finance

Contact Info: Mallory Merritt | 563-326-7792

Action / Date

4/3/2024

Subject:

Resolution setting a Public Hearing on the FY 2025 Operating Budget, FY 2025 Capital Improvement Budget, and the FY 2025 - FY 2030 Capital Improvement Program. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

This Resolution sets the Public Hearing for the purpose of adopting the FY 2025 Operating and Capital Budgets.

Under the laws of the State of Iowa, the city is required to adopt an annual budget and certify it to the County Auditor no later than April 30th of each year. Prior to the adoption of the budget, a public hearing is required.

This Resolution formally sets the Public Hearing for the Committee of the Whole Meeting on April 17, 2024, beginning at 5:30 p.m. in Council Chambers at Davenport City Hall, 226 West 4th Street. Specific budget adoption information will be provided with the agenda item appearing on that Council Cycle.

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderwoman Newton.

RESOLVED by the City Council of the City of Davenport, Iowa.

RESOLUTION setting a Public Hearing on the FY 2025 Operating Budget, FY 2025 Capital Improvement Budget, and the FY 2025 – FY 2030 Capital Improvement Program.

WHEREAS, the State of Iowa requires that the City of Davenport hold a Public Hearing prior to the adoption of its annual budget; and

WHEREAS, adoption of this Resolution will set the Public Hearing for Wednesday, April 17, 2024 at the Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the Public Hearing on the FY 2025 Operating Budget, FY 2025 Capital Improvement Budget, and the FY 2025 – FY 2030 Capital Improvement Program is hereby set for April 17, 2024 at the Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

Passed and approved this 10th day of April, 2024.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk