COMMITTEE OF THE WHOLE

City of Davenport, Iowa

Wednesday, November 20, 2019; 5:30 PM

City Hall, 226 W 4th Street, Council Chambers

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. ****NOTE:** A Public Hearing on the proposed conveyance of 219 Scott St originally set for this meeting will be rescheduled for January in accordance with Iowa law.

B. Public Works

1. Public Hearing on the plans, specifications, form of contract, and estimate of cost for Phase I of the E 53rd St Pavement Reconstruction and Widening Project, CIP #35031. [Wards 7 & 8]

C. Finance

1. Public Hearing for the purpose of amending the North Urban Renewal Plan. [Wards 2, 6, 7, & 8]

VII. Presentations

VIII. Petitions and Communications from Council Members and the Mayor

A. Community Engagement Update - Alderwoman Meginnis

IX. Action items for Discussion

COMMUNITY DEVELOPMENT

Rita Rawson, Chairman; Ray Ambrose, Vice Chairman

I. COMMUNITY DEVELOPMENT

1. Third Consideration: Ordinance for Case ORD19-03 being the request of the City of Davenport to reduce the maximum building height in portions of the C-E, Elmore Corners zoning district from 120 feet to 55 feet. [Ward 6]

2. Third Consideration: Ordinance for case REZ19-10 being the request of Larry Whitty on behalf of KJTLJ, LLC to rezone .73 acres, more or less, of property located at the southeast corner of W Locust St and Ripley St from R-4C Single-Family and Two-Family Central Residential Zoning District to C-1 Neighborhood Commercial Zoning District. [Ward 4]

3. Second Consideration: Ordinance amending various titles, chapters, and sections of the Davenport Municipal Code related to outdated references to the old Zoning Ordinance (City of Davenport, petitioner). [All Wards]

II. Motion recommending discussion or consent for Community Development items

PUBLIC SAFETY

Kyle Gripp, Chairman; Maria Dickmann, Vice Chairman

III. PUBLIC SAFETY

1. Resolution closing various street(s), lane(s), or public grounds on the listed dates and times to hold outdoor events.

   Evan Esser; Ballet Quad Cities Nutcracker School Program; Adler Theatre 136 E 3rd St; Friday, December 13, 2019 8:30 a.m. - 12:30 p.m.; **Closures (for bus parking):** two northern lanes on E 3rd St from Brady St to LeClaire St (south entrance to Hotel Blackhawk will remain open); southbound portion of Pershing Ave from 4th St to 3rd St. [Ward 3]

2. Motion approving beer and liquor license applications.

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

   Ward 3

   ChristkindImarkt QC (German American Heritage Center) - Parking lot adjacent to 421 W River Dr - Outdoor Area December 6 - 8, 2019 - License Type: Beer / Wine

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

   Ward 3

   Iowa Mini Mart (Samreet LLC) - 234 W 3rd St - License Type: Class E Liquor / B Wine / C Beer

   La Flama Restaurant (Jam Brothers Inc) - 114 Myrtle St Suite F - License Type: Class C Liquor

   The New Wooden Nickel, Inc (The New Wooden Nickel, Inc) - 2042 W 3rd St - License Type: Class C Liquor

   Ward 5

Brady Oil (Brady Oil LLC) - 3205 N Brady St - License Type: Class C Beer

Los Primos Mexican Grill (Los Primos Mexican Grill LLC) - 1143 E Locust St - License Type: Class C Liquor

Ward 6

Huhot Mongolian Grill (CCW LLC) - 3006 E 53rd St - License Type: Beer / Wine

Hy-Vee Food & Drugstore #3 (Hy-Vee, Inc) - 1823 E Kimberly Rd - License Type: Class E Liquor / C Beer / B Wine

R Bar (KJT Holdings LLC) - 4907 Utica Ridge Rd - Outdoor Area - License Type: Class C Liquor / B Wine

Ward 8

Wise Guy's Pizza and More (Joe Robbie Investments, LLC) - 2408 E 53rd St - License Type: Beer / Wine

IV. Motion recommending discussion or consent for Public Safety items

PUBLIC WORKS

Rick Dunn, Chairman; JJ Condon, Vice Chairman

V. PUBLIC WORKS

1. Resolution awarding the contract to Helm Group Inc, D/B/A Civil Constructors, Inc of Freeport, IL for the N Division St Bridge over Duck Creek Deck Replacement Project in the amount of $795,888.95, CIP #21004. [Wards 2 & 7]
2. Resolution of acceptance for the FY18 Contract Sewer Repair Program for Hometown Plumbing and Heating Company of Davenport, IA, CIP #30017 and #30001. [All Wards]
3. Resolution approving the plans, specifications, form of contract, and estimate of cost for Phase I of the E 53rd St Pavement Reconstruction and Widening Project, CIP #35031. [Wards 7 & 8]
4. Resolution awarding the contract for the Roosevelt Community Center Window Replacement to Precision Builders Inc of Bettendorf, IA in the amount of $256,665, CIP #23037. [Ward 1]
5. Resolution approving the contract for the rehabilitation of the JM Morris Blvd Pump Station 202 to Tri-City Electric Co of Davenport, IA in the amount of $181,979.60, CIP #30051. [Ward 1]

VI. Motion recommending discussion or consent for Public Works items

FINANCE

Mike Matson, Chairman; Rich Clewell, Vice Chairman

VII. FINANCE

1. Resolution adopting a refreshed visual identity and communications strategy for the City of Davenport. [All Wards]
2. Resolution approving the Davenport Public Transit "Citibus" Title VI Program Report Update. [All Wards]
3. Resolution approving an internal advance to the Tax Increment Fund for administrative costs. [Wards 2, 6, 7, & 8]
4. Resolution approving the Shortline Rail and Transload Facility project in the amount of $450,000. [Ward 8]
5. Resolution awarding a contract for the purchase of Specific and Aggregate Stop Loss Insurance to Tokio Marine HCC in the amount of $862,599.12. [All Wards]
6. Resolution approving the sale of four amusement rides received by gift to Main Street Amusements, LLC. [Ward 3]
7. Resolution approving a new intergovernmental agreement providing for operations, maintenance, and improvements for the joint use interceptor sewers, regional water pollution control plant, and appurtenances, effective July 1, 2020. [All Wards]
8. Motion approving submission of the City of Davenport Annual Urban Renewal Report for FY19. [All Wards]
9. Motion authorizing payment to Visit Quad Cities (formerly known as Quad Cities Convention & Visitors Bureau) for FY 2020 tourism/marketing services in the amount of $375,000. [All Wards]
10. Motion awarding the contract for the Door Replacement From Flood Damage at Union Station to Swanson Construction Company of Bettendorf, IA in the amount of $80,476. [Ward 3]

VIII. Motion recommending discussion or consent for Finance items

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

1. Lane & Waterman LLP - legal fees - Amount: $20,225
2. Compressor Controls Corp - blower controls for compressor - Amount: $10,000
3. Shive-Hattery - Freight House building topography - Amount: $21,217.28
4. Linko Technology Inc - Linko CTS service agreement - Amount: $10,865
5. Rexroat Sound RS Companies - temporary electrical PFG food show - Amount: $12,305.75
6. Xtreme Renovations Inc - repairs at 1517 Arlington - Amount: $13,985.70
7. Brandon D. Reed - Putnam/Fejervary sign repairs - Amount: $16,264
8. Savage Services Corporation - rail service lease amendment - Amount: $17,468.61
9. Lee Schneider - MA Ford/Miracle Tools TIF rebate - Amount: $17,509.34
10. Raymond L. Sheets - garage removal - Amount: $20,000
11. Hussey Seating Company - MWP seat replacement - Amount: $23,040
12. Martin Equipment of IA-IL Inc - engine replacement - Amount: $26,000
13. Macqueen Equipment Inc - WinCan sewer software update - Amount: $30,500

14. Rainmaster Irrigation Co - Lindsay Park & VanderVeer Park irrigation systems - Amount: $34,780
15. CHS Inc - 2019 salt off loading - Amount: $44,606.70
16. Lane & Waterman LLP - legal services - Amount: $49,174.50

XI. Other Ordinances, Resolutions and Motions

XII. Public with Business

PLEASE NOTE: At this time individuals may address the City Council on any matters of City business. This is not an opportunity to discuss issues with the Council members or get information. In accordance with Open Meetings law, the Council cannot take action on any complaint or suggestions tonight, and cannot respond to any allegations at this time.

Please state your Name and Ward for the record. There is a five (5) minute time limit. Please end your comments promptly.

XIII. Reports of City Officials

XIV. Executive Session

1. To evaluate the performance of individuals in closed session as requested by those individuals pursuant to Iowa Code Section 21.5(1)(i).

XV. Adjourn

City of Davenport

Agenda Group: **Action / Date**
Department: Public Works - Engineering **11/20/2019**
Contact Info: Steve Math 563-327-5164
Wards:

Subject:
Public Hearing on the plans, specifications, form of contract, and estimate of cost for Phase I of the E 53rd St Pavement Reconstruction and Widening Project, CIP #35031. [Wards 7 & 8]

Recommendation:
Hold the Hearing.

Background:
Project involves the complete reconstruction of the existing four lane pavement structure of E 53rd Street from Brady Street to the westerly radius return of Eastern Ave, approximately 1 mile in length, that will provide a fifth lane (two way left turn). The two way left turn lane will be taken out in advance of the existing bridge located at the Goose Creek crossing as well as the railroad crossing at Deere Creek.

The proposed 61' B-B typical pavement section will be constructed with a drainable subbase and associated subdrains. The project will also include underground storm sewer detention structures, storm sewer modifications as needed to accommodate widening of the roadway along with construction of a 5' wide sidewalk on the north side of E 53rd St and an 8' wide shared-use path on the south side for the entire project length.

This project has been designed by the City's Engineering Division. Right-of-way and temporary construction easements have been obtained. The proposed total cost of the project is currently estimated at $5,455,000 with 78% of the cost being obtained from the Surface Transportation Block Grant Program.

The project is being let by the Iowa Department of Transportation on January 22, 2020 with construction expected to begin in the spring of 2020.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	11/13/2019 - 2:22 PM
Public Works Committee	Lechvar, Gina	Approved	11/13/2019 - 2:22 PM
City Clerk	Admin, Default	Approved	11/13/2019 - 4:35 PM

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Brandon Wright 563-326-7750
Wards:

Action / Date
11/20/2019

Subject:
Public Hearing for the purpose of amending the North Urban Renewal Plan. [Wards 2, 6, 7, & 8]

Recommendation:
Hold the Public Hearing.

Background:
The City of Davenport is pursuing an amendment to the North Urban Renewal Area plan to add the 2019 Internal TIF project in the amount of $275,000 and the Shortline Rail and Transload Facility project in the amount of $450,000.

As required by law, notice was sent to all taxing jurisdictions and a consultation meeting was held November 5, 2019. A notice of the Public Hearing was published in the Quad City Times on November 11, 2019.

ATTACHMENTS:

Type	Description
Exhibit	North URA Amendment
Exhibit	Public Notice on North URA Amendment

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	11/13/2019 - 6:42 PM
Finance Committee	Wright, Brandon	Approved	11/13/2019 - 6:43 PM
City Clerk	Admin, Default	Approved	11/15/2019 - 9:12 AM

City of Davenport, Iowa

Urban Renewal Plan Amendment
North Urban Renewal Area

November 2019

The Urban Renewal Plan (the "Plan") for the North Urban Renewal Area (the "Area") is being amended for the purposes of 1) identifying new urban renewal projects to be undertaken therein.

1) **Identification of Projects** By virtue of this amendment, the list of authorized urban renewal projects in the Plan is hereby amended to include the following described project descriptions:
   a. **Name:** Internal TIF
   Cost: $275,000
   Rationale: To reimburse the General Fund for Economic Development staff costs and other economic development related activities such as economic research tools and training.

   b. **Name:** Shortline Rail & Transload Facility
   Cost: $450,000
   Rationale: To support ongoing manufacturing, industries and logistics associated with the railroad over a period of 10 years.

2) **Required Financial Information** The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:
   Outstanding General Obligation Debt of the City: $210,350,000
   Remaining Constitutional Debt Capacity of the City: $ 149,346,306
   Proposed Debt to be incurred in the Urban Renewal Area: $725,000

NOTICE OF PUBLIC HEARING ON PROPOSED URBAN RENEWAL PLAN AMENDMENT

Notice Is Hereby Given: That at 5:30 o'clock p.m., at City Council Chambers on the first floor of City Hall, 226 W. 4th Street, Davenport, Iowa, on the 20th day of November, 2019, there will be conducted a public hearing on the question of amending the North Urban Renewal Area Plan pursuant to Chapter 403, Code of Iowa.

North Urban Renewal Plan Amendment

1) Internal TIF: North Urban Renewal Area: $275,000
2) Shortline Rail & Transload Facility; $450,000

The proposed amendment to the urban renewal plan brings the projects described above under the plan and makes it subject to the provisions of the plan.

A copy of the proposed amendment is on file for public inspection in the office of Community Planning & Economic Development .At said hearing any interested person may file written objections or comments and may be heard orally with respect to the subject matters of the hearing.

Community Planning & Economic Development cped.info@ci.davenport.ia.us 563-326-7765

City of Davenport

Agenda Group: **Action / Date**
Department: Community Planning & Economic Development **10/16/2019**
Contact Info: Matt Flynn 563-888-2286
Wards:

Subject:
Third Consideration: Ordinance for Case ORD19-03 being the request of the City of Davenport to reduce the maximum building height in portions of the C-E, Elmore Corners zoning district from 120 feet to 55 feet. [Ward 6]

Recommendation:
Adopt the Ordinance.

Background:
Upon the request of the Jersey Farms neighborhood, the City Council has directed staff to prepare an Ordinance amendment reducing the maximum height in a portion of the Elmore Corners zoning district, namely the area to the west and south of Elmore Avenue.

The current height limit for the district is 120 feet, which ensures Rhythm City Casino remains conforming in that regard.

Reducing the height to 55 feet in the suggested area would ensure buildings are not higher than approximately 4 stories through the Zoning Ordinance rather than through the Elmore Corners Area Plan and Design Guidelines.

Affected property owners have been contacted by phone and mailed notice of the hearing. The Jersey Farms neighborhood has been contacted as well.

There are five property owners directly affected by the proposed change.

At the Public Hearing at the Plan and Zoning Commission on September 17, 2019, a representative of VTS Farm Parcel A, LLC, spoke in opposition to the request. The letter stating the objection is attached.

At the Public Hearing, the Commission requested topographical information on the area which is attached.

Attached is a brief presentation outlining the issue.

ATTACHMENTS:

Type	Description
Ordinance	Ordinance
Backup Material	Council Presentation
Backup Material	Notice to property owners
Exhibit	Pastrnak Letter
Backup Material	2009 Topographical Infomation
Backup Material	P&Z Letter

Backup Material	COW Notice to Property Owners
Backup Material	Ad Proof

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Flynn, Matt	Approved	10/3/2019 - 12:12 PM

ORDINANCE NO. 2019-

An ORDINANCE to amend Title 17 of the Davenport Municipal Code, specifically by amending Table 17.05-5: C-E District Dimensional Standards, by amending the Maximum Building Height requirement to read, "120 feet, 55 feet west and south of Elmore Avenue". City of Davenport, petitioner; Case No. 19-03. [Ward 6]

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

Section 1. That Table 17.05-5 of the Davenport Municipal Code be added to read as follows:

Table 17.05-5: C-E District Dimensional Standards	
Bulk	**C-E**
Minimum Lot Area	20,000 sf
Minimum Lot Width	80′
Maximum Building Height	120′; 55′ west and south of Elmore Avenue
Minimum Setbacks	
Front Setback	25′
Interior Side Setback	10′, unless abutting a residential district then 25′
Corner Side Setback	20′
Rear Setback	10′, unless abutting a residential district then 25′

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 upon final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

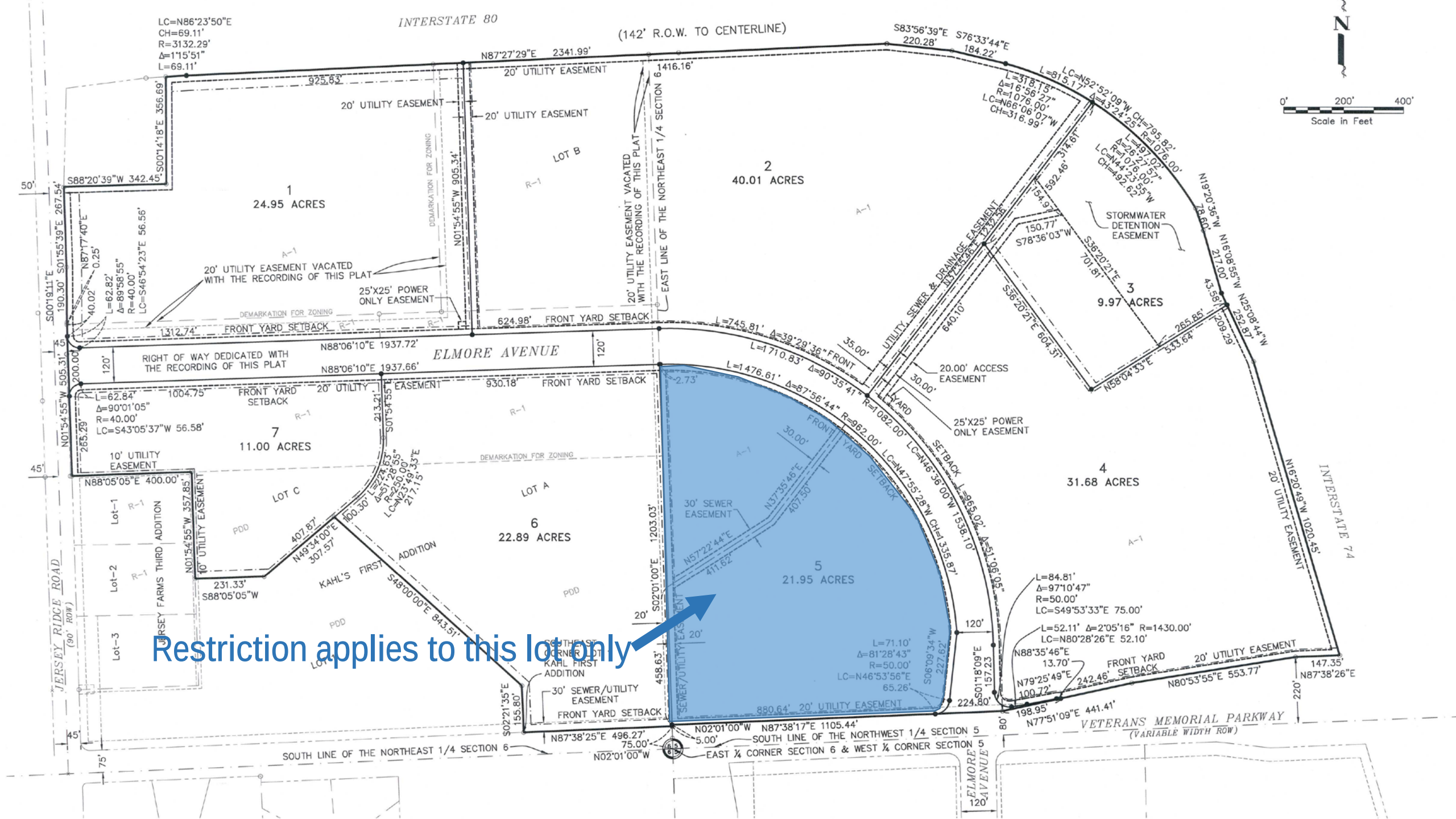
_____
Frank Klipsch, Mayor

Attest: _____
Brian Krup
Deputy City Clerk

Published in the *Quad City Times* on _____

City Council Added this Condition to the River 80 First Addition Final Plat in 2014:

"*Building height on Lot 5 within River 80 First Addition shall not exceed fifty (50) feet. Further, a 50 foot landscape buffer along Veteran's Memorial Parkway consisting of a 5 – 6 foot undulating berm containing a minimum Class "E" Screen as outlined in Title 17.56 of the Davenport shall be installed prior to the issuance of any Certificate of Occupancy for said Lot 5.*


INTERSTATE 80
(142' R.O.W. TO CENTERLINE)
ELMORE AVENUE
JERSEY RIDGE ROAD (90' ROW)
VETERANS MEMORIAL PARKWAY (VARIABLE WIDTH ROW)
INTERSTATE 74
1 24.95 ACRES
2 40.01 ACRES
3 9.97 ACRES
4 31.68 ACRES
5 21.95 ACRES
6 22.89 ACRES
7 11.00 ACRES
LOT A
LOT B
LOT C
KAHL'S FIRST ADDITION
JERSEY FARMS THIRD ADDITION
Lot-1
Lot-2
Lot-3
STORMWATER DETENTION EASEMENT
UTILITY, SEWER & DRAINAGE EASEMENT
20.00' ACCESS EASEMENT
25'X25' POWER ONLY EASEMENT
20' UTILITY EASEMENT
20' UTILITY EASEMENT VACATED WITH THE RECORDING OF THIS PLAT
RIGHT OF WAY DEDICATED WITH THE RECORDING OF THIS PLAT
FRONT YARD SETBACK
DEMARKATION FOR ZONING
30' SEWER EASEMENT
30' SEWER/UTILITY EASEMENT
10' UTILITY EASEMENT
EAST LINE OF THE NORTHEAST 1/4 SECTION 6
SOUTH LINE OF THE NORTHEAST 1/4 SECTION 6
SOUTH LINE OF THE NORTHWEST 1/4 SECTION 5
EAST 1/4 CORNER SECTION 6 & WEST 1/4 CORNER SECTION 5
SOUTHEAST CORNER LOT 1 KAHL FIRST ADDITION
Restriction applies to this lot only
Scale in Feet
0' 200' 400'
N

Under the old Zoning Ordinance, the property was zoned PDD and there was no height limit.

Rhythm City Casino is 106 feet tall.

The Elmore Corners Area Plan was adopted in 2017. Among its concepts, it specifically mentions protections to be taken to ensure compatibility between the neighborhood and Elmore Corners

NEIGHBORHOOD CONTEXT

Established single-family neighborhoods border the Elmore Corners planning area to the west. As development occurs, design attention must be paid to building placement, massing, design, setbacks, and lighting to ensure future development does not negatively impact these neighborhoods. The proposed Urban Greenway along the western project boundary will provide a natural buffer between established and proposed neighborhoods.

Neighborhood Context

Within the Site Layout section of the Plan, it references buildings should be 3 to 4 stories in height adjacent to the neighborhood.

The vast majority of illustrative examples within the Plan document show buildings 2-4 stories in height.

One hotel concept, 6 stories in height was included, but was targeted to the Entertainment District adjacent to Rhythm City Casino.

The new zoning ordinance established a new zoning classification, C-E Elmore Corners Zoning District.

The maximum height in this district is 120 feet. This ensures Rhythm City Casino would remain legally conforming from a height perspective.

The Design Review Board has authority to review and approve new development in Elmore Corners by applying the design standards found in the Plan.

Staff believes the intent of the scale of development on property adjacent to Jersey Farms is clear. Any development exceeding four stories would have to be of exceptional design and oriented away from the subdivision.

A text amendment to address the height concerns can be as simple as amending Table 17.05-5 as follows:

Table 17.05-5: C-E District Dimensional Standards	
	C-E
Bulk	
Minimum Lot Area	20,000sf
Minimum Lot Width	80'
Maximum Building Height	120' East and North of Elmore Ave.; 55' West and South of Elmore Ave.
Minimum Setbacks	
Front Setback	25'
Interior Side Setback	10', unless abutting a residential district then 20'
Corner Side Setback	20'
Rear Setback	10', unless abutting a residential district then 25'

The owners of the property should be notified because of the potential to limit development based on what is allowed currently.

Elmore Corners Zoned "C-E"

Jersey Farms Zoned "R-2"

Lot 5 River 80 First Addn.

Elmore Corners South and West of Elmore Ave.

Other Options:

Do nothing and rely on design standards (applicant can already appeal denial to the City Council).

Provide notification to property owners within 200 feet of application.

Provide Council authority to increase height in C-E instead of ZBA.

Eliminate height limits altogether, or adopt different standards more restrictive than that is proposed.

City of Davenport

Community Planning and Economic Development Department
City Hall - 226 West Fourth Street - Davenport, Iowa 52801
Telephone: 563-326-7765
www.cityofdavenportiowa.com

September 6, 2019

Subject: Proposed Zoning Standard Change
C-E, Elmore Corners Zoning District

Dear Property Owner:

The Jersey Farms Neighborhood Association has requested the City consider a zoning ordinance text amendment that would reduce the maximum height of structures in a portion of the area zoned C-E, Elmore Corners District from 120 feet to 55 feet. Specifically, this would be in the area south and west of Elmore Avenue (see attached map). You own property that would be affected by the change.

The City Council has directed staff to prepare an ordinance for consideration that would enact the proposed height reduction. The Case Number is ORD19-03.

Like any change in zoning, either with the map or text, it must follow a process that includes public hearings before the Plan and Zoning Commission and Committee of the Whole.

The public hearing before the Plan and Zoning Commission will be held:

Tuesday, September 17, 2019
City Council Chambers, City Hall
226 West Fourth Street
Davenport, Iowa 52801

You may submit written comments on the above item or to attend the public hearing to express your views, or both. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

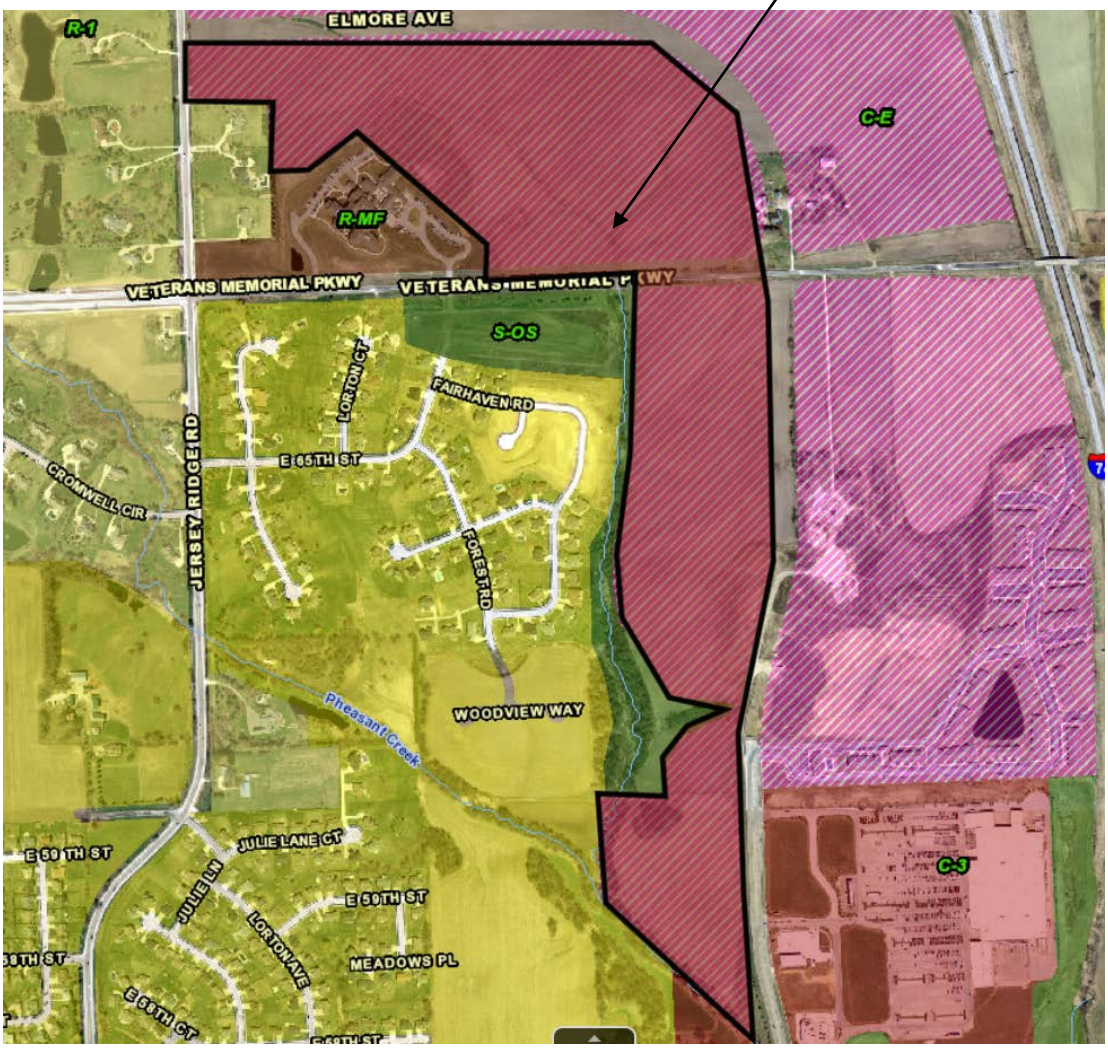
Any written comments to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing.

Please let me know if you have further questions.

Sincerely,

Matthew G. Flynn, AICP
Senior Planning Manager/Zoning Administrator
563-888-2286, matt.flynn@ci.davenport.ia.us

Area Proposed for Reduced Height Limit



PASTRNAK LAW FIRM, P.C.
Attorneys at Law
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Davenport IA 52801
Phone: (563) 323-7737, Ext. 220
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Thomas J. Pastrnak*
Candy K. Pastrnak*

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Thomas R. Schulz – Of Counsel *
Gregory S. Jager – Of Counsel**
Dee Runnells – Of Counsel*

* Admitted in Iowa and Illinois
** Admitted in Iowa Only

Via email to matt.flynn@ci.davenport.ia.us
Planning and Zoning Commission
c/o Matt Flynn
City of Davenport
226 W. 4th St
Davenport, Iowa 52801

September 16, 2019

Re: Case ORD 19-03
Elmore Corridor Overlay District
Reduction in Height

Dear members of the Commission:

We represent VTS Farm Parcel A, LLC, the owner of approximately 15.24 acres of property located within the Elmore Corridor Overlay District, specifically located west of Elmore Avenue and south of 60th Street. (A copy of a Beacon map showing the location of the property is enclosed for ease of reference.) On behalf of the owner, VTS Farm Parcel A, LLC we object to any modification of the already significant limiting building restrictions imposed by the terms of the Elmore Corridor Overlay District.

We have thoroughly reviewed the existing design standards and building restrictions proposed for the Elmore Corners Overlay District and have already experienced the difficulty said standards and restrictions have created in our client's ability to market and find purchasers and/or developers of this 15.24 acres in the heart of the Elmore Corridor Overlay District.

The proposed height limitation will even more severely restrict and limit the potential buyers/developers of this property. A height limitation, as proposed, would most certainly deter and perhaps even eliminate hotel, senior living center and other multi-story development, which

would obviously be a benefit to the City of Davenport and its tax base. To impose additional regulations on property which is already subject to the restrictions and limitations imposed in the overlay district would, in our opinion, not only overburden the property but essentially constitute an unlawful taking.

Further, the imposition of the additional restriction ignores the built in controls and mechanisms that are afforded the City by the terms in the existing Overlay District.

Finally, the imposition of the height restriction on the isolated undeveloped parcels in the area is arbitrary and capricious, particularly since buildings to the east and north of Elmore can exceed the height limit yet buildings to the west and south of Elmore will be prevented from exceeding the height limit.

In conclusion, our client is opposed to modification of the height restrictions, particularly further limitations to height, in the ECOD Elmore Corners Overlay District, and ask our client's objection be placed of record.

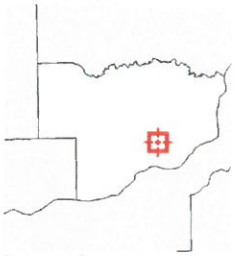
Sincerely,

Candy K Pastrnak

Candy K. Pastrnak
Attorney at Law
For: Pastrnak Law Firm
On Behalf of: VTS FARM PARCEL A, LLC, an Iowa limited liability company.

Scott County / City of Davenport, Iowa

Overview



Legend

- Parcels
- Parcel Point
- Political Township

All Roads

- Interstate
- US Highway
- State Highway
- County Route
- Major road
- Local roads
- Ramp
- Alleyway/Access Road
- Bike/Pedestrian Trail
- Driveway

- Rights of Way
- Railroad
- County Boundary

Major Rivers and Streams

- River Centerline
- River Boundary
- Major Stream

Minor Streams, Other

- Minor Stream
- Small Lake/Pond
- Drainageways, etc
- Island

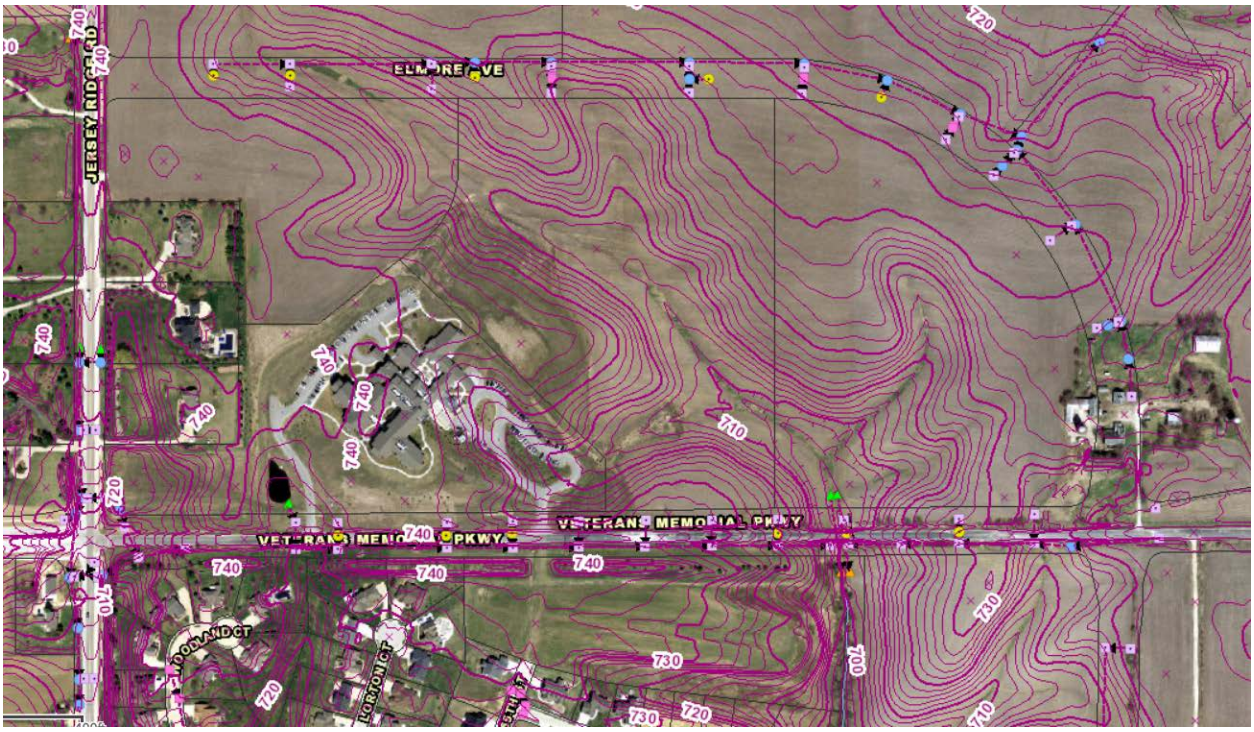
Major Rivers and Lake

- Lake
- Major Stream
- River

- Minor Lakes and Ponds

Parcel ID	Y0801-02A	**Alternate ID**	Y17023	**Owner Address**	VTS FARM PARCEL A LLC
Sec/Twp/Rng	07-78-04	**Class**	A		19134 246TH AVE
Property Address		**Acreage**	15.25		BETTENDORF IA 52722

2009 Topographical Information



JERSEY RIDGE RD
LORI DR AVE
JULIE LN
JULIE LANE CT
E 59TH ST
FOREST RD
E 58TH ST
WOODVIEW WAY
ELMORE AVE
690
700
710
720
680
670
660

City of Davenport

226 West Fourth Street • Davenport, Iowa 52801
Telephone: 563-326-7765
www.cityofdavenportiowa.com

October 9, 2019

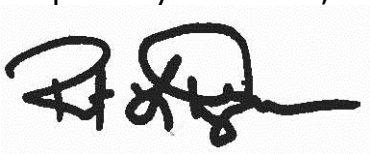
Honorable Mayor and City Council
City Hall
226 West 4th Street
Davenport, Iowa 52801

Dear Mayor and Council:

At its regular meeting of October 1, 2019, the Plan and Zoning Commission considered Case ORD19-03, request of the City of Davenport to reduce the maximum building height allowed in the portion of the C-E, Elmore Corners Zoning District located west and south of Elmore Avenue from 120 feet to 55 feet. [Ward 6]

The Commission voted unanimously in favor of forwarding the case to the City Council for its approval.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission

City of Davenport

Community Planning and Economic Development Department
City Hall - 226 West Fourth Street - Davenport, Iowa 52801
Telephone: 563-326-7765
www.cityofdavenportiowa.com

October 9, 2019

Subject: Proposed Zoning Standard Change
C-E, Elmore Corners Zoning District

Dear Property Owner:

The Jersey Farms Neighborhood Association has requested the City consider a zoning ordinance text amendment that would reduce the maximum height of structures in a portion of the area zoned C-E, Elmore Corners District from 120 feet to 55 feet. Specifically, this would be in the area south and west of Elmore Avenue (see attached map). You own property that would be affected by the change.

The City Council has directed staff to prepare an ordinance for consideration that would enact the proposed height reduction. The Case Number is ORD19-03.

Like any change in zoning, either with the map or text, it must follow a process that includes public hearings before the Plan and Zoning Commission and Committee of the Whole.

The Plan and Zoning Commission recommended approval of this request at its October 1, 2019 meeting.

The public hearing before the Committee of the Whole will be held:

Wednesday, October 16, 2019, 5:30 pm
City Council Chambers, City Hall
226 West Fourth Street
Davenport, Iowa 52801

You may submit written comments on the above item or to attend the public hearing to express your views, or both. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

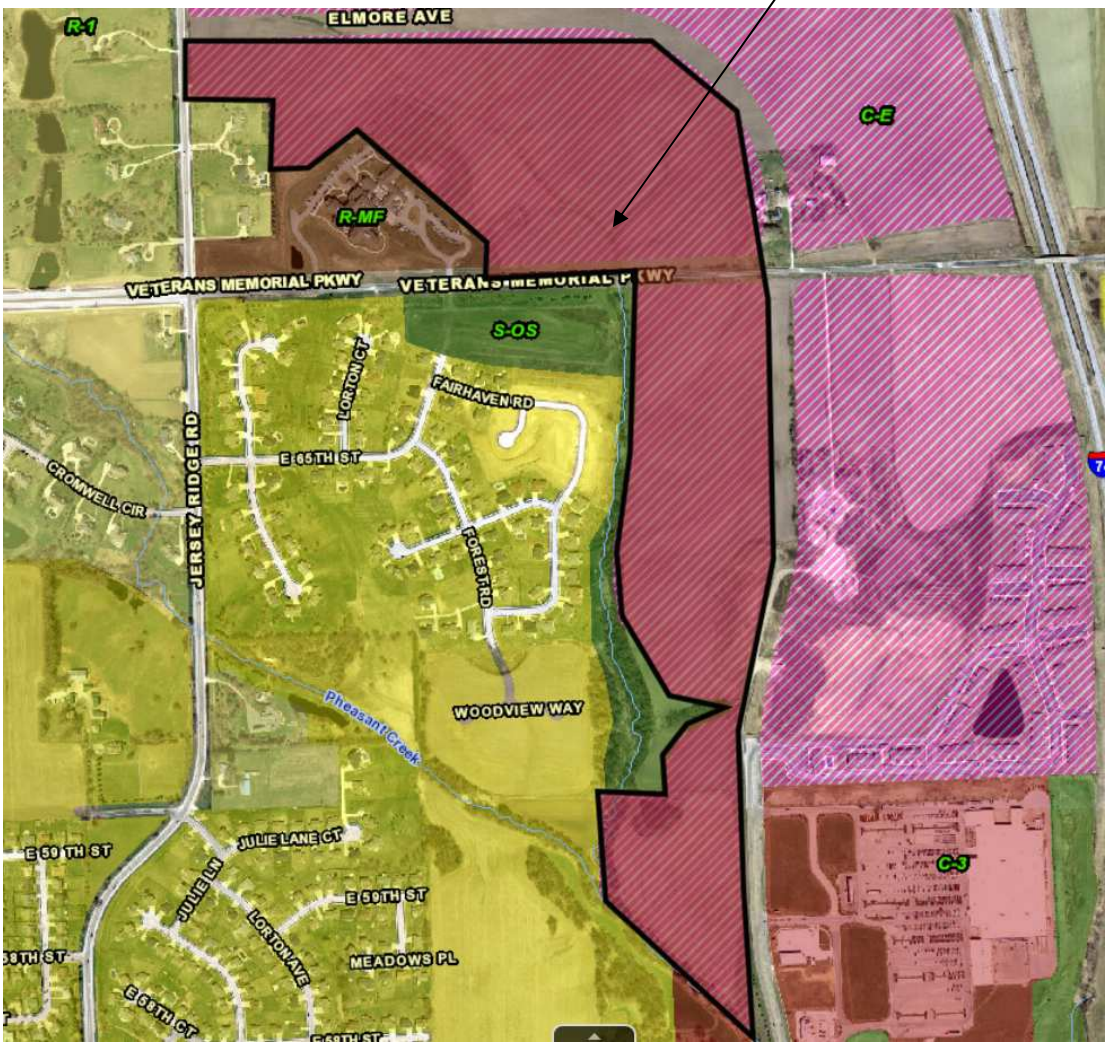
Any written comments to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing.

Please let me know if you have further questions.

Sincerely,

Matthew G. Flynn, AICP
Senior Planning Manager/Zoning Administrator
563-888-2286, matt.flynn@ci.davenport.ia.us

Area Proposed for Reduced Building Height Limit



Customer Ad Proof

60067429 CITY OF DAVENPORT - LEGALS Order Nbr 53348

Publication	**Quad-City Times**		
Contact	CITY OF DAVENPORT - LEGALS	PO Number	2003280
Address 1	226 W 4TH ST	Rate	Legal
Address 2		Order Price	45.76
City St Zip	DAVENPORT IA 52801	Amount Paid	0.00
Phone	5638882074	Amount Due	45.76
Fax	5633286742		
Section	Notices & Legals	Start/End Dates	10/07/2019 - 10/07/2019
SubSection		Insertions	1
Category	2627 Miscellaneous Notices	Size	88
Ad Key	53348-1	Salesperson(s)	Obits Legals O10
Keywords	NOTICE PUBLIC HEARING WEDNESDA	Taken By	Molly Cox
Notes			

Ad Proof

NOTICE
PUBLIC HEARING
WEDNESDAY, OCTOBER 16, 2019 - 5:30 P.M.
CITY OF DAVENPORT COMMITTEE OF THE WHOLE
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4th STREET – DAVENPORT, IOWA

There is on file in the Community Planning and Economic Development Department (CPED), on behalf of the Plan and Zoning Commission, the two requests:

Case ORD19-03: Request of the City of Davenport to amend Title 17 of the Davenport Municipal Code, entitled, "Zoning", by amending "Table 17.05-05, C-E District Dimensional Standards" reducing the maximum building height allowed. Specifically reducing the maximum height from 120 feet to 55 feet in the area of the C-E District west and south of Elmore Avenue. [Ward 5].

At its October 1, 2019 meeting, the Plan and Zoning Commission recommended approval of the amendment.

Case REZ19-10: Request of Larry Whitty on behalf of KJTLJ, LLC for a zoning map amendment on .73 acres, more or less, of property bound by West Locust Street on the north, Ripley Street on the west, West 18th Street on the south and a public alley on the east from R-4C Single-Family and Two-Family Residential Zoning District to C-1, Neighborhood Commercial District District. [Ward 4]

The Legal Description for the above-reference property is as follows:

325 W LOCUST MCINTOSH'S 2ND ADD Lot: 004 Block: 011 MCINTOSH'S 2ND ADD W1/3

315 W LOCUST MCINTOSH'S 2ND ADD Lot: 004 Block: 011 MCINTOSH'S 2ND ADDE/3 OF LOT 4 (EXC PTTO CITY)

1801 RIPLEY ST. MCINTOSH'S 2ND ADD Lot: 006 Block: 011 MCINTOSH'S 2ND ADD W95' OF S 1/2 OF

1807 RIPLEY ST. MCINTOSH'S 2ND ADD Lot: 006 Block: 011 MCINTOSH'S 2ND ADD N1/2 OF W 95' OF

321 W Locust MCINTOSH'S 2ND ADD Lot: 004 Block: 011 MCINTOSH'S 2ND ADD W1/2 OF E 2/3 OF LOT(EXC PT TO CITY)

1809 RIPLEY ST. MCINTOSH'S 2ND ADD Lot: 005 Block: 011 MCINTOSH'S 2ND ADD

316 W 18th St. MCINTOSH'S 2ND ADD Lot: 006 Block: 011 MCINTOSH'S 2ND ADD E51' M/L

At its October 1, 2019 meeting, the Plan and Zoning Commission recommended approval of the request.

The public hearing on the above matters are scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, October 16, 2019 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. You may submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Any written comments to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s). PO No. 2003280

Department of Community Planning & Economic Development
E-MAIL: planning@ci.davenport.ia.us
PHONE: 563-326-7765

City of Davenport

Agenda Group: **Action / Date**
Department: Community Planning & Economic Development **10/16/2019**
Contact Info: Ryan Rusnak 563-888-2022
Wards:

Subject:
Third Consideration: Ordinance for case REZ19-10 being the request of Larry Whitty on behalf of KJTLJ, LLC to rezone .73 acres, more or less, of property located at the southeast corner of W Locust St and Ripley St from R-4C Single-Family and Two-Family Central Residential Zoning District to C-1 Neighborhood Commercial Zoning District. [Ward 4]

Recommendation:
Adopt the Ordinance.

Background:
Plan and Zoning Commission report:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

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.

Zoning:

The property is currently zoned R-4C - Single-Family and Two-Family Central Residential Zoning District.

Technical Review:

Streets.
The property located at the southeast corner of W Locust St and Ripley St.

Storm Water.
Development of the property will need to comply with the City's stormwater requirements.

Sanitary Sewer.
There is sanitary sewer adjacent to the property.

Other Utilities.
Other normal utility services are available.

Public Input:

Letters were be sent to property owners within 200 feet of the proposed request notifying them of the August 29, 2019 neighborhood meeting and the September 3, 2019 Plan and Zoning Commission Public Hearing.

A few stakeholders attended the neighborhood meeting. The concern was raised about introducing C-2 Corridor Commercial District to the property, as opposed to C-1 Neighborhood Commercial District. At the September 3, 2019 public hearing, a few stakeholders voiced an objection to the C-2 District and that the C-1 District would be more appropriate. The Public Hearing was tabled to the September 17, 2019 meeting as the petitioner was not present.

At the September 17, 2019 Public Hearing, the petitioner expressed that potential commercial users were more in favor of the C-2 Corridor Commercial District than the C-1 Neighborhood Commercial District. The specific C-2 use was not articulated.

The petitioner amended the request from C-2 Corridor Commercial Zoning District to C-1 Neighborhood Commercial Zoning District on 9/30/2019.

Discussion:

The petitioner is requesting a rezoning to C-1 Neighborhood Commercial Zoning District to facilitate development of the property. No specific use has been identified.

Section 17.14.040 of the Davenport City Code, entitled *Zoning and Text Amendments,* provides the process for a Zoning Map amendment.

Analysis of Section 17.14.040.E of the Davenport City Code, entitled *Approval Standards* (**staff analysis in bold**).

E. Approval Standards
The Plan and Zoning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan and Zoning Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards.

1. *Approval Standards for Map Amendments*

   a. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

   The Davenport 2035 Residential General (RG) Future Land Use Designation reads: *Neighborhoods 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.

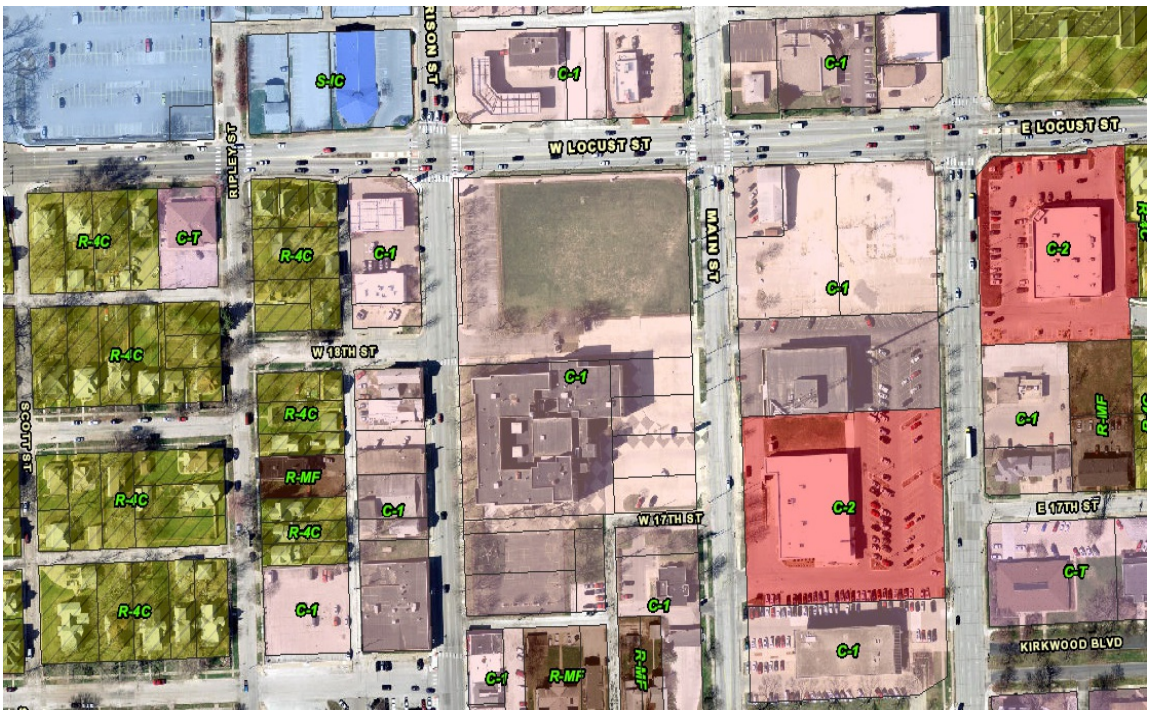
It is staff's opinion that W Locust St is an edge where higher intensity may be considered. Higher intensity contemplates commercial development. If only residential development were contemplated along an edge, the language would read, "higher density may be considered".

It is staff's opinion that the C-1 Zoning District would be compatible with the Comprehensive Plan.

b. The compatibility with the zoning of nearby property.
The predominant commercial zoning in the area is the C-1 Neighborhood Commercial Zoning District. The exceptions are the two C-2 Corridor Commercial Zoning District properties (Aldi and Walgreens). Staff considers these "bigger box" uses. See Zoning Map on the next page.

The C-1 Neighborhood Commercial Zoning District facilitates traditional neighborhood development. C-1 requires "build-to zones", which compels buildings to be closer to the street. While this may be challenge adjacent to W 18th St, building up to W Locust St and Ripley St would be preferential from a traditional neighborhood development standpoint. The subject property is located within the Hilltop Campus Village, a designated Main Street Iowa urban district. The Director of the Hilltop Campus Village District has expressed that the C-1 District would be compatible with the "Main Street" development pattern in the district. Chapter 17.05 of the Davenport City Code, entitled Commercial Districts is included in the background material. This articulates the intent of the C-1 District and dimensional and design standards for the District.

It is staff opinion that the C-1 Zoning District would be compatible with the zoning of nearby property.



c. The compatibility with established neighborhood character.
While W Locust St is an arterial roadway, there are a variety of zoning districts and uses along the corridor including commercial, institutional, and residential. The character of the commercial properties is smaller in scale. Notably, residential zoning and uses are in close approximately to the property.

It is staff opinion that the C-1 Zoning District would be compatible with the established neighborhood character.

d. The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
Residential development is in close proximity to the subject property. The C-1 Neighborhood Commercial Zoning District would facilitate traditional neighborhood development, which would be more compatible with the "Main Street" development pattern in the district.

It is staff's opinion that the C-1 Zoning District would promote the public health, safety, and welfare of the City.

e. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.
The property is currently zoned R-4C Single-Family and Two-Family Residential Zoning District. It is staff's opinion that higher intensity use would be appropriate in this location because it is oriented toward the W Locust St Corridor.

f. The extent to which the proposed amendment creates nonconformities.
The existing homes on the property have been demolished. Staff would ensure that any development would achieve consistency with use, dimensional and

design standards articulated in the Zoning Ordinance.

Plan and Zoning Commission Recommendation:

Findings:

1. The C-1 Neighborhood Commercial Zoning District would facilitate traditional neighborhood development, which would be more compatible with the "Main Street" development pattern in the district; and
2. The proposed zoning map amendment would achieve consistency with approval standards enumerated in Section 17.14.040E.1 (A-F) of the Davenport City Code.

The Plan and Zoning Commission accepted the listed findings forwards Case REZ19-10 to the City Council with a recommendation for approval.

The Plan and Zoning Commission was 7 yes, 0 no and 0 abstention.

ATTACHMENTS:

Type	Description
Backup Material	Ordinance
Backup Material	City Council Public Hearing Notice
Backup Material	Amend Zoning Application to C-1
Backup Material	Zoning Use Matrix
Backup Material	Chapter 17.05 - Commercial Districts
Backup Material	Zoning Map
Backup Material	Land Use Map
Backup Material	Neighborhood Meeting Notice, Public Hearing Notice and Notification List

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/10/2019 - 11:27 AM
Community Development Committee	Berger, Bruce	Approved	10/10/2019 - 11:30 AM
City Clerk	Admin, Default	Approved	10/10/2019 - 1:46 PM

ORDINANCE NO. 2019-

ORDINANCE for case REZ19-10 being the request of Larry Whitty of behalf of KJTLJ, LLC to rezone .73 acres, more or less, of property located at the southeast corner of West Locust Street and Ripley Street from R-4C Single-Family and Two-Family Central Residential Zoning District to C-1 Neighborhood Commercial Zoning District. [Ward 4]

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to C-1 Neighborhood Commercial Zoning District.

The property has the following legal description:

Part of the Northeast Quarter of Section 26, Township 78 North, Range 3 East of the 5th P.M., Davenport, Scott County, Iowa, being more particular described as follows:

The west 1/3 of Lot 4, Block 11 of James McIntosh's 2nd Addition, together with west ½ of the east 2/3 of Lot 4, Block 11 of James McIntosh's 2nd Addition, except portion deed to the City of Davenport, together with the east 1/3 of Lot 4, Block 11 of James McIntosh's 2nd Addition, except portion deed to the City of Davenport, together with Lot 5, Block 11 of James McIntosh's 2nd Addition, together with the north ½ of the west 95 feet of Lot 6, Block 11 of James McIntosh's 2nd Addition, together with the west 95 feet of the south ½ of Lot 6, Block 11 of James McIntosh's 2nd Addition and together with the east 51 feet of Lot 6, Block 11 of James McIntosh's 2nd Addition,

Said properties contain 32,000 square feet, more or less.

Section 2. The Plan and Zoning Commission considered case REZ19-10 at its October 1, 2019 meeting and voted to the forward the request to City Council with a recommendation for approval.

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:

_____
Frank Klipsch, Mayor

Attest: _____
Brian Krup, Deputy City Clerk

Published in the *Quad City Times* on _____

PUBLIC HEARING NOTICE
CITY COUNCIL
CITY OF DAVENPORT

10/7/2019

Public Hearing Details:

Date: 10/16/2019 Ward: **4th**
Time: 5:30 PM
Location: Rezoning: Southeast corner of West Locust Street and Ripley Street (see map on the back side)
Subject: Public hearing to rezone property before the City Council.
Case #: REZ19-10

To: All property owners within 200 feet of the subject property.

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a request to rezone property at southeast corner of West Locust Street and Ripley Street. The purpose of the request is to facilitate commercial development.

Request Description:
Case REZ19-10: Request of Larry Whitty on behalf of KJTLJ, LLC for a zoning map amendment on .73 acres, more or less, of property bound by West Locust Street on the north, Ripley Street on the west, West 18th Street on the south and a public alley on the east from R-4C Single-Family and Two-Family Residential Zoning District to C-1 Neighborhood Commercial District. [Ward 4]

The Plan and Zoning Commission considered the case at its October 1, 2019 meeting and voted to forward Case REZ19-10 to the City Council with a recommendation for approval.

The Commission vote was 7 yes, 0 no and 0 abstention.

What are the Next Steps after the Public Hearing?

The 10/16/2019 public hearing is the first step in the review/approval process by the City Council. For the specific dates and times of subsequent meetings, please contact the case planner listed below.

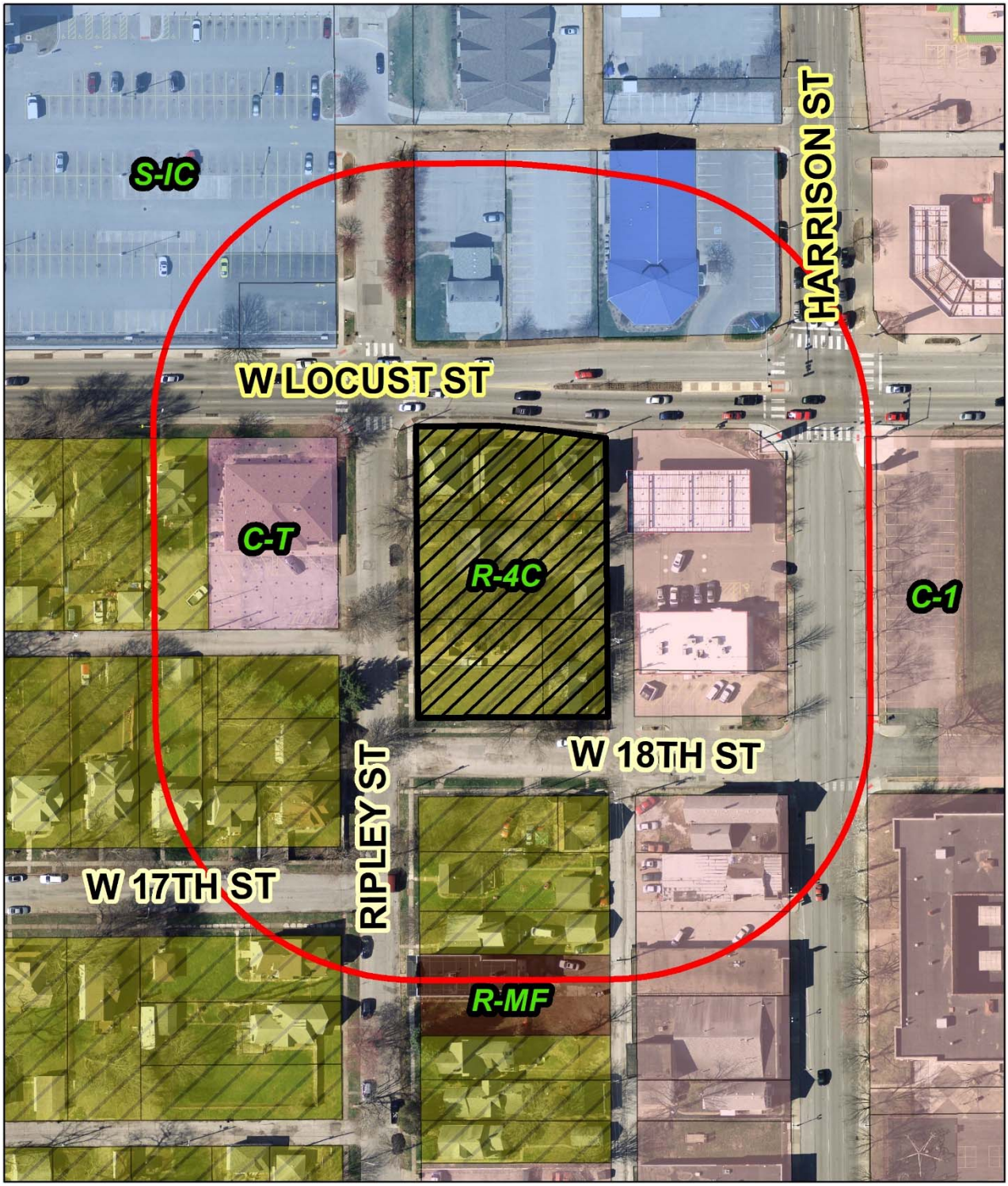
Would You Like to Submit an Official Comment?

As a neighboring property owner, you may have an interest in commenting on the proposed request either in writing/email or in person at the public hearing. If you intend to send in written comments, it is appreciated if those comments could be received by Community Planning no later than 12:00 PM *one day before* the public hearing. Send comments to planning@ci.davenport.ia.us or CPED, 226 W 4th St, Davenport IA 52801.

Do You Have Any Questions?

If you have any questions on this request, or if you need accommodations for any reason, please contact Ryan Rusnak, AICP, the case planner assigned to this project at rrusnak@ci.davenport.ia.us or 563-888-2022. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note that items may be removed from the agenda or tabled to a future hearing date at the request of the Petitioner. If you are interested in the current schedule and outcome of this case, please contact the Community Planning Office at 563-326-7765 or planning@ci.davenport.ia.us for updates.



Subject Property

200 Foot Notification Radius

N

Rusnak, Ryan

From: Larry J Whitty <ljw60@icloud.com>
Sent: Monday, September 30, 2019 3:45 PM
To: Rusnak, Ryan
Subject: Rezoning request to C1

Ryan,
If able please modify our request to reflect a C1 rezoning for tomorrow nights' consideration.

Peace
Larry Whitty
563-650-4691

From: Ryan Rusnak <rrusnak@ci.davenport.ia.us>
Date: Monday, September 30, 2019 at 8:43 AM
To: Larry Whitty <larryw@happyjoes.com>
Subject: Rezoning request

Larry,

Please recall that the Commission will vote to recommend on your request tomorrow night. The meeting is at City Hall and beings at 5:00 pm.

Based on the requested C-2, staff is recommending that the Plan and Zoning Commission recommend denial of the request.

The City Ordinance specifies that the Plan and Zoning Commission recommend approval, approval with conditions or denial of the application.

Staff would be in favor of C-1 zoning. I anticipate the Commission would as well.

I am around today if you want to chat.

Ryan Rusnak, AICP
Planner III
Community Planning
City of Davenport
226 West 4th Street
Davenport, Iowa 52801
PH: 563-888-2022

TABLE 17.08-1: USE MATRIX																					
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Adult Use															S	S					Sec. 17.08.030.A
Agriculture																		P			
Amusement Facility - Indoor									P	P		P	P	P	P		P				
Amusement Facility - Outdoor										S				S	P		S				
Animal Care Facility – Large Animal																		P			
Animal Care Facility – Small Animal							S	S	P	P		S	S	P	P		P	P			Sec. 17.08.030.B
Animal Breeder																		P			Sec. 17.08.030.B
Art Gallery							P	P	P	P		P	P	P			P				
Arts and Fitness Studio							P	P	P	P		P	P	P			P				
Bar								S	P	P		P	P	P			P				
Bed and Breakfast	P	P	S	S	S													P			Sec. 17.08.030.C
Billboard									P	P					P	P					Sec. 17.08.030.D
Body Modification Establishment								P	P	P		P		P			P				
Broadcasting Facility TV/Radio								P	P	P	P	P	P	P	P	P	P			P	
Campground																		S	P		Sec. 17.08.030.E
Car Wash									P	P				S			P				Sec. 17.08.030.F
Casino														P							
Cemetery																			P		
Children's Home					P				P	P				P			S			P	Sec. 17.08.030.G
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Community Center	P	P	P	P	P		P	P	P	P		P	P	P			P	P	P	P	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	Sec. 17.08.030.H
Conservation Area																		P	P		
Country Club																			P		
Cultural Facility							P	P	P	P		P	P	P			P		P	P	
Day Care Center					P		P	P	P	P	P	P	P	P			P			P	Sec. 17.08.030.I
Day Care Home	P	P	P	P	P													P			Sec. 17.08.030.I
Drive-Through Facility								S	P	P		S		P			P				Sec. 17.08.030.J
Drug/Alcohol Treatment Facility, Residential									S	S				S			S			S	Sec. 17.08.030.K
Drug Treatment Clinic									S	S				S			S			S	Sec. 17.08.030.K
Domestic Violence Shelter					P			P	P	P				P			P			P	Sec. 17.08.030.G
Dwelling – Accessory Dwelling Unit	P	P	P	P																	Sec. 17.08.030.L
Dwelling – Manufactured Home						P												S			Sec. 17.08.030.M

TABLE 17.08-1: USE MATRIX																					
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Dwelling - Multi-Family					P		P	P	P	P		P	P	P			P				Sec. 17.08.030.N
Dwelling - Townhouse					P		P	P	P	P		P	P	P			P				Sec. 17.08.030.O
Dwelling - Single-Family	P	P	P	P			P	P	P				P								Sec. 17.08.030.O
Dwelling - Single-Family Semi-Detached		P	P	P	P		P	P	P				P								Sec. 17.08.030.O
Dwelling - Two-Family (New Construction)			P	P	P		P	P	P				P								Sec. 17.08.030.O
Dwelling - Two-Family (Conversion)			S	S	P		P	P	P				P								Sec. 17.08.030.O
Educational Facility - Primary or Secondary	P	P	P	P	P															P	
Educational Facility - University or College										P	P	P		P						P	
Educational Facility - Vocational							S	S	S	P	P	P	S	P	P	P	P			P	
Equine, Keeping of/Equestrian Facility	P																	P			Sec. 17.08.030.P
Fairground																		S	S	P	
Financial Institution							P	P	P	P	P	P	P	P			P				
Financial Institution, Alternative									S	S				S			P				Sec. 17.08.030.Q
Food Bank															P		P				
Food Pantry									P	S				S			S				
Funeral Home							S	S	S	P				P			P				
Gas Station								S	P	P				P	P	P	P				Sec. 17.08.030.R
Golf Course/Driving Range																			P		
Government Office/Facility							P	P	P	P	P	P	P	P	P	P	P		P	P	
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Greenhouse/Nursery - Retail										P				P			P	S			
Group Home	P	P	P	P	P																Sec. 17.08.030.S
Halfway House									S	S				S			S			S	Sec. 17.08.030.K
Healthcare Institution																				P	
Heavy Rental and Service															P		P				
Heavy Retail										S				S	P		P				
Homeless Shelter									S	S				S			S			S	Sec. 17.08.030.K
Hotel									P	P	P	P	S	P			P				
Industrial - General																P					
Industrial - Light											P				P	P	P				
Industrial Design								P	P	P	P	P		P	P	P	P				
Live Performance Venue										P		P	P	P			P				

TABLE 17.08-1: USE MATRIX																					
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Lodge/Meeting Hall	S	S	S	S	S		P	P	P	P	P	P	P	P	P	P	P	P			Sec. 17.08.030.T
Manufactured Home Park						P															
Medical/Dental Office							P	P	P	P	P	P	P	P			P			P	
Micro-Brewery/Distillery/Winery									P	P		P	P	P	P		P				
Neighborhood Commercial Establishment		S	S	S	S																Sec. 17.08.030.U
Office							P	P	P	P	P	P	P	P	P	P	P			P	
Outdoor Dining								P	P	P	P	P	P	P			P				Sec. 17.08.030.V
Parking Lot (Principal Use)								S	S	S	S	S	S	S	P		S			P	Chapter 17.10
Parking Structure (Principal Use)								S	S	P	P	S	S	P			P			P	Chapter 17.10
Personal Service Establishment							P	P	P	P	P	P	P	P	P		P			P	
Place of Worship	P	P	P	P	P		S	S	P	P		P	P	P				P		P	
Private Recreation Facility								P	P	P		P	P	P			P			P	
Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	
Public Safety Facility					P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Public Works Facility											P				P	P	P	P		P	
Reception Facility	S	S	S	S				S	S	P		S	S	P			P	S			Sec. 17.08.030.W
Recreational Vehicle (RV) Park																		S	S		Sec. 17.08.030.E
Research and Development											P				P	P	P			P	
Residential Care Facility					P				P	P				P						P	Sec. 17.08.030.X
Restaurant								P	P	P	P	P	P	P	P	P	P		P	P	
Retail Goods Establishment							P	P	P	P	P	P	P	P	P	P	P			P	
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Retail Alcohol Sales									P	P		S		P	P		P				
Retail Sales of Fireworks															P	P					Sec. 17.08.030.Y
Salvage Yard																S					
Self-Storage Facility: Enclosed									S	P	P			P	P	P	P				Sec. 17.08.030.Z
Self-Storage Facility: Outdoor										S					P	P	S				Sec. 17.08.030.Z
Social Service Center									P	P				P			P			P	
Solar Farm											P				P	P		S		P	Sec. 17.08.030.AA
Specialty Food Service								P	P	P		P	P	P	P		P				
Storage Yard - Outdoor															P	P					Sec. 17.08.030.BB
Truck Stop															P	P					
Vehicle Dealership – Enclosed										P	S	P		P	S		P				

TABLE 17.08-1: USE MATRIX																					
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Vehicle Dealership – With Outdoor Storage/Display										S				S	S		P				
Vehicle Operation Facility															P	P				P	
Vehicle Rental – Enclosed										P	S	P		P	S		P				
Vehicle Rental – With Outdoor Storage/Display										S				S	S		P				
Vehicle Repair/Service– Major															P	P	S				Sec. 17.08.030.CC
Vehicle Repair/Service – Minor								S	P	P				P	P	P	S				Sec. 17.08.030.CC
Warehouse															P	P					
Wholesale Establishment															P	P	S				
Wind Energy System											S				S	S		S		S	Sec. 17.08.030.DD
Wine Bar								S	P	P		P	P	P			P				
Winery																		S			
Wireless Telecommunications	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.EE
Wireless Telecommunications – Stealth Design Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.EE
Wireless Telecommunications – DAS Co-Location	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.EE
Wireless Telecommunications – DAS New Pole	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.EE
TEMPORARY USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Farmers' Market					T		T	T	T	T	T	T	T	T			T	T	T	T	Sec. 17.08.040.A
Real Estate Project Sales Office/Model Unit	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T	T			T	Sec. 17.08.040.B
Temporary Cell On Wheels (COW)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.C
Temporary Contractor Office and Contractor Yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.D
Temporary Outdoor Entertainment	T	T	T	T	T		T	T	T	T	T	T	T	T	T		T	T	T	T	Sec. 17.08.040.E
Temporary Outdoor Sales (No Fireworks Stand)	T	T	T	T	T		T	T	T	T	T	T	T	T	T		T	T		T	Sec. 17.08.040.F
Temporary Outdoor Sales - Fireworks Stand Only															T	T					Sec. 17.08.040.G
Temporary Outdoor Storage Container	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.H

CHAPTER 17.05. COMMERCIAL DISTRICTS

Section 17.05.010 Purpose Statements
Section 17.05.020 Uses
Section 17.05.030 Dimensional Standards
Section 17.05.040 Design Standards
Section 17.05.050 C-D District Standards
Section 17.05.060 C-V District Standards
Section 17.05.070 C-E District Standards
Section 17.05.080 General Standards of Applicability

Section 17.05.010 Purpose Statements

A. C-T Commercial Transitional Zoning District
The C-T Commercial Transitional Zoning District is intended to accommodate low intensity limited office, service, and retail uses that may serve as a transition between residential areas and more intensely developed commercial or light industrial areas of the City. Low intensity mixed-use is allowed.

B. C-1 Neighborhood Commercial Zoning District
The C-1 Neighborhood Commercial Zoning District is intended to provide for commercial uses that predominantly serve the needs of nearby residential neighborhoods, and that are compatible in scale and character with the surrounding residential area. Low intensity mixed-use is encouraged.

C. C-2 Corridor Commercial Zoning District
The C-2 Corridor Commercial Zoning District is intended to address the commercial corridors that are primarily oriented toward a mix of retail, personal service, and office uses along arterial streets and collector streets adjacent to arterials streets in the City. The C-2 District accommodates auto-oriented development – both individual businesses and retail centers – and mixed-use development, with the intent of improving the pedestrian environment along Davenport's commercial corridors.

D. C-3 General Commercial Zoning District
The C-3 General Commercial Zoning District is intended to accommodate higher-intensity commercial development within the City of Davenport that serves both local and regional markets. The C-3 District addresses medium- and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.

E. C-OP Commercial Office Park Zoning District
The C-OP Commercial Office Park Zoning District is intended to accommodate larger office developments, office parks, and research and development facilities, which may include limited indoor light industrial uses with no outside impacts. The district is oriented toward larger-scale complexes that may include ancillary services for employees such as personal services, restaurants, and retail establishments. District standards are intended to guide the development of campus-like environments, and include provisions for orientation of structures around plazas or public spaces, and the creation of a cohesive appearance.

F. C-D Downtown Zoning District
The C-D Downtown Zoning District is intended to accommodate the unique development environment of downtown Davenport. The District is intended to reinforce and enhance the existing character of downtown as a point of regional focus, a destination for culture, sports, and entertainment, and a vibrant, pedestrian-friendly mixed-use environment.

G. C-V Village of East Davenport Zoning District
The C-V Village of East Davenport Zoning District is intended to preserve and enhance the smaller-scale, historic character of the Village of East Davenport, and to ensure future development is compatible with the unique historic and architectural character of the area.

H. C-E Elmore Corners Zoning District
The C-E Elmore Corners Zoning District is intended to implement the vision contained in the Elmore Corners Area Plan through the application of site and building design standards that ensure quality, compatible, and coordinated development within the area.

Section 17.05.020 Uses

A. Chapter 17.08 lists permitted, special, and temporary uses for the commercial districts.

B. In the C-V District, only 35% of a blockface can be in the use "bar." This is calculated as a percentage of the number of buildings along a blockface. Where a structure maintains an outdoor seating area, such seating area is counted as part of the building.

Section 17.05.030 Dimensional Standards

A. Table 17.05-1: Commercial Districts Dimensional Standards establishes the dimensional standards for the commercial districts, with the exception of the C-D, C-V, and C-E Districts. The dimensional standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. These regulations apply to all uses within each district unless a different standard is listed for a specific use.

B. In the C-T District, new non-residential development is limited to the maximum gross floor area indicated in Table 17.05-1. Any structures existing as of the effective date of this Ordinance are exempt from this limitation. Additional gross floor area may be permitted if, during site plan review, it is found that the development meets the following standards:

1. The development maintains the privacy of adjacent residential lots through techniques such as decreased height, additional landscape and screening measures, building massing and design to mitigate adverse impacts of noise and lighting, and increased setbacks above those required from adjacent residential lots.

2. Building design elements incorporate pedestrian-scale features, such as awnings and storefront windows.

3. The design of the site's circulation system provides adequate and safe access for both motor vehicles and alternate modes of transportation, including pedestrians and bicyclists. The design minimizes potentially dangerous traffic movements and points of conflict between vehicles and pedestrians or bicyclists.

C. See Section 17.02.040 for measurement methodologies.

Table 17.05-1: Commercial Districts Dimensional Standards

	C-T	C-1	C-2	C-3	C-OP
Bulk					
Minimum Lot Area	10,000sf	None	None	20,000sf	20,000sf
Minimum Lot Width	60'	None	None	80'	70'
Maximum Gross Floor Area of Nonresidential	5,000sf unless meeting the standards of Section 17.05.030.B	None	None	None	None
Maximum Building Height	35'	45'	45'	Nonresidential: 55' Mixed-Use: 75'	45'
Setbacks					
Minimum Front Setback	Build-to zone of 0' to 20'	Build-to zone of 0' to 15'	None	25'	20'
Front Setback Build-To Percentage	70%	70%	None	None	None
Minimum Interior Side Setback	None, unless abutting a residential district then 20'	None, unless abutting a residential district then 10'	None, unless abutting a residential district then 10'	10', unless abutting a residential district then 20'	15'
Minimum Corner Side Setback	Build-to zone of 0' to 15'	Build-to zone of 0' to 10'	10'	20'	Build-to zone of 0' to 20'
Corner Side Setback Build-To Percentage	60%	60%	None	None	60%
Minimum Rear Setback	15', unless abutting a residential district then 25' or 20% of lot depth, whichever is less	None, unless abutting a residential district then 15' or 20% of lot depth, whichever is less	None, unless abutting a residential district then 15'	10', unless abutting a residential district then 25'	25'

Section 17.05.040 Design Standards

The following design standards apply to new construction, substantial repair or rehabilitation of the exterior façade of an existing structure meant to remedy damage or deterioration, and additions to an existing structure in the commercial districts, with the exception of the C-D, C-V, and C-E Districts. Design standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. Only those standards that relate to the specific repair, rehabilitation action, or addition apply. These standards do not apply to interior remodeling.

A. Commercial Districts Design Standards

Table 17.05-2: Commercial Districts Design Standards establishes the design standards for the commercial districts. In the table, a "•" indicates that the standard is applicable in the district indicated. The absence of a "•" indicates that the standard does not apply to the district.

Table 17.05-2: Commercial Districts Design Standards

	C-T	C-1	C-2	C-3	C-OP
Façade Design					
Building façades that face a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 40 linear feet, measured parallel to the street.	•	•	•	•	
Building façades in excess of 100 linear feet that face a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, building material change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 linear feet.	•	•	•	•	
Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet.					•
All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade.	•	•	•	•	
Building materials and visual elements used on the façade of the primary building frontage must continue on all building façades that face a public right-of-way (excluding alleys) and/or the lot line of a residential district.	•	•	•	•	
Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited.	•	•	•	•	•
Fenestration Design					
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 50%, measured between two and ten feet in height from grade.		•	•		
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 35%, measured between two and ten feet in height.				•	
Upper floors of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 15% of the wall area of the story.	•	•	•		
Roof Design					
Rooflines over 100 linear feet in building length must contain variation, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 linear feet.	•	•	•	•	
Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops to provide visual interest.	•	•	•	•	
Any roof that is visible from a public right-of-way must be shingle or colored standing seam metal roofing.	•	•	•	•	
Green roof, blue roof, and white roof designs are encouraged.	•	•	•	•	•
Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	•	•	•	•	•
Entrance Design					
Public entrances and primary building elevations must be oriented toward a public street. Main entrances to the buildings must be well defined.					•
Entries to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas.					•

Table 17.05-2: Commercial Districts Design Standards					
	C-T	C-1	C-2	C-3	C-OP
Multi-Tenant Commercial Center and Office Park Site Design					
Sites must be designed to ensure safe pedestrian access to the commercial center from the public right-of-way, and safe pedestrian circulation within the development.		•	•	•	
A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development.		•	•	•	
Commercial centers may provide definition along the street frontage by locating part of the center or outlot buildings within 0' to 25' of the front lot line. The center or any outlot buildings may be placed within a required setback to comply with this standard.				•	
In multi-building complexes, a distinct visual link must be established between various buildings through the use of architectural features or site design elements such as courtyards, plazas, landscape, and walkways to unify the project.					•
Developments should provide a pedestrian link to adjacent commercial uses to provide safe pedestrian access between the site and commercial uses outside the development.					•

B. Building Material Restrictions

In commercial districts (excluding the C-D, C-V, and C-E Districts), the following building materials are prohibited on any façade facing a public right-of-way (excluding alleys) or any façade that abuts the lot line of a residential district. However, such materials may be used as decorative or detail elements for up to 25% of the façade, or as part of the exterior construction that is not used as a surface finish material.

1. Plain concrete block
2. Corrugated metal
3. Aluminum, steel or other metal sidings (does not apply to C-1 and C-2 Districts)
4. Exposed aggregate (rough finish) concrete wall panels
5. T-111 composite plywood siding
6. Plastic
7. Vinyl

C-1 DISTRICT DESIGN STANDARDS

A. Blank wall area 40 linear feet or less, measured parallel to the street

B. Repeating pattern of two elements at an interval of no more than 40 linear feet

C. A visually distinct public entrance from the sidewalk along the primary building frontage

D. First floor transparency of 50% measured between two and ten feet in height from grade

E. Upper floor transparency of 15% of the wall area of the story

F. 100-foot roofline with variations occuring at intervals of no more than 75 linear feet

G. Parapet walls with three-dimensional cornice treatments or other shadow-creating details

C-2 DISTRICT DESIGN STANDARDS

A. Blank wall area 40 linear feet or less, measured parallel to the street

B. Repeating pattern of two elements at an interval of no more than 40 linear feet

C. A visually distinct public entrance from the sidewalk along the primary building frontage

D. First floor transparency of 50% measured between two and ten feet in height from grade

E. Upper floor transparency of 15% of the wall area of the story

F. 100-foot roofline with variations occuring at intervals of no more than 75 linear feet

G. Parapet walls with three-dimensional cornice treatments or other shadow-creating details

C-3 DISTRICT DESIGN STANDARDS

A. Blank wall area 40 linear feet or less, measured parallel to the street

B. Repeating pattern of two elements at an interval of no more than 40 linear feet

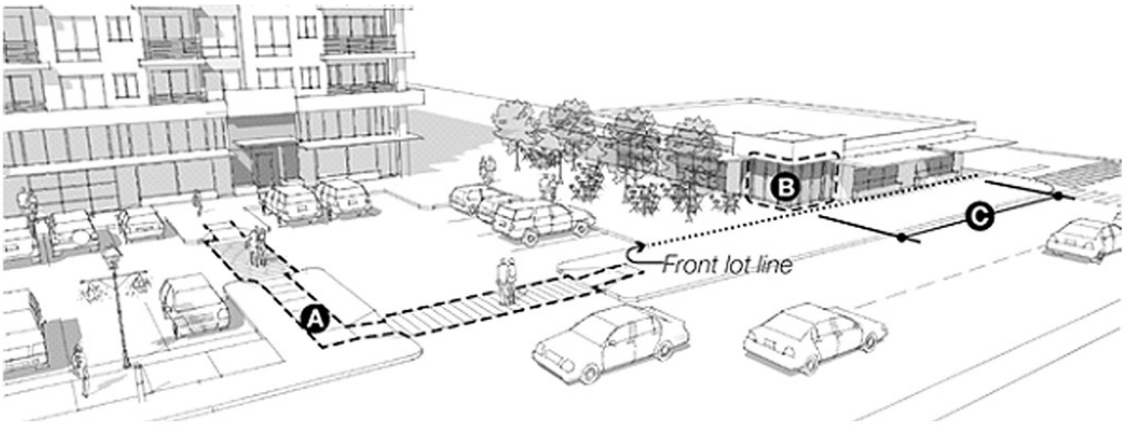
C. A visually distinct public entrance from the sidewalk along the primary building frontage

D. First floor transparency of 35% measured between two and ten feet in height from grade

E. 100-foot roofline with variations occuring at intervals of no more than 75 linear feet

F. Parapet walls with three-dimensional cornice treatments or other shadow-creating details

MULTI-TENANT COMMERCIAL CENTER SITE DESIGN STANDARDS

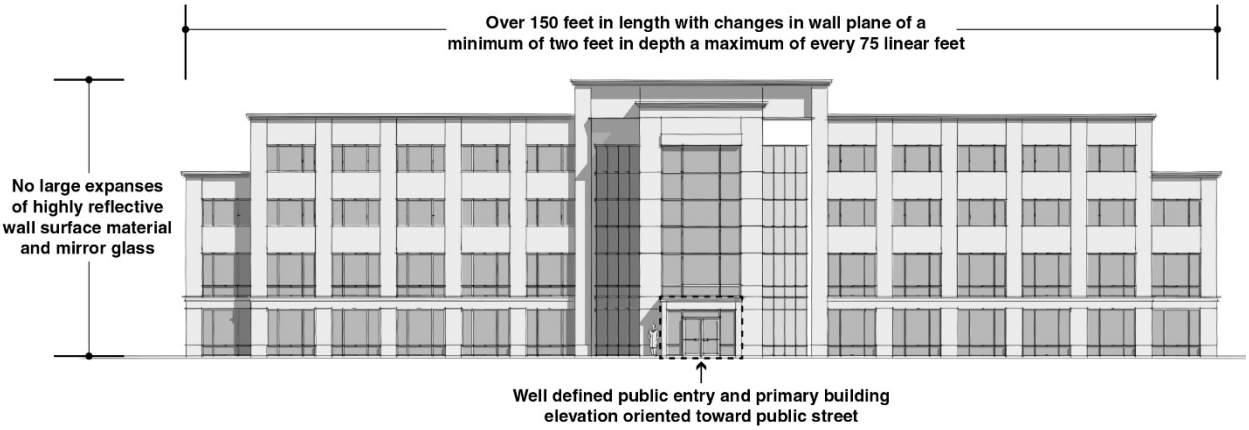


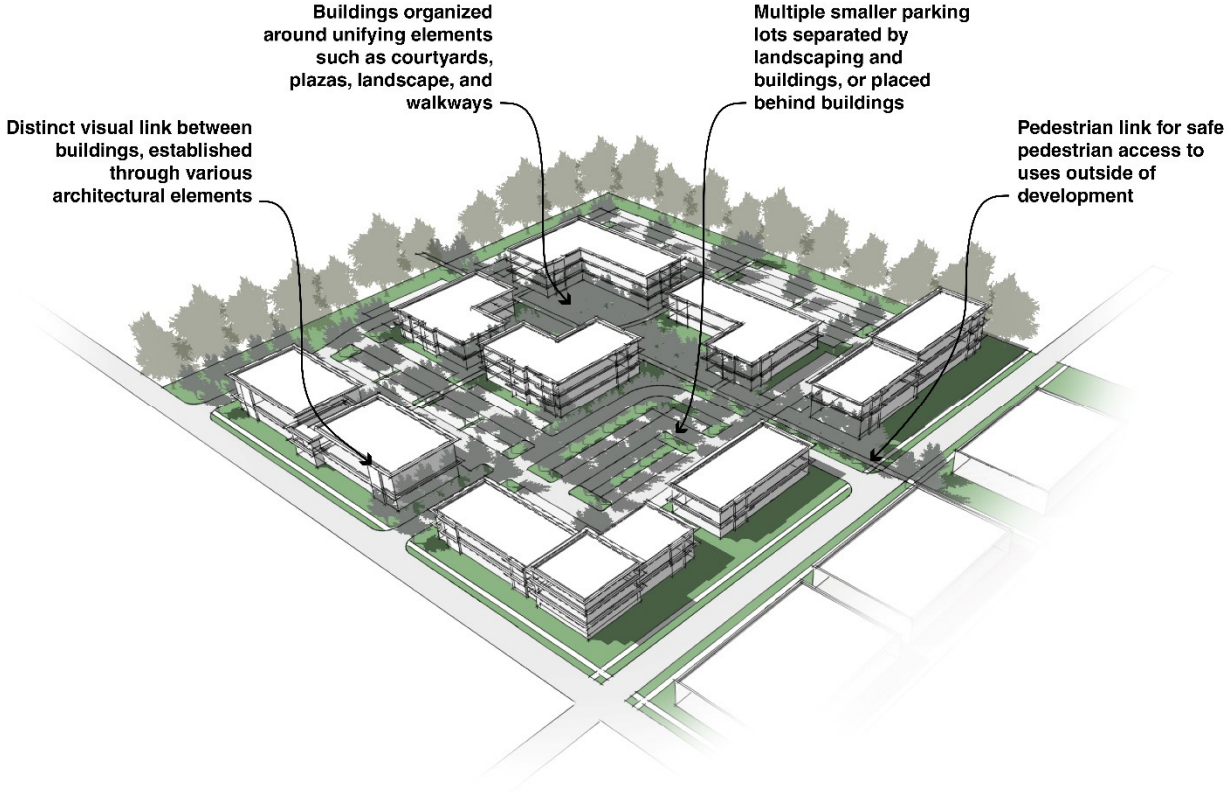
A. Sites must be designed to ensure safe pedestrian access to the commercial center from the public right-of-way, and safe pedestrian circulation within the development.

B. Any outlot buildings must meet the minimum transparency requirements of the district, and must include prominent entrances oriented toward both the street and the interior lot.

C. Commercial centers may provide definition along the street frontage by locating part of the center or outlot buildings within 0' to 25' of the front lot line. The center or any outlot buildings may be placed within a required setback to comply with this standard.

C-OP DISTRICT DESIGN STANDARDS





Section 17.05.050 C-D District Standards

A. Purpose Statement

The C-D District is intended to accommodate the unique development environment within Downtown Davenport. Development in Downtown should be oriented toward reinforcing the area as a point of regional focus and strengthening its position as a center of office, finance, retail, and governmental activities. Additionally, the C-D District standards are intended to:

1. Add to the downtown's appeal as a visitor, cultural, sports and entertainment center.
2. Encourage downtown residential development in a variety of housing types.
3. Accommodate a variety of active uses and enhance the walkability and pedestrian orientation of Downtown.
4. Ensure high-quality design that maintains and enhances the aesthetic appeal of Downtown.

B. C-D District Dimensional Standards

Table 17.05-3: C-D District Dimensional Standards establishes the dimensional standards for Downtown. These regulations apply to all uses within the district unless a different standard is listed for a specific use.

Table 17.05-3: C-D District Dimensional Standards

	C-D
Bulk	
Minimum Lot Area	None
Minimum Lot Width	None
Maximum Building Height	None
Minimum Building Height	24'
Setbacks	
Front Setback	0'-10' build-to zone
Required Build-to Percentage	80%
Interior Side Setback	None
Corner Side Setback	0'-10' build-to zone
Rear Setback	None

C. C-D District Design Standards

Development in the C-D District is subject to design review per Section 17.14.100, and must be designed in accordance with the City of Davenport's adopted Downtown Design Guidelines and Downtown Davenport Streetscape Improvement Plan.

17.05.060 C-V District Standards

A. Purpose Statement

The C-V District is intended to ensure that new development in the Village of East Davenport is compatible with the unique cultural and historic character of the area. To that end, the C-V District standards contain contextual controls and a series of design considerations that address height, width, proportion, and relationship to the street, as well as architectural considerations such as roof and cornice form, visual composition, rhythm, fenestration and articulation, and materials.

B. C-V District Dimensional Standards

Table 17.05-4: C-V District Dimensional Standards establishes the dimensional standards for the Village of East Davenport. These regulations apply to all uses within the district unless a different standard is listed for a specific use.

Table 17.05-4: C-V District Dimensional Standards	
	C-V
Bulk	
Minimum Lot Area	None
Minimum Lot Width	None
Maximum Building Height	45'
Setbacks	
Front Setback	0-10' build-to-zone, or average of adjacent structures
Required Build-to Percentage	80%
Interior Side Setback	None, unless abutting a residential district then 5'
Corner Side Setback	0'-10' build-to zone
Rear Setback	None, unless abutting a residential district then 25'

C. C-V District Design Standards

Development in the C-V District is subject to design review per Section 17.14.100. Design requirements for the C-V District are described in the adopted Village of East Davenport Performance Standards.

Section 17.05.070 C-E District Standards

A. Purpose Statement

The C-E Elmore Corners Zoning District is intended to implement the vision contained in the Elmore Corners Area Plan through the application of site and building design standards that ensure quality, compatible, and coordinated development within the area.

B. C-E District Dimensional Standards

Table 17.05-5: C-E District Dimensional Standards establishes the dimensional standards for Elmore Corners. These regulations apply to all uses within the district unless a different standard is listed for a specific use.

Table 17.05-5: C-E District Dimensional Standards	
	C-E
Bulk	
Minimum Lot Area	20,000sf
Minimum Lot Width	80'
Maximum Building Height	120'
Minimum Setbacks	
Front Setback	25'
Interior Side Setback	10', unless abutting a residential district then 20'
Corner Side Setback	20'
Rear Setback	10', unless abutting a residential district then 25'

C. C-E District Design Standards

Development in the C-E District is subject to design review per Section 17.14.100. Design requirements for the C-E District are described in the adopted Elmore Corners Plan.

Section 17.05.080 General Standards of Applicability

A. Site Development Standards

See Chapter 17.09 for additional on-site development standards and requirements, such as exterior lighting, accessory structures and uses, and permitted encroachments.

B. Off-Street Parking and Loading

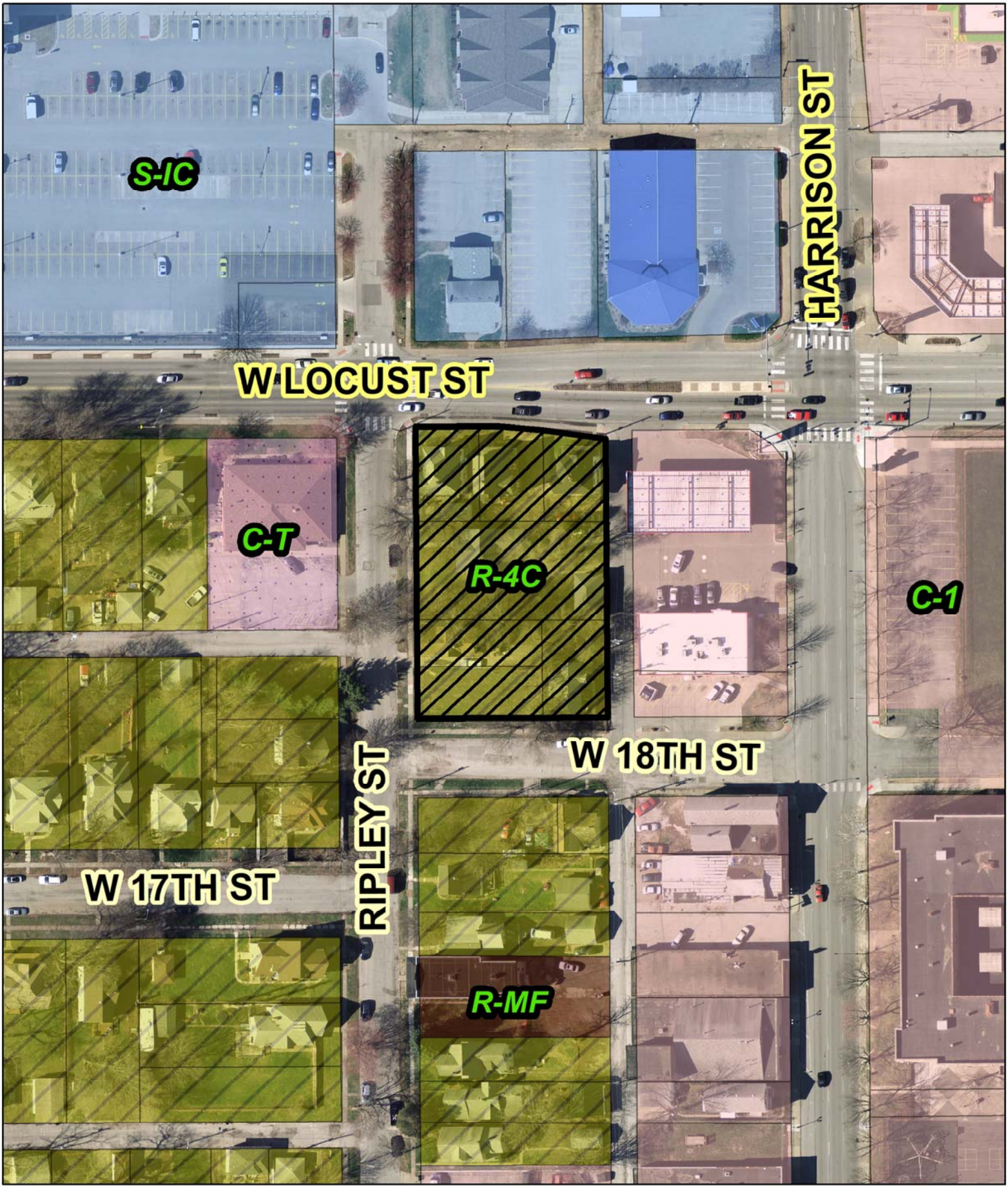
See Chapter 17.10 for off-street parking and loading standards and requirements.

C. Landscape

See Chapter 17.11 for landscape, buffering, and screening standards and requirements.

D. Signs

See Chapter 17.12 for standards governing signs.



Subject Property

N

Subject Property

N

Community Planning and Economic Development Department
City Hall - 226 West Fourth Street - Davenport, Iowa 52801
Telephone: 563-326-7765
www.cityofdavenportiowa.com

NOTICE
NEIGHBORHOOD MEETING
THURSDAY AUGUST 29, 2019 – 5:30 P.M.
AT CITY HALL – 226 WEST 4TH STREET – COUNCIL CHAMBERS

You are invited to a neighborhood meeting regarding the following request:

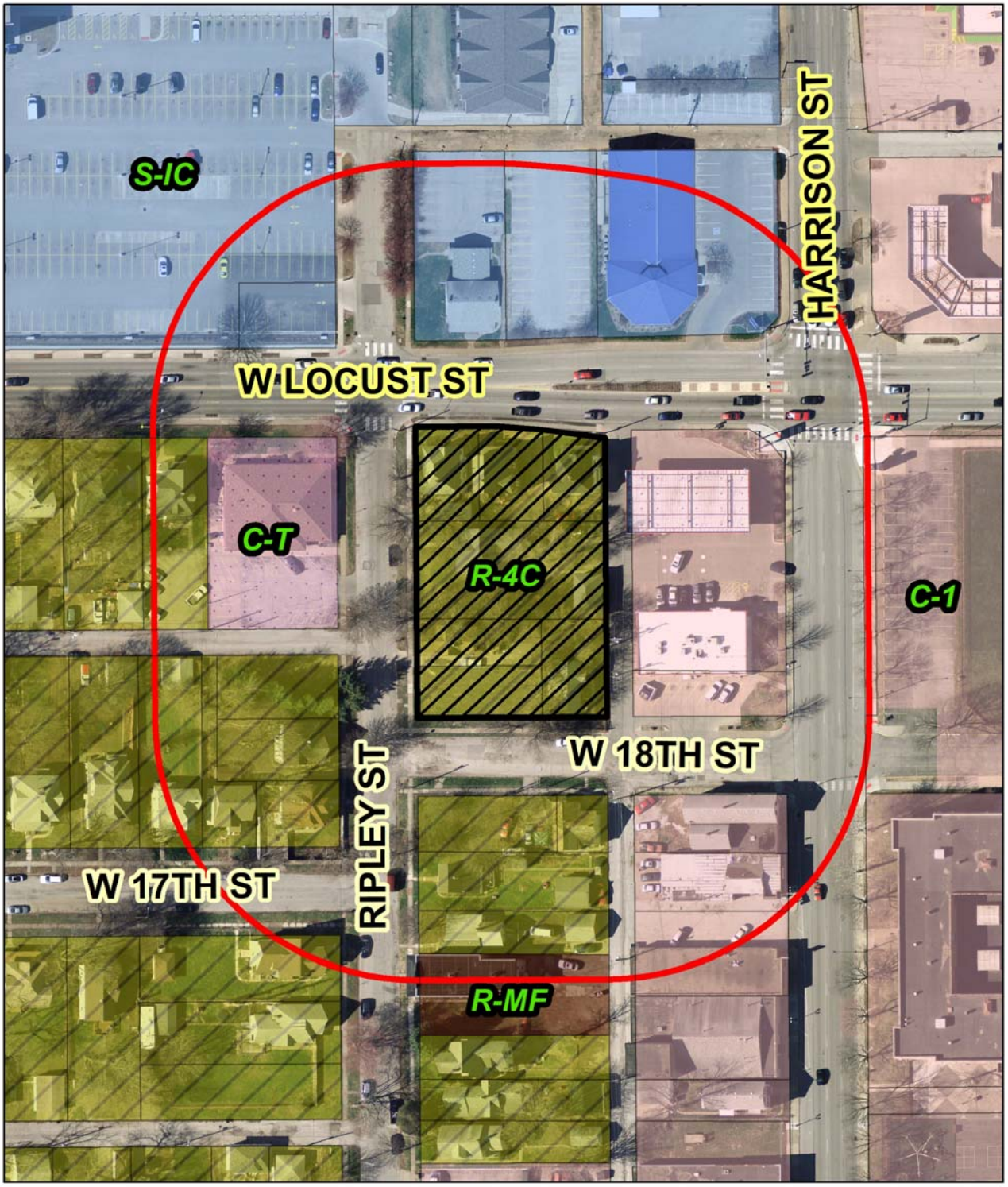
Case REZ19-10: Request of Larry Whitty on behalf of KJTLJ, LLC for a zoning map amendment on .73 acres, more or less, of property bound by West Locust Street on the north, Ripley Street on the west, West 18th Street on the south and a public alley on the east from R-4C Single-Family and Two-Family Residential Zoning District to C-2 Corridor Commercial District. [Ward 4]

The purpose of the request is to facilitate commercial development.

Please see map on the back for the property location.

The purpose of the meeting is to allow the applicant to describe the proposed development, answer any questions you have and hear any concerns about the proposed development.

If you have any questions on this request, or if you need accommodations for any reason, please contact Ryan Rusnak, AICP, the case planner assigned to this project at rrusnak@ci.davenport.ia.us or 563-888-2022.



Subject Property

200 Foot Notification Radius

N

PUBLIC HEARING NOTICE
PLAN AND ZONING COMMISSION
CITY OF DAVENPORT

Public Hearing Details:

Date:	9/3/2019	Ward: **4th**
Time:	5:00 PM	
Location of Public Hearing:	226 West 4th Street in City Hall Council Chambers.	
Subject:	Public hearing for a zoning map amendment.	
Location of Property:	Bound by West Locust Street on the north, Ripley Street on the west, West 18th Street on the south and a public alley	
Case #:	REZ19-06	

To: All property owners within 200 feet of the subject property.

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a request for a zoning map amendment. The purpose of the request is to allow the property developed for an unspecified commercial use.

Request Description:
Case REZ19-10: Request of Larry Whitty on behalf of KJTLJ, LLC for a zoning map amendment on .73 acres, more or less, of property bound by West Locust Street on the north, Ripley Street on the west, West 18th Street on the south and a public alley on the east from R-4C Single-Family and Two-Family Residential Zoning District to C-2 Corridor Commercial District. [Ward 4]

What are the Next Steps after the Public Hearing?

The 9/3/2019 public hearing is the first step in the review/approval process. The Plan and Zoning Commission will meet on 9/17/2019 to vote (provide its recommendation) on the request. The Commission's recommendation will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. For specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment or Protest?

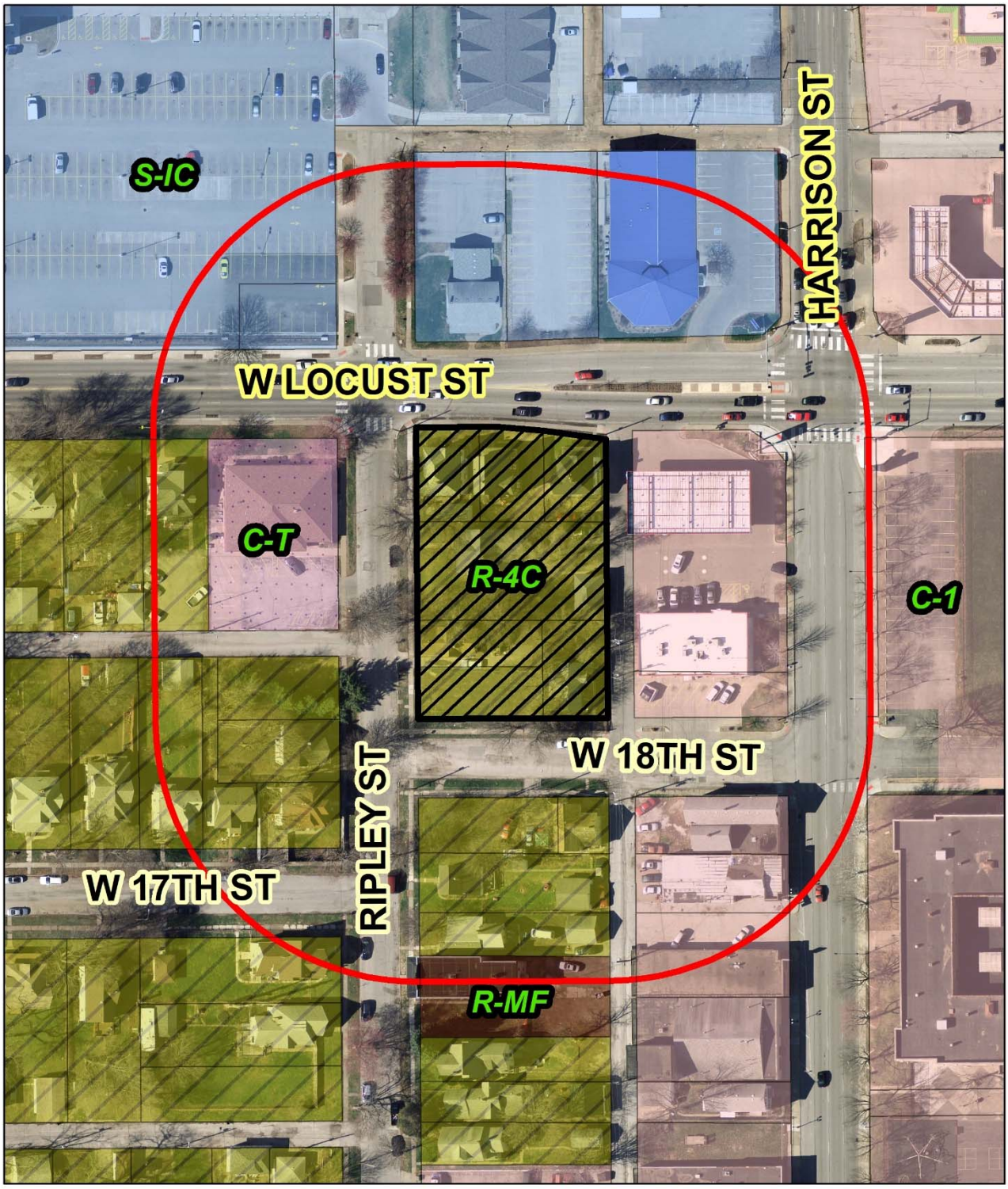
As a property owner within 200 feet of the subject property, you have the opportunity to officially comment or formally protest this request. These must be provided in writing.

If you intend to send in written comments, it is appreciated if those comments could be received by Community Planning no later than 12:00 PM *one day before* the City Council public hearing, which is anticipated to be held on 10/2/2019. Please note that for a protest to be official, it needs to be in writing. Send comments to planning@ci.davenport.ia.us or CPED, 226 W 4th St, Davenport IA 52801.

Do You Have Any Questions?

If you have any questions on this request, or if you need accommodations for any reason, please contact Ryan Rusnak, AICP, the case planner assigned to this project at rrusnak@ci.davenport.ia.us or 563-888-2022. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note that items may be removed from the agenda or tabled to a future hearing date at the request of the Petitioner or Commission/Board. If you are interested in the current schedule and outcome of this case, please contact the Community Planning Office at 563-326-7765 or planning@ci.davenport.ia.us for updates.



Subject Property

200 Foot Notification Radius

N

FID	Parcel	Address	Sq_Ft_Land	Acreage	Deed1_Name	Deed1_Addr	Deed1_CSZ
0	B0059-20	402 W LOCUST ST	0	0.085	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52803
1	G0006-05	1716 HARRISON ST	0	0.117	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
2	G0006-06A	1720 HARRISON ST	0	0.117	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
3	G0006-08A	315 W 18TH ST	1892	0.043	BOBBIE COLEY TONY COLEY	315 W 18TH ST	DAVENPORT IA 52803
4	G0006-08B		0	0.105	BOBBIE COLEY TONY COLEY	315 W 18TH ST	DAVENPORT IA 52803
5	G0006-10	1633 RIPLEY ST	6438.6	0.148	JAMES DALTON SMITH III BRITTANY LAUREN SMITH	971 OAKMOOR DR	FENTON MO 63026
6	G0006-11	1629 RIPLEY ST	4672	0.107	MARKEESE MCCORMICK	1803 15TH ST	MOLINE IL 61265
7	G0006-12	1625 RIPLEY ST	0	0.215	OCEANSIDE50FIVE LLC	2238 SAINT JOHN DR	DUBUQUE IA 52001
8	G0006-21	1710 RIPLEY ST	4800	0.11	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52803
9	G0006-22		0	0.11	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52803
10	G0006-24A	401 W LOCUST ST	0	0.335	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52803
11	G0006-34	414 W 17TH ST	7300	0.168	NATHANIEL VAUGHN	414 W 17TH ST	DAVENPORT IA 52803
12	G0006-35	410 W 17TH ST	1460	0.077	ARGENTUM PROPERTIES LLC	C/O MILLTOWN REALTY	DAVENPORT IA 52803-2379
14	G0006-36	316 W 18TH ST	3723	0.086	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
15	G0006-38		0	0.096	KWIK SHOP INC	734 EAST 4TH AV	HUTCHINSON KS 67504
16	G0006-41A	303 W LOCUST ST	0	0.485	KWIK SHOP INC	734 EAST 4TH AV	HUTCHINSON KS 67504
17	G0006-43	315 W LOCUST ST	0	0.079	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
18	G0006-44	321 W LOCUST ST	0	0.084	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
19	G0006-45	325 W LOCUST ST	0	0.085	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
20	G0006-46	1809 RIPLEY ST	0	0.248	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
21	G0006-47	1807 RIPLEY ST	0	0.073	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
22	G0006-48	1801 RIPLEY ST	0	0.08	KJTLJ LLC	2705 HAPPY JOE DR	BETTENDORF IA 52722
23	G0007-01C		0	0.043	CITY OF DAVENPORT	226 W 4TH ST	DAVENPORT IA 52801
24	B0059-40A	328 W LOCUST ST	0	0.231	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52804
25	B0059-43B		0	0.227	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52803
26	B0059-44A	310 W LOCUST ST	0	0.444	ST AMBROSE UNIVERSITY	518 W LOCUST ST	DAVENPORT IA 52804

City of Davenport

Agenda Group: **Action / Date**
Department: Community Planning & Economic Development **11/6/2019**
Contact Info: Ryan Rusnak 563-888-2022
Wards:

Subject:
Second Consideration: Ordinance amending various titles, chapters, and sections of the Davenport Municipal Code related to outdated references to the old Zoning Ordinance (City of Davenport, petitioner). [All Wards]

Recommendation:
Adopt the Ordinance.

Background:
The proposed ordinance would amend various titles, chapters and sections of the Davenport Municipal Code related to outdated references to the old Zoning Ordinance. Staff recognizes that certain committees of the City Council would consider certain Chapters of the Davenport Municipal Code. However, for simplicity and because the majority of the amendments are due to the new Zoning Ordinance, staff placed the request on the Community Development Committee agenda.

A summary of the proposed changes are as follows:

Sections 1, 2, 3, 5, 7, 13, 14. Amend and/or delete outdated references to Title 17, entitled "Zoning."

Section 4. Amend outdated reference to Title 17, entitled "Zoning". Additionally, remove measurement from the curbline or outside edge of a public right-of-way, thus making the 15 foot setback from the public right-of-way.

Section 6. Amend Section 8.15.120, entitled "Existing installations" by defining a substantial alteration and articulating that the section does not apply to any connection of roof downspouts, exterior or interior foundation drains, driveway drains, garage drains, or other sources of surface water, groundwater, storm water, roof runoff, or subsurface drainage to a building sewer or lateral which is connected directly or indirectly to a public sanitary sewer. The City is obligated under the Iowa Department of Natural resources to remove inflow and infiltration from the sanitary sewer system. The impact of these types of connections can be significant as the additional volume of water can lead to overflows in the collection system and added cost for wastewater treatment.

Section 8. Delete outdated references to Title 17, entitled "Zoning". Additionally, amend the obstruction permit time period to 30 days, which reflects Public Works' standard practice.

Section 9. Amend Section 13.16.033, entitled "Discharge of surface waters" by clarifying that it would be unlawful to make or to have any connection of roof downspouts, exterior or interior foundation drains, driveway drains, garage drains, or other sources of surface water, groundwater, storm water, roof runoff, or subsurface drainage to a building sewer or lateral which is connected directly or indirectly to a public sanitary sewer. The City is obligated under the Iowa Department of Natural resources to remove inflow and infiltration from the sanitary sewer system. The impact of these types of connections

can be significant as the additional volume of water can lead to overflows in the collection system and added cost for wastewater treatment.

Section 10. Delete definitions "Apartment/condominium property," "Developed agricultural property," and "Duplex" and delete list of the nonresidential properties. The definitions mirrored old Zoning Ordinance definitions.

Sections 11 and 12. Amend outdated reference to Title 17, entitled "Zoning" and amend "flood plain district" to "flood plain hazard area," which reflects current language in Chapter 15.44, entitled "Flood Damage Protection."

Sections 15, 16, 17, 18, 19 and 20. Amend outdated reference to Title 17, entitled "Zoning." Additionally, amend various chapters and sections to update the subdivision regulations.

- Preliminary plats (section 16) - Expand the exemption for preliminary plats, delete and amend language regarding the submittal process, required information to be submitted and the approval standards, and allow for the Zoning Administrator to grant a twelve month extension.
- Final plats (section 17) - Delete and amend language regarding the submittal process, required information to be submitted and the approval standards, and amend language regarding additional information requested by the City Engineer.
- Requirements for subdividing (section 18) - Delete minimum lot width and depth requirements and default to the minimum lot width and depth requirements in Title 17, entitled "Zoning" and delete the requirement to show building lines on a final plat as building lines may change by Zoning Map amendments or by future amendments to the Zoning Ordinance.
- Conservation subdivision option (section 19) - Delete this chapter entirely since the "Planned Unit Development" process in Title 17, entitled "Zoning", provides for this type of flexibility.
- Improvements (section 20) - Delete and amend language regarding the approval of plans for subdivision improvements, the time period of approval, and the timing of the installation and acceptance of subdivision improvements.

ATTACHMENTS:

Type	Description
Ordinance	Ordinance - Clean
Backup Material	Ordinance - Strike Through and Underline

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/31/2019 - 11:47 AM
Community Development Committee	Berger, Bruce	Approved	10/31/2019 - 11:48 AM
City Clerk	Admin, Default	Approved	10/31/2019 - 12:22 PM

ORDINANCE NO. 2019 -

Request of the City of Davenport to amend various titles, chapters and sections of the Davenport Municipal Code, specifically by amending Section 5.09.030 of the Davenport Municipal Code, entitled “Business regulations (Sections 5.09.030.G, 5.09.030.H and 5.09.030.K only)” by amending outdated references to chapters in Title 17 of the Davenport Municipal Code, by amending Section 5.10.105 of the Davenport Municipal Code, entitled “Permits and licenses - distance separation provisions (Sections 5.10.105.A and 5.10.105.B only)” by deleting outdated reference to a section and chapter in Title 17 of the Davenport Municipal Code, by amending Section 5.10.210 of the Davenport Municipal Code, entitled “Prohibited sales and acts” by deleting Sections 5.10.210.K, 5.10.210.L and 5.10.210.M, by amending Section 5.17.030 of the Davenport Municipal Code, entitled “Sales regulations (Section 5.17.030.H only)” by deleting language regarding measurement to a curbline and amending outdated reference to a section in Title 17 of the Davenport Municipal Code, by amending Section 6.06.040 of the Davenport Municipal Code, entitled “Zoning districts allowed” by amending outdated reference to zoning classifications in Title 17 of the Davenport Municipal Code, by amending Section 8.15.120 of the Davenport Municipal Code, entitled “Existing installations” by defining “substantial renovation” and by adding language that the section does not apply to any connection of roof downspouts, exterior or interior foundation drains, driveway drains, garage drains, or other sources of surface water, groundwater, storm water, roof runoff, or subsurface drainage to a building sewer or lateral which is connected directly or indirectly to a public sanitary sewer, by amending Section 8.17.080 of the Davenport Municipal Code, entitled “Abatement of dangerous buildings” by deleting outdated reference to a chapter in Title 17 of the Davenport Municipal Code, by amending Section 12.36.090 of the Davenport Municipal Code, entitled “Obstructions – permit required” by deleting outdated reference to sections in Title 17 of the Davenport Municipal Code, by deleting redundant language, by amending language such that the duration of all permits shall be 30 days and by reordering said section, by amending Section 13.16.033 of the Davenport Municipal Code, entitled “Discharge of surface waters” by amending language such that surface water, groundwater, storm water, roof runoff, or subsurface drainage may not be connected directly or indirectly to a public sanitary sewer, by amending Section 13.33.030 of the Davenport Municipal Code entitled “Definitions” by deleting the definitions “Apartment/condominium”, “Developed agricultural property” and “Duplex”, by deleting the list of nonresidential properties in the definition of “Nonresidential properties”, and by reordering said section, by amending Section 15.12.040 of the Davenport Municipal Code entitled “Additions, deletions and amendments to the International Building Code (Section 15.12.040.F only)” by amending an outdated code reference and by amending “flood plain district” to “flood plain hazard area”, by amending Section 15.12.052 of the Davenport Municipal Code entitled “Chapter 3 International Residential code modified (Section 15.12.052.F only)” by amending an outdated code reference and by amending “flood plain district” to “flood plain hazard area”, by amending Section 15.30.010 of the Davenport

Municipal Code entitled “Licensing generally (Section 15.30.010.B only)” by amending an outdated code reference, by amending Section 15.44.070 of the Davenport Municipal Code entitled “Definitions (definition of Manufactured Home Park or Subdivision only)” by deleting outdated reference to a chapter in Title 17 of the Davenport Municipal Code, by amending Section 16.04.040 of the Davenport Municipal Code, entitled “Building Line” by deleting the definition and renaming said section to “Reserved”, by amending Chapter 16.16 of the Davenport Municipal Code entitled “Preliminary Plats” by amending Section 16.16.010 of the Davenport Municipal Code, entitled Preliminary plats” by amending language such that the exception for requiring a preliminary plat is expanded, by amending Section 16.16.020 entitled “Submission of preliminary plat – contents” by renaming said section to “Application” and by deleting and amending language in said section regarding the submittal process and the required information to be submitted, by amending Section 16.16.030 entitled “Conformance with minimum standards” by renaming said section to “Approval standards” and by amending language in said section regarding the Plan and Zoning Commission and City Council approval process and by amending Section 16.16.050, entitled “Voidable when” by amending language such that the Zoning Administrator may grant a twelve month extension, by deleting Section 16.20.010, entitled “Conditions for approval”, by deleting Section 16.20.020, entitled “Scale”, by amending Section 16.20.030, entitled “Copies to be submitted – supplemental information” by renumbering Section 16.20.030 to Section 16.20.010, by renaming said section to “Application”, by amending language in said section regarding the submittal process and the required information to be submitted and articulating that the Zoning Administrator may allow for the Preliminary Plats and Final Plats to be submitted concurrently, by creating Section 16.20.020, entitled “Plan and zoning commission approval standards” by adding language regarding the Plan and Zoning Commission approval standards, by amending Section 16.20.040, entitled “Material to be filed prior to consideration” by renumbering Section 16.20.040 to Section 16.20.030, by renaming said section to “Information to be submitted prior to city council consideration”, by amending language in said section regarding the information to be submitted, by creating section 16.20.040, entitled “City Council approval standards” and adding language regarding approval standards, by amending Section 16.20.050, entitled “Submission of data to city engineer” by deleting and adding language regarding the data to be submitted to the city engineer, by deleting Section 16.20.060, entitled “Final approval”, by amending Section 16.20.070, entitled “Compliance” by renumbering Section 16.20.070 to Section 16.20.060 and amending outdated Iowa Code reference, by amending Section 16.24.080 of the Davenport Municipal Code entitled “Lots” by deleting minimum lot width and depth language, by amending Section 16.24.090 of the Davenport Municipal Code entitled “Building Lines” by deleting the language in the section and renaming said section to “Reserved”, by amending Chapter 16.26 of the Davenport Municipal Code entitled “Conservation Subdivision Option” by deleting the language in the chapter and renaming said chapter to “Reserved”, by amending Chapter 16.28 of the Davenport Municipal Code entitled “Improvements” by renaming the chapter to “Subdivision Improvements”, by amending Section 16.28.010 of the Davenport Municipal Code, entitled “Required” by amending language such that subdivision improvements shall not be installed prior to a final plat being approved and recorded, by deleting Section 16.28.020 entitled “Instruments may be filed in lieu of final completion - exceptions” by amending Section 16.28.030 of the Davenport Municipal Code, entitled “Minimum required” by renaming said section to “Subdivision improvements required”, by

adding language regarding the approval of plans for subdivision improvements, the time period of approval and the timing of the installation and acceptance of subdivision improvements, by amending Section 16.28.030 entitled "Streets" by renumbering Section 16.28.030 to Section 16.28.020 and by deleting language in existing said section language and adding language regarding construction standards, by deleting Section 16.28.045, entitled "Street signs", by amending Section 16.28.050 entitled "Sidewalks" by renumber Section 16.28.050 to Section 16.28.040 and by deleting and adding language regarding construction standards, by amending Section 16.28.060 entitled "Sewers" by renumber Section 16.28.060 to Section 16.28.050 and by deleting language existing section language and adding language regarding construction standards and by amending Section 16.28.070 entitled "Monuments" by renumber Section 16.28.070 to Section 16.28.060. [Ward All]

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

Section 1. Section 5.09.030 of the Davenport Municipal Code, entitled "Business regulations (Sections 5.09.030.G, 5.09.030.H and 5.09.030.K only)" is hereby amended as follows:

5.09.030 Business regulations.

G. Notwithstanding the requirements for off-street parking contained in Title 17 of the Davenport Municipal Code, motor vehicle dealerships shall provide at least one off-street parking space for customer use for each repair stall required under this chapter.

H. It is unlawful for any person to operate a motor vehicle dealership unless the surface of such motor vehicle dealership lot has first been paved in conformance with the requirements of Title 17 of the Davenport Municipal Code. If an applicant is able to demonstrate that he or she is waiting for a Department of Natural Resources permit concerning an underground storage tank, a temporary surface of seal-coated gravel will satisfy the requirements of this section for a period of twelve months immediately succeeding the application date. Upon proper demonstration that DNR approval is still pending, the twelve-month period may be renewed for a like time period. It is unlawful for any person operating or concerned with the operation of an outdoor motor vehicle parking space in the city to permit dust, dirt, or other debris to accumulate upon the surface of such parking space or to blow from such surface.

K. The provisions of this chapter expressly apply to motor vehicle dealerships. Any requirements not contained in this chapter, but expressly contained in Title 17 of the Davenport Municipal Code, shall also govern the operation of a motor vehicle dealership.

Section 2. Section 5.10.105 of the Davenport Municipal Code, entitled "Permits and licenses - distance separation provisions (Sections 5.10.105.A and 5.10.105.B only)" is hereby amended as follows:

5.10.105 Permits and licenses – distance separation provisions.

A. No application for a class A, class B, class C, or class E liquor store control license or a wine permit or a beer permit shall be approved if the property upon which such licensed or permitted activity will occur is located within six hundred feet, including public rights-of-way, of a state registered child development home, state licensed child care center, or

public or private elementary or secondary school. However, an application within six hundred feet, but not immediately abutting, a state registered child development home or state licensed child care center may be approved if the city council upon a hearing grants a waiver to this rule. The city council may grant the waiver if it determines the following exists: (1) the affected child development home or care center consents to the granting of the waiver; or (2) sufficient buffering exists to adequately mitigate the visual, sound, and foot traffic likely to be generated by the applicant, such as: (a) an arterial roadway, (b) at least one hundred feet of natural buffering like woods, ravines, waterways, or wetlands, or (c) similar or greater visual, sound, and physical separation as set forth in paragraphs (a) and (b) immediately above. "Physical separation" refers to the ease and options for pedestrian movement.

B. The prohibitions contained in subsections A and F shall not apply to hotels offering restaurant service, formally organized clubs operated solely for objects of national or state-wide social, patriotic, benevolent or similar purposes, pharmacies, or restaurants where the sale of alcoholic beverages is not the principal business carried on; nor to the renewal of a license or permit for the sale and consumption on premises that are located within six hundred feet of a state registered child development home, state licensed child care center or school if the premises was previously licensed or permitted prior to the establishment of the distance separation limitation and said license or permit has not expired or lapsed for a period of six months or more. "Hotel" as used in this section means a premises licensed by the state and regularly kept open for the lodging of transient guests but does not include a facility licensed as a bed and breakfast. "Restaurant" as used in this section means any retail establishment, the principal business of which consists of the sale of food products for consumption on the premises. The volume of food sales—not including the sale of alcoholic beverages, tobacco sales and non-food product sales—shall not be less than fifty percent of the total dollar volume of sales made by the establishment. It shall be presumed that the sale of alcoholic beverages by the holder of a liquor control license or class B beer permit constitutes more than fifty percent of the volume of all sales, which presumption may be overcome by furnishing a verified statement of total dollar volume of all sales which also shows as separate line items total dollar sales figures for food, alcoholic beverages, tobacco sales and non-food product sales for the six months immediately preceding the application or renewal, or by providing an affidavit by the business's certified public accountant or chief financial officer stating the gross income breakdown, or a copy of the business's state income tax form showing the income breakdown. Failure to rebut the presumption at the end of the first year by meeting the fifty percent nonalcoholic beverage income requirement disqualifies the business from continuing to hold a liquor license, beer or wine permit at the location for which the special use permit was granted. A statement as to how the business operation will or is proposed to operate or its estimated income projections are not sufficient or adequate to overcome the presumption.

Section 3. Section 5.10.210 of the Davenport Municipal Code, entitled “Prohibited sales and acts (Sections 5.10.210.K, 5.10.210.L and 5.10.210.M only)” is hereby amended by deleting Sections 5.10.210.K, 5.10.210.L and 5.10.210.M.

Section 4. Section 5.17.030 of the Davenport Municipal Code, entitled "Sales regulations. (Section 5.17.030.H)" is hereby amended as follows:

Section 5.17.030 Sales regulations.

H. Any display of tangible personal property offered for sale and any signs or advertising shall be at least fifteen feet from the public right-of-way. Signs must comply with Title 17 of the Davenport Municipal Code.

Section 5. Section 6.06.040 of the Davenport Municipal Code, entitled "Zoning districts allowed" is hereby amended as follows:

Section 6.06.040 Zoning districts allowed.

Permits may be granted for tracts of land with a single family dwelling, as defined by Title 17 of the Davenport Municipal Code, being the principal use.

Section 6. Section 8.15.120 of the Davenport Municipal Code, entitled "Existing installations) is hereby amended as follows.

Section 8.15.120 Existing installations.

Buildings in existence at the time of the adoption of this code may have their existing use or occupancy continued, if such use or occupancy was legal at the time of its installation. However, where existing installations were legal at the time of their installations, if substantial alterations or replacement occurs, the work must meet existing code. Substantial alteration occurs with any exterior change, the cost of which exceeds 50% of the assessed or appraised building value. Routine exterior maintenance activities such as painting, tuckpointing, replacing trim in kind, railings in kind, or replacing other nonstructural architectural details in kind are not considered to constitute a substantial repair/rehabilitation unless the cost of exceeds 50% of the assessed or appraised building value. Notwithstanding the foregoing, any change in the use or occupancy of any existing building or structure shall comply with the related provisions of the Davenport Municipal Code. This section does not apply to any connection of roof downspouts, exterior or interior foundation drains, driveway drains, garage drains, or other sources of surface water, groundwater, storm water, roof runoff, or subsurface drainage to a building sewer or lateral which is connected directly or indirectly to a public sanitary sewer.

Section 7. Section 8.17.080 of the Davenport Municipal Code, entitled "Abatement of dangerous buildings" is hereby amended as follows:

Section 8.17.080 Abatement of dangerous buildings.

All buildings or portions thereof which are determined after inspection by the authorized official to be dangerous as defined in this code are hereby declared to be public nuisances and

shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in this code.

Section 8. Section 12.36.090 of the Davenport Municipal Code, entitled "Obstructions – permit required" is hereby amended as follows:
Section 12.36.090 Obstructions – permit required.

A. No person shall place any obstruction in or above any street, alley, or other public property without first obtaining a permit from the engineering division of public works ("engineering") pursuant to this section and Chapter 12.40 of the Davenport Municipal Code.
B. Application for a permit shall be filed with engineering along with a nonrefundable application review fee of ten dollars and proof of liability insurance in the amount of at least one hundred thousand dollars per incident. Failure to pay the ten dollar review fee or provide proof of insurance will result in automatic rejection of the application.
C. Engineering shall review the application and approve it, if acceptable. In reviewing the application, engineering shall consider the need to use this location, the adequacy of the unobstructed space, the applicant's prior compliance with these regulations, the standards and specifications of the Iowa Manual on Uniform Traffic Control Devices.
D. The permittee shall defend and hold harmless the city against any loss, cost, or damage resulting from or related to permittee's occupation of the right-of-way.
E. The duration of the permit shall be thirty days. A onetime extension for an equal period of time may be granted by engineering if the extension is necessitated by events outside the control of permittee.
F. The judgment of engineering in the granting or extending of a permit is final. Additionally, the decision of engineering to revoke a permit for failure to comply with this section shall be final.
G. A violation of this section is punishable as follows:

Type I Violations
1st Offense—$250; 2nd—$350; 3rd & Subsequent—$500
No permit
Failure to Comply with Iowa Manual on Uniform Traffic Control Devices or Instructions from Traffic Engineering

Type II Violation
1st Offense—$100; 2nd—$150; 3rd & Subsequent—$200
Expired Permit (for first 7 days after expiration date only, subsequently fined as No Permit)
The city may seek other administrative, legal, or equitable relief in addition to or in lieu of the fine.
Each day a violation exists may be charged as a separate offense.

Section 9. Section 13.16.033 of the Davenport Municipal Code, entitled "Discharge of surface waters" is hereby amended as follows:

Section 13.16.033 Discharge of surface waters.
It is unlawful to make or to have any connection of roof downspouts, exterior or interior foundation drains, driveway drains, garage drains, or other sources of surface water, groundwater, storm water, roof runoff, or subsurface drainage to a building sewer or lateral which is connected directly or indirectly to a public sanitary sewer.

Section 10. Section 13.33.030 of the Davenport Municipal Code entitled "Definitions" is hereby amended as follows:

Section 13.33.030 Definitions.

A. "Adjustment" means a modification in a nonresidential customer's stormwater service fee for certain activities that impact stormwater runoff or impacts the city's costs of providing stormwater management.
B. "Director" means the director of the department of public works or designee.
C. "Equivalent residential unit (ERU)" means a value, equal to two thousand six hundred square feet of measured impervious area and is equal to the average amount of impervious area of residential properties within the city of Davenport.
D. "Impervious area" means areas that have been paved and/or covered with buildings and materials, which include, but are not limited to, concrete, asphalt, rooftop, gravel, and blacktop.
E. "Nonresidential properties" means all properties not encompassed by the definition of residential shall be defined as nonresidential.
F. "Residential property" means all single-family and two-family dwelling properties, as defined by Title 17 of the Davenport Municipal Code, within the city of Davenport.
G. "Stormwater" means stormwater runoff, snowmelt runoff, and surface runoff and drainage.
H. "Stormwater facilities" means various stormwater and drainage works that may include inlets, pipes, pumping stations, conduits, manholes, energy dissipation structures, channels, outlets, retention/detention basins and other structural components.
I. "Storm sewer" means a sewer, which carries stormwater, surface runoff, street wash wasters, and drainage, but which excludes sanitary sewage and industrial wastes, other than permitted discharges.
J. "Stormwater service charge" means a charge assessed to users of the city's stormwater collection, impounding and transportation system.

K. "Stormwater drainage system" means all man-made facilities, structures, and natural watercourses owned by the city of Davenport, used for collection and conducting stormwater to, through, and from drainage areas to the points of final outlet including, but not limited to, any and all of the following: conduits and appurtenant features, canals, creeks, catch basins, ditches, streams, gulches, gullies, ravines, flumes, culverts, siphons, streets, curbs, gutters, dams, floodwalls, levees, and pumping stations.

Section 11. Section 15.12.040 of the Davenport Municipal Code entitled "Additions, deletions and amendments to the International Building Code (Section 15.12.040.F only)" is hereby amended as follows:

Section 15.12.040 Additions, deletions and amendment to the International Building Code

F. Delete all references to National Fuel Gas Code and insert in lieu thereof "Fuel Gas Piping requirements of Iowa Administrative Code 641-25.3(105) Fuel gas piping." Fuel gas piping shall comply with the State Plumbing Code.

NOTE:

1. All permits and regulations for the construction, encroachment and installation or maintenance within the public right-of-way and upon dedicated storm, sewer and access easements and the installation of public sidewalks, curb cuts, and drives are administered by the Department of Construction and Engineering.
2. See the Sign Ordinance of the City of Davenport for limitations on the encroachment <u>of signs onto public property.</u>
3. See Chapter 15.44 of the Davenport Municipal Code for development for construction within a flood hazard area.
4. See Iowa Administrative Code 641 Chapter 25 for the regulation of plumbing, potable water supply, drain, waste and venting and hydronic systems servicing buildings.
5. See Iowa Administrative Code 641 Chapter 61 for the regulation of heating, air conditioning and mechanical systems for environmental conditions and process within buildings.
6. See Iowa Administrative Code 661 Chapter 504 and Chapter 15.16 of the Davenport Municipal Code for standards for electrical work.

<u>Section 12.</u> Section 15.12.052 of the Davenport Municipal Code entitled “Chapter 3 International Residential code modified (Section 15.12.052.F only)” is hereby modified as follows:

Section 15.12.052 Chapter 3 International Residential Code modified.

F. Delete Section R322 "Flood Resistant Construction" in its entirety.

Note: Chapter 15.44 of the Davenport Municipal Code for development or construction within a flood hazard area.

<u>Section 13.</u> Section 15.30.010 of the Davenport Municipal Code entitled “Licensing generally (Section 15.30.010.B only)” is hereby amended as follows:

Section 15.30.010 Licensing generally.

B. No person, firm, partnership or corporation shall engage in sign contracting without having a current valid license issued in accordance with this chapter. The term sign contracting shall mean being engaged in the performance or supervision of work regulated by the provisions of Section 17.12.060 of the Davenport Municipal Code, entitled Sign Permit Required.

<u>Section 14.</u> Section 15.44.070 of the Davenport Municipal Code entitled “Definitions (definition of Manufactured Home Park or Subdivision only)”

Section 15.44.070 Definitions.

"Manufactured home park or subdivision" shall mean a tract designed to accommodate manufactured home sites.

Section 15. Section 16.04.040 of the Davenport Municipal Code, entitled “Building Line” is hereby amended as follows:

16.04.040 Reserved.

Section 16. Chapter 16.16 of the Davenport Municipal Code entitled “Preliminary Plats” is hereby amended as follows:

Chapter 16.16 Preliminary Plats

16.16.010 Requirements.
A Preliminary Plat containing three lots or less, or a preliminary plat not proposing the dedication of public infrastructure, may be exempted from the requirements of the preliminary plat as set forth in this chapter. The Zoning Administrator, as defined in Title 17 of the Davenport Municipal Code, will make the final decision.

16.16.020 Application.
The applicant must file an application with the Zoning Administrator, as defined in Title 17 of the Davenport Municipal Code. The application must be on forms provided by the City and filed in such quantity and submittal deadlines as required by the instructions. The preliminary plat shall contain or be supplemented by all the following, but not limited to, information:

A. The location of present 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 land immediately adjacent thereto;
B. The proposed location and width of streets, alleys, and lots. Street and alley information shall be supplemented with a typical roadway section;
C. The location of existing and proposed public or private infrastructure, including but not limited to, sanitary sewers, water mains, stormwater management and drainage systems and other underground structures within the tract and immediately adjacent thereto;
D. Proposed name of the subdivision (which shall not duplicate any previously filed plat), the name of the land owner, land developer, and land surveyor;
E. Existing and proposed contours with intervals of five feet or less;
F. North arrow, scale and date;
G. A vicinity sketch showing the proposed subdivision in relationship to surrounding development and street systems.
H. The city engineer, or designee, may request additional data and/or information to support that any proposed infrastructure will be constructed in accordance with the most recent city standards and specifications.

16.16.030 Approval standards.

The plan and zoning commission shall evaluate the preliminary plat pursuant to the minimum standards and requirements as outlined in this chapter. The Plan and Zoning Commission must recommend approval, approval with conditions, or denial of the application. The commission shall submit its recommendation to the city council within forty-five days after the submission of a complete application, unless an extension is agreed to by the applicant. The City Council must approve, approve with conditions, or deny the application within 60 days of the submission of a complete application, unless an extension is agreed to by the applicant. The approval of the preliminary plat does not constitute acceptance with the subdivision by the city, but is deemed to be an authorization to proceed with the preparation of the final plat.

16.16.040 Revocability.
Approval of the preliminary plat, or any portion thereof not final platted is revocable by the city plan and zoning commission.

16.16.050 Voidable when.
If neither a part nor all of the preliminary plat is approved by the city council as a final plat within one year after the approval of the preliminary plat, the preliminary plat shall be void unless a twelve month extension is granted by the Zoning Administrator, as defined in Title 17 of the Davenport Municipal Code.

If only part of a preliminary plat is approved as a final plat, the approval of the remaining portion of the preliminary plat shall automatically gain an extension of sixty months before another phase of the plat must be submitted in final form.

Section 17. Chapter 16.20 of the Davenport Municipal Code entitled "Final Plats" is hereby amended as follows:

Chapter 16.20 Final Plats

16.20.010 Application.
After final approval of the preliminary plat, if required, the subdivider may submit a final plat. A preliminary plat and final plat for a smaller-scale subdivision may be submitted concurrently. The Zoning Administrator, as defined in Title 17 of the Davenport Municipal Code, will make the final decision. The applicant must file an application with the Zoning Administrator on forms provided by the City and filed in such quantity and submittal deadlines as required by the instructions. The final plat shall show or be supplemented by the following information:

A. The boundary lines of the area being subdivided with accurate distances and bearings;
B. The accurate outline of any property which is offered for dedication for public use;
C. The lines of all adjoining lands;
D. All lot lines and an identification system for lots and blocks;
E. Right-of-way and easements provided for public use, services or utilities, or excess storm water passageways with names and figures showing their dimensions;
F. 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 hundredths of a foot;

G. Radii, arcs and chords, points of tangency, central angles for all curvilinear streets, and radii and tangents for all rounded corners;
H. All survey monuments with their descriptions;
I. Name of subdivision and description of property subdivided showing its location by distance and bearing to the nearest quarter section monument or two previously established lot corners both labeled with description of each corner;
J. North arrow, scale and date;
K. Certification by a Professional Land Surveyor under the laws of the state, to the effect that the plan represents a survey made by him or her and that all necessary survey monuments are correctly shown thereon;
L. Low water entry elevation for lots abutting an excess storm water passageway;
M. Certification by an authorized representative of the public service or utility companies concerned that easements shown on the plat are satisfactory for their requirements.

16.20.020 Plan and zoning commission approval standards.
The plan and zoning commission shall evaluate the final plat pursuant to the minimum standards and requirements as outlined in this chapter and conformance with the approved preliminary plat. The plan and zoning commission may approve a final plat that is not strictly in conformance with the preliminary plat if modifications are deemed minor and final plat is deemed to be in general conformance with the approved preliminary plat. The plan and zoning Commission must recommend approval, approval with conditions, or denial of the application. The commission shall submit its recommendation to the city council within forty-five days after the submission of a complete application, unless an extension is agreed to by the applicant.

16.20.030 Material to be filed prior to city council consideration.
The following material shall be filed with the Zoning Administrator, as defined in Title 17 of the Davenport City Code, in such quantity and submittal deadlines as required by the instructions:

A. Surveyor certificate;
B. Dedication of owner;
C. Certification of consent of mortgage holder, if applicable;
D. Attorney’s certificate;
E. Acceptance by the city;
F. Auditor approval of subdivision name;
G. Treasurer’s certificate;
H. A hold-harmless agreement protecting the city from any damages, claims, or suits resulting from the construction and development by the owner and/or subdivider. Said agreement shall be approved as to format by the city attorney's office, and recorded with the plat;
I. An assessment waiver to be approved by the council prior to the acceptance of the final plat which shall provide that the city may without notice construct and install the improvements and assess the total cost thereof against the subdivided property in accordance with city and state requirements regarding special assessments, and that the subdividers, for themselves, their heirs, their grantees, their assigns, and all subsequent

owners of any part of the subdivided area waive all formalities, rights of protest, and rights of appeal to the construction and installation of the improvements by the city and to the assessment of the total cost thereof against the subdivided area even though the cost may exceed the amount that can legally be assessed against the subdivided area by the city. The assessment waiver shall further provide that the subdivider and the persons who own the property benefited by the improvements at the time construction and installation of the improvements is initiated by the city shall be jointly and severally liable for any difference between the cost of the improvements and the amount which can be legally assessed by the city against the subdivided area.

16.20.040 City Council approval standards
The city council shall evaluate the final plat pursuant to the minimum standards and requirements as outlined in this chapter and conformance with the approved preliminary plat. The city council may approve a final plat that is not strictly in conformance with the preliminary plat if modifications are deemed minor and final plat is deemed to be in general conformance with the approved preliminary plat. The city council must approve, approve with conditions, or deny the application within 60 days of the submission of a complete application, unless an extension is agreed to by the applicant. This 60-day time shall not apply if the applicant fails to provide the material enumerated in Section 16.20.030 of the Davenport Municipal Code.

16.20.050 Submission of data to city engineer.
The city engineer, or designee, may request data to support that any proposed infrastructure will be constructed in accordance with the most recent city standards and specifications.

16.20.060 Compliance.
Before it is recorded in the office of the county recorder, the provisions of Chapter 354 of the Code of Iowa, and amendments thereto, shall be complied with.

Section 18. Sections 16.24.080 of the Davenport Municipal Code entitled "Lots" and Section 16.24.090 of the Davenport Municipal Code entitled "Building Lines" is hereby amended as follows:

16.24.080 Lots.

A. All side lines of lots shall be at right angles to straight street lines, or radial to curved street lines, unless a variation to this rule will give a better street and lot plan.
B. All lots platted in a subdivision shall have frontage on a platted street or officially approved private street unless the lot arrangement has been approved by the city council upon recommendation by the city plan and zoning commission.
C. The minimum dimensions for lots no less than what is required by the zoning district in which the property is located.
D. Corner lots shall have extra width sufficient to permit required building setback lines on both front and side streets.
E. Should a subdivision be on or overlap the city limits, it shall be platted so the city limit boundary shall be along a street centerline or shall be a lot line. In no case shall a lot be platted so as to be bisected by the city limit boundary line.

Section 19. Chapter 16.26 of the Davenport Municipal Code entitled "Conservation Subdivision Option" is hereby amended as follows:

Chapter 16.26 Reserved.

Section 20. Chapter 16.28 of the Davenport Municipal Code entitled "Improvements" is hereby amended as follows:

Chapter 16.28 Subdivision Improvements

16.28.010 Required.
The final plat of any subdivided area shall be approved and recorded prior to the subdivider making and/or installing any of the improvements described in this chapter.

16.28.020 Subdivision improvements required.
The minimum improvements installed in any subdivision shall be in accordance with the provisions set forth in sections 16.28.030 through 16.28.060.

The city engineer, or designee, shall approve plans for subdivision improvements prior to any construction related to subdivision improvements or buildings and/or site improvements on lots connecting to said subdivision improvements. Subdivision improvement plan approval expires if construction has not begun within one year after the date of the approval. An extension of this one year validity period may be granted by the city engineer, or designee, prior to the expiration date of the approval, if the applicant requests an extension in writing prior to the expiration date of the approval.

No certificate of occupancy (temporary) or permanent) shall be issued until all subdivision improvements are constructed and/or installed and accepted by the city.

16.28.030 Streets.
All streets shall be constructed in accordance with Title 12 of the Davenport Municipal Code, entitled streets, sidewalks and public places, and the most recent city standards and specifications.

16.28.040 Sidewalks.
Sidewalks shall be constructed along the right-of-way of each street in accordance with Title 12 of the Davenport Municipal Code, entitled streets, sidewalks and public places, and the most recent city standards and specifications.

16.28.050 Sewers.
Sewers shall be constructed in accordance with Title 13 of the Davenport Municipal Code, entitled public systems, and the most recent city standards and specifications.

16.28.060 Monuments.

Steel rods, a minimum of one-half inch in diameter and twenty-four inches long shall be in place on the site of the proposed subdivision marking all block and lot corners, all points of curvature, all points of tangency, and all boundary corners before the final plat shall be approved by the city council.

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 _____

_____
Frank Klipsch, Mayor

Attest: _____
Brian Krup, Deputy City Clerk

ORDINANCE NO. 2019 -

Request of the City of Davenport to amend various titles, chapters and sections of the Davenport Municipal Code, specifically by amending Section 5.09.030 of the Davenport Municipal Code, entitled “Business regulations (Sections 5.09.030.G, 5.09.030.H and 5.09.030.K only)” by amending outdated references to chapters in Title 17 of the Davenport Municipal Code, by amending Section 5.10.105 of the Davenport Municipal Code, entitled “Permits and licenses - distance separation provisions (Sections 5.10.105.A and 5.10.105.B only)” by deleting outdated reference to a section and chapter in Title 17 of the Davenport Municipal Code, by amending Section 5.10.210 of the Davenport Municipal Code, entitled “Prohibited sales and acts” by deleting Sections 5.10.210.K, 5.10.210.L and 5.10.210.M, by amending Section 5.17.030 of the Davenport Municipal Code, entitled “Sales regulations (Section 5.17.030.H only)” by deleting language regarding measurement to a curbline and amending outdated reference to a section in Title 17 of the Davenport Municipal Code, by amending Section 6.06.040 of the Davenport Municipal Code, entitled “Zoning districts allowed” by amending outdated reference to zoning classifications in Title 17 of the Davenport Municipal Code, by amending Section 8.15.120 of the Davenport Municipal Code, entitled “Existing installations” by defining “substantial renovation” and by adding language that the section does not apply to any connection of roof downspouts, exterior or interior foundation drains, driveway drains, garage drains, or other sources of surface water, groundwater, storm water, roof runoff, or subsurface drainage to a building sewer or lateral which is connected directly or indirectly to a public sanitary sewer, by amending Section 8.17.080 of the Davenport Municipal Code, entitled “Abatement of dangerous buildings” by deleting outdated reference to a chapter in Title 17 of the Davenport Municipal Code, by amending Section 12.36.090 of the Davenport Municipal Code, entitled “Obstructions – permit required” by deleting outdated reference to sections in Title 17 of the Davenport Municipal Code, by deleting redundant language, by amending language such that the duration of all permits shall be 30 days and by reordering said section, by amending Section 13.16.033 of the Davenport Municipal Code, entitled “Discharge of surface waters” by amending language such that surface water, groundwater, storm water, roof runoff, or subsurface drainage may not be connected directly or indirectly to a public sanitary sewer, by amending Section 13.33.030 of the Davenport Municipal Code entitled “Definitions” by deleting the definitions “Apartment/condominium”, “Developed agricultural property” and “Duplex”, by deleting the list of nonresidential properties in the definition of “Nonresidential properties”, and by reordering said section, by amending Section 15.12.040 of the Davenport Municipal Code entitled “Additions, deletions and amendments to the International Building Code (Section 15.12.040.F only)” by amending an outdated code reference and by amending “flood plain district” to “flood plain hazard area”, by amending Section 15.12.052 of the Davenport Municipal Code entitled “Chapter 3 International Residential code modified (Section 15.12.052.F only)” by amending an outdated code reference and by amending “flood plain district” to “flood plain hazard area”, by amending Section 15.30.010 of the Davenport Municipal Code entitled “Licensing generally (Section 15.30.010.B only)” by amending an outdated code reference, by amending Section 15.44.070 of the Davenport Municipal Code entitled “Definitions (definition of Manufactured Home Park or Subdivision only)” by deleting outdated reference to a chapter in Title 17 of the Davenport Municipal Code, by amending

Section 16.04.040 of the Davenport Municipal Code, entitled “Building Line” by deleting the definition and renaming said section to “Reserved”, by amending Chapter 16.16 of the Davenport Municipal Code entitled “Preliminary Plats” by amending Section 16.16.010 of the Davenport Municipal Code, entitled Preliminary plats” by amending language such that the exception for requiring a preliminary plat is expanded, by amending Section 16.16.020 entitled “Submission of preliminary plat – contents” by renaming said section to “Application” and by deleting and amending language in said section regarding the submittal process and the required information to be submitted, by amending Section 16.16.030 entitled “Conformance with minimum standards” by renaming said section to “Approval standards” and by amending language in said section regarding the Plan and Zoning Commission and City Council approval process and by amending Section 16.16.050, entitled “Voidable when” by amending language such that the Zoning Administrator may grant a twelve month extension, by deleting Section 16.20.010, entitled “Conditions for approval”, by deleting Section 16.20.020, entitled “Scale”, by amending Section 16.20.030, entitled “Copies to be submitted – supplemental information” by renumbering Section 16.20.030 to Section 16.20.010, by renaming said section to “Application”, by amending language in said section regarding the submittal process and the required information to be submitted and articulating that the Zoning Administrator may allow for the Preliminary Plats and Final Plats to be submitted concurrently, by creating Section 16.20.020, entitled “Plan and zoning commission approval standards” by adding language regarding the Plan and Zoning Commission approval standards, by amending Section 16.20.040, entitled “Material to be filed prior to consideration” by renumbering Section 16.20.040 to Section 16.20.030, by renaming said section to “Information to be submitted prior to city council consideration”, by amending language in said section regarding the information to be submitted, by creating section 16.20.040, entitled “City Council approval standards” and adding language regarding approval standards, by amending Section 16.20.050, entitled “Submission of data to city engineer” by deleting and adding language regarding the data to be submitted to the city engineer, by deleting Section 16.20.060, entitled “Final approval”, by amending Section 16.20.070, entitled “Compliance” by renumbering Section 16.20.070 to Section 16.20.060 and amending outdated Iowa Code reference, by amending Section 16.24.080 of the Davenport Municipal Code entitled “Lots” by deleting minimum lot width and depth language, by amending Section 16.24.090 of the Davenport Municipal Code entitled “Building Lines” by deleting the language in the section and renaming said section to “Reserved”, by amending Chapter 16.26 of the Davenport Municipal Code entitled “Conservation Subdivision Option” by deleting the language in the chapter and renaming said chapter to “Reserved”, by amending Chapter 16.28 of the Davenport Municipal Code entitled “Improvements” by renaming the chapter to “Subdivision Improvements”, by amending Section 16.28.010 of the Davenport Municipal Code, entitled “Required” by amending language such that subdivision improvements shall not be installed prior to a final plat being approved and recorded, by deleting Section 16.28.020 entitled “Instruments may be filed in lieu of final completion - exceptions” by amending Section 16.28.030 of the Davenport Municipal Code, entitled “Minimum required” by renaming said section to “Subdivision improvements required”, by adding language regarding the approval of plans for subdivision improvements, the time period of approval and the timing of the installation and acceptance of subdivision improvements, by amending Section 16.28.030 entitled “Streets” by renumbering Section 16.28.030 to Section 16.28.020 and by deleting language in existing said section language and adding language

regarding construction standards, by deleting Section 16.28.045, entitled "Street signs", by amending Section 16.28.050 entitled "Sidewalks" by renumber Section 16.28.050 to Section 16.28.040 and by deleting and adding language regarding construction standards, by amending Section 16.28.060 entitled "Sewers" by renumber Section 16.28.060 to Section 16.28.050 and by deleting language existing section language and adding language regarding construction standards and by amending Section 16.28.070 entitled "Monuments" by renumber Section 16.28.070 to Section 16.28.060. [Ward All]

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

Section 1. Section 5.09.030 of the Davenport Municipal Code, entitled "Business regulations (Sections 5.09.030.G, 5.09.030.H and 5.09.030.K only)" is hereby amended as follows:

5.09.030 Business regulations.

G. Notwithstanding the requirements for off-street parking contained in ~~Chapters~~ ~~17.30 and 17.~~44 Title 17 of the Davenport Municipal Code, motor vehicle dealerships shall provide at least one off-street parking space for customer use for each repair stall required under this chapter.

H. It is unlawful for any person to operate a motor vehicle dealership unless the surface of such motor vehicle dealership lot has first been paved in conformance with the requirements of Title 17 of the Davenport Municipal Code ~~Chapter 17.56~~. If an applicant is able to demonstrate that he or she is waiting for a Department of Natural Resources permit concerning an underground storage tank, a temporary surface of seal-coated gravel will satisfy the requirements of this section for a period of twelve months immediately succeeding the application date. Upon proper demonstration that DNR approval is still pending, the twelve-month period may be renewed for a like time period. It is unlawful for any person operating or concerned with the operation of an outdoor motor vehicle parking space in the city to permit dust, dirt, or other debris to accumulate upon the surface of such parking space or to blow from such surface.

K. The provisions of this chapter expressly apply to motor vehicle dealerships. Any requirements not contained in this chapter, but expressly contained in ~~Chapters 17.30, 17.42, or 17.44~~ Title 17 of the Davenport Municipal Code, shall also govern the operation of a motor vehicle dealership.

Section 2. Section 5.10.105 of the Davenport Municipal Code, entitled "Permits and licenses - distance separation provisions (Sections 5.10.105.A and 5.10.105.B only)" is hereby amended as follows:

5.10.105 Permits and licenses – distance separation provisions.

A. No application for a class A, class B, class C, or class E liquor store control license or a wine permit or a beer permit shall be approved if the property upon which such licensed or permitted activity will occur is located within six hundred feet, including public rights-of-way, of a state registered child development home, state licensed child care center, or public or private elementary or secondary school. However, an application within six hundred feet, but not immediately abutting, a state registered child development home

or state licensed child care center may be approved if the city council upon a hearing grants a waiver to this rule. The city council may grant the waiver if it determines the following exists: (1) the affected child development home or care center consents to the granting of the waiver; or (2) sufficient buffering exists to adequately mitigate the visual, sound, and foot traffic likely to be generated by the applicant, such as: (a) an arterial roadway ~~as defined in section 17.04.010.15~~, (b) at least one hundred feet of natural buffering like woods, ravines, waterways, or wetlands, or (c) similar or greater visual, sound, and physical separation as set forth in paragraphs (a) and (b) immediately above. "Physical separation" refers to the ease and options for pedestrian movement.

B. The prohibitions contained in subsections A and F shall not apply to hotels offering restaurant service, formally organized clubs operated solely for objects of national or state-wide social, patriotic, benevolent or similar purposes, pharmacies, or restaurants where the sale of alcoholic beverages is not the principal business carried on; nor to the renewal of a license or permit for the sale and consumption on premises that are located within six hundred feet of a state registered child development home, state licensed child care center or school if the premises was previously licensed or permitted prior to the establishment of the distance separation limitation and said license or permit has not expired or lapsed for a period of six months or more. "Hotel" as used in this section means a premises licensed by the state and regularly kept open for the lodging of transient guests but does not include a facility licensed as a bed and breakfast. "Restaurant" as used in this section means any retail establishment, the principal business of which consists of the sale of food products for consumption on the premises. The volume of food sales—not including the sale of alcoholic beverages, tobacco sales and non-food product sales—shall not be less than fifty percent of the total dollar volume of sales made by the establishment. It shall be presumed that the sale of alcoholic beverages by the holder of a liquor control license or class B beer permit constitutes more than fifty percent of the volume of all sales, which presumption may be overcome by furnishing a verified statement of total dollar volume of all sales which also shows as separate line items total dollar sales figures for food, alcoholic beverages, tobacco sales and non-food product sales for the six months immediately preceding the application or renewal, or by providing an affidavit by the business's certified public accountant or chief financial officer stating the gross income breakdown, or a copy of the business's state income tax form showing the income breakdown. ~~A business unable to rebut the presumption as provided shall be required to obtain a special use permit as provided for in Chapter 17.48, which permit, if approved, shall be conditioned upon the city's receipt of income information at the one year anniversary of the grant of the special use permit showing that the business does, in fact, meet the definition herein.~~ Failure to rebut the presumption at the end of the first year by meeting the fifty percent nonalcoholic beverage income requirement disqualifies the business from continuing to hold a liquor license, beer or wine permit at the location for which the special use permit was granted. A statement as to how the business operation will or is proposed to operate or its estimated income projections are not sufficient or adequate to overcome the presumption.

Section 3. Section 5.10.210 of the Davenport Municipal Code, entitled "Prohibited sales and acts (Sections 5.10.210.K, 5.10.210.L and 5.10.210.M only)" is hereby amended by deleting Sections 5.10.210.K, 5.10.210.L and 5.10.210.M.

Section 5.10.210 Prohibited sales and acts.

~~K. If business has ceased for a period of six months or more on any parcel of property for which a special use permit as provided in Section 17.48.020 was required and obtained, any new business for which a special use permit would be required shall, prior to operating from that same property, be required to apply for and obtain its own special use permit.~~

~~L. Any application or renewal which requests a change in class of license or permit from a less permissive privilege to a more expansive privilege shall require the licensee or permittee to obtain a special use permit as provided by Section 17.48.020.~~

~~M. The operation of a business required to hold a liquor license or beer or wine permit shall obtain a special use permit as approved by the zoning board of adjustment unless such business can establish that it qualifies as one of the businesses that is identified in subsections B and C as exempt, i.e., a hotel, restaurant, grocery store or pharmacy whose sales of alcoholic beverages do not account for more than fifty percent of gross income. Any business that does not have previous operations experience upon which to establish that it qualifies for an exemption shall obtain a special use permit.~~

Section 4. Section 5.17.030 of the Davenport Municipal Code, entitled "Sales regulations. (Section 5.17.030.H)" is hereby amended as follows:

Section 5.17.030 Sales regulations.

H. Any display of tangible personal property offered for sale and any signs or advertising shall be at least fifteen feet from the ~~curbline or outside edge of a~~ public right-of-way. ~~Prohibited signs designated in Section 17.45.030 shall not be used.~~ Signs must comply with ~~subsection 17.45.050B,4~~ Title 17 of the Davenport Municipal Code.

Section 5. Section 6.06.040 of the Davenport Municipal Code, entitled "Zoning districts allowed" is hereby amended as follows:

Section 6.06.040 Zoning districts allowed.

Permits may be granted for tracts of land with a single family ~~residential~~ dwelling, as defined by Title 17 of the Davenport Municipal Code, being the principal use ~~located in the following residential districts: R-1, R-2, R-3, R-4, R-5, R-5M, R-6M, TND, or any residential zoning district which has a PUD overlay. In addition, permits may be granted for tracts of land with single family residential being the principal use located in the following commercial or industrial districts: O-T, C-O, C-1, C-2, M-1, M-2~~.

Section 6. Section 8.15.120 of the Davenport Municipal Code, entitled "Existing installations) is hereby amended as follows.

Section 8.15.120 Existing installations.

Buildings in existence at the time of the adoption of this code may have their existing use or occupancy continued, if such use or occupancy was legal at the time of its installation. However, where existing installations were legal at the time of their installations, if substantial alterations or replacement occurs, the work must meet existing code. Substantial alteration occurs with any exterior change, the cost of which exceeds 50% of the assessed or appraised building value. Routine exterior maintenance activities such as painting, tuckpointing, replacing trim in kind, railings in kind, or replacing other nonstructural architectural details in kind are not considered to constitute a substantial repair/rehabilitation unless the cost of exceeds 50% of the assessed or appraised building value. Notwithstanding the foregoing, ~~Any~~ any change in the use or occupancy of any existing building or structure shall comply with the related provisions of the Davenport Municipal Code. This section does not apply to any connection of roof downspouts, exterior or interior foundation drains, driveway drains, garage drains, or other sources of surface water, groundwater, storm water, roof runoff, or subsurface drainage to a building sewer or lateral which is connected directly or indirectly to a public sanitary sewer.

Section 7. Section 8.17.080 of the Davenport Municipal Code, entitled "Abatement of dangerous buildings" is hereby amended as follows:

Section 8.17.080 Abatement of dangerous buildings.

All buildings or portions thereof which are determined after inspection by the authorized official to be dangerous as defined in this code are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in this code. ~~In nonemergency situations, a review under Chapter 17.23, entitled "Historic Preservation," shall be conducted when applicable.~~

Section 8. Section 12.36.090 of the Davenport Municipal Code, entitled "Obstructions – permit required" is hereby amended as follows:
Section 12.36.090 Obstructions – permit required.

A. No person shall place any obstruction in or above any street, alley, or other public property without first obtaining a permit from the engineering division of public works ("engineering") pursuant to this section and Chapter 12.40 of the Davenport Municipal Code.
B. Application for a permit shall be filed with engineering along with a nonrefundable application review fee of ten dollars and proof of liability insurance in the amount of at least one hundred thousand dollars per incident. Failure to pay the ten dollar review fee or provide proof of insurance will result in automatic rejection of the application.

C. Engineering shall review the application and approve it, if acceptable. In reviewing the application, engineering shall consider the need to use this location, the adequacy of the unobstructed space, the applicant's prior compliance with these regulations, the standards and specifications of the Iowa Manual on Uniform Traffic Control Devices~~, and the visibility triangles as described in Section 17.42.080~~.

~~D. The permittee must comply with the Iowa Manual on Uniform Traffic Control Devices and the visibility triangles as described in Section 17.42.080~~.

~~E.~~D. The permittee shall defend and hold harmless the city against any loss, cost, or damage resulting from or related to permittee's occupation of the right-of-way.

~~F.~~E. ~~For residential roofing or cleaning projects, the~~ The duration of the permit shall be ~~seven~~ thirty days. ~~In all other cases the permit shall be for thirty days.~~ A onetime extension for an equal period of time may be granted by engineering if the extension is necessitated by events outside the control of permittee.

~~G.~~F. The judgment of engineering in the granting or extending of a permit is final. Additionally, the decision of engineering to revoke a permit for failure to comply with this section shall be final.

~~H.~~G. A violation of this section is punishable as follows:

Type I Violations
1st Offense—$250; 2nd—$350; 3rd & Subsequent—$500
No permit
Failure to Comply with Iowa Manual on Uniform Traffic Control Devices or Instructions from Traffic Engineering

~~Failure to follow visibility triangle requirements~~

Type II Violation
1st Offense—$100; 2nd—$150; 3rd & Subsequent—$200
Expired Permit (for first 7 days after expiration date only, subsequently fined as No Permit)
The city may seek other administrative, legal, or equitable relief in addition to or in lieu of the fine.
Each day a violation exists may be charged as a separate offense.

Section 9. Section 13.16.033 of the Davenport Municipal Code, entitled "Discharge of surface waters" is hereby amended as follows:

Section 13.16.033 Discharge of surface waters.
It is unlawful ~~for any person~~ to make or to have any connection of roof downspouts, exterior or interior foundation drains, driveway drains, garage drains, or other sources of surface water, groundwater, storm water, roof runoff, or subsurface drainage to a building sewer or lateral which is connected directly or indirectly to a public sanitary sewer.

Section 10. Section 13.33.030 of the Davenport Municipal Code entitled "Definitions" is hereby amended as follows:

Section 13.33.030 Definitions.

A. "Adjustment" means a modification in a nonresidential customer's stormwater service fee for certain activities that impact stormwater runoff or impacts the city's costs of providing stormwater management.

~~B. "Apartment/condominium property" means a lot or parcel of real estate on which is situated a building containing three or more single-family dwelling units.~~

~~C. "Developed agricultural property" means a lot or parcel of real estate used as a "farm", as defined in Section 17.04.220 which may contain one or greater dwelling units and/or other building structures but does not include undeveloped properties.~~

~~D.~~B. "Director" means the director of the department of public works or designee.

~~E. "Duplex" means a lot or parcel of real estate for property tax purposes on which is situated a building containing two single-family dwelling units.~~

~~F.~~C. "Equivalent residential unit (ERU)" means a value, equal to two thousand six hundred square feet of measured impervious area and is equal to the average amount of impervious area of residential properties within the city of Davenport.

~~G.~~D. "Impervious area" means areas that have been paved and/or covered with buildings and materials, which include, but are not limited to, concrete, asphalt, rooftop, gravel, and blacktop.

~~H.~~E. "Nonresidential properties" means all properties not encompassed by the definition of residential shall be defined as nonresidential. ~~Nonresidential properties shall include:~~

~~Developed agricultural properties;~~
~~Apartment building properties;~~
~~Condominiums properties;~~
~~Mobile home parks;~~
~~Commercial property;~~
~~Industrial property;~~
~~Institutional property;~~
~~Governmental property;~~
~~Churches;~~
~~Schools;~~
~~Federal, state and local properties; and~~
~~Any other property not mentioned in the lists of properties.~~

~~I.~~F. "Residential property" means all single-family and ~~duplex~~ two-family dwelling properties, as defined by Title 17 of the Davenport Municipal Code, within the city of Davenport.

~~J.~~G. "Stormwater" means stormwater runoff, snowmelt runoff, and surface runoff and drainage.

~~K.~~H. "Stormwater facilities" means various stormwater and drainage works that may include inlets, pipes, pumping stations, conduits, manholes, energy dissipation structures, channels, outlets, retention/detention basins and other structural components.

~~L.~~I. "Storm sewer" means a sewer, which carries stormwater, surface runoff, street wash wasters, and drainage, but which excludes sanitary sewage and industrial wastes, other than permitted discharges.

~~M.~~J. "Stormwater service charge" means a charge assessed to users of the city's stormwater collection, impounding and transportation system.

~~N.~~K. "Stormwater drainage system" means all man-made facilities, structures, and natural watercourses owned by the city of Davenport, used for collection and conducting stormwater to, through, and from drainage areas to the points of final outlet including, but not limited to, any and all of the following: conduits and appurtenant features, canals, creeks, catch basins, ditches, streams, gulches, gullies, ravines, flumes, culverts, siphons, streets, curbs, gutters, dams, floodwalls, levees, and pumping stations.

Section 11. Section 15.12.040 of the Davenport Municipal Code entitled "Additions, deletions and amendments to the International Building Code (Section 15.12.040.F only)" is hereby amended as follows:

Section 15.12.040 Additions, deletions and amendment to the International Building Code

F. Delete all references to National Fuel Gas Code and insert in lieu thereof "Fuel Gas Piping requirements of Iowa Administrative Code 641-25.3(105) Fuel gas piping." Fuel gas piping shall comply with the State Plumbing Code.

NOTE:

1. All permits and regulations for the construction, encroachment and installation or maintenance within the public right-of-way and upon dedicated storm, sewer and access easements and the installation of public sidewalks, curb cuts, and drives are administered by the Department of Construction and Engineering.
2. See the Sign Ordinance of the City of Davenport for limitations on the encroachment of signs onto public property.
3. See Chapter ~~17.2~~4 15.44 of the Davenport Municipal Code for development for construction within a flood ~~plain district~~ hazard area.
4. See Iowa Administrative Code 641 Chapter 25 for the regulation of plumbing, potable water supply, drain, waste and venting and hydronic systems servicing buildings.
5. See Iowa Administrative Code 641 Chapter 61 for the regulation of heating, air conditioning and mechanical systems for environmental conditions and process within buildings.
6. See Iowa Administrative Code 661 Chapter 504 and Chapter 15.16 of the Davenport Municipal Code for standards for electrical work.

Section 12. Section 15.12.052 of the Davenport Municipal Code entitled "Chapter 3 International Residential code modified (Section 15.12.052.F only)" is hereby modified as follows:

Section 15.12.052 Chapter 3 International Residential Code modified.

F. Delete Section R322 "Flood Resistant Construction" in its entirety.

Note: Chapter ~~17.2~~4 15.44 of the Davenport Municipal Code for development or construction within a flood ~~plain district~~ hazard area.

Section 13. Section 15.30.010 of the Davenport Municipal Code entitled "Licensing generally (Section 15.30.010.B only)" is hereby amended as follows:

Section 15.30.010 Licensing generally.

B. No person, firm, partnership or corporation shall engage in sign contracting without having a current valid license issued in accordance with this chapter. The term sign contracting shall mean being engaged in the performance or supervision of work regulated by the provisions of ~~Chapter 17.45~~ Section 17.12.060 of the Davenport Municipal Code, entitled Sign ~~Ordinance~~ Permit Required.

Section 14. Section 15.44.070 of the Davenport Municipal Code entitled "Definitions (definition of Manufactured Home Park or Subdivision only)"

Section 15.44.070 Definitions.

"Manufactured home park or subdivision" shall mean a ~~manufactured home of factory-built home park as defined in Chapter 17.22 of the Davenport City Code~~ tract designed to accommodate manufactured home sites.

Section 15. Section 16.04.040 of the Davenport Municipal Code, entitled "Building Line" is hereby amended as follows:

16.04.040 ~~Building line~~ Reserved.

~~"Building line" means a line on a plat between which line and a street, alley or private place no building or structure may be erected.~~

Section 16. Chapter 16.16 of the Davenport Municipal Code entitled "Preliminary Plats" is hereby amended as follows:

Chapter 16.16 Preliminary Plats

16.16.010 Requirements.

A Preliminary Plat~~s~~ containing three lots or less, or a preliminary plat not proposing the dedication of public infrastructure, may be exempted from the requirements of the preliminary plat as set forth in this chapter. The Zoning Administrator, as defined in Title 17 of the Davenport Municipal Code, will make the final decision.

16.16.020 ~~Submission of preliminary plat — Contents~~ Application.

The ~~shall submit to the city plan commission six copies of the preliminary plat at a scale of not less than one inch per one hundred feet. Said plat should be submitted at least sixteen days excluding Saturdays and Sundays prior to the regular meeting of the city plan and zoning commission at which the plat is to be considered~~ applicant must file an application with the Zoning Administrator, as defined in Title 17 of the Davenport Municipal Code. The application must be on forms provided by the City and filed in such quantity and submittal deadlines as required by the instructions. ~~It~~ The preliminary plat shall contain or be supplemented by all the following, but not limited to, information:

A. The location of present 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 land immediately adjacent thereto;

B. The proposed location and width of streets, alleys, and lots~~, building setback lines and easements, if any~~. Street and alley information shall be supplemented with a typical roadway section;

C. ~~Existing~~ The location of existing and proposed public or private infrastructure, including but not limited to, sanitary ~~and storm~~ sewers, water mains, ~~culverts~~ stormwater management and drainage systems and other underground structures within the tract and immediately adjacent thereto~~. The location and size of the nearest water main and sewer or outlet are to be indicated in a general way upon the plat~~;

D. Proposed name of the subdivision (which shall not duplicate any previously filed plat), the name of the land owner, land developer, and land surveyor;

~~E. The names and adjoining boundaries of all adjacent subdivisions and the names of record owners of adjoining parcels of unsubdivided land;~~

~~F.~~E. Existing and proposed contours with intervals of five feet or less;

~~G.~~F. North ~~point~~ arrow, scale and date;

~~H.~~G. A vicinity sketch showing the proposed subdivision in relationship to surrounding development and street systems.

H. The city engineer, or designee, may request additional data and/or information to support that any proposed infrastructure will be constructed in accordance with the most recent city standards and specifications.

16.16.030 ~~Conformance with minimum~~ Approval standards.

The ~~city~~ plan and zoning commission shall ~~study such~~ evaluate the preliminary plat ~~to see if it conforms with~~ pursuant to the minimum standards and requirements as outlined in this chapter. The Plan and Zoning Commission must recommend approval, approval with conditions, or denial of the application. The commission shall submit its recommendation to the city council ~~for approval~~ within forty-five days after the submission of ~~the preliminary plat~~ a complete application, unless an extension is agreed to by the applicant. The City Council must approve, approve with conditions, or deny the application within 60 days of the submission of a complete application, unless an extension is agreed to by the applicant. The approval of the preliminary plat does not constitute acceptance with the subdivision by the city, but is deemed to be an authorization to proceed with the preparation of the final plat.

16.16.040 Revocability.

Approval of the preliminary plat, or any portion thereof not final platted is revocable by the city plan and zoning commission.

16.16.050 Voidable when.
If neither a part nor all of the preliminary plat is approved by the city council as a final plat within one year after the approval of the preliminary plat, the preliminary plat shall be void unless a twelve month extension is granted by the ~~city plan and zoning commission~~ Zoning Administrator, as defined in Title 17 of the Davenport Municipal Code.

If only part of a preliminary plat is approved as a final plat, the approval of the remaining portion of the preliminary plat shall automatically gain an extension of sixty months before another phase of the plat must be submitted in final form.

Section 17. Chapter 16.20 of the Davenport Municipal Code entitled "Final Plats" is hereby amended as follows:

Chapter 16.20 Final Plats

~~16.20.010 Conditions for Approval~~
~~After approval of the preliminary plat by the city plan and zoning commission, if required, the subdivider may prepare submit a final plat and submit six copies of it to the city plan and zoning commission. They shall be filed at least sixteen days excluding Saturdays and Sundays prior to the regular meeting of the city plan and zoning commission at which they are to be considered. If the final plat conforms to the approved preliminary plat, the city plan and zoning commission will approve the plat subject to conditions that the commission may deem necessary and proper.~~

~~16.20.020 Scale.~~
~~The final plat is to be drawn from an accurate survey at a scale of fifty feet to the inch unless a specific variance is granted by the city plan and zoning commission.~~

~~16.20.030 Copies to be submitted — Supplemental information~~ 16.20.010 Application.
~~Twenty-one copies of the final plat shall be submitted with the original tracing and a digital drawing file to the department of community and economic development. They shall be filed at least six working days prior to the regular meetings of the committee of the whole of the city council at which they are to be considered. The digital drawing file shall conform to the standards and requirements established by the city engineer.~~ After final approval of the preliminary plat, if required, the subdivider may submit a final plat. A preliminary plat and final plat for a smaller-scale subdivision may be submitted concurrently. The Zoning Administrator, as defined in Title 17 of the Davenport Municipal Code, will make the final decision. The applicant must file an application with the Zoning Administrator on forms provided by the City and filed in such quantity and submittal deadlines as required by the instructions. The final plat shall show or be supplemented by the following information:

A. The boundary lines of the area being subdivided with accurate distances and bearings;
~~B. The lines of all proposed streets and alleys with their width and names;~~
~~C.~~B. The accurate outline of any property which is offered for dedication for public use;
~~D.~~C. The lines of all adjoining lands ~~and the lines of adjacent streets and alleys with their width and names~~;

~~E.~~D. All lot lines and an identification system for lots and blocks;

~~F.~~E. ~~Building lines and easements for any right~~ Right-of-way and easements provided for public use, services or utilities, or excess storm water passageways with names and figures showing their dimensions;

~~G.~~F. 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 hundredths of a foot;

~~H.~~G. Radii, arcs and chords, points of tangency, central angles for all curvilinear streets, and radii and tangents for all rounded corners;

~~I.~~H. All survey monuments ~~and bench marks together~~ with their descriptions;

~~J.~~I. Name of subdivision and description of property subdivided showing its location by distance and bearing to the nearest quarter section monument or two previously established lot corners both labeled with description of each corner; ~~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;~~

J. North arrow, scale and date;

K. Certification by a Professional Land Surveyor under the laws of the state, to the effect that the plan represents a survey made by him or her and that all necessary survey monuments are correctly shown thereon;

L. ~~Private restrictions and trusteeships and their periods of existence, if any. Should such restrictions and trusteeships be of such length as to make lettering of same on the plat impracticable and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat~~ Low water entry elevation for lots abutting an excess storm water passageway;

M. Certification by an authorized representative of the public service or utility companies concerned that easements shown on the plat are satisfactory for their requirements.

16.20.020 Plan and zoning commission approval standards.

The plan and zoning commission shall evaluate the final plat pursuant to the minimum standards and requirements as outlined in this chapter and conformance with the approved preliminary plat. The plan and zoning commission may approve a final plat that is not strictly in conformance with the preliminary plat if modifications are deemed minor and final plat is deemed to be in general conformance with the approved preliminary plat. The plan and zoning Commission must recommend approval, approval with conditions, or denial of the application. The commission shall submit its recommendation to the city council within forty-five days after the submission of a complete application, unless an extension is agreed to by the applicant.

~~16.20.040~~ 16.20.030 Material to be filed prior to city council consideration~~s~~.

The following material shall be filed with the ~~department of community development at least six working days prior to the regular meeting of the community development committee of the city council at which they are to be considered~~ Zoning Administrator, as defined in Title 17 of the Davenport City Code, in such quantity and submittal deadlines as required by the instructions:

~~A. Three copies of certified Certified plans showing the improvements that have been constructed within the subdivision, or bond, or assessment waiver assuring construction of these improvements as required by Chapter 16.28;~~

~~B. A petition, signed by the property owner, requesting the city council to approve the plat;~~

~~C. A letter of certification by the surveyor that all monuments required by Section 16.28.030(d) are in place;~~

~~D. State-approved plans and profiles of all sanitary sewers and appurtenances;~~

~~E. Letter from the developer's engineer stating the quantities of excavation, pavement, sidewalks, sewers, and other necessary improvements, if a surety bond is to be filed;~~

~~F. A hold-harmless agreement protecting the city from any damages, claims, or suits resulting from the construction and development by the owner and/or subdivider. Said agreement shall be approved as to format by the city attorney's office, and recorded with the plat;~~

~~G. A cash fee with the city (reforestation fee) in an amount as specified in the city of Davenport Arboriculture Specifications and Standards of Practice for every fifty feet of lineal lot frontage on public streets within the area included within the submitted final plat with the exception of frontage on cul-de-sac turnarounds. Such funds shall be used by the forestry division of the department of leisure facilities and services of the city of Davenport for the purpose of planting street trees along both sides of all streets within the subdivision and on the side of the streets, which abut the subdivision with the exception of the right-of-way on cul-de-sac turnarounds;~~

~~H. Mayor's and clerk's certificate;~~

~~I. The following signed certificates shall be furnished:~~

~~1. One surveyor's certificate, signed and sealed~~

~~2. Owner's certificate~~

~~3. Certificate from county treasurer~~

~~4. Certificate from attorney~~

A. Surveyor certificate;

B. Dedication of owner;

C. Certification of consent of mortgage holder, if applicable;

D. Attorney’s certificate;

E. Acceptance by the city;

F. Auditor approval of subdivision name;

G. Treasurer’s certificate;

H. A hold-harmless agreement protecting the city from any damages, claims, or suits resulting from the construction and development by the owner and/or subdivider. Said agreement shall be approved as to format by the city attorney's office, and recorded with the plat;

I. An assessment waiver to be approved by the council prior to the acceptance of the final plat which shall provide that the city may without notice construct and install the improvements and assess the total cost thereof against the subdivided property in accordance with city and state requirements regarding special assessments, and that the subdividers, for themselves, their heirs, their grantees, their assigns, and all subsequent owners of any part of the subdivided area waive all formalities, rights of protest, and

rights of appeal to the construction and installation of the improvements by the city and to the assessment of the total cost thereof against the subdivided area even though the cost may exceed the amount that can legally be assessed against the subdivided area by the city. The assessment waiver shall further provide that the subdivider and the persons who own the property benefited by the improvements at the time construction and installation of the improvements is initiated by the city shall be jointly and severally liable for any difference between the cost of the improvements and the amount which can be legally assessed by the city against the subdivided area.

16.20.040 City Council approval standards
The city council shall evaluate the final plat pursuant to the minimum standards and requirements as outlined in this chapter. The city council must approve, approve with conditions, or deny the application within 60 days of the submission of a complete application, unless an extension is agreed to by the applicant. This 60-day time shall not apply if the applicant fails to provide the material enumerated in Section 16.20.030 of the Davenport Municipal Code.

16.20.050 Submission of data to city engineer.
~~At least one week prior to the submission of the final plat the subdivider shall submit to the city engineer for his written approval a plat showing all proposed final contours with intervals of two feet or less with arrows indicating direction of flow of surface drainage along with storm water calculations for the drainage area, as well as profiles of all streets and sewers within the entire area to be approved on the final plat. The proposed location of all water mains and hydrants shall also be shown. All vertical benchmarks shall be identified.~~

~~Upon the initiation of site development including grading all perimeter erosion control measures shall be in place when required.~~

The city engineer, or designee, may request data to support that any proposed infrastructure will be constructed in accordance with the most recent city standards and specifications.

~~16.20.060 Final approval.~~
~~After approval of the final plat of the subdivision by the city plan and zoning commission, the recommendation of approval and the final plat shall be submitted to the city council by the chairman of the commission for final approval and for acceptance of the subdivision. (Ord. 92-529 § 1 (part)).~~

~~16.20.070~~ 16.20.060 Compliance.
Before it is recorded in the office of the county recorder, the provisions of Chapter ~~409~~ 354 of the Code of Iowa, ~~1990,~~ and amendments thereto, shall be complied with.

Section 18. Sections 16.24.080 of the Davenport Municipal Code entitled "Lots" and Section 16.24.090 of the Davenport Municipal Code entitled "Building Lines" is hereby amended as follows:

16.24.080 Lots.

A. All side lines of lots shall be at right angles to straight street lines, or radial to curved street lines, unless a variation to this rule will give a better street and lot plan.

B. All lots platted in a subdivision shall have frontage on a platted street or officially approved private street unless the lot arrangement has been approved by the city council upon recommendation by the city plan and zoning commission.

C. The minimum dimensions for lots ~~platted after the adoption of the ordinance codified in this title~~ shall be ~~fifty feet in width and one hundred feet in depth, except as otherwise allowed in the zoning ordinance of the city of Davenport, but in no case shall a lot that is to be used for residential purposes contain~~ no less ~~area~~ than what is required by the ~~lot area regulation of the~~ zoning district in which the property is located.

D. Corner lots shall have extra width sufficient to permit required building setback lines on both front and side streets.

E. Should a subdivision be on or overlap the city limits, it shall be platted so the city limit boundary shall be along a street centerline or shall be a lot line. In no case shall a lot be platted so as to be bisected by the city limit boundary line.

~~16.24.090 Building lines~~ Reserved.

~~Building lines shall be shown on all lots. Whenever the depth of such building lines are greater than those required by the zoning ordinance, provision shall be made by deed restrictions requiring all enclosed parts of buildings to be set back to such building lines.~~

Section 19. Chapter 16.26 of the Davenport Municipal Code entitled "Conservation Subdivision Option" is hereby amended as follows:

Chapter 16.26 ~~Conservation subdivision option~~ Reserved.

~~16.26.010 Conservation subdivision option.~~
~~The conservation subdivision option is intended to be used in conjunction with the conservation subdivision—planned unit development (PUD) ordinance. The option is intended to allow more creativity and imagination to be used in the subdivision design process as well as to protect important open space resources in perpetuity. In the conservation subdivision and conservation subdivision—planned unit development minimum lot sizes and all yard setbacks may be waived. Minimum lots need only comply with the district's underlying zoning plus any density bonus established in Section 17.33.060.~~

~~A conservation subdivision is to be processed in the same manner as other plats with the same required submissions with the exception that the conceptual land use plan may take the place of a preliminary plat and its approval shall constitute preliminary plat approval.~~

~~16.26.020 Improvements.~~
~~The city of Davenport may at its sole discretion waive, or modify, requirements in the city of Davenport's construction and engineering specifications for street width, curb and gutters, sidewalks, etc. with the approval of any final plat for a conservation subdivision. Alternately, the city may choose to create alternate standards for street width, curbs and gutters, sidewalks, etc. that would apply to conservation subdivisions, conservation subdivision—planned unit developments, and traditional neighborhood development districts.~~

~~16.26.030 Open Space Requirements.~~
~~Required open space shall be included in the final sudivision plat of adjacent property. All open space areas must be platted as separate open space lots or outlots.~~

~~Improvements to open spaces shall be constructed by the subdivider as part of the subdivision.~~

Section 20. Chapter 16.28 of the Davenport Municipal Code entitled "Improvements" is hereby amended as follows:

Chapter 16.28 Subdivision Improvements

16.28.010 Required.
~~Before the~~ The final plat of any subdivided area shall be approved and recorded~~,~~ prior to the subdivider ~~shall make and install~~ making and/or installing any of the improvements described in this chapter.

~~16.28.020 Instruments may be filed in lieu of final completion — Exceptions.~~

~~In lieu of final completion of the improvements before the final plat is approved by the council, the subdivider may file one or more of the following instruments with the city engineer:~~

~~A. A surety bond with the city or the county, depending upon the location of the subdivision, which will insure to the city or county that the required improvements will be completed by the subdivider within two years after council approval of the final plat.~~

~~B. A cash deposit with the city or county depending upon the location of the subdivision, in an amount determined by the engineering department sufficient to complete the required improvements.~~

~~C. An assessment waiver to be approved by the council prior to the acceptance of the final plat which shall provide that the city may without notice construct and install the improvements and assess the total cost thereof against the subdivided property in accordance with city and state requirements regarding special assessments, and that the subdividers, for themselves, their heirs, their grantees, their assigns, and all subsequent owners of any part of the subdivided area waive all formalities, rights of protest, and rights of appeal to the construction and installation of the improvements by the city and to the assessment of the total cost thereof against the subdivided area even though the cost may exceed the amount that can legally be assessed against the subdivided area by the city. The assessment waiver shall further provide that the subdivider and the persons who own the property benefited by the improvements at the time construction and installation of the improvements is initiated by the city shall be jointly and severally liable for any difference between the cost of the improvements and the amount which can be legally assessed by the city against the subdivided area.~~

~~D. The filing of an assessment waiver for a particular improvement in lieu of final completion of the improvement shall not be permitted if:~~

~~1. The abutting property which would be assessed for the cost of the improvement pursuant to the city's regular assessment procedure is not included within the platted area; or~~

~~2. The past performance of the subdivider in installing subdivision improvements within or without the city indicates, or other circumstances exist, which indicate that the improvement may not be installed within two years of council approval of the final plat.~~

~~16.28.030~~ 16.28.020 ~~Minimum~~ Subdivision improvements required.

The minimum improvements installed in any subdivision ~~before the plat can be finally approved~~ shall be in accordance with the provisions set forth in sections ~~16.28.040~~ 16.28.030 through ~~16.28.070~~ 16.28.060.

The city engineer, or designee, shall approve plans for subdivision improvements prior to any construction related to subdivision improvements or buildings and/or site improvements on lots connecting to said subdivision improvements. Subdivision improvement plan approval expires if construction has not begun within one year after the date of the approval. An extension of this one year validity period may be granted by the city engineer, or designee, prior to the expiration date of the approval, if the applicant requests an extension in writing prior to the expiration date of the approval.

No certificate of occupancy (temporary) or permanent) shall be issued until all subdivision improvements are constructed and/or installed and accepted by the city.

~~16.28.040~~ 16.28.030 Streets.

~~Prior to the issuance of the first occupancy permit, street name signs are to be installed at the intersections of city streets as per specifications determined by the city traffic engineer.~~

~~The city, at its sole discretion, may waive various street requirements in a conservation subdivision-planned unit development or in a traditional neighborhood development district.~~

All streets shall be constructed in accordance with Title 12 of the Davenport Municipal Code, entitled streets, sidewalks and public places, and the most recent city standards and specifications.

~~16.28.045 Street signs.~~

~~Prior to the issuance of the first occupancy, permit street name signs are to be installed at the intersections of city streets as per specifications determined by the City Traffic Engineer.~~

~~16.28.050~~ 16.28.040 Sidewalks.

Sidewalks shall be constructed along the right-of-way of each street ~~pursuant to~~ in accordance with Title 12 ~~Chapter 12.12 of the 1990~~ of the Davenport Municipal Code, entitled streets, sidewalks and public places, and the most recent city standards and specifications.

~~A. All sidewalks shall be a minimum of four feet in width. The city reserves the right to require additional width depending on the character of the development. The extra width is to be provided at the developer's expense.~~

~~B. Materials and construction methods shall be in accordance with the minimum standards set forth by the engineering department.~~

~~C. The city, at its sole discretion, may waive the requirements for sidewalks in conservation subdivision-planned unit developments, particularly in areas with no housing.~~

~~16.28.060~~ 16.28.050 Sewers.

~~A. 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 sanitary sewer installed by 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.~~

~~B. In areas within the city where a public sewer is not available, the subdivider shall provide a private sewer accessible to each lot in his subdivision and connected to a private treatment facility other than a septic tank, approved by the city engineer and the Iowa State Board of Health. All sewers shall be constructed to standard city specifications and shall have prior approval of the city engineer that said private sewer system will be compatible for connection to public sanitary sewer facilities when available. Maintenance of private sanitary sewers and treatment facilities shall be the responsibility of the subdivider or a duly constituted homeowners association, until such time as it is connected to public sewers. The sewers shall then be dedicated to the city and thereafter be maintained as part of the public sanitary sewer system. A duly constituted homeowners association shall be one whose articles of incorporation have been approved by the city attorney's office.~~

Sewers shall be constructed in accordance with Title 13 of the Davenport Municipal Code, entitled public systems, and the most recent city standards and specifications.

~~16.28.070~~ 16.28.060 Monuments.
Steel rods, a minimum of one-half inch in diameter and twenty-four inches long shall be in place on the site of the proposed subdivision marking all block and lot corners, all points of curvature, all points of tangency, and all boundary corners before the final plat shall be approved by the city council.

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:

_____
Frank Klipsch, Mayor

Attest: _____
Brian Krup, Deputy City Clerk

Published in the *Quad City Times* on _____

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Brian Krup 563-326-6163
Wards:

Action / Date
11/26/2019

Subject:
Resolution closing various street(s), lane(s), or public grounds on the listed dates and times to hold outdoor events.

Evan Esser; Ballet Quad Cities Nutcracker School Program; Adler Theatre 136 E 3rd St; Friday, December 13, 2019 8:30 a.m. - 12:30 p.m.; **Closures (for bus parking):** two northern lanes on E 3rd St from Brady St to LeClaire St (south entrance to Hotel Blackhawk will remain open); southbound portion of Pershing Ave from 4th St to 3rd St. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
Per the City's Special Events Policy, City Council will approve street/lane/public grounds closures based on the recommendation of the Special Events Committee.

ATTACHMENTS:

Type	Description
Resolution Letter	Resolution
Backup Material	QC Ballet Map

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	11/15/2019 - 9:40 AM

Resolution No._____

Resolution offered by Alderman Gripp

Resolution closing various street(s), lane(s), or public grounds on the listed date(s) to hold outdoor event(s).

RESOLVED by the City Council of the City of Davenport.

WHEREAS, the City through its Special Events Policy has accepted the following application(s) to hold outdoor event(s) on the following date(s), and

WHEREAS, upon review of the application(s) it has been determined that the street(s), lane(s), or public grounds on the date(s) listed below will need to be closed, and

NOW, THEREFORE, BE IT RESOLVED that the City Council approves and directs the staff to proceed with the temporary closure of the following street(s), lane(s), or public grounds on the following date(s) and time(s):

Evan Esser; Ballet Quad Cities Nutcracker School Program; Adler Theatre 136 E 3rd St; Friday, December 13, 2019 8:30 a.m. - 12:30 p.m.; ***Closures (for bus parking):*** *two northern lanes on E 3rd St from Brady St to LeClaire St (south entrance to Hotel Blackhawk will remain open); southbound portion of Pershing Ave from 4th St to 3rd St. [Ward 3]*

Approved:

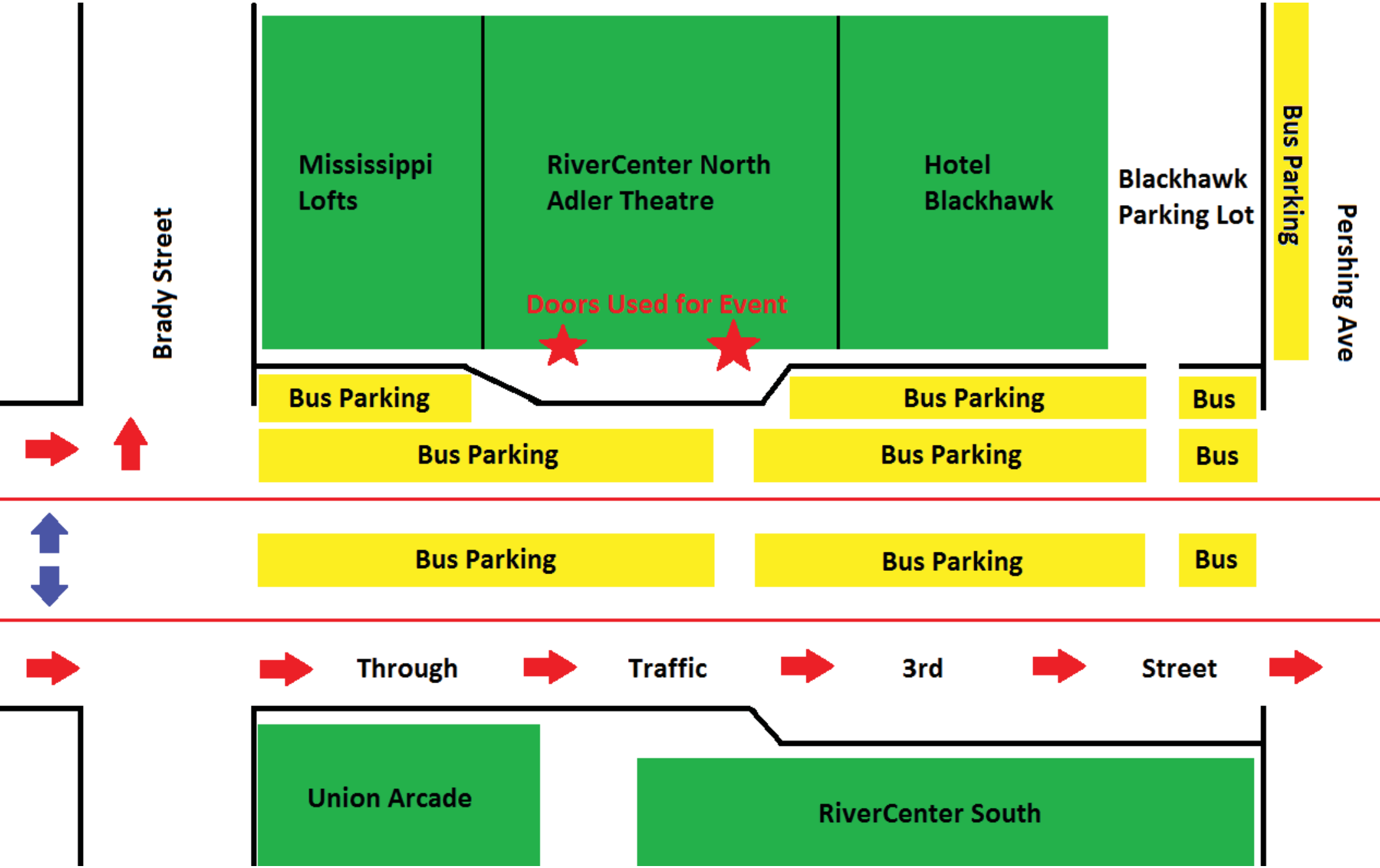
_____

Frank Klipsch, Mayor

Attest:

_____

Brian Krup, Deputy City Clerk


Mississippi Lofts
RiverCenter North Adler Theatre
Hotel Blackhawk
Blackhawk Parking Lot
Bus Parking
Pershing Ave
Brady Street
Doors Used for Event
Bus Parking
Bus Parking
Bus
Bus Parking
Bus Parking
Bus
Bus Parking
Bus Parking
Bus
Through
Traffic
3rd
Street
Union Arcade
RiverCenter South

City of Davenport

Agenda Group: **Action / Date**
Department: Finance **11/20/2019**
Contact Info: Sherry Eastman 563-326-7795
Wards:

Subject:
Motion approving beer and liquor license applications.

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

Ward 3

Christkindlmarkt QC (German American Heritage Center) - Parking lot adjacent to 421 W River Dr - Outdoor Area December 6 - 8, 2019 - License Type: Beer / Wine

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

Ward 3

Iowa Mini Mart (Samreet LLC) - 234 W 3rd St - License Type: Class E Liquor / B Wine / C Beer

La Flama Restaurant (Jam Brothers Inc) - 114 Myrtle St Suite F - License Type: Class C Liquor

The New Wooden Nickel, Inc (The New Wooden Nickel, Inc) - 2042 W 3rd St - License Type: Class C Liquor

Ward 5

Brady Oil (Brady Oil LLC) - 3205 N Brady St - License Type: Class C Beer

Los Primos Mexican Grill (Los Primos Mexican Grill LLC) - 1143 E Locust St - License Type: Class C Liquor

Ward 6

Huhot Mongolian Grill (CCW LLC) - 3006 E 53rd St - License Type: Beer / Wine

Hy-Vee Food & Drugstore #3 (Hy-Vee, Inc) - 1823 E Kimberly Rd - License Type: Class E Liquor / C Beer / B Wine

R Bar (KJT Holdings LLC) - 4907 Utica Ridge Rd - Outdoor Area - License Type: Class C Liquor / B Wine

Ward 8

Wise Guy's Pizza and More (Joe Robbie Investments, LLC) - 2408 E 53rd St - License Type: Beer / Wine

Recommendation:
Pass the Motion.

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

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	11/15/2019 - 9:46 AM

City of Davenport

Agenda Group: **Action / Date**
Department: Public Works - Engineering **11/20/2019**
Contact Info: Nick Schmuecker 563-327-5162
Wards:

Subject:
Resolution awarding the contract to Helm Group Inc, D/B/A Civil Constructors, Inc of Freeport, IL for the N Division St Bridge over Duck Creek Deck Replacement Project in the amount of $795,888.95, CIP #21004. [Wards 2 & 7]

Recommendation:
Adopt the Resolution.

Background:
The project is partially funded by the Federal-aid Swap City Highway Bridge Program.Federal-aid will reimburse the City for up to 80% of the eligible costs.The project is funded through CIP #21004.

Six bids were received by the DOT on October 22, 2019. The lowest bid from Civil Constructors, Inc is $795,888.95.

Bridgework is expected to begin April 6, 2020, or as weather conditions permit, with completion occurring by September 2020.

The award is subject to Iowa Department of Transportation and Federal Highway Administration concurrence.

ATTACHMENTS:

Type	Description
Resolution Letter	Resolution Letter

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	10/31/2019 - 1:46 PM
Public Works Committee	Lechvar, Gina	Approved	10/31/2019 - 1:46 PM
City Clerk	Admin, Default	Approved	11/13/2019 - 4:31 PM

Resolution No._____

RESOLTUION offered by Alderman Dunn.

RESOLUTION awarding the contract to Helm Group Inc., D/B/A Civil Constructors, Inc. of Freeport, IL for the N. Division Street Bridge over Duck Creek Deck Replacement Project in the amount of $795,888.95, CIP Project #21004.

WHEREAS, the N. Division Street Bridge over Duck Creek Deck Replacement Project was duly advertised and published according to state law, and

WHEREAS, Six (6) bids were received by the Iowa Department of Transportation at the appointed time and place for the bid opening;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa: that subject to Iowa Department of Transportation and Federal Highway Administration concurrence, the contract for the above-said work be awarded to Helm Group Inc., D/B/A Civil Constructors, Inc. of Freeport, IL, they being the low bidder.

BE IT FURTHER RESOLVED: that the mayor is hereby authorized and directed to sign said contract for and on behalf of the City of Davenport, Iowa.

Passed and approved this 13th day of November, 2020.

Approved:

_____
Frank L. Klipsch, Mayor

Attest:

_____
Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Ron Hocker 563-327-5169
Wards:

Action / Date
11/20/2019

Subject:
Resolution of acceptance for the FY18 Contract Sewer Repair Program for Hometown Plumbing and Heating Company of Davenport, IA, CIP #30017 and #30001. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
This program repairs damages to sewer infrastructure by contract. All work has been satisfactorily completed. The total cost was $619,236.06 paid out of CIP #30017 and #33001.

ATTACHMENTS:

Type	Description
Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Rejected	11/7/2019 - 5:26 PM
Public Works - Admin	Lechvar, Gina	Approved	11/13/2019 - 1:26 PM
Public Works - Admin	Lechvar, Gina	Approved	11/13/2019 - 2:26 PM
Public Works Committee	Lechvar, Gina	Approved	11/14/2019 - 11:09 AM
City Clerk	Admin, Default	Approved	11/14/2019 - 2:58 PM

Resolution No._____

RESOLUTION offered by Alderman Dunn

RESOLUTION of acceptance for the FY18 Contract Sewer Repair Program for Hometown Plumbing and Heating Company of Davenport, IA (CIP #30017 and #30001)

WHEREAS, the FY18 Contract Sewer Repair Program has been satisfactorily completed:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the FY18 Contract Sewer Repair Program, which work was completed by Hometown Plumbing and Heating Company of Davenport, IA having been satisfactorily completed, be and the same is hereby formally accepted. The final cost totals $619,236.06.

Passed and approved this 26th day of November, 2019.

Approved: Attest:

_____ _____

Frank Klipsch, Mayor Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Works - Engineering
Contact Info: Steve Math 563-327-5164
Wards:

Action / Date
11/20/2019

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for Phase I of the E 53rd St Pavement Reconstruction and Widening Project, CIP #35031. [Wards 7 & 8]

Recommendation:
Adopt the Resolution.

Background:
Project involves the complete reconstruction of the existing four lane pavement structure of E 53rd St from Brady St to the westerly radius return of Eastern Ave, approximately 1 mile in length, that will provide a fifth lane (two way left turn). The two way left turn lane will be taken out in advance of the existing bridge located at the Goose Creek crossing and also the railroad crossing at Deere Creek.

The proposed 61' B-B typical pavement section will be constructed with a drainable subbase and associated subdrains. The project will also include underground storm sewer detention structures, storm sewer modifications as needed to accommodate widening of the roadway along with construction of a 5' wide sidewalk on the north side of E 53rd St and an 8' wide shared-use path on the south side for the entire project length.

This project has been designed by the City's Engineering Division. Right-of-way and temporary construction easements have been obtained. The proposed total cost of the project is currently estimated at $5,455,000 with 78% of the cost being obtained from the Surface Transportation Block Grant Program.

The project is being let by the Iowa Department of Transportation on January 22, 2020 with construction expected to begin in the spring of 2020.

ATTACHMENTS:

Type	Description
Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	11/13/2019 - 2:21 PM
Public Works Committee	Lechvar, Gina	Approved	11/13/2019 - 2:21 PM
City Clerk	Admin, Default	Approved	11/13/2019 - 4:18 PM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for Phase I of the E 53rd St Pavement Reconstruction and Widening Project, CIP #35031.

WHEREAS, the City of Davenport has previously entered into an agreement for the project with the Iowa Department of Transportation for Surface Transportation Block Grant (STBG) Program Federal-aid Swap funds under 761 Iowa Administrative Code (IAC) Chapter 162.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa, for Phase I of the E 53rd Street Pavement Reconstruction Project.

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 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 Phase I of the E 53rd Street Pavement Reconstruction and Widening Project.

Passed and approved this 26th day of November, 2019.

Approved: Attest:

_____ _____

Frank Klipsch, Mayor Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Nicole Gleason 563-327-5150/Chad Dyson 563-326-7817
Wards:

Action / Date
11/20/2019

Subject:
Resolution awarding the contract for the Roosevelt Community Center Window Replacement to Precision Builders Inc of Bettendorf, IA in the amount of $256,665, CIP #23037. [Ward 1]

Recommendation:
Adopt the Resolution.

Background:
On October 14, 2019, an Invitation to Bid was issued and sent to contractors. On November 5, 2019, the Purchasing Division opened and read three responsive and responsible bids. See Bid Tab Attached.

This work includes the replacement of all windows at the Roosevelt Community Center. The pricing includes any plaster repair and painting at window jambs and heads.

Precision Builders was the lowest responsible and responsible bid. They have performed several successful projects for the City.

Funding for this project is from the CIP Account #77067680 530350 23037 Roosevelt Center Window Replacement. These funds are from the sale of General Obligation Bonds.

ATTACHMENTS:

Type	Description
Resolution Letter	PW_RES_Roosevelt Community Center Replacement Windows
Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	11/13/2019 - 2:24 PM
Public Works Committee	Lechvar, Gina	Approved	11/13/2019 - 2:24 PM
City Clerk	Admin, Default	Approved	11/13/2019 - 4:17 PM

Resolution No._____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Roosevelt Community Center Window Replacement to Precision Builders Inc of Bettendorf, IA and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Roosevelt Community Center Window Replacement project; and

WHEREAS, Precision Builders Inc of Bettendorf, IA was the lowest responsive and responsible bidder;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Approving the contract for the Roosevelt Community Center Window Replacement project to Precision Builders Inc. of Bettendorf IA; and

2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:

_____
Brian Krup
Deputy City Clerk

Approved:

_____
Frank Klipsch
Mayor

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: ROOSEVELT COMMUNITY CENTER WINDOW REPLACEMENT

BID NUMBER: 20-56

OPENING DATE: NOVEMBER 5, 2019

GL ACCOUNT NUMBER: 77067680 530350 23037 ROOSEVELT CENTER WINDOW REPLACEMENT

RECOMMENDATION: AWARD THE CONTRACT TO PRECISION BUILDERS INC OF BETTENDORF IA

VENDOR NAME	PRICE
Precision Builders Inc. of Bettendorf IA	**$256,665**
Olde Town Roofing of Moline IL	$284,017
Tricon General Construction of Dubuque IA	$288,800

Approved By Kristie Keller 11/12/19
Purchasing Date

Approved By Chad Ingram Nicole Gleason
Parks Director Public Works Director

Approved By Brandi Cogan 11-12-19
Budget/CIP Date

Approved By 11-12-2019
Chief Financial Officer Date

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Nicole Gleason 563-327-5150
Wards:

Action / Date
11/20/2019

Subject:
Resolution approving the contract for the rehabilitation of the JM Morris Blvd Pump Station 202 to Tri-City Electric Co of Davenport, IA in the amount of $181,979.60, CIP #30051. [Ward 1]

Recommendation:
Adopt the Resolution.

Background:
On October 16, 2019, and Invitation to Bid was issued and sent to contractors. On November 12, 2019, two responsive and responsible bids were opened and read. See attached bid tab.

The work includes the furnishing of all labor, materials, equipment and services necessary for the Pump Station 202 (J M Morris) Improvements. The work is generally described as the installation of a new natural gas powered emergency generator and modifications to the existing pumps and wet well, including associated appurtenances, site work, structural, electrical, and instrumentation and controls.

Tri-City Electric Co of Davenport was the lowest bidder.

Funding for this project is from CIP #30051 Pump Station 202 Rehabilitation. These funds are from the sale of General Obligation Bonds.

ATTACHMENTS:

Type	Description
Resolution Letter	PW_RES_Rehabilitation of Pump Station 202
Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	11/14/2019 - 11:08 AM
Public Works Committee	Lechvar, Gina	Approved	11/14/2019 - 11:09 AM
City Clerk	Admin, Default	Approved	11/14/2019 - 2:56 PM

Resolution No._____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Rehabilitation of Pump Station 202 project to Tri-City Electric Co of Davenport, IA and authorizing Mayor Frank Klipsch or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Rehabilitation of Pump Station 202 project; and

WHEREAS, Tri-City Electric Co of Davenport, IA was the lowest responsive and responsible bidder;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Approving the contract for the Rehabilitation of Pump Station 202 project to Tri-City Electric Co of Davenport, IA; and

2. Mayor Frank Klipsch or designee is authorized to sign and manage any related agreements;

Attest:	Approved:
_____	_____
Brian Krup	Frank Klipsch
Deputy City Clerk	Mayor

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: PUMP STATION 202 IMPROVEMENTS

BID NUMBER: 20-57

OPENING DATE: NOVEMBER 12, 2019

GL ACCOUNT NUMBER: 71575680 530350 30051 & 71575698 530350 30051

RECOMMENDATION: AWARD THE CONTRACT TO TRI-CITY ELECTRIC CO. OF DAVENPORT IA

VENDOR NAME	PRICE
Tri-City Electric Co. of Davenport IA	**$181,979.60**
General Constructions Inc. of Bettendorf IA	$186,791.00

Approved By Kristi Keller 11-13-19
Purchasing Date

Approved By Nicole Gleason 11-13-19
Department Director Date

Approved By Brandi Coyne 11-13-19
Budget/CIP Date

Approved By BN 11-13-2019
Chief Financial Officer Date

City of Davenport

Agenda Group: **Action / Date**
Department: Finance **11/5/2019**
Contact Info: Sarah Ott 563-326-6167
Wards:

Subject:
Resolution adopting a refreshed visual identity and communications strategy for the City of Davenport. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
In May 2019, the City hired Guide Studios of Cleveland, OH to assist in the creation of a refreshed logo and communications plan for the City of Davenport. Guide Studios specializes in branding and wayfinding for municipalities and was selected from a competitive RFP process that included over twenty firms. Hotel/Motel Funds, which are reserved for community communications and promotion, were used to pay for the project.

The current City logo is decades old and the community has evolved during this time. The refreshed brand will reflect a more modern Davenport. Research for the refreshed brand included focus groups with key stakeholders ranging from elected officials to business owners and residents. The concepts developed from these focus groups were then tested with an online survey open to all citizens that was taken by over 600 citizens.

Once the visual identity portion of the brand is adopted by the City Council, there will be an immediate digital presence for the brand on the City website and social media. Print presence such as letterhead, billing statements, and business cards will follow. Hard assets, like buildings and vehicles, will be phased in as CIP funding is available.

ATTACHMENTS:

Type	Description
Cover Memo	Resolution
Cover Memo	Logo Family

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	11/15/2019 - 11:13 AM

Resolution No._____

Resolution offered by Alderman Matson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION adopting a refreshed visual identity and communications strategy for the City of Davenport.

WHEREAS, the City of Davenport strives to build a brand and associated messaging that reflects our community; and

WHEREAS, the current City logo was designed several decades ago and no longer reflects our community; and

WHEREAS, the City of Davenport has hired Guide Studios to design a refreshed logo for the City; and

WHEREAS, Guide Studios incorporated feedback from focus groups and a community survey in their final design;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the refreshed visual identity presented by Guide Studios be officially adopted for use by the City.

Approved:	Attest:
_____	_____
Frank Klipsch, Mayor	Brian Krup, Deputy City Clerk

Logo Family

THE CITY OF
DAVENPORT
IOWA | USA

CITY OF DAVENPORT
ESTD 1836
IOWA · USA

THE CITY OF DAVENPORT
IOWA · USA

DAVENPORT
CITY ADMINISTRATION

DAVENPORT
INFORMATION TECHNOLOGY

DAVENPORT
IOWA | USA

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City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: John Powell 563-888-2150
Wards:

Action / Date
11/20/2019

Subject:
Resolution approving the Davenport Public Transit "Citibus" Title VI Program Report Update. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
Title VI Program refers to a document developed by a Federal Transit Administration (FTA) recipient to demonstrate how the recipient is complying with Title VI requirements. Recipients and subrecipients must submit their Title VI Programs to FTA every three years. The Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA.

Title VI is one of the required areas of compliance for Federal funding recipients. If there appears to be a failure or threatened failure to maintain an approved Title VI program, and if the noncompliance or threatened noncompliance cannot be corrected by informal means, compliance with this part may be effected by the suspension or termination of or refusal to grant or to continue Federal financial assistance or by any other means authorized by law.

ATTACHMENTS:

Type	Description
Resolution Letter	PW Pg 2
Backup Material	Report

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	11/13/2019 - 2:17 PM
Public Works Committee	Lechvar, Gina	Approved	11/13/2019 - 2:17 PM
City Clerk	Admin, Default	Approved	11/13/2019 - 4:26 PM

Resolution No._____

Resolution offered by Alderman Matson:

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the Davenport Public Transit "Citibus" Title VI Program Report update.

WHEREAS, the City of Davenport shall implement and comply with the program as it is written.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, that the Title VI Program Report is approved.

Passed and approved this 26th day of November, 2019.

Approved:

_____
Frank Klipsch, Mayor

Attest:

_____
Brian Krup, Deputy City Clerk

1822 – City of Davenport, Iowa Public Transit Division (CitiBus)

TITLE VI PROGRAM

PROGRAM UPDATE SUBMITTED TO FTA:

JUNE 28, 2019

PROGRAM UPDATE DUE DATE:	**JULY 1, 2019**
PROGRAM EXPIRATION DATE:	**JUNE 30, 2022**

Title VI Report
Davenport Public Transit: "CitiBus"

Transit System Summary Description:

Davenport CitiBus is a division of the City of Davenport's Department of Public Works. As of FY 2019, CitiBus operates seventeen (17) vehicles at peak demand and maintains a fixed-route fleet of twenty-four (24) buses. All buses are equipped with bicycle racks that can accommodate two or three bicycles up to 75 lbs. total weight.

The Quad Cities metropolitan area as a whole is a large UZA of over 200,000 people. The CitiBus service area covers a portion of this area, approximately 30 square miles within the City of Davenport. The City of Davenport population is approximately 100,000 residents. Davenport CitiBus is not identified as a recipient in a UZA of 200,000 with 50 or more vehicles in fixed-route peak service.

Davenport CitiBus does not pass FTA funds through to subrecipients.

CitiBus makes connections with the two other separate Quad Cities fixed route systems: MetroLINK in downtown Rock Island and Moline as well as Bettendorf Transit in Bettendorf.

Most of the schools, shopping centers, grocery stores, government offices, hospitals/medical centers, local businesses and tourist attractions in Davenport are located along or within 1/2 mile of CitiBus routes.

General system operation hours are currently 6:00 a.m. to 7:00 p.m. Monday through Friday; 9:00 a.m. to 7:00 p.m. on Saturday; and 10:00 a.m. to 5:00 p.m. on Sunday. There is a demand-response Saturday subscription service from 6:00 a.m. to 9:00 a.m. for employment transportation.

CitiBus does not operate on New Year's Day, Easter Sunday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, or Christmas Day.

The general fixed-route fare is $1.00. CitiBus provides a reduced fare of 50¢ to seniors, unemployed, persons with disabilities, and college students. Students of Davenport Schools K - 12 and colleges or universities with CitiBus transit agreements ride free using school IDs as a bus pass.

The City of Davenport does not anticipate changing fares in the near future. Should a fare increase occur, it will be in association with the deep discount of the SMART card that would maintain the current fare structure.

The City of Davenport/CitiBus complies with the Americans with Disabilities Act (ADA). All buses are ADA accessible. Moreover, the City of Davenport provides ADA paratransit service through a contract with River Bend Transit.

1. **Summary of public outreach efforts and public involvement activities since last submission including description of steps taken to ensure that minority and low-income people had meaningful access.**

   The CitiBus general policy regarding public participation activities:

   - Meetings are scheduled at various times/days during service hours, with meeting location easily accessible and on a bus route.
   - Meeting notice is in English and Spanish, and includes statement that translation service is available upon request.
   - Meeting notices are posted on all buses, in the transit station and in bus shelters at the transfer locations. Meeting notices are also posted at City Hall and on the City of Davenport and CitiBus websites. Press releases are distributed to print and television media outlets; meeting notice is televised on city cable channel.
   - In the effort to further target low income, minority, and LEP populations, community, educational, social, and/or faith-based partners that are actively involved with low income/minority/LEP populations are notified and their assistance with outreach is requested.
   - Public input opportunities include both written and oral commentary.

Changes since last submission: In July 2016, CitiBus implemented a major route restructure as a result of an in-depth system analysis. At the beginning of 2015, the City of Davenport contracted with consulting company TMD, Inc. to perform a Comprehensive Operations Analysis. The primary objectives of the analysis were to gauge rider satisfaction with the current CitiBus transit system; discover what improvements were most important to riders; update and find efficiencies through realignment of the route system; and create cost savings while enhancing service delivery. The final plan was adopted by the City of Davenport in April 2016 with the implementation occurring July 3, 2016.

Note: As the previous Title VI Program was submitted to the FTA on May 31, 2016, all the outreach activities prior to the change of service in July were included in the Program. The implementation of the service occurred during this Program's period.

Specifics:

- ***The Route System*** *was realigned from a hub and spoke configuration to a primarily grid-based configuration. Changes in coverage in areas containing the most concentrated populations of transit dependent riders is no greater or lesser than across the city as a whole, and coverage remained consistent under the new route system.*
- ***The Route Schedules*** *included an extension of service into the evening by a half-hour (for a 7:00 p.m. end time, Monday through Saturday) and the addition of Sunday service.*
- ***The Fare Structure*** *remained unchanged. Exception: CitiBus did not charge any fare on Saturdays prior to the route changes; once new routes were implemented, fares were charged on all days of service.*
- ***Service Modifications*** *to the original plan were implemented on November 6, 2016. All the changes were improvements in service and/or schedule.*

Public outreach efforts and public involvement activities for 2016 route changes: *An extensive formal public outreach and involvement process took place throughout the Comprehensive Operations Analysis process. Consultant-generated documents "Davenport Market Analysis" and "Davenport Summary of Stakeholder Input" are available upon request, and were included in the 2016 Title VI Report. Summary of specific outreach activities includes:*

2015 "Launch" activities:

- Onboard Passenger Surveys (March 3-5 and 7; 499 respondents)
- Onboard Rider Interviews (collected on March 4 and 6; 58 conducted)
- Formal Stakeholder meetings (April 14-15; 45 participants total; input meeting locations included two public libraries and the downtown police station; meeting times at morning and afternoon; all sessions transit accessible)
    - Government – 16 participants
    - Education – 7 participants
    - Business – 3 participants
    - Social Services – 13 participants
    - General – 6 participants
- Online participation was advertised and encouraged. A MindMixer site was live starting March 30, 2015 through the duration of the project, with a total of 93 interactions and 41 completed additional surveys. MindMixer uses Google Translate, which can translate the page into over 50 languages.

Feedback opportunities on the proposed plan included the following input sessions (Spanish interpreter available):

- *Tuesday*, October 20, 2015 - 4:30-6:30 p.m. at Ground Transportation Center; *Wednesday*, October 21 - 7 a.m.-noon at Welcome Way Hub; 7 a.m.-4 p.m. at Ground Transportation Center, 1:30-3:30 p.m. at Bettendorf Hub ,and 4:30-7:30 p.m. at Eastern Avenue Library; *Thursday*, October 22 - 7-9 a.m. at Police Department community room, 9:30-11:30 a.m. at Walmart Hub, noon-3 p.m. at Fairmount Library, and *Saturday*, October 24 - 10 a.m.-noon at Eastern Avenue Library
- Detailed information, a comment form, and email address for responses were available on the city website
- Public hearings (three) during City Council approval process

After approval of the proposal, the City of Davenport Mayor assembled a temporary ad hoc committee comprised of social service agency, transit system, school, hospital, MPO, and rider representatives for monthly (January through April) public meetings held at the downtown Police Station Community Room to hear any ongoing concerns and to take input regarding final details.

Local media was actively involved throughout the process; meetings were covered via newspaper, online, and television broadcasts; and plan information and input opportunities were publicized via the city website and the city cable channel. Meeting notices were also posted on buses, at major hub locations, and at City Hall per CitiBus general policy.

Separate from activities connected to the Comprehensive Operations Analysis and route change process, CitiBus partners with groups committed to assisting low income, minority, and LEP persons, and staff regularly interact with minority and low-income persons in the course of daily business, and through scheduled and unscheduled informational and scheduled promotional activities.

Interaction goals:

- Provide information and assistance regarding transit services
- Answer questions
- Address concerns
- Receive feedback from riders regarding service and any other comments they may have, passing feedback on to management personnel

CitiBus partners extensively with the Davenport Civil Rights Commission, which reports no LEP or low income issues have been raised. CitiBus is also an active participant in coordinated "Transit Summits" hosted by the MPO, which are conducted twice yearly to get public input regarding transit services. In the attempt to reach a greater Hispanic/Latino population and more aggressively court input on the Regional Long Range Transportation Plan (of which Davenport is a component), the MPO partnered with the Iowa Extension to expand multicultural outreach and held additional transportation information sessions conducted in Spanish, one of which was held in Davenport.

In addition to formal, partnered outreach activities to invite general input, CitiBus representatives maintain contact with and routinely conduct public outreach activities that may include, but are not limited to, the following:

- Community events (ex., Mississippi Valley Fair)
- College vendor fairs (ex., St. Ambrose, Palmer, Kaplan, Brown Mackie, Scott Community College)
- Businesses (ex., Goodwill Employment Services)
- Educators (ex. Davenport schools, regional teacher trainings, Mississippi Bend Area Education Agency)
- Job fairs (ex. SAFER Foundation, Scott County Judicial System [for released offenders])
- Iowa workforce development office
- Veteran's affairs (ex. Stand Down day-long event for veterans, 2x/year; "In from the Cold" event for homeless population)
- Community advocacy groups (ex. National Federation of the Blind, CASI)
- Senior living facilities (ex. Luther Manor, Luther Crest, Edgewater on Third, more)
- Community health organizations (ex. Vera French, Community Health Care, CADs, Genesis Health, Eastern Iowa Mental Health, more)
- Community social service organizations (ex. Humility of Mary homeless shelter, Christian Family Care homeless shelter, Domestic Abuse safe house, Salvation Army, Project Now, Americorps/Youth Corps, more)

2. **Copy of the agency's plan for providing language assistance for persons with Limited English proficiency.**
   Davenport CitiBus is prepared to respond to the need for non-English language materials as demand requires, and has secured translation resources in the community through partnerships detailed in the Limited English Proficiency (LEP) Four-Factor Analysis. An updated copy of the Davenport CitiBus Title VI Limited English Proficiency (LEP) Four-Factor Analysis is included as Attachment A1. In 2018 Davenport CitiBus added three placards on all of the buses. One of the placards reviews the city's Title VI Program. The placard is included as Attachment A2.

3. **Copy of agency's notice to the public that it complies with Title VI and instructions to the public on how to file a discrimination complaint.**
   Copies (both English and Spanish language versions) of Davenport CitiBus's notice to the public that it complies with Title VI and instructions to the public on how to file a discrimination complaint are included as Attachments B1 and B2.

4. **Copy of agency procedures for tracking and investigating Title VI complaints.**
   A copy of the flowchart illustrating the procedures for tracking and investigating Title VI complaints is included as Attachment C. Copies of Davenport CitiBus Complaint Form in both English and Spanish, and the Transit Complaint Contact Sheet are included as Attachments D-1, D-2, and D-3 respectively. Title VI notice is found on the Title VI page of the CitiBus website. Links to Title VI documents (Notice, Complaint Procedures, and Complaint Contact Sheet) are also available on the CitiBus website.

5. **List of any Title VI investigations, complaints, or lawsuits filed since last submission.**
   The Davenport Civil Rights Commission reports 17 Title VI complaints filed regarding Davenport CitiBus since the last Title VI report submission. Of these, eight were closed without further action (withdrawn), eight were settled after mediation, and one was escalated to the Federal Transit Administration. The list of complaints are detailed in the chart included as Attachment E.

6. **Copy of agency's fixed route Service Standards and Service Policies.**
   Davenport CitiBus Service Standards and Service Policies are included as Attachment F.

7. **Safe Harbor Provision:** CitiBus complies with the Safe Harbor Provision, as evidenced by the number of documents available in the Spanish language. With respect to Title VI information, the Title VI Notice and Complaint Form are available in Spanish translations (See Attachments B-2, D-2); notice of the availability of language assistance is also included at the bottom of the English language Title VI Notice (Attachment B1).

8. **Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees or councils.**
   The Davenport City Council, an elected body, oversees Davenport CitiBus. The gender and racial breakdown of the city council is:

Male	White
Male	White
Female	White
Male	White
Male	White
Male	White
Male	White
Female	White
Female	Black
Female	White

   Davenport CitiBus does not maintain a transit-related citizen advisory group, planning board, advisory council/committee, focus group, or any such similar body in which the membership is elected or selected by Davenport CitiBus.

   After adoption of the Comprehensive Operations Analysis and the proposed new route system, the Mayor of Davenport appointed a temporary transit group for the narrow and limited purpose of providing additional input opportunities regarding potential adjustments to the adopted transit route network. The group consisted of citizens to represent various interest groups: a representative each for daily riders, the public school system, the three metropolitan transit agencies, the regional transit provider, the local health care system, the disabled community, a college representative, the metropolitan planning organization, a bus driver and a mixed-race elected ward representative. The purpose of these informal sessions was to provide a means for the public to provide additional input, troubleshoot with respect to the proposed fixed route changes, and to extend public involvement.

   CitiBus staff noted comments and suggestions and made adjustments, which were then presented at four meetings that were held with the public. The meetings were advertised in the newspaper, the local news, on the City website, and on the City cable channel. The meetings were held at Davenport city facilities (transit accessible) at 3:00 PM once per month; the general public was invited to attend and provide input; general public and the media were in attendance, and meetings were reported covered in the newspaper and television media.

9. **Requirement to Provide Assistance to Subrecipients and Monitor Compliance with Title VI:**
   Davenport CitiBus does not extend FTA financial assistance to any other recipient, therefore this requirement is not applicable.

10. **Requirement to Conduct Equity Analysis to Determine Site or Location of Facilities for projects requiring land acquisition and the displacement of persons from their residences and businesses *for which a NEPA process has not been completed*. Per Chapter III, 13, "facilities" does not include bus shelters, transit stations, or power substations, etc.**
    Davenport CitiBus confirms that no such projects were conducted during the reporting period, therefore this requirement is not applicable.

Davenport CitiBus
Attachment A-1

Limited English Proficiency (LEP)
Four–Factor Analysis

Davenport CitiBus
Four-Factor Limited English Proficiency (LEP) Analysis

The purpose of this Limited English Proficiency (LEP) analysis is to outline how Davenport CitiBus identifies persons who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write, or understand English.

The framework of the USDOT's four-factor LEP analysis considers the following elements:

1) **The number or proportion of LEP persons in the region who may be served by public transportation or are likely to encounter a public transportation program, activity, or service.**

   According to the 2013-2017 American Community Survey 5-Year Estimates, the City of Davenport has a population of 95,195 individuals age 5 and older. Of that population, approximately 88,591 (93.1% of total population) speak English only, 3,848 (4.0% of total population) speak another language and also speak English "very well," and the remaining 2,756 (2.9% of total population) speak another language and speak English less than "very well." There is a 0.4% increase in this last category from the previous survey.

   The most commonly spoken primary languages other than English are Spanish (1,552 primary language, speaking English "less than very well" / 1.6% of population) and Vietnamese (706 primary language, speaking English "less than very well" / 0.7% of population). The remaining 1,910 residents (2.0% of population) use a primary language other than English, and speak English "less than very well." In this group, the number of speakers of any one given language is less than 100 persons, with the exception of "Other Indo-European languages."

   In addition to the two most populous non-English languages spoken in the City of Davenport detailed in the previous paragraph, the Limited English Proficiency language data tables report speakers of additional languages with proficiency levels identified as speaking English "less than very well." These populations all numbered below 100 persons, with the exception of "Other Indo-European languages." This list of additional languages that could possibly be encountered in Davenport with speakers' mastery of English identified as "less than very well" include: French, German, Russian, Chinese, Japanese, Korean, Tagalog, other Pacific Island languages, Arabic, and other languages. These numbers represent the total population numbers in general; those who may be served by the CitiBus transit system or who are likely to use transit would be a subset of these populations.

2) **The frequency with which LEP persons come in contact with public transportation programs, activities, or services.** Davenport Civil Rights Commission, the Title VI Coordinator for CitiBus, reports that no complaints or comments regarding language

difficulties have been received by their office since the last Title VI submission.

Davenport CitiBus staff (drivers, dispatchers, and administrative staff) have not reported any instances when there was a need for language interpretation. There was no evidence of any specific material requests.

Staff Training: Due to the low incidence of Limited English Proficiency encountered, no formal group training is conducted. Bus drivers and customer service personnel are provided "I Speak" sheets and receive instruction that when there is a language need they are to radio dispatch for assistance. Depending on the need, dispatch is instructed to either provide translation via Spanish speaking staff or to facilitate assistance using *thebigword*.

The Davenport Civil Rights Commission may also be used as a resource for securing translation assistance. Dispatch or customer service staff are instructed to record the particulars of any request in a spreadsheet for documentation and then relay the information to the transit manager. The transit manager tracks needs and requests, and performs an assessment semiannually based on the following criteria:

- Number of requests
- Language requested
- Nature of request (materials? verbal answer to question?)
- System's ability to meet request effectively (was request fulfilled to rider's satisfaction and by what means)

Due to the small population of LEP individuals who utilize the system, LEP individuals rarely appear to come in contact with its public transportation programs, activities, or services. If demand reaches a level beyond which creation of individual materials as needed is impractical (such as >200 annually), then demand may be sufficient for consideration of additional printed translations and LEP Plan update.

3) **The nature and importance of programs, activities, or services provided by public transportation providers to the LEP population.** To those in need of transportation, the importance of Davenport CitiBus services is potentially as important to the LEP population as to any general population. Davenport CitiBus routes provide access to schools, employment locations, dental and medical offices, hospitals, institutions of higher learning, training centers, social service agencies, governmental offices, grocery stores, retail outlets, library branches, and connections with the other two Quad Cities systems, Bettendorf Transit and the Rock Island County Mass Transit District (Metro). CitiBus has implemented several programs in the attempt to make transportation even more readily affordable and accessible to all:

- CitiBus partners with Palmer College of Chiropractic and St. Ambrose University within the City, creating transit agreements whereby students' school ID functions as a bus pass.
- The City of Davenport partners with the Davenport Community School District to allow any K - 12 public school student to use his or her school ID as a bus pass on the CitiBus fixed route system.

- In addition to half-fare for seniors and people with disabilities, CitiBus also extends half-fare opportunities to those who are receiving unemployment benefits.

All of these programs are well-established and are included in all posted transit informational materials, the Rider's Guide, and the CitiBus website.

4) **The resources available to public transportation providers and overall costs to provide LEP assistance.** With respect to printed materials, due to the extremely low demand for non-English language materials in Davenport, the need for consistent updates to the information, and static nature of printed materials, justification for production expense of such materials is insufficient for action at this time. Requests are logged upon receipt and tracked as described earlier in Factor 2. Davenport CitiBus is prepared to respond to needs for non-English language print materials as demand requires.

Public meetings: When any fare increase or major service reductions (major service reduction generally defined as: elimination of a route, reduction of 10% or more route service hours, or overall restructuring of route system) are being planned and for which formal public outreach and involvement activities are held, public meeting notices include information stating that translation services will be available at the meeting upon request. The statement is to be printed in both English and Spanish, and include the contact information necessary to make the request. Should translation services be requested, CitiBus will secure a translator to provide appropriate services at the event.

The system has secured general (verbal and written) translation resources and assistance in the community through a variety of partnerships: Quad Cities United Way; The Greater Quad Cites Hispanic Chamber of Commerce; and the Davenport Civil Rights Commission (acting Title VI Liaison), through whom CitiBus has access to translators for many different languages (including sign language), on an on-call basis. Via Google Translate, rider information on the CitiBus website can easily be translated into many different languages (http://cityofdavenportiowa.com/services/citibus_transit). CitiBus also offers Spanish language translations of the Title VI notice and complaint form, and has a limited number of Spanish speaking staff available to assist should the need arise. In addition, notice of the availability of language assistance may be added in Spanish to posted notices when and where appropriate.

Altogether, these various resources allow CitiBus to reasonably provide meaningful access to LEP individuals and meet needs should they arise. Demographic information will be monitored and language assistance requests will be tracked to determine if changes in Davenport's LEP population would justify the development of printed LEP materials.

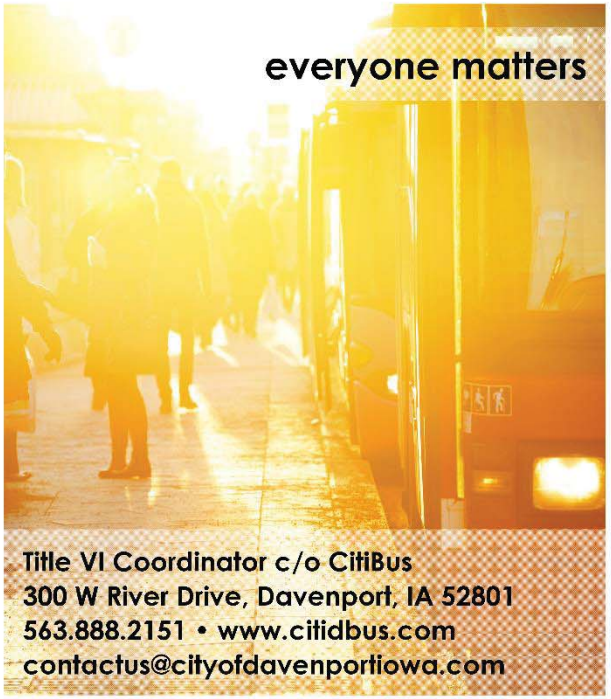
Davenport CitiBus
Attachment A-2

CitiBus Commitment to Title VI
Bus Placard

CitiBus Commitment to Title VI

- Ensure that the level and quality of transportation service is provided without regard to race, color or national origin;
- Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;
- Promote the full and fair participation of all affected populations in transportation decision making;
- Prevent the denial, reduction or delay in benefits related to programs and activities that benefit minority populations or low-income populations;
- Ensure meaningful access to programs and activities by persons with limited English proficiency (LEP); and
- Provide customers language assistance, at no cost.

The General Manager, management, and all employees share the responsibility for carrying out CitiBus's commitment to Title VI. The Title VI staff is responsible for the day-to-day operation of The program, and receives and investigates Title VI complaints that come through the complaint procedures process.



Compromiso CitiBus' al Título VI

- Asegúrese de que el nivel y la calidad del servicio de transporte se ofrece sin distinción de raza, color u origen nacional;
- Identificar y abordar, en su caso, alta de manera desproporcionadamente y perjudicial para la salud humana y el medio ambiente, incluidos los efectos sociales y económicos de los programas y actividades en las poblaciones minoritarias y de bajos ingresos;
- Promover la participación plena y justa de todas las poblaciones afectadas en la toma de decisiones de transporte;
- Evitar la negación, reducción o retraso en los beneficios relacionados con los programas y actividades que se benefician las poblaciones minoritarias o de las poblaciones de bajos ingresos;
- Garantizar un acceso significativo a los programas y actividades de las personas con Inglés limitad (LEP);
- Proporcionar asistencia lingüística clientes, sin costo alguno.

El Gerente General, gestión, y todos los empleados comparten la responsabilidad de llevar a cabo el compromiso de CitiBus al Título VI. El personal del Título VI es responsable de la operación del día a día del programa, y recibe e investiga Título VI quejas que llegan a través del proceso de quejas procedimientos.

Davenport CitiBus
Attachment B-1

Title VI Notice to the Public

(English version)

NOTICE OF THE PUBLIC'S RIGHTS

UNDER TITLE VI

Davenport Citibus is committed to ensuring that no person is excluded from participation in, or denied the benefits of its services on the basis of race, color, or national origin as protected by Title VI of the Civil rights Act of 1964, as amended ("Title VI").

To request more information regarding Title VI you may contact the Title VI Coordinator at the Davenport Civil Rights Commission. This office is located at Davenport City Hall, 226 W. 4th St, Davenport, IA 52801 or you may phone 563-326-7888.

If you believe you have been subjected to discrimination under Title VI, you may file a written complaint at the Davenport Civil Rights Commission office. The Statute of Limitation is 180 days from the date of the incident. Complaints must be filed within this timeframe.

Si se necesita información en otro idioma, por favor póngase en contacto con 563-326-7888.

Note: The Title VI notice is posted at the Ground Transportation Center, at City Hall, and on the CitiBus website; posters relaying the same information in both English and Spanish are displayed on the buses; Spanish translation Title VI Notice also included in Appendix.

Davenport CitiBus
Attachment B-2

Title VI Notice to the Public

(Spanish translation)

AVISO DE LOS DERECHOS DEL PÚBLICO

APLICACIÓN DEL TÍTULO VI

Citibus Davenport está comprometido a garantizar que ninguna persona sea excluida de participar en, o negada de los beneficios de sus servicios sobre la base de raza, color u origen nacional, protegida por el Título VI del Acta de Derechos Civiles de 1964, según enmendada ("Título VI ").

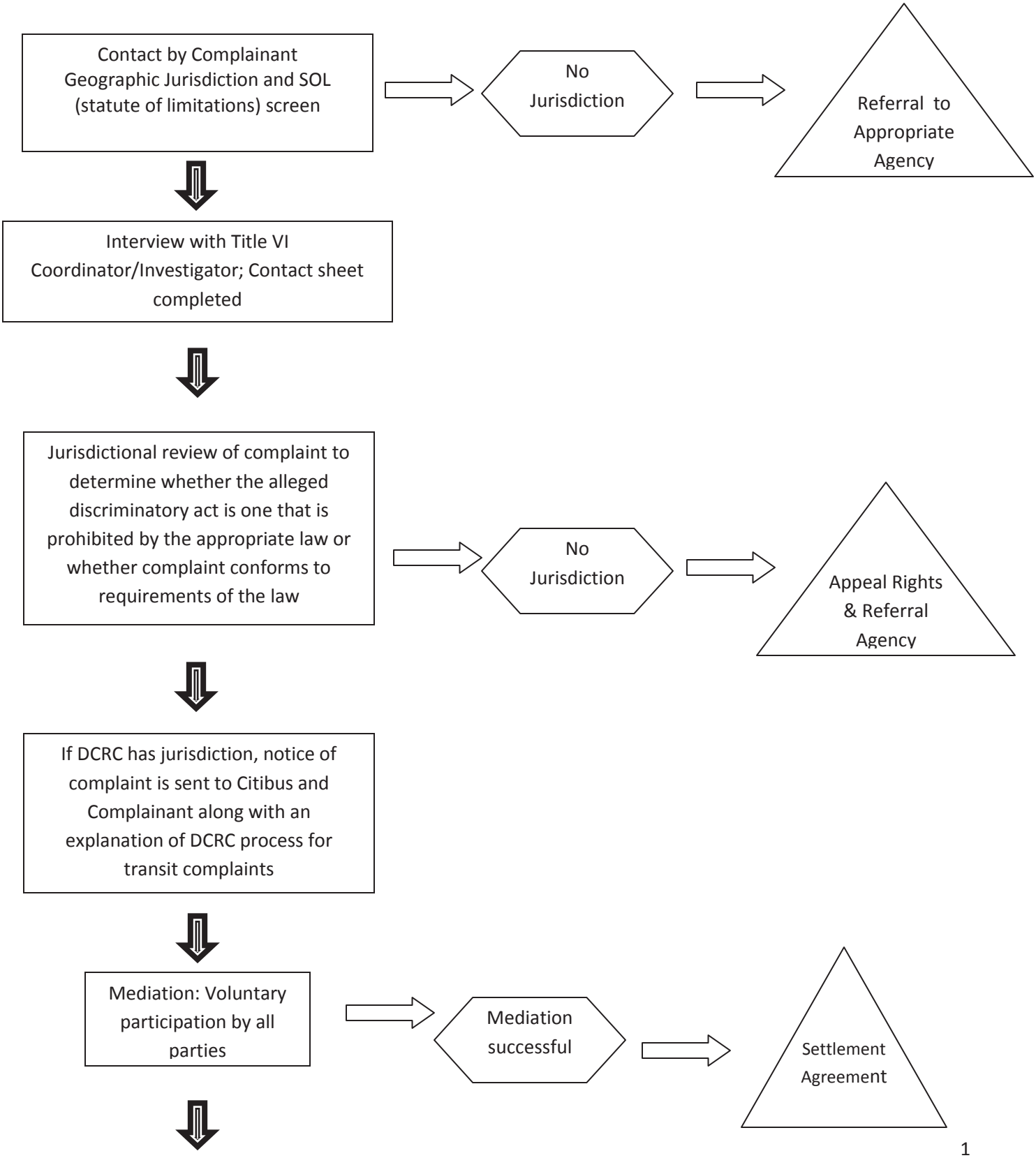
Para solicitar más información sobre el Título VI puede comunicarse con la Coordinadora del Título VI de la Comisión de Derechos Civiles de Davenport. Esta oficina está ubicada en Davenport City Hall, 226 W. 4th St, Davenport, IA 52801, o puede llamar a 563-326-7888.

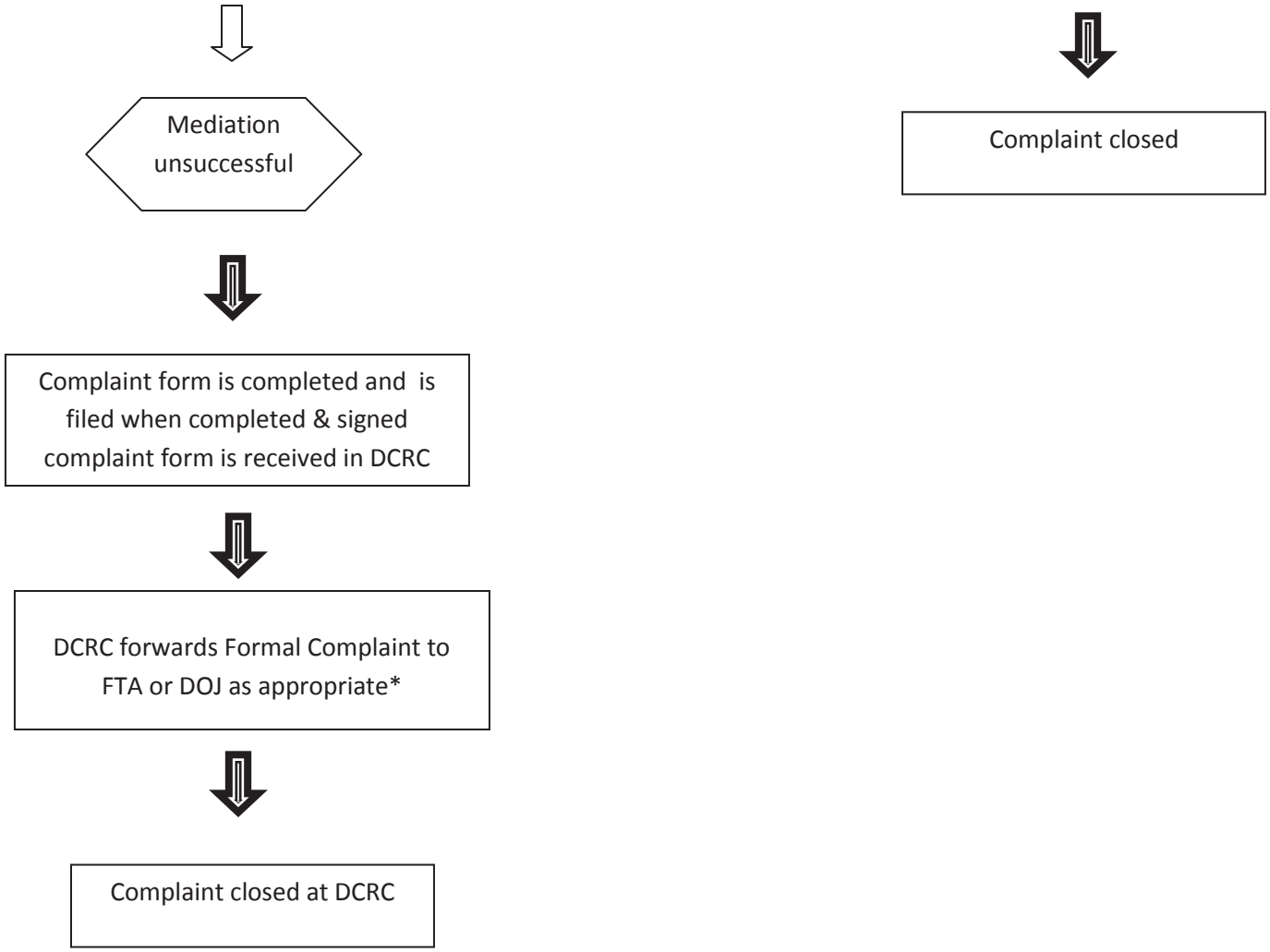
Si usted cree que ha sido discriminado en el Título VI, puede presentar un reclamo por escrito en la oficina de la Comisión de Derechos Civiles de Davenport. El estatuto de prescripciones es de 180 días a partir de la fecha del incidente. Los reclamos deben ser presentados dentro de este marco de tiempo.

Davenport CitiBus
Attachment C

Title VI Complaint Process

Complaint Procedure Flowchart *for* Davenport CitiBus *via* City of Davenport Civil Rights Commission





*Statute of Limitations is 180 days from the date of incident! A complaint must be filed with FTA or DOJ within this time frame.

Davenport CitiBus
Attachment D-1

Complaint Form - English

City of Davenport

Title VI of the Civil Rights Act of 1964*, as amended,* or
Title II or Title III of the American's with Disabilities Amendment Act
(to be used for Davenport CitiBus)

Davenport CitiBus is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended or Title II or Title III of the Americans with Disabilities Act of 1990 (the ADA), the Department of Transportation (DOT) ADA regulations, and Section 504 of the Rehabilitation Act of 1973. Complaints must be filed within 180 days from the date of the alleged discrimination.

The following information is necessary to assist us in processing your complaint. If you require any assistance in completing this form, please contact the Title VI Coordinator by calling (563) 326-7888. The completed form must be returned to the City of Davenport, Civil Rights Commission, 226 West 4th Street, Davenport, Iowa 52801. Emailed, or electronically transmitted forms are not accepted. Hand delivery is recommended to ensure that the complaint is filed within the statutory deadline.

Your Name: _____ Phone: _____

Street Address: _____ Alt. Phone: _____

City, State & Zip Code: _____

Person(s) discriminated against (if someone other than complainant):

Name: _____

Street Address, City, State & Zip Code:

_____

Which of the following best describes the reason for the alleged discrimination took place? (Circle one)

- Race
- Color
- National Origin
  - Limited English Proficiency

Date of Incident: _____

- Disability
  - Physical
  - Mental

Please describe the alleged discriminatory incident. Provide the names and title of all Davenport employees involved if available. Explain what happened and who you believe to be responsible. Please use the back of this form if additional space is required.

(Complete reverse side of form)

Title VI/Title II Complaint Form
City of Davenport
(CitiBus), pg. 2…

Please describe the alleged discriminatory incident (continued)

Have you filed a complaint with any other federal, state, or local agencies? (Circle one) Yes / No

Agency: _____ Contact Name: _____

Street Address, City, State & Zip Code: Contact Name: _____

_____

Agency: _____ Contact Name: _____

Street Address, City, State & Zip Code: Contact Name: _____

_____

I affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

X_____
Complainant's Signature Phone

X_____
Print or Type Name of Complainant

Date Received: _____

Received By: _____

Davenport CitiBus
Attachment D-2

Complaint Form – Spanish

Ciudad de Davenport
Ley de Título VI de los Derechos Civiles de 1964, según enmendada, o
Título II o el Título III de la Ley de Estadounidenses con Discapacidades Enmienda
(Que se utilizará para Citibus Davenport)

Citibus Davenport se comprometido a garantizar que ninguna persona sea excluida de participar o negado de los beneficios de sus servicios sobre la base de raza, color u origen nacional, conforme a lo dispuesto por el Título VI del Acta de Derechos Civiles de 1964, según enmendada, o Título II o el Título III de la Ley de Estadounidenses con Discapacidades de 1990 (ADA), el Departamento de Transportación (DOT) regulaciones de la ADA y la Sección 504 del Acta de Rehabilitación de 1973. Los reclamos deben ser presentados dentro de los 180 días siguientes a la fecha de la supuesta discriminación.

La siguiente información es necesaria para ayudarnos a procesar su reclamo. Si necesita ayuda para completar este formulario, por favor póngase en contacto con el Coordinador del Título VI, llamando al (563) 326 a 7.888. El formulario completo debe ser devuelto a la ciudad de Davenport, la Comisión de Derechos Civiles, 226 West 4th Street, Davenport, Iowa 52801.

Enviados por el correo electrónico o formularios electrónicos de transmisión no son aceptadas.
Se recomienda la entrega a mano para asegurarse de que la reclamación se presentó dentro del plazo legal.

Su Nombre: _____
Teléfono: _____
Dirección: Alt. _____
Teléfono: _____
Ciudad, Estado y Código Postal:_____

Persona (s) discriminada (si alguien que no sea autor):
Nombre: _____

Dirección, Ciudad, Estado y Código Postal:_____

¿Cuál de las siguientes opciones describe mejor la razón de la supuesta discriminación ocurrió? (Marque uno)
Fecha del incidente:
• Raza_____
• Color _____
• Origen Nacional _____
o Dominio de Inglés Limitado _____
• Discapacidad_____
    o física_____
    o Mental_____

Por favor describa el supuesto incidente discriminatorio. Proporcione los nombres y títulos de todos los empleados que participan en Davenport, si está disponible. Explique lo que sucedió y quien usted cree que es responsable. Utilice el reverso de este formulario si necesita más espacio.

_____

_____

_____

_____

_____

_____

(Complete el reverso de la forma)

Formulario de Quejas del Título VI / Título II
Ciudad de Davenport
(Citibus), pg. 2 ...

Por favor describa el supuesto incidente discriminatorio (continuación)

_____

_____

_____

_____

_____

¿Ha presentado una denuncia ante de cualquier otras agencias federales, estatales o locales? (Marque una opción) Sí / No
Agencia: Nombre de contacto:
Dirección, Ciudad, Estado y Código Postal: Nombre de contacto:

Agencia: Nombre de contacto:
Dirección, Ciudad, Estado y Código Postal: Nombre de contacto:

Afirmo que he leído por la carga encima y que es fiel a lo mejor de mi conocimiento, la información y la creencia.

X_____
Firma del Demandante Teléfono

X_____
Imprenta o a máquina Nombre del Demandante

Fecha de recepción:
Recibido por:

Davenport CitiBus
Attachment D-3

Transit Complaint Contact Sheet:

used by Davenport Civil Rights Commission
(acting Title VI Liaison)
in connection with initial mediation efforts

DAVENPORT CIVIL RIGHTS COMMISSION

TRANSIT COMPLAINT CONTACT SHEET

CASE #_____
SOL: _____

DATE: _____

COMPLAINANT INFORMATION:

Name: _____

Address: _____

Phone: _____

NEAREST RELATIVE/OTHER:

Name: _____

Relation:_____

Phone: _____

RESPONDENT INFORMATION:

Name(s):_____
Name(s):_____

Address: _____

Phone: _____

CORPORATE HEADQTRS:

Address: _____

Phone: _____

JURISDICTIONAL INFORMATION:

1. What was the date of the discriminatory incident? _____*
   (*Complaint must be filed with FTA or DOJ within 180 days from the date of incident.)

2. Did this event occur on Davenport CitiBus system?_____ If yes, what route/driver? _____

3. Were the actions taken against you a result of one or more of the following:

   Race_____ Color_____ Disability _____

   National Origin or Ancestry _____Limited English Proficiency_____

Describe what happened: _____

_____

_____

_____

THIS IS NOT A FORMAL FILING. THE DCRC WILL OFFER THE PARTIES AN OPPORTUNITY TO MEDIATE THE COMPLAINT AND WILL *NOT* PERFORM AN INVESTIGATION. COMPLAINTS NOT RESOLVED IN MEDIATION WILL BE FORWARDED TO THE FEDERAL TRANSIT ADMINISTRATION OR THE DEPARTMENT OF JUSTICE FOR INVESTIGATION. _____
Initial

SIGN _____ DATE: _____

STAFF NOTES:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

MEDIATION EFFORTS:

MEDIATION SCHEDULE FOR: _____

MEDIATION HELD: _____

NAMES OF ATTENDEES: _____

MEDIATOR: _____

RESULTS: _____

_____

_____

_____

_____

_____

_____

Davenport CitiBus
Attachment E

Summary Listing of Title VI Investigations, Complaints, Lawsuits

DAVENPORT
CITIBUS

May 24, 2019

Ms. Gena McCullough, AICP
Asst. Executive Director/Planning Director
Bi-State Regional Commission
1504 3rd Avenue
Rock Island, IL 61201-8612

RE: Discrimination Complaints – FY16 – FY19 (to date)

For the City of Davenport Title VI plan, please find the list of discrimination complaints filed over the last three years.

Of the 18 complaints;

- One (1) was escalated to the Federal Transit Administration
- Seven (7) were withdrawn
- Ten (10) were settled in mediation.

The City of Davenport has not received any lawsuits during this period of time as a result of a Civil Rights complaint.

All the complaints involved either problems with drivers or the trespassing of the complainant. Please note that we have not had a Title VI Civil Rights complaint since February 19, 2018.

Should you have any questions, please contact me at your convenience.

Sincerely,

John W. Powell, Jr.
General Manager

Copy: Brian Schmidt
Nicole Gleason
Marla Miller
Luann DeVol

Investigations:

Complaint Number	Open	Basis	Resolution	Action Taken
TR-0067-0004-17	7/10/2017	Race/Physical Contact	To FTA	In Process

Lawsuits

Complaint Number	Open	Basis	Resolution	Action Taken
None	N/A	N/A	N/A	N/A

Complaints

Complaint Number	Open	Summary	Status	Action Taken
TR-0012-0001-16	2/2/2016	Race/Trespassed from Bus	Closed	Mediation Settlement
TR-0066-0002-16	6/14/2016	Physical Disability/Trespassed from Bus	Closed	Mediation Settlement
TR-0070-0003-16	6/20/2016	Race,Physical Disability/Disparate Treatment	Closed	Mediation Settlement
TR-0077-0004-16	6/27/2016	Age,Physical Disability/Driver Complaint	Closed	Mediation Settlement
TR-0114-0005-16	9/26/2016	Physical Disability/Trespassed from Bus	Closed	Mediation Settlement
TR-0123-0006-16	10/10/2016	Race,National Origin,Physical Disability,Mental Disability/Driver Issue	Closed	Withdrawn
TR-0001-0001-17	1/6/2017	Race,Physical Disability,Mental Disability/Trespassed from Bus	Closed	Mediation Settlement
TR-0052-0002-17	5/18/2017	Physical Disability/Trespassed from Bus	Closed	Mediation Settlement
TR-0054-0003-17	5/19/2017	Physical Disability/Trespassed from Bus	Closed	Mediation Settlement
TR-0079-0005-17	7/27/2017	National Origin/Driver Complaint	Closed	Withdrawn
TR-0141-0006-17	12/22/2017	Race,National Origin,Physical Disability/Driver Complaint	Closed	Withdrawn
TR-0005-0001-18	2/5/2018	Race,National Origin,Physical Disability,Mental Disability/Driver Complaint	Closed	Withdrawn
TR-0017-0002-18	2/9/2018	Mental Disability/Trespassed from Bus	Closed	Mediation Settlement
TR-0034-0003-18	4/4/2018	Age,Physical Disability/Driver Complaint	Closed	Withdrawn
TR-0047-0004-18	5/17/2018	Physical Disability/Trespassed from Bus	Closed	Withdrawn
TR-0073-0005-18	8/14/2018	Physical Disability/Trespassed from Bus	Closed	Mediation Settlement
TR-0097-0006-18	9/28/2018	Race/Trespassed from Bus	Closed	Withdrawn

Davenport CitiBus
Attachment F

Service Standards and Service Policies

CitiBus Vehicle Load Standards: Average Passenger Capacities				
Vehicle Type	**Seated**	**Standing**	**Total**	**Maximum Load Factor**
40' Low Floor Bus	39	21	60	1.5
35' Low Floor Bus	32	18	50	1.6

CitiBus Vehicle Headway Standards:

Davenport CitiBus currently operates its fixed-route service at a consistent level through the service day, having no "peak" vs. "off peak" headway differences. As the primary trunk connector, Route 4 operates a 30-minute headway. The other nine CitiBus routes operate on a 60-minute headway.

Monday through Friday, routes should be in service no later than 6:20 a.m. and run until at least 7:00 p.m. Actual current service begins with the earliest route at 5:35 a.m.; earliest end time is 6:38 p.m. On Saturday, service should begin on no route later than 9:20 a.m. and run until at least 7:00 p.m. On Sunday, service should begin on no route later than 10:20 a.m. and run until at least 5:00 p.m.

Scheduling involves the consideration of a number of factors, among which are ridership productivity; density of transit-dependent populations and activities; relationship to both city (*2016 Comprehensive Operations Analysis*) and regional transportation plans and studies (*2004 Iowa QC Transit Alternatives Analysis*); coordination with connecting systems; and relationship to schools, employment centers, retail, and medical facilities.

CitiBus On-Time Performance Standard

It is the policy/goal of the City of Davenport that ninety (90) percent of the Davenport CitiBus transit vehicles will complete their establish runs no more than 1 minute early or more than 5 minutes late in comparison to the established schedule. **Excepted from this standard** are situations encountered beyond the agency/bus driver's control: inclement weather; flooding, hazardous road conditions; accidents; road closures/detours; bridge closures/detours; or any such road or environmental condition that render it impossible or unsafe to travel the route in a manner necessary to achieve on-time performance.

CitiBus Service Availability Standards

The City of Davenport will distribute transit service so that 90% of all residents in the service area are no further from a transit route than one-half mile. Bus stops will not be more than 1/3 mile apart in residential areas, and CitiBus will allow flag-stops at all safe locations along any CitiBus bus route. Passengers may also request stops to deboard the bus at any safe location along any route.

CitiBus Vehicle Assignment Policy

Buses are assigned to routes determinant upon a number of factors, such as ridership and mechanical or maintenance considerations. Larger low-floor buses are deployed on the high ridership routes, so these buses typically carry a high share of ridership; smaller buses (30-foot) are typically assigned to the lower ridership routes in order to maximize service efficiency, or may be assigned to routes that operate on narrower streets or may include tight maneuvering characteristics

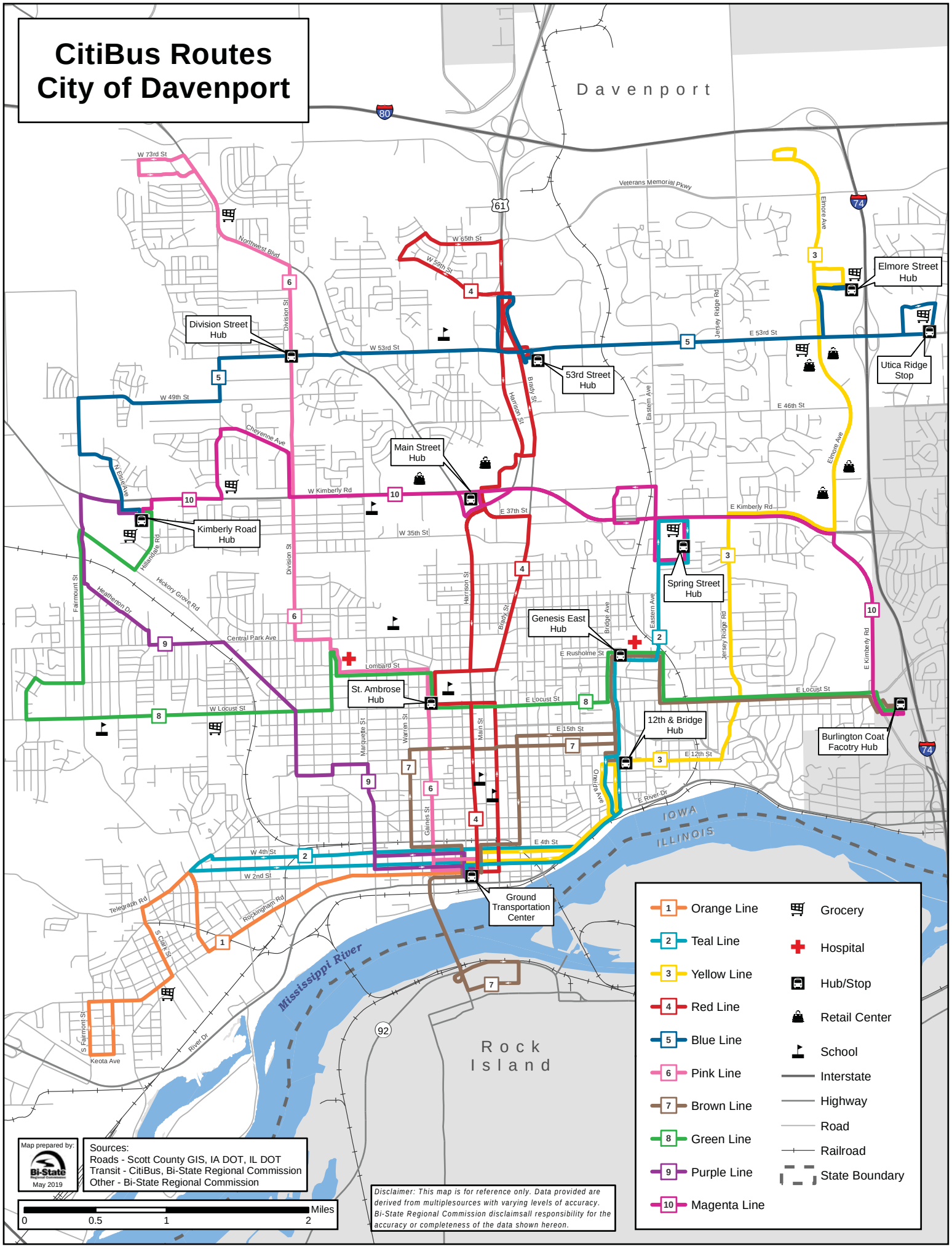
CitiBus Transit Amenities Policy

Installation of transit amenities along bus routes is based on the number of passenger boardings at stops along those routes, accessibility of the location, and ownership status of the property.

Davenport CitiBus
Attachment G

System Map

CitiBus Routes
City of Davenport



Demographic Data

Analysis and Maps

DEMOGRAPHIC DATA ANALYSIS AND MAPS

While the urbanized planning area of the Bi-State Regional Commission has a population greater than 200,000, Davenport CitiBus is not individually large enough to meet the threshold necessary to need to address program specific requirements and guidelines for recipients that operate 50 or more fixed-route vehicles in an Urbanized Area (UZA) of 200,000 or more population. As a service in addition to preparing the Title VI report for Davenport CitiBus, however, Bi-State Regional Commission also provides demographic and service profile maps depicting the transit system routes of the three Quad Cities transit systems. These maps illustrate the relationship of transit system fixed-route service to areas that present characteristics consistent with higher transit dependency. This document has been updated with data from the U.S. Census Bureau American Community Survey 5-year estimates (2013-2017).

Map 1: Median Household Income by Census Tracts (2014 boundaries)

Median income by census tract is scaled in color showing median incomes in the lowest bracket ($21,000 - $31,999) in dark green. The map shows that census tracts in the lowest bracket are mostly concentrated along the Mississippi River. These census tracts are in the downtown and the oldest settled areas of Davenport. Bus routes for CitiBus are up-to-date and depict current service, and reflect changes since the last Title VI report. Transit service appears to provide service to the lower income census tracts. Census tracts that do not have a transit route connection are generally outside the existing transit system service areas.

Map 2: Percent Minority Population by Census Tracts (2014 boundaries)

In this map, the highest concentrations of minority populations (28% - 46%) are shown in dark turquoise blue. The highest concentrations of minority population generally coincide with portions of the low income households of the previous map in the area just outside of the downtown core in Davenport. Census tracts in the second highest bracket (19% - 27%) also appear over a large area that surrounds this area of highest concentration, encompassing the urban core, as well as farther out in the north and northwest portion of the city. Mid-percentage tracts (13% - 18%) tend to make up the largest geographic proportion of the city, and cover outer areas that are generally larger in geographic area and are less densely populated. A smaller portion of the minority population may appear as a larger percentage in the more sparsely populated outlying census tracts. Even with this consideration, the current bus routes appear to reach into these areas to the extent of the city's current service area boundaries.

Map 3: Percent Limited English Proficiency (LEP) Population by Census Tracts (2010 boundaries)

Limited English Proficiency pertains to the identified population of 5 years and over. Individuals who reported speaking English "less than very well" are shown on the map in shades of purple. The areas of highest concentration (4.7% - 7%) are shown in the darkest purple. The area of highest concentration of LEP population in Davenport are those tracts located in west

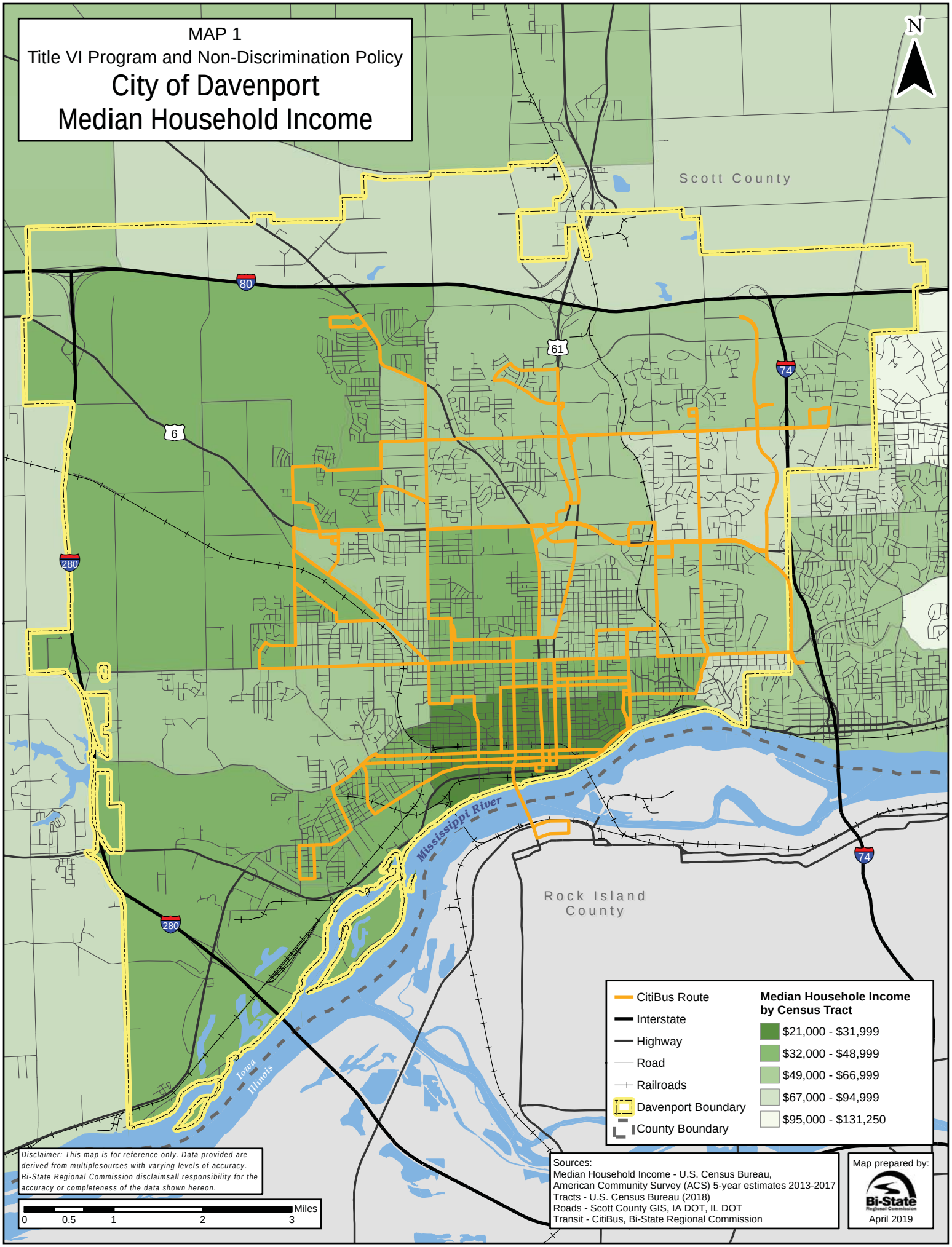
Davenport and north central Davenport. In keeping with the American Community Survey 5-Year Estimate, the majority of the city is comprised of tracts reporting less than 3% concentrations. The map indicates that CitiBus routes do provide good coverage to the census tracts with higher concentrations of LEP individuals. Census tracts that do not have a transit route connection generally low density and/or outside the existing transit system service areas.

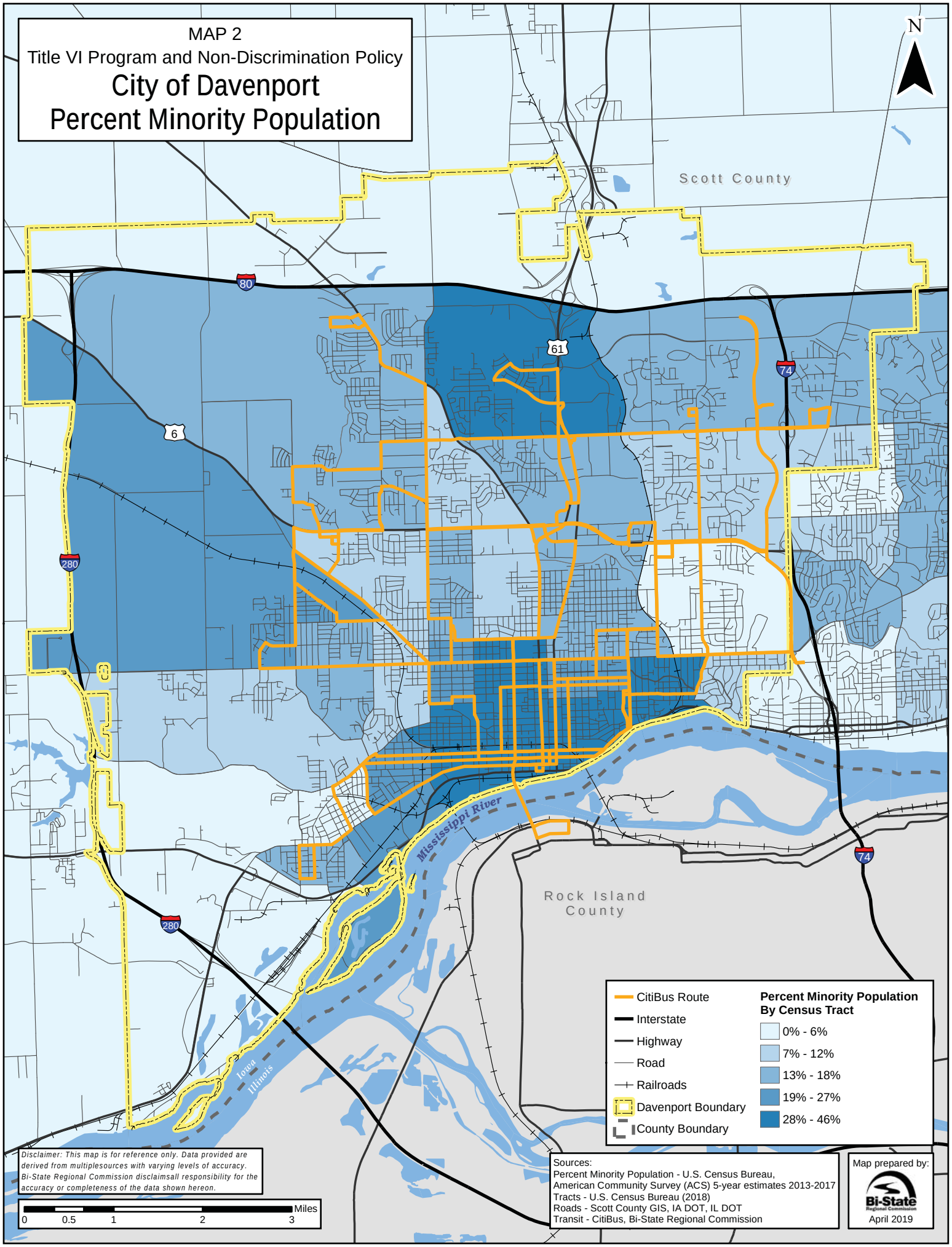
Map 4: Major Employment Centers

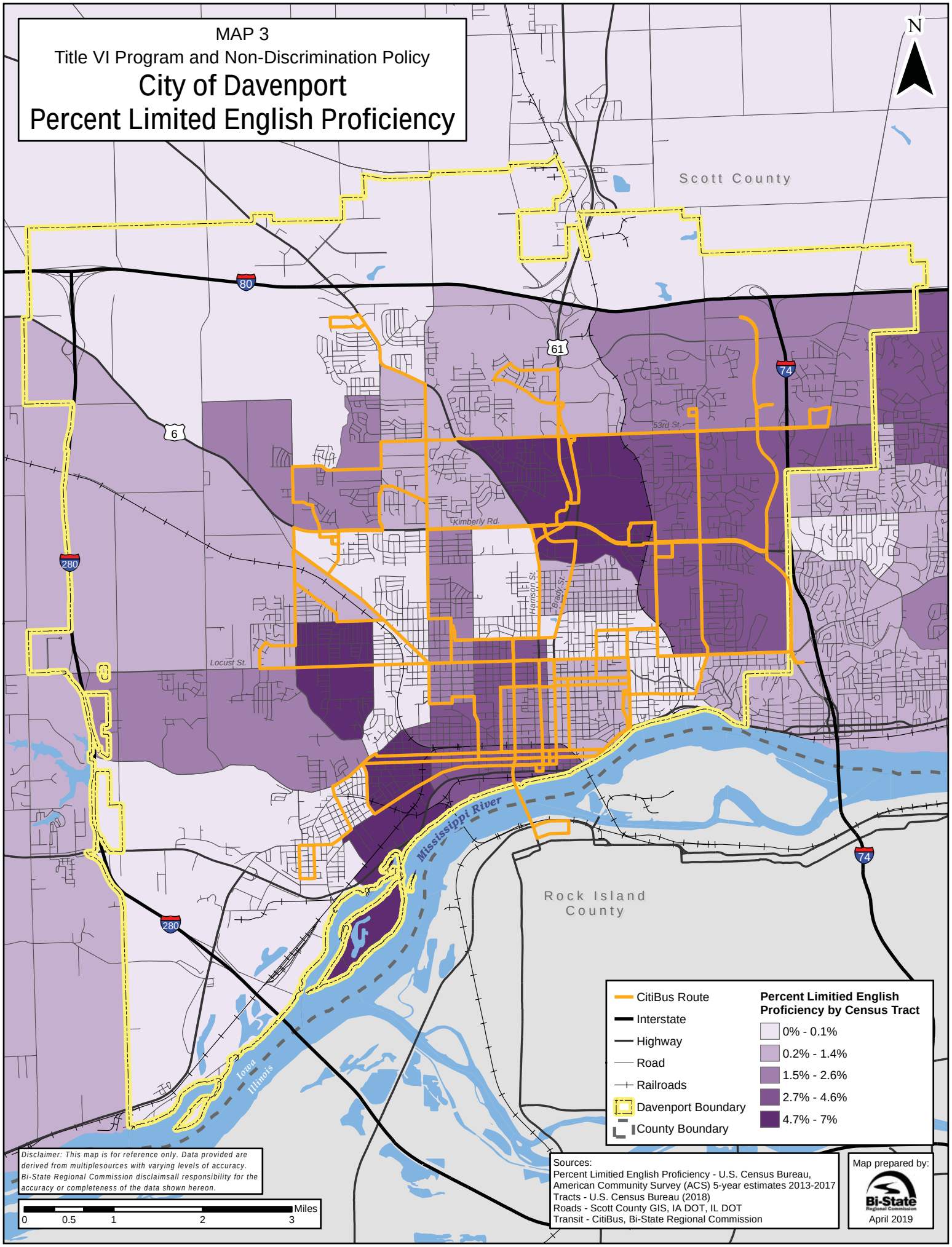
The intent of this map is to display the degree of transit system access to employment afforded by the current transit system bus routes. The employment center data for this map is based on information accessed by Bi-State Regional Commission in April 2019. Transit system bus routes are the most current since the previous Title VI report. The map shows major employment centers with 100 or more employees as a turquoise dot. The number of dots appear concentrated in the downtown area, where population and core urban activity are centered. Outside the downtown core areas, many major employers appear to be distributed according to areas of commercial and industrial activity and appear largely served by current bus routes. Major employment centers that do not have a transit route connection are generally outside the existing transit system service area, including northern areas near Interstate 80 and in the industrial area in southwest Davenport.

Map 5: Major Activity Centers

The intent of this map is to show transportation access to major activity centers in analysis of coordinated transportation services. The major activity centers include social service centers, regional service centers, and medical providers represented on the map as different colored dots. These activity centers were identified in the *2045 Quad Cities Long Range Transportation Plan*, and assists with coordinated transportation planning among transportation providers and the agencies that provide services to low-income and minority residents. The transit routes on this map are the most up-to-date and appear to line up well with the majority of the activity centers. Other minor concentrations of major activity centers are outside the transit system service areas and even outside the urbanized planning area. These represent smaller towns around the urban center and serve a more rural or sparsely settled population.


MAP 1
Title VI Program and Non-Discrimination Policy
City of Davenport
Median Household Income
N
Scott County
Rock Island County
Mississippi River
Iowa
Illinois
80
61
74
6
280
CitiBus Route
Interstate
Highway
Road
Railroads
Davenport Boundary
County Boundary
Median Household Income by Census Tract
$21,000 - $31,999
$32,000 - $48,999
$49,000 - $66,999
$67,000 - $94,999
$95,000 - $131,250
Disclaimer: This map is for reference only. Data provided are derived from multiplesources with varying levels of accuracy. Bi-State Regional Commission disclaimsall responsibility for the accuracy or completeness of the data shown hereon.
Miles
0 0.5 1 2 3
Sources:
Median Household Income - U.S. Census Bureau, American Community Survey (ACS) 5-year estimates 2013-2017
Tracts - U.S. Census Bureau (2018)
Roads - Scott County GIS, IA DOT, IL DOT
Transit - CitiBus, Bi-State Regional Commission
Map prepared by:
Bi-State Regional Commission
April 2019

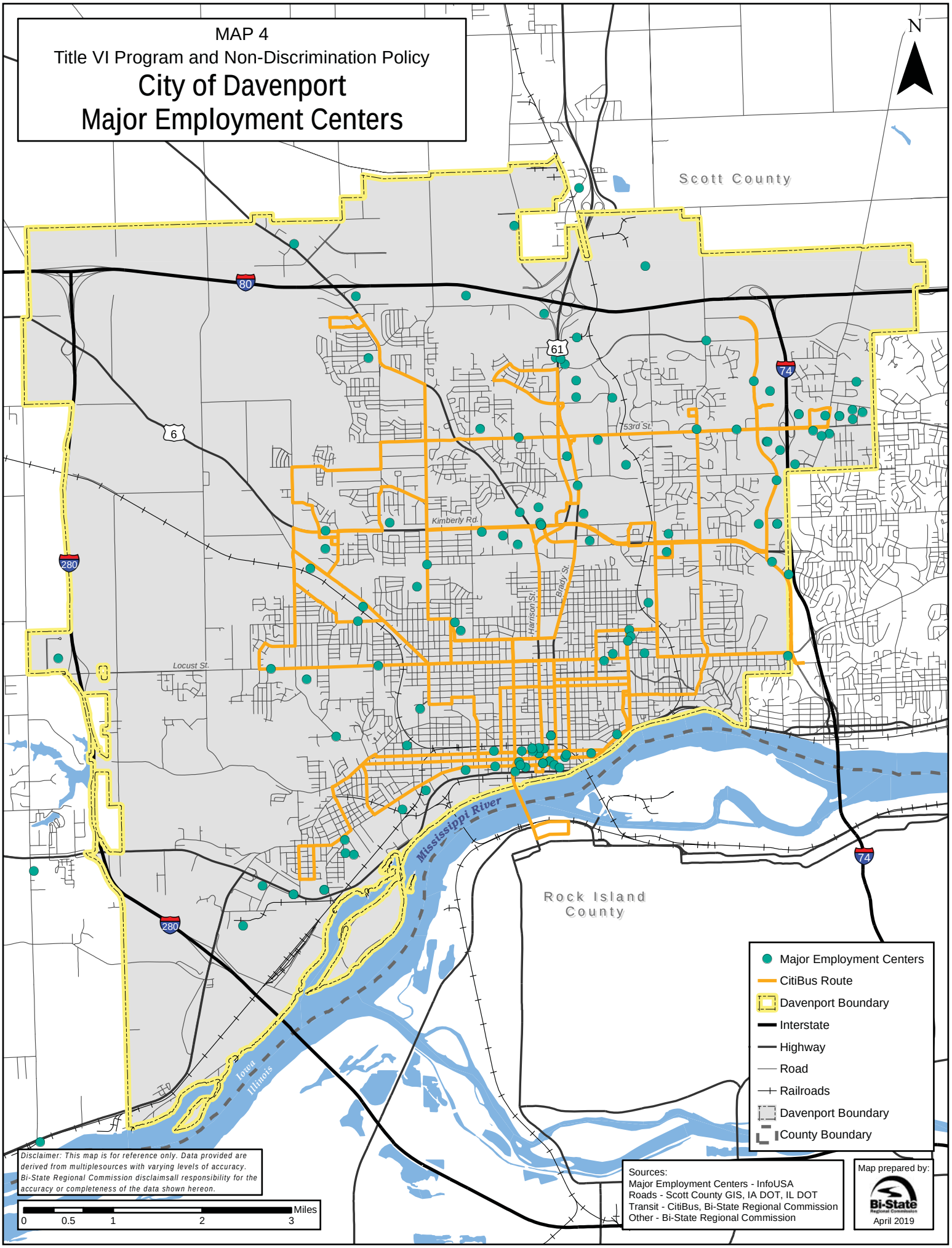

MAP 2
Title VI Program and Non-Discrimination Policy
City of Davenport
Percent Minority Population
N
Scott County
Rock Island County
Mississippi River
Iowa
Illinois
80
61
74
6
280
CitiBus Route
Interstate
Highway
Road
Railroads
Davenport Boundary
County Boundary
Percent Minority Population By Census Tract
0% - 6%
7% - 12%
13% - 18%
19% - 27%
28% - 46%
Disclaimer: This map is for reference only. Data provided are derived from multiplesources with varying levels of accuracy. Bi-State Regional Commission disclaimsall responsibility for the accuracy or completeness of the data shown hereon.
Miles
0 0.5 1 2 3
Sources:
Percent Minority Population - U.S. Census Bureau, American Community Survey (ACS) 5-year estimates 2013-2017
Tracts - U.S. Census Bureau (2018)
Roads - Scott County GIS, IA DOT, IL DOT
Transit - CitiBus, Bi-State Regional Commission
Map prepared by:
Bi-State Regional Commission
April 2019


MAP 3
Title VI Program and Non-Discrimination Policy
City of Davenport
Percent Limited English Proficiency
N
Scott County
Rock Island County
Mississippi River
Iowa
Illinois
80
61
74
6
280
53rd St.
Kimberly Rd.
Harrison St.
Brady St.
Locust St.
CitiBus Route
Interstate
Highway
Road
Railroads
Davenport Boundary
County Boundary
Percent Limitied English Proficiency by Census Tract
0% - 0.1%
0.2% - 1.4%
1.5% - 2.6%
2.7% - 4.6%
4.7% - 7%
Disclaimer: This map is for reference only. Data provided are derived from multiplesources with varying levels of accuracy. Bi-State Regional Commission disclaimsall responsibility for the accuracy or completeness of the data shown hereon.
Miles
0 0.5 1 2 3
Sources:
Percent Limitied English Proficiency - U.S. Census Bureau, American Community Survey (ACS) 5-year estimates 2013-2017
Tracts - U.S. Census Bureau (2018)
Roads - Scott County GIS, IA DOT, IL DOT
Transit - CitiBus, Bi-State Regional Commission
Map prepared by:
Bi-State Regional Commission
April 2019

MAP 4

Title VI Program and Non-Discrimination Policy

City of Davenport
Major Employment Centers



Disclaimer: This map is for reference only. Data provided are derived from multiplesources with varying levels of accuracy. Bi-State Regional Commission disclaimsall responsibility for the accuracy or completeness of the data shown hereon.

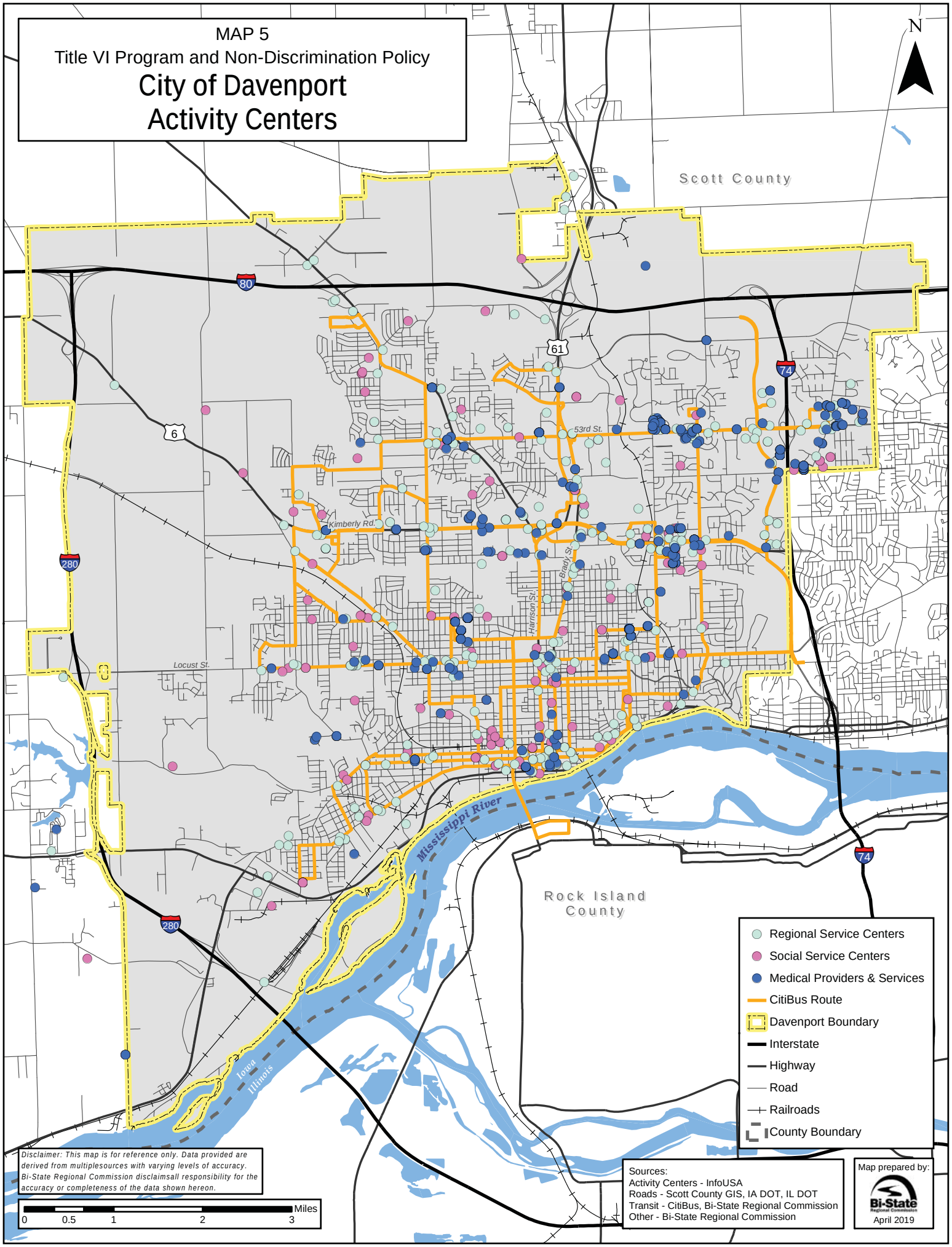
Sources:
Major Employment Centers - InfoUSA
Roads - Scott County GIS, IA DOT, IL DOT
Transit - CitiBus, Bi-State Regional Commission
Other - Bi-State Regional Commission

Map prepared by:
Bi-State Regional Commission
April 2019

MAP 5

Title VI Program and Non-Discrimination Policy

City of Davenport Activity Centers



Copies of Signed

FTA Certifications and Assurances

FTA FISCAL YEAR 2019 CERTIFICATIONS AND ASSURANCES

FEDERAL FISCAL YEAR 2019 CERTIFICATIONS AND ASSURANCES FOR FTA ASSISTANCE PROGRAMS

(Signature pages alternate to providing Certifications and Assurances in TrAMS.)

Name of Applicant: City of Davenport / CitiBus

The Applicant certifies to the applicable provisions of categories 01–18. ✓

Or,

The Applicant certifies to the applicable provisions of the categories it has selected:

Category		Certification
01	Certifications and Assurances Required of Every Applicant	
02	Tax Liability and Felony Convictions	
03	Lobbying	
04	Private Sector Protections	
05	Transit Asset Management Plan	
06	Rolling Stock Buy America Reviews and Bus Testing	
07	Urbanized Area Formula Grants Program	
08	Formula Grants for Rural Areas	
09	Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	
10	Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	
11	Enhanced Mobility of Seniors and Individuals with Disabilities Programs	
12	State of Good Repair Grants	
13	Infrastructure Finance Programs	
14	Alcohol and Controlled Substances Testing	
15	Rail Safety Training and Oversight	
16	Demand Responsive Service	
17	Interest and Financing Costs	
18	Construction Hiring Preferences	

FEDERAL FISCAL YEAR 2019 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE

(Required of all Applicants for federal assistance to be awarded by FTA in FY 2019)

AFFIRMATION OF APPLICANT

Name of the Applicant: City of Davenport / CitiBus

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in federal fiscal year 2019, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Award for which it now seeks, or may later seek federal assistance to be awarded during federal fiscal year 2019.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature _____ Date: 3/14/19

Name John W. Powell Jr. Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): City of Davenport / CitiBus

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature _____ Date: 3/14/19

Name Thomas D. Warner Attorney for Applicant

Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.

City of Davenport

Agenda Group: **Action / Date**
Department: Finance **11/20/2019**
Contact Info: Brandon Wright 563-326-7750
Wards:

Subject:
Resolution approving an internal advance to the Tax Increment Fund for administrative costs. [Wards 2, 6, 7, & 8]

Recommendation:
Adopt the Resolution.

Background:
By law, Davenport can certify with Scott County an internal monetary advance to our Tax Increment Fund. On the advice of City's bond counsel, Bob Josten of Dorsey & Whitney, the City Council initiated the program to fund staff working with economic development activities and administrative activities through TIF proceeds. This process works like a typical tax increment financing (TIF) project, with the internal advance based upon an increase in the base assessed valuation in urban renewal areas. This request must be approved by the City Council annually.

In order to offset economic development related personnel costs currently paid from the City's general fund, staff is recommending an internal advance of TIF funding of $275,000. This money will then be utilized to reimburse the general fund for staff and other economic development related activities. Staff costs spent administratively each year include activities such as current TIF project monitoring, debt certification, and working with new TIF projects.

As required by law, notice was sent to all taxing jurisdictions and a consultation meeting was held November 5, 2019. A notice of the Public Hearing was published in the Quad City Times on November 11, 2019.

ATTACHMENTS:

Type	Description
Resolution Letter	RES Internal TIF

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	11/13/2019 - 6:44 PM
Finance Committee	Wright, Brandon	Approved	11/13/2019 - 6:44 PM
City Clerk	Admin, Default	Approved	11/14/2019 - 2:31 PM

Resolution No._____

Resolution offered by Alderman Matson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving an internal advance to the Tax Increment Fund for Administrative Costs.

WHEREAS, the City of Davenport, Iowa (the "City"), has established the North Davenport Urban Renewal Area (the "Urban Renewal Area") and has established the Urban Renewal Area Tax Increment Revenue Fund (the "Tax Increment Fund") in connection therewith; and

WHEREAS, the City has undertaken various urban renewal projects (the "Projects") within the Urban Renewal Areas for the promotion of economic development and has incurred in the 2019 Fiscal Year, and will incur in the 2020 Fiscal Year, substantial administrative costs (the "Administrative Costs") in connection with carrying out these projects; and

WHEREAS, in order to make the Administrative Costs (including staff salaries and associated economic development related activities such as special studies, consultants, marketing and technical assistance) eligible to be reimbursed from future incremental property tax revenues, it is necessary to make an internal advance to the Tax Increment Fund;

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Davenport, Iowa, as follows:

Section 1. It is hereby directed that an amount not to exceed Two Hundred and Seventy Five Thousand Dollars ($275,000) be advanced to the Tax Increment Fund from the General Fund (the "Advance") for the payment of the Administrative Costs. The Advance shall be repaid to the General Fund without interest out of future incremental property tax revenues received into the Tax Increment Fund. This amount authorized to ensure continuity of programming in the event of a future reduction of federal funding and to cover additional marketing efforts.

To the extent that there are funds available for this purpose in the Tax Increment Fund, payments on the Advance may be made on June 1 of each year. Repayment of the Advance is subject to the determination of the City Council each year that there are incremental property tax revenues available for such purpose which have been allocated

to or accrued in the Tax Increment Fund relative to the Advance, and the City Council reserves the right to appropriate funds, or to withhold such appropriation, at its discretion.

Section 2. A copy of this Resolution shall be filed in the office of the County Auditor of Scott County, Iowa to evidence the Advance. Pursuant to Section 403.19 of the Code of Iowa, the City Clerk is hereby directed to certify, no later than December 1, 2019, the full original amount of the Advance as provided for herein.

Section 3. All resolutions or parts thereof in conflict herewith, are hereby repealed, to the extent of such conflict.

Approved:	Attest:
_____	_____
Frank Klipsch, Mayor	Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Brandon Wright 563-326-7750
Wards:

Action / Date
11/20/2019

Subject:
Resolution approving the Shortline Rail and Transload Facility project in the amount of $450,000. [Ward 8]

Recommendation:
Adopt the Resolution.

Background:
The City is requesting $450,000 in support of ongoing manufacturing, industries, and logistics associated with the railroad over a period of 10 years funded from the North Davenport Urban Renewal Area. The City has entered into a lease agreement with Davenport Industrial Railroad, LLC to lease the City's shortline rail and operate services at City's transload facility.

As required by law, notice was sent to all taxing jurisdictions and a consultation meeting was held November 5, 2019. A notice of the Public Hearing was published in the Quad City Times on November 11, 2019.

ATTACHMENTS:

Type	Description
Resolution Letter	Resolution Shortline and Transload Funding

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	11/13/2019 - 6:46 PM
Finance Committee	Wright, Brandon	Approved	11/13/2019 - 6:47 PM
City Clerk	Admin, Default	Approved	11/14/2019 - 2:29 PM

Resolution No._____

Resolution offered by Alderman Matson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the Shortline Rail and Transload Facility project in the amount of $450,000.

WHEREAS, the City of Davenport, Iowa (the "City"), has established the North Davenport Urban Renewal Area (the "Urban Renewal Area") and has established the Urban Renewal Area Tax Increment Revenue Fund (the "Tax Increment Fund") in connection therewith; and

WHEREAS, the City has entered into a lease agreement with Davenport Industrial Railroad, LLC to lease the City of Davenport's Shortline Rail and operate services at the City of Davenport Transload Facility; and

WHEREAS, the City is requesting $450,000 in support of ongoing manufacturing, industries and logistics associated with the railroad over a period of 10 years from the North Davenport Urban Renewal Area;

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Davenport, Iowa, approves the Shortline Rail and Transload Facility project in the amount of $450,000.

Approved:

_____

Frank Klipsch, Mayor

Attest:

_____

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Human Resources
Contact Info: Mallory Merritt 563-326-7792
Wards:

Action / Date
11/20/2019

Subject:
Resolution awarding a contract for the purchase of Specific and Aggregate Stop Loss Insurance to Tokio Marine HCC in the amount of $862,599.12. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
Coverage and cost proposals for stop loss insurance were requested, and the City received seven proposals with a variety of plan design options.

Stop loss insurance is purchased to limit the City's exposure to potential large medical and prescription claims. When expenses exceed the specific stop loss amount for an individual and/or the expenses exceed the aggregate stop loss for the plan, the carrier will assume responsibility for the remaining expenses.

The City's benefits consultant, Molyneaux Insurance, reviewed all seven responses based on levels of coverage and proposed premium costs. Attached is a summary of the quote from Tokio Marine HCC which includes a recommended specific stop loss level of $190,000 for both medical and prescription claims. This proposal represents a $290,000 cost reduction over the City's current carrier.

ATTACHMENTS:

Type	Description
Resolution Letter	Stop Loss Resolution Letter
Backup Material	Tokio Marine HCC Proposal

REVIEWERS:

Department	Reviewer	Action	Date
Human Resources	Merritt, Mallory	Approved	11/13/2019 - 8:16 PM
Finance Committee	Wright, Brandon	Approved	11/14/2019 - 2:34 PM
City Clerk	Admin, Default	Approved	11/15/2019 - 11:56 AM

Resolution No._____

Resolution offered by Alderman Matson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION awarding a contract for the Specific and Aggregate Stop Loss Insurance to Tokio Marine HCC in the amount of $862,599.12.

WHEREAS, the City of Davenport must purchase Specific and Aggregate Stop Loss Insurance coverage for medical and prescription claims effective January 1, 2020 through December 31, 2020, and;

WHEREAS, the coverage and cost proposals were requested and evaluated from the marketplace, and;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract awarding the purchase of Specific and Aggregate Stop Loss Insurance to Tokio Marine HCC is hereby approved.

Approved:

_____

Frank Klipsch, Mayor

Attest:

_____

Brian Krup, Deputy City Clerk

[redacted]

Stop Loss Proposal for: City of Davenport

Effective Dates: 12/31/2019 – 12/30/2020

Quoted for: UMR, Inc.

Proposal Number: 3

11100 Wayzata Blvd., Suite 350
Minnetonka, MN 55305
Telephone: (763) 486-1000
Facsimile: (763) 486-1001

Underwriter:
Ryan Mueller
rmueller@tmhcc.com

Marketing Representative:
Jill VerWoert
jverwoert@tmhcc.com

INDIVIDUAL STOP LOSS COVERAGE

Plan Description		Option 1
Coverages		Medical, Rx Card
Annual Specific Deductible per Individual		$ 190,000
Contract Basis		24/12
Lifetime Reimbursement		Unlimited
Maximum Contract Period Reimbursement		Unlimited
Rate(s) per Month	Enrollment	
Single	185	$ 30.69
Family	614	$ 100.11
Composite	799	$ 84.04
Estimated Contract Period Premium		$ 805,742
Rate(s) include Commission of		0.00 %

Rates and Factors subject to attached Qualifications and Contingencies and Plan Document Assumptions.

Stop Loss Proposal for: City of Davenport

Effective Dates: 12/31/2019 – 12/30/2020

Quoted for: UMR, Inc.

Proposal Number: 3

TOKIO MARINE HCC

11100 Wayzata Blvd., Suite 350
Minnetonka, MN 55305
Telephone: (763) 486-1000
Facsimile: (763) 486-1001

Underwriter:
Ryan Mueller
rmueller@tmhcc.com

Marketing Representative:
Jill VerWoert
jverwoert@tmhcc.com

AGGREGATE STOP LOSS COVERAGE

Plan Description		Option 1
Coverages		Medical, Rx Card
Contract Basis		24/12
Loss Limit per Individual		$ 190,000
Maximum Contract Period Reimbursement		$ 1,000,000
Rate per Month	Enrollment	
Composite	799	$ 5.93
Estimated Contract Period Premium		$ 56,857
Rate(s) include Commission of		0.00 %
Annual Aggregate Deductible		$ 15,097,429
Minimum Aggregate Deductible		$ 15,097,429
Monthly Aggregate Claim Factors	Enrollment	
Medical, Rx Card		
Single	185	$ 762.07
Family	614	$ 1,819.44
Composite	799	$ 1,574.62
Run-In Limit		$ 0

OVERALL COST SUMMARY

Plan Description	Option 1
Total Annual Fixed Cost	$ 862,599
Aggregate Variable	$ 15,097,429
Maximum Annual Liability	$ 15,960,028

Rates and Factors subject to attached Qualifications and Contingencies and Plan Document Assumptions.

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Brandon Wright 563-326-7750
Wards:

Action / Date
11/20/2019

Subject:
Resolution approving the sale of four amusement rides received by gift to Main Street Amusements, LLC. [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
The Carousel Charitable Trust f/b/o Our Less Fortunate Families and Kids ("Trust") acquired four (4) amusement rides commonly referred to as the Carousel, the El Paso Train, the Reverse Time, and the Mini Dance Party in 2016 for the purpose of returning the profits to area non-profit organizations to support children in need. The Trust has divested its interest in the rides by Deed of Gift to the City, and the Team is willing to assume ownership of the rides with the desire to continue providing profits generated from their operation to area non-profit organizations that support children in need.

ATTACHMENTS:

Type	Description
Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	11/13/2019 - 6:16 PM
Finance Committee	Wright, Brandon	Approved	11/13/2019 - 6:16 PM
City Clerk	Admin, Default	Approved	11/14/2019 - 2:17 PM

Resolution No._____

Resolution offered by Alderman Matson

RESOLVED by the City Council of the City of Davenport ("City").

RESOLUTION approving the sale of four amusement rides received by gift to Main Street Amusements, LLC ("Team").

WHEREAS, the Carousel Charitable Trust f/b/o Our Less Fortunate Families and Kids ("Trust") acquired four (4) amusement rides commonly referred to as the Carousel, the El Paso Train, the Reverse Time, and the Mini Dance Party (herein collectively referred to as "Rides") in 2016 for the purpose of returning the profits from Rides profits to area non-profit organizations to support children in need; and

WHEREAS, Trust has divested its interest in Rides by Deed of Gift to City; and

WHEREAS, City is a municipal government established under the laws of the State of Iowa; and

WHEREAS, Team is willing to assume ownership of Rides from City; and

WHEREAS, Team desires to continue providing profits generated from operation of Rides to area non-profit organizations that support children in need.

NOW, THEREFORE, BE IT RESOLVED, that this resolution approving the sale of four amusement rides received by gift to Main Street Amusements, LLC is hereby approved by the City Council.

Approved: Attest:

_____ _____

Frank Klipsch, Mayor Brian Krup, Deputy City Clerk

Bill of Sale

KNOW ALL PEOPLE BY THESE PRESENTS:

In consideration of one dollar ($1.00) and other valuable consideration to the City of Davenport ("Seller") in hand paid by Main Street Amusements, LLC ("Buyer"), the receipt of which is hereby acknowledged, Seller does bargain, sell, and convey to Buyer:

- One (1) Used Bertazzon Double Decker Carousel
- One (1) Used Zamperla El Paso Train Serial # EP22FOO5US98
- One (1) New SBF Reverse Time 12 Seater Park Model
- One (1) New Visa Mini Dance Party 360 Model MX101

with their respective structures currently located at Modern Woodmen Park in Davenport, Iowa and related improvements and appertenances (collectively, the "Property").

Seller does hereby covenant and warrant its title to Property and agrees to defend the sale of Property to buyer against any lawful claims and demands of ownership or liens by third parties. Seller makes no other warranties either express or implied.

Buyer agrees to take the property AS IS and WHERE IS and WITHOUT ANY EXPRESS OR IMPLIED WARRANTIES AS TO MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. Buyer further agrees that the Property is not considered property or any part of the premises as defined in the Stadium Lease Agreement between Seller and Buyer for Buyer's lease of Seller's municipally-owned ballpark.

Dated: _____, 2019.

CITY OF DAVENPORT, IOWA (SELLER)

By:_____
Frank J. Klipsch
Mayor

Accepted by BUYER:

MAIN STREET AMUSEMENTS, LLC

By: _____
David Heller
Managing Member

STATE OF IOWA)
) ss.
COUNTY OF SCOTT)

Subscribed and sworn to by Frank J. Klipsch before me, a notary public in and for said county and state, this _____ day of _____, 2019, who on oath stated he is authorized to execute this instrument for and on behalf of City of Davenport, Iowa and that the execution of this document is voluntarily and freely done.

_____
NOTARY PUBLIC

STATE OF IOWA)
) ss.
COUNTY OF SCOTT)

Subscribed and sworn to by David Heller before me, a notary public in and for said county and state, this _____ day of _____, 2019, who on oath stated he is authorized to execute this instrument for and on behalf of Main Street Amusements, LLC and that the execution of this document is voluntarily and freely done.

_____
NOTARY PUBLIC

City of Davenport

Agenda Group: **Action / Date**
Department: Finance **11/20/2019**
Contact Info: Brandon Wright 563-326-7750
Wards:

Subject:
Resolution approving a new intergovernmental agreement providing for operations, maintenance, and improvements for the joint use interceptor sewers, regional water pollution control plant, and appurtenances, effective July 1, 2020. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
The Cities of Davenport, Bettendorf, Riverdale, and Panorama Park (collectively referred to as the "Joint Use Cities") have worked cooperatively for many years to deliver regional wastewater treatment services in their respective jurisdictions. The Joint use Cities entered into an intergovernmental agreement on January 5, 1974, with multiple amendments, to jointly contract, construct, acquire, maintain, and use certain sanitary sewers and a sewage treatment facility. While the previous agreement worked for several decades, the Joint Use cities have needed to update and modernize the agreement to meet current demands on regional wastewater treatment. Therefore, the Joint Use Cities propose the creation of a new operating framework with the repeal of the current agreement and approval of a new agreement for their mutual benefit.

The Joint Use Cities have developed a new 28E agreement to jointly own, use, maintain, and improve certain interceptor sewers and appurtenances across their respective jurisdictions, a water pollution control plant, and a compost facility. The new agreement is designed and intended to enhance the public health, safety, morals, and welfare of the Joint Use cities.

Under the new agreement, solutions have been negotiated for several items that are not addressed in the current arrangement. Specifically, the new agreement addresses how to budget and pay for large capital project expenses, how to distribute plant and system capacities to participating municipalities, how to authorize and pay for debt issued on behalf of the system, how to properly fund maintenance of the 1970's sewer interceptor, and how a municipality might exit from its use of and responsibilities for the system. The new agreement also establishes a new funding model to properly address the financial sustainability of the wastewater system over time.

The final agreement will be voted on by the City Council of each of the Joint Use Cities.

ATTACHMENTS:

Type	Description
Resolution Letter	Resolution
Exhibit	Intergovernmental Agreement
Backup Material	Financial Analysis

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	11/15/2019 - 11:20 AM

Finance Committee	Wright, Brandon	Approved	11/15/2019 - 11:21 AM
City Clerk	Admin, Default	Approved	11/15/2019 - 12:09 PM

Resolution No._____

Resolution offered by Alderman Matson

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving a new intergovernmental agreement providing for the use, operation, maintenance and improvements for the Joint Use System, effective July 1, 2020.

WHEREAS, the Cities of Davenport, Bettendorf, Riverdale, and Panorama Park (collectively referred to as the "Municipalities") desire to work together for the purpose of delivering regional waste water treatment services; and

WHEREAS, the Municipalities entered into an intergovernmental agreement on January 5, 1974, and amended from time to time (such intergovernmental agreement and amendments, the "IGA") to jointly contract, construct, acquire, maintain, and use certain sanitary sewers and appurtenances thereto and a sewerage treatment facility; and

WHEREAS, the Municipalities desire to repeal the IGA and to create a new agreement for the mutual benefit of the Municipalities; and

WHEREAS, all Municipalities desire to jointly own, use, maintain, and improve certain interceptor sewers and appurtenances across their respective jurisdictions, a water pollution control plant, and a compost facility; and

WHEREAS, intergovernmental cooperation between units of local government to contract, further combine, or transfer lawful power or function in any manner not prohibited by law or ordinance is authorized by and pursuant to Chapter 28E, of the 2019 Code of Iowa; and

WHEREAS, all aspects of this Agreement are designed and intended to enhance the public health, safety, morals and welfare, as related to the Municipalities.

NOW, THEREFORE, BE IT RESOLVED in a spirit of comity, and pursuant to the appropriate constitutional and statutory provisions, that this resolution approving a new intergovernmental agreement providing for the use, operation, maintenance and improvements for the Joint Use System, effective July 1, 2020 is hereby approved by the City Council.

(Signature Page Follows)

Approved:

Frank Klipsch, Mayor

Attest:

Brian Krup, Deputy City Clerk

INTERGOVERNMENTAL AGREEMENT PROVIDING FOR THE USE, OPERATION, MAINTENANCE AND IMPROVEMENTS FOR THE JOINT USE SYSTEM

TABLE OF CONTENTS

Article I	Recitals
Article II	Authority, Duration
Article III	Purposes and Responsibilities
Article IV	Definitions
Article V	Operations, Maintenance, Use, and Improvements
Article VI	Use of System and Charges
Article VII	Allocation of Capacity
Article VIII	Metering and Sampling
Article IX	Organization of Contract Committee
Article X	Organization of Technical Committee (Sub-committee of Joint Use System Contract Committee)
Article XI	Termination
Article XII	Miscellaneous
Article XIII	Indemnification
Article XIV	Successors and Assignment
Article XV	Dispute Resolution
Article XVI	Chapter 28E, Code of Iowa
Article XVII	Entire Agreement, Amendments
Attachment 1	Administrative Order with Interceptor Sewer Map
Attachment 2	Permanent Flow Meter Location Map
Attachment 3	Water Pollution Control Plant Cost Allocation Spreadsheet and Instructions
Attachment 4	Capacity Allocation Worksheet (Example)
Attachment 5	WPCP Insurance Coverages

INTERGOVERNMENTAL AGREEMENT PROVIDING FOR THE USE, OPERATION, MAINTENANCE AND IMPROVEMENTS FOR THE JOINT USE SYSTEM

This Agreement is made and entered into on the later of the four (4) dates, effective as of July 1, 2020, by and among the City of Davenport, Iowa, the City of Bettendorf, Iowa, the City of Riverdale, Iowa, and the City of Panorama Park, Iowa, (collectively, the "Municipalities" and each, individually, a "Municipality"), and in consideration of the mutual promises and covenants set forth herein, the municipalities state and agree as follows:

ARTICLE I. RECITALS

WHEREAS, the Municipalities entered into an intergovernmental agreement on January 5, 1974, and amended from time to time (such intergovernmental agreement and amendments, the "IGA") to jointly contract, construct, acquire, maintain, and use certain sanitary sewers and appurtenances thereto and a sewerage treatment facility; and

WHEREAS, the Municipalities desire to repeal the IGA and to create a new agreement for the mutual benefit of the Municipalities; and

WHEREAS, all Municipalities desire to jointly own, use, maintain, and improve certain interceptor sewers and appurtenances across their respective jurisdictions, a water pollution control plant, and a compost facility; and

WHEREAS, intergovernmental cooperation between units of local government to contract, further combine, or transfer lawful power or function in any manner not prohibited by law or ordinance is authorized by and pursuant to Chapter 28E, of the 2019 Code of Iowa; and

WHEREAS, all aspects of this Agreement are designed and intended to enhance the public health, safety, morals and welfare, as related to the Municipalities.

NOW, THEREFORE, in a spirit of comity, and pursuant to the appropriate constitutional and statutory provisions, the Municipalities do hereby agree as follows:

ARTICLE II. AUTHORITY, DURATION

This Agreement is entered into pursuant to Chapter 28E of the 2019 Code of Iowa, and is subject to all applicable Iowa, and Federal statutes and related regulatory requirements. This Agreement shall be effective as of the date set forth in the preamble and shall continue into perpetuity unless terminated by all parties hereto.

ARTICLE III. PURPOSES AND RESPONSIBILITIES

The purpose of this Agreement is for the Municipalities to hereby contract and agree to jointly own and Operate interceptor sewers and manholes, metering devices the Water Pollution Control Plant, and the Compost Facility (collectively, the "System" as defined herein), and to pay the costs thereof and to pay annual charges for the Operation of the same and provide for the financing thereof all as is more particularly set forth herein.

ARTICLE IV. DEFINITIONS

For the purposes of this Agreement, the following words and phrases shall have the following meanings:

1. “Administrative Order” means that certain Administrative Consent Order No. 2013-WW-07-A1 (provided as Attachment 1) issued by the Iowa Department of Natural Resources, as amended.

2. “Agreement” shall mean this intergovernmental agreement, as the same may be amended from time to time.

3. “B.O.D.” shall mean Biochemical Oxygen Demand. This is the concentration of oxygen, expressed in units of milligrams per liter (mg/L), utilized in the biochemical oxidation of organic matter under standard laboratory procedure for five (5) days at twenty degrees centigrade (20°C). This standard laboratory procedure shall be found in the latest edition of Standard Methods for the Examination of Water and Storage, published by the American Public Health Association. For the purposes of this agreement, BOD5 is 250 mg/l. This value of BOD5 is the value accepted by all parties as representing the organic strength of normal domestic wastewater.

4. “Collection System” means all of the sewage collector facilities constructed or to be constructed by any of the parties to this Agreement for the respective municipality and which are connected to the System such as sewers, force mains, manholes, metering devices, pumping stations and other appurtenances.

5. “Compost Facility” means the compost facility located at 2707 Railroad Avenue, Davenport, Iowa, as the same may be expanded or improved in the future.

6. “Contract Committee” shall mean the committee established under the provisions of Article IX of this Agreement.

7. “IDNR” shall mean the Iowa Department of Natural Resources, or any successor to the same.

8. “Inflow and Infiltration” or "I&I" means water that enters the sanitary sewer system from the outside environment, not from domestic, commercial or industrial sources. "Inflow" means surface water that enters the sanitary sewer system from yard, roof and footing drains, cross-connections with storm drains, downspouts, and through holes in manhole covers; "infiltration" means groundwater that enters sanitary sewer mains, service laterals and manholes through breaks, holes, joint failures, connection failures and other openings.

9. “Joint Use System” or “System” shall mean the 1970’s interceptor sewers, Water Pollution Control Plant, and Compost Facility as described below:

    a. The 1970's interceptor sewers – from manhole 13333 (located in Bettendorf) flowing approximately 12.2 miles to the west through Panorama Park, Riverdale, Bettendorf and Davenport, Iowa. This sewer includes all manholes, metering devices, and Collection System connections within the System, and excludes all connections not initiated at a manhole. The 1970’s interceptor sewers are further shown on Attachment 1.

    b. Water Pollution Control Plant

    c. Compost Facility

d. Such other assets as may be included in the System, as agreed upon by the Municipalities, and as set forth in an amendment to this Agreement signed by all Municipalities.

10. "Metering" shall mean all meter(s) and metering as agreed to and approved by the Contract Committee.

11. "NPDES" shall mean National Pollutant Discharge Elimination System.

12. "Operate" or capitalized forms of the term "Operate" means to operate, maintain, use, improve, repair, and rehabilitate, as such terms refer to the System.

13. "Technical Committee" shall mean the committee established under the provisions of Article X of this Agreement.

14. "Water Pollution Control Plant" or "WPCP" shall mean the water pollution control plant, located at 2606 South Concord Street, Davenport, Iowa, as the same may be expanded or improved in the future.

ARTICLE V. OPERATION, MAINTENANCE, USE, AND IMPROVEMENTS

1. The System shall be operated to convey and treat sewage and meet NPDES permit requirements, Administrative Order requirements, and approved Contract Committee requests.

2. Each of the Municipalities will pay for the Operation of the System as common ownership. The City of Davenport will take the lead and be responsible for procurements for goods and services and approving and signing contracts (as ratified by the Contract Committee) and all costs will be shared based on the percentages agreed upon and approved by the Contract Committee. With the prior approval of the Contract Committee, the responsibilities of the City of Davenport in this section may be delegated to one of the other three (3) Municipalities, such as when a capital project will be solely located within the boundaries of another city. Each Municipality shall assume full responsibility for the construction, repair, replacement, operation, and maintenance for all Collection Systems in their jurisdiction not classified as the System.

3. The Operation costs shall include all reasonable costs to utilize the System as designed to its maximum extent for the designed lifetime of the System Operation expenses, as noted in Article V, 5 below, shall not include expansion of the System or any part thereof beyond the commitment of the Administrative Order.

4. The apportionment among the Municipalities of the Operation costs of the System shall be based upon measured and/or estimated strength and volume usage for each Municipality consistent with Attachment 3. Such apportionment shall be presented by the Manager of the WPCP and approved annually by the Contract Committee. The apportionment shall be based upon reasonable estimates if actual flow and load data by each Municipality is not available. The year shall be defined as the municipal fiscal year beginning July 1 and ending June 30. The annual cost for Operation of the System shall be apportioned in the same manner as approved by the Contract Committee. At the end of each year the cost and usage of the System shall be reviewed and adjustments made to reflect the actual cost and usage as compared to the budget items.

5. The apportionment percentage for each Municipality shall be applied to the totals of each of the funding areas described herein to determine each Municipality's total proportionate share cost. For planning purposes, the City of Davenport shall provide a proposed budget to the Technical Committee and the Technical Committee shall forward a proposed budget to the Contract Committee and each

Municipality prior to the meeting at which the apportionment percentage is approved. The budget shall provide estimates for each of the funding areas.

a. Operating Expenses: This funding area shall include all operating and use costs of the System, including maintenance costs under $150,000. Such costs shall include, but are not limited to, personnel costs including pensions and other benefits, employee training and development, contracted services, supplies, chemicals, routine maintenance under $150,000, interdepartmental charges, testing, reporting, and equipment less than $150,000. Any work performed on the 1970's Interceptor Sewers not performed by staff directly charged to the System shall be approved by the Contract Committee. Routine maintenance and equipment expenses larger than $150,000 may be included in the operating expense funding area if the project is individually approved by the Contract Committee to be funded by such. All System costs not contained within the equipment replacement expenses, debt services expenses, and reserve funding areas as described herein shall be included in the operating expenses funding area. The total operating expense cost shall be determined on an actual basis, but shall not include depreciation.

b. Equipment Replacement Expenses: This funding area shall include all pay-as-you-go funded costs for improvements, equipment more than $150,000, and maintenance over $150,000 not included in Operating Expenses as noted in Article V, 5(a) above. The amount charged to each Municipality to fund this expense area shall be 15% of the actual amount charged in operating expenses.

c. Debt Service Expenses: This funding area shall include all expenses related to the issuance and obligation of debt in any form for all debt-funded projects related to the System. The total debt service expense cost shall be determined on an actual basis. The Municipalities authorize the City of Davenport to issue debt through the Iowa Finance Authority's State Revolving Fund (SRF) program, or mutually agreeable debt issuance plan, for qualifying and approved projects. All Municipalities shall contribute to the repayment of such debt based on their apportionment percentages. All debt-funded projects shall be identified as such in the annual budget and six-year capital improvement plan approved and adopted by the Contract Committee.

d. Reserve: This funding area shall be held in reserve to be used at the discretion and approval of the Contract Committee to assist with emergency purchases during a year that would reasonably lead to an increase in actual costs above estimates provided in the budget process. The amount charged to each Municipality to fund the reserve shall be 2.0% of the actual amount charged in operating expenses. The maximum reserve fund amount shall be 15% of operating expenses for the System. The total reserve fund cost during a fiscal year shall be the lesser of 2% of actual operating expenses or the amount necessary to bring the reserve fund amount up to the maximum level.

6. In addition to the budgeted funding areas described in Article V, 5, the Contract Committee shall annually approve a six-year capital improvement plan for the System describing the specific projects, estimated costs, and anticipated funding for costs in the equipment replacement and debt service expenses.

7. All payments owed to the City of Davenport or any other Municipality shall be paid within forty five (45) days of receipt of invoices. Disputes over amounts owed shall be subject to resolution pursuant to Article XIV. Late payments may be assessed a late penalty of 10% interest annually.

8. The 1930's disconnection project, specifically referencing the abandonment of the diversion structures designed and bid as of the date of this Agreement, shall be funded consist with one of the funding areas described in Article V.

ARTICLE VI. USE OF SYSTEM AND CHARGES

1. Each Municipality agrees to comply with all applicable Federal and State statutes and regulations pertaining to the imposition of fair and equitable user charges covering the cost of construction for Operation of the System. Each Municipality shall pass and maintain the substantively equal industrial waste and surcharge ordinances, which shall first be approved by the Contract Committee. The ordinances may be materially changed only with the consent and approval of the Contract Committee. Metering, sampling and testing under such ordinances shall be performed by the WPCP Manager, but enforcement of each Municipality's ordinance shall be the responsibility of that Municipality. In the event that the statutes of the State of Iowa require the cost of acquisition and construction contributed by the State of Iowa to be contributed to by industrial users thereof, all such sums collected by each Municipality shall be paid over to the City of Davenport as required for transmission according to such laws. If such repayments are required, the City of Davenport shall be responsible for keeping all accounts and records in connection therewith.

2. Any future development that includes increased flows and loadings through subdivisions with over fifty (50) houses or any commercial/industrial development that will increase flows and loadings shall be reported at the monthly Technical Committee as described in Article X.

ARTICLE VII. ALLOCATION OF CAPACITY

1. The WPCP design capacity, as defined by the Technical Committee and approved by the Contract Committee ("Design Capacity"), figures for both flow and load limits shall be utilized in allocating limits for each Municipality as further defined in this Article. As improvements are completed at the WPCP, the Contract Committee shall, as reasonably determined, conduct analyses and studies to update the Design Capacity of the WPCP.

2. Each Municipality shall be allocated a specific percentage share of the WPCP on an annual basis, rounded to the nearest hundredth. The percentage share shall then be utilized to calculate flow and load limits based on Design Capacity.

   a. <u>Determination of Percentage Share:</u> Percentage share shall be determined on a pro rata basis as determined by the most recent available estimate as provided in the American Community Survey currently available at http:/www.census.gov/programs-surveys/acs for each Municipality. Such percentages shall be calculated annually and updated, as approved by the Contract Committee.

   b. <u>Determination of Flow and Load Limits for Participating Municipalities:</u> The Contract Committee shall allocate a total of 85% of the Design Capacity for flow and load limits to the Municipalities. The allocated flow and load limits for each Municipality shall be calculated by multiplying the 85% of Design Capacity figure by the pro rata share of each Municipality as determined in Article VII, 2(a). Allocated flow and load limits shall be calculated and approved annually by the Contract Committee. The flow and load limits for each Municipality shall be guaranteed to that Municipality until new allocation limits are established and approved pursuant to this Article.

3. The Contract Committee shall have the option to allocate unused Design Capacity flow and load limits to any Municipality, up to 100% of Design Capacity figures, which shall be an additional allocation above the limits established in Article VII, 2. Such allocation shall be considered annually when the Contract Committee establishes flow and load allocation limits consistent with this Article. This additional allocation must be approved by the Contract Committee and shall be guaranteed to that

Municipality until new allocation limits for each Municipality are established annually and approved pursuant to this Article.

4. A Municipality may, at its sole discretion, reallocate a portion of its pro rata share of the 85% of flow and load limit allocation to another Municipality. Such reallocation notification shall occur in writing and be provided to the Contract Committee at the annual meeting when the committee establishes flow and load allocation limits.

5. It is in the interest of the System that flows and loads above the levels allotted to each Municipality be approved by the Contract Committee prior to new connections to the System. Each Municipality may, pursuant to its own ordinances, allocate its allotted portion without the permission of or interference by the Contract Committee. However, if new allocation permits cause that a Municipality's flow and/or load annual allotment will be surpassed, the Contract Committee may consider increasing the allotments presented in this section. Without such approval, no Municipality shall surpass its flow or load allotment on the System.

6. The Contract Committee shall provide notice to any Municipality that violates this section of the Agreement and provide six (6) months to rectify, unless a longer period is approved by the Contract Committee. If the Municipality fails to work collaboratively with the Manager of the WPCP and other regulatory bodies to bring flow and loads under its allotted levels, the Municipality will be responsible for liquidated damages of $200 per day until the violation is resolved.

7. All Municipalities shall, in good faith, make efforts to reduce inflow and infiltration into the sanitary sewer systems within their jurisdictions to preserve overall WPCP capacity. Annually, each Municipality shall present a plan to remove inflow and infiltration from their respective systems to the Contract Committee. The Contract Committee will review such plans and approve, reject, or provide comments back to the Municipality. In the case that a particular Municipality fails to demonstrate a good faith effort to reduce inflow and infiltration, the Contract Committee may refuse to accept that Municipality's plan and require that a new plan be presented, and such Municipality will be responsible for liquidated damages of $200 per day until an acceptable plan is presented.

ARTICLE VIII. METERING AND SAMPLINGS

1. Flow meters and sampling stations have been installed at the following locations:

   a. Water Pollution Control Plant (WPCP)

   b. Permanent flow meters at manholes RN-3, J-2, 10071, 10871, 10964 and 10928 shown on Attachment 2.

   c. Wherever required by virtue of the industrial waste or surcharge ordinances.

2. The WPCP Manager shall perform all flow and strength tests necessary under this Agreement. The cost of Operation of flow meters and sampling stations shall be apportioned in the same manner as the Operation of the WPCP. The frequency of taking of composite samples shall be as directed by the Contract Committee per the recommendations set forth by the Technical Committee. Interceptor sewer and collection sewer flow meters shall be continuous flow meters and are to be utilized for future improvement decisions and for operations of Water Pollution Control Plant. The flows are not currently being utilized to determine individual Municipality costs.

ARTICLE IX. ORGANIZATION OF CONTRACT COMMITTEE

1. There is hereby established a Contract Committee that shall govern all matters established in this Agreement and shall be composed of:

    a. The Mayor of each Municipality;

    b. A member of each Municipality's City Council, or an employee of a Municipality as approved by the mayor of the applicable Municipality;

    c. The Directors of Public Works of the City of Davenport and City of Bettendorf;

    d. The Directors of Finance for the City of Davenport and City of Bettendorf;

    e. The WPCP Manager.

2. The purpose, powers, duties and functions of the Contract Committee shall be to:

    a. Meet bi-annually, or as required, to determine the annual proportionate reallocation of the amortization costs to operate and maintain the System; to review and approve maintenance and operation budgets, adopt the system budget and determine the apportionment of the cost of the same among the Municipalities;

    b. Manage the Operation of the System;

    c. Recommend CIP projects related to the System;

    d. Recommend the issuance including the structuring of any debt related to the System;

    e. Review records and determine record keeping procedures;

    f. Determine billing and payment schedules;

    g. Review and recommend any changes to this Agreement;

    h. Determine the method and manner of metering, sampling and testing required or permitted by the terms of this Agreement;

    i. Review and ratify the purchase of goods and services for the System;

    j. Review the Inflow and Infiltration plan for each Municipality on an annual basis;

    k. Determine and recommend to the Municipalities a methodology for increasing capacity of the System.

    l. Perform all other duties and responsibilities specifically placed upon it by the other provisions of this Agreement and take unspecified but necessary and proper action to fulfill these duties and responsibilities.

3. The organization of the Contract Committee shall be as follows:

a. Written notice of all appointments shall be given by the city clerk of each appointing Municipality to the WPCP Manager.

b. Thereafter the WPCP Manager, or an individual designated by the Contract Committee, shall promptly give at least fifteen (15) days written notice to each municipal representative to the Contract Committee of the date, time and place of the organization meeting of said committee. At such organization meeting, or as soon thereafter as may be convenient, the committee shall adopt rules, regulations or bylaws providing for the holding and conduct of regular and special meetings of Contract Committee, and containing other appropriate provisions for the transaction of business and the duties and powers of the chair and such other officers as may be appointed, which rules, regulations or bylaws may be amended by the committee from time to time. On even years, the Mayor of the City of Davenport shall be the chair of the Contract Committee and the Mayor of the City of Bettendorf shall be the vice chair. On odd years, the Mayor of the City of Bettendorf shall be the chair of the Contract Committee and the Mayor of the City of Davenport shall be the vice chair.

c. A member of the Contract Committee may resign therefrom by giving written notice of such resignation to the chair of Contract Committee and to the clerk of the Municipality he/she represents. A member may be removed by the governing body which appointed him/her either for cause, or if such member ceases to be an officer of the Municipality or a member of the appointing governing body. The governing body shall give the Contract Committee written notice of removal of its representative.

d. All actions of the Contract Committee shall be by a majority vote of the entire membership. A majority of the members shall constitute a quorum at any meeting of the Contract Committee.

ARTICLE X. ORGANIZATION OF TECHNICAL COMMITTEE

1. There is hereby established a subcommittee of the Contract Committee named the Technical Committee consisting of:

   a. The City Engineers or technical representative of each Municipality.

   b. A financial or capital improvements representative from each Municipality.

   c. The WPCP Manager.

2. The purpose, power, duties and functions of the Technical Committee shall be to meet quarterly to:

   a. Review monthly IDNR reports provided by the WPCP Manager;

   b. Review new residential, commercial and industrial subdivisions or site plans provided by the cities for impacts to flows and loading of the interceptor sewers and Water Pollution Control Plant;
   c. Review reports and proposed improvements to the Water Pollution Control Plant to meet IDNR NPDES permit requirements, Administrative Order requirements and improvements necessary for future flow and loadings;
   d. Review proposed operating and capital budgets and make budget recommendations to the Contract Committee;

e. Review summary financial data for approved improvements, operations and maintenance of the System;

f. Make recommendations to the Contract Committee.

3. The organization of the Technical Committee shall be as follows:

a. Written notice of such appointment shall be given by the clerk of each appointing municipality to the WPCP Manager.

b. Thereafter WPCP Manager or his designee shall promptly give notice to each municipal representative to the Technical Committee of the date, time and place of the organization meeting of said committee. At such organization meeting the WPCP Manager shall preside over meetings.

c. A member of the Technical Committee may resign therefrom by giving written notice of such resignation to the chair of the Contract Committee and to the clerk of the Municipality he/she represents. A member may be removed by the governing body which appointed him/her either for cause, or if such member ceases to be an officer of the Municipality or a member of the appointing governing body. The governing body shall give the Technical Committee written notice of removal of its representative.

ARTICLE XI. TERMINATION

No Municipality shall, without the consent of the other Municipalities, withdraw from this Agreement to improve, operate, and maintain the System. Under no circumstance shall a Municipality be permitted to withdraw from this Agreement if any amount of sewage from a property within that Municipality is conveyed through any portion of the System. A Municipality must give notice of at least one year within 30 days prior to July 1 of any calendar year of its intent to withdraw from the Agreement. If approved by the other Municipalities, the withdrawing Municipality is obligated to pay the following prior to withdrawing from the Agreement: (1) All costs to separate the withdrawing Municipality's sewer system from the System; (2) All future and remaining debt payments of the System from prior debt issuances and any debt approved by the Contract Committee in the annual budget process, even if such debt has not yet been issued; (3) All costs to adequately review, study, and/or update the total liability of all participating Municipalities on the future cost of closing and demolishing the Water Pollution Control Plant and Compost Facility; (4) The withdrawing Municipality's proportionate share of the future costs of closing and demolishing the Water Pollution Control Plant and the Compost Facility; and (5) The unfunded pension liabilities as identified by the Iowa Public Employees' Retirement System (IPERS) for all applicable employees of the City of Davenport who operate, manage, and maintain the System.

ARTICLE XII. MISCELLANEOUS

1. Governing Law. This Agreement shall be interpreted in accordance with and the rights of the parties hereto shall be determined by the laws of the State of Iowa, without regard to conflict of laws principles.

2. Books and Records. The books and records of each Municipality pertaining to the subject matter of this Agreement shall at all reasonable times be subject to inspection and audit by any other Municipality.

3. No Third Party Beneficiaries. Nothing express or implied in this Agreement is intended to confer, nor shall anything herein confer, upon any person other than the parties and the respective successors and assigns of the parties any rights, remedies, obligations, or liabilities whatsoever.

4. No Construction Against Drafting Party. This Agreement shall not be construed more strongly against any party regardless of who was responsible for its preparation.

5. Interpretation In Favor of Public Good. In the event a court is asked to resolve a dispute involving interpretation of this Agreement, the parties agree that the public interest should be favored over any private interest.

6. Severability. If any provision or clause of this Agreement or application thereof to any person or circumstances is held invalid or unlawful, such invalidity or unlawfulness shall not affect any other provision or clause of this Agreement or application thereof which can be given effect without invalid or unlawful provision, clause or application.

7. Notices. All notices required or permitted to be given under this Agreement shall be in writing and shall be sent certified mail, return receipt requested. All notices shall be deemed to have been given as of the date of the postmark. All notices shall be addressed to the applicable party or parties as follows:

For City of Davenport, Iowa

Attn: City Administrator
City of Davenport
226 W. 4th Street
Davenport, IA 52801

For City of Bettendorf, Iowa

Attn: City Administrator
City of Bettendorf
1609 State Street
Bettendorf, IA 52722

For City of Riverdale, Iowa

Attn: City Administrator
City of Riverdale
110 Manor Drive
Riverdale, IA 52722

For City of Panorama Park, Iowa

Attn: Mayor
City of Panorama Park
120 Short Street
Bettendorf, IA 52722

8. Remedies. No remedy herein conferred upon or reserved to the parties is intended to be exclusive of any other remedy or remedies, and each and every remedy shall be cumulative, and shall be in addition

to every other remedy given hereunder or now or hereafter existing at law or in equity. Every power and remedy given by this Agreement to the parties may be exercised from time to time as often as may be deemed expedient by the parties.

9. Waiver. No delay or omission of any party to exercise any right or power accruing upon any event of default shall impair any such right or power, or shall be construed to be a waiver of such event or default or acquiescence therein. Any such delay or omission by any party in relation to a breach of any provision of this Agreement by any other party shall not be construed as a waiver of any subsequent breach.

10. Amendments to Law. The parties recognize that this Agreement at all times is to be subject to applicable state, local, and federal law and that the Agreement shall be subject to amendments in such laws and regulations and to new legislation.

XIII. INDEMNIFICATION

Each Municipality shall indemnify the other Municipalities from and against any and all claims for damage, loss, liability, including reasonable attorneys' fees relating to or arising out of the use or operation of each Municipality's Collection Sewer within its jurisdiction. The Contract Committee shall be responsible for risk management of the System. The System is insured as set forth on Attachment 5. The cost of insurance covering the System shall be considered a cost of operation of the System. The procurement of insurance for the System shall not be construed as a waiver of any immunities available to the Municipalities, either singularly or collectively, in claims, costs, or actions brought by third parties.

XIV. SUCCESSORS AND ASSIGNMENT

This Agreement, and each and every one of the terms and provisions thereof, shall be for the benefit, of and be binding upon the Municipalities hereto and each of them and their respective successors and assigns.

XV. DISPUTE RESOLUTION

1. Negotiation. Except where injunctive relief is sought, the Municipalities shall attempt in good faith to resolve any controversy, claim or dispute of whatever nature arising out of or relating to this Agreement or the breach, termination, enforceability or validity thereof ("Dispute") promptly by negotiation among representatives of each Municipality who have authority to settle the Dispute and who are at a higher level of management within each of the parties' organizations than the parties' representatives involved in the Dispute. Any individuals involved in the Dispute or original contract modification, or anything related thereto shall not be involved in the Dispute or original contract modification, or anything related thereto shall not be involved in the Dispute resolution described in this section. This procedure must be employed before any other steps are employed to resolve the Dispute (including, without limitation, mediation or litigation). Each party shall provide the other with all information and documentation relied upon by the party to substantiate its position with respect to the Dispute.

2. Mediation. If the Dispute has not been resolved through negotiation within thirty (30) business days of the initiation thereof, the Municipalities shall make a good faith attempt to settle the Dispute by mediation conducted by a mutually agreeable mediator in a mutually agreed upon location.

3. Right to Trial. If the Municipalities are unable to resolve a Dispute using the mechanisms described in this section, then any party is entitled to any and all legal and equitable remedies it has including, without limitation, right to a trial.

4. In any dispute among the Municipalities, the Municipalities agree to not assert any immunities they may have available under the law.

XVI. CHAPTER 28E, CODE OF IOWA

In accordance with Chapter 28E of the Code of Iowa, this Agreement shall be filed with the Iowa Secretary of State and submitted to the Iowa Attorney General for approval as an interstate compact.

XVII. ENTIRE AGREEMENT, AMENDMENTS

The Municipalities agree that this Agreement, including attachments and those items cited by reference, constitute the entire understanding between the Municipalities with respect to the subject matter addressed herein. Any change or modification to this Agreement shall only be effective if made in writing and signed by all Municipalities. Failure to comply with any of the provisions stated herein shall constitute material breach of contract.

(Signature page follows)

IN WITNESS WHEREOF, the Municipalities have executed this Agreement by their duly authorized representatives on the latter of the dates on which the respective governmental entities authorized and applied signatures.

City of Bettendorf, Iowa

By: _____
Robert S. Gallagher
Mayor

Date: _____

Attest:

By: _____
Decker Ploehn
City Clerk

City of Davenport, Iowa

By: _____
Frank Klipsch
Mayor

Date: _____

Attest:

By: _____
Corri Spiegel
City Clerk

City of Riverdale, Iowa

By: _____
Michael Bawden
Mayor

Date: _____

Attest:

By: _____
Name:
Title:

City of Panorama Park, Iowa

By: _____
Ronald Rice
Mayor

Date: _____

Attest:

By: _____
Name:
Title:

ATTACHMENT 1

ADMINISTRATIVE ORDER WITH INTERCEPTOR SEWER MAP

IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE CONSENT ORDER

IN THE MATTER OF: **JOINT USE OF SANITARY SEWERS AND SEWAGE DISPOSAL FACILITIES: City of Davenport, Iowa, City of Bettendorf, Iowa, City of Riverdale, Iowa, City of Panorama Park, Iowa** **NPDES Permit #8222003** **Scott County, Iowa**	**ADMINISTRATIVE CONSENT ORDER** **NO. 2013-WW-**

TO: William E. Gluba, Mayor
City of Davenport
226 W 4th Street
Davenport IA 52801

Robert S. Gallagher, Mayor
City of Bettendorf
1609 State Street
Bettendorf IA 52722

John J. Franklin, Mayor
City of Riverdale
110 Manor Drive
Riverdale, IA 52722

David White, Mayor
City of Panorama Park
P.O. Box 533
112 Short Street
Panorama Park, IA 52767

I. SUMMARY

This administrative consent order (Order) is entered into between the Cities of Davenport, Bettendorf, Riverdale, and Panorama Park and the Iowa Department of Natural Resources (DNR) for the purpose of establishing a schedule for necessary upgrades to the Davenport Water Pollution Control Plant and the wastewater collection systems of Davenport and Bettendorf to achieve compliance with applicable requirements and to eliminate the discharge of untreated wastewater from the collection systems.

Any questions regarding this Order should be directed to:

Relating to technical requirements:
Paul Brandt, Environmental Specialist Sr.
DNR Field Office #6
1023 W. Madison
Washington, Iowa 52353-1623
Phone: 319-653-2135

Relating to legal requirements:
Jon Tack, Attorney for the DNR
Iowa Department of Natural Resources
502 E. 9th Street
Des Moines, Iowa 50319
Phone: 515-281-8889

II. JURISDICTION

This Order is issued pursuant to the provisions of Iowa Code section 455B.175(1), which authorizes the Director to issue any order necessary to secure compliance with or prevent a violation of Iowa Code Chapter 455B, Division III, Part 1 (wastewater) and the rules adopted or permits issued pursuant to that part, and Iowa Code section 455B.109 and 567 Iowa Administrative Code (IAC) Chapter 10, which authorize the Director to assess administrative penalties.

III. STATEMENT OF FACTS

The DNR and the Cities of Davenport, Bettendorf, Riverdale, and Panorama Park hereafter referred to as "Joint Use Cities" agree to the following facts:

1. An intergovernmental agreement providing for construction and joint use of sanitary sewers and sewage disposal facilities was signed by the City of Davenport, Iowa, the City of Bettendorf, Iowa, the City of Riverdale, Iowa and the City of Panorama Park, Iowa on January 5, 1974. This agreement which has been amended continues to be the basis for operating, maintaining, and financing the common plant and system assets.

2. The Joint Use Cities own and operate the Joint Sewerage Committee Water Pollution Control Plant, a mechanical wastewater plant serving approximately 29,590 residential connections, 7,032 commercial connections, and 20 industrial connections in the city of Davenport. The plant also serves approximately 12,749 residential connections, 776 commercial connections and 3 industrial connections in Bettendorf. Approximately 200 residential connections and 10 commercial connections are served in Riverdale. The plant serves approximately 55 residential connections in Panorama Park. The wastewater plant is designed to handle an average dry weather flow of 26.0 million gallons per day (mgd) and an average wet weather flow of 40.0 mgd. A construction permit was issued by the DNR on March 15, 1974 for the construction of the Davenport Water Pollution Control Plant in accordance with current NPDES.

3. The Davenport wastewater plant has historically received wet weather flows in volumes far exceeding the plant's design capacity. These excessive flows result in the discharge of untreated wastewater from the collection system and partially treated wastewater from the plant, blended with treated wastewater.

4. Pursuant to 567 IAC 60.2, a bypass is the diversion of waste streams from any portion of a treatment facility or collection system. A bypass does not include internal operational waste stream diversions that are part of the design of the treatment facility, maintenance diversions where redundancy is provided, diversions of wastewater from one point in a collection system to another point in a collection system, or wastewater backups into buildings that are caused in the building lateral or private sewer line.

5. In 2010, the Joint Use Cities discharged 547.7 million gallons of partially treated wastewater to the Mississippi River at the wastewater treatment plant over a total of 74 separate days of discharge. In addition to these discharges, Davenport reported the discharge of untreated wastewater from the wastewater collection system on three occasions in 2010.

6. In 2009, the Joint Use Cities discharged 723.8 million gallons of partially treated wastewater to the Mississippi River at the wastewater treatment plant over a total of 90 separate days of discharge. In addition to these discharges, Davenport reported the discharge of untreated wastewater from the wastewater collection system on 18 occasions in 2009.

7. The Davenport Water Pollution Control Plant also serves Bettendorf, Riverdale and Panorama Park. Each city owns and maintains the wastewater collection system within each respective city limits and proportionately shares in the ownership, cost of operation and maintenance of the Davenport Water Pollution Control Plant. Proportionate ownership is allocated based on a community's use expressed as a percentage. Percentages for fiscal year 2012 are: Davenport, 79.66%; Bettendorf, 19.81`%; Riverdale, 0.46%; and Panorama Park, 0.07%.

8. When influent flow to the wastewater plant exceeds the plant's design capacity, influent flow is restricted and backs up in the Bettendorf collection system. In 2010, the City of Bettendorf reported discharging over 33.2 million gallons of untreated wastewater to the Mississippi River over the course of 7 separate incidents lasting 11 days.

9. The Department and the Joint Use Cities have been working together for several years to develop a strategy to eliminate or minimize the bypassing of partially treated wastewater at the Davenport Water Pollution Control Plant and within the wastewater collection systems of the Joint Use Cities.

10. The Joint Use Cities have committed to a 20-year Capital Improvement Plan that contains at least 20 sewer-related projects at a cost of over $160 million dollars.

11. This Order is intended to establish a schedule for the completion of wastewater collection, handling and treatment improvements necessary for the Joint Use Cities to achieve compliance with applicable regulations. In the event a signatory fails to abide by the schedules contained herein, each or any of the other signatories may enforce this Order against the breaching party.

IV. CONCLUSIONS OF LAW

The DNR and the Joint Use Cities agree that the following conclusions of law are applicable in this case:

1. Pursuant to Iowa Code section 455B.186(1), a pollutant shall not be disposed of by dumping, depositing, or discharging such pollutant into any water of the state, except that

this section shall not be construed to prohibit the discharge of adequately treated sewage, industrial waste, or other waste pursuant to a permit issued by the director.

2. Pursuant to 567 IAC 63.6, bypasses from any portion of a treatment facility or from a sanitary sewer collection system designed to carry only sewage are prohibited. Pursuant to 567 IAC 60.2, a bypass is the diversion of waste streams from any portion of a treatment facility or collection system. A bypass does not include internal operational waste stream diversions that are part of the design of the treatment facility, maintenance diversions where redundancy is provided, diversions of wastewater from one point in a collection system to another point in a collection system, or wastewater backups into buildings that are caused in the building lateral or private sewer line. The DNR has documented violations related to untreated discharges by the Joint Use Cities, as documented in the Statement of Facts above.

3. Pursuant to 567 IAC 64.2(10)"b", a sanitary sewer construction permit may be denied if bypassing has occurred at the treatment facility, except when any of the following conditions are being met:

(1) The bypassing is due to a combined sewer system, and the facility is in compliance with a long-term CSO control plan approved by the department.

(2) The bypassing occurs as a result of a storm with an intensity or duration greater than that of a storm with a return period of five years.

(3) The department determines that timely actions are being taken to eliminate bypassing.

4. Pursuant to 567 IAC 64.2(10) "c", a sanitary sewer construction permit may be denied if an existing downstream sewer is or will be overloaded or surcharged, resulting in bypassing, flooded basements, or overflowing manholes, unless:

(1) The bypassing or flooding is the result of a precipitation event with an intensity or duration greater than that of a storm with a return period of two years.
(2) The system is under full-scale facility planning (I/I and SSES) and the applicant provides a schedule that is approved by the department for rehabilitating the system to the extent necessary to handle the additional loadings.

V. ORDER

By the execution of this Order, the DNR orders and the Joint Use Cities agree to undertake the wastewater collection, handling, and treatment projects set forth in the Joint Sewer Use Communities Capital Improvement Plan (CIP) submitted to the DNR by the Joint Use Cities, dated March 30, 2012, as amended on May 31, 2012. The Joint Use Cities specifically agree to the following deadlines:

1. Beginning upon the execution of this Order and continuing until the sooner of the completion of all related projects set forth in the CIP or July 1, 2018, the Joint Use Cities shall undertake the cleaning and televising of interceptor sewers within the sanitary sewer collection systems of the respective cities including but not limited to the Old Riverfront

Interceptor (1930's), the 1970's Riverfront Interceptor and the Eastern Interceptor sewer in order to identify blockages, any cross connections with storm sewers or other clear-water connections, needed repairs or other potentially necessary improvements in the interceptor sewers as shown in Figures AO-1 and AO-2.

2. By July 1, 2013, the Joint Use Cities shall install and maintain such permanent sanitary sewer metering devices as are necessary to evaluate flow conditions within the sanitary sewer system and determine the wastewater storage and treatment capacity needs of the cities.

3. Continuing until the sooner of the completion of all related projects set forth in the CIP or July 1, 2018, the Joint Use Cities shall undertake the study and actions to remove inflow and infiltration sources from the Interceptor Sewers shown in Figures AO-1 and AO-2 beginning upon the execution of this Order. To the extent that the tasks as identified in paragraph #6 below required to complete this project require the cooperation of, and performance of work by, the United States Army Corps of Engineers; the DNR and the Joint Use Cities agree to work cooperatively to obtain such cooperation and assistance of the Corps as identified in facility plan CIP.

4. By January 1, 2015, Davenport shall submit all construction permit applications necessary for the wastewater treatment plant optimization project.

5. By July 1, 2017, the Joint Use Cities shall substantially complete construction for the wastewater treatment plant optimization project. The goal of the plant optimization Phase I project shall be, in part, to increase the secondary capacity from 45 mgd to approximately 52 mgd. Phase II will complete the plant optimization project following the identification of cost effective inflow/infiltration projects.

6. By December 2018, the Joint Use Cities shall contact the DNR Wastewater Engineering Section to request the scheduling of a meeting to review and discuss the anticipated construction projects necessary to address the conclusions and findings derived from the evaluations of the sanitary sewer collection systems conducted pursuant to paragraph #1, #2 and #3, above.

7. It is the intent of the parties that by December 31, 2018, the DNR and the Joint Use Cities will execute a written agreement or exchange correspondence that identifies, based on the meeting required by paragraph #6, above, all repairs and improvements to the sanitary sewer collection system which are necessary and appropriate and which will be undertaken by the Joint Use Cities.

8. By July 1, 2019, the Joint Use Cities shall submit all construction permit applications necessary to undertake repairs and improvements to the sanitary sewer collection system as identified during the inspection and televising process described in paragraph #1, above.

9. By December 31, 2019, the Joint Use Cities shall submit all construction permit applications, if any, necessary to undertake repairs and improvements to the sanitary sewer collection system as identified during the inspection and televising process described in paragraph #3, above.

10. By January 1, 2019, Davenport shall submit an application for a construction permit for the construction of a wastewater disinfection system at the Davenport Water Pollution Control Plant.

11. By July 1, 2021, Davenport shall complete substantial construction of a wastewater disinfection system at the Davenport Water Pollution Control Plant.

12. By December 31, 2021 the Joint Use Cities shall complete sanitary sewer trunk system repairs or improvements identified as necessary and appropriate pursuant to paragraph #7, above.

13. By October 1, 2021, Davenport shall comply with applicable effluent limitations for bacteria in its discharges from the Davenport Water Pollution Control Plant. Such effluent limitations are not yet established at the time of execution of this Order. Nothing in this Order shall be construed to restrict the rights of the parties to establish, contest, or appeal such bacterial effluent limitations.

14. By July 1, 2023(need time to measure flows after completion of #12 and #9), Davenport shall submit an application for a construction permit for an equalization basin or such other modifications or improvements to the Davenport Water Pollution Control Plant as are necessary to comply with 567 IAC 63.6.

15. By July 1, 2025, Davenport shall complete construction of an equalization basin or such other modifications or improvements to the Davenport Water Pollution Control Plant as are necessary to comply with 567 IAC 63.6.

16. Beginning April 1, 2013 and continuing through January 31, 2026, the Joint Use Cities shall submit yearly progress reports to the DNR, due by April 1 (approval of CIP),of each year, detailing progress toward compliance with this Order and setting forth a timeline of work to be performed in furtherance of this Order for the following 12-month period.

17. By July 1, 2026, the Joint Use Cities shall achieve and maintain compliance with 567 IAC 63.6, NPDES Permit No. 8222993, and all other applicable requirements of state and federal law related to the operation and maintenance of a publicly owned treatment works which are required by the Joint Use Cities NPDES permit.

18. The Joint Use Cities agree and acknowledge that nothing in this Order is intended to modify the standard construction permitting procedures of the DNR or the requirements thereof. The Joint Use Cities shall take full consideration of such procedures in the timing of required submissions in order to comply with the deadlines set forth herein.

19. Nothing in this Order is intended to dictate or establish the apportionment of costs or funding obligations between the Joint Use Cities for any joint projects required by this Order or for any projects for which existing municipal agreement establish the funding liabilities of the Joint Use Cities. It is the responsibility of the Joint Use Cities to determine and assess such costs as determined to be appropriate by the parties. Pursuant to the agreement of the Joint Use Cities, the costs of any joint projects required by this Order shall be allocated in proportion with and expressly limited to each constituent community's percentage share of ownership of the Davenport Water Pollution Control Plant.

20. If the remediation steps called for in this consent order result in a cessation of violation for an extended period of time, Joint Sewer Use Committee (JSUC) may request that the IDNR review the status of this order. The parties agree that the goal of this order is compliance with statutes and regulations in order to provide protection of human health and the environment, and not to unduly burden the sewer rate payers with infrastructure that is not needed.

VI. PENALTY

1. Iowa Code section 455B.191 authorizes the assessment of civil penalties of up to $5,000.00 per day of violation for the violations involved in this matter.

2. Iowa Code section 455B.109 authorizes the Commission to establish by rule a schedule of civil penalties up to $10,000 that may be assessed administratively. The Commission has adopted this schedule with procedures and criteria for assessment of penalties at IAC Chapter 567 - 10. Pursuant to this chapter, the Department is authorized to issue an administrative order with penalties for noncompliance with this Order or to refer such noncompliance to the Iowa Attorney General for the initiation of a District Court action seeking such penalties and injunctive relief.

VII. WAIVER OF APPEAL RIGHTS

This Order is entered into knowingly by and with the consent of the Joint Use Cities. For that reason, the Joint Use Cities individually waive the right to appeal this Order or any part thereof.

VIII. NONCOMPLIANCE

Failure to comply with this Order may result in referral to the Attorney General to obtain injunctive relief pursuant to Iowa Code section 455B.191. Compliance with section V. of this Order constitutes full satisfaction of all requirements pertaining to the violations described in section "IV. Conclusions of Law" of this Order.

IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE CONSENT ORDER
JOINT USE CITIES

CHUCK GIPP, DIRECTOR
Iowa Department of Natural Resources

Dated this 14th day of March, 2013

WILLIAM E. GLUBA, MAYOR
City of Davenport

Dated this 19th day of Feb, 2013

ROBERT S. GALLAGHER, MAYOR
City of Bettendorf

Dated this 22nd day of Feb, 2013

JOHN J. FRANKLIN, MAYOR
City of Riverdale

Dated this 25 day of Feb, 2013

DAVID WHITE, MAYOR
City of Panorama Park

Dated this 20 day of Feb, 2013

NPDES **#8222003**; Field Office #6; Jon Tack; EPA; Water Quality Bureau; I.C.1

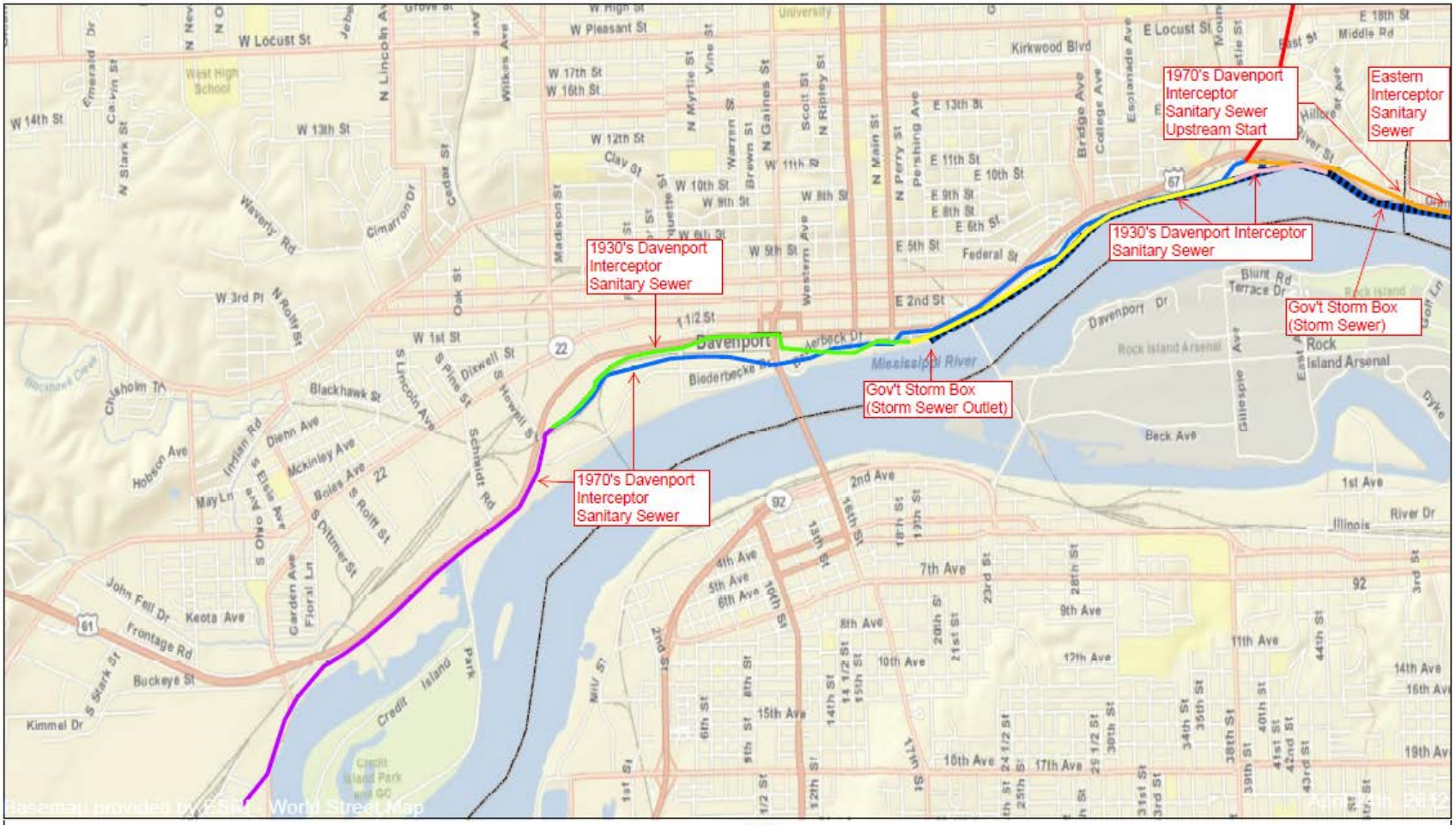


Figure AO-1 - Plan View of Interceptors (Davenport)
Riverfront Interceptors (by diameter (in.) & age)

Legend
Riverfront Interceptors (by diameter (in.) & age)
30, 1930's
42, 1970's
48, 1930's
54, 1970's
54, 1930's
66, 1970's
72, 1970's
78, 1970's
96, 1970's
Major Pipes
Government Box Storm Sewer
Municipal Boundary

0 0.125 0.25 0.5 Miles

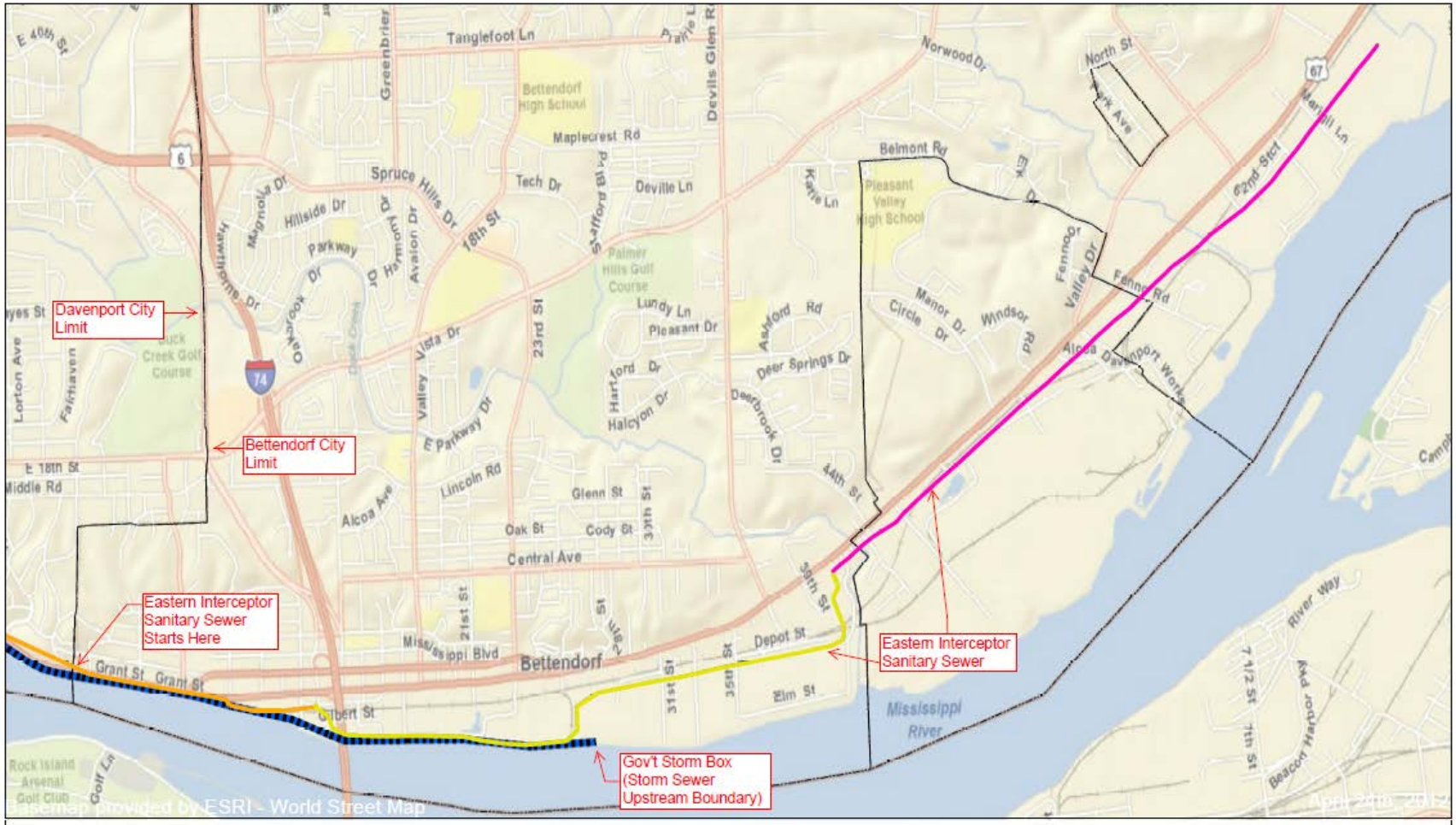
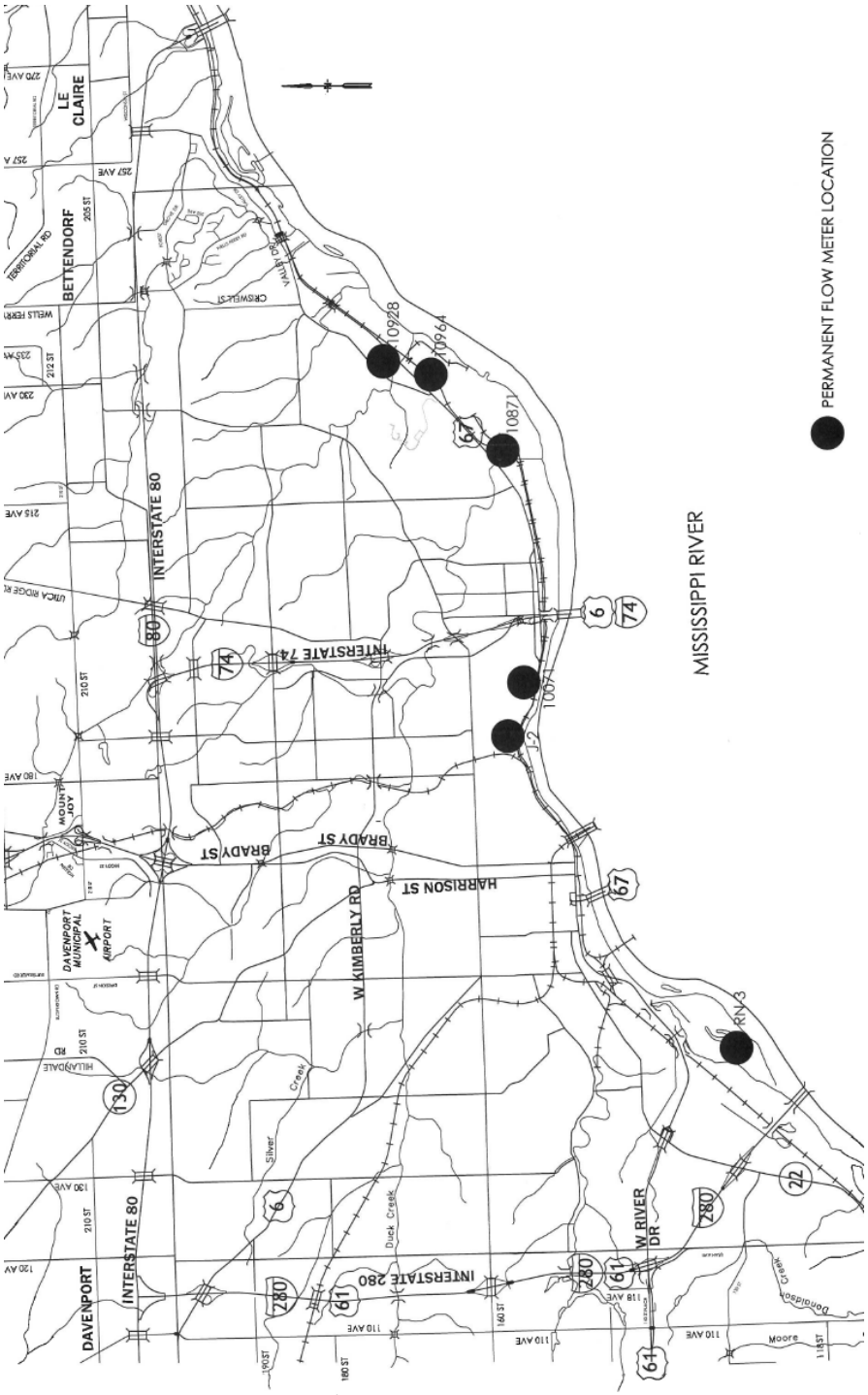


Figure AO-2 - Plan View of Interceptors (Bettendorf)
Riverfront Interceptors (by diameter (in.) & age)

ATTACHMENT 2

PERMANENT FLOW METER LOCATION MAP



ATTACHMENT 3

WATER POLLUTION CONTROL PLANT COST ALLOCATION SPREADSHEET & INSTRUCTIONS

	A	B	C	D	E	F	G	H	I
1	**FY 2020 Budget**								
2	Actual O&M, PW Admin, Fleet and Compost	$ 8,880,449							
3	Energy Credit, Compost Revenue and Misc Revenue	$ 1,080,000							
4	**Total O&M**	**$ 7,800,449**							
5									
6	Actual Industrial Pretreatment	$1,544,719							
7	O&M minus Pretreatment	$ 6,255,730							
8			Flow MG	MG/1000					
9	**Flow = 60% of treatment cost**	$ 3,753,438.2	10,871.00	10,870,795			$ 0.35	$/1000 gallon	
10			Million lbs. BOD	lbs/BOD					
11	**Organics = 40% of treatment cost**	$ 2,502,292.2	15.872	15,871,660			$ 0.16	$/lb	
12									
13	**Industrial Pretreatment Annual lbs/BOD CY 2018**		% Total	CY2 018 Cost					
14	Davenport lbs./BOD	4,364,033	98.91%	$ 688,024					
15	Bettendorf lbs./BOD	29,011	0.66%	$ 4,574					
16	Riverdale lbs./BOD	18,999	0.43%	$ 2,995					
17	**Total**	**4,412,043**		**$ 695,593**					
18									
19	**Industrial Pretreatment Annual Flow/MG CY 2018**		% of Total	MG/1000					
20	Davenport Flow/MG	514.416	91.24%	514,416			$ 177,616		
21	Bettendorf Flow/MG	28.838	5.12%	28,838			$ 9,957		
22	Riverdale Flow/MG	20.526	3.64%	20,526			$ 7,087		
23	**Total**	**563.78**		**563,780**			**$ 194,660**		
24									
36									
37	Residential & Commercial Flow/ Gallons CY 2018	10,307,015,000							
38	Residential & Commercial lbs/BOD CY 2018	11,459,617							
39									
40	Residential Organics	Population	Annual BOD	Annual Organic Cost					
41	Davenport	39,685	8,561,047	$ 1,349,717					
42	Bettendorf	33,217	2,852,709	$ 449,752					
43	Riverdale	405	34,782	$ 5,484					
44	Panorama Park	129	11,079	$ 1,747					
45	**Total**	**133,436**		**$ 1,806,699**					
46									
47	Residential Flow	Population	Annual Flow	Annual Flow Cost					
48	Davenport	39,685	7,639,981,941	$ 2,658,629					
49	Bettendorf	33,217	2,565,785,225	$ 885,907					
50	Riverdale	405	31,283,470	$ 10,801					
51	Panorama Park	129	9,964,364	$ 3,440					
52	**Total**	**133,436**		**$ 3,558,778**					
53									
54	**Annual BOD PE** **lbs/yr/capita**	**85.881**							
55	**Daily Ave BOD PE** **lbs/day/capita**	**0.235**	Industry Standard is equivalent is .17 lbs/day/capita						
56	**Annual Flow/ gallons PE** **gallons/yr/capita**	**77.243**							
57	**Daily Ave Flow PE** **gallons/day/capita**	**211.63**	Industry Standard is equivalent is 100 gallons/day/capita						
58									
59	**Allocated All Treatment Operation and Maintenance Cost Less the / Pretreatment Cost**								
60	Total Cost	Residential Flow	Residential Organics	Industrial Flow	Industrial Organics		Total Cost	% Allocated	
61	Davenport	$ 2,658,629	$ 1,349,717	$ 177,616	$ 688,024		$ 4,873,985	77.91%	
62	Bettendorf	$ 885,907	$ 449,752	$ 9,957	$ 4,574		$ 1,350,190	21.58%	
63	Riverdale	$ 10,801	$ 5,484	$ 7,087	$ 2,995		$ 26,368	0.42%	
64	Panorama Park	$ 3,440	$ 1,747				$ 5,187	0.08%	
65						**TOTAL**	**$ 6,255,730**		
66									
67	**Actual Industrial Pretreatment Cost Breakdown**						**Combined O&M and Pretreatment C**		
68		**% Flow**	**% BOD**	**Ave %**	**Pretreat Cost**			**Total Cost**	**% cost**
69	Davenport	91.24%	98.91%	95.08%	$1,468,641		Davenport	$ 6,342,627	81.33%
70	Bettendorf	5.12%	0.66%	2.89%	$44,642		Bettendorf	$ 1,394,833	17.87%
71	Riverdale	3.64%	0.43%	2.04%	$31,435		Riverdale	$ 57,803	0.73%
72				**TOTAL**	**$1,544,719**		Panorama	$ 5,187	0.07%
73									
74				**TOTAL O&M**	$ 7,800,449				

Instructions
28-E Allocation Spreadsheet

This is an instructional document for the 28E allocation spreadsheet. This document explains how the spreadsheet is used to create a percentage of allocation for each of the cities that are represented under the 28E agreement. The allocations are based upon each fiscal year budget expenditure and revenue projections. The Industrial Pretreatment calculations considers the cost of laboratory testing and sampling cost that are incurred by the industrial use within the pretreatment operations. Flow is based upon 60% of the treatment cost at the Wastewater Treatment Plant. Organics (BOD) is based upon 40% of the treatment cost at the Wastewater Treatment Plant.

Instructions are explained by column and row heading.

FY____ Budget

B2 This number is O&M cost that is estimated by Davenport Finance Department.
B3 This number is Revenue that is estimated by Davenport Finance Department.
B4 Subtract B3 from B2
B6 This cost is developed by the Lab Supervisor. The numbers come from the Industrial load on the Lab. This takes into account lab staff and their time to process the sampling and lab testing for the industries. It also accounts for actual lab testing cost for each constituent.
B7 Subtract B6 from B4
B9 This number is 60% of B7 = B7*0.60
B11 This number is 40% of B7 = B7*0.40
C,D9 This is the total flow that comes from prior years actual calendar year monthly average flow in million gallons per day, and multiplying by 12 months.
C,D11 This is the total pounds of BOD from the prior calendar year monthly average BOD in pounds, and multiplying by 12 months.
G9 This is a calculation of the $0.00 per thousand gallons of flow treated. G9=B9/D9
G11 This is a calculation of the $0.00 per pound of BOD treated. G11=B11/D11

Industrial Pretreatment Annual lbs./BOD

B14 thru B16, the industrial total BOD in pounds reported during the prior calendar year.
C14 thru C16, the percentage of the industrial total BOD reported for each city i.e. C14 = B14/B17
D14 thru D16, the cost of the industrial users in each city for BOD. i.e. D14 = B14*G11

Industrial Pretreatment Annual Flow/MG

B20 thru B22, the industrial total of flow in million gallons reported during the calendar year.
C20 thru C22, the percentage of the industrial flow reported for each city i.e. C20 = B20/B23
D20 thru D22, the cost of the industrial users in each city for flow. i.e. D20 = B20*G9

Residential Totals

B37 This is the total flow allocated for residential & commercial users in the calendar year. i.e. B37 = (D9*1000)-(D23*1000)
B38 This is the total pounds of BOD allocated for residential & commercial users in the calendar year. i.e. B38 = D11-B17

Residential Organics BOD

B41 thru B44, the population as provided in the American Community Survey currently available at http:/www.census.gov/programs-surveys/acs for each Municipality
C41 thru C44, the pounds of BOD allocated for each city. i.e. C41 = B41*B54
D41 thru D44, the cost of the pounds of treated BOD allocated to each city. i.e. D41 = G11*C41

Residential Flow in Gallons

B48 thru B51, the population reported by each city represented.
C48 thru C51, the gallons of flow allocated for each city. i.e. C48 = B48*B56
D48 thru D51, the cost of flow treated allocated to each city. i.e. D48 = (C48/1000)*G9

Per Capita Calculations

B54	This is the annual pounds of BOD per year per capita. B54 = (B38/B45)
B55	This is the average of pounds of BOD per capita per day. B55 = B54/365
B56	This is the annual gallon of flow per capita per year. B56 = B37/B45
B57	This is the flow in gallons per day per capita. B57 = B56/365

Allocated Treatment Operation and Maintenance Cost Minus the Pretreatment Cost

B61 thru B64	Cost of residential flow per the defined city. Numbers copied from D48 thru D51
C61 thru C64	Cost of residential BOD per the defined city. Numbers copied from D41 thru D44
D61 thru D64	Cost of Industrial flow per the defined city. Numbers copied from G20 thru G22
E61 thru E64	Cost of Industrial BOD per the defined city. Numbers copied from D14 thru D16
G61 thru G64	Cost of allocation totalized per the defined city. i.e. G61 = B61+C61+D61+E61

Actual Industrial Pretreatment Cost Allocation to Each City

B69 thru B71	Percentage of Industrial flow per the defined city. Numbers copied from C20 thru C22
C69 thru C71	Percentage of Industrial BOD per the defined city. Numbers copied from C14 thru C16
D69 thru D71	Average percentage per the defined city. i.e. D69 = (B69+C69)/2
E69 thru E71	Pretreatment cost allocated to the defined city. i.e. E69 = D69*B6

Combined O&M and Pretreatment Cost Totals & Percentage of Allocation

H69 thru H72	Total allocated cost to the defined city. i.e. H69 = G61+E69
I69 thru I72	Total percentage of allocation to the defined city. i.e. I69 = H69/E74. Rounding to the nearest 0.00 then adjust to make percentages total equal to 100%.
E74	Total Operation and maintenance cost. This amount should equal total in B4.

ATTACHMENT 4

CAPACITY ALLOCATION WORKSHEET (EXAMPLE)

	A	B	C	D	E	F	G	H	I	J
1	**Water Pollution Control Plant Capacity**									
2	**Design Based on 40 MG MWW,**	**PE Factor**	**Population Equivalent (PE)**	**85% PE**						
3	Flow, 40 MG	100 gallons/capita/day	400,000	340,000						
4	BOD, 65,000 lbs/day	0.17 lbs BOD/capita/da	382,353	325,000						
5	Total Suspended Solids, 67,200 lbs./day	0.23 lbs. TSS/capita/da	292,174	248,348						
6										
7	**Design Based on 55 MG MWW,**	**PE Factor**	**Population Equivalent (PE)**	**85% PE**						
8	Flow, 55 MG	100 gallons/capita/day	550,000	467,500						
9	BOD, 89,375 lbs/day	0.17 lbs BOD/capita/da	525,735	446,875						
10	Total Suspended Solids, 92,400 lbs./day	0.23 lbs. TSS/capita/da	401,739	341,478						
11										
12										
13					**Percent of Capacity**		**PE Flow 100%**		**PE Flow 85%**	
14	**2019 Census Data**		% of PE Flow	% of PE Flow 55	40 MWW %	55 MWW %	40 MWW %	55 MWW %	40 MWW %	55 MWW %
15	**100 gallons/capita/day**	**Population**	40 MG MWW	MG MWW	PE Flow	PE Flow	PE Flow	PE Flow	PE Flow	PE Flow
16	Davenport	102,305	25.58%	18.60%	74.15%	74.15%	296,601	407,826	252,111	346,652
17	Bettendorf	35,048	8.76%	6.37%	25.40%	25.40%	101,610	139,714	86,369	118,757
18	Riverdale	481	0.12%	0.09%	0.35%	0.35%	1,395	1,917	1,185	1,630
19	Panorama Park	136	0.03%	0.02%	0.10%	0.10%	394	542	335	461
20	**Total**	137,970	34.49%	25.09%	100.00%	100.00%	400,000	550,000	340,000	467,500
21										
22										
23					**Percent of Capacity**		**PE BOD 100%**		**PE BOD 85%**	
24	**2019 Census Data**		% of PE Flow	% of PE Flow 55	40 MWW %	55 MWW %	40 MWW %	55 MWW %	40 MWW %	55 MWW %
25	**BOD PE @ 0.17 lbs. BOD/capita/day**	**Population**	40 MG MWW	MG MWW	PE Flow	PE Flow	PE Flow	PE Flow	PE Flow	PE Flow
26	Davenport	102,305	26.76%	19.46%	74.15%	74.15%	283,515	389,833	240,988	331,358
27	Bettendorf	35,048	9.17%	6.67%	25.40%	25.40%	97,128	133,550	82,559	113,518
28	Riverdale	481	0.13%	0.09%	0.35%	0.35%	1,333	1,833	1,133	1,558
29	Panorama Park	136	0.04%	0.03%	0.10%	0.10%	377	518	320	440
30	**Total**	137,970	36.08%	26.24%	100.00%	100.00%	382,353	525,735	325,000	446,875
31										
32										
33					**Percent of Capacity**		**PE TSS 100%**		**PE TSS 85%**	
34	**2019 Census Data**		% of PE Flow	% of PE Flow 55	40 MWW %	55 MWW %	40 MWW %	55 MWW %	40 MWW %	55 MWW %
35	**TSS PE @ 0.23 lbs. BOD/capita/day**	**Population**	40 MG MWW	MG MWW	PE Flow	PE Flow	PE Flow	PE Flow	PE Flow	PE Flow
36	Davenport	102,305	35.02%	25.47%	74.15%	74.15%	216,648	297,890	184,150	253,207
37	Bettendorf	35,048	12.00%	8.72%	25.40%	25.40%	74,220	102,052	63,087	86,744
38	Riverdale	481	0.16%	0.12%	0.35%	0.35%	1,019	1,401	866	1,190
39	Panorama Park	136	0.05%	0.03%	0.10%	0.10%	288	396	245	337
40	**Total**	137,970	47.22%	34.34%	100.00%	100.00%	292,174	401,739	248,348	341,478
41										

ATTACHMENT 5

WPCP INSURANCE COVERAGE

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 8/6/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Arthur J. Gallagher Risk Management Services, Inc.
220 Emerson Place, Suite 200
Davenport IA 52801

CONTACT NAME: Carol VanHoorebeck, CPCU, CRM
PHONE (A/C, No, Ext): 563-388-2413 FAX (A/C, No): 563-322-1046
E-MAIL ADDRESS: Carol_Vanhoorebeck@ajg.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Atlantic Specialty Insurance Company	27154
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
City of Davenport
226 West Fourth Street
Davenport IA 52801

DAVENPO-01

COVERAGES CERTIFICATE NUMBER: 1991353106 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY			791-00-18-93-0000	7/1/2019	7/1/2020	EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
	X OTHER: Pollution Exclud						Self Ins'd Retention	$ 500,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
A	X UMBRELLA LIAB / OCCUR			791-00-18-93-0000	7/1/2019	7/1/2020	EACH OCCURRENCE	$ 20,000,000
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$ 20,000,000
	DED X RETENTION $ 10,000							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE / OTH-ER	
	ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N	N / A					E.L. EACH ACCIDENT	$
	(Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

For Information Only

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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SELECTIVE®

ARTHUR J GALLAGHER RISK MNGT SERV INC
220 EMERSON PL STE 200
DAVENPORT, IA 52801-1699

Agency Phone: (563) 322-3521

NFIP Policy Number: 0000089124
Company Policy Number: 0000089124
Agent: ARTHUR J GALLAGHER RISK MNGMNT SVS INC

Policy Term: 02/26/2019 12:01 AM through 02/26/2020 12:01 AM
Renewal Billing Payor: INSURED

To report a claim visit or call us at: www.myselectiveflood.com (877) 348-0552

RENEWAL FLOOD INSURANCE POLICY DECLARATIONS

STANDARD POLICY - GENERAL PROPERTY FORM

DELIVERY ADDRESS

CITY OF DAVENPORT
C/O JIM FORSYTH
226 WEST FOURTH STREET
DAVENPORT, IA 52801

INSURED NAME(S) AND MAILING ADDRESS

CITY OF DAVENPORT
C/O JIM FORSYTH
226 WEST FOURTH STREET
DAVENPORT, IA 52801

COMPANY MAILING ADDRESS

Selective Ins Co of the Southeast
PO BOX 782747
PHILADELPHIA, PA 19178-2747

PROPERTY LOCATION

CONTROL BUILDING
2606 S CONCORD
DAVENPORT, IA 52802

DESCRIPTION: N/A

RATING INFORMATION

ORIGINAL NEW BUSINESS DATE:	02/26/1999	DATE OF CONSTRUCTION:	06/01/1975
REINSTATEMENT DATE:	N/A	COMMUNITY NUMBER:	190242 0000 B REGULAR PROGRAM
BUILDING OCCUPANCY:	NON-RESIDENTIAL - BUSINESS	COMMUNITY NAME:	DAVENPORT, CITY OF
CONDOMINIUM INDICATOR:	NOT A CONDO	CURRENT FLOOD ZONE:	AE
NUMBER OF UNITS:	N/A	GRANDFATHERED:	NO
PRIMARY RESIDENCE:	NO	FLOOD RISK/RATED ZONE:	AE
ADDITIONS/EXTENSIONS:	N/A	ELEVATION DIFFERENCE:	N/A
BUILDING TYPE:	TWO FLOORS	ELEVATED BUILDING TYPE:	NON-ELEVATED
BASEMENT/ENCLOSURE/CRAWLSPACE TYPE:	UNFINISHED BASEMENT		

MORTGAGEE / ADDITIONAL INTEREST INFORMATION

FIRST MORTGAGEE: LOAN NUMBER: N/A

SECOND MORTGAGEE: LOAN NUMBER: N/A

ADDITIONAL INTEREST: LOAN NUMBER: N/A

DISASTER AGENCY: CASE FILE NUMBER: N/A
DISASTER AGENCY:

PREMIUM CALCULATION —Pre-FIRM Subsidized

	COVERAGE	DEDUCTIBLE	BASIC COVERAGE	BASIC RATE	ADD'L COVERAGE	ADD'L RATE	DED. DISCOUNT/SURCHARGE	Standard PREMIUM
BUILDING	$193,000	$5,000	$175,000	1.990	$18,000	3.450	($287.00)	$3,817.00
CONTENTS	$193,000	$5,000	$150,000	3.740	$43,000	3.110	($486.00)	$6,461.00

Coverage limitations may apply. See your policy form for details.

ANNUAL SUBTOTAL:		$10,278.00
INCREASED COST OF COMPLIANCE:		$75.00
COMMUNITY RATING DISCOUNT:	10%	($1,035.00)
RESERVE FUND ASSESSMENT:	15.0%	$1,396.00
PROBATION SURCHARGE:		$0.00
ANNUAL PREMIUM :		$10,716.00
HFIAA SURCHARGE:		$250.00
FEDERAL POLICY SERVICE FEE:		$50.00
TOTAL:		$11,016.00

IN WITNESS WHEREOF, I have signed this policy below and enter in to this Insurance Agreement

Michael H. Lanza / Secretary

Gregory E. Murphy / Chairman

Zero Balance Due - This Is Not A Bill

Declarations page along with the Standard Flood Insurance Policy Form constitutes your flood insurance policy.

Policy issued by Selective Ins Co of the Southeast

Company NAIC: 39926

File: 10226726 Page 1 of 2 DocID: 82117323

SELECTIVE®

ARTHUR J GALLAGHER RISK MNGT SERV INC
220 EMERSON PL STE 200
DAVENPORT, IA 52801-1699

Agency Phone: (563) 322-3521

NFIP Policy Number: 0000093011
Company Policy Number: 0000093011
Agent: ARTHUR J GALLAGHER RISK MNGMNT SVS INC

Policy Term: 06/03/2019 12:01 AM **through** 06/03/2020 12:01 AM
Renewal Billing Payor: INSURED

To report a claim visit or call us at: www.myselectiveflood.com (877) 348-0552

RENEWAL FLOOD INSURANCE POLICY DECLARATIONS

STANDARD POLICY - GENERAL PROPERTY FORM

DELIVERY ADDRESS

CITY OF DAVENPORT
C/O JIM FORSYTH
226 WEST FOURTH STREET
DAVENPORT, IA 52801

INSURED NAME(S) AND MAILING ADDRESS

CITY OF DAVENPORT
C/O JIM FORSYTH
226 WEST FOURTH STREET
DAVENPORT, IA 52801

COMPANY MAILING ADDRESS

Selective Ins Co of the Southeast
PO BOX 782747
PHILADELPHIA, PA 19178-2747

PROPERTY LOCATION

2707 RAILROAD AVE
COMPOST FACILITY
DAVENPORT, IA 52802

Refer to www.fema.gov/cost-of-flood for more information about flood risk and policy rating.

DESCRIPTION: N/A

RATING INFORMATION

ORIGINAL NEW BUSINESS DATE:	06/03/1999	**DATE OF CONSTRUCTION:**	01/01/1994
REINSTATEMENT DATE:	N/A	**COMMUNITY NUMBER:**	190242 0460 F REGULAR PROGRAM
BUILDING OCCUPANCY:	NON-RESIDENTIAL - BUSINESS	**COMMUNITY NAME:**	DAVENPORT, CITY OF
CONDOMINIUM INDICATOR:	NOT A CONDO	**CURRENT FLOOD ZONE:**	AE
NUMBER OF UNITS:	N/A	**GRANDFATHERED:**	NO
PRIMARY RESIDENCE:	NO	**FLOOD RISK/RATED ZONE:**	AE
ADDITIONS/EXTENSIONS:	N/A	**ELEVATION DIFFERENCE:**	2
DING TYPE:	TWO FLOORS	**ELEVATED BUILDING TYPE:**	NON-ELEVATED
BASEMENT/ENCLOSURE/CRAWLSPACE TYPE:	UNFINISHED BASEMENT		

MORTGAGEE / ADDITIONAL INTEREST INFORMATION

FIRST MORTGAGEE: **LOAN NUMBER:** N/A

SECOND MORTGAGEE: **LOAN NUMBER:** N/A

ADDITIONAL INTEREST: **LOAN NUMBER:** N/A

DISASTER AGENCY: **CASE FILE NUMBER:** N/A
DISASTER AGENCY:

PREMIUM CALCULATION --

	COVERAGE	DEDUCTIBLE	BASIC COVERAGE	BASIC RATE	ADD'L COVERAGE	ADD'L RATE	DED. DISCOUNT/SURCHARGE	Standard PREMIUM
BUILDING	$500,000	$5,000	$175,000	0.280	$325,000	0.100	($90.00)	$725.00
CONTENTS	$500,000	$5,000	$150,000	0.220	$350,000	0.120	($82.00)	$668.00

Coverage limitations may apply. See your policy form for details.

ANNUAL SUBTOTAL:		*$1,393.00*
INCREASED COST OF COMPLIANCE:		$6.00
COMMUNITY RATING DISCOUNT:	10%	($140.00)
RESERVE FUND ASSESSMENT:	15.0%	$189.00
PROBATION SURCHARGE:		$0.00
ANNUAL PREMIUM:		*$1,448.00*
HFIAA SURCHARGE:		$250.00
FEDERAL POLICY SERVICE FEE:		$50.00
TOTAL:		$1,748.00

IN WITNESS WHEREOF, I have signed this policy below and enter in to this Insurance Agreement

Michael H. Lanza / Secretary

Gregory E. Murphy / Chairman

Zero Balance Due - This Is Not A Bill

declarations page along with the Standard Flood Insurance Policy Form constitutes your flood insurance policy.

Policy issued by Selective Ins Co of the Southeast

Company NAIC: 39926

File: 10408181 Page 1 of 2 DocID: 84371101

SELECTIVE
BE UNIQUELY INSURED

ARTHUR J GALLAGHER RISK MNGT SERV INC
220 EMERSON PL STE 200
DAVENPORT, IA 52801-1699

Agency Phone: (563) 322-3521

NFIP Policy Number: 0000097890
Company Policy Number: 0000097890 Compost office
Agent: ARTHUR J GALLAGHER RISK MNGMNT SVS INC

Policy Term: 09/03/2019 12:01 AM **through** 09/03/2020 12:01 AM
Renewal Billing Payor: INSURED

To report a claim visit or call us at: www.myselectiveflood.com (877) 348-0552

RENEWAL FLOOD INSURANCE POLICY DECLARATIONS

STANDARD POLICY - GENERAL PROPERTY FORM

DELIVERY ADDRESS

CITY OF DAVENPORT
C/O JIM FORSYTH
226 WEST FOURTH STREET
DAVENPORT, IA 52801

INSURED NAME(S) AND MAILING ADDRESS

CITY OF DAVENPORT
C/O JIM FORSYTH
226 WEST FOURTH STREET
DAVENPORT, IA 52801

COMPANY MAILING ADDRESS

Selective Ins Co of the Southeast
PO BOX 782747
PHILADELPHIA, PA 19178-2747

PROPERTY LOCATION

2707 RAILROAD AVE
OFFICE BLDG
DAVENPORT, IA 52802

Refer to www.fema.gov/cost-of-flood for more information about flood risk and policy rating.

DESCRIPTION: N/A

RATING INFORMATION

ORIGINAL NEW BUSINESS DATE:	09/03/1999	**DATE OF CONSTRUCTION:**	01/01/1994
REINSTATEMENT DATE:	N/A	**COMMUNITY NUMBER:**	190242 0460 F REGULAR PROGRAM
BUILDING OCCUPANCY:	NON-RESIDENTIAL - BUSINESS	**COMMUNITY NAME:**	DAVENPORT, CITY OF
CONDOMINIUM INDICATOR:	NOT A CONDO	**CURRENT FLOOD ZONE:**	AE
NUMBER OF UNITS:	N/A	**GRANDFATHERED:**	NO
PRIMARY RESIDENCE:	NO	**FLOOD RISK/RATED ZONE:**	AE
ADDITIONS/EXTENSIONS:	N/A	**ELEVATION DIFFERENCE:**	3
BUILDING TYPE:	ONE FLOOR	**ELEVATED BUILDING TYPE:**	NON-ELEVATED
BASEMENT/ENCLOSURE/CRAWLSPACE TYPE:	NO BASEMENT		

MORTGAGEE / ADDITIONAL INTEREST INFORMATION

FIRST MORTGAGEE: **LOAN NO:** N/A

SECOND MORTGAGEE: **LOAN NO:** N/A

ADDITIONAL INTEREST: **LOAN NO:** N/A

DISASTER AGENCY: **CASE NO:** N/A
DISASTER AGENCY:

PREMIUM CALCULATION —

	COVERAGE	DEDUCTIBLE	BASIC COVERAGE	BASIC RATE	ADD'L COVERAGE	ADD'L RATE	DED. DISCOUNT/SURCHARGE	Standard PREMIUM
BUILDING	$146,400	$5,000	$146,400	0.310	$0	0.160	($50.00)	$404.00
CONTENTS	$24,400	$5,000	$24,400	0.220	$0	0.120	($6.00)	$48.00

Coverage limitations may apply. See your policy form for details.

ANNUAL SUBTOTAL:	*$452.00*
INCREASED COST OF COMPLIANCE:	$8.00
COMMUNITY RATING DISCOUNT: 10%	($46.00)
RESERVE FUND ASSESSMENT: 15.0%	$62.00
PROBATION SURCHARGE:	$0.00
ANNUAL PREMIUM:	*$476.00*
HFIAA SURCHARGE:	$250.00
FEDERAL POLICY SERVICE FEE:	$50.00
TOTAL:	$776.00

IN WITNESS WHEREOF, I have signed this policy below and enter in to this insurance Agreement

Michael H. Lanza / Secretary

Gregory E. Murphy / Chairman

Zero Balance Due - This Is Not A Bill

This declarations page along with the Standard Flood Insurance Policy Form constitutes your flood insurance policy.

Policy Issued by Selective Ins Co of the Southeast **Company NAIC:** 39926

File: 10607234 Page 1 of 2 DocID: 86931344

Joint Use Cities Draft 28E Cost Impact Analysis
10-Oct-19

	Current Agreement	Updated 28E Agreement	Difference	
Joint Use Cities (All)				
Operating Fund (Net Sales)	7,800,449	7,800,449		
Equipment Replacement Fund	1,332,067	1,170,067		
Debt Fund	-	460,780		
Reserve Fund	-	156,009		
Total	**9,132,516**	**9,587,305**	**454,789**	**4.98%**

Cost Distribution by City	Current Agreement	Updated 28E Agreement	Difference	
City of Davenport (81.33%)				
Operating Fund	6,344,105	6,344,105		
Equipment Replacement Fund	1,083,370	951,616		
Debt Fund	-	374,752		
Reserve Fund	-	126,882		
Total	**7,427,475**	**7,797,355**	**369,880**	**4.98%**
City of Bettendorf (17.87%)				
Operating Fund	1,393,940	1,393,940		
Equipment Replacement Fund	238,040	209,091		
Debt Fund	-	82,341		
Reserve Fund	-	27,879		
Total	**1,631,980**	**1,713,251**	**81,271**	**4.98%**
City of Riverdale (0.73%)				
Operating Fund	56,943	56,943		
Equipment Replacement Fund	9,724	8,541		
Debt Fund	-	3,364		
Reserve Fund	-	1,139		
Total	**66,667**	**69,987**	**3,320**	**4.98%**
City of Panarama Park (0.07%)				
Operating Fund	5,460	5,460		
Equipment Replacement Fund	932	819		
Debt Fund	-	323		
Reserve Fund	-	109		
Total	**6,392**	**6,711**	**319**	**4.99%**

City of Davenport Estimated Increases with New WPCP 28E

FY 2020	Current Agreement	Updated 28E Agreement		
City of Davenport (81.33%)				
Operating Fund	6,344,105	6,344,105		
Equipment Replacement Fund	1,083,370	951,616		
Debt Fund	-	374,752		
Reserve Fund	-	126,882		
Total	**7,427,475**	**7,797,355**	**369,880**	**4.98%**

FY 2021	Current Agreement	Updated 28E Agreement		
City of Davenport (81.33%)				
Operating Fund	6,502,708	6,502,708		
Equipment Replacement Fund	1,105,460	975,406		
Debt Fund	-	391,360		
Reserve Fund	-	130,054		
Total	**7,608,168**	**7,999,528**	**391,360**	**5.14%**

FY 2022	Current Agreement	Updated 28E Agreement		
City of Davenport (81.33%)				
Operating Fund	6,665,275	6,665,275		
Equipment Replacement Fund	1,133,097	999,791		
Debt Fund	-	391,588		
Reserve Fund	-	133,306		
Total	**7,798,372**	**8,189,960**	**391,588**	**5.02%**

FY 2023	Current Agreement	Updated 28E Agreement		
City of Davenport (81.33%)				
Operating Fund	6,831,907	6,831,907		
Equipment Replacement Fund	1,161,424	1,024,786		
Debt Fund	-	943,932		
Reserve Fund	-	136,638		
Total	**7,993,331**	**8,937,264**	**943,932**	**11.81%**

FY 2024	Current Agreement	Updated 28E Agreement		
City of Davenport (81.33%)				
Operating Fund	7,002,705	7,002,705		
Equipment Replacement Fund	1,190,460	1,050,406		
Debt Fund	-	943,949		
Reserve Fund	-	140,054		
Total	**8,193,165**	**9,137,113**	**943,949**	**11.52%**

FY 2025	Current Agreement	Updated 28E Agreement		
City of Davenport (81.33%)				
Operating Fund	7,177,773	7,177,773		
Equipment Replacement Fund	1,220,221	1,076,666		
Debt Fund	-	1,196,787		
Reserve Fund	-	143,555		
Total	**8,397,994**	**9,594,781**	**1,196,787**	**14.25%**

FY 2026	Current Agreement	Updated 28E Agreement		
City of Davenport (81.33%)				
Operating Fund	7,357,217	7,357,217		
Equipment Replacement Fund	1,250,727	1,103,583		
Debt Fund	-	1,196,559		
Reserve Fund	-	147,144		
Total	**8,607,944**	**9,804,503**	**1,196,559**	**13.90%**

FY 2027	Current Agreement	Updated 28E Agreement		
City of Davenport (81.33%)				
Operating Fund	7,541,147	7,541,147		
Equipment Replacement Fund	1,281,995	1,131,172		
Debt Fund	-	1,196,218		
Reserve Fund	-	150,823		
Total	**8,823,142**	**10,019,360**	**1,196,218**	**13.56%**

FY 2028	Current Agreement	Updated 28E Agreement		
City of Davenport (81.33%)				
Operating Fund	7,729,676	7,729,676		
Equipment Replacement Fund	1,314,045	1,159,451		
Debt Fund	-	1,196,576		
Reserve Fund	-	154,594		
Total	**9,043,721**	**10,240,297**	**1,196,576**	**13.23%**

FY 2029	Current Agreement	Updated 28E Agreement		
City of Davenport (81.33%)				
Operating Fund	7,922,918	7,922,918		
Equipment Replacement Fund	1,346,896	1,188,438		
Debt Fund	-	1,196,803		
Reserve Fund	-	158,458		
Total	**9,269,814**	**10,466,617**	**1,196,803**	**12.91%**

FY 2030	Current Agreement	Updated 28E Agreement		
City of Davenport (81.33%)				
Operating Fund	8,120,991	8,120,991		
Equipment Replacement Fund	1,380,568	1,218,149		
Debt Fund	-	1,196,088		
Reserve Fund	-	162,420		
Total	**9,501,559**	**10,697,647**	**1,196,088**	**12.59%**

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Susanne Knutsen 563-326-6179
Wards:

Action / Date
11/20/2019

Subject:
Motion approving submission of the City of Davenport Annual Urban Renewal Report for FY19. [All Wards]

Recommendation:
Pass the Motion.

Background:
As part of the requirements stemming from 2012 State of Iowa legislative action regarding tax increment financing (TIF), all Iowa cities and counties utilizing TIF are required to report TIF expenditures and obligations into the Iowa Department of Management's online Annual Urban Renewal Report annually by December 1. This report looks at the most recent fiscal year ending June 30, 2019.

This year's report includes information on large projects such as Kraft-Heinz and City Square, Sterilite, and New College LLC.

As part of this system, the City Council must approve the submission of the report. Costs associated with the City's TIF are approved by the City Council as part of the overall budget.

The Levy Authority Summary sheet is attached.

ATTACHMENTS:

Type	Description
Backup Material	FY 2019 Annual Urban Renewal Report Summary Page

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	11/13/2019 - 6:41 PM
Finance Committee	Wright, Brandon	Approved	11/13/2019 - 6:41 PM
City Clerk	Admin, Default	Approved	11/14/2019 - 2:26 PM

Levy Authority Summary

Local Government Name: DAVENPORT
Local Government Number: 82G773

Active Urban Renewal Areas	U.R. #	# of Tif Taxing Districts
DAVENPORT DOWNTOWN URBAN RENEWAL	82003	6
DAVENPORT WEST INDUSTRIAL URBAN RENEWAL	82005	4
DAVENPROT NICHOLS HOMESHIELD URBAN RENEWAL	82008	1
DAVENPORT NORTH URBAN RENEWAL	82013	22
DAVENPORT HORMEL URBAN RENEWAL	82020	1
DAVENPORT TRI-CITY FABRICATING URBAN RENEWAL	82026	1
DAVENPORT AIRPORT URBAN RENEWAL	82027	1
DAVENPORT M A FORD MFG URBAN RENEWAL	82031	1
DAVENPORT BRAMMER MANUFACTURING URBAN RENEWAL	82032	1
DAVENPORT VON MAUR URBAN RENEWAL	82034	3
DAVENPORT EIIC URBAN RENEWAL	82038	1
DAVENPORT SEARS MANUFACTURING URBAN RENEWAL	82042	1
DAVENPORT WEST END CLINIC URBAN RENEWAL	82043	1
HILLTOP URBAN RENEWAL AREA	82053	3
EAST VILLAGE URBAN RENEWAL AREA	82054	2
DAVENPORT WEST CENTRAL PARK URBAN RENEWAL	82991	1
DAVENPORT SOUTH URBAN RENEWAL	82992	2

TIF Debt Outstanding: **93,920,800**

TIF Sp. Rev. Fund Cash Balance as of 07-01-2018:	**9,394,384**	**0**	**Amount of 07-01-2018 Cash Balance Restricted for LMI**
TIF Revenue:	7,179,377		
TIF Sp. Revenue Fund Interest:	217,464		
Property Tax Replacement Claims	0		
Asset Sales & Loan Repayments:	1,834,000		
Total Revenue:	**9,230,841**		
Rebate Expenditures:	2,413,691		
Non-Rebate Expenditures:	4,763,863		
Returned to County Treasurer:	0		
Total Expenditures:	**7,177,554**		
TIF Sp. Rev. Fund Cash Balance as of 06-30-2019:	**11,447,671**	**0**	**Amount of 06-30-2019 Cash Balance Restricted for LMI**

Year-End Outstanding TIF Obligations, Net of TIF Special Revenue Fund Balance: **75,295,575**

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Brandon Wright 326-7750
Wards:

Action / Date
11/6/2019

Subject:
Motion authorizing payment to Visit Quad Cities (formerly known as Quad Cities Convention & Visitors Bureau) for FY 2020 tourism/marketing services in the amount of $375,000. [All Wards]

Recommendation:
Pass the Motion.

Background:
The City of Davenport has contributed funding to Visit Quad Cities for many years for tourism marketing and promotions. Additional information is attached.

Since this payment exceeds the $50,000 staff approval level, City Council approval is necessary. Funding source is Hotel/Motel tax.

ATTACHMENTS:

Type	Description
Backup Material	Visit Quad Cities FY 2020 Business Plan

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	10/31/2019 - 4:16 PM

VISIT QUAD CITIES FY20 BUSINESS PLAN

QUAD CITIES
VISITQUADCITIES.COM
VISIT QUAD CITIES

WHAT WE VALUE

PEOPLE

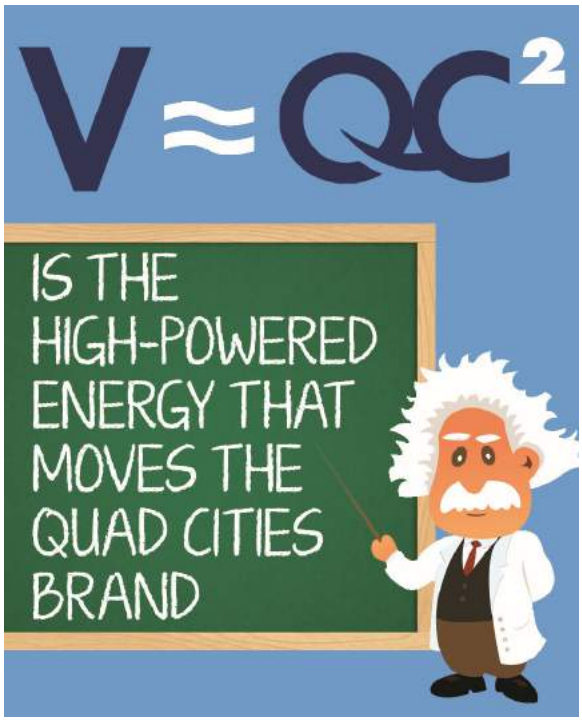
Our strength lies in one QC team built by the goal that together is better

PARTNERSHIPS

Partners, stakeholders and customers are the focus, and drive our collaborative business

PERSONALITY

We love to tell stories about our unique regional destination to visitors and Quad Citizens



VISIT QUAD CITIES

VISION

THE QUAD CITIES WILL BE RECOGNIZED INTERNATIONALLY AS A MUST-EXPERIENCE RIVERFRONT DESTINATION

MISSION

VISIT QUAD CITIES ENHANCES THE REGION'S QUALITY OF LIFE AND CREATES ECONOMIC DEVELOPMENT OPPORTUNITIES THROUGH TOURISM TO INSPIRE AND BUILD OUR MISSISSIPPI RIVER REGIONAL DESTINATION

BRAND PROMISE

WE PROMISE LIFELONG MEMORIES AND AUTHENTIC EXPERIENCES INSPIRED BY THE ENERGY, CULTURE AND POSITIVE MIDWESTERN SPIRIT THAT DEFINES OUR REGIONAL DESTINATION

ELEVATOR

FOUNDED IN 1990

Visit Quad Cities is the official Destination Management and Marketing Organization (DMMO) for the region. We are a private, 501(c)(6) non-profit engine charged with driving economic opportunity through tourism, building our authentic brand, telling & selling the Quad Cities story, and enhancing Quad Citizens' quality of life.

QUAD CITIES
VISITQUADCITIES.COM
VISIT QUAD CITIES

TABLE OF CONTENTS

6 Visit Quad Cities Board of Directors

7 Visit Quad Cities Team

8 River Pilot Operating Guide

16 Key Performance Indicators

17 FY20 Goals & Objectives

19 FY20 Targets & Strategies

25 FY20 Financial Summary

29 FY19 Highlights

FY19-20

VISIT QUAD CITIES BOARD OF DIRECTORS

Executive Committee

Lori Wilson, Chairwoman
Mo Hyder, First Vice-Chair
Kai Swanson, Second Vice-Chair
Tim Huey, Immediate Past Chairman
Alderman Kerri Tompkins, Treasurer

Board of Directors

Nancy Ballenger, Isle Casino Hotel Bettendorf
Kim Bothel, Stoney Creek Hotel and Conference Center
John DeDoncker, TBK Bank
Mayor Bob Gallagher, City of Bettendorf
Jim Grafton, City of Silvis
Todd Hajduk, TPC Deere Run
Dave Herrell, Visit Quad Cities; Ex officio
Tim Huey, Scott County, Iowa
Mo Hyder, Rhythm City Casino Resort
Ben Leischner, Quad City International Airport
Jessica Licko-Avants, The J Bar Holiday Inn and Suites
Chandler Poole, City of Rock Island
Bill Renk, Jumer's Hotel & Casino
Paul Rumler, Quad Cities Chamber of Commerce
Jennifer Sautter, MindFire Communications
LaTanya Seabrook, Frontier Hospitality
Kai Swanson, Rock Island County, Illinois & Augustana College
Brigitte Tapscott, John Deere Attractions
Alderman Kerri Tompkins, City of Davenport
Lori Wilson, City of Moline Parks Department

OUR TEAM

ADMINISTRATION & OPERATIONS

Dave Herrell
President and CEO

Mindy Chapman
Vice President, Finance & Administration

BUSINESS GROWTH & SERVICE

Lynn Hunt
Vice President, Business Growth & Service

Joan Kranovich
Director, Sports & Business Growth

Nicki Brus
Business Growth & Service Manager

Paulette Day
Business Growth & Service Manager

BRAND ACCELERATION & ENGAGEMENT

Charlotte Doehler-Morrison
Vice President, Marketing & Communications

Jessica Waytenick
Public Relations & Marketing Manager

Hannah Bigot
Digital Media Storyteller

DESTINATION PARTNERSHIP & REGIONAL INITIATIVES

Molly Otting Carlson
Vice President, Destination Development & Visitor Services

RIVER PILOT

OPERATING GUIDE

CORNERSTONES ▶

OVER-ARCHING CHALLENGES

- Identity for the Quad Cities
- Strengthening Visit Quad Cities value & position in the region
- Building the Quad Cities base

RIVER PILOT

BRAND ACCELERATION & PROTECTION

Promote and articulate our unique story as the "front porch" for the Quad Cities

CORNERSTONES

DRIVERS

- Invest in market and business intelligence to further effectiveness and provide valuable community research for the region
- Create and harness $V=QC^2$ concept as our brand's energy to shift culture
- Activate Quad Citizens as positive brand champions through a local messaging plan to build and increase community ownership
- Develop a new website and digital engagement platform to include improved video products and SEO
- Become a disruptive and liberated brand in our messaging to infuse an emotional connection
- Embrace and showcase our Quad Cities DNA through targeted promotions and earned media

RIVER PILOT

COLLABORATION

Inspire a spirit of regional bi-state destination strength

DRIVERS

- Q2030 alignment and immersion
- Strengthen relationships and build consensus with public investors by understanding their priorities
- Enhance touch points with our visitor industry partners
- Leverage Iowa/Illinois political and industry leadership
- Identify opportunities and efficiencies with the Quad Cities Chamber of Commerce on shared goals
- Determine the right support needed from local and state economic organizations
- Initiate new engagement opportunities for regional corporate leaders
- Invigorate our cultural institutions with co-operative promotional opportunities
- Partner with the Rock Island Arsenal with support of their experiential initiatives

RIVER PILOT

AUTHENTIC PRODUCT EXPERIENCE

Develop a diverse portfolio that residents are proud of, shapes perception and attracts visitors

CORNERSTONES

DRIVERS

- Mississippi River immersive activation plan and highlight riverfront connection points
- Showcase the region's diverse culture and heritage
- Improve downtown campuses from a visitor point of view
- Place-branding execution
- Identify opportunities to grow and/or add to our special events/festival portfolio
- Ignite the regional live music scene nationally
- Elevate the arts community viscerally for visitors through support of public art
- Connect visitors with regional outdoor and active lifestyle opportunities
- Create gaming industry packaging plan
- Enhance culinary vibe with food, beer, wine and spirits
- Focus on American Spirit concepts and agricultural sector

RIVER PILOT

BUSINESS GROWTH

Create meaningful customer value and long-term relationships

DRIVERS

- Develop a new level of standard that differentiates Visit Quad Cities
- Streamline target market segmentation
- Leverage our community's signature events and assets
- Co-operative sales and promotional approach with our partners
- Identify opportunities to extend the stay and/or welcome back visitors through existing and/or new product lines that we develop
- Identify our "sweet spot" for sporting event recruitment and hosting while building our broader sports landscape
- Utilize Simpleview CRM tool to manage our clients through their customer journey

RIVER PILOT

LEAD CONVERSATIONS

Position the Quad Cities against our competitive set

CORNERSTONES

DRIVERS

- Reinvent regional sports tourism
- Improve overall circulation in the QC region
- Enhance and/or develop new convention and meeting venue assets based on meeting planner/rights holder input and market demand
- Partner with the QC International Airport on air lift strategy improvement
- Secure passenger rail for tourism purposes through support of the efforts of the Quad Cities Chamber of Commerce
- Identify new funding models for destination improvement
- Serve as a community clearinghouse for a robust calendar of community events
- Visitor industry workforce development with higher education community, Quad Cities Chamber of Commerce, and Quad Cities Lodging Association
- Benchmark our aspirational and competitive set destinations

RIVER PILOT

ORGANIZATIONAL VITALITY

Build relevance, stability and establish a legacy

▶ DRIVERS

- Infuse new culture and value system within the company
- Develop and execute a new community-built and consensus-earned strategic vision and plan for the regional destination
- Create new vision, mission, and purpose statements
- Transparently and consistently articulate our position and plan for stakeholders
- Refine Board governance and activate volunteer committees
- Implement a balanced and sustained plan for growth
- Identify new resources to improve overall effectiveness
- Serve as the voice and positive steward for the destination and visitor economy
- Strengthen overall financial and organizational health
- Develop and refine goals, performance measures, and destination metrics
- Implement professional development opportunities for the team

KEY PERFORMANCE INDICATORS (KPIs)

KPI HORIZON

CURRENT KPIs	KPI TARGET GOAL
1.6M visitors annually	2M+ visitors annually
$6.2M in collective annualized hotel/motel tax	$10M+ in collective annualized hotel/motel tax
$880M annual economic impact	$1B annual economic impact
$1.76M annual operating budget	$2.5M+ annual operating budget
55.1% hotel occupancy rate	60%+ hotel occupancy rate

FY20 GOALS & OBJECTIVES

Operationalize the Plan by the River Pilot's Cornerstones, Objectives and Strategic Drivers	Increase Visitor Numbers through Group Bookings	Improve Customer Satisfaction Rating on all Visit Quad Cities Services Offered
Generate Qualified Leads	QUAD CITIES VISITQUADCITIES.COM VISIT QUAD CITIES	Grow Brand Awareness in Targeted Demographics and Target DMA's
Secure Necessary Private Funding Support, Identify New Funding Models, and a Successful Transition Plan	Convert Qualified Leads to Booked Business	Provide Sound Financial and Compliance Oversight

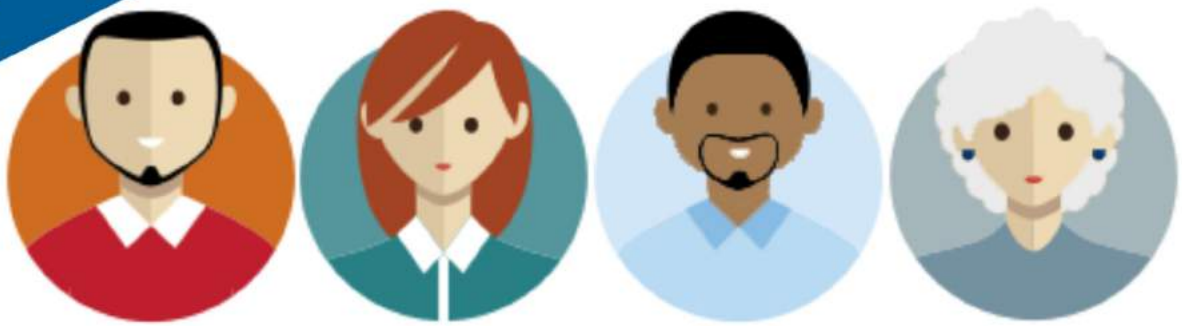
FY20 KPIs

- Exceed 125,875 visitors through group bookings, or 28% YoY increase
- Achieve a minimum threshold of 80% on customer satisfaction ratings
- Exceed 264 qualified leads, or 10% YoY increase
- Achieve at least a 60% conversion rate from qualified leads to booked business
- Achieve a minimum of $110,000 in private investment support
- Exceed 12M impressions and 150,000 clicks in SEO
- Exceed 13M in digital advertising impressions
- Double Instagram followers to 12,000

BUSINESS FUNCTIONS

TARGETS & STRATEGIES

BRAND ACCELERATION & ENGAGEMENT

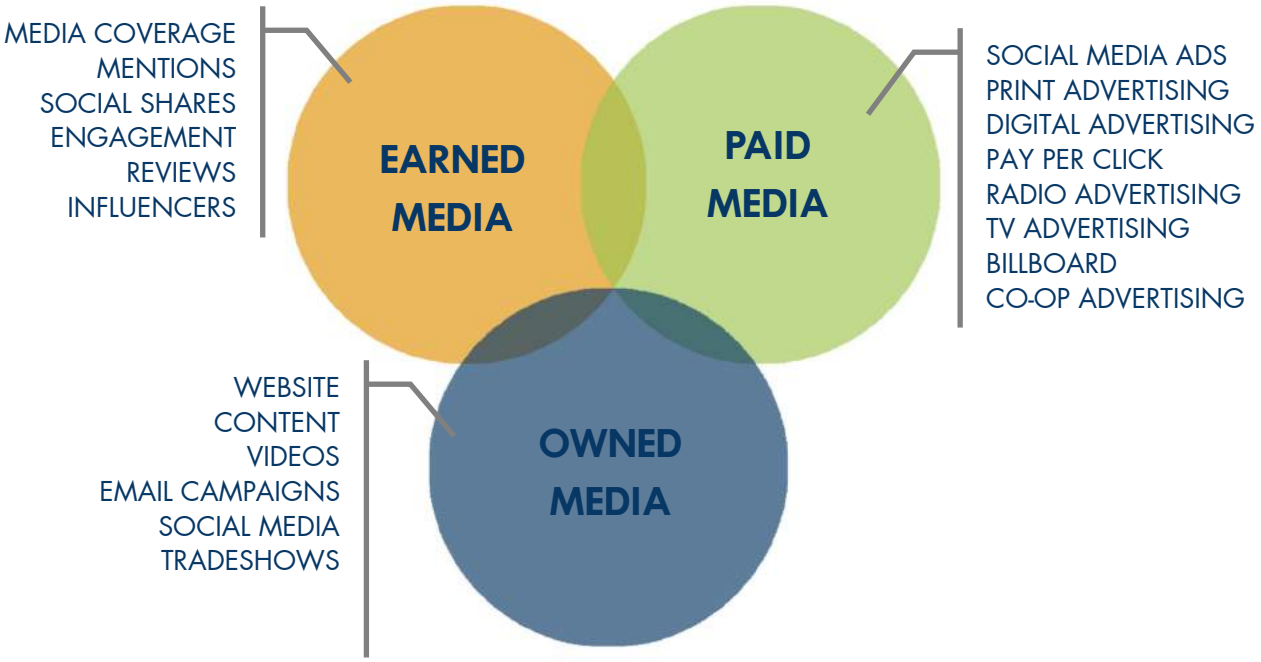


GENERATION Z After 1995	GENERATION Y 1981-1995	GENERATION X 1961-1980	BABY BOOMER 1945-1960

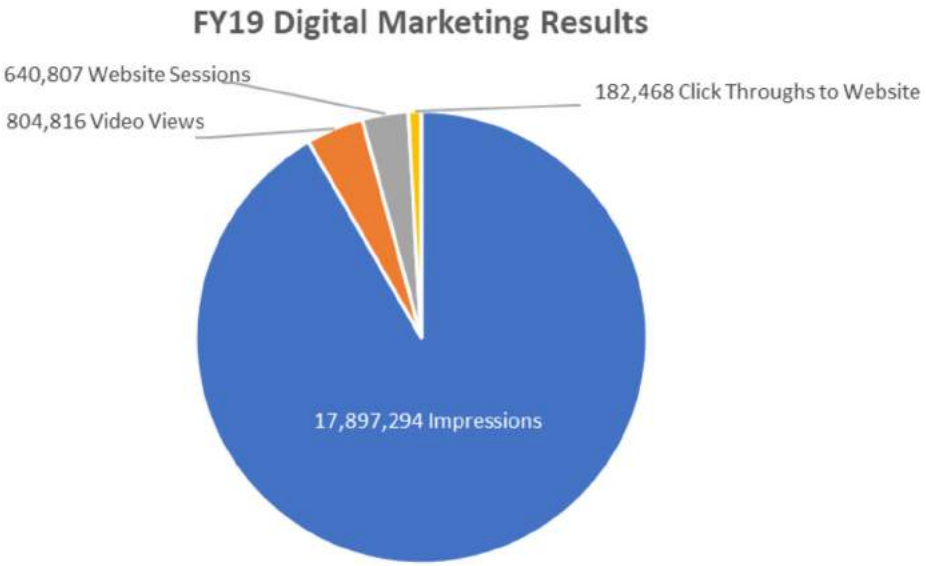
EXCEED 12M IMPRESSIONS AND 50,000 CLICKS IN SEO

GROW BRAND AWARENESS IN TARGETED DEMOGRAPHICS AND MARKETS

EXCEED 13M IN DIGITAL ADVERTISING IMPRESSIONS



BRAND ACCELERATION & ENGAGEMENT



SUCCESSFULLY LAUNCH NEW AND IMPROVED WEBSITE AND DIGITAL PLATFORM

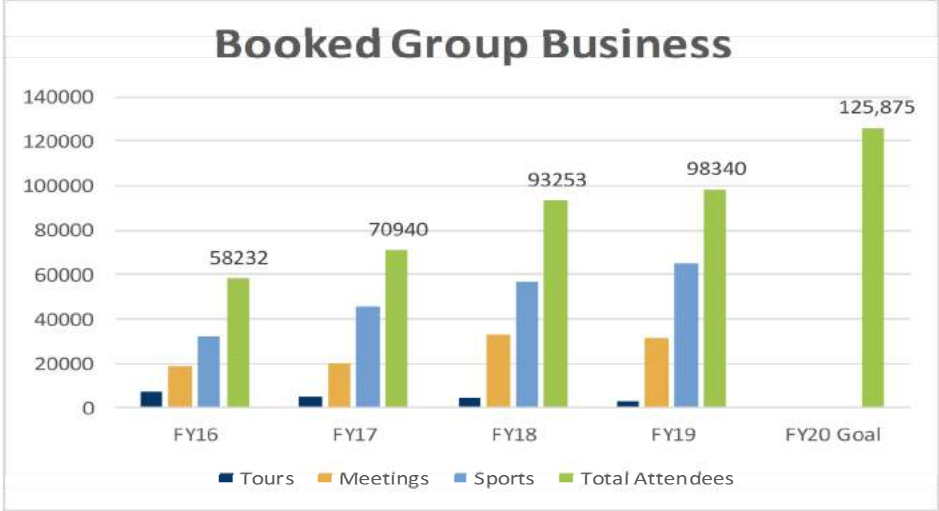
DOUBLE INSTAGRAM FOLLOWERS TO 12,000

BRAND ACCELERATION & ENGAGEMENT STRATEGIES

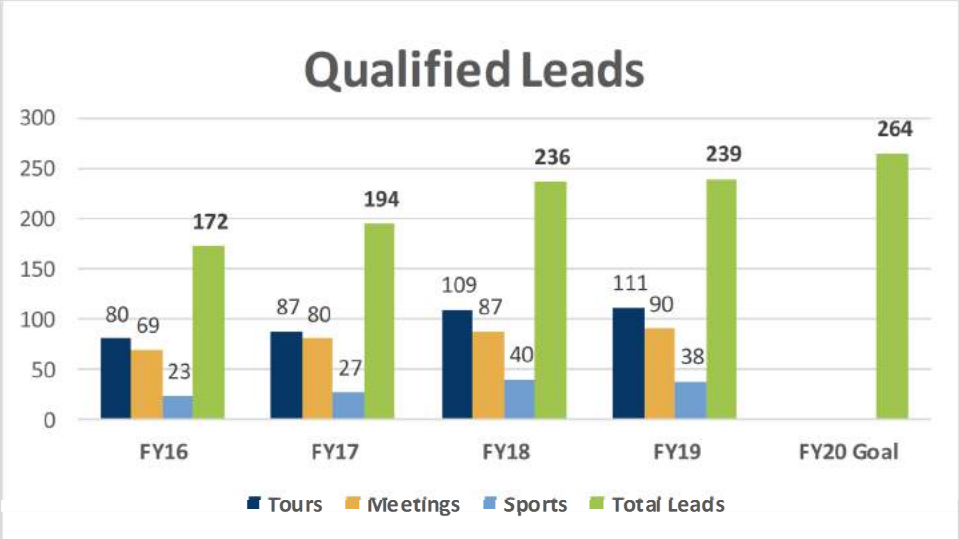
- Create new content and manage content activation across appropriate online channels, including social platforms, with a robust content management plan
- Develop new creative direction for all brand assets
- Create a new local campaign to promote Visit Quad Cities
- Rebrand and redesign the 2020 Experience Guide to feature new editorial
- Participate in Iowa and Illinois co-op advertising programs
- Manage signature programs, including QC Ale Trail, QC Museum Week, and QC Restaurant Week
- Focus on meeting/convention, group tour, and sports planners to increase Quad Cities brand awareness

BUSINESS GROWTH & SERVICE

INCREASE VISITOR NUMBERS TO 125,875 (28% YOY INCREASE) THROUGH GROUP BOOKINGS



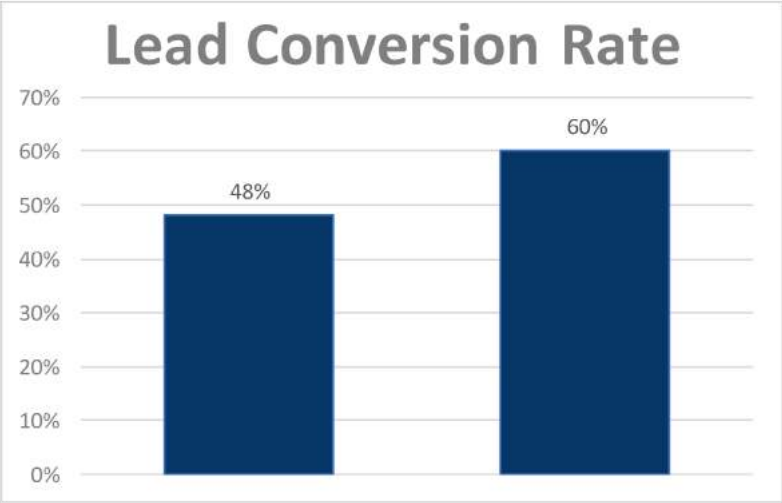
GENERATE 264 QUALIFIED LEADS (10% YOY INCREASE)



IMPROVE CUSTOMER SATISFACTION RATING ON SERVICES TO ACHIEVE A MINIMUM OF 80%

BUSINESS GROWTH & SERVICE

CONVERT QUALIFIED LEADS TO BOOKED BUSINESS (ACHIEVE A MINIMUM 60% CONVERSION RATE)



STRATEGIES FOR GROWTH & SERVICE

- Deliver world-class customer service that differentiates us from competition, positively impacting the conversion rate resulting in new booked business and repeat business
- Focus on top regional industries, major sporting events, and weekend sports business
- New planner webpages created as part of new overall website design process with TAG
- Use Simpleview solutions to create workflow efficiencies for team, maximize tracking, and enhance prospecting process
- Evaluate opportunities and align with appropriate team members to deliver best results
- Purchase Destinations International Event Impact Calculator to increase visitor tracking
- Schedule and execute sales missions, and participate in Illinois International opportunities

TRADESHOWS ATTENDING

- **S.P.O.R.T.S. Conference - Sept. 2019**
- **Small Market Meetings - Sept. 2019**
- **IL Society of Assoc. Executives - Dec. 2019**
- **American Bus Association - Jan. 2020**
- **Connect Chicago - Feb. 2020**
- **Sports ETA - Apr. 2020**
- **Circle Wisconsin - Apr. 2020**
- **Sports IL Huddle - Apr./May 2020**

DESTINATION PARTNERSHIP & REGIONAL INITIATIVES

SERVE AS A VALUABLE RESOURCE TO PRIVATE/ PUBLIC STAKEHOLDERS CONNECTED TO THE VISITOR ECONOMY

- Strengthen relationship and advocacy with elected officials
- Work closely with Illinois Hotel & Lodging Association
- Partner with local main street directors to build experiences

IMPLEMENT PLAN TO REIMAGINE VISITOR CENTERS & ENHANCE VISITOR EXPERIENCE

- Create new experiential places that define our story
- Serve as a resource to Quad Visitors and Quad Citizens

DETERMINE NEW PRIVATE FUNDING MODEL

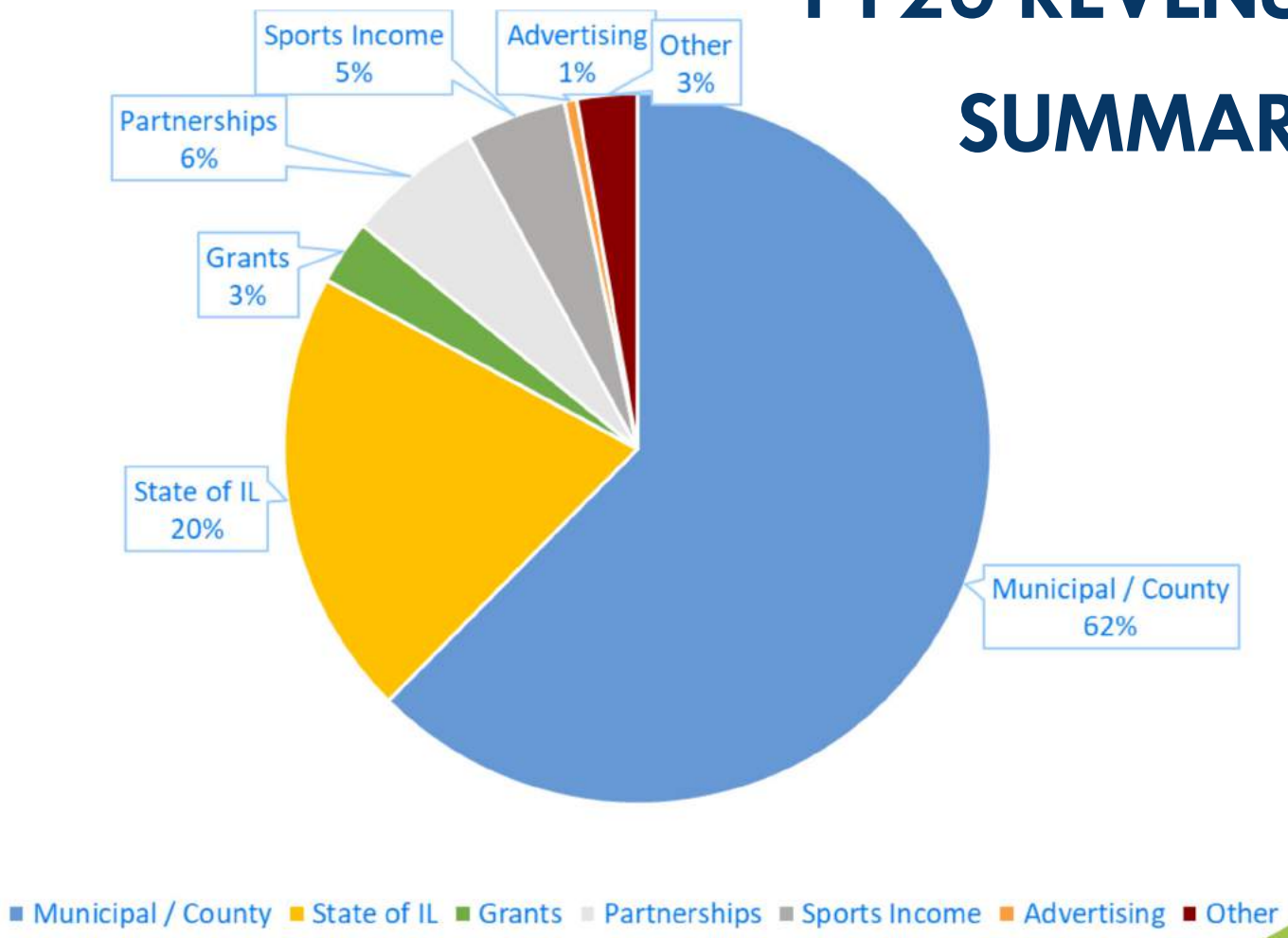
- Set-up a successful transition plan for a new program
- Create reliable and dedicated funding streams
- Deliver value to partner investors

ADMINISTRATION & OPERATIONS

PROVIDE SOUND FINANCIAL AND COMPLIANCE OVERSIGHT INCLUDING BUDGET, PUBLIC FUNDING SOURCES AND HUMAN RESOURCES/TALENT MANAGEMENT

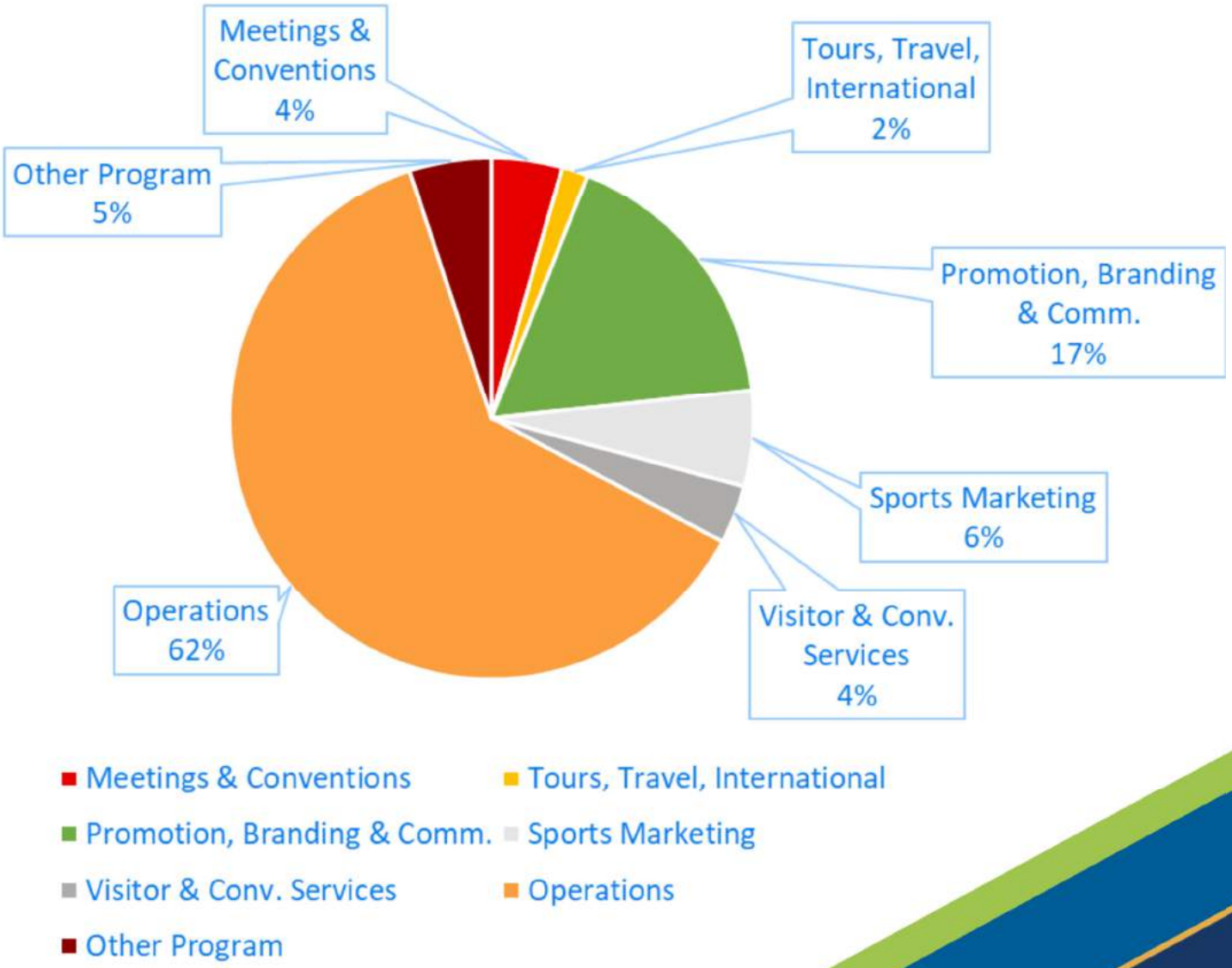
IMPLEMENT NEW COMMITTEE STRUCTURE FOR THE BOARD OF DIRECTORS AND ORGANIZATION IN ORDER TO STRENGTHEN OUR FUTURE DIRECTION

FY20 REVENUE SUMMARY



$1.76M TOTAL REVENUES

FY20 EXPENSE SUMMARY



$1.8M TOTAL EXPENSES

FY20

FINANCIAL SUMMARY

REVENUE	FY20
Municipal/County Partners	1,100,320
State of Illinois	360,000
Grants (Iowa, Illinois, Local)	52,000
Partnership Fees	75,000
Publication Advertising	10,000
Visitor Services	15,500
Private Sector Investments	35,000
Miscellaneous	33,123
QC Sports Commission Income	80,905
TOTAL REVENUE	1,761,848

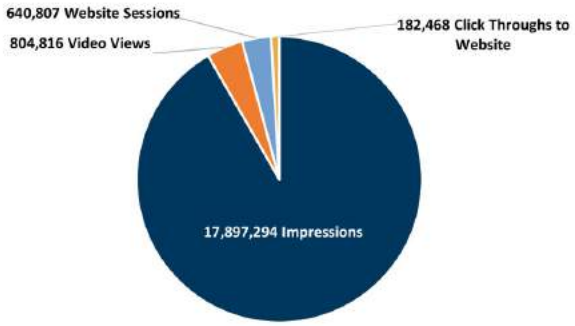
EXPENSES	
Business Growth & Service: Meetings/Conv.	79,054
Business Growth & Service: Group Tours	29,115
Business Growth & Service: Sports Tourism	107,095
Brand Acceleration & Engagement	312,260
Destination Partnership & Regional Initiatives	65,150
Other Programs	91,500
Operating Expenses	1,121,842
TOTAL EXPENSES	1,806,016
NET INCOME	(44,168)

*Approved by Board of Directors
June 26, 2019

FY19 HIGHLIGHTS

FY19
HIGHLIGHTS

DIGITAL RECAP FY19



- Hosted Mississippi River Cities & Towns Initiative Annual Meeting—showcasing our regional collaboration and connectivity to over 30 Mayors, State legislators, Senators, and Representatives
- Hosted the WWII ship, USS LST 325, and welcomed 17,000+ visitors over five days
- Successfully extended the Missouri Valley Conference (MVC) Women's Basketball Tournament through 2021 with the TaxSlayer Center
- Secured and hosted the Army Division Association familiarization event which already led to two new business opportunities
- Retained the Gathering of the Green Conference for 2020
- Hosted a wide range of visitors from Rosie the Riveters and intercollegiate student-athletes, to Brazilian tourism professionals and C-suite insurance executives from all over the country
- Launched new QC Ale Trail
- Secured $100,000 in in-kind promotional support from local media to promote MVC Tournament, QC Restaurant Week and QC Museum Week
- Successfully organized and welcomed RAGBRAI 2018—over 18,000 riders
- Began initial development phase for new visitquadcities.com website
- Increased higher education presentations to assist family members with their Quad Cities college experience
- Led Q2030 Big Table discussion on Quad Cities destination experience

8,140 RESIDENTS EMPLOYED IN TOURISM

$880M IN VISITOR SPENDING

131 BOOKED EVENTS

640,807 VISITS TO WEBSITE

260 TRAVEL STORIES

FY19

HIGHLIGHTS

SOCIAL IMPACT FY19

39,592 Followers
235,009 Engagements

121 Subscribers
228,884 Views

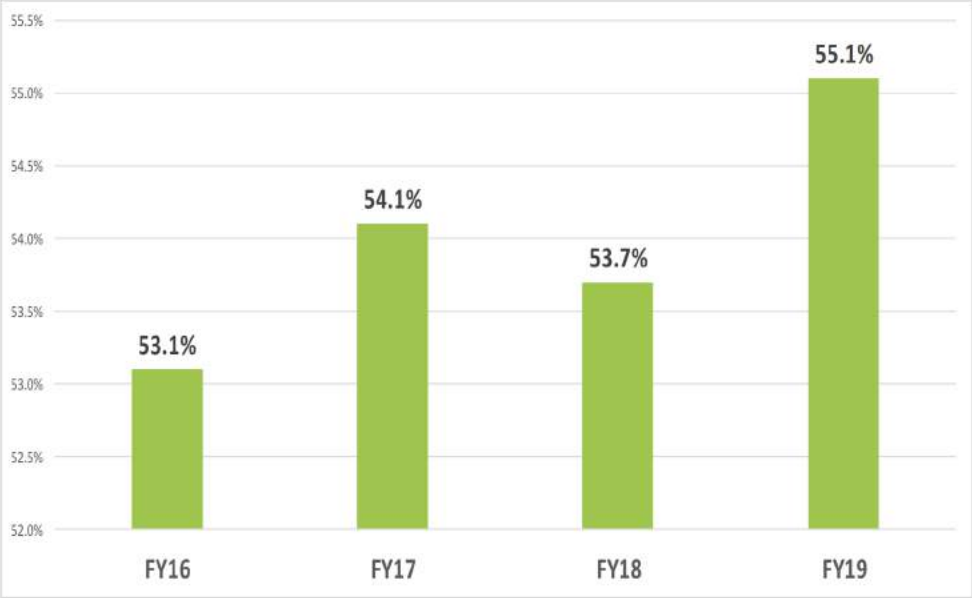
7,117 Followers
7,205 Engagements

513 Followers
1,023 Engagements

6,810 Followers
14,067 Engagements

743 Followers
12,022 Engagements

HOTEL OCCUPANCY TREND FY16-FY19



Source: STR

7,971 REQUESTS FOR INFORMATION

30 SITE VISITS HOSTED

10 TRADE SHOWS ATTENDED

204 LEADS DISTRIBUTED

$89.86 AVG. DAILY RATE
$49.68 AVG. REVPAR

SOCIAL MEDIA

Quad Cities

@visitquadcities

@visitquadcities

Visit Quad Cities

#VISIT**QUADCITIES**

simpleview

DESTINATIONS INTERNATIONAL

DESTINATION MARKETING ACCREDITATION PROGRAM
ACCREDITED ORGANIZATION

travel IOWA

ILLINOIS. ARE YOU UP FOR AMAZING?

QUAD CITIES

VISITQUADCITIES.COM

VISIT QUAD CITIES

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Bruce Berger 563-328-7769
Wards:

Action / Date
11/20/2019

Subject:
Motion awarding the contract for the Door Replacement From Flood Damage at Union Station to Swanson Construction Company of Bettendorf, IA in the amount of $80,476. [Ward 3]

Recommendation:
Pass the Motion.

Background:
On September 25, 2019, an Invitation to Bid was issued and sent to contractors. On October 17, 2019, the Purchasing Division opened and read one bid. See bid tab attached.

During the flood of the summer of 2019, the wooden doors at Union Station sustained damage and warped. They were not repairable.

Swanson Construction Co of Bettendorf, IA was the only bid. Their bid was within budget. They have successfully performed work for the City of Davenport in the past.

Funding for this project is from the Flood Damage account.

ATTACHMENTS:

Type	Description
Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	11/13/2019 - 6:39 PM
Finance Committee	Wright, Brandon	Approved	11/13/2019 - 6:40 PM
City Clerk	Admin, Default	Approved	11/14/2019 - 2:23 PM

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: DOOR REPLACEMENT AT UNION STATION

BID NUMBER: 20-49

OPENING DATE: OCTOBER 17, 2019

GL ACCOUNT NUMBER: 50311013 520231

RECOMMENDATION: AWARD THE CONTRACT TO SWANSON CONSTRUCTION CO OF BETTENDORF IA

VENDOR NAME	PRICE
Swanson Construction Co. of Bettendorf IA	**$80,476**

Approved By Kristi Keller 11-12-19
Purchasing Date

Approved By Bruce Berger 11/8/19
Department Director Date

Approved By [illegible] 11/12/19
Budget/CIP Date

Approved By [illegible] 11-12-2019
Chief Financial Officer Date