

COMMITTEE OF THE WHOLE

City of Davenport, Iowa

Wednesday, October 5, 2016; 5:30 PM

City Hall, 226 West 4th Street

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. City Administrator Update

VI. Public Hearings

A. Community Development

1. Public hearing for ordinance for Case No. REZ16-09 being the petition of Jamie Banfield for the rezoning of approximately 7344 square feet of property located at 3025 Harrison Street from R-4 Moderate Density Dwelling District to C-O Commercial Office District [Ward 5]

VII. Presentations

VIII. Petitions and Communications from Council Members and the Mayor

A. Community Engagement Update
Rita Rawson, Chair

IX. Action items for Discussion

COMMUNITY DEVELOPMENT

Bill Boom, Chairman; Kyle Gripp, Vice Chairman

I. COMMUNITY DEVELOPMENT

1. Third Consideration: Ordinance for Case No. REZ16-07 being the request of Juan Goitia for the rezoning of 0.52 acre (22,500 sqft) of real property located at 1002 Bridge Avenue from "R-4" Moderate Density Dwelling District to "R-4 PUD" Planned Unit Development to allow a two story detached garage with habitable area (home office and recreational area) on the second level. [Ward 5]
2. Second Consideration: Ordinance for Case No. REZ16-08 being the petition of Classic Development Co. Inc. for the rezoning of 0.594 acre, more or less of real property, located at 4504-06 Fairmount Street and 3705-07 West 46th Street, from R-5M Medium Density Dwelling District to R-4 PUD Planned Unit Development to facilitate fee simple ownership of the land with the unit. [Ward 2]

3. First Consideration: Ordinance for Case No. REZ16-09 being the petition of Jamie Banfield for the rezoning of approximately 7344 square feet of property located at 3025 Harrison Street from R-4 Moderate Density Dwelling District to C-O Commercial Office District .[Ward 5]
4. Resolution approving Case No. F16-09 being the final plat of Continental Lofts Addition being a replat of the resurvey of the south ½ of block 2 of A & G C Churchill's Addition located north of River Drive between Carey and Oneida Avenues (1034 East River Drive) containing three lots. The plat contains 1.44 acres, more or less, and splits the former Wonder Bread Bakery facility to facilitate residential development financing. [Ward 3]
5. Resolution approving Case No's. ANX16-02, ANX16-03, and ANX16-04, the annexation of 106.57 acres, more or less, of territory located west of North Division Street and South of Slopertown Road. (Curtis Living Trust, Keppy Farms/Greater Davenport Redevelopment Corporation, City of Davenport, petitioners). [Ward 8 as expanded]
6. Resolution approving an Urban Revitalization Tax Exemption project for 1605 Harrison Street. [Ward 5]
7. Resolution supporting a Workforce Housing Tax Credit application to the State of Iowa for a housing project located at 1605 Harrison Street. [Ward 5]

II. Motion recommending discussion or consent for Community Development items

PUBLIC SAFETY

Mike Matson, Chairman; Maria Dickmann, Vice Chairman

III. PUBLIC SAFETY

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

AutoRodz, Carshow, October 9th, 6:00 AM to 5:00 PM, Closure Location: 4th Street from Warren to Marquette Streets and including Myrtle Street [Ward 3] ***TO BE VOTED ON LATER IN THIS AGENDA***

Davenport Community School District, Marching Band Festival, October 15th, 6:00 AM - 6:00 PM - Closure Location: 36th Street between Brady Street and Davenport Avenue [Ward 5]

American Legion Post #26, Veterans Day Parade, November 11th, 8 AM - Noon - Closure Location: 4th Street to Western Avenue, Western Avenue south to 3rd Street, 3rd Street to Main Street, Main Street south to 2nd Street; 2nd Street west to Ripley Street, Ripley Street north to 4th Street return to Scott County Courthouse Parking Lot [Ward 3]

Quad City Arts, Festival of Trees Holiday Parade, November 19th; Friday (November 18th) at 5:30 PM; Saturday (November 19th) at 9 AM until parade end; Closure Location: Friday (November 18th) at 5:30 PM closing 3rd Street between Pershing and LeClaire Street and Iowa Street between 2nd and 4th Streets; Saturday (November

20th) at 9 AM closing Second and Third Street from Pershing to Scott Street; all north/south streets will be closed between River Drive and 4th Street until parade end

2. Motion approving beer and liquor license applications.

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

Ward 4

The Pour House (Boss Lady, Inc.) - 1502 W Locust St - Outdoor Area October 22-23, 2016 - License Type: C Liquor

Riverside Liquor #2 (Vardaan, LLC) - 1528 W Locust St. - License Type: E Liquor / C Beer / B Native Wine

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

Ward 1

Davenport Elks Lodge #298 (Benevolent and Protective Order of Elks #298) - 4400 W Central Park - License Type: C Liquor

Ward 2

Express Lane Gas & Food Mart #83 (Expresslane Inc.) - 3636 Hickory Grove Rd. - License Type: C Beer / B Native Wine

Rudy's Taco's (Majec Incorporated) - 3502 W Kimberly Rd. - Outdoor Area - License Type: C Liquor

Ward 3

Analog Arcade Bar (Analog LLC) - 302 Brady St. - Outdoor Area - License Type: C Liquor

Express Lane Gas & Food Mart #84 (Expresslane Inc.) - 321 N Division St. - License Type: C Beer / B Native Wine

Me & Billy (Collins Maus LLC) - 200 W 3rd St. - Outdoor Area - License Type: C Liquor

River Drive Smoke Shop (AB Kazi LLC) - 828 W River Dr. - License Type: E Liquor / C Beer / B Wine

Ward 5

The McClellan Stockade (Poor Richard's Incorporated) - 2124 E 11th St. - Outdoor Area - License Type: C Liquor

Ward 6

Chili's Southwest Grill (ERJ Dining IV, LLC) - 4020 E 53rd St. - License Type: C Liquor

The Grape Life (The Grape Life Wine Store & Lounge, LLC) - 3402 Elmore Ave. - License Type: C Liquor / B Wine

Lindsay Park Yacht Club (Lindsay Park Yacht Club, Inc.) - 2101 E River Dr. - Outdoor Area - License Type: A Liquor

Noodles & Company (IWI Ventures, LLC) - 5345 Elmore Ave. - Outdoor Area - License Type: Beer / Wine

Osaka Steakhouse (Osaka Steakhouse Inc.) - 4901 Utica Ridge Rd. - Outdoor Area - License Type: C Liquor / B Wine

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

Rudy's Taco's (CME 1066 Inc.) - 3944 Elmore Ave. - License Type: C Liquor

Ward 7

CASI (Center for Active Seniors, Inc.) - 1035 W Kimberly Rd. - Outdoor Area - License Type: C Liquor

Happy Joe's Pizza & Ice Cream Parlor (Happy Joe's Pizza & Ice Cream Parlor Inc.) - 201 W 50th St. - License Type: Beer / Wine

Ward 8

Express Lane Gas & Food Mart #86 (Expresslane Inc.) - 7522 Northwest Blvd. - License Type: C Beer / B Native Wine

Harold's Jack N Jill (Slagle Foods, Inc.) - 6723 Northwest Blvd. Unit 2 - License Type: E Liquor / C Beer / B Wine

IV. Motion recommending discussion or consent for Public Safety items

PUBLIC WORKS

Ray Ambrose, Chairman; Rick Dunn, Vice Chairman

V. PUBLIC WORKS

1. Resolution accepting the FY15 / FY16 Street Resurfacing – Phase II Micro-Surfacing contract. Final cost of Phase II was \$451,637.56 budgeted in CIP #10550. [Wards 2,3,4 & 7]

2. Resolution granting permission to Geneseo Communications Services, Inc. to install a buried communications system in the City right-of-way along 46th Street from Brady Street to Tremont Avenue, a total distance of approximately 3,160 feet. Agreement reference #2016-F20. [Ward 7]
3. Resolution granting permission to Geneseo Communications Services, Inc. to install a buried communications system in the City right-of-way along Marquette Street from Locust Street to Lombard Street, a total distance of approximately 1,720 feet. Agreement reference #2016-F19. [Ward 4]
4. Resolution granting permission to Central Scott Telephone to install a buried communications system in the City right-of-way along 46th Street from Grand Avenue to Tremont Avenue, a total distance of approximately 1,100 feet. Agreement reference #2016-F18. [Ward 7]
5. Resolution of acceptance for the FY15 Contract Sewer Repair Program for Hometown Plumbing and Heating Company of Davenport, IA. Total cost was \$576,174.84 paid out of CIP #10533 & 10379. [All Wards]
6. Resolution of acceptance for the FY15 Contract Sewer Repair Program for Hagerty Earthworks, LLC, of Muscatine, IA. The total cost was \$642,383.90 paid out of CIP #10533 & 10379. [All Wards]
7. Resolution enacting a 180-day moratorium for buried utilities by non-franchisees within the right-of-way of the City. [All Wards]
8. Motion approving the Davenport Municipal Airport Disadvantaged Business Enterprise Program (DBE). [Ward 8]
9. Motion to award the contract for the slurry seal, micro-surface and cape seal to Missouri Petroleum Products Company, LLC of St. Louis, MO in the amount of \$659,120.11 budgeted in CIP #35014. [All Wards]
10. Motion approving the purchase of a tub grinder for the Compost facility from a National Joint Powers Alliance (NJPA) contract #070313-VRM from Vermeer of Tipton, IA in the amount of \$874,840 budgeted in CIP #24004. The grinder is used to process material to make the compost that is sold. [All Wards]
11. Motion to award the contract for the Deere Creek Sanitary Sewer Project to Mass Custom Hauling, Inc. of Milan, IL in the amount of \$52,740. [Ward 7]

VI. Motion recommending discussion or consent for Public Works items

FINANCE

Jason Gordon, Chairman; Kerri Tompkins, Vice Chairman

VII. FINANCE

1. Second Consideration: Ordinance amending Subsection 2.54.070(A)(1) to allow Parks & Recreation Advisory Board Members to serve in other capacities as well. [All Wards]
2. First Consideration: Ordinance amending Chapter 5.17.010 entitled "License

Required" to exclude businesses where retail sales is an ancillary function of the primary business. [All Wards]

3. First Consideration: Ordinance amending Chapter 5.15 entitled "Tobacco Sales" so that the ordinance reflects the recent changes to the tobacco industry and also reflects the changes made to the State of Iowa's program. [All Wards]
4. First Consideration: Ordinance amending Chapter 10.84 entitled "Bicycles" so that the ordinance refers to the resolution which sets business license fees recommended by the Finance Director and approved by City Council. [All Wards]
5. Motion awarding a contract for body armor with a four-year replacement cycle to Carpenter Uniform Co. of Des Moines, IA in the amount of \$92,800. [All Wards]
6. Motion awarding a contract for the clean-out of Digesters #3 and #4 at the Water Pollution Control Plant to Telum of Madrid, IA in the estimated amount of \$85,000. [All Wards]

VIII. Motion recommending discussion or consent for Finance items

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

1. A-L-L Equipment - Compressors w/dryers @ WPCP - Amount: \$16,044
2. Donald Plumptre - Two 5,500 gallon brine storage tanks for Streets - Amount: \$31,962
3. Weitz Industrial LLC - Install dewatering equipment @ WPCP - Amount: \$33,000

XI. Other Ordinances, Resolutions and Motions

1. Motion to suspend the rules to vote on the following item:
2. Resolution closing various street(s), lanes(s) or public grounds on the listed date to hold outdoor event(s).

Corey Condon, AutoRodz, Car Show, October 9th, 6:00 AM - 5:00 PM; Closure Location: 4th Street between Warren and Marquette Streets including Myrtle Street [Ward 3]

XII. Public with Business

XIII. Reports of City Officials

XIV. Adjourn

City of Davenport

Agenda Group: Community Development
Department: Community Planning and Economic Development
Contact Info: Matt Flynn, 326-7743
Wards: 5

Action / Date
CD10/5/2016

Subject:

Public hearing for ordinance for Case No. REZ16-09 being the petition of Jamie Banfield for the rezoning of approximately 7344 square feet of property located at 3025 Harrison Street from R-4 Moderate Density Dwelling District to C-O Commercial Office District [Ward 5]

Recommendation:

At its September 20, 2016 meeting, the Plan & Zoning Commission unanimously voted to accept the findings and recommend approval of Case No.16-09.

Findings:

- The rezoning is consistent with the Comprehensive Plan's designation of "Urban Corridor"
- The proposed rezoning will limit uses on the property to generally non-retail uses.
- Those attending the neighborhood meeting generally support the rezoning.
- Adequate off-street parking exists to support re-use of the property.

Relationship to Goals:

Neighborhood Improvement

Background:

The property owner would like to utilize the building for an "escape room". An escape room is described as follows (from Wikipedia):

An escape room is a physical adventure game in which players are locked in a room and have to use elements of the room to solve a series of puzzles and escape within a set time limit. The games are physical versions of "escape the room" video games. Games are set in a variety of fictional locations, such as prison cells, dungeons and space stations, and are popular as team building exercises.

The earliest room was created in 2006, and escape rooms became popular in the United States, Japan, Taiwan, Canada, Israel and mainland China in the 2010s. Permanent escape rooms in fixed locations were first opened in Asia and followed later in North America, Europe, Australia, and South America.

Not surprisingly, the Zoning Ordinance does not specify what districts allow "Escape Rooms". Given that the activity is designed to occur indoors, stay for more than a few minutes (meaning slow vehicle turnover), and no retail sales occur, staff has determined that it is akin to an office or personal service-type use.

The Harrison Street corridor contains limited non-residential properties which are either zoned C-O, Commercial Office or C-1, Neighborhood Shopping. This former religious institution and

small parking lot (approximately 15 spaces) is well suited for adaptive re-use.

This is a relatively dense neighborhood and the concerns of nearby residents of allowing uses that may negatively impact surrounding properties are legitimate.

The C-O District allows a variety of office and service uses but does not generally allow retail.

The proposed C-O zoning classification allows for re-use of the property while maintaining the neighborhood's stability.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
▣ Exhibit	Public Hearing Notice
▣ Ordinance	Ordinance
▣ Backup Material	Staff report and attachments
▣ Backup Material	Neighbor List
▣ Backup Material	P&Z Voting results

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	9/29/2016 - 12:53 PM
Community Development Committee	Berger, Bruce	Approved	9/29/2016 - 12:54 PM
City Clerk	Admin, Default	Approved	9/29/2016 - 12:55 PM

PUBLIC HEARING NOTICE
CITY OF DAVENPORT COMMITTEE OF THE WHOLE
WEDNESDAY, OCTOBER 5, 2016 5:30 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

Case No. REZ16-09: Request of Jamie Banfield to rezone 3025 Harrison Street from R-4 Moderate Density Dwelling District to C-O Commercial Office District. [7th Ward]

The legal description for this property is Lot 24 of Block 2 of Grant's 2nd Subdivision to the City of Davenport.

The City of Davenport Committee of the Whole will conduct a public hearing concerning this matter at **5:30 p.m., Wednesday, October 5, 2016 in the Council Chambers of Davenport City Hall at 226 West 4th Street**, Davenport, Iowa.

The City Plan and Zoning Commission voted unanimously to recommend approval of this request. For the ordinance to be approved, it must be read/considered at three (3) separate City Council meetings. For the specific dates and times of subsequent meetings, please call the phone number below.

It is your privilege to submit written comments on this petition or to attend the public hearing to express your views, or both. All protests within the 200-foot notice area or the area being considered must be made in writing to be valid. Any written comments to be reported at the Commission's public hearing should be received in the office of Community Planning, City Hall, not later than 12:00 noon, on the day of the public hearing, though protests may be received up through the City Council's public hearing.

Office of Community Planning
Department of Community Planning & Economic Development
Phone: (563) 326-7765 Email: Planning@ci.davenport.ia.us

(detach here)

The undersigned – **opposes / does not oppose** (circle one) the Jamie Banfield petition for the rezoning of Lot 2 of Block 24 of Grant's 2nd Subdivision to the City of Davenport (3025 Harrison Street) from R-4, Moderate Density Dwelling District to C-O, Commercial office District.

Comments: _____

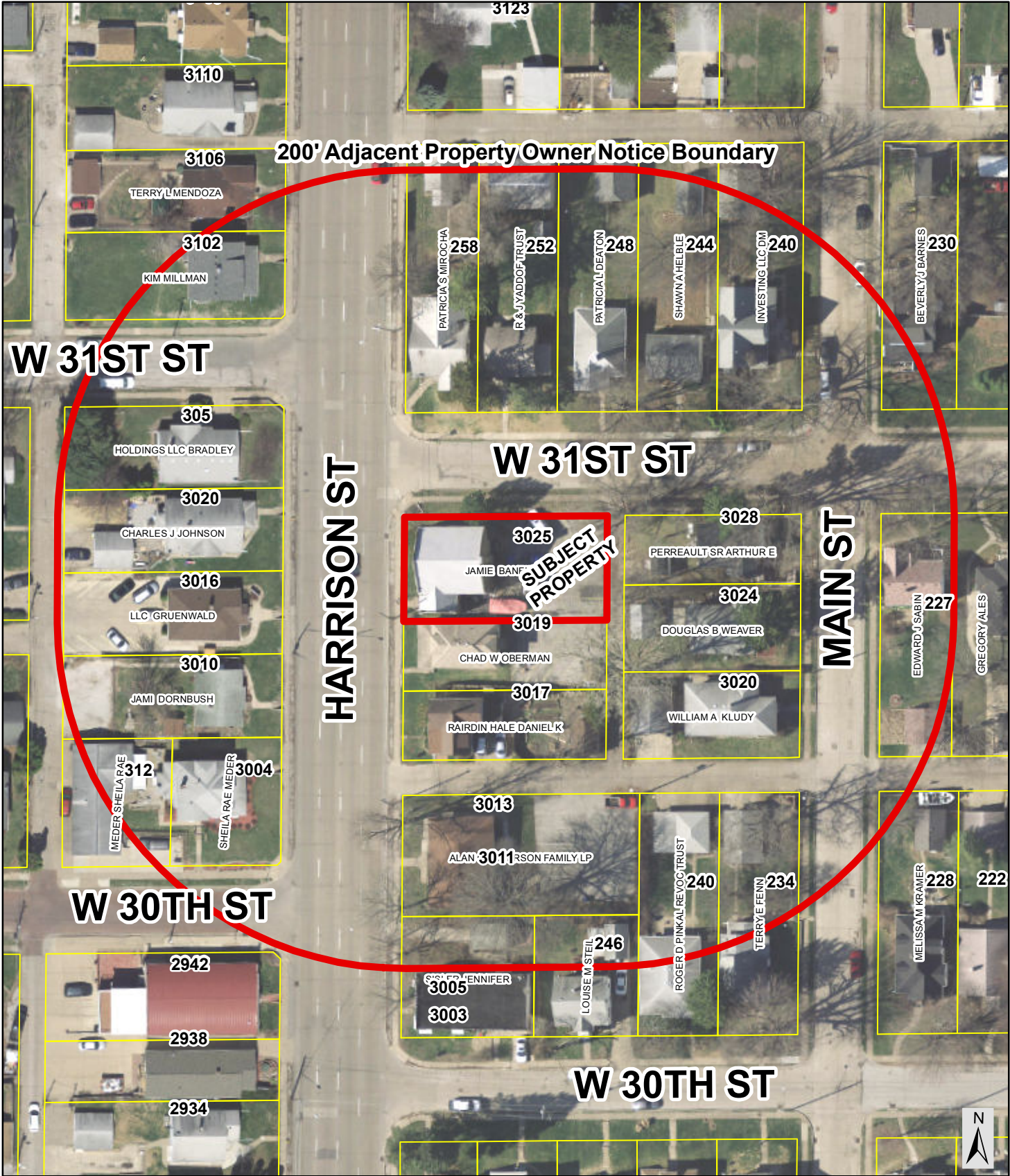
Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME _____
ADDRESS _____
DATE _____

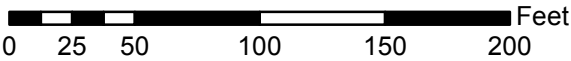
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ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

Plan & Zoning Commission: Adjacent Property Owner Notice Area
Request for a Zoning Map Amendment (Rezoning)



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.



ORDINANCE NO.

ORDINANCE for Case No. REZ16-09 being the petition of Jamie Banfield for the rezoning of approximately 7344 square feet of property located at 3025 Harrison Street from R-4 Moderate Density Dwelling District to C-O Commercial Office District [5th Ward].

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.

The property is legally described as follows:

Lot 24 of Block 2 of Grant's 2nd Subdivision to the City of Davenport, Scott County, Iowa

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: _____

Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on September 24, 2016



PLAN AND ZONING COMMISSION

Meeting Date: September 20, 2016
Request: Rezoning of approximately 7344 square feet of property located at 3025 Harrison Street from R-4 Moderate Density Dwelling District to C-O Commercial Office District
Case No.: REZ16-09
Applicant: Jamie Banfield
Contact: Matthew G. Flynn, AICP
Senior Planning Manager
mflynn@ci.davenport.ia.us
563-326-7743

Recommendation:

Staff recommends the Commission accept the listed findings and forward Case No. REZ16-09 to the City Council for approval.

Introduction:

This property is contemplated to be rezoned to facilitate conversion of a former church to commercial uses.

Background:

The property owner would like to utilize the building for an “escape room”. An escape room is described as follows (from Wikipedia):

An escape room is a physical adventure game in which players are locked in a room and have to use elements of the room to solve a series of puzzles and escape within a set time limit. The games are physical versions of "escape the room" video games. Games are set in a variety of fictional locations, such as prison cells, dungeons and space stations, and are popular as team building exercises.

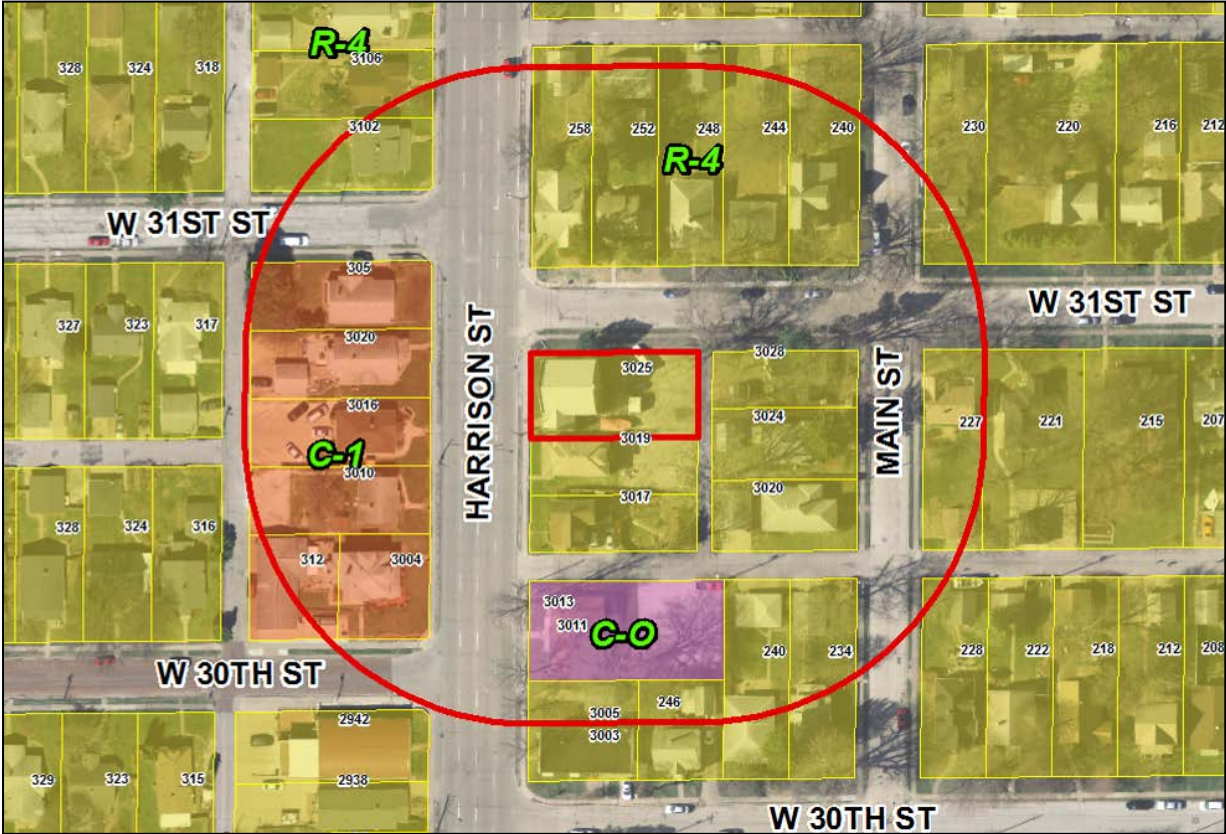
The earliest room was created in 2006, and escape rooms became popular in the United States, Japan, Taiwan, Canada, Israel and mainland China in the 2010s. Permanent escape rooms in fixed locations were first opened in Asia and followed later in North America, Europe, Australia, and South America.

Not surprisingly, the Zoning Ordinance does not specify what districts allow “Escape Rooms”. Given that the activity is designed to occur indoors, stay for more than a few minutes (meaning slow vehicle turnover), and no retail sales occurs, staff has determined that is akin to an office or personal service-type use.

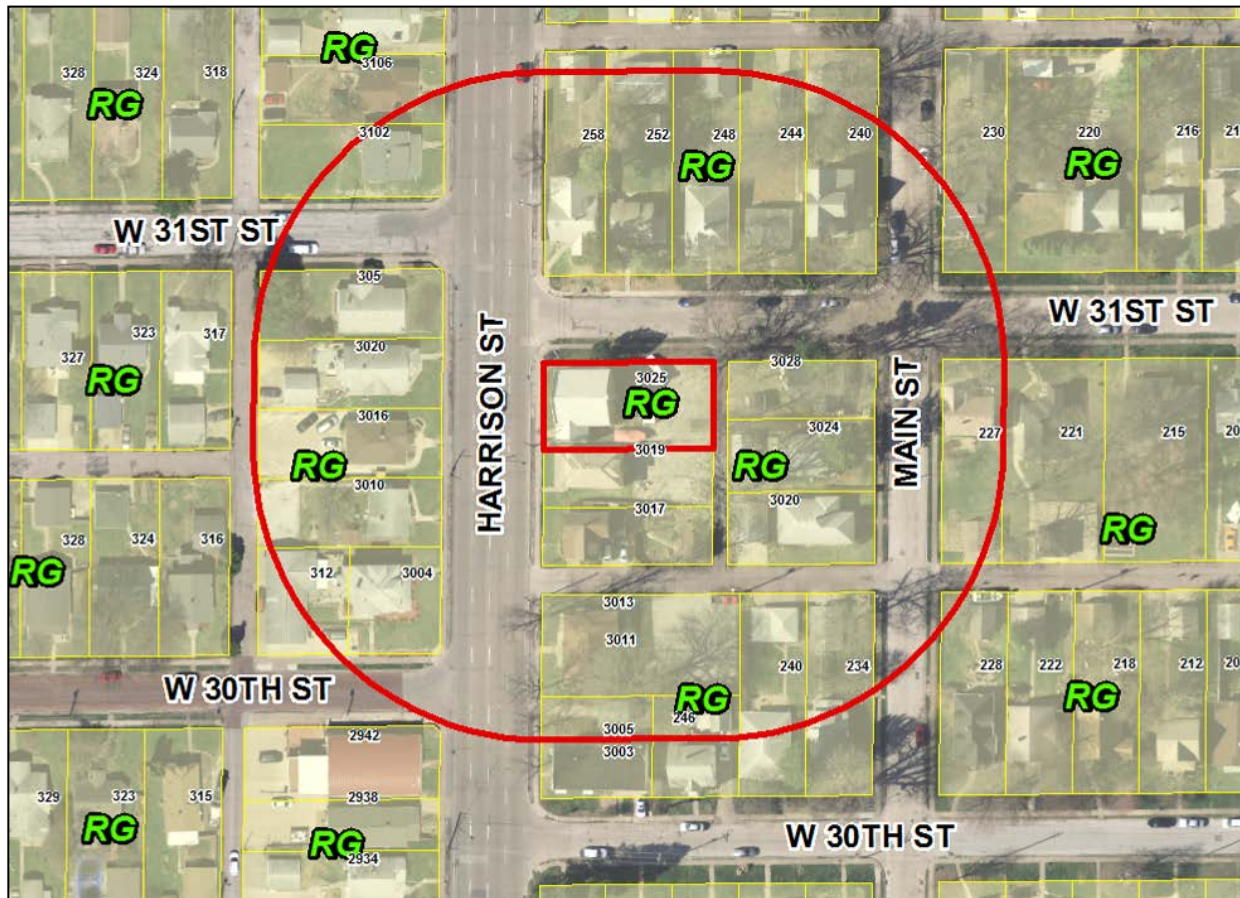
Subject Property



Zoning Map



Comprehensive Plan Proposed Land Use (Residential General)



Comprehensive Plan: This property is located within the Urban Service Boundary and is classified UC, Urban Corridor.

Urban Corridor is described as *“Generally established corridors along major streets marked by mixed use development with commercial uses generally clustered at major intersections and/or transit stops. Urban corridors are mostly fully built-out and redevelopment occurs slowly. Commercial uses in UC generally serve adjacent neighborhoods with goods and services. The character and intensity of Urban Corridors can vary due to street and surrounding neighborhood characteristics. Therefore, specific corridor and neighborhood plans, and supporting zoning provisions, should be created developed to help guide future development decisions.”*

Underlying the UC designation is RG, Residential General.

Residential General is described as *“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.”*

Technical Review:

The property is within the Urban Service Boundary and will not cause any additional service demands.

Public Input:

A public meeting was held on August 22. Approximately 7 people attended. At that time, concern was expressed about the extent of land uses allowed C-1, Commercial Neighborhood District. Since the proposed use is allowed in C-O, Commercial Office, the petitioner amended his application and is now requesting that designation.

Notices to 27 property owners have sent. As of this writing, one protest has been received which constitutes 1.9% of the area within 200 feet of the subject property.

Discussion:

The Harrison Street corridor contains limited non-residential properties which are either zoned C-O, Commercial Office or C-1, Neighborhood Shopping. This former religious institution and small parking lot (approximately 15 spaces) is well suited for adaptive re-use.

This is a relatively dense neighborhood and staff shares the concerns of nearby residents of allowing uses that may negatively impact surrounding properties.

The C-O District allows a variety of office and service uses but does not generally allow retail as follows:

17.26.030 Use regulations.

A building, lot or tract within the C-O office-shop district shall be used only for the following purposes, unless otherwise provided in this chapter:

- A. Any use permitted in the R-6M high density dwelling district;*
- B. Apothecaries;*
- C. Barber shops and beauty parlors;*
- D. Business, charitable, finance, professional and consulting office or office buildings;*
- E. Business or commercial school;*
- F. Dressmaking or tailor shop;*
- G. Medical or dental clinic;*
- H. Studio of an artist, photographer, sculptor, or musician;*
- I. Undertaking establishment or mortuary;*
- J. Accessory building or use customarily incidental to any of the above uses.*

Staff believes the proposed C-O zoning classification allows for re-use of the property while maintaining the neighborhood's stability.

Staff Recommendation:

Findings:

- The rezoning is consistent with the Comprehensive Plan's designation of "Urban Corridor"
- The proposed rezoning will limit uses on the property to generally non-retail uses.
- Those attending the neighborhood meeting generally support the rezoning.
- Adequate off-street parking exists to support re-use of the property.

Recommendation:

Staff recommends the Commission accept the listed findings and forward Case No. REZ16-09 to the City Council for approval.

PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – SEPTEMBER 6, 2016 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

Case No. REZ16-09: Request of Jamie Banfield to rezone 3025 Harrison Street from R-4 Moderate Density Dwelling District to C-O Commercial Office District. [7th Ward]

The legal description for this property is Lot 24 of Block 2 of Grant's 2nd Subdivision to the City of Davenport.

The City Plan and Zoning Commission will conduct a public hearing concerning this matter at **5:00 p.m., Tuesday September 6, 2016** in the **Council Chambers of Davenport City Hall at 226 West 4th Street**, Davenport, Iowa.

This public hearing is the first step in the review/approval process. The City Plan and Zoning Commission will consider (vote on a recommendation) the petition at its regular meeting on Tuesday September 20, 2016. The Commission's report and recommendation will then be forwarded to the City Council. The City Council will then hold its own public hearing, as required by state law. You should also receive a notice of the City Council's public hearing. For the ordinance to be approved, it must be read/considered at three (3) separate City Council meetings. For the specific dates and times of subsequent meetings, please call the phone number below.

It is your privilege to submit written comments on this petition or to attend the public hearing to express your views, or both. All protests within the 200-foot notice area or the area being considered must be made in writing to be valid. Any written comments to be reported at the Commission's public hearing should be received in the office of Community Planning, City Hall, not later than 12:00 noon, on the day of the public hearing, though protests may be received up through the City Council's public hearing.

Office of Community Planning
Department of Community Planning & Economic Development
Phone: (563) 326-7765 Email: Planning@ci.davenport.ia.us

(detach here)

The undersigned – **opposes** / **does not oppose** (circle one) the Jamie Banfield petition for the rezoning of Lot 2 of Block 24 of Grant's 2nd Subdivision to the City of Davenport (3025 Harrison Street) from R-4, Moderate Density Dwelling District to C-O, Commercial office District.

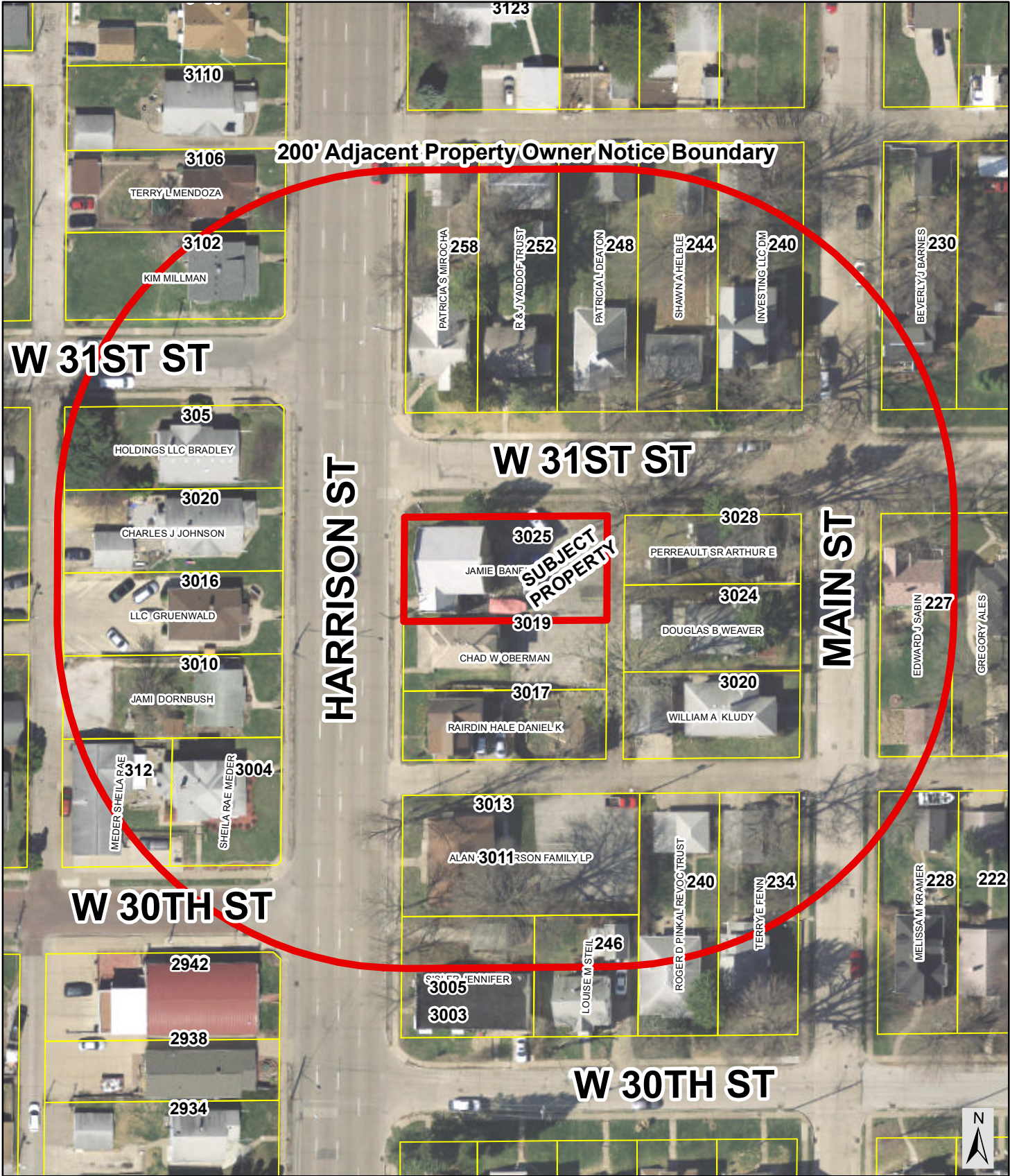
Comments: _____

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

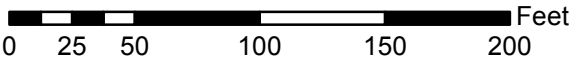
NAME _____
ADDRESS _____
DATE _____
(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

Plan & Zoning Commission: Adjacent Property Owner Notice Area
Request for a Zoning Map Amendment (Rezoning)



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.



Honorable Mayor and City Council
City Hall
Davenport, Iowa 52801-1308

Honorable Mayor and City Council:

The undersigned, hereby petitions your honorable body to amend the Zoning Ordinance of 1981 of the City of Davenport, Iowa by changing the zoning classification from Residential to C-2* Changed to C-1 per discussion with petitioner for the following legally described real property:

Scott County, Iowa

Parcel ID: B0007-29

Property Location: 3025 HARRISON ST
DAVENPORT, IA

Legal Description:

GRANT'S 2ND SUBD Lot: 024 Block: 002 GRANT'S 2ND SUBD(EXC PT TO CITY)

AddNum / Sect:

Block / Twp: 002

Lot / Rng: 024

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:

BANFIELD JAMIE
3025 HARRISON ST
DAVENPORT IA 52803

Contract Holder:

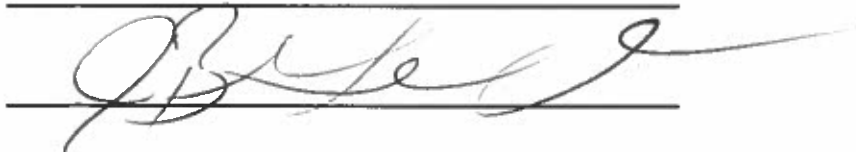
Mail To:

Class: R Residential

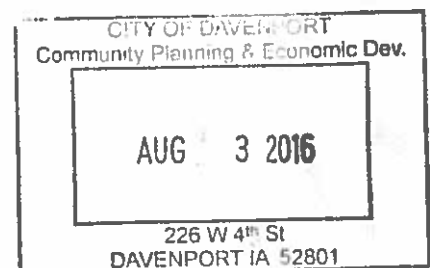
Deed Date: 2/27/2013

Respectfully submitted,

Jamie M Banfield



Date: Aug 02, 2016



REZONING REQUEST NO. _____
OFFICE OF PLANNING AND LAND USE
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT
CITY OF DAVENPORT

CITY OF DAVENPORT
City Hall - Second floor
Phone: (563) 326-7765
Fax: (563) 328-6714
AUG 3 2016
226 W 4th St
DAVENPORT IA 52801

Legal Description:

ADDRESS OF PROPERTY: 3025 N Harrison St, Davenport IA EXISTING ZONING: R
REQUESTED ZONING: C-2
TOTAL AREA: _____

PETITIONER: Name: Jamie M Banfield
Address: 3025 N Harrison St, Davenport IA
Phone: 309.312.0465 FAX: _____
Mobile Phone: 309.312.0465 Email: BanfieldJamie@hotmail.com
Interest in land: _____ title holder _____ other **
** if petitioner is other than title holder, documentation will be required to show control of property – accepted offer to purchase, offer, option, etc.

TITLE HOLDER: Name: Jamie M Banfield
Address: 3025 N Harrison St, Davenport IA
Phone: : 309.312.0465 FAX: _____
Mobile Phone: : 309.312.0465 Email: BanfieldJamie@hotmail.com

CONTACT PERSON: Name: Jamie M Banfield
Address: 3025 N Harrison St, Davenport IA
Phone: : 309.312.0465 FAX: _____
Mobile Phone: : 309.312.0465 Email: BanfieldJamie@hotmail.com

EXPLANATION OF REZONING (for Public Hearing Notice) Petitioner would like to start a home-based business having the ability to accommodate 8 customers

Does the property contain a drainageway or floodplain area: _____ Yes ☒ No

Signature of Petitioner: Jamie M Banfield Date: 03 AUG 2016
Rezoning Fee Schedule:

Land Area	Fee
Less than 1 acre (< 1 acre)	\$400
One acre to less than ten acres (≥ acre < 10 acres)	\$750 plus \$25/acre *
Ten acres or more (≥ 10 acres)	\$1,000 plus \$25/acre*

* plus \$5.00 per sign; 1 to 3 signs required depending upon the size of the subject property

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Assessment Summary

Davenport City Assessor

Parcel Number: B0007-29
Route Number: B07-019-000
Deed Holder: BANFIELD JAMIE
3025 HARRISON ST
DAVENPORT IA 52803

Deed Date: 2/27/2013
Transfer Document No.: 2013-6388
Revenue Stamp: \$148.00
Purchase Price : \$93,000 (Nearest \$500)
Property Location: 3025 HARRISON ST
DAVENPORT, IA

Business Name/Description: METROPOLITAN COM CHURCH OF THE
Sec-Twn-Rng/Lot-Block: 024-002
Legal Description: GRANT'S 2ND SUBD (EXC PT TO CITY)
Classification: R Residential



Land Information

Lot Dimensions: Lot: 60.0 x 117.0

Land Sizes Used For Assessment Purposes Only. Not A Survey Of The Property.

Dwelling

Occupancy: Single-Family
Style: 1 Story Brick
Year Built: 1955
Living Area: 1,695 SF
Attic Style: None
Attic Area: 0
Basement Area: 1695
Basement Finished Area: 1300
Bedrooms Above: 1
Bedrooms Below: 0
Bathrooms: 1 Full Bath;
Fireplace: 1 - Masonry;
Heat Type: Yes
Central Air: Yes
Roof: Asphalt Shingles

Exterior: Brick on Con Block
 Porches and Decks: 1S Frame Open (28 SF);
 Garage: None

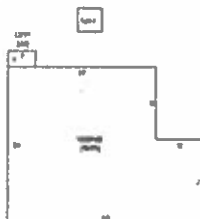
Commercial Buildings:

Total GBA: 3,390 SF

Total Units: 0

Building 1: 620-RELIGIOUS/CHURCH, 814- Church: Built 1955, 1 Story, 1,695 SF, 0 Units

Sketch(click to enlarge)



Sketch by: www.scribble.com

<u>ASSESSED</u> <u>VALUES</u>	<u>2016</u>	<u>2015</u>	<u>SALES RECORDS</u>				
			Date	Type	Recording	Amount	Sale Type
Land	\$19,320	\$19,320					
Buildings	\$0	\$0	2/25/2013	WD	13-6388	\$93,000	Sale to/by
Dwellings	\$80,840	\$80,840					Government/Exempt
Exempt	\$0	\$0					Organization
Total	\$100,160	\$100,160	5/31/1994	WD	94-16452	\$128,725	NONE
			9/9/1949	X	001800000	\$0	NONE
							Multi-Parcel
							No
							No
							No

PERMITS

Date	Permit #	Permit Amount	Reason
3/25/2013	WO	\$0	Int Insp Request
2/13/2013	16855	\$5,500	Roof

Disclaimer: The information in this web site represents current data from a working file which is updated regularly. Information is believed reliable, but its accuracy cannot be guaranteed. No warranty, expressed or implied, is provided for the data herein or its use.

[Click here to report incorrect data for 3025 HARRISON ST \(Parcel # B0007-29\).](#)

[Click here to pay taxes for 3025 HARRISON ST \(Parcel # B0007-29\).](#)

Davenport City Assessor

Administrative Center ? 600 W. 4th St. ? Davenport, Iowa 52801
 (563) 326-8659 ? www.cityofdavenportiowa.com/assessor/

Scott County Parcel Records


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[\[Assessment Report | Auditor/Treasurer Report | Map \]](#)

Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: B0007-29

Property Location: 3025 HARRISON ST
DAVENPORT, IA

Legal Description:

GRANT'S 2ND SUBD Lot: 024 Block: 002 GRANT'S 2ND SUBD(EXC PT TO CITY)

AddNum / Sect:

Block / Twp: 002

Lot / Rng: 024

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:

BANFIELD JAMIE
3025 HARRISON ST
DAVENPORT IA 52803

Contract Holder:

Mail To:

Class: R Residential

SubClass:

Transfer Document No.: 2013 -6388

Revenue Stamp: \$148.00

Purchase Price : \$93,000 (Nearest
\$500)

Deed Date: 2/27/2013

Deed Book:

Deed Page:

Contract Date:

Contract Book:

Contract Page:

Taxing District: DAD - DAVENPORT DAVENPORT

School District: DAVENPORT SCHOOL

Misc. District:

	2016 VALUATION		2015 VALUATION		2014 VALUATION	
	Assessed	Taxable Value	Assessed	Taxable Value	Assessed	Taxable Value
Land	\$19,320	-	\$19,320	\$10,747	\$19,320	\$10,768
Buildings	\$0	-	\$0	\$0	\$0	\$0
Dwellings	\$80,840	-	\$80,840	\$44,968	\$79,370	\$44,236
Exempt	\$0	-	\$0	-	\$0	-
Gross Taxable	\$100,160	-	\$100,160	\$55,715	\$98,690	\$55,004
Military	0	-	0	0	0	0
Net Taxable	\$100,160	-	\$100,160	\$55,715	\$98,690	\$55,004
Gross Taxes		-		\$2,193.57		\$2,191.73

Homestead Credit	-	\$0.00	\$0.00
Ag Land Credit	-	\$0.00	\$0.00
Family Farm Credit	-	\$0.00	\$0.00
Business Property Tax Credit	-	\$0.00	\$0.00
Disabled Senior Credit	-	\$0.00	\$0.00
Net Taxes	-	\$2,194.00	\$2,192.00

2014 Property Taxes Due:	Amount	Balance	Paid	Receipt	2013 Property Taxes Due:	Amount	Balance	Paid	Receipt
September 2015	\$1,096	\$0	9/2/2015	<u>706694</u>	September 2014	\$1,079	\$0	9/8/2014	<u>643734</u>
March 2016	\$1,096	\$0	3/9/2016		March 2015	\$1,079	\$0	3/25/2015	

Please allow up to 72 hours for recent tax payments to be reflected.

Disclaimer: The information in this web site represents current data from a working file which is updated regularly. Information is believed reliable, but its accuracy cannot be guaranteed. No warranty, expressed or implied, is provided for the data herein or its use. Special assessment deferrals or deficiencies are not displayed. They must be researched in the Treasurer's Office.

[Click here to report incorrect data for 3025 HARRISON ST \(Parcel # B0007-29\).](#)

[Click here to pay taxes for 3025 HARRISON ST \(Parcel # B0007-29\).](#)

Last Data Upload: 8/2/2016

For questions concerning tax sales, special assessments, or payment of property taxes please contact the

Scott County Treasurer

Administrative Center ? 600 W. 4th St. ? Davenport, Iowa 52801
(563) 326-8670 ? treasurer@scottcountyiowa.com
www.scottcountyiowa.com

For all other questions about information in this record please contact the

Scott County Auditor

Administrative Center ? 600 W. 4th St. ? Davenport, Iowa 52801
(563) 326-8721 ? auditor@scottcountyiowa.com
www.scottcountyiowa.com

Parcel ID: B0007-29

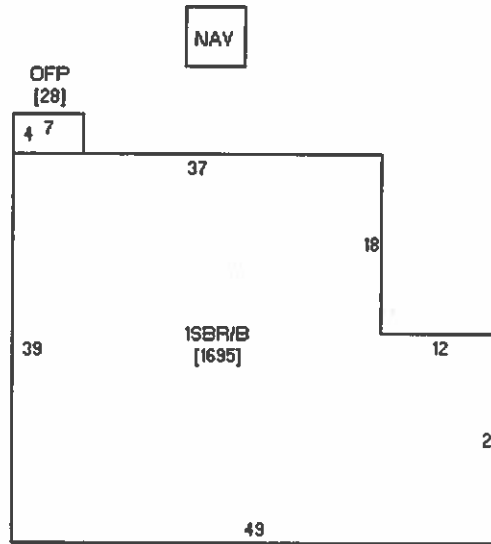
Photo 1



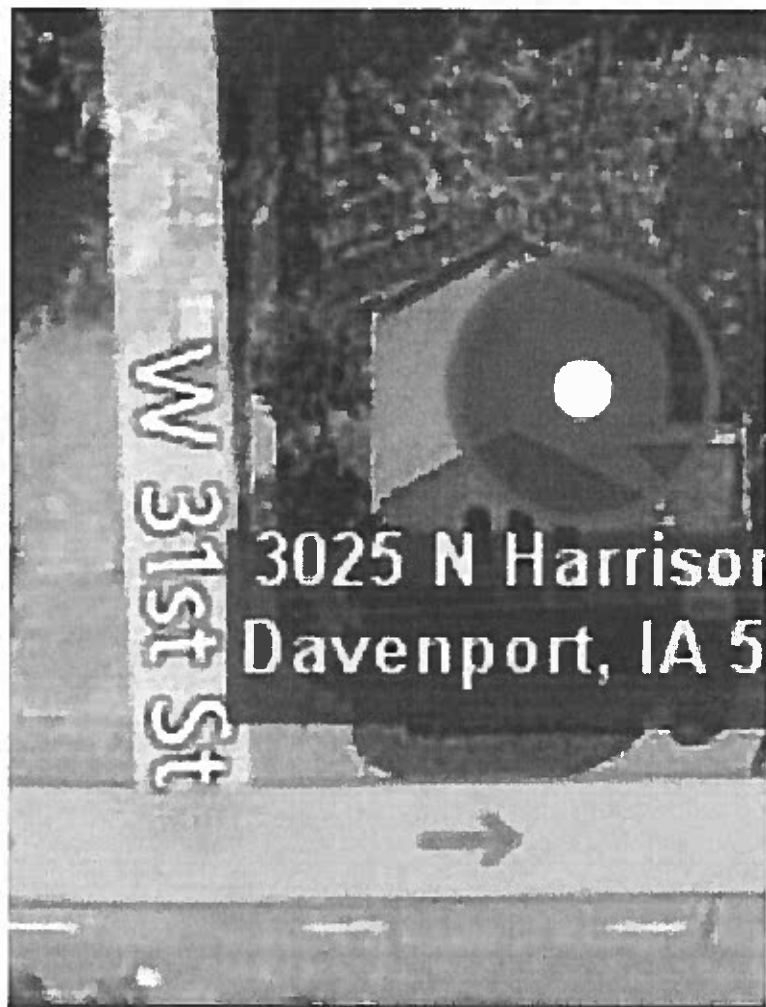
Parcel ID: B0007-29

The data shown on this sketch could be reflective of updated information from a working file.

Sketch 1



Sketch by www.camavision.com



Google Maps 3025 N Harrison St



Imagery ©2016 Google, Map data ©2016 Google 20 ft

REZ16-09 - 3025 Harrison St Adjacent Owner Notice List

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	3025 HARRISON ST	JAMIE BANFIELD	3025 HARRISON ST	DAVENPORT IA 52803
Ward/Ald:	7th Ward	Alderman Matson		27 Notices Sent
B0006-08A	312 W 30TH ST	MEDER SHEILA RAE	3004 HARRISON ST	DAVENPORT IA 52803
B0006-08B	3004 HARRISON ST	SHEILA RAE MEDER	3004 HARRISON ST	DAVENPORT IA 52803
B0006-09	3010 HARRISON ST	JAMI DORNBUSH	3010 HARRISON ST	DAVENPORT IA 52803
B0006-10	3016 HARRISON ST	GRUENWALD LLC	1316 130TH AVE	LOST NATION IA 52254
B0006-11	3020 HARRISON ST	CHARLES J JOHNSON	3020 N HARRISON ST	DAVENPORT IA 52803
B0006-12	305 W 31ST ST	HOLDINGS LLC BRADLEY	PO BOX 945	BETTENDORF IA 52722
B0006-27	3102 HARRISON ST	KIM MILLMAN	7205 CORONADO DR	SAN JOSE CA 95129
B0006-28	3106 HARRISON ST	TERRY L MENDOZA	3106 HARRISON ST	DAVENPORT IA 52803
B0007-11	258 W 31ST ST	PATRICIA S MIROCHA	101 W 46TH ST	DAVENPORT IA 52806
B0007-12	252 W 31ST ST	R & J YADDOD TRUST	852 STONEBRIDGE CR	ELDRIDGE IA 52748
B0007-13	248 W 31ST ST	PATRICIA L DEATON	248 W 31ST ST	DAVENPORT IA 52803
B0007-14	244 W 31ST ST	SHAWN A HELBLE	244 W 31ST ST	DAVENPORT IA 52803
B0007-15	240 W 31ST ST	DM INVESTING LLC	7531 E 2ND ST	SCOTTSDALE AZ 85251
B0007-16	230 W 31ST ST	BEVERLY J BARNES	230 W 31ST ST	DAVENPORT IA 52803
B0007-24	221 W 31ST ST	GREGORY ALES	221 W 31ST ST	DAVENPORT IA 52803
B0007-25	227 W 31ST ST	EDWARD J SABIN	227 W 31ST ST	DAVENPORT IA 52803
B0007-26	3020 MAIN ST	WILLIAM A KLUDY	3020 MAIN ST	DAVENPORT IA 52803
B0007-27	3024 MAIN ST	DOUGLAS B WEAVER	2764 CODY ST	BETTENDORF IA 52722
B0007-28	3028 MAIN ST	PERREAULT SR ARTHUR E	3028 MAIN ST	DAVENPORT IA 52803
B0007-30	3019 HARRISON ST	CHAD W OBERMAN	2519 IOWA ST	DAVENPORT IA 52803
B0007-31	3017 HARRISON ST	RAIRDIN HALE DANIEL K	3017 HARRISON ST	DAVENPORT IA 52803
B0007-32	3011 HARRISON ST	ALAN C ANDERSON FAMILY LP	P O BOX 208	GENESEO IL 61254
B0007-33	3003 HARRISON ST	SISLER JENNIFER	2519 IOWA ST	DAVENPORT IA 52803
B0007-34	246 W 30TH ST	LOUISE M STEIL	112 BOSTON HARBOUR WAY	MADISON AL 35758-6252
B0007-35	240 W 30TH ST	ROGER D PINKAL REVOC TRUST	240 W 30TH ST	DAVENPORT IA 52803
B0007-36	234 W 30TH ST	TERRY E FENN	234 W 30TH ST	DAVENPORT IA 52803
B0007-37	228 W 30TH ST	MELISSA M KRAMER	1633 SHADY GLN	DAVENPORT IA 52807

REZ16-09 Protest Calculation

PARCEL	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS	PROPERTY OWNER(S)	OWNER ADDRESS	OWNER CSZ
B0006-08A	2534.67	1.3%		0.0%	312 W 30TH ST	SHEILA RAE MEDER	3004 HARRISON ST	DAVENPORT IA 52803
B0006-08B	4683.80	2.4%		0.0%	3004 HARRISON ST	SHEILA RAE MEDER	3004 HARRISON ST	DAVENPORT IA 52803
B0006-09	5922.52	3.0%		0.0%	3010 HARRISON ST	JAMI DORNBUSH	3010 HARRISON ST	DAVENPORT IA 52803
B0006-10	6044.72	3.1%		0.0%	3016 HARRISON ST	GRUENWALD LLC	C/O GINA M JOHNSON	PHOENIX AZ 85086
B0006-11	6045.88	3.1%		0.0%	3020 HARRISON ST	CHARLES J JOHNSON	3020 N HARRISON ST	DAVENPORT IA 52803
B0006-12	5974.23	3.0%		0.0%	305 W 31ST ST	BRADLEY HOLDINGS LLC	PO BOX 945	BETTENDORF IA 52722
B0006-27	3680.31	1.9%		0.0%	3102 HARRISON ST	KIM MILLMAN	7205 CORONADO DR	SAN JOSE CA 95129
B0006-28	560.64	0.3%		0.0%	3106 HARRISON ST	TERRY L & MICHELLE R MENDOZA	3106 HARRISON ST	DAVENPORT IA 52803
B0007-11	5804.46	3.0%		0.0%	258 W 31ST ST	PATRICIA S MIROCHA	101 W 46TH ST	DAVENPORT IA 52806
B0007-12	6448.36	3.3%		0.0%	252 W 31ST ST	R & J YADDOF TRUST	852 STONEBRIDGE CR	ELDRIDGE IA 52748
B0007-13	6440.84	3.3%		0.0%	248 W 31ST ST	PATRICIA L DEATON	248 W 31ST ST	DAVENPORT IA 52803
B0007-14	6214.18	3.2%		0.0%	244 W 31ST ST	SHAWN A HELBLE & KATIE M CASSATT	244 W 31ST ST	DAVENPORT IA 52803
B0007-15	5788.16	2.9%		0.0%	240 W 31ST ST	DM INVESTING LLC	7531 E 2ND ST	SCOTTSDALE AZ 85251
B0007-16	1109.34	0.6%		0.0%	230 W 31ST ST	BEVERLY J BARNES	230 W 31ST ST	DAVENPORT IA 52803
B0007-24	50.78	0.0%		0.0%	221 W 31ST ST	GREGORY ALES	221 W 31ST ST	DAVENPORT IA 52803
B0007-25	5477.86	2.8%		0.0%	227 W 31ST ST	EDWARD J SABIN	227 W 31ST ST	DAVENPORT IA 52803
B0007-26	5085.14	2.6%		0.0%	3020 MAIN ST	WILLIAM A KLUDY	3020 MAIN ST	DAVENPORT IA 52803
B0007-27	5106.40	2.6%		0.0%	3024 MAIN ST	DOUGLAS B WEAVER	2764 CODY ST	BETTENDORF IA 52722
B0007-28	4067.61	2.1%		0.0%	3028 MAIN ST	ARTHUR E SR & PAULINE E PERREAUL	3028 MAIN ST	DAVENPORT IA 52803
B0007-30	4690.97	2.4%		0.0%	3019 HARRISON ST	CHAD W OBERMAN	2519 IOWA ST	DAVENPORT IA 52803
B0007-31	4691.22	2.4%		0.0%	3017 HARRISON ST	DANIEL K & JESSICA L RAIDIN HALE	3017 HARRISON ST	DAVENPORT IA 52803
B0007-32	9553.30	4.9%		0.0%	3011 HARRISON ST	ALAN C ANDERSON FAMILY LP	P O BOX 208	GENESEO IL 61254
B0007-33	2286.27	1.2%		0.0%	3003 HARRISON ST	JENNIFER SISLER	2519 IOWA ST	DAVENPORT IA 52803
B0007-34	1792.16	0.9%		0.0%	246 W 30TH ST	LOUISE M STEIL	112 BOSTON HARBOUR WA	MADISON AL 35758
B0007-35	4390.79	2.2%		0.0%	240 W 30TH ST	ROGER D PINKAL REVOC TRUST	240 W 30TH ST	DAVENPORT IA 52803
B0007-36	3671.76	1.9%	YES	1.9%	234 W 30TH ST	TERRY E & DOROTHY M FENN	234 W 30TH ST	DAVENPORT IA 52803
B0007-37	221.99	0.1%		0.0%	228 W 30TH ST	MELISSA M KRAMER	1633 SHADY GLN	DAVENPORT IA 52807

PARCELS 118,338.4 60.2%

ROW 78,084.6 39.8%

Alderman: Matson - 7th Ward

TOTAL
NOTICE AREA 196,423.0 100%
1.9% PROTEST RATE

Protests: 1

Properties: 27

Davenport.4604.1.REZ16-09__ - __3025_Harrison_St_Adjacent_Owner_Notice_List.xlsx

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	3025 HARRISON ST	JAMIE BANFIELD	3025 HARRISON ST	DAVENPORT IA 52803
Ward/Ald:	7th Ward	Alderman Matson		27 Notices Sent
B0006-08A	312 W 30TH ST	MEDER SHEILA RAE	3004 HARRISON ST	DAVENPORT IA 52803
B0006-08B	3004 HARRISON ST	SHEILA RAE MEDER	3004 HARRISON ST	DAVENPORT IA 52803
B0006-09	3010 HARRISON ST	JAMI DORNBUSH	3010 HARRISON ST	DAVENPORT IA 52803
B0006-10	3016 HARRISON ST	GRUENWALD LLC	1316 130TH AVE	LOST NATION IA 52254
B0006-11	3020 HARRISON ST	CHARLES J JOHNSON	3020 N HARRISON ST	DAVENPORT IA 52803
B0006-12	305 W 31ST ST	HOLDINGS LLC BRADLEY	PO BOX 945	BETTENDORF IA 52722
B0006-27	3102 HARRISON ST	KIM MILLMAN	7205 CORONADO DR	SAN JOSE CA 95129
B0006-28	3106 HARRISON ST	TERRY L MENDOZA	3106 HARRISON ST	DAVENPORT IA 52803
B0007-11	258 W 31ST ST	PATRICIA S MIROCHA	101 W 46TH ST	DAVENPORT IA 52806
B0007-12	252 W 31ST ST	R & J YADDOF TRUST	852 STONEBRIDGE CR	ELDRIDGE IA 52748
B0007-13	248 W 31ST ST	PATRICIA L DEATON	248 W 31ST ST	DAVENPORT IA 52803
B0007-14	244 W 31ST ST	SHAWN A HELBLE	244 W 31ST ST	DAVENPORT IA 52803
B0007-15	240 W 31ST ST	DM INVESTING LLC	7531 E 2ND ST	SCOTTSDALE AZ 85251
B0007-16	230 W 31ST ST	BEVERLY J BARNES	230 W 31ST ST	DAVENPORT IA 52803
B0007-24	221 W 31ST ST	GREGORY ALES	221 W 31ST ST	DAVENPORT IA 52803
B0007-25	227 W 31ST ST	EDWARD J SABIN	227 W 31ST ST	DAVENPORT IA 52803
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B0007-35	240 W 30TH ST	ROGER D PINKAL REVOC TRUST	240 W 30TH ST	DAVENPORT IA 52803
B0007-36	234 W 30TH ST	TERRY E FENN	234 W 30TH ST	DAVENPORT IA 52803
B0007-37	228 W 30TH ST	MELISSA M KRAMER	1633 SHADY GLN	DAVENPORT IA 52807

APPROVED									
Name:	Roll Call	REZ19-09 Jamie Banfield 3025 Harrison St							
Connell	P	Y							
Hepner	P	Y							
Inghram	P								
Kelling	P	Y							
Lammers	P	Y							
Maness	EX								
Martinez	P	Y							
Medd	P	Y							
Quinn	P	Y							
Reinartz	P	Y							
Tallman	P	Y							
		9-YES 0-NO 0-ABSTAIN							

City of Davenport

Agenda Group: Community Development
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 5

Action / Date
CD9/7/2016

Subject:

Third Consideration: Ordinance for Case No. REZ16-07 being the request of Juan Goitia for the rezoning of 0.52 acre (22,500 sqft) of real property located at 1002 Bridge Avenue from "R-4" Moderate Density Dwelling District to "R-4 PUD" Planned Unit Development to allow a two story detached garage with habitable area (home office and recreational area) on the second level.
[Ward 5]

Recommendation:

Finding:

The rezoning conforms to the comprehensive plan.

The City Plan and Zoning Commission accepts the finding and forwards Case No. REZ16-07 to the City Council for approval subject to the following conditions:

1. That the building substantially conform to the elevations as shown; and
2. That the site plan submitted for the building permit along with the approved elevations act as the final development plan.

The Commission vote was unanimous with 9-yes, 0-no and 0-abstention.

Relationship to Goals:

Grow the tax base.

Background:

The petitioner is proposing a detached garage with a second story for use as his home office and recreational area. Since this is a habitable building, the building becomes a second principle structure on the property. This requires the rezoning to a classification that allows more than one principal structure on a property. The "R-4 Planned Unit Development" will allow for this second habitable structure on the property.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance REZ16-07
▣ Backup Material	REZ16-07 Background

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	9/27/2016 - 3:01 PM

ORDINANCE NO.

ORDINANCE for Case No. REZ16-07: Request of Juan Goitia for the rezoning of 0.52 acre (22,500 sqft) of property located at 1002 Bridge Avenue from "R-4" Moderate Density Dwelling District to "R-4 PUD" Planned Unit Development to allow a two story detached garage with habitable area (home office and recreational area) on the second level. [5th Ward]

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. The property has the following legal description:

Part of the Northwest Quarter of the Southeast Quarter of Section 25, Township 78 North, Range 03 East of the 5th P.M. being more particularly described as follows:

Lot 1 of Block 7 of Part of G. C. Churchill's Resurvey of Churchill's Addition to the City of Davenport, Scott County, Iowa. Said tract contains 0.516 acre, more or less.

The City Plan and Zoning Commission forwards Case No. REZ16-07 to the City Council with a recommendation for approval subject to the following condition:

1. That the building substantially conform to the elevations as shown; and
2. That the site plan submitted for building permit along with the approved elevations act as the final development plan.

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: _____

Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____



August 18, 2016

Honorable Mayor and City Council
226 W 4th Street
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of August 16, 2016, the City Plan and Zoning Commission considered the petition of Juan Goitia for the rezoning of 22,500 square feet, more or less, of real property at 1002 Bridge Avenue from "R-4" Moderate Density Dwelling District to "R-4 PUD" Planned Unit Development to allow a two story detached garage with habitable area (home office and recreational area) on the second level. The habitable area makes this detached structure a second principle structure on the property.

Findings:

The rezoning conforms to the comprehensive plan.

Recommendation:

The Plan and Zoning Commission accepst the finding and forwards Case No. REZ16-07 to the City Council for approval subject to the following condition:

1. That the building substantially conform to the elevations as shown; and
2. That the site plan submitted for building permit along with the approved elevations act as the final development plan.

Respectfully submitted,

Robert Inghram, Chairperson
City Plan and Zoning Commission



		APPROVED	APPROVED	APPROVED	APPROVED				
Name:	Roll Call	ROW16-03 Mark Barnes 2151 Kirkwood	REZ16-07 Juan Goitia 1002 Bridge	F16-08 Davenport Industrial Park 4th	F16-09 Continental Lofts LLC				
Connell	P	Y	Y	Y	Y				
Hepner	P	Y	Y	Y	Y				
Inghram	P								
Kelling	P	Y	Y	Y	Y				
Lammers	P	Y	Y	Y	Y				
Maness	P	Y	Y	Y	Y				
Martinez	P	Y	Y	Y	Y				
Medd	Ex								
Quinn	P	Y	Y	Y	Y				
Reinartz	P	Y	Y	Y	N				
Tallman	P	Y	Y	Y	Y				
		9-YES 0-NO 0-ABSTAIN	9-YES 0-NO 0-ABSTAIN	9-YES 0-NO 0-ABSTAIN	8-YES 1-NO 0-ABSTAIN				



City of Davenport
Community Planning & Economic Development Department
STAFF REPORT

Meeting Date: August 16, 2015
Request: Rezone 22,500 sq ft from R-4 to R-4 PUD
Address: 1002 East 10th Street
Case No.: REZ16-07
Applicant: Juan Goitia

Recommendation:

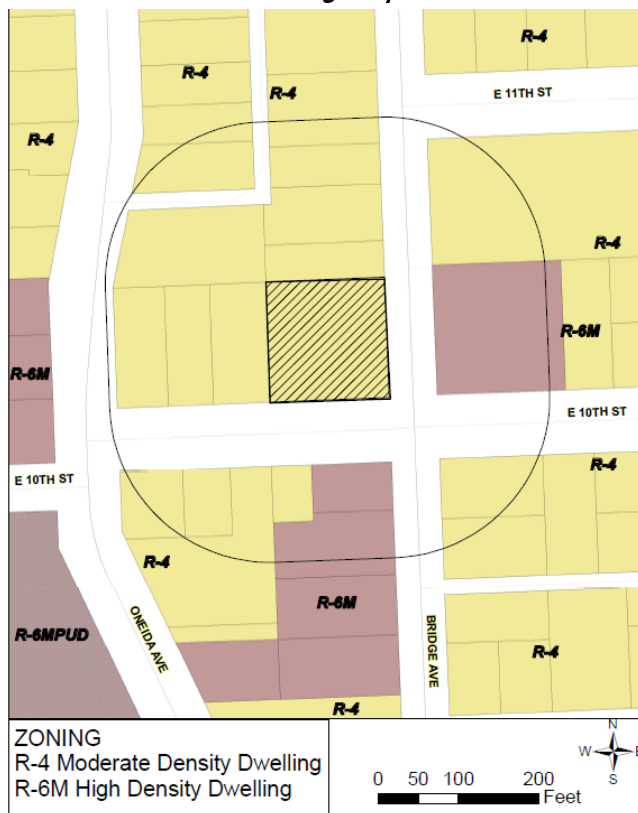
Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. REZ16-07 to the City Council for approval subject to the listed condition.

Introduction:

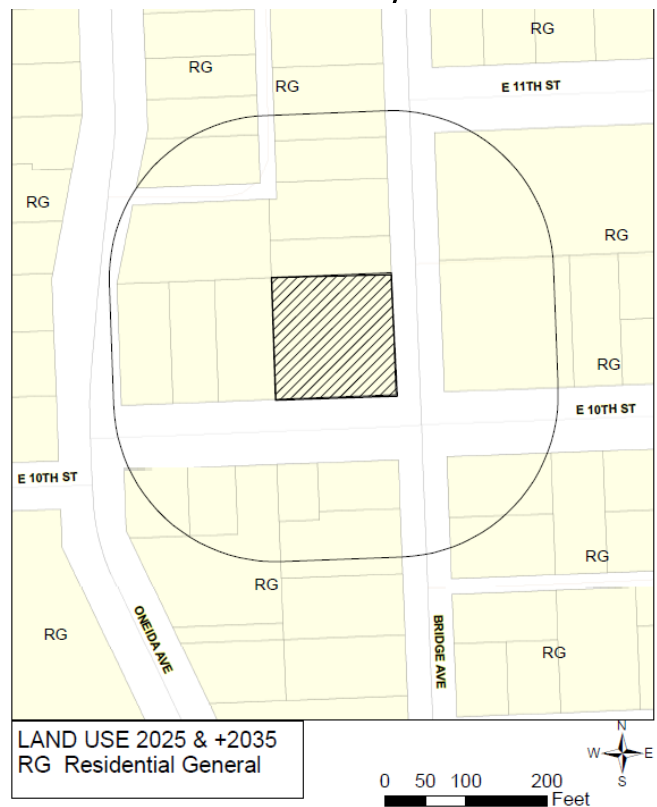
Petition of Juan Goitia for the rezoning of 22,500 square feet, more or less, of real property at 1002 Bridge Avenue from "R-4" Moderate Density Dwelling District to "R-4 PUD" Planned Unit Development to allow a two story detached garage with habitable area (home office and recreational area) on the second level. The habitable area makes this detached structure a second principle structure on the property.

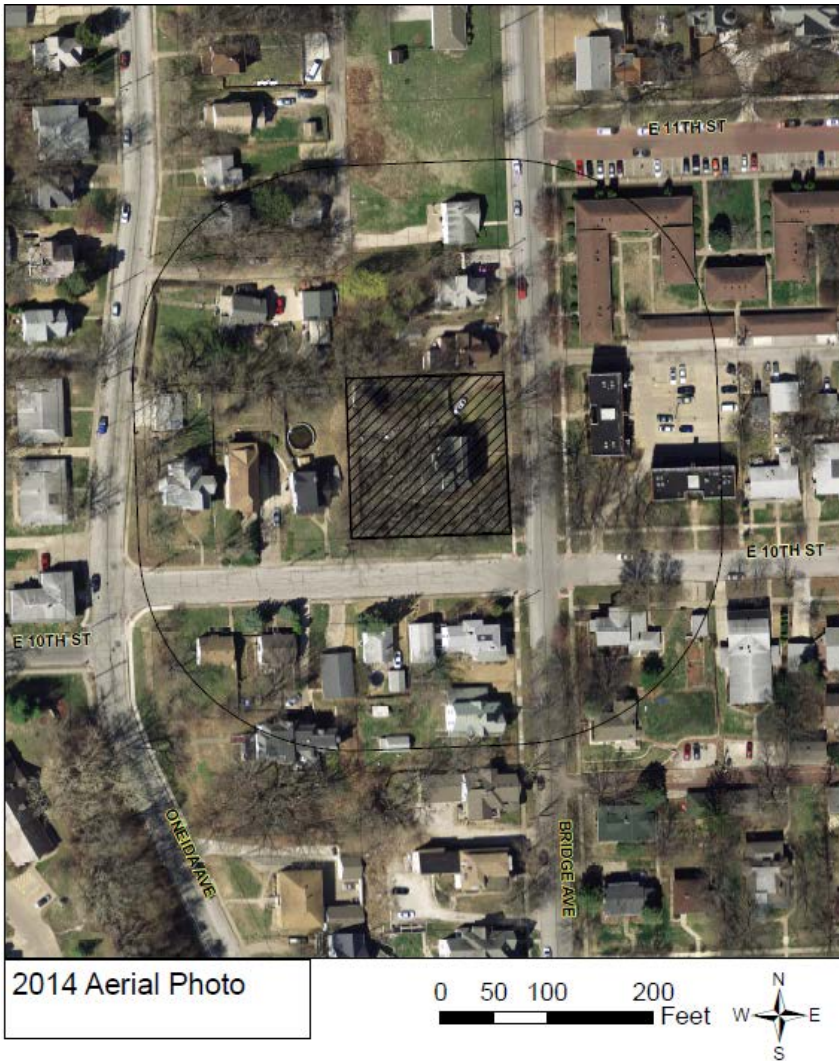
AREA CHARACTERISTICS:

Zoning Map

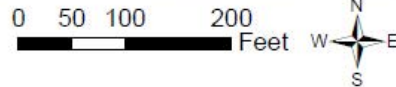


Land Use Map





2014 Aerial Photo



Background:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Boundary +2035: Yes

Proposed Land Use Designation: *Residential General (RG) designates mixed-use neighborhoods that are mostly residential but include, or are within walking distance (one-half mile) of scattered neighborhood commercial services...*

Relevant Goals to be considered in this Case:

Strengthen the existing built environment – *Reduce the number of underoccupied, abandoned, or vacant buildings/properties through adaptive reuse and infill.*

Zoning:

The property is currently zoned “R-4” Moderate Density Dwelling District.

Technical Review:

Streets. The property is located at the intersection of Bridge Avenue and East 10th Street. There is no alley access to the property.

Storm Water. There does not appear to be stormwater infrastructure at this intersection. Stormwater drainage is by surface run-off.

Sanitary Sewer. Sanitary sewer service is located in East 10th Street and in the intersection of Bridge Avenue and 10th Street.

Other Utilities. This is an urban area and normal utility services are available.

Emergency Services. The property is located just under one (1) mile from Fire Station No. 4 at 1805 East Locust Street.

Parks/Open Space. The proposed rezoning does not impact any existing or planned parks or public open spaces.

Public Input:

A public hearing before the Plan and Zoning Commission is scheduled for August 2nd. Staff is not yet aware of when the neighborhood meeting would be scheduled.

Discussion:

The petitioner is proposing a detached garage with a second story for use as his home office and recreational area. Since this is a habitable building, the building becomes a second principle structure on the property. This requires the rezoning to a classification that allows more than one principle structure on a property.

The "R-4 Planned Unit Development" will allow for this second habitable structure on the property. One concern regarding multiple family zoning is the possible density allowances. The following compares the R-4 PUD to other zoning districts that would allow more than one principle structure:

R-4 PUD	4 dwelling units maximum
R-5M	15 dwelling units maximum
R-6M	22 dwelling units maximum

Staff also looked at the potential to subdivide the property to allow another dwelling unit on a separate lot, however the limitation on the garage size does not allow this option.

The existing residence is listed on the National Register of Historic Places. Since no work is being done to the existing building, no review is necessary. The proposed building would appear to be sympathetic to the historic nature of the main residence.

Staff Recommendation:

Findings:

The rezoning conforms to the comprehensive plan.

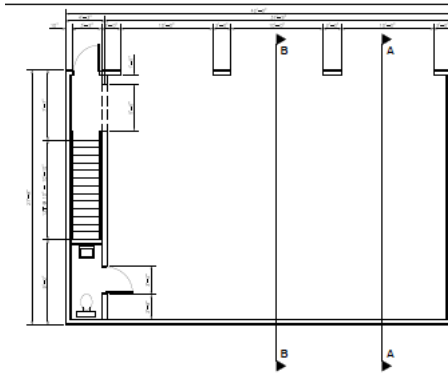
Recommendation:

Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. REZ16-07 to the City Council for approval subject to the following condition:

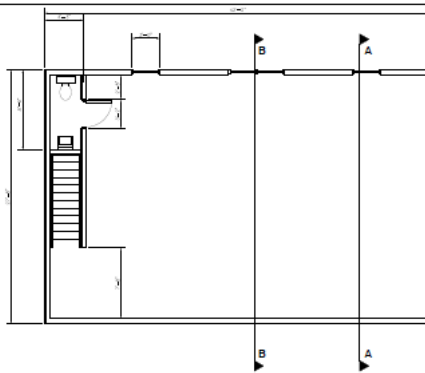
1. That the building substantially conform to the elevations as shown; and
2. That the site plan submitted for building permit along with the approved elevations act as the final development plan.

Prepared by:

Wayne Wille, CFM
Planner II
Community Planning Division



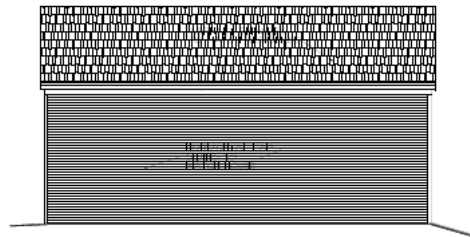
FIRST FLOOR PLAN



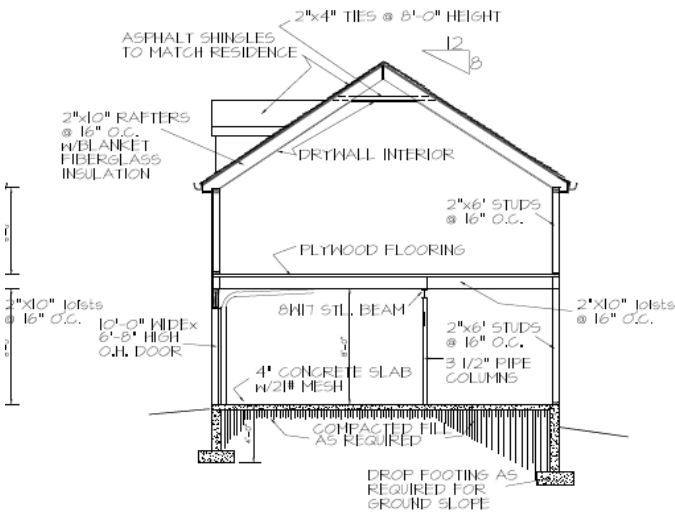
SECOND FLOOR PLAN



GARAGE FRONT ELEVATION

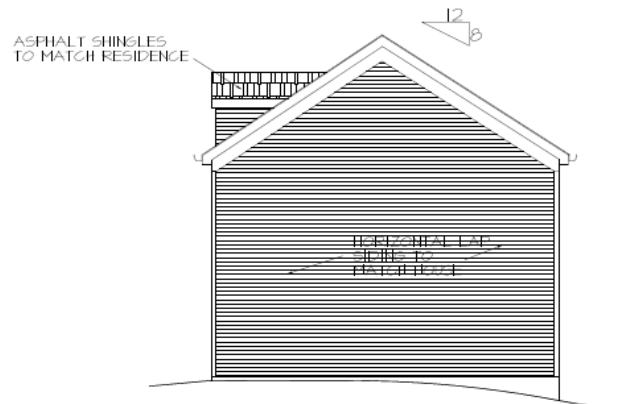


GARAGE BACK ELEVATION



GARAGE SECTION A-A

SCALE: 1/8" = 1'-0"



NEW GARAGE
GOTTA RESIDENCE | 1002 BRIDGE AVENUE | DAVENPORT, IOWA

City of Davenport

Agenda Group: Community Development
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 2

Action / Date
CD9/21/2016

Subject:

Second Consideration: Ordinance for Case No. REZ16-08 being the petition of Classic Development Co. Inc. for the rezoning of 0.594 acre, more or less of real property, located at 4504-06 Fairmount Street and 3705-07 West 46th Street, from R-5M Medium Density Dwelling District to R-4 PUD Planned Unit Development to facilitate fee simple ownership of the land with the unit. [Ward 2]

Recommendation:

Findings:

- The rezoning conforms to the Comprehensive Plan.
- The rezoning offers an alternate housing choice single-family lots vs horizontal condominium regime.

The City Plan and Zoning Commission accept the findings and forward Case No. REZ16-08 to the City Council for approval.

The Commission vote was 9-yes and 0-no (with 0 abstention).

THE PROTEST RATE IS 2.3%.

Relationship to Goals:
Grow Tax Base

Background:

The petitioner has already done the condominium of the buildings separating along the common wall. The rezoning is to allow the lots to be split so that each unit owner would also own their share of the lot. Currently the buildings contain two condo units with land held in common. The developer has been advised by his attorney who did the condominium regime for the buildings that on this small scale it would be better for the future sale of the units to subdivide the property to allow the land under the units to be sold with the unit. This would be similar to many developments in Davenport with two unit townhouses with their lot split down the middle.

The way the existing lots are configured no additional units could be constructed. The current R-5M zoning could allow for added units so this downzoning should provide some security for the adjoining property owners. No exterior changes are proposed.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
▣ Ordinance	REZ16-08 Ordinance
▣ Backup Material	REZ16-08 background

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	9/27/2016 - 3:01 PM

ORDINANCE NO.

ORDINANCE for Case No. REZ16-08 being the petition of Classic Development Co. Inc. for the rezoning of 0.594 acre, more or less of real property, located at 4504-06 Fairmount Street and 3705-07 West 46th Street, from R-5M Medium Density Dwelling District to R-4 PUD Planned Unit Development to facilitate fee simple ownership of the land with the unit. [2nd Ward]

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. The property has the following legal description:

Part of the Northeast Quarter of Section 17, Township 78 North, Range 03 East of the 5th P.M. being more particularly described as follows:

Lots 34 and 35 of Seiffert's Northwest First Addition the City of Davenport, Scott County, Iowa. Said tract contains 0.594 acre, more or less.

The City Plan and Zoning Commission forwards Case No. REZ16-08 to the 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: _____

Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____

September 07, 2016

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of September 06, 2016, the City Plan and Zoning Commission considered Case No. REZ16-08 being the petition of Classic Development Co. Inc. for the rezoning of 0.594 acre, more or less of real property, located at 4504-06 Fairmount Street and 3705-07 West 46th Street, from R-5M Medium Density Dwelling District to R-4 PUD planned Unit Development to facilitate fee simple ownership of the land with the unit.

The petitioner has already done the condominium of the buildings separating along the common wall. The rezoning is to allow the lots to be split so that each unit owner would also own their share of the lot. Currently the buildings contain two condo units with land held in common. The developer has been advised by his attorney who did the condominium regime for the buildings that on this small scale it would be better for the future sale of the units to subdivide the property to allow the land under the units to be sold with the unit. This would be similar to many developments in Davenport with two unit townhouses with their lot split down the middle.

The way the existing lots are configured no additional units could be constructed. The current R-5M zoning could allow for added units so this downzoning should provide some security for the adjoining property owners. No exterior changes are proposed.

Findings:

The rezoning conforms to the Comprehensive Plan.

The rezoning offers an alternate housing choice single-family lots vs horizontal condominium regime.

The City Plan and Zoning Commission accept the findings and forward Case No. REZ16-08 to the City Council for approval.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission



		APPROVED	APPROVED	APPROVED	APPROVED				
Name:	Roll Call	REZ16-08 Classic Development 3705-07 W 46th St 4604-06 Fairmount St	F16-10 Amato Way	F16-11 Village Shopping 3rd Subdivision	F16-12 Wisor's Historic				
Connell	P	Y	Y	Y	Y				
Hepner	P	Y	Y	Y	Y				
Inghram	P								
Kelling	P	Y	Y	Y	Y				
Lammers	P	Y	Y	Y	Y				
Maness	P	Y	Y	Y	Y				
Martinez	Ex								
Medd	P	Y	Y	Y	Y				
Quinn	P	Y	Y	Y	Y				
Reinartz	Ex	Y	Y	Y	Y				
Tallman	P	Y	Y	Y	Y				
		9-YES 0-NO 0-ABSTAIN	9-YES 0-NO 0-ABSTAIN	9-YES 0-NO 0-ABSTAIN	9-YES 0-NO 0-ABSTAIN				



City of Davenport
Community Planning & Economic Development Department
STAFF REPORT

Meeting Date: September 06, 2015
Request: Rezone 0.594 acre from R-5M to R-4 PUD
Address: 4504-06 Fairmount Street and 3705-07 West 46th Street
Case No.: REZ16-08
Applicant: Classic Development Co. Inc. (Chris Quilty)

Recommendation:

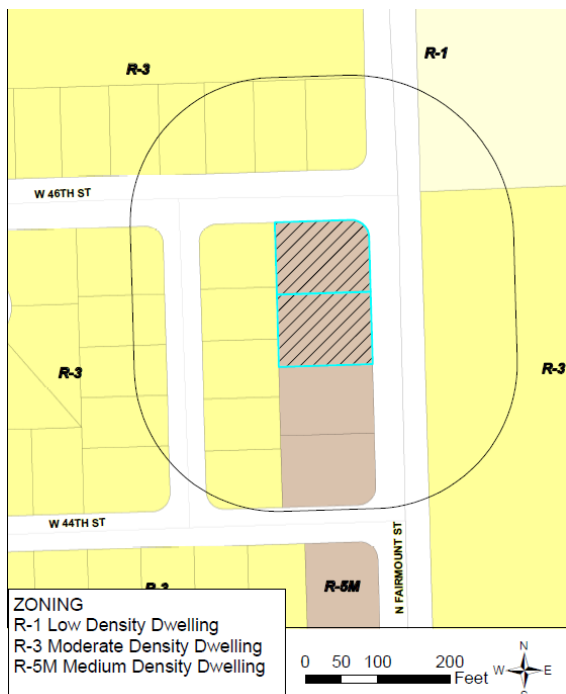
Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. REZ16-08 to the City Council for approval.

Introduction:

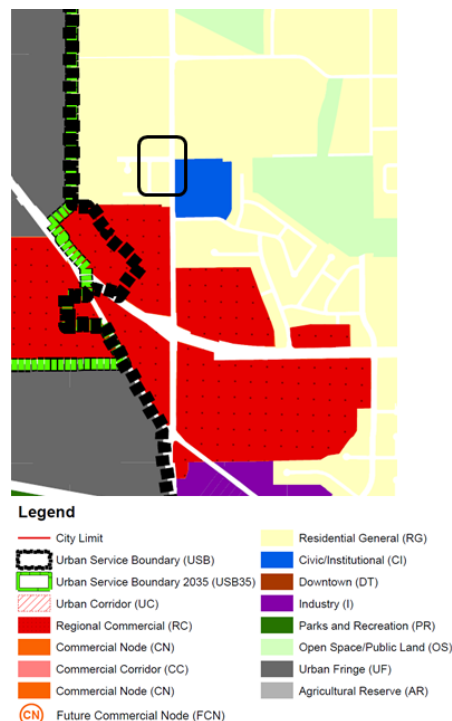
Petition of Classic Development Co. Inc. for the rezoning of 0.594 acre, more or less of real property, located at 4504-06 Fairmount Street and 3705-07 West 46th Street, from R-5M Medium Density Dwelling District to R-4 PUD planned Unit Development to facilitate fee simple ownership of the land with the unit.

AREA CHARACTERISTICS:

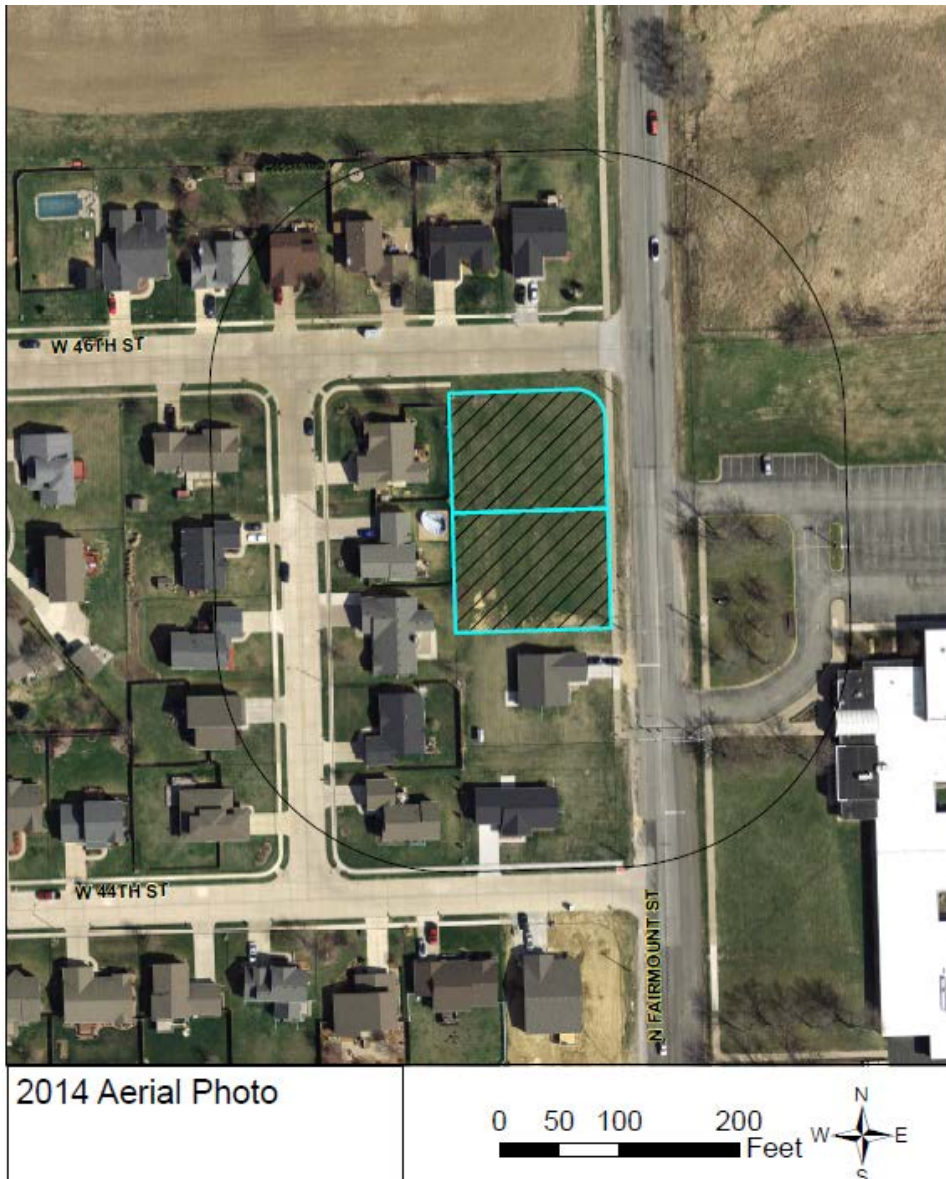
Zoning Map



Land Use Map



Adopted by the Davenport City Council August 10, 2016



Background:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Boundary +2035: Yes

Proposed 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:

Identify and reserve land for current and future development – *encourage a full range of development.*

Zoning:

The property is currently zoned "R-5M" Medium Density Dwelling District.

Technical Review:

Streets. The property is located at the intersection of Fairmount and West 46th Streets. No additional access is proposed as the properties are fully developed.

Storm Water. Stormwater infrastructure is located in West 46th Street. No stormwater infrastructure is located in Fairmount Street; that drainage is by surface run-off.

Sanitary Sewer. Sanitary sewer service is located in the north side of West 46th Street and the west side of Fairmount Street.

Other Utilities. This is an urban area and normal utility services are available.

Emergency Services. The property is located approximately 2-1/2 miles from Fire Station No. 6 at 1735 West Pleasant Street.

Parks/Open Space. The proposed rezoning does not impact any existing or planned parks or public open spaces.

Public Input:

The petitioner indicated that he would be going door to door with a letter. The neighborhood meeting was August 14th. Staff has received one protest relating to "too much traffic". No additional units will be added/created therefore there will be no change in the number of units and no additional traffic should be generated.

Discussion:

The petitioner has already done the condominium of the buildings separating along the common wall. The rezoning is to allow the lots to be split so that each unit owner would also own their share of the lot. Currently the buildings contain two condo units with land held in common. The developer has been advised by his attorney who did the condominium regime for the buildings that on this small scale it would be better for the future sale of the units to subdivide the property to allow the land under the units to be sold with the unit. This would be similar to many developments in Davenport with two unit townhouses with their lot split down the middle.

The way the existing lots are configured no additional units could be constructed. The current R-5M zoning could allow for added units so this downzoning should provide some security for the adjoining property owners. No exterior changes are proposed.

Staff Recommendation:

Findings:

The rezoning conforms to the Comprehensive Plan.

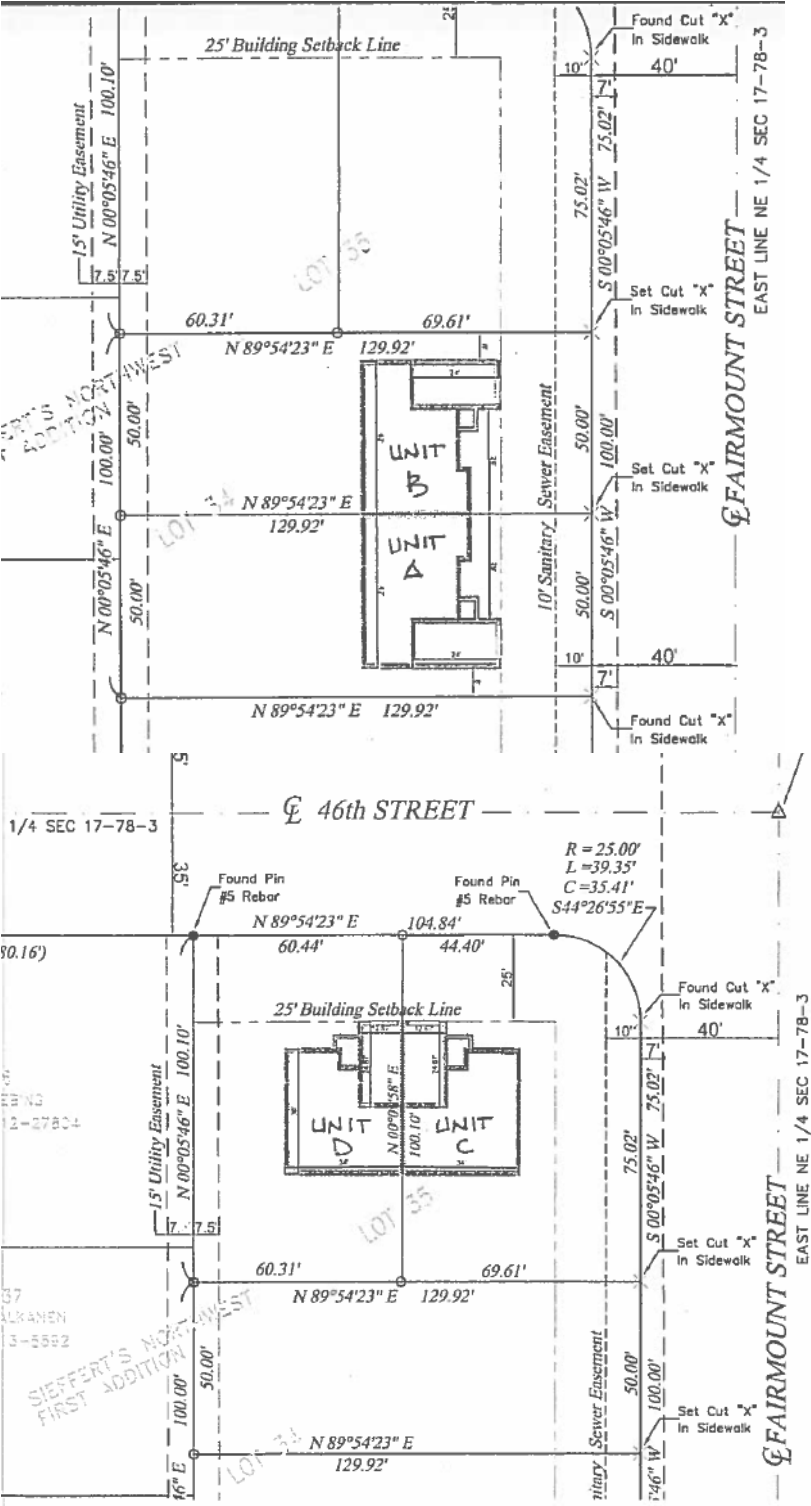
The rezoning offers an alternate housing choice single-family lots vs horizontal condominium regime.

Recommendation:

Staff recommends the City Plan and Zoning Commission accept the findings and forward Case No. REZ16-08 to the City Council for approval.

Prepared by:

Wayne Wille, CFM
Planner II
Community Planning Division

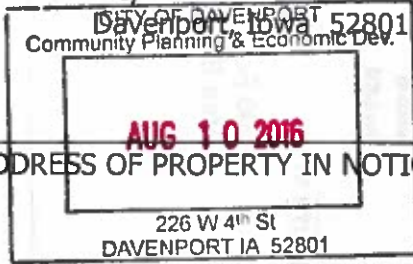


(detach here)

The undersigned opposes ~~does not oppose~~ (circle one) Petition of Classic Development Co. Inc. (Chris Quilty) (REZ16-08)

Comments: to rush traffic for schools
and trailer courts that use this road

Mail to: Plan and Zoning Commission
City Hall



NAME Jack & Betty Dorende
ADDRESS 3705 W. 46th St
DATE 8-9-2016
(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

REZ16-08
CLASSIC DEVELOPMENT CO INC

PARCEL	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS	PROPERTY OWNER(S)		OWNER ADDRESS	OWNER CSZ
FORMAT ROW	0.00	0.0%		0.0%					
U1707B19	7881	2.8%		0.0%	4403 N GAYMAN AVE	HAI D NGUYEN	LINH THUY T TRUONG	4403 N GAYMAN AVE	DAVENPORT IA 52806
U1707B10	155	0.1%		0.0%	4404 N GAYMAN AVE	DANIEL S & TEPHANIE A RUNGE	RAYMOND R SNYDER	4404 N GAYMAN AVE	DAVENPORT IA 52806
U1707B18	7566	2.7%		0.0%	4411 N GAYMAN AVE	CHARLOTTE A KOENIGSAECKER		2040 VANATTA AVE	MUSCATINE IA 52761
U1707B11	2162	0.8%		0.0%	4412 N GAYMAN AVE	TONY OVERTON		4412 N GAYMAN AVE	DAVENPORT IA 52806
U1707B17	8406	3.0%		0.0%	4417 N GAYMAN AVE	DELFRANCES SMITH	TANYA SMITH	4417 N GAYMAN AVE	DAVENPORT IA 52806
U1707B12	3108	1.1%		0.0%	4418 N GAYMAN AVE	BRADFORD R JONES		4418 N GAYMAN AVE	DAVENPORT IA 52806
U1707B16	7566	2.7%		0.0%	4503 N GAYMAN AVE	HANNAH R JALKANEN	TIMMY J GRAY JR	4503 N GAYMAN AVE	DAVENPORT IA 52806
U1707B13	3137	1.1%		0.0%	4504 N GAYMAN AVE	LARRY A BEEBE	CHRISTINE A BEEBE	4504 N GAYMAN AVE	DAVENPORT IA 52806
U1707B15	9335	3.3%		0.0%	4513 N GAYMAN AVE	CHRISTINE D MASAT	JAMES MASAT	4513 N GAYMAN AVE	DAVENPORT IA 52806
U1707B14	4095	1.5%		0.0%	3805 W 46TH ST	JEFFERY A WINTERS		3805 W 46TH ST	DAVENPORT IA 52806
U0855C09	10203	3.6%		0.0%	3706 W 46TH ST	CLASSIC DEVELOPMENT CO INC	CHRIS QUILTY	4955 W 39TH ST	DAVENPORT IA 52806
U0855C08	9000	3.2%		0.0%	3712 W 46TH ST	NANCY A WIESE		3712 W 46TH ST	DAVENPORT IA 52806
U0855C07	8142	2.9%		0.0%	3720 W 46TH ST	JEFFERY L SINDT		3720 W 46TH ST	DAVENPORT IA 52806
U0855C06	5441	1.9%		0.0%	3728 W 46TH ST	JARED WILSON	LAUREN WILSON	3728 W 46TH ST	DAVENPORT IA 52806
U0855C05	947	0.3%		0.0%	3804 W 46TH ST	WILLIAM F EDMOND	PAMELA J EDMOND	3804 W 46TH ST	DAVENPORT IA 52806
U1707B20	12859	4.6%		0.0%	3706 W 44TH ST	RICHARD ALL NYLIN	DEBBIE LYNN NYLIN	3706 W 44TH ST	DAVENPORT IA 52806
U1707B21	12342	4.4%		0.0%	4436 N FAIRMOUNT ST	RONDA K MCCREIGHT		4436 N FAIRMOUNT ST	DAVENPORT IA 52806
O1601-02	46809	16.6%		0.0%	4515 N FAIRMOUNT ST	DAVENPORT COMMUNITY SCHOOLS		1606 BRADY ST	DAVENPORT IA 52803
U949-01C	10807	3.8%		0.0%	4915 N FAIRMOUNT ST	RUTH C WILLERS		4915 N FAIRMOUNT ST	DAVENPORT IA 52806
U0855-01A	749	0.3%		0.0%		WANDA SCHUMACHER		4228 W KIMBERLY RD	DAVENPORT IA 52806
U1707C03	6435	2.3%	YES	2.3%	3705 W 46TH ST	JACK & BETTY GREENLEE REV TRUST		3705 W 46TH ST	DAVENPORT IA 52806
U1707C04	6435	2.3%		0.0%	3707 W 46TH ST	TERRY SEBASTIAN LIVING TRUST		3707 W 46TH ST	DAVENPORT IA 52806
U1707C01	6486	2.3%		0.0%	4504 N FAIRMOUNT ST	CLASSIC DEVELOPMENT CO INC		4955 W 39TH ST	DAVENPORT IA 52806
U1707C02	6486	2.3%		0.0%	4507 N FAIRMOUNT ST	CLASSIC DEVELOPMENT CO INC		4955 W 39TH ST	DAVENPORT IA 52806
FORMAT ROW	0.00	0.0%		0.0%					

PARCELS 196,553.3 69.9%
ROW 84,701.4 30.1%

Alderman: DICKMANN

TOTAL
NOTICE AREA 281,254.7 100% **2.3% PROTEST RATE**

Protests: 1

Properties: 24



City of Davenport
Community Planning & Economic Development Department

September 7, 2016

Dear Property Owner:

This letter is to inform you that the City Council will be holding a public hearing regarding Case No. REZ16-08 being the petition of Classic Development Co. Inc. for the rezoning of 0.594 acre, more or less of real property, located at 4504-06 Fairmount Street and 3705-07 West 46th Street, from R-5M Medium Density Dwelling District to R-4 PUD planned Unit Development to facilitate fee simple ownership of the land with the unit. [2nd Ward]

At its regular meeting on September 06, 2016, the City Plan and Zoning Commission recommended approval of the petition.

The Commission vote was unanimous with 9-yes and 0-no.

A public hearing on this ordinance and proposal will be held before the City Council in the City Council Chambers at City Hall 226 West 4th Street, Davenport Iowa, on Wednesday, September 21, 2016 at 5:30 p.m. At the hearing, interested persons may appear and be heard for or against the proposed petition. All protests from within the 200 foot notice area must be made in writing to be valid.

If you have already responded to the public hearing notice from the City Plan and Zoning Commission, no additional response is necessary. That response will remain in force unless it is withdrawn or changed in writing. The Council will consider written protests which are filed or withdrawn prior to the start of the Committee-of-the-Whole Meeting immediately prior to the scheduled final consideration of the ordinance. Protests filed or withdrawn after that time will not be accepted.

Contact the Community Planning and Economic Development Department:

Phone: (563) 326-7765 • Fax: (563) 328-6714 • E-mail: planning@ci.davenport.ia.us

Mail: City of Davenport (CPED), 226 West 4th Street, Davenport, IA 52801

OWNER		ADDRESS	C-S-Z
HAI D NGUYEN	LINH THUY T TRUONG	4403 N GAYMAN AVE	DAVENPORT IA 52806
DANIELS & TEPHANIE RUNGE	RAYMOND R SNIDER	4404 N GAYMAN AVE	DAVENPORT IA 52806
CHARLOTTE A KOENIGSAECKER		2040 VANATTA AVE	MUSCATINE IA 52761
TONY O OVERTON		4412 N GAYMAN AVE	DAVENPORT IA 52806
DELFRANCES SMITH	TANYA SMITH	4417 N GAYMAN AVE	DAVENPORT IA 52806
BRADFORD R JONES		4418 N GAYMAN AVE	DAVENPORT IA 52806
HANNAH R JALKANEN	TIMMY J GRAY JR	4503 N GAYMAN AVE	DAVENPORT IA 52806
LARRY A BEEBE	CHRISTINE A BEEBE	4504 N GAYMAN AVE	DAVENPORT IA 52806
CHRISTINE D MASAT	JAMES MASAT	4513 N GAYMAN AVE	DAVENPORT IA 52806
JEFFERY A WINTERS		3805 W 46TH ST	DAVENPORT IA 52806
CLASSIC DEVELOPMENT CO INC	CHRIS QUILTY	4955 W 39TH ST	DAVENPORT IA 52806
NANCY A WIESE		3712 W 46TH ST	DAVENPORT IA 52806
JEFFERY L SINDT		3720 W 46TH ST	DAVENPORT IA 52806
JARED WILSON	LAUREN WILSON	3728 W 46TH ST	DAVENPORT IA 52806
WILLIAM F EDMOND	PAMELA J EDMOND	3804 W 46TH ST	DAVENPORT IA 52806
RICHARD ALL NYLIN	DEBBIE LYNN NYLIN	3706 W 44TH ST	DAVENPORT IA 52806
RONDA K MCCREIGHT		4436 N FAIRMOUNT ST	DAVENPORT IA 52806
DAVENPORT COMM SCHOOL DIST		1606 BRADY ST	DAVENPORT IA 52803
RUTH C WILLERS		4915 N FAIRMOUNT ST	DAVENPORT IA 52806
WANDA S SCHUMACHER		4228 W KIMBERLY RD	DAVENPORT IA 52806
JACK & BETTY GREENLEE REV TRUST		3705 W 46TH ST	DAVENPORT IA 52806
TERRY SEBASTIAN LIVING TRUST		3707 W 46TH ST	DAVENPORT IA 52806
ALD MARIA DICKMANN		226 W 4TH ST	

City of Davenport

Agenda Group: Community Development
Department: Community Planning and Economic Development
Contact Info: Matt Flynn, 326-7743
Wards: 5

Action / Date
CD10/5/2016

Subject:

First Consideration: Ordinance for Case No. REZ16-09 being the petition of Jamie Banfield for the rezoning of approximately 7344 square feet of property located at 3025 Harrison Street from R-4 Moderate Density Dwelling District to C-O Commercial Office District .[Ward 5]

Recommendation:

At its September 20, 2016, the Plan and Zoning Commission unanimously voted to accept the findings and recommend approval of Case No.16-09.

Findings:

- The rezoning is consistent with the Comprehensive Plan's designation of "Urban Corridor"
- The proposed rezoning will limit uses on the property to generally non-retail uses.
- Those attending the neighborhood meeting generally support the rezoning.
- Adequate off-street parking exists to support re-use of the property.

The Commission vote was 9-yes and 0-no (with 0 abstention).

Relationship to Goals:

Neighborhood Improvement

Background:

The property owner would like to utilize the building for an "escape room". An escape room is described as follows (from Wikipedia):

An escape room is a physical adventure game in which players are locked in a room and have to use elements of the room to solve a series of puzzles and escape within a set time limit. The games are physical versions of "escape the room" video games. Games are set in a variety of fictional locations, such as prison cells, dungeons and space stations, and are popular as team building exercises.

The earliest room was created in 2006, and escape rooms became popular in the United States, Japan, Taiwan, Canada, Israel and mainland China in the 2010s. Permanent escape rooms in fixed locations were first opened in Asia and followed later in North America, Europe, Australia, and South America.

Not surprisingly, the Zoning Ordinance does not specify what districts allow "Escape Rooms". Given that the activity is designed to occur indoors, stay for more than a few minutes (meaning slow vehicle turnover), and no retail sales occur, staff has determined that it is akin to an office or personal service-type use.

The Harrison Street corridor contains limited non-residential properties which are either zoned C-O, Commercial Office or C-1, Neighborhood Shopping. This former religious institution and small parking lot (approximately 15 spaces) is well suited for adaptive re-use.

This is a relatively dense neighborhood and the concerns of nearby residents of allowing uses that may negatively impact surrounding properties are legitimate.

The C-O District allows a variety of office and service uses but does not generally allow retail.

The proposed C-O zoning classification allows for re-use of the property while maintaining the neighborhood's stability.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	P&Z Letter REZ16-09
▣ Backup Material	P&Z Voting results
▣ Backup Material	Staff Report and Background

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	9/29/2016 - 12:52 PM
Community Development Committee	Berger, Bruce	Approved	9/29/2016 - 12:53 PM
City Clerk	Admin, Default	Approved	9/29/2016 - 12:55 PM

ORDINANCE NO.

ORDINANCE for Case No. REZ16-09 being the petition of Jamie Banfield for the rezoning of approximately 7344 square feet of property located at 3025 Harrison Street from R-4 Moderate Density Dwelling District to C-O Commercial Office District [5th Ward].

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.

The property is legally described as follows:

Lot 24 of Block 2 of Grant's 2nd Subdivision to the City of Davenport, Scott County, Iowa

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: _____

Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on September 24, 2016



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

September 21, 2016

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of September 20, 2016, the City Plan and Zoning Commission considered Case No. REZ16-09: Request of Jamie Banfield for the rezoning of approximately 7344 square feet of property located at 3025 Harrison Street from R-4 Moderate Density Dwelling District to C-O Commercial Office District.

Findings:

- The rezoning is consistent with the Comprehensive Plan's designation of "Urban Corridor"
- The proposed rezoning will limit uses on the property to generally non-retail uses.
- Those attending the neighborhood meeting generally support the rezoning.
- Adequate off-street parking exists to support re-use of the property.

Recommendation:

Staff recommends the Commission accept the listed findings and forward Case No. REZ16-09 to the City Council for approval.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Inghram', with a stylized flourish at the end.

Robert Inghram, Chairperson
City Plan and Zoning Commission

APPROVED

Name:	Roll Call	REZ16-09 Jamie Banfield 3025 Harrison St							
Connell	P	Y							
Hepner	P	Y							
Inghram	P								
Kelling	P	Y							
Lammers	P	Y							
Maness	EX								
Martinez	P	Y							
Medd	P	Y							
Quinn	P	Y							
Reinartz	P	Y							
Tallman	P	Y							
		9-YES 0-NO 0-ABSTAIN							



PLAN AND ZONING COMMISSION

Meeting Date: September 20, 2016
Request: Rezoning of approximately 7344 square feet of property located at 3025 Harrison Street from R-4 Moderate Density Dwelling District to C-O Commercial Office District
Case No.: REZ16-09
Applicant: Jamie Banfield
Contact: Matthew G. Flynn, AICP
Senior Planning Manager
mflynn@ci.davenport.ia.us
563-326-7743

Recommendation:

Staff recommends the Commission accept the listed findings and forward Case No. REZ16-09 to the City Council for approval.

Introduction:

This property is contemplated to be rezoned to facilitate conversion of a former church to commercial uses.

Background:

The property owner would like to utilize the building for an “escape room”. An escape room is described as follows (from Wikipedia):

An escape room is a physical adventure game in which players are locked in a room and have to use elements of the room to solve a series of puzzles and escape within a set time limit. The games are physical versions of "escape the room" video games. Games are set in a variety of fictional locations, such as prison cells, dungeons and space stations, and are popular as team building exercises.

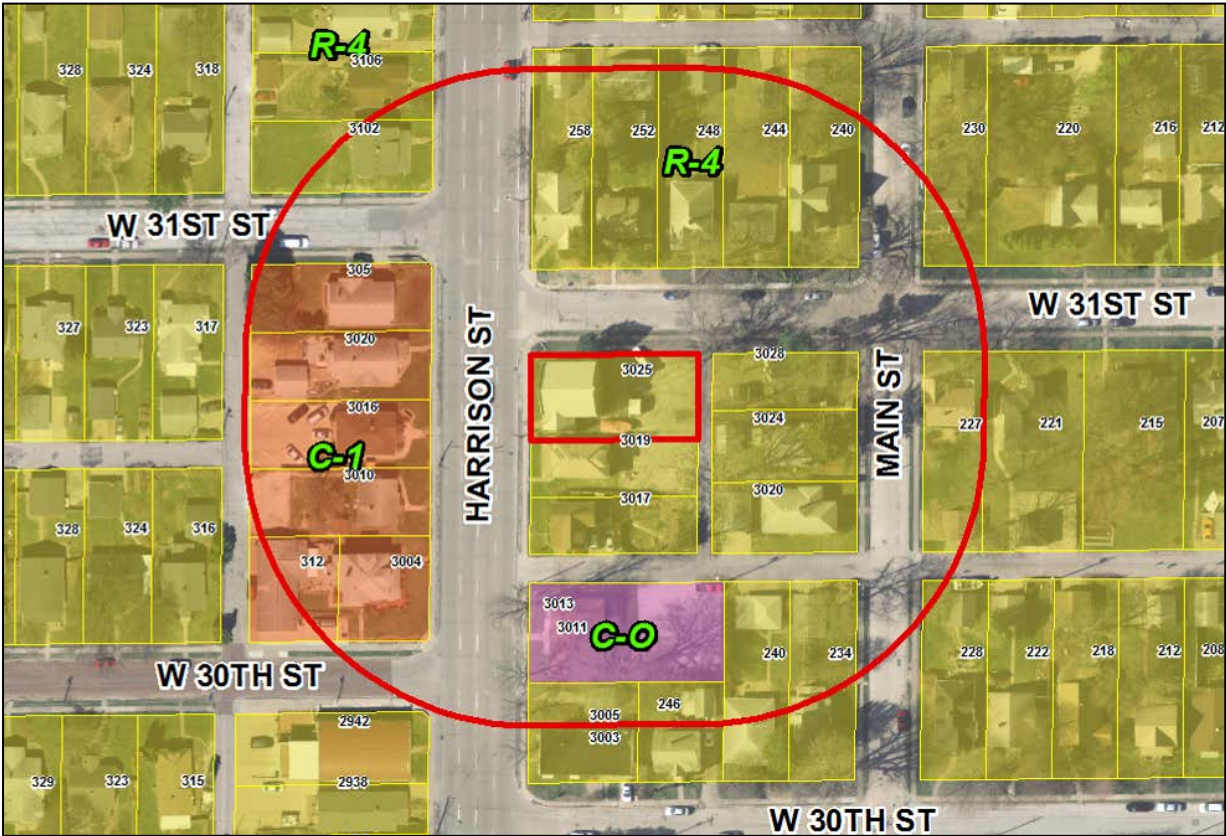
The earliest room was created in 2006, and escape rooms became popular in the United States, Japan, Taiwan, Canada, Israel and mainland China in the 2010s. Permanent escape rooms in fixed locations were first opened in Asia and followed later in North America, Europe, Australia, and South America.

Not surprisingly, the Zoning Ordinance does not specify what districts allow “Escape Rooms”. Given that the activity is designed to occur indoors, stay for more than a few minutes (meaning slow vehicle turnover), and no retail sales occurs, staff has determined that is akin to an office or personal service-type use.

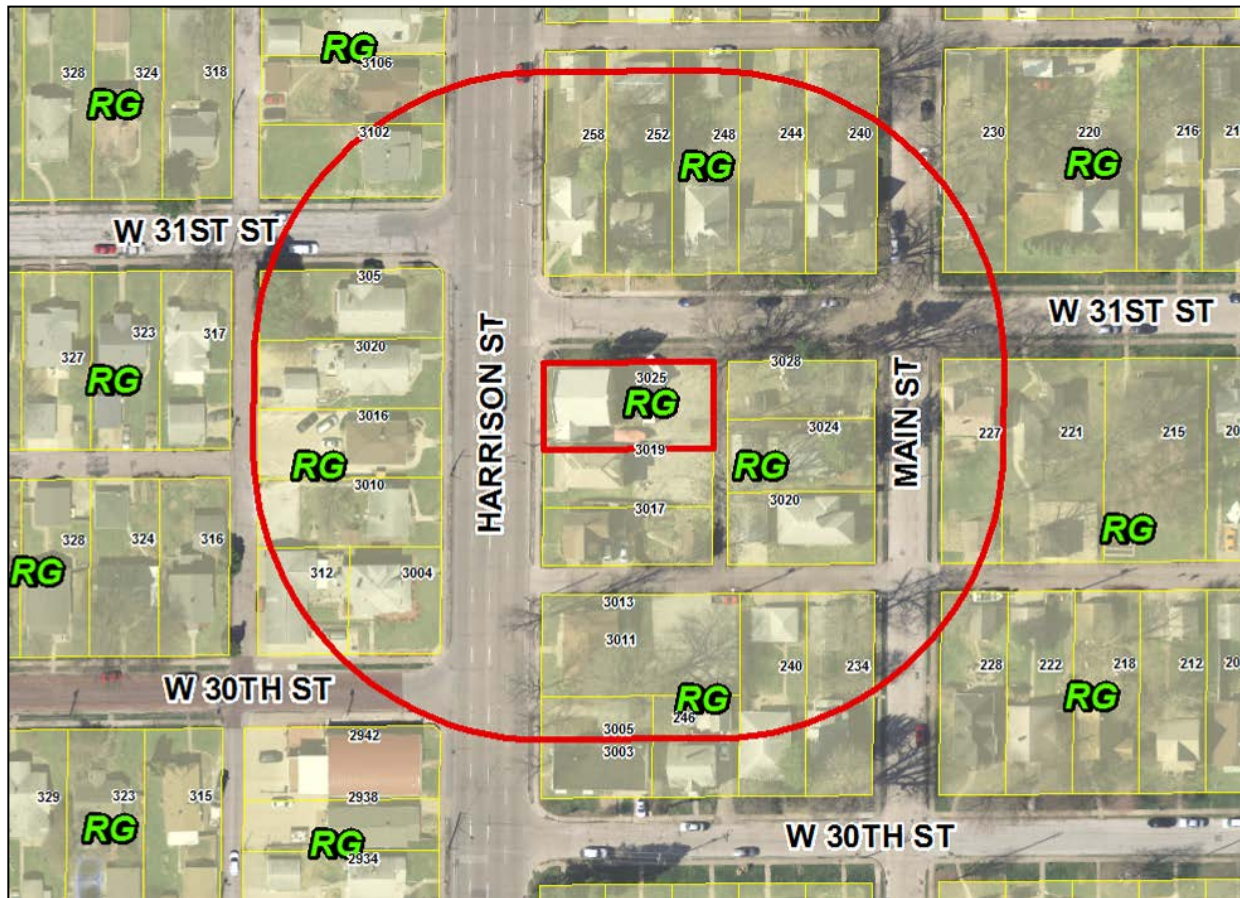
Subject Property



Zoning Map



Comprehensive Plan Proposed Land Use (Residential General)



Comprehensive Plan: This property is located within the Urban Service Boundary and is classified UC, Urban Corridor.

Urban Corridor is described as *"Generally established corridors along major streets marked by mixed use development with commercial uses generally clustered at major intersections and/or transit stops. Urban corridors are mostly fully built-out and redevelopment occurs slowly. Commercial uses in UC generally serve adjacent neighborhoods with goods and services. The character and intensity of Urban Corridors can vary due to street and surrounding neighborhood characteristics. Therefore, specific corridor and neighborhood plans, and supporting zoning provisions, should be created developed to help guide future development decisions."*

Underlying the UC designation is RG, Residential General.

Residential General is described as *"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."*

Technical Review:

The property is within the Urban Service Boundary and will not cause any additional service demands.

Public Input:

A public meeting was held on August 22. Approximately 7 people attended. At that time, concern was expressed about the extent of land uses allowed C-1, Commercial Neighborhood District. Since the proposed use is allowed in C-O, Commercial Office, the petitioner amended his application and is now requesting that designation.

Notices to 27 property owners have sent. As of this writing, one protest has been received which constitutes 1.9% of the area within 200 feet of the subject property.

Discussion:

The Harrison Street corridor contains limited non-residential properties which are either zoned C-O, Commercial Office or C-1, Neighborhood Shopping. This former religious institution and small parking lot (approximately 15 spaces) is well suited for adaptive re-use.

This is a relatively dense neighborhood and staff shares the concerns of nearby residents of allowing uses that may negatively impact surrounding properties.

The C-O District allows a variety of office and service uses but does not generally allow retail as follows:

17.26.030 Use regulations.

A building, lot or tract within the C-O office-shop district shall be used only for the following purposes, unless otherwise provided in this chapter:

- A. Any use permitted in the R-6M high density dwelling district;*
- B. Apothecaries;*
- C. Barber shops and beauty parlors;*
- D. Business, charitable, finance, professional and consulting office or office buildings;*
- E. Business or commercial school;*
- F. Dressmaking or tailor shop;*
- G. Medical or dental clinic;*
- H. Studio of an artist, photographer, sculptor, or musician;*
- I. Undertaking establishment or mortuary;*
- J. Accessory building or use customarily incidental to any of the above uses.*

Staff believes the proposed C-O zoning classification allows for re-use of the property while maintaining the neighborhood's stability.

Staff Recommendation:

Findings:

- The rezoning is consistent with the Comprehensive Plan's designation of "Urban Corridor"
- The proposed rezoning will limit uses on the property to generally non-retail uses.
- Those attending the neighborhood meeting generally support the rezoning.
- Adequate off-street parking exists to support re-use of the property.

Recommendation:

Staff recommends the Commission accept the listed findings and forward Case No. REZ16-09 to the City Council for approval.

PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – SEPTEMBER 6, 2016 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

Case No. REZ16-09: Request of Jamie Banfield to rezone 3025 Harrison Street from R-4 Moderate Density Dwelling District to C-O Commercial Office District. [7th Ward]

The legal description for this property is Lot 24 of Block 2 of Grant's 2nd Subdivision to the City of Davenport.

The City Plan and Zoning Commission will conduct a public hearing concerning this matter at **5:00 p.m., Tuesday September 6, 2016** in the **Council Chambers of Davenport City Hall at 226 West 4th Street**, Davenport, Iowa.

This public hearing is the first step in the review/approval process. The City Plan and Zoning Commission will consider (vote on a recommendation) the petition at its regular meeting on Tuesday September 20, 2016. The Commission's report and recommendation will then be forwarded to the City Council. The City Council will then hold its own public hearing, as required by state law. You should also receive a notice of the City Council's public hearing. For the ordinance to be approved, it must be read/considered at three (3) separate City Council meetings. For the specific dates and times of subsequent meetings, please call the phone number below.

It is your privilege to submit written comments on this petition or to attend the public hearing to express your views, or both. All protests within the 200-foot notice area or the area being considered must be made in writing to be valid. Any written comments to be reported at the Commission's public hearing should be received in the office of Community Planning, City Hall, not later than 12:00 noon, on the day of the public hearing, though protests may be received up through the City Council's public hearing.

Office of Community Planning
Department of Community Planning & Economic Development
Phone: (563) 326-7765 Email: Planning@ci.davenport.ia.us

(detach here)

The undersigned – **opposes / does not oppose** (circle one) the Jamie Banfield petition for the rezoning of Lot 2 of Block 24 of Grant's 2nd Subdivision to the City of Davenport (3025 Harrison Street) from R-4, Moderate Density Dwelling District to C-O, Commercial office District.

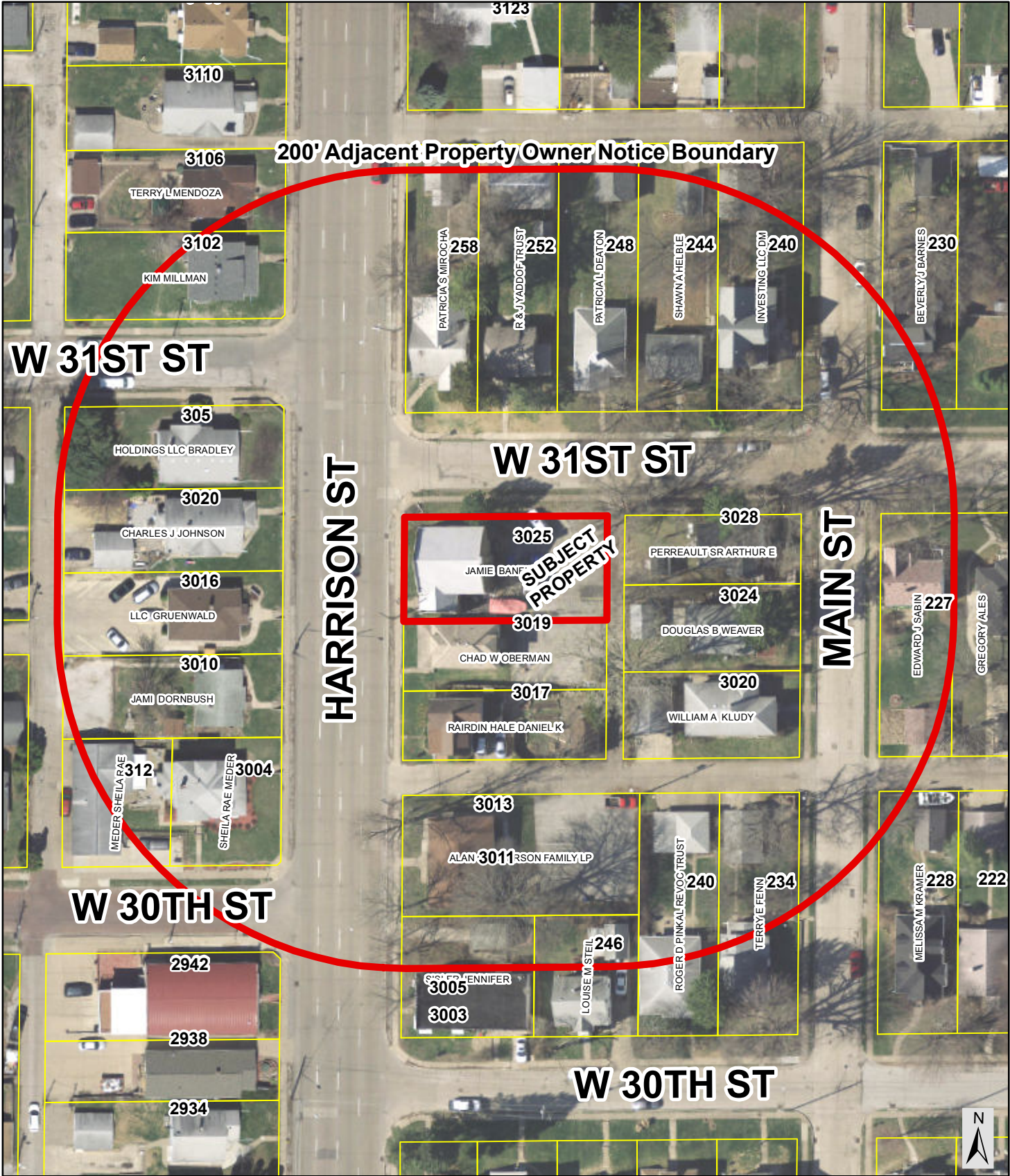
Comments: _____

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

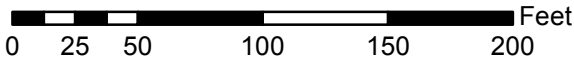
NAME _____
ADDRESS _____
DATE _____
(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

Plan & Zoning Commission: Adjacent Property Owner Notice Area
Request for a Zoning Map Amendment (Rezoning)



Private parties utilizing City GIS data do so at their own risk. The City of Davenport will not be responsible for any costs or liabilities incurred due to any differences between information provided and actual physical conditions.



Honorable Mayor and City Council
City Hall
Davenport, Iowa 52801-1308

Honorable Mayor and City Council:

The undersigned, hereby petitions your honorable body to amend the Zoning Ordinance of 1981 of the City of Davenport, Iowa by changing the zoning classification from Residential to C-2* Changed to C-1 per discussion with petitioner for the following legally described real property:

Scott County, Iowa

Parcel ID: B0007-29

Property Location: 3025 HARRISON ST
DAVENPORT, IA

Legal Description:

GRANT'S 2ND SUBD Lot: 024 Block: 002 GRANT'S 2ND SUBD(EXC PT TO CITY)

AddNum / Sect:

Block / Twp: 002

Lot / Rng: 024

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:

BANFIELD JAMIE
3025 HARRISON ST
DAVENPORT IA 52803

Contract Holder:

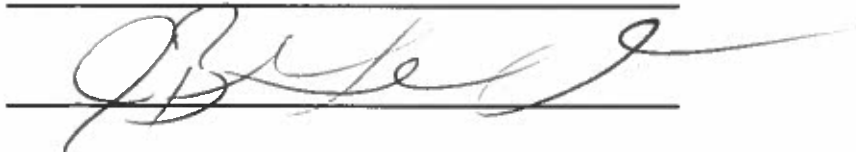
Mail To:

Class: R Residential

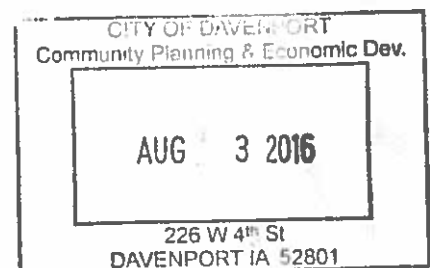
Deed Date: 2/27/2013

Respectfully submitted,

Jamie M Banfield



Date: Aug 02, 2016



REZONING REQUEST NO. _____
OFFICE OF PLANNING AND LAND USE
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT
CITY OF DAVENPORT

CITY OF DAVENPORT
City Hall - Second floor
Phone: (563) 326-7765
Fax: (563) 328-6714
AUG 3 2016
226 W 4th St
DAVENPORT IA 52801

Legal Description:

ADDRESS OF PROPERTY: 3025 N Harrison St, Davenport IA EXISTING ZONING: R
REQUESTED ZONING: C-2
TOTAL AREA: _____

PETITIONER: Name: Jamie M Banfield
Address: 3025 N Harrison St, Davenport IA
Phone: 309.312.0465 FAX: _____
Mobile Phone: 309.312.0465 Email: BanfieldJamie@hotmail.com
Interest in land: _____ title holder _____ other **
** if petitioner is other than title holder, documentation will be required to show control of property – accepted offer to purchase, offer, option, etc.

TITLE HOLDER: Name: Jamie M Banfield
Address: 3025 N Harrison St, Davenport IA
Phone: : 309.312.0465 FAX: _____
Mobile Phone: : 309.312.0465 Email: BanfieldJamie@hotmail.com

CONTACT PERSON: Name: Jamie M Banfield
Address: 3025 N Harrison St, Davenport IA
Phone: : 309.312.0465 FAX: _____
Mobile Phone: : 309.312.0465 Email: BanfieldJamie@hotmail.com

EXPLANATION OF REZONING (for Public Hearing Notice) Petitioner would like to start a home-based business having the ability to accommodate 8 customers

Does the property contain a drainageway or floodplain area: _____ Yes ☒ No

Signature of Petitioner: Jamie M Banfield

Date: 03 AUG 2016

Rezoning Fee Schedule:

Land Area	Fee
Less than 1 acre (< 1 acre)	\$400
One acre to less than ten acres (≥ acre < 10 acres)	\$750 plus \$25/acre *
Ten acres or more (≥ 10 acres)	\$1,000 plus \$25/acre*

* plus \$5.00 per sign; 1 to 3 signs required depending upon the size of the subject property

Davenport City Assessor Parcel Records[Search Page](#)[Print](#)[Comparables Search](#)[Feedback](#)[Help](#)

[\[Assessment Report | Auditor/Treasurer Report | Map \]](#)

Assessment Summary

Davenport City Assessor

Parcel Number: B0007-29
Route Number: B07-019-000
Deed Holder: BANFIELD JAMIE
3025 HARRISON ST
DAVENPORT IA 52803

Deed Date: 2/27/2013
Transfer Document No.: 2013-6388
Revenue Stamp: \$148.00
Purchase Price : \$93,000 (Nearest \$500)
Property Location: 3025 HARRISON ST
DAVENPORT, IA

Business Name/Description: METROPOLITAN COM CHURCH OF THE
Sec-Twn-Rng/Lot-Block: 024-002
Legal Description: GRANT'S 2ND SUBD (EXC PT TO CITY)
Classification: R Residential



Land Information

Lot Dimensions: Lot: 60.0 x 117.0

Land Sizes Used For Assessment Purposes Only. Not A Survey Of The Property.

Dwelling

Occupancy: Single-Family
Style: 1 Story Brick
Year Built: 1955
Living Area: 1,695 SF
Attic Style: None
Attic Area: 0
Basement Area: 1695
Basement Finished Area: 1300
Bedrooms Above: 1
Bedrooms Below: 0
Bathrooms: 1 Full Bath;
Fireplace: 1 - Masonry;
Heat Type: Yes
Central Air: Yes
Roof: Asphalt Shingles

Exterior: Brick on Con Block
 Porches and Decks: 1S Frame Open (28 SF);
 Garage: None

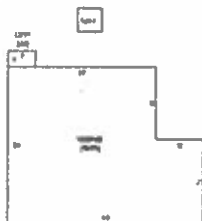
Commercial Buildings:

Total GBA: 3,390 SF

Total Units: 0

Building 1: 620-RELIGIOUS/CHURCH, 814- Church: Built 1955, 1 Story, 1,695 SF, 0 Units

Sketch(click to enlarge)



Sketch by: www.scribble.com

<u>ASSESSED</u> <u>VALUES</u>	<u>2016</u>	<u>2015</u>	<u>SALES RECORDS</u>					<u>Multi-Parcel</u>
			<u>Date</u>	<u>Type</u>	<u>Recording</u>	<u>Amount</u>	<u>Sale Type</u>	
Land	\$19,320	\$19,320						
Buildings	\$0	\$0	2/25/2013	WD	13-6388	\$93,000	Sale to/by	No
Dwellings	\$80,840	\$80,840					Government/Exempt	
Exempt	\$0	\$0					Organization	
Total	\$100,160	\$100,160	5/31/1994	WD	94-16452	\$128,725	NONE	No
			9/9/1949	X	001800000	\$0	NONE	No

PERMITS

<u>Date</u>	<u>Permit #</u>	<u>Permit Amount</u>	<u>Reason</u>
3/25/2013	WO	\$0	Int Insp Request
2/13/2013	16855	\$5,500	Roof

Disclaimer: The information in this web site represents current data from a working file which is updated regularly. Information is believed reliable, but its accuracy cannot be guaranteed. No warranty, expressed or implied, is provided for the data herein or its use.

[Click here to report incorrect data for 3025 HARRISON ST \(Parcel # B0007-29\).](#)

[Click here to pay taxes for 3025 HARRISON ST \(Parcel # B0007-29\).](#)

Davenport City Assessor

Administrative Center ? 600 W. 4th St. ? Davenport, Iowa 52801
 (563) 326-8659 ? www.cityofdavenportiowa.com/assessor/

Scott County Parcel Records


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[\[Assessment Report | Auditor/Treasurer Report | Map \]](#)

Auditor/Treasurer Parcel Ownership/Valuation/Tax Summary

Scott County, Iowa

Parcel ID: B0007-29

Property Location: 3025 HARRISON ST
DAVENPORT, IA

Legal Description:

GRANT'S 2ND SUBD Lot: 024 Block: 002 GRANT'S 2ND SUBD(EXC PT TO CITY)

AddNum / Sect:

Block / Twp: 002

Lot / Rng: 024

Gross Acres: 0

Exempt Acres: N/A

Net Acres: N/A

Deed Holder:

BANFIELD JAMIE
3025 HARRISON ST
DAVENPORT IA 52803

Contract Holder:

Mail To:

Class: R Residential

SubClass:

Transfer Document No.: 2013 -6388

Revenue Stamp: \$148.00

Purchase Price : \$93,000 (Nearest
\$500)

Deed Date: 2/27/2013

Deed Book:

Deed Page:

Contract Date:

Contract Book:

Contract Page:

Taxing District: DAD - DAVENPORT DAVENPORT

School District: DAVENPORT SCHOOL

Misc. District:

	2016 VALUATION		2015 VALUATION		2014 VALUATION	
	Assessed	Taxable Value	Assessed	Taxable Value	Assessed	Taxable Value
Land	\$19,320	-	\$19,320	\$10,747	\$19,320	\$10,768
Buildings	\$0	-	\$0	\$0	\$0	\$0
Dwellings	\$80,840	-	\$80,840	\$44,968	\$79,370	\$44,236
Exempt	\$0	-	\$0	-	\$0	-
Gross Taxable	\$100,160	-	\$100,160	\$55,715	\$98,690	\$55,004
Military	0	-	0	0	0	0
Net Taxable	\$100,160	-	\$100,160	\$55,715	\$98,690	\$55,004
Gross Taxes		-		\$2,193.57		\$2,191.73

Homestead Credit	-	\$0.00	\$0.00
Ag Land Credit	-	\$0.00	\$0.00
Family Farm Credit	-	\$0.00	\$0.00
Business Property Tax Credit	-	\$0.00	\$0.00
Disabled Senior Credit	-	\$0.00	\$0.00
Net Taxes	-	\$2,194.00	\$2,192.00

2014 Property Taxes Due:	Amount	Balance	Paid	Receipt	2013 Property Taxes Due:	Amount	Balance	Paid	Receipt
September 2015	\$1,096	\$0	9/2/2015	<u>706694</u>	September 2014	\$1,079	\$0	9/8/2014	<u>643734</u>
March 2016	\$1,096	\$0	3/9/2016		March 2015	\$1,079	\$0	3/25/2015	

Please allow up to 72 hours for recent tax payments to be reflected.

Disclaimer: The information in this web site represents current data from a working file which is updated regularly. Information is believed reliable, but its accuracy cannot be guaranteed. No warranty, expressed or implied, is provided for the data herein or its use. Special assessment deferrals or deficiencies are not displayed. They must be researched in the Treasurer's Office.

[Click here to report incorrect data for 3025 HARRISON ST \(Parcel # B0007-29\).](#)

[Click here to pay taxes for 3025 HARRISON ST \(Parcel # B0007-29\).](#)

Last Data Upload: 8/2/2016

For questions concerning tax sales, special assessments, or payment of property taxes please contact the

Scott County Treasurer

Administrative Center ? 600 W. 4th St. ? Davenport, Iowa 52801
(563) 326-8670 ? treasurer@scottcountyiowa.com
www.scottcountyiowa.com

For all other questions about information in this record please contact the

Scott County Auditor

Administrative Center ? 600 W. 4th St. ? Davenport, Iowa 52801
(563) 326-8721 ? auditor@scottcountyiowa.com
www.scottcountyiowa.com

Parcel ID: B0007-29

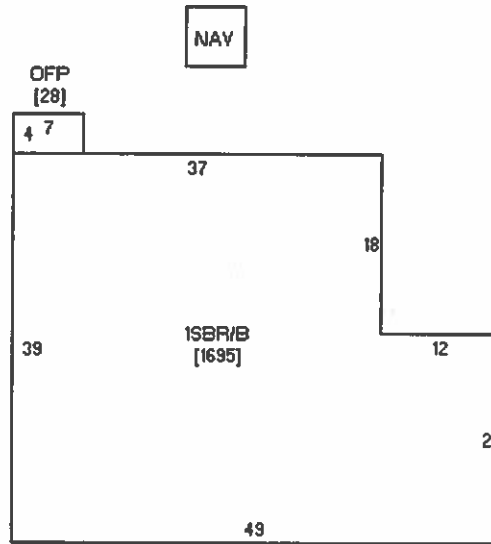
Photo 1



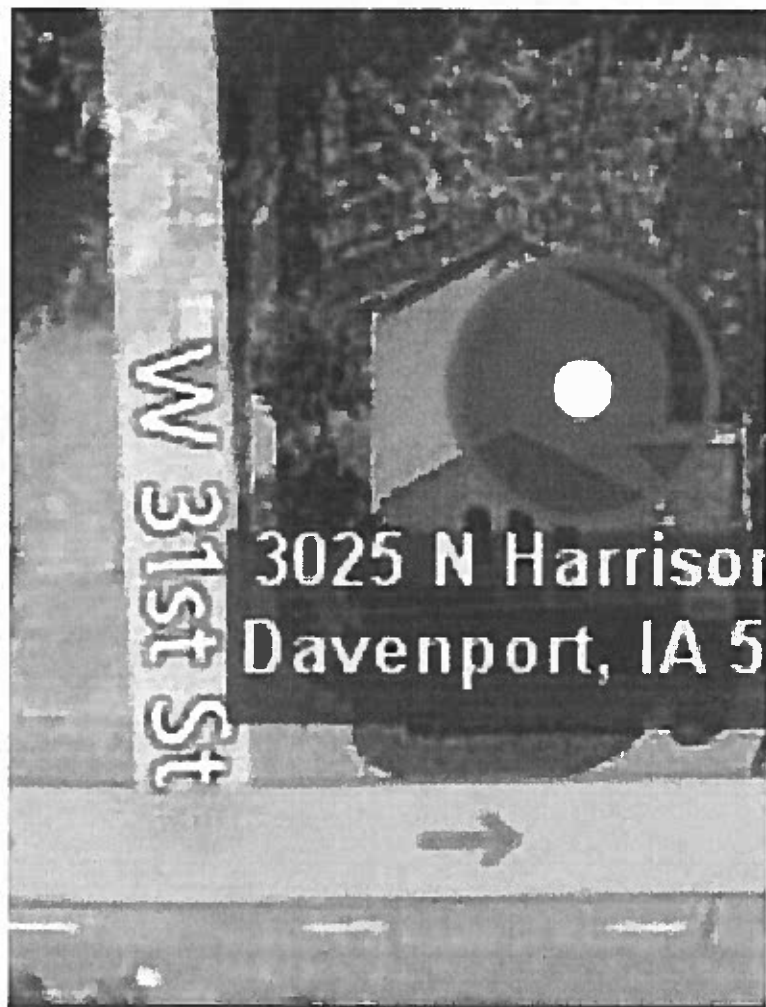
Parcel ID: B0007-29

The data shown on this sketch could be reflective of updated information from a working file.

Sketch 1



Sketch by www.camavision.com



Google Maps 3025 N Harrison St



Imagery ©2016 Google, Map data ©2016 Google 20 ft

REZ16-09 - 3025 Harrison St Adjacent Owner Notice List

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	3025 HARRISON ST	JAMIE BANFIELD	3025 HARRISON ST	DAVENPORT IA 52803
Ward/Ald:	7th Ward	Alderman Matson		27 Notices Sent
B0006-08A	312 W 30TH ST	MEDER SHEILA RAE	3004 HARRISON ST	DAVENPORT IA 52803
B0006-08B	3004 HARRISON ST	SHEILA RAE MEDER	3004 HARRISON ST	DAVENPORT IA 52803
B0006-09	3010 HARRISON ST	JAMI DORNBUSH	3010 HARRISON ST	DAVENPORT IA 52803
B0006-10	3016 HARRISON ST	GRUENWALD LLC	1316 130TH AVE	LOST NATION IA 52254
B0006-11	3020 HARRISON ST	CHARLES J JOHNSON	3020 N HARRISON ST	DAVENPORT IA 52803
B0006-12	305 W 31ST ST	HOLDINGS LLC BRADLEY	PO BOX 945	BETTENDORF IA 52722
B0006-27	3102 HARRISON ST	KIM MILLMAN	7205 CORONADO DR	SAN JOSE CA 95129
B0006-28	3106 HARRISON ST	TERRY L MENDOZA	3106 HARRISON ST	DAVENPORT IA 52803
B0007-11	258 W 31ST ST	PATRICIA S MIROCHA	101 W 46TH ST	DAVENPORT IA 52806
B0007-12	252 W 31ST ST	R & J YADDOD TRUST	852 STONEBRIDGE CR	ELDRIDGE IA 52748
B0007-13	248 W 31ST ST	PATRICIA L DEATON	248 W 31ST ST	DAVENPORT IA 52803
B0007-14	244 W 31ST ST	SHAWN A HELBLE	244 W 31ST ST	DAVENPORT IA 52803
B0007-15	240 W 31ST ST	DM INVESTING LLC	7531 E 2ND ST	SCOTTSDALE AZ 85251
B0007-16	230 W 31ST ST	BEVERLY J BARNES	230 W 31ST ST	DAVENPORT IA 52803
B0007-24	221 W 31ST ST	GREGORY ALES	221 W 31ST ST	DAVENPORT IA 52803
B0007-25	227 W 31ST ST	EDWARD J SABIN	227 W 31ST ST	DAVENPORT IA 52803
B0007-26	3020 MAIN ST	WILLIAM A KLUDY	3020 MAIN ST	DAVENPORT IA 52803
B0007-27	3024 MAIN ST	DOUGLAS B WEAVER	2764 CODY ST	BETTENDORF IA 52722
B0007-28	3028 MAIN ST	PERREAULT SR ARTHUR E	3028 MAIN ST	DAVENPORT IA 52803
B0007-30	3019 HARRISON ST	CHAD W OBERMAN	2519 IOWA ST	DAVENPORT IA 52803
B0007-31	3017 HARRISON ST	RAIRDIN HALE DANIEL K	3017 HARRISON ST	DAVENPORT IA 52803
B0007-32	3011 HARRISON ST	ALAN C ANDERSON FAMILY LP	P O BOX 208	GENESEO IL 61254
B0007-33	3003 HARRISON ST	SISLER JENNIFER	2519 IOWA ST	DAVENPORT IA 52803
B0007-34	246 W 30TH ST	LOUISE M STEIL	112 BOSTON HARBOUR WAY	MADISON AL 35758-6252
B0007-35	240 W 30TH ST	ROGER D PINKAL REVOC TRUST	240 W 30TH ST	DAVENPORT IA 52803
B0007-36	234 W 30TH ST	TERRY E FENN	234 W 30TH ST	DAVENPORT IA 52803
B0007-37	228 W 30TH ST	MELISSA M KRAMER	1633 SHADY GLN	DAVENPORT IA 52807

REZ16-09 Protest Calculation

PARCEL	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS	PROPERTY OWNER(S)	OWNER ADDRESS	OWNER CSZ
B0006-08A	2534.67	1.3%		0.0%	312 W 30TH ST	SHEILA RAE MEDER	3004 HARRISON ST	DAVENPORT IA 52803
B0006-08B	4683.80	2.4%		0.0%	3004 HARRISON ST	SHEILA RAE MEDER	3004 HARRISON ST	DAVENPORT IA 52803
B0006-09	5922.52	3.0%		0.0%	3010 HARRISON ST	JAMI DORNBUSH	3010 HARRISON ST	DAVENPORT IA 52803
B0006-10	6044.72	3.1%		0.0%	3016 HARRISON ST	GRUENWALD LLC	C/O GINA M JOHNSON	PHOENIX AZ 85086
B0006-11	6045.88	3.1%		0.0%	3020 HARRISON ST	CHARLES J JOHNSON	3020 N HARRISON ST	DAVENPORT IA 52803
B0006-12	5974.23	3.0%		0.0%	305 W 31ST ST	BRADLEY HOLDINGS LLC	PO BOX 945	BETTENDORF IA 52722
B0006-27	3680.31	1.9%		0.0%	3102 HARRISON ST	KIM MILLMAN	7205 CORONADO DR	SAN JOSE CA 95129
B0006-28	560.64	0.3%		0.0%	3106 HARRISON ST	TERRY L & MICHELLE R MENDOZA	3106 HARRISON ST	DAVENPORT IA 52803
B0007-11	5804.46	3.0%		0.0%	258 W 31ST ST	PATRICIA S MIROCHA	101 W 46TH ST	DAVENPORT IA 52806
B0007-12	6448.36	3.3%		0.0%	252 W 31ST ST	R & J YADDOF TRUST	852 STONEBRIDGE CR	ELDRIDGE IA 52748
B0007-13	6440.84	3.3%		0.0%	248 W 31ST ST	PATRICIA L DEATON	248 W 31ST ST	DAVENPORT IA 52803
B0007-14	6214.18	3.2%		0.0%	244 W 31ST ST	SHAWN A HELBLE & KATIE M CASSATT	244 W 31ST ST	DAVENPORT IA 52803
B0007-15	5788.16	2.9%		0.0%	240 W 31ST ST	DM INVESTING LLC	7531 E 2ND ST	SCOTTSDALE AZ 85251
B0007-16	1109.34	0.6%		0.0%	230 W 31ST ST	BEVERLY J BARNES	230 W 31ST ST	DAVENPORT IA 52803
B0007-24	50.78	0.0%		0.0%	221 W 31ST ST	GREGORY ALES	221 W 31ST ST	DAVENPORT IA 52803
B0007-25	5477.86	2.8%		0.0%	227 W 31ST ST	EDWARD J SABIN	227 W 31ST ST	DAVENPORT IA 52803
B0007-26	5085.14	2.6%		0.0%	3020 MAIN ST	WILLIAM A KLUDY	3020 MAIN ST	DAVENPORT IA 52803
B0007-27	5106.40	2.6%		0.0%	3024 MAIN ST	DOUGLAS B WEAVER	2764 CODY ST	BETTENDORF IA 52722
B0007-28	4067.61	2.1%		0.0%	3028 MAIN ST	ARTHUR E SR & PAULINE E PERREAUL	3028 MAIN ST	DAVENPORT IA 52803
B0007-30	4690.97	2.4%		0.0%	3019 HARRISON ST	CHAD W OBERMAN	2519 IOWA ST	DAVENPORT IA 52803
B0007-31	4691.22	2.4%		0.0%	3017 HARRISON ST	DANIEL K & JESSICA L RAIDIN HALE	3017 HARRISON ST	DAVENPORT IA 52803
B0007-32	9553.30	4.9%		0.0%	3011 HARRISON ST	ALAN C ANDERSON FAMILY LP	P O BOX 208	GENESEO IL 61254
B0007-33	2286.27	1.2%		0.0%	3003 HARRISON ST	JENNIFER SISLER	2519 IOWA ST	DAVENPORT IA 52803
B0007-34	1792.16	0.9%		0.0%	246 W 30TH ST	LOUISE M STEIL	112 BOSTON HARBOUR WA	MADISON AL 35758
B0007-35	4390.79	2.2%		0.0%	240 W 30TH ST	ROGER D PINKAL REVOC TRUST	240 W 30TH ST	DAVENPORT IA 52803
B0007-36	3671.76	1.9%	YES	1.9%	234 W 30TH ST	TERRY E & DOROTHY M FENN	234 W 30TH ST	DAVENPORT IA 52803
B0007-37	221.99	0.1%		0.0%	228 W 30TH ST	MELISSA M KRAMER	1633 SHADY GLN	DAVENPORT IA 52807

PARCELS 118,338.4 60.2%

ROW 78,084.6 39.8%

Alderman: Matson - 7th Ward

TOTAL
NOTICE AREA 196,423.0 100% **1.9% PROTEST RATE**

Protests: 1

Properties: 27

City of Davenport

Agenda Group: Community Development
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 3

Action / Date
CD10/5/2016

Subject:

Resolution approving Case No. F16-09 being the final plat of Continental Lofts Addition being a replat of the resurvey of the south ½ of block 2 of A & G C Churchill's Addition located north of River Drive between Carey and Oneida Avenues (1034 East River Drive) containing three lots. The plat contains 1.44 acres, more or less, and splits the former Wonder Bread Bakery facility to facilitate residential development financing. [Ward 3]

Recommendation:

Findings:

The plat conforms to the Comprehensive plan regarding mixed use developments/neighborhoods.

The plat facilitates reuse of vacant industrial property.

The Plan and Zoning Commission accepts the findings and forwards Case No. F16-09 to the City Council for approval subject to the following conditions:

1. That the surveyor signs the plat.
2. That the utility companies sign the plat when their easement needs have been met and that all easements are shown on the plat and labeled as to their use.
3. That utility company signature boxes are added to the plat.
4. That the various unrequired signature (platting certificates) boxes are removed from the plat.
5. That the survey monuments "with description" are shown. Examples: SE corner of Lot x, Sally Joe's xx Addition or NW corner of SW ¼ of Section y.
6. That the plat be tied to two quarter corners or two previously established lot corners are shown and "labeled with description". Examples: SE corner of Lot x, Sally Joe's xx Addition or NW corner of SW ¼ of Section y.
7. That the front building setback lines are added as required.
8. That the developer work with the City Development Engineer to resolve the discrepancy of the lot line configuration at the corner of Carey Avenue and River Drive. The surveyor needs correct the plat or show evidence that the plat is correct.
9. That the name and address of the owner/developer are shown on the plat.
10. That parcel A, B and C be changed to Lot 1, 2 and 3.

The Commission voted to approve with 8-yes, 1-no and 0-abstentions.

Relationship to Goals:

Grow Tax Base

Urban Revitalization

Background:

The plat is proposed to facilitate residential redevelopment of this former industrial site into residential.

Please refer to the Commission's letter and background materials for further information.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	F16-09 Resolution
▣ Backup Material	F16-09 Background

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	9/29/2016 - 1:07 PM
Community Development Committee	Berger, Bruce	Approved	9/29/2016 - 1:07 PM
City Clerk	Admin, Default	Approved	9/29/2016 - 1:08 PM

Resolution No. _____

Resolution offered by

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving Case No. F16-09 being the final plat of Continental Lofts Addition being a replat of The Resurvey of the South ½ of Block 2 of A & G C Churchill's Addition located north of River Drive between Carey and Oneida Avenues (1034 East River Drive) containing three lots. The plat contains 1.44 acre, more or less, and splits the former Wonder Bread Bakery facility to facilitate residential development financing. [3rd Ward]

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the final plat of Continental Lofts Addition to the City of Davenport, Iowa, be the same and is hereby approved and accepted subject to all the conditions as stated in the Commission's letter dated August 16, 2016 and as follows:

1. That the surveyor signs the plat.
2. That the utility companies sign the plat when their easement needs have been met and that all easements are shown on the plat and labeled as to their use.
3. That utility company signature boxes are added to the plat.
4. That the various unrequired signature (platting certificates) boxes are removed from the plat.
5. That the survey monuments "with description" are shown. Examples: SE corner of Lot x, Sally Joe's xx Addition or NW corner of SW ¼ of Section y.
6. That the plat be tied to two quarter corners or two previously established lot corners are shown and "labeled with description". Examples: SE corner of Lot x, Sally Joe's xx Addition or NW corner of SW ¼ of Section y.
7. That the front building setback lines are added as required.
8. That the developer work with the City Development Engineer to resolve the discrepancy of the lot line configuration at the corner of Carey Avenue and River Drive. The surveyor needs to correct the plat or show evidence that the plat is correct.
9. That the name and address of the owner/developer are shown on the plat.
10. That parcel A, B and C be changed to Lot 1, 2 and 3

and the Mayor and City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution upon said plat as required by law.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to record the attached waiver of assessment.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, City Clerk

August 18, 2016

226 West Fourth Street • Davenport, Iowa 52801
Telephone: 563-326-7711 TDD: 563-326-6145
www.cityofdavenportiowa.com

Honorable Mayor and City Council
226 W 4th Street
Davenport Iowa 52801

Honorable Mayor and City Council:

At its regular meeting of August 16, 2016, the City Plan and Zoning Commission considered Case No. F16-09 being the final plat of Continental Lofts LLC being a replat of The Resurvey of the South ½ of Block 2 of A & G C Churchill's Addition located north of River Drive between Carey and Oneida Avenues (1034 East River Drive) containing three lots. The plat contains 1.44 acre, more or less, and splits the former Wonder Bread Bakery facility to facilitate residential development financing.

Findings:

- The plat conforms to the Comprehensive plan regarding mixed use developments/neighborhoods.
- The plat facilitates reuse of vacant industrial property.

The Plan and Zoning Commission accept the findings and forward Case No. F16-09 to the City Council for approval subject to the following conditions:.

1. That the surveyor signs the plat.
2. That the utility companies sign the plat when their easement needs have been met and that all easements are shown on the plat and labeled as to their use.
3. That utility company signature boxes are added to the plat.
4. That the various unrequired signature (platting certificates) boxes are removed from the plat.
5. That the survey monuments "with description" are shown. Examples: SE corner of Lot x, Sally Joe's xx Addition or NW corner of SW ¼ of Section y.
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7. That the front building setback lines are added as required.
8. That the developer work with the City Development Engineer to resolve the discrepancy of the lot line configuration at the corner of Carey Avenue and River Drive. The surveyor needs correct the plat or show evidence that the plat is correct.
9. That the name and address of the owner/developer are shown on the plat.
10. That parcel A, B and C be changed to Lot 1, 2 and 3.

Respectfully,



Robert Ingram, Chairperson
City Plan & Zoning Commission



		APPROVED	APPROVED	APPROVED	APPROVED				
Name:	Roll Call	ROW16-03 Mark Barnes 2151 Kirkwood	REZ16-07 Juan Goitia 1002 Bridge	F16-08 Davenport Industrial Park 4th	F16-09 Continental Lofts LLC				
Connell	P	Y	Y	Y	Y				
Hepner	P	Y	Y	Y	Y				
Inghram	P								
Kelling	P	Y	Y	Y	Y				
Lammers	P	Y	Y	Y	Y				
Maness	P	Y	Y	Y	Y				
Martinez	P	Y	Y	Y	Y				
Medd	Ex								
Quinn	P	Y	Y	Y	Y				
Reinartz	P	Y	Y	Y	N				
Tallman	P	Y	Y	Y	Y				
		9-YES 0-NO 0-ABSTAIN	9-YES 0-NO 0-ABSTAIN	9-YES 0-NO 0-ABSTAIN	8-YES 1-NO 0-ABSTAIN				



City of Davenport
Community Planning & Economic Development Department
STAFF REPORT

Meeting Date: August 16, 2016
Request: Final Plat Continental Lofts LLC
Address: 1034 E River Drive
Case No.: F16-09
Applicant: Continental Lofts LLC

Recommendation:

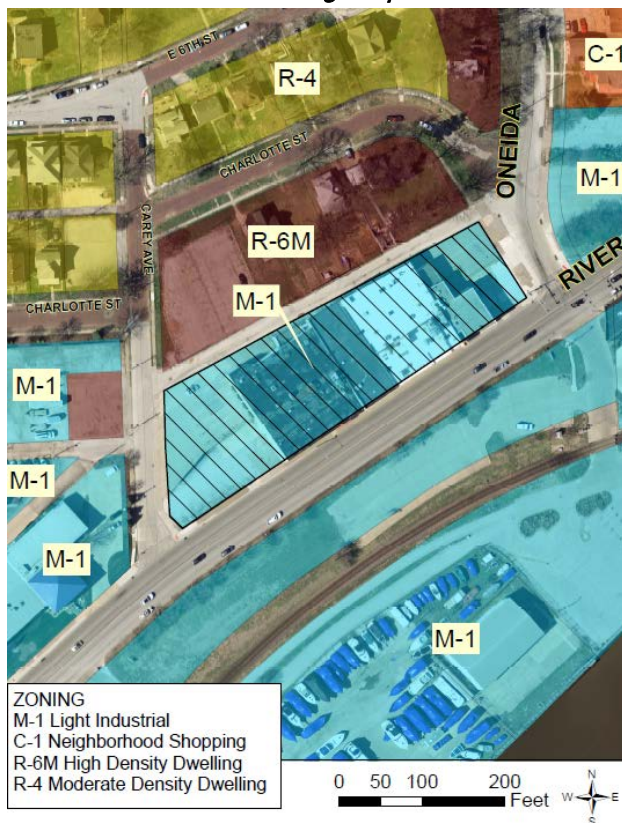
Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. F16-09 to the City Council for approval subject to the listed conditions.

Introduction:

Petition of Continental Lofts LLC for approval of a three (3) lot final plat located at 1034 East River Drive. The plat contains 1.44 acre, more or less, and splits the former Wonder Bread Bakery facility to facilitate residential development. The plat is proposed to separate out that portion of the building(s) where redevelopment is federally funded from other portions of the building(s).

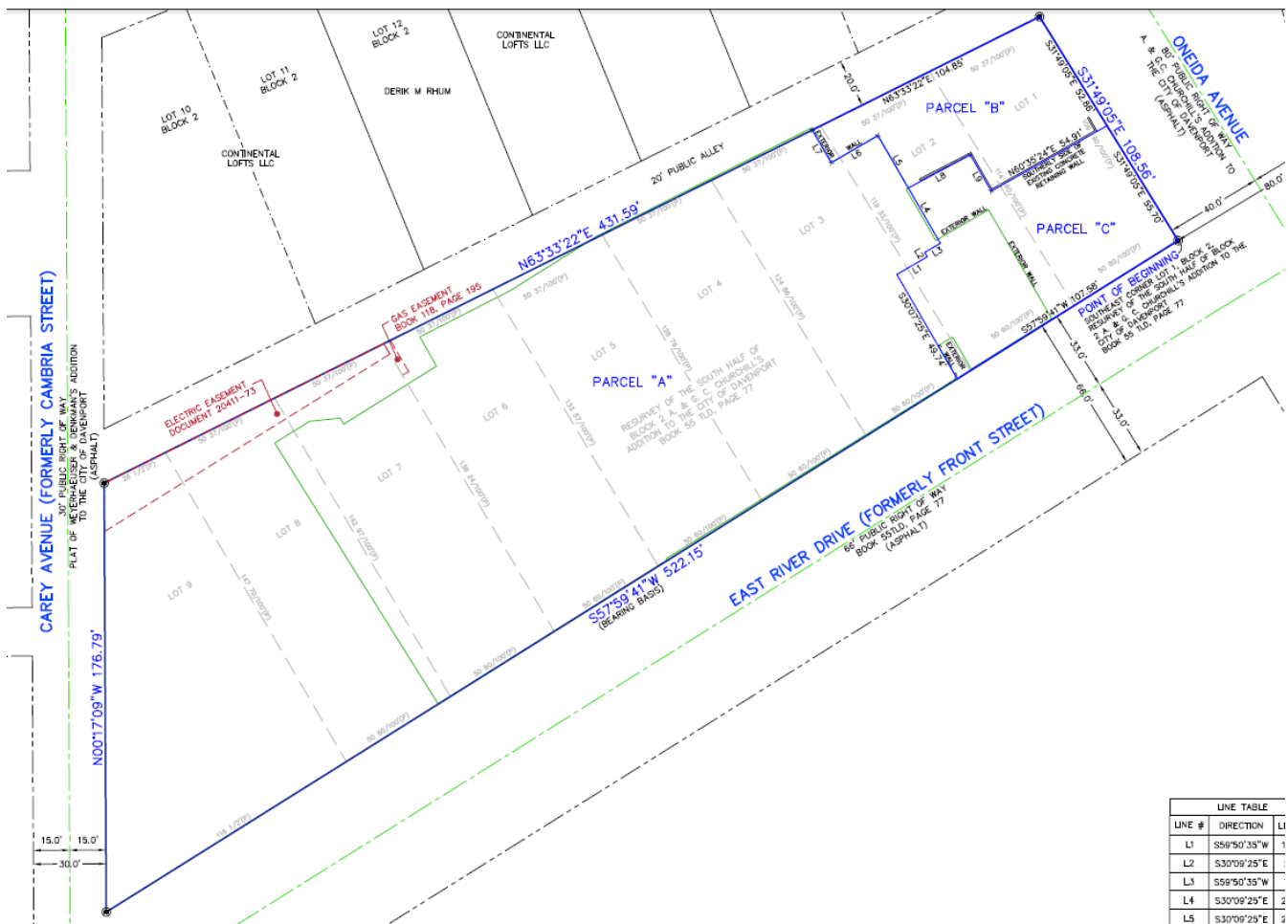
AREA CHARACTERISTICS:

Zoning Map



Land Use Map





Background:

Comprehensive Plan:

Within Urban Service Boundary 2025 & +2035: Yes

Proposed Land Use Designation:

Industrial (I) designates industrial uses including research, assembly/fabrication, warehousing, storage, and associated commercial/office uses.

Relevant Goals to be considered in this Case:

Strengthen the existing built environment – *Reduce the number of underoccupied, abandoned, or vacant buildings/properties through adaptive reuse and infill.*

Zoning:

The area of the plat is zoned M-1 Light Industrial District.

Technical Review:

Streets. The subject property is located along the north side of River Drive between Carey and Oneida Avenues.

Storm Water. Stormwater infrastructure is located in River Drive, westerly portion, and Oneida Avenue.

Sanitary Sewer. Sanitary sewer service is located in River Drive, Oneida Avenue and the alley to the north.

Other Utilities. – As per Iowa American Water Company the existing water services going into the old Wonder Bread plant will have to be abandoned and a new service for each lot will have to be tapped with a curb stop and run into the building for the use of each individual unit with separate meters. This is an urban area and normal utility services are available.

Emergency Services. The property is located just over one (1) mile from both the Central Station located at 331 Scott Street and Fire Station No. 4, which is located at 1805 East Locust Street.

Parks/Open Space. The proposed rezoning does not impact any existing or planned parks or public open spaces.

Public Input:

No public hearing is required for a Preliminary or Final Plat.

Discussion:

The plat is proposed to facilitate residential redevelopment of this former industrial site. The developer will need to work with Iowa American Water Company regarding the existing water services which will need to be abandoned; and a new service for each lot will have to be tapped with a curb stop and run into the building for the use of each individual unit with separate meters.

There are several technical items that will need some correction or modification on the plat that were concerns of the City's Public Works Department. These are also listed as conditions: the surveyor will need to sign the plat; the utility companies will need to sign the plat when their easement needs have been met (no easements are shown at this time) and the developer will need to work through some concerns with the water company; utility signature boxes need to be added to the plat and that the various platting certificate signature boxes are removed from the plat (these are separate documents to be recorded with the plat); survey monuments "with description" are shown (examples: SE corner of Lot x, Sally Joe's xx Addition or NW corner of SW ¼ of Section YY); the plat needs to be tied to two (2) quarter corners or two (2) previously established lot corners and "labeled with description" (examples: SE corner of Lot x, Sally Joe's xx Addition or NW corner of SW ¼ of Section YY); the front building setback lines are added as required; the City's GIS does indicate a different lot line configuration at the corner of Carey Avenue and River Drive and the surveyor needs to either correct the plat or show evidence that the plat is correct; and the name and address of the owner/developer are shown on the plat.

Staff Recommendation:

Findings:

- The plat conforms to the Comprehensive plan regarding mixed use developments/neighborhoods.
- The plat facilitates reuse of vacant industrial property.

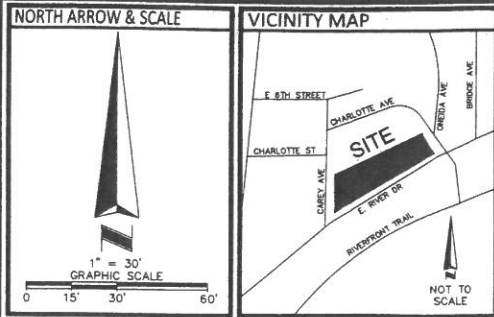
Staff recommends the Plan and Zoning Commission accept the findings and forward Case No. F16-09 to the City Council for approval subject to the following conditions:.

1. That the surveyor signs the plat.
2. That the utility companies sign the plat when their easement needs have been met and that all easements are shown on the plat and labeled as to their use.
3. That utility company signature boxes are added to the plat.
4. That the various unrequired signature (platting certificates) boxes are removed from the plat.

5. That the survey monuments "with description" are shown. Examples: SE corner of Lot x, Sally Joe's xx Addition or NW corner of SW $\frac{1}{4}$ of Section y.
6. That the plat be tied to two quarter corners or two previously established lot corners are shown and "labeled with description". Examples: SE corner of Lot x, Sally Joe's xx Addition or NW corner of SW $\frac{1}{4}$ of Section y.
7. That the front building setback lines are added as required.
8. That the developer work with the City Development Engineer to resolve the discrepancy of the lot line configuration at the corner of Carey Avenue and River Drive. The surveyor needs correct the plat or show evidence that the plat is correct.
9. That the name and address of the owner/developer are shown on the plat.
10. That parcel A, B and C be changed to Lot 1, 2 and 3.

Prepared by:

Wayne Wille, CFM
Planner II
Community Planning Division



OWNER - DEVELOPER
CONTINENTAL LOFTS LLC
2660 E 53RD STREET
DAVENPORT, IA

FINAL PLAT OF CONTINENTAL LOFTS ADDITION
AN ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA.
BEING PART OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 78 NORTH,
RANGE 3 EAST OF THE 5TH P.M. AND BEING A REPLAT OF LOTS 1 THROUGH 9,
INCLUSIVE, OF THE RESURVEY OF THE SOUTH HALF OF BLOCK 2 IN A. & G. C.
CHURCHILL'S ADDITION TO THE CITY OF DAVENPORT, IOWA

SHEET 1
OF 1

STEVEN J. HYDE 3191 MAGUIRE BOULEVARD, SUITE 200, ORLANDO, FLORIDA
32803 (407) 426-7979

FINAL PLAT CERTIFICATE

I, STEVEN J. HYDE, OF AMERICAN SURVEYING AND MAPPING, INC., HEREBY
CERTIFY THAT I AM A LICENSED LAND SURVEYOR, LICENSED IN COMPLIANCE
WITH THE LAWS OF THE STATE OF IOWA, THAT THIS PLAT OF FINAL PLAT OF
CONTINENTAL LOFTS ADDITION, CORRECTLY REPRESENTS A SURVEY
COMPLETED BY ME ON JULY 21, 2016, THAT ALL THE MONUMENTS AND PINS
SHOWN THEREON EXIST AS REQUIRED BY THE CODE OF IOWA AND THAT
THEIR LOCATION, SIZE, TYPE AND MATERIALS ARE ACCURATELY SHOWN; AND
THAT THE CORRECT LEGAL DESCRIPTION OF SAID ADDITION IS AS FOLLOWS:

BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP
78 NORTH, RANGE 3 EAST OF THE 5TH P.M. AND BEING A REPLAT OF LOTS
1 THROUGH 9, INCLUSIVE, OF THE RESURVEY OF THE SOUTH HALF OF BLOCK
2 IN A. & G. C. CHURCHILL'S ADDITION TO THE CITY OF DAVENPORT, IOWA,
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 1 OF RESURVEY OF THE SOUTH
HALF OF BLOCK 2 IN A. & G. C. CHURCHILL'S ADDITION TO THE CITY OF
DAVENPORT, IOWA, SAID POINT BEING AT THE INTERSECTION OF THE
WESTERLY RIGHT OF WAY LINE ONEIDA AVENUE (AN 80' WIDE PUBLIC
RIGHT OF WAY) AND THE NORTHERLY RIGHT OF WAY LINE OF EAST RIVER
DRIVE (FORMERLY FRONT STREET, A 66' WIDE PUBLIC RIGHT OF WAY);

THENCE S57°59'41"W, ALONG SAID NORTHERLY RIGHT OF WAY LINE OF EAST
RIVER DRIVE AND SOUTHERLY LINE OF SAID LOTS 1 THROUGH 9, INCLUSIVE, A
DISTANCE OF 522.15 FEET TO THE INTERSECTION OF SAID NORTHERLY RIGHT
OF WAY LINE OF EAST RIVER DRIVE AND THE EASTERLY RIGHT OF WAY LINE
OF CAREY AVENUE (FORMERLY CAMBRIA STREET, A 30' WIDE PUBLIC RIGHT
OF WAY), SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 9 OF
AFORSAID RESURVEY OF THE SOUTH HALF OF BLOCK 2 IN A. & G. C.
CHURCHILL'S ADDITION TO THE CITY OF DAVENPORT, IOWA;

THENCE N80°17'09"W, ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID
CAREY AVENUE AND WEST LINE OF SAID LOT 9, A DISTANCE OF 176.79 FEET
TO THE INTERSECTION OF SAID EASTERLY RIGHT OF WAY LINE OF CAREY
AVENUE AND THE SOUTHERLY RIGHT OF WAY LINE OF A 20' PUBLIC ALLEY,
SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 9;

THENCE N63°33'22"E, ALONG THE SOUTHERLY LINE OF SAID 20' ALLEY AND
THE NORTHERLY LINE OF AFORESAID LOTS 1 THROUGH 9, INCLUSIVE, A
DISTANCE OF 431.59 FEET TO THE INTERSECTION OF THE SOUTHERLY LINE OF
SAID 20' ALLEY AND WESTERLY RIGHT OF WAY LINE OF AFORESAID ONEIDA
AVENUE, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID LOT 1;

THENCE S31°49'05"E, ALONG SAID WESTERLY RIGHT OF WAY LINE OF ONEIDA
AVENUE AND THE EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 108.55
FEET TO THE POINT OF BEGINNING.

CONTAINING 82,585 SQUARE FEET OR 1.437 ACRES, MORE OR LESS.

BEARINGS STATED HEREIN ARE BASED ON THE SOUTHERLY RIGHT OF WAY
LINE OF EAST RIVER DRIVE AS BEING S57°59'41"W, AN ASSUMED BEARING.

FOR THE FIRM OF: AMERICAN SURVEYING AND MAPPING, INC.

BY: 
STEVEN J. HYDE
IOWA LICENSE NUMBER 21635
PROFESSIONAL LAND SURVEYOR NO: 21635
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2016
THIS DOCUMENT SHOULD BE CONSIDERED INVALID WITHOUT
A LICENSED SURVEYOR'S SIGNATURE AND SEAL.

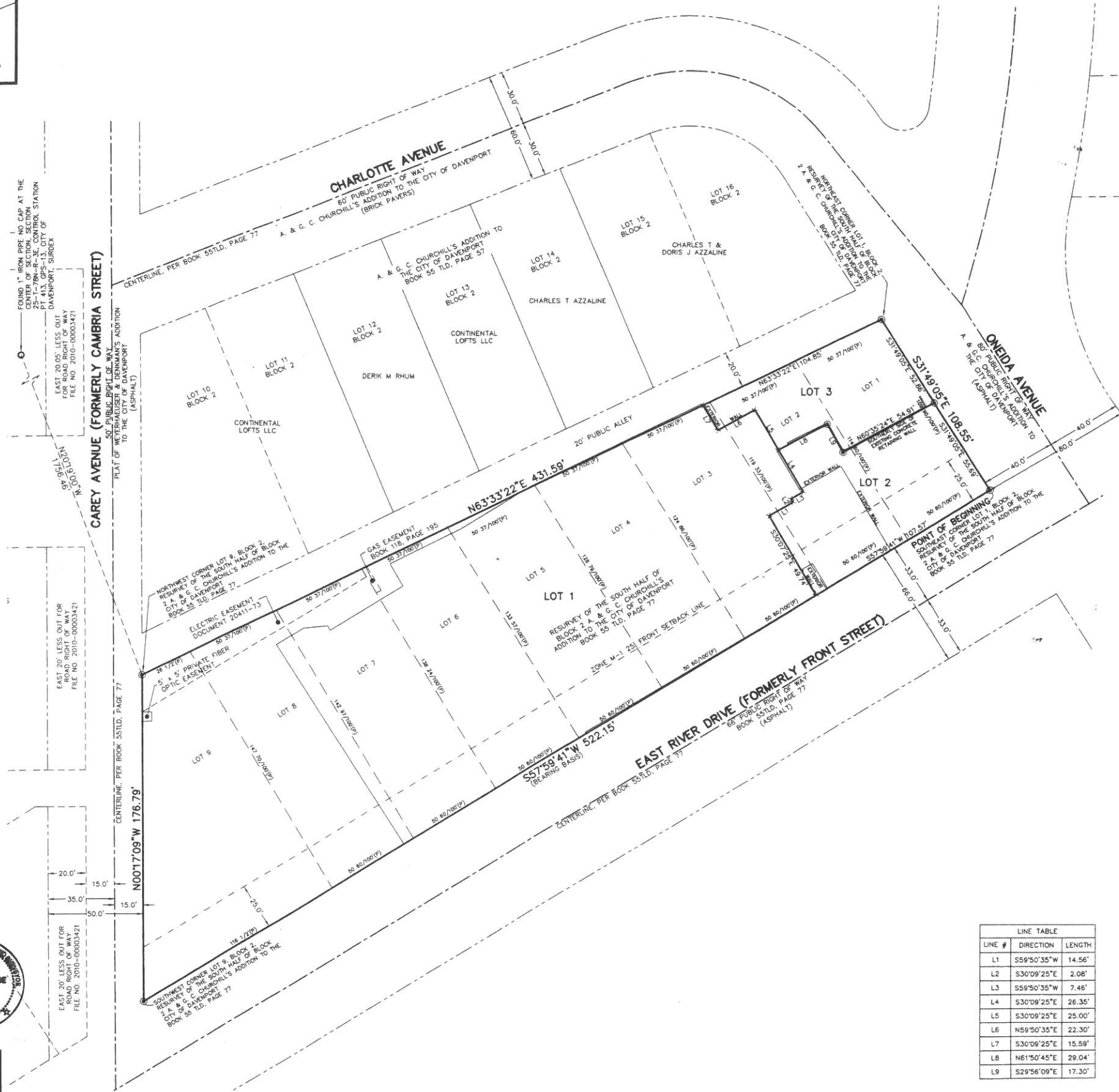
9/21/16
DATE



PREPARED BY/RETURN TO:



* UNABLE TO SET CORNER, IN/ON WALL,
BUILDING WALL OR INSIDE BUILDING
© SET NAIL & DISK "IOWA PLS 21635"
(P) PLAT/BOOK 55 TLD, PAGE 77



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S59°50'35"W	14.56'
L2	S30°09'25"E	2.08'
L3	S59°50'35"W	7.46'
L4	S30°09'25"E	26.35'
L5	S30°09'25"E	25.00'
L6	N59°50'35"E	22.30'
L7	S30°09'25"E	15.59'
L8	N61°50'45"E	29.04'
L9	S29°56'09"E	17.30'

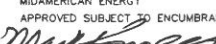
APPROVED BY:
CITY OF DAVENPORT, IOWA
BY: _____
FRANK KLIPSCH, MAYOR
DATE: _____ ATTEST: _____

CITY PLAN & ZONE COMMISSION
BY: _____ DATE: _____
ROBERT INGRAM

MEDIACOM  DATE: 9/22/16

IOWA-AMERICAN WATER CO.  DATE: 9-22-16

CENTURY LINK  DATE: 9/22/16

MIDAMERICAN ENERGY
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD BY MIDAMERICAN
 DATE: 9/22/16

City of Davenport

Agenda Group: Community Development
Department: Community Planning and Economic Development
Contact Info: Matt Flynn, 326-7743
Wards: 8 (Future)

Action / Date
CD10/5/2016

Subject:

Resolution approving Case No's. ANX16-02, ANX16-03, and ANX16-04, the annexation of 106.57 acres, more or less, of territory located west of North Division Street and South of Slopertown Road. (Curtis Living Trust, Keppy Farms/Greater Davenport Redevelopment Corporation, City of Davenport, petitioners). [Ward 8 as expanded]

Recommendation:

Staff recommends adoption of the resolution.

Relationship to Goals:

Economic Development

Background:

These properties are located in an area slated for future expansion of the Eastern Iowa Industrial Center. While no development is anticipated at this time; annexation now will facilitate future development by eliminating one necessary step. Additional immediate impacts on municipal services will be minimal.

This property is zoned agricultural by Scott County and will need to be rezoned to M-1, Light Industrial, upon annexation to the City. Also included in this annexation is a portion of the railroad spur that is owned by the City of Davenport.

Pursuant to the Iowa Code, staff sent notice of the annexation petition to Scott County, Sheridan Township, the City of Eldridge, and all utility providers via Certified Mail. No return correspondence has been received. Assuming Council approves the annexation, an application for annexation will be submitted to the State of Iowa City Development Board for its consideration, likely at its November 9, 2016 meeting.

Finally, the proposed annexation is located within the future annexation limits of the City as depicted on the *Davenport +2035 Future Land Use Map*. Therefore, staff believes that the proposed annexation is a logical extension of the corporate limits of the City and should have no adverse impact on the provision of municipal services.

Public Input:

No public input is solicited for this type of request, as this is a one hundred percent voluntary annexation.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
□ Resolution Letter	Resolution ANX16-02,03,04

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	9/29/2016 - 1:17 PM
Community Development Committee	Berger, Bruce	Approved	9/29/2016 - 1:17 PM
City Clerk	Admin, Default	Approved	9/29/2016 - 1:19 PM

Resolution No. _____

Resolution offered by

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving Case No's. ANX16-02, ANX16-03, and ANX16-04, the annexation of 106.57 acres, more or less, of territory located west of North Division Street and South of Slopertown Road. (Curtis Living Trust, Keppy Farms/Greater Davenport Redevelopment Corporation, City of Davenport, petitioners). [Ward 8 as expanded].

WHEREAS, petitions for annexation have been submitted to the City of Davenport consisting of the following properties legally described as follows:

1. Curtis Tract: The SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 28, Township 79 North Range 3 East of the 5th Principal Meridian, Scott County, Iowa

2. Keppy/GDRC Tracts:

Property Owner (1): Greater Davenport Redevelopment Corporation

Parcel No. 93273301:

The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27 Township 70 North Range 3 East of the 5th Principal Meridian and that part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 27 located south of the center line of Slopertown Road, Scott County, Iowa; EXCEPTING THEREFROM the northern 250 feet of said parcel.

Property Owners (2) and (3): Chad R. Keppy, Neal C. Keppy and Erika Keppy; and Keppy Family Trust dated 11/1/2004

Parcel No. 932735003 and 932735004:

The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27 Township 79 Range 3 East of the 5th Principal Meridian; EXCEPTING THEREFROM the northern 250 feet of said parcel.

3. Railroad Right-of-Way Tract:

Parcel No. W2801-02 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 18, 2011 as Document 2011-1922, and Parcel No. 932839005 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 18, 2011 as Document 2011-1922.

These parcels are legally described as follows:

Part of the Southeast Quarter of Section 28 and the Southwest Quarter of Section 27, Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: A variable width right-of-way, the centerline of which is divided into equal stations of 100.00 feet in length; said centerline is described as follows: Commencing at the West Quarter Corner of said Section 27; thence South 02 degrees 09 minutes 53 seconds East 2.85 feet on the west line of the Southwest Quarter of said Section 27; thence North 87 degrees 50 minutes 11 seconds East 0.60 feet to the east line of described right-of-way line of Slopertown Road; thence on said southerly line and the arc of a 1943.00 foot radius curve, concave northeasterly 25.98 feet, with a chord bearing and distance of North 81 degrees 38 minutes 28 seconds East 25.98 feet to the

point of beginning; said point being centerline Station 219+36.05; thence South 02 degrees 09 minutes 49 seconds East on said centerline 2660.95 feet to the intersection with the south line of the Southeast Quarter of said Section 28 and there terminating a centerline Station 245+96.97. The east line of the proposed right-of-way line is 25.00 feet easterly of a parallel with the aforesaid centerline, bounded on the north by the southerly right-of-way line of Slopertown Road at 25.00 feet left of Station 219+40.80 and runs southerly to Station 239+99.14; thence said right-of-way widens to 35 feet easterly of and parallel with said centerline to Station 245+97.37 at the intersection with the south line of the Southwest Quarter of said Section 27; and there terminating. The west line of the proposed right-of-way is 25.00 feet westerly of and parallel with said centerline, bounded on the north by the southerly right-of-way line of Slopertown Road at 25.00 feet right of Station 219+31.09 and runs southerly to Station 221+49.11; thence said right-of-way line widens to 45.00 feet westerly of and parallel with said centerline to Station 237+99.52; thence said right-of-way line narrows to 25.00 feet westerly of and parallel with said centerline to Station 239+9.14; thence said right-of-way line widens to 35.00 feet westerly of and parallel with said centerline to Station 245+96.56 at the intersection with the south line of the Southeast Quarter of said Section 28, and there terminating. EXCEPT THEREFROM the northerly 217 feet and that portion located in the SW ¼ of the SE ¼ Section 27 and the SE ¼ of the SE ¼ of Section 28 both in Township 79 North

Total area to be annexed equals 106.57 acres, more or less.

WHEREAS, the City desires to annex this territory to the City's corporate limits in order to accommodate future development; and

WHEREAS, Section 368.7 of the Code of Iowa provides for the voluntary annexation of territory adjoining the incorporated area of a municipality; and

WHEREAS, pursuant to the Code of Iowa, the City mailed notice of the application via certified mail, at least fourteen business days prior to the anticipated action of the city council on the application, to the council of each city whose boundary adjoins the territory or is within two miles of the territory (in this case the City of Eldridge), to the board of supervisors of each county which contains a portion of the territory (in this case Scott County), each affected public utility (in this case CenturyLink, Iowa-American Water, REC Eastern Iowa, MediaCom, and MidAmerican Energy Company), and to the regional planning authority of the territory (in this case the Bi-State Regional Commission); and further, notice of the application was published in an official county newspaper in each county which contains a portion of the territory (in this case the Quad City Times).

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa, that the petition for annexation of the area shown on the attached map and legally described above, and the same is hereby approved, and the Mayor and City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution as required by law.

BE IT FURTHER RESOLVED, that City staff is directed to provide appropriate documentation of this action for review and approval by the City Development Board of the State of Iowa, and that the City Clerk be and is hereby authorized and directed to file a certified copy of this resolution and attachments with the Scott County Recorder, and the Iowa Secretary of State.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, City Clerk



NOTICE OF PROPOSED ANNEXATION OF TERRITORY TO THE CITY OF DAVENPORT

Dear Interested Parties:

There are on file with the City of Davenport, Department of Community Planning and Economic Development, petitions to annex three tracts to the City of Davenport, legally described as follows:

1. Curtis Tract: The SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, Township 79 North Range 3 East of the 5th Principal Meridian, Scott County, Iowa
2. Keppy/GDRC Tracts:

Property Owner (1): Greater Davenport Redevelopment Corporation

Parcel No. 93273301:

The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27 Township 70 North Range 3 East of the 5th Principal Meridian and that part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 27 located south of the center line of Slopertown Road, Scott County, Iowa; EXCEPTING THEREFROM the northern 250 feet of said parcel.

Property Owners (2) and (3): Chad R. Keppy, Neal C. Keppy and Erika Keppy; and Keppy Family Trust dated 11/1/2004

Parcel No. 932735003 and 932735004:

The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27 Township 79 Range 3 East of the 5th Principal Meridian; EXCEPTING THEREFROM the northern 250 feet of said parcel.

3. Railroad Right-of-Way Tract:

Parcel No. W2801-02 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 18, 2011 as Document 2011-1922.

and

Parcel No. 932839005 described in the Warranty Deed filed for record with the Office of the Recorder of Scott County on January 18, 2011 as Document 2011-1922.

These parcels are legally described as follows:

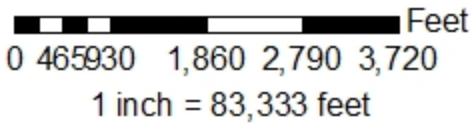
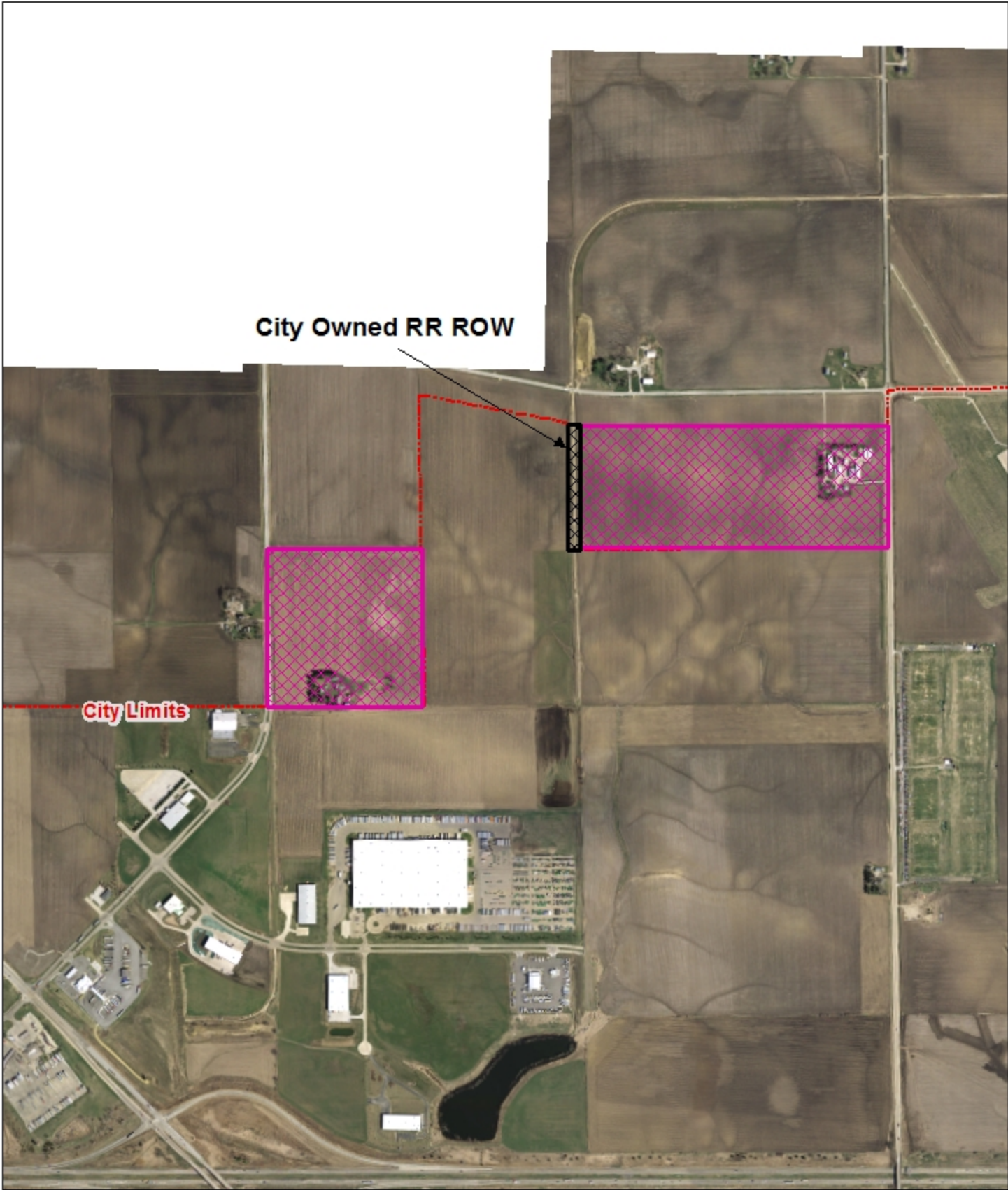
Part of the Southeast Quarter of Section 28 and the Southwest Quarter of Section 27, Township 79 North, Range 3 East of the 5th P.M. being more particularly described as follows: A variable width right-of-way, the centerline of which is divided into equal stations of 100.00 feet in length; said centerline is

described as follows: Commencing at the West Quarter Corner of said Section 27; thence South 02 degrees 09 minutes 53 seconds East 2.85 feet on the west line of the Southwest Quarter of said Section 27; thence North 87 degrees 50 minutes 11 seconds East 0.60 feet to the east line of described right-of-way line of Slopertown Road; thence on said southerly line and the arc of a 1943.00 foot radius curve, concave northeasterly 25.98 feet, with a chord bearing and distance of North 81 degrees 38 minutes 28 seconds East 25.98 feet to the point of beginning; said point being centerline Station 219+36.05; thence South 02 degrees 09 minutes 49 seconds East on said centerline 2660.95 feet to the intersection with the south line of the Southeast Quarter of said Section 28 and there terminating a centerline Station 245+96.97. The east line of the proposed right-of-way line is 25.00 feet easterly of and parallel with the aforesaid centerline, bounded on the north by the southerly right-of-way line of Slopertown Road at 25.00 feet left of Station 219+40.80 and runs southerly to Station 239+99.14; thence said right-of-way widens to 35 feet easterly of and parallel with said centerline to Station 245+97.37 at the intersection with the south line of the Southwest Quarter of said Section 27; and there terminating. The west line of the proposed right-of-way is 25.00 feet westerly of and parallel with said centerline, bounded on the north by the southerly right-of-way line of Slopertown Road at 25.00 feet right of Station 219+31.09 and runs southerly to Station 221+49.11; thence said right-of-way line widens to 45.00 feet westerly of and parallel with said centerline to Station 237+99.52; thence said right-of-way line narrows to 25.00 feet westerly of and parallel with said centerline to Station 239+9.14; thence said right-of-way line widens to 35.00 westerly of and parallel with said centerline to Station 245+96.56 at the intersection with the south line of the Southeast Quarter of said Section 28, and there terminating. EXCEPT THEREFROM the northerly 217 feet and that portion located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ Section 27 and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 28 both in Township 79 North

This notice is published pursuant to Iowa Code Section 368.7(3). A copy of the Voluntary Annexation Petitions, legal descriptions, and Plats of Survey is available for inspection from the City of Davenport, Community Planning and Economic Development Department, City Hall, 226 West 4th Street, Davenport, Iowa 52801. This action is being contemplated in order to allow for continued development of the Eastern Iowa Industrial Center.

The Davenport City Council will consider these petitions at its Wednesday, October 12, 2016 meeting, to be held at 5:30 pm in the Council Chambers of City Hall, 226 West 4th Street. While a public hearing is not required, it is the practice of the City Council to solicit comments from the public prior to taking official action. Final approval of the proposed annexation is the decision of the City Development Board of the State of Iowa.

Curtis and Keppy Annexations



City of Davenport

Agenda Group: Community Development
Department: CPED
Contact Info: Bruce Berger, 326-7769
Wards: 5

Action / Date
CD10/5/2016

Subject:
Resolution approving an Urban Revitalization Tax Exemption project for 1605 Harrison Street.
[Ward 5]

Recommendation:
Approve the resolution.

Relationship to Goals:
Neighborhood improvements and added emphasis on economic development.

Background:
The objective of the Urban Revitalization Tax Exemption (URTE) program is to encourage private investment by providing an exemption on the increase in property taxes resulting from improvements.

Typically all URTE applications are approved in February. However from time to time applicants will request individual approval of their application. The State of Iowa's Workforce Housing Tax Credit application requires both a resolution of support from the Council as well as documentation of matching financial support.

Andrew Wold, owner of Village Property Management is seeking application to the State's Workforce Housing Tax Credit program for 1605 Harrison Street. The City will be using the URTE program as the source of matching funds for this application. As a result, the URTE application for 1605 Harrison must be approved before the resolution supporting the Workforce Housing Tax Credit can be considered.

Applicant: Village Property Management
Address: 1605 Harrison Street
URTE Schedule: 10 year 100% exemption on added value from improvements

ATTACHMENTS:

Type	Description
□ Resolution Letter	URTE Resolution Letter

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	9/29/2016 - 1:17 PM
Community Development Committee	Berger, Bruce	Approved	9/29/2016 - 1:18 PM
City Clerk	Admin, Default	Approved	9/29/2016 - 1:19 PM

Resolution No. _____

Resolution offered by .

RESOLVED by the City Council of the City of Davenport.

RESOLUTION for approval of Urban Revitalization Tax Exemption Projects.

WHEREAS, in the City of Davenport, an urban revitalization plan under the provisions of Urban Renewal has been in effect since 1980; and

WHEREAS, this plan provides incentives in the form of property tax exemption for both new construction and rehabilitation in order to encourage private investment and to help reverse the trend toward disinvestment; and

WHEREAS, the listed projects meet the requirements of the urban revitalization plan; and

WHEREAS the City shall use the URTE program as a matching local contribution for the State of Iowa's Workforce Housing Tax Credit program.

NOW, THEREFORE, with the approval of the resolution, the application for 1605 Harrison Street will be approved for the Urban Revitalization Tax Exemption program for 2017.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Agenda Group: Community Development
Department: CPED
Contact Info: Bruce Berger, 326-7769
Wards: 5

Action / Date
CD10/5/2016

Subject:

Resolution supporting a Workforce Housing Tax Credit application to the State of Iowa for a housing project located at 1605 Harrison Street. [Ward 5]

Recommendation:

Approve the resolution.

Relationship to Goals:

Revitalized neighborhoods and corridors.

Background:

Andrew Wold of Village Property Management is the owner of 1605 Harrison Street. The upper story of this building has been vacant since 1980. Previously used as 8 sleeping rooms, he is planning on investing \$1.2 million dollars in order to renovate the upper story of the building into 4 to 5 apartments.

The City's financial commitment to fulfill the Workforce Housing Tax Credit requirement of local support will come from tax exemption through the Urban Revitalization Tax Exemption program.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution WHTC

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	9/29/2016 - 1:18 PM
Community Development Committee	Admin, Default	Approved	9/29/2016 - 1:19 PM
City Clerk	Admin, Default	Approved	9/29/2016 - 1:19 PM

Resolution No. _____

Resolution offered by Alderman _____.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION supporting a Workforce Housing Tax Credit application to the State for the 1605 Harrison Street Project

WHEREAS, the 1605 Harrison Street project has requested City support for its application to the Iowa Economic Development Authority (IEDA) for State tax incentives under the Workforce Housing Tax Credit (WHTC) Program for renovations to upper story housing units at 1605 Harrison Street; and

WHEREAS, successful completion of the 1605 Harrison Street project requires funding from a number of sources, including an award of WHTCs in the form of an investment tax credit and State sales and use tax refund; and

WHEREAS, the application requirements for the WHTC program include a requirement for the submission of a Resolution in support of the housing project by the community where the project will be located; and

WHEREAS, a further application requirement for the WHTC program is documentation of local matching funds pledged for the project in an amount not less than \$1,000 per dwelling unit; and

WHEREAS, the 1605 Harrison Street project is located within the City's Urban Revitalization Tax Exemption (URTE) area, has been approved for benefits through this program for the 2017 assessment year, and is eligible for the 10 year on 100% exemption schedule; and

WHEREAS, the URTE benefit awarded will meet the minimum City contribution of \$1,000 per dwelling unit required by the WHTC program;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the 1605 Harrison Street project is fully supported in applying for the Iowa Workforce Housing Tax Credit Program.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, MMC, City Clerk

City of Davenport

Agenda Group: Public Safety
Department: City Clerk
Contact Info: Jackie Holecek
Wards: Varies

Action / Date
10/5/2016

Subject:

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

AutoRodz, Carshow, October 9th, 6:00 AM to 5:00 PM, Closure Location: 4th Street from Warren to Marquette Streets and including Myrtle Street [Ward 3] ***TO BE VOTED ON LATER IN THIS AGENDA***

Davenport Community School District, Marching Band Festival, October 15th, 6:00 AM - 6:00 PM - Closure Location: 36th Street between Brady Street and Davenport Avenue [Ward 5]

American Legion Post #26, Veterans Day Parade, November 11th, 8 AM - Noon - Closure Location: 4th Street to Western Avenue, Western Avenue south to 3rd Street, 3rd Street to Main Street, Main Street south to 2nd Street; 2nd Street west to Ripley Street, Ripley Street north to 4th Street return to Scott County Courthouse Parking Lot [Ward 3]

Quad City Arts, Festival of Trees Holiday Parade, November 19th; Friday (November 18th) at 5:30 PM; Saturday (November 19th) at 9 AM until parade end; Closure Location: Friday (November 18th) at 5:30 PM closing 3rd Street between Pershing and LeClaire Street and Iowa Street between 2nd and 4th Streets; Saturday (November 20th) at 9 AM closing Second and Third Street from Pershing to Scott Street; all north/south streets will be closed between River Drive and 4th Street until parade end

Recommendation:

Consider the requests.

Relationship to Goals:

Background:

ATTACHMENTS:

Type	Description
□ Cover Memo	Resolutiuon 100516

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	9/27/2016 - 1:09 PM

RESOLUTION NO. 2016-

Resolution offered by Alderman Matson

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 an 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 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):

Entity: AutoRodz

Event: Car Show

Date: Saturday, October 9th

Time: 6:00 AM to 5:00 PM

Closure Location: 4th Street between Warren and Marquette Streets including Myrtle Street

Ward: 3

Entity: Davenport Community School District

Event: Marching Band Festival

Dates: October 15th

Time: 6:00 AM – 6:00 PM

Closure Location: 36th Street between Brady Street and Davenport Avenue

Ward: 5

Entity: American Legion Post #26

Event: Veterans Day Parade

Date: Friday, November 11

Time: 8 AM - Noon

Closure Location: 4th Street to Western Ave, Western Ave south to 3rd Street, 3rd Street to Main Street, Main Street south to 2nd Street; 2nd Street West to Ripley Street, Ripley Street north to 4th Street returning to Scott County Courthouse Parking Lot

Ward: 3

Entity: Quad City Arts

Event: Festival of Trees Holiday Parade

Date: Saturday, November 19

Time: Friday (November 18th) at 5:30 PM; Saturday (November 19th) at 9 AM until parade end

Closure Location: Friday (November 18th) at 5:30 PM closing 3rd Street between Pershing and LeClaire Street and Iowa Street between 2nd and 4th Streets; Saturday (November 20th) at 9 AM closing Second and Third Street from Pershing to Scott Street; all north/south streets will be closed between River Drive and 4th Street until parade end

Ward: 3

Approved this 12th day of October, 2016.

Approved:

Attest:



Frank Klipsch, Mayor

Jackie E. Holecek, MMC, Deputy City Clerk

City of Davenport

Agenda Group: Public Safety
Department: Finance/Revenue
Contact Info: Sherry Eastman 326-7795
Wards: Various

Action / Date
PS10/5/2016

Subject:
Motion approving beer and liquor license applications.

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

Ward 4

The Pour House (Boss Lady, Inc.) - 1502 W Locust St - Outdoor Area October 22-23, 2016 - License Type: C Liquor

Riverside Liquor #2 (Vardaan, LLC) - 1528 W Locust St. - License Type: E Liquor / C Beer / B Native Wine

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

Ward 1

Davenport Elks Lodge #298 (Benevolent and Protective Order of Elks #298) - 4400 W Central Park - License Type: C Liquor

Ward 2

Express Lane Gas & Food Mart #83 (Expresslane Inc.) - 3636 Hickory Grove Rd. - License Type: C Beer / B Native Wine

Rudy's Taco's (Majec Incorporated) - 3502 W Kimberly Rd. - Outdoor Area - License Type: C Liquor

Ward 3

Analog Arcade Bar (Analog LLC) - 302 Brady St. - Outdoor Area - License Type: C Liquor

Express Lane Gas & Food Mart #84 (Expresslane Inc.) - 321 N Division St. - License Type: C Beer / B Native Wine

Me & Billy (Collins Maus LLC) - 200 W 3rd St. - Outdoor Area - License Type: C Liquor

River Drive Smoke Shop (AB Kazi LLC) - 828 W River Dr. - License Type: E Liquor / C Beer / B Wine

Ward 5

The McClellan Stockade (Poor Richard's Incorporated) - 2124 E 11th St. - Outdoor Area - License Type: C Liquor

Ward 6

Chili's Southwest Grill (ERJ Dining IV, LLC) - 4020 E 53rd St. - License Type: C Liquor

The Grape Life (The Grape Life Wine Store & Lounge, LLC) - 3402 Elmore Ave. - License Type: C Liquor / B Wine

Lindsay Park Yacht Club (Lindsay Park Yacht Club, Inc.) - 2101 E River Dr. - Outdoor Area - License Type: A Liquor

Noodles & Company (IWI Ventures, LLC) - 5345 Elmore Ave. - Outdoor Area - License Type: Beer / Wine

Osaka Steakhouse (Osaka Steakhouse Inc.) - 4901 Utica Ridge Rd. - Outdoor Area - License Type: C Liquor / B Wine

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

Rudy's Taco's (CME 1066 Inc.) - 3944 Elmore Ave. - License Type: C Liquor

Ward 7

CASI (Center for Active Seniors, Inc.) - 1035 W Kimberly Rd. - Outdoor Area - License Type: C Liquor

Happy Joe's Pizza & Ice Cream Parlor (Happy Joe's Pizza & Ice Cream Parlor Inc.) - 201 W 50th St. - License Type: Beer / Wine

Ward 8

Express Lane Gas & Food Mart #86 (Expresslane Inc.) - 7522 Northwest Blvd. - License Type: C Beer / B Native Wine

Harold's Jack N Jill (Slagle Foods, Inc.) - 6723 Northwest Blvd. Unit 2 - License Type: E Liquor / C Beer / B Wine

Recommendation:
Consider the license applications.

Relationship to Goals:
Support local businesses.

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

REVIEWERS:

Department	Reviewer	Action	Date
------------	----------	--------	------

Finance	Watson-Arnould, Kathe	Approved	9/29/2016 - 11:52 AM
Finance Committee	Watson-Arnould, Kathe	Approved	9/29/2016 - 11:53 AM
City Clerk	Admin, Default	Approved	9/29/2016 - 12:23 PM

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Jen Walker; (563) 326-6168
Wards: 2,3,4 & 7

Action / Date
PW10/5/2016

Subject:

Resolution accepting the FY15 / FY16 Street Resurfacing – Phase II Micro-Surfacing contract.
Final cost of Phase II was \$451,637.56 budgeted in CIP #10550. [Wards 2,3,4 & 7]

Recommendation:

Approve the resolution.

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.

Background:

Micro-surfacing and cape sealing are applications applied to roadways to help maintain and extend pavement life. In 2016, a second phase was added to the existing FY15 / FY17 contract with Missouri Petroleum Products Company, LLC. to add additional streets. The original work was substandard and the contractor repaired their work at no cost and has been satisfactorily completed.

The purpose of this resolution is to formally accept the work completed during Phase II, and closeout the City's contract with Missouri Petroleum Products Company. Final cost of Phase II of the project was \$451,637.56 budgeted in CIP #10550.

ATTACHMENTS:

Type	Description
▣ Cover Memo	PW_RES pg2
▣ Backup Material	List of Phase II Streets

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/28/2016 - 2:26 PM
Public Works Committee	Lechvar, Gina	Approved	9/28/2016 - 4:03 PM
City Clerk	Admin, Default	Approved	9/28/2016 - 4:17 PM

Resolution No. _____

Resolution offered by Alderman Ambrose

Resolution accepting the FY 2015 / FY 2016 Street Resurfacing – Phase II Micro-Surfacing contract. Final cost of Phase II was \$451,637.56 budgeted in CIP #10550.

Resolved by the City Council of the City of Davenport.

Now, therefore, be it resolved, by the City Council of the City of Davenport that

Section 1. That it is hereby found and determined that the work of constructing the above-named project has been duly and fully completed by the contractor in accordance with the terms of the contract, and the same is hereby accepted and approved.

Section 2. That it is hereby found and determined that the total construction cost of said project is \$451,637.56.

Section 3. That except for the retainage held by the City pursuant to Chapter 563 of the Code of Iowa, which shall be paid to the contractor not less than thirty (30) days after the acceptance of the work, the amount due the contractor is hereby ordered paid by the issuance to the contractor of anticipatory warrant or warrants, in accordance with Section 384.57 of the Code of Iowa, 2013, as amended, or from such other fund or funds as may be available for that purpose, such warrant or warrants and amounts paid from any such fund or funds to be paid and replaced to the extent possible from the proceeds of special assessments and the sale of special assessment bonds.

Section 4. That all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed, to the extent of such conflict.

Passed and approved this 12th day of October, 2016.

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk

FY'15 Micro-surfacing ("MICRO") and Cape Sealing ("CAPE SEAL")

List of Phase II Streets:

Division St. – Duck Creek Bridge to W. Kimberly Rd	"MICRO"
Telegraph Rd. – Wilkes Ave. to Cedar St	"MICRO"
W. 12th St. – Marquette St. to Division St.	"MICRO"
W. 13th St. – Washington St. to Division St.	"CAPE SEAL"
W. 14th St. – Division to Ripley	"CAPE SEAL"
W. 14th St. – Perry to Bridge Ave.	"CAPE SEAL"

City of Davenport

Agenda Group: Public Works
Department: Engineering
Contact Info: Tom Leabhart; (563) 526-7729
Wards: 7

Action / Date
PW10/5/2016

Subject:

Resolution granting permission to Geneseo Communications Services, Inc. to install a buried communications system in the City right-of-way along 46th Street from Brady Street to Tremont Avenue, a total distance of approximately 3,160 feet. Agreement reference #2016-F20. [Ward 7]

Recommendation:

Pass the resolution.

Relationship to Goals:

A growing local economy.

Background:

Geneseo Communications has requested permission to install buried communication fiber optic line within City right-of-way as shown on the attached map. The total length of fiber is approximately 3,160 feet.

The City's Legal, Engineering and IT Departments have reviewed and approved the proposed route and terms of the agreement, reference #2016-F20.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES pg2
▣ Backup Material	Location Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/29/2016 - 11:28 AM
Public Works Committee	Lechvar, Gina	Approved	9/29/2016 - 11:03 AM
Public Works Committee	Lechvar, Gina	Approved	9/29/2016 - 11:28 AM
City Clerk	Admin, Default	Approved	9/29/2016 - 11:29 AM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION granting permission to Geneseo Communications Services, Inc. to install a buried communications system in the City right-of-way along 46th Street from Brady Street to Tremont Avenue, a total distance of approximately 3,160 feet. Agreement reference #2016-F20.

WHEREAS, Geneseo Communications Services, Inc. (The Owner) has submitted a request, agreement reference #2016-F20, to construct buried communications cable in City right-of-way along 46th Street from Brady Street to Tremont Avenue, a total distance of approximately 3,160 feet as shown on the attached map; and

WHEREAS, the Engineering Division as well as IT and Legal Departments of the City of Davenport, Iowa (the "City") have reviewed said plans and recommend permission be granted for the installation, as described, subject to conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA: that permission is hereby granted to The Owner to install buried communications cable in accordance with the attached plans subject to the following conditions which shall be accepted in writing by The Owner

1. That The Owner shall hold the City harmless, defend and indemnify it from any and all liability for claims of any nature arising from the granting of this authorization of the activities or work performed by The Owner as a consequence thereof, or as the result of the damage, interruption or any other matters relating to the cable and connection therewith or as a result thereof, except as otherwise limited by the provisions of paragraph 9, and that The Owner hold harmless, defend and indemnify the City from any such claims. Further, that The Owner shall name the City and its employees as additional insureds on its liability insurance coverage in limits to be set from time to time by the City Council and initially set at \$1 million each year.
2. That The Owner shall pay all costs for the construction and maintenance of their cable.
3. That The Owner shall coordinate all traffic control required for this project with the Traffic Engineering Division of the Public Works Department and shall be responsible for all costs related to traffic control.
4. That, at the direction of the City Council, The Owner shall remove and replace, relocate, or otherwise adjust said cable in order to provide for the maintenance, construction, or reconstruction of any City owned utility or public improvements within the City of Davenport, Iowa, or, for any other reasonable public cause determined at the discretion of the City Council of Davenport.
5. That all excavations for laying pipes, cable or lines shall be made in such a manner as will not interfere with any gas, sewer, water or other pipes or infrastructure theretofore laid and so as to avoid, so far as possible, obstructing any street or alley or the drainage thereof,

and said streets, avenues and alleys shall be promptly repaired and restored to a condition as good as the same were in prior to the laying of said pipes and any pavement or other surfacing removed shall be repaired and restored with the same kind of material as was used in the construction of the pavement or other surfacing so removed. Settling in any street, avenue or alley caused by such excavations shall be promptly repaired by The Owner and all repairs and replacements shall be to the satisfaction of the City officials; but before opening or making any excavation with in any street or alley rights of way, The Owner shall secure from said City a written permit to do so, except in case of emergency, which permit said City shall issue to The Owner upon reasonable terms and conditions. The Owner shall be responsible for payment of the Standard Excavation Permit Fees established by City Council prior to receiving said permit. The permit fee includes a \$1.00 per foot Disruption Fee where applicable.

6. That the contractor performing the work shall comply with all City Ordinances covering the work, including permits and bonding.
7. That The Owner shall contract with a "One Call" utility notification service for receiving notice on the location of the cable for the time the cable shall be in place and in service.
8. That The Owner shall be responsible for obtaining necessary legal consent and permission from railroad companies, the Iowa Department of Transportation, private and public agencies and other persons or organizations that have a legal interest, and this Resolution is subject to such permission, consent and clearance being obtained from such entities.
9. Unless caused by gross negligence or willful, intentional or malicious conduct by city employees, The Owner releases the City and its employees for and from any and all liability for any damage or interruption, or of any other nature directly or indirectly related to the existence of the cable and related facilities, which at any time occur in the future.
10. The Owner will provide the City of Davenport as built drawings in an electronic format suitable to the City of the entire route.

Passed and approved this 12th day of October, 2016

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA: That the City Engineer is authorized to issue a permit for construction of said cable when the applicable terms and conditions have been met.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk

ACCEPTANCE OF PROVISIONS OF RESOLUTION NO. 2016-_____, AGREEMENT REFERENCE
NUMBER 2016-F20

The undersigned hereby accepts all the terms and conditions of said Resolution and agrees that the same shall be binding upon undersigned and its successors and assigns.

Geneseo Communications Services, Inc.

By: _____

Name: _____

Title: _____

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 2016, before me, the undersigned notary public, personally appeared _____, known to me to be the _____ of Geneseo Communications Services, Inc. and the person whose name is subscribed to the fore-going instrument and acknowledged that he/she is duly authorized to execute such agreements and to commit Geneseo Communications Services, Inc. to the obligations and duties contained therein and executed the fore-going instrument as his/her voluntary act and deed and as the voluntary act and deed of Geneseo Communications Services, Inc..

In witness whereof, I have hereunto set my hand and official seal.

Notary Public

2016-F20

**CITY OF DAVENPORT
PUBLIC WORKS DEPARTMENT - ENGINEERING DIVISION
APPLICATION FOR EXCAVATION PERMIT**

I, CDB Utility Contractors, hereby make an application for permission
(Contractor or Individual Name)

to make an excavation in the (mark all that apply) Street ☐ Boulevard ☒ Sidewalk ☐

This excavation will be located at _____
(Property Address)

or in E 46th St Street between Brady St Street and Tremont Ave Street.

Basic fee is \$200 (no charge for sewer lateral repairs): \$ _____

Additional charges for street openings – mark all that apply:

☐ < 10 square yards Number of openings of this size: ____ X \$ 25 = \$ _____

☐ ≥ 10 but < 25 square yards Number of openings of this size: ____ X \$ 75 = \$ _____

☐ ≥ 25 square yards Number of openings of this size: ____ X \$250 = \$ _____

For excavations over 200 feet in length, add an additional \$1.00/lineal foot Disruption charge.

Length of Disruption (except new subdivisions): 3160 feet X \$1.00/ft. = \$ _____

\$25 for administration costs: \$ 25.00

TOTAL \$ _____

Estimation of Street Closure: _____ days

Property Owner's Name: Genese Communications

This excavation is to be performed for the purpose of _____

Directional Drill 1-1.25" Duct for fiber optic Distribution

Work to commence on 10 day of October, 2016.

Signature of Applicant _____ Date _____

EXCH

EXCH NO.:

JOB NO.:

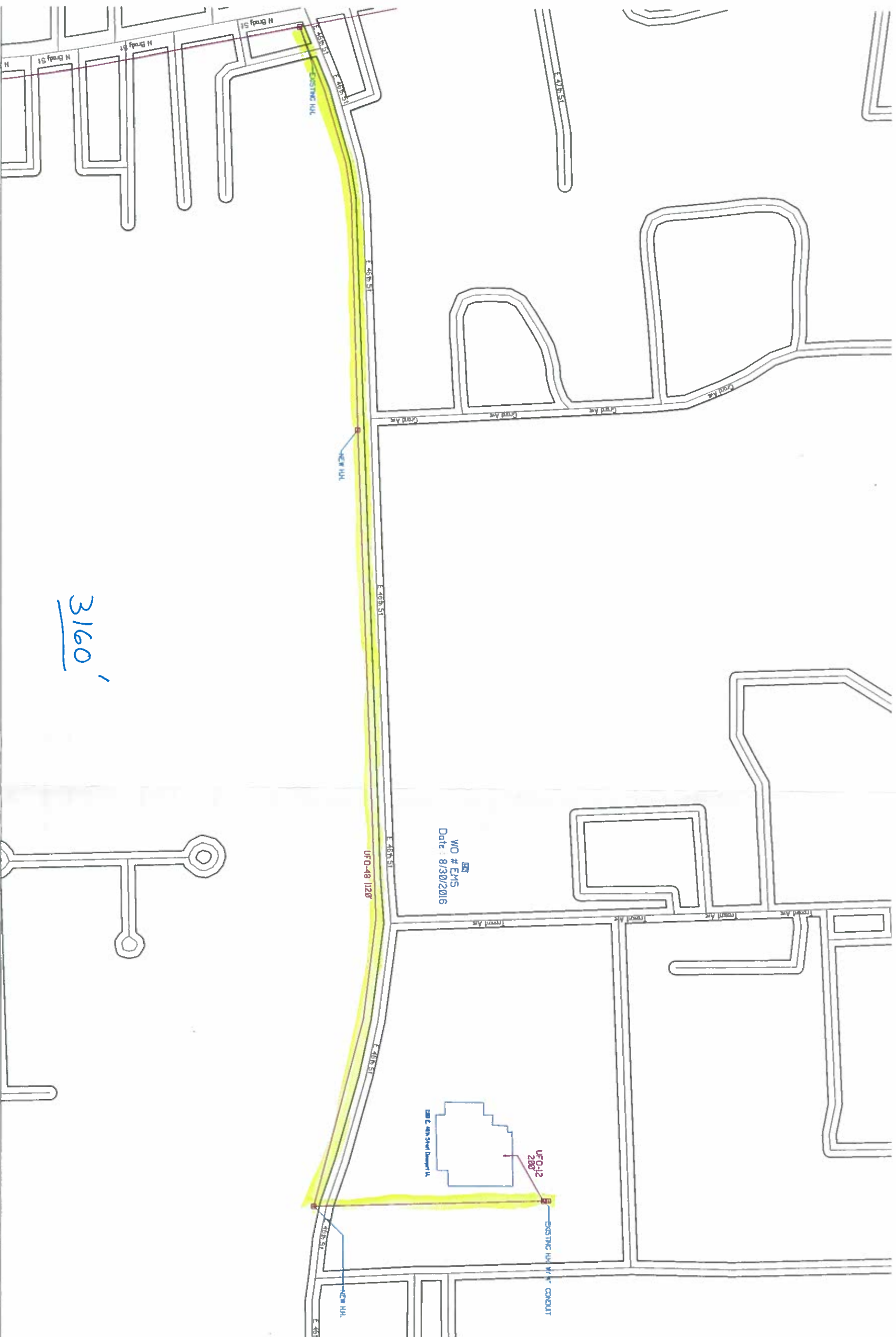
LINE NO.:

TAX DIST:

POWER
VOLTAGE: $z \rightarrow$

TABULATION

UNIT	DESCRPT.	EST. QTY.	ASB QTY.
------	----------	--------------	-------------

[illegible]

TELEPHONE COMPANY

ENGINEER:

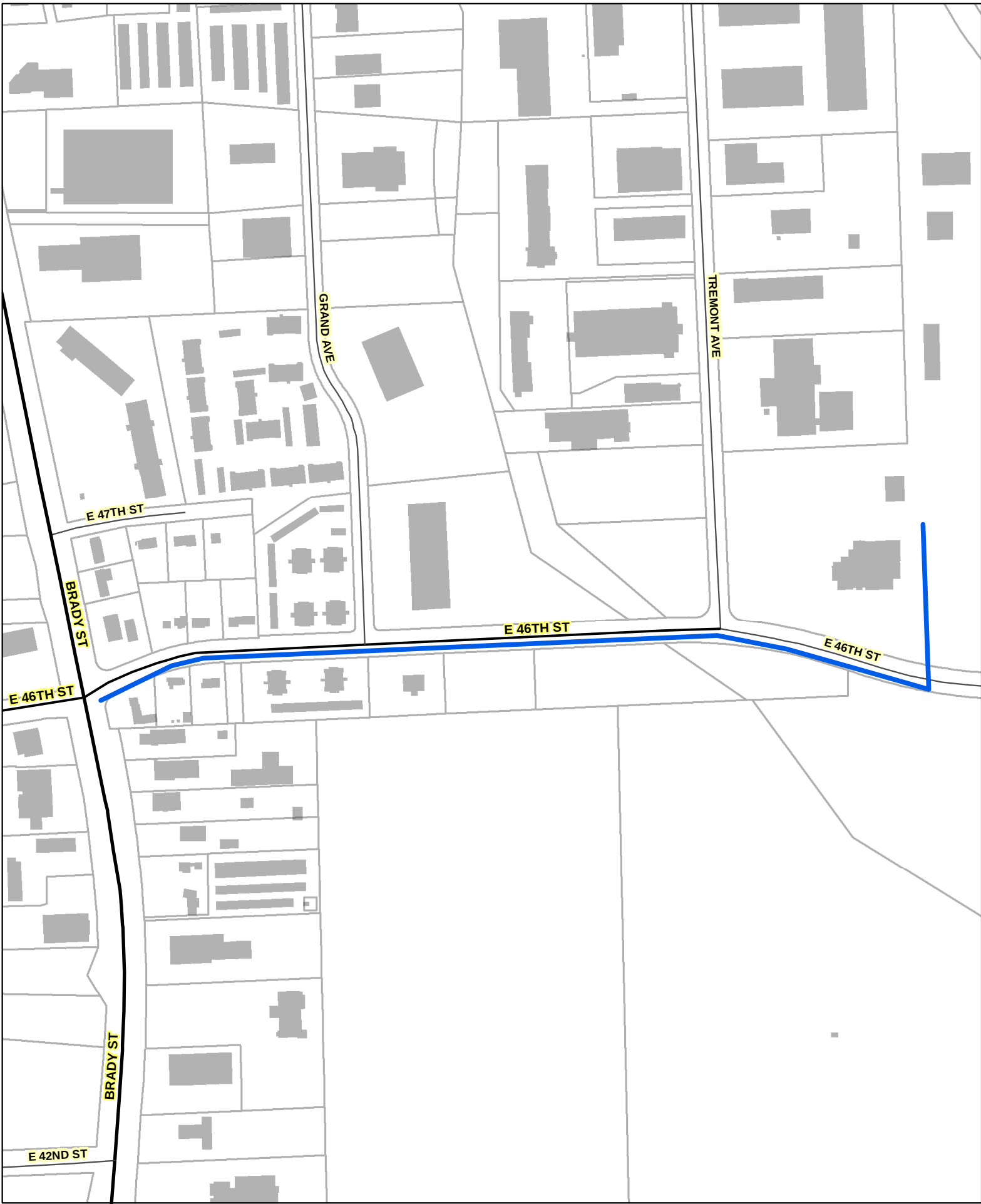
GENERESCO Communications

MAP NAME:

PLOT DATE:

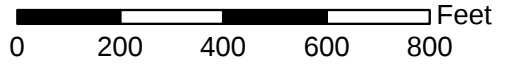
MyEngFree.map

700.52



Proposed Fiber Optic Route
2016 - F20

Map Date: 9/27/16



City of Davenport

Agenda Group: Public Works
Department: Engineering
Contact Info: Tom Leabhart; (563) 526-7729
Wards: 4

Action / Date
PW10/5/2016

Subject:

Resolution granting permission to Geneseo Communications Services, Inc. to install a buried communications system in the City right-of-way along Marquette Street from Locust Street to Lombard Street, a total distance of approximately 1,720 feet. Agreement reference #2016-F19. [Ward 4]

Recommendation:

Pass the resolution.

Relationship to Goals:

A growing local economy.

Background:

Geneseo Communications has requested permission to install buried communication fiber optic line within City right-of-way as shown on the attached map. The total length of fiber is approximately 1,720 feet.

The City's Legal, Engineering and IT Departments have reviewed and approved the proposed route and terms of the agreement. Agreement reference #2016-F19.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES pg2
▣ Backup Material	Location Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Rejected	9/27/2016 - 3:28 PM
Public Works - Engineering	Eastlick, Lesley	Approved	9/27/2016 - 3:34 PM
Public Works - Engineering	Lechvar, Gina	Approved	9/28/2016 - 4:11 PM
Public Works Committee	Lechvar, Gina	Approved	9/28/2016 - 4:11 PM
City Clerk	Admin, Default	Approved	9/28/2016 - 4:17 PM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

Resolution granting permission to Geneseo Communications Services, Inc. to install a buried communications system in the City right-of-way along Marquette Street from Locust Street to Lombard Street, a total distance of approximately 1,720 feet. Agreement reference #2016-F19.

WHEREAS, Geneseo Communications Services, Inc. (The Owner) has submitted a request (Agreement Reference #2016-F19) to construct buried communications cable in City Right-of-Way along N. Marquette Street from W. Locust Street to Lombard Street, a total distance of approximately 1,720 feet as shown on the attached map; and

WHEREAS, the Engineering Division as well as IT and Legal Departments of the City of Davenport, Iowa (the "City") have reviewed said plans and recommend permission be granted for the installation, as described, subject to conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA: that permission is hereby granted to The Owner to install buried communications cable in accordance with the attached plans subject to the following conditions which shall be accepted in writing by The Owner

1. That The Owner shall hold the City harmless, defend and indemnify it from any and all liability for claims of any nature arising from the granting of this authorization of the activities or work performed by The Owner as a consequence thereof, or as the result of the damage, interruption or any other matters relating to the cable and connection therewith or as a result thereof, except as otherwise limited by the provisions of paragraph 9, and that The Owner hold harmless, defend and indemnify the City from any such claims. Further, that The Owner shall name the City and its employees as additional insureds on its liability insurance coverage in limits to be set from time to time by the City Council and initially set at \$1 million each year.
2. That The Owner shall pay all costs for the construction and maintenance of their cable.
3. That The Owner shall coordinate all traffic control required for this project with the Traffic Engineering Division of the Public Works Department and shall be responsible for all costs related to traffic control.
4. That, at the direction of the City Council, The Owner shall remove and replace, relocate, or otherwise adjust said cable in order to provide for the maintenance, construction, or reconstruction of any City owned utility or public improvements within the City of Davenport, Iowa, or, for any other reasonable public cause determined at the discretion of the City Council of Davenport.
5. That all excavations for laying pipes, cable or lines shall be made in such a manner as will not interfere with any gas, sewer, water or other pipes or infrastructure theretofore laid and so as to avoid, so far as possible, obstructing any street or alley or the drainage thereof,

and said streets, avenues and alleys shall be promptly repaired and restored to a condition as good as the same were in prior to the laying of said pipes and any pavement or other surfacing removed shall be repaired and restored with the same kind of material as was used in the construction of the pavement or other surfacing so removed. Settling in any street, avenue or alley caused by such excavations shall be promptly repaired by The Owner and all repairs and replacements shall be to the satisfaction of the City officials; but before opening or making any excavation with in any street or alley rights of way, The Owner shall secure from said City a written permit to do so, except in case of emergency, which permit said City shall issue to The Owner upon reasonable terms and conditions. The Owner shall be responsible for payment of the Standard Excavation Permit Fees established by City Council prior to receiving said permit. The permit fee includes a \$1.00 per foot Disruption Fee where applicable.

6. That the contractor performing the work shall comply with all City Ordinances covering the work, including permits and bonding.
7. That The Owner shall contract with a "One Call" utility notification service for receiving notice on the location of the cable for the time the cable shall be in place and in service.
8. That The Owner shall be responsible for obtaining necessary legal consent and permission from railroad companies, the Iowa Department of Transportation, private and public agencies and other persons or organizations that have a legal interest, and this Resolution is subject to such permission, consent and clearance being obtained from such entities.
9. Unless caused by gross negligence or willful, intentional or malicious conduct by city employees, The Owner releases the City and its employees for and from any and all liability for any damage or interruption, or of any other nature directly or indirectly related to the existence of the cable and related facilities, which at any time occur in the future.
10. The Owner will provide the City of Davenport as built drawings in an electronic format suitable to the City of the entire route.

Passed and approved this 12th day of October, 2016

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA: That the City Engineer is authorized to issue a permit for construction of said cable when the applicable terms and conditions have been met.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk

ACCEPTANCE OF PROVISIONS OF RESOLUTION NO. 2016-_____, AGREEMENT REFERENCE
NUMBER 2016-F17

The undersigned hereby accepts all the terms and conditions of said Resolution and agrees that the same shall be binding upon undersigned and its successors and assigns.

Geneseo Communications Services, Inc.

By: _____

Name: _____

Title: _____

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 2016, before me, the undersigned notary public, personally appeared _____, known to me to be the _____ of Geneseo Communications Services, Inc. and the person whose name is subscribed to the fore-going instrument and acknowledged that he/she is duly authorized to execute such agreements and to commit Geneseo Communications Services, Inc. to the obligations and duties contained therein and executed the fore-going instrument as his/her voluntary act and deed and as the voluntary act and deed of Geneseo Communications Services, Inc..

In witness whereof, I have hereunto set my hand and official seal.

Notary Public

2016-F19

**CITY OF DAVENPORT
PUBLIC WORKS DEPARTMENT - ENGINEERING DIVISION
APPLICATION FOR EXCAVATION PERMIT**

I, CDB Utility Contractors, hereby make an application for permission
(Contractor or Individual Name)

to make an excavation in the (mark all that apply) Street ☐ Boulevard ☒ Sidewalk ☐

This excavation will be located at _____
(Property Address)

or in N Marquette St Street between W Locust St Street and Lombard Street.

Basic fee is \$200 (no charge for sewer lateral repairs): \$ _____

Additional charges for street openings – mark all that apply:

☐ < 10 square yards Number of openings of this size: ___ X \$ 25 = \$ _____

☐ ≥ 10 but < 25 square yards Number of openings of this size: ___ X \$ 75 = \$ _____

☐ ≥ 25 square yards Number of openings of this size: ___ X \$250 = \$ _____

For excavations over 200 feet in length, add an additional \$1.00/lineal foot Disruption charge.

Length of Disruption (except new subdivisions): 1720 feet X \$1.00/ft. = \$ _____

\$25 for administration costs: \$ 25.00

TOTAL \$ _____

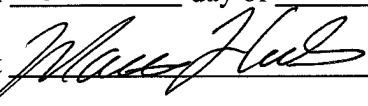
Estimation of Street Closure: _____ days

Property Owner's Name: Genese Communications

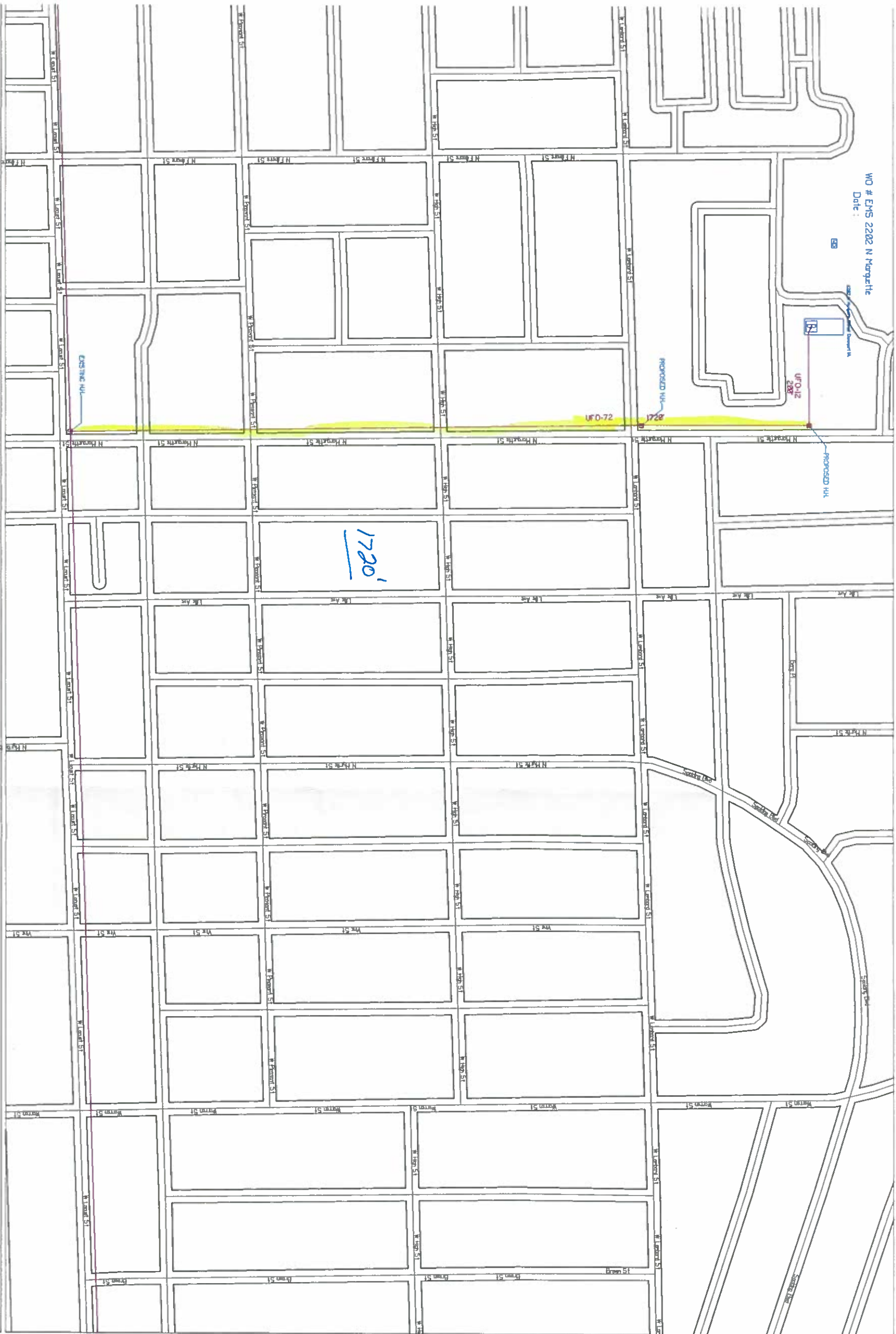
This excavation is to be performed for the purpose of _____

Directional Drill 1-1.25" Duct for fiber optic Distribution

Work to commence on 10 day of October, 20 16.

Signature of Applicant  Date 9-26-16

WO # EMS 2202 N Morgette
Date :



EXCH:

EXCH NO:

JOB NO:

LINE NO:

TAX DIST:

POWER
VOLTAGE:



TABULATION

UNIT

DESCRPT.

EST.
QTY.

ASB
QTY.

CONST.

SHT

OF

TELEPHONE COMPANY

ENGINEER:

MAP NAME:

Nvengfree map

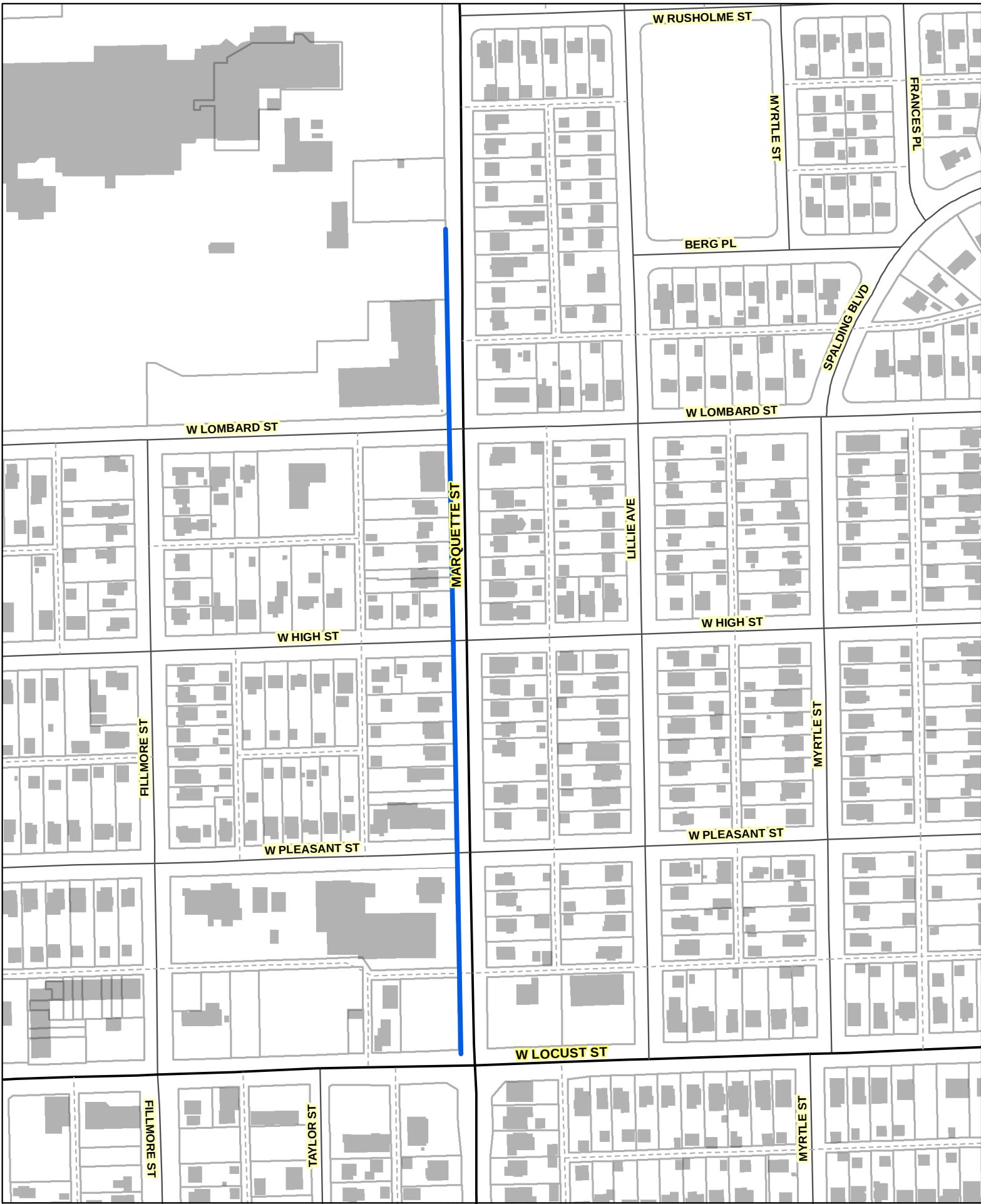
DESCRIPTION:

PLOT DATE:

GENESEO Communications

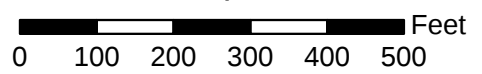
700.55

1720'



Proposed Fiber Optic Route
2016 - F19

Map Date: 9/27/16



City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Tom Leabhart; (563) 326-7729
Wards: 7

Action / Date
PW10/5/2016

Subject:

Resolution granting permission to Central Scott Telephone to install a buried communications system in the City right-of-way along 46th Street from Grand Avenue to Tremont Avenue, a total distance of approximately 1,100 feet. Agreement reference #2016-F18. [Ward 7]

Recommendation:

Pass the resolution.

Relationship to Goals:

A growing local economy.

Background:

Central Scott Communications has requested permission to install buried communication fiber optic line within City right-of-way as shown on the attached map. The total length of fiber is approximately 1,100 feet.

The City's Legal, Engineering and IT Departments have reviewed and approved the proposed route and terms of the agreement, reference number is 2016-F18.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES pg2
▣ Backup Material	Location Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Rejected	9/28/2016 - 3:32 PM
Public Works - Engineering	Eastlick, Lesley	Approved	9/28/2016 - 4:34 PM
Public Works - Engineering	Lechvar, Gina	Approved	9/29/2016 - 11:27 AM
Public Works Committee	Lechvar, Gina	Approved	9/29/2016 - 11:08 AM
Public Works Committee	Lechvar, Gina	Approved	9/29/2016 - 11:27 AM
City Clerk	Admin, Default	Approved	9/29/2016 - 11:29 AM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION granting permission to Central Scott Telephone to install a buried communications system in the City right-of-way along 46th Street from Grand Avenue to Tremont Avenue, a total distance of approximately 1,100 feet. Agreement reference #2016-F18.

WHEREAS, Central Scott Telephone (The Owner) has submitted a request, agreement reference #2016-F18, to construct buried communications cable in City right-of-way along 46th Street from Grand Avenue to Tremont Avenue, a total distance of approximately 1,100 feet as shown on the attached map; and

WHEREAS, the Engineering Division as well as IT and Legal Departments of the City of Davenport, Iowa (the "City") have reviewed said plans and recommend permission be granted for the installation, as described, subject to conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA: that permission is hereby granted to The Owner to install buried communications cable in accordance with the attached plans subject to the following conditions which shall be accepted in writing by The Owner

1. That The Owner shall hold the City harmless, defend and indemnify it from any and all liability for claims of any nature arising from the granting of this authorization of the activities or work performed by The Owner as a consequence thereof, or as the result of the damage, interruption or any other matters relating to the cable and connection therewith or as a result thereof, except as otherwise limited by the provisions of paragraph 9, and that The Owner hold harmless, defend and indemnify the City from any such claims. Further, that The Owner shall name the City and its employees as additional insureds on its liability insurance coverage in limits to be set from time to time by the City Council and initially set at \$1 million each year.
2. That The Owner shall pay all costs for the construction and maintenance of their cable.
3. That The Owner shall coordinate all traffic control required for this project with the Traffic Engineering Division of the Public Works Department and shall be responsible for all costs related to traffic control.
4. That, at the direction of the City Council, The Owner shall remove and replace, relocate, or otherwise adjust said cable in order to provide for the maintenance, construction, or reconstruction of any City owned utility or public improvements within the City of Davenport, Iowa, or, for any other reasonable public cause determined at the discretion of the City Council of Davenport.
5. That all excavations for laying pipes, cable or lines shall be made in such a manner as will not interfere with any gas, sewer, water or other pipes or infrastructure theretofore laid and so as to avoid, so far as possible, obstructing any street or alley or the drainage thereof,

and said streets, avenues and alleys shall be promptly repaired and restored to a condition as good as the same were in prior to the laying of said pipes and any pavement or other surfacing removed shall be repaired and restored with the same kind of material as was used in the construction of the pavement or other surfacing so removed. Settling in any street, avenue or alley caused by such excavations shall be promptly repaired by The Owner and all repairs and replacements shall be to the satisfaction of the City officials; but before opening or making any excavation with in any street or alley rights of way, The Owner shall secure from said City a written permit to do so, except in case of emergency, which permit said City shall issue to The Owner upon reasonable terms and conditions. The Owner shall be responsible for payment of the Standard Excavation Permit Fees established by City Council prior to receiving said permit. The permit fee includes a \$1.00 per foot Disruption Fee where applicable.

6. That the contractor performing the work shall comply with all City Ordinances covering the work, including permits and bonding.
7. That The Owner shall contract with a "One Call" utility notification service for receiving notice on the location of the cable for the time the cable shall be in place and in service.
8. That The Owner shall be responsible for obtaining necessary legal consent and permission from railroad companies, the Iowa Department of Transportation, private and public agencies and other persons or organizations that have a legal interest, and this Resolution is subject to such permission, consent and clearance being obtained from such entities.
9. Unless caused by gross negligence or willful, intentional or malicious conduct by city employees, The Owner releases the City and its employees for and from any and all liability for any damage or interruption, or of any other nature directly or indirectly related to the existence of the cable and related facilities, which at any time occur in the future.
10. The Owner will provide the City of Davenport as built drawings in an electronic format suitable to the City of the entire route.

Passed and approved this 12th day of October, 2016

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA: That the City Engineer is authorized to issue a permit for construction of said cable when the applicable terms and conditions have been met.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk

ACCEPTANCE OF PROVISIONS OF RESOLUTION NO. 2016-_____, AGREEMENT REFERENCE
NUMBER 2016-F18

The undersigned hereby accepts all the terms and conditions of said Resolution and agrees that the same shall be binding upon undersigned and its successors and assigns.

Central Scott Telephone

By: _____

Name: _____

Title: _____

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 2016, before me, the undersigned notary public, personally appeared _____, known to me to be the _____ of Central Scott Telephone and the person whose name is subscribed to the fore-going instrument and acknowledged that he/she is duly authorized to execute such agreements and to commit Central Scott Telephone to the obligations and duties contained therein and executed the fore-going instrument as his/her voluntary act and deed and as the voluntary act and deed of Central Scott Telephone.

In witness whereof, I have hereunto set my hand and official seal.

Notary Public

2016-F18

**CITY OF DAVENPORT
PUBLIC WORKS DEPARTMENT - ENGINEERING DIVISION
APPLICATION FOR EXCAVATION PERMIT**

I, CDB Utility Contractors, hereby make an application for permission
(Contractor or Individual Name)

to make an excavation in the (mark all that apply) Street ☐ Boulevard ☒ Sidewalk ☐

This excavation will be located at _____
(Property Address)

or in e 46th St Street between Grand Ave Street and Tremont Ave Street.

Basic fee is \$200 (no charge for sewer lateral repairs): \$ _____

Additional charges for street openings – mark all that apply:

☐ < 10 square yards Number of openings of this size: ___ X \$ 25 = \$ _____

☐ ≥ 10 but < 25 square yards Number of openings of this size: ___ X \$ 75 = \$ _____

☐ ≥ 25 square yards Number of openings of this size: ___ X \$250 = \$ _____

For excavations over 200 feet in length, add an additional \$1.00/lineal foot Disruption charge.

Length of Disruption (except new subdivisions): 1100 feet X \$1.00/ft. = \$ _____

\$25 for administration costs: \$ 25.00

TOTAL \$ _____

Estimation of Street Closure: _____ days

Property Owner's Name: Central Scott Communications

This excavation is to be performed for the purpose of _____

Directional Drill 1-1.25" Duct for fiber optic Distribution

Work to commence on 10 day of October, 2016.

Signature of Applicant _____ Date _____



Google earth

Google earth

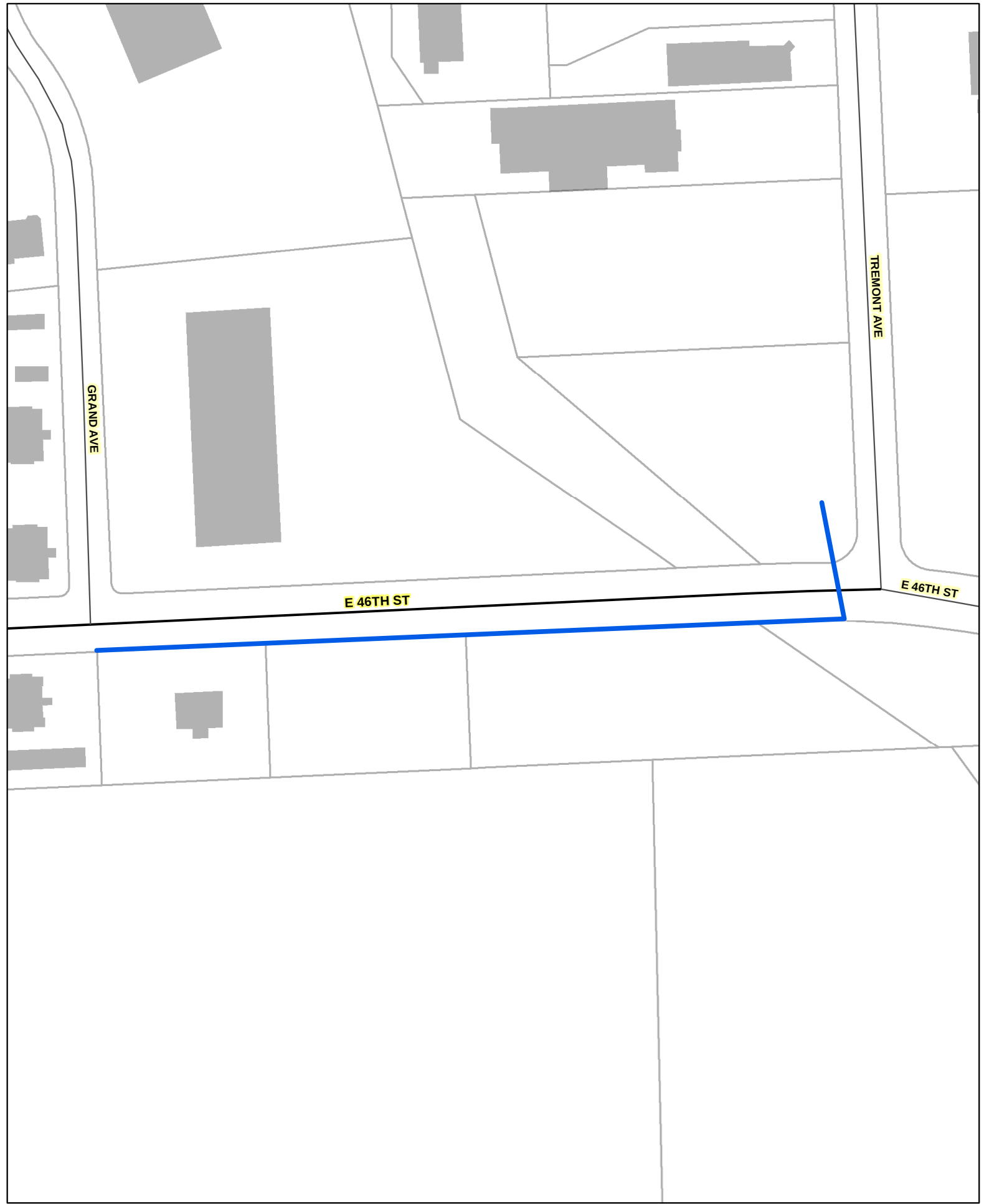
301.42

feet
meters



900





City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Ron Hocker;(563) 327-5169
Wards: All

Action / Date
PW10/5/2016

Subject:
Resolution of acceptance for the FY15 Contract Sewer Repair Program for Hometown Plumbing and Heating Company of Davenport, IA. Total cost was \$576,174.84 paid out of CIP #10533 & 10379. [All Wards]

Recommendation:
Pass the resolution.

Relationship to Goals:
Enhance Quality of Life

Background:
This program is to repair damages to sewer infrastructure by contract. All work has been satisfactorily completed. The total cost was \$576,174.84 paid out of CIP #10533 & 10379.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES pg2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/29/2016 - 11:46 AM
Public Works Committee	Lechvar, Gina	Approved	9/29/2016 - 11:46 AM
City Clerk	Admin, Default	Approved	9/29/2016 - 12:23 PM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLUTION of acceptance for the FY15 Contract Sewer Repair Program for Hometown Plumbing and Heating Company of Davenport, IA. Total cost was \$576,174.84 paid out of CIP #10533 & 10379.

WHEREAS, the FY2015 Contract Sewer Repair Program has been satisfactorily completed:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the FY15 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 \$576,174.84.

Passed and approved this 12th day of October, 2016.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Ron Hocker;(563) 327-5169
Wards: All

Action / Date
PW10/5/2016

Subject:

Resolution of acceptance for the FY15 Contract Sewer Repair Program for Hagerty Earthworks, LLC, of Muscatine, IA. The total cost was \$642,383.90 paid out of CIP #10533 & 10379. [All Wards]

Recommendation:

Pass the resolution

Relationship to Goals:

Enhance Quality of Life

Background:

This program is to repair damages to sewer infrastructure by contract. All work has been satisfactorily completed. The total cost was \$642,383.90 paid out of CIP #10533 & 10379.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES pg2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	9/29/2016 - 11:46 AM
Public Works Committee	Lechvar, Gina	Approved	9/29/2016 - 11:47 AM
City Clerk	Admin, Default	Approved	9/29/2016 - 12:24 PM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLUTION of acceptance for the FY15 Contract Sewer Repair Program for Hagerty Earthworks, LLC, of Muscatine, IA. The total cost was \$642,383.90 paid out of CIP #10533 & 10379.

WHEREAS, the FY15 Contract Sewer Repair Program has been satisfactorily completed:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the FY2015 Contract Sewer Repair Program, which work was completed by Hagerty Earthworks, LLC, of Muscatine, IA, having been satisfactorily completed, be and the same is hereby formally accepted. The final cost totals \$642,383.90.

Passed and approved this 12th day of October, 2016.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Brian Schadt x7786
Wards: All

Action / Date
COW10/5/2016

Subject:
Resolution enacting a 180-day moratorium for buried utilities by non-franchisees within the right-of-way of the City. [All Wards]

Recommendation:
Pass the resolution.

Relationship to Goals:

Background:
Passage of this resolution will provide the staff and council time to develop and pass a right-of-way management ordinance.

ATTACHMENTS:

Type	Description
▢ Cover Memo	PW_RES_Buried Utilities Moratorium

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Thompson, Tiffany	Approved	9/29/2016 - 4:18 PM

RESOLUTION NO. _____

Resolution offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION enacting a 180-day moratorium for buried utilities by non-franchisees within the right-of-way of the City.

WHEREAS the City of Davenport regulates and manages the placement of utilities within the right-of-way; and

WHEREAS the space within the right-of-way is finite and requests are increasing; and

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that a 180-day moratorium is imposed upon buried utilities by non-franchisees within the of the City right-of-way to afford time for the development and passage of a right-of-way management ordinance.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, Deputy City Clerk

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Thomas Vesalga; (563) 326-7783
Wards: 8

Action / Date
PW10/5/2016

Subject:
Motion approving the Davenport Municipal Airport Disadvantaged Business Enterprise Program (DBE). [Ward 8]

Recommendation:
Approve the Motion

Relationship to Goals:
Support Talent

Background:
To accept federal grant funding through the Airport Improvement Program, the Davenport Municipal Airport must have an approved Disadvantaged Business Enterprise (DBE) Program on file with the Federal Aviation Administration. This program is created at the local level with help from the Iowa Department of Transportation Office of Aviation and must be updated every three years. The current program for the Airport has reached the end of it's three year life cycle.

The Airport has taken the time to update it's current DBE percentage totals to reflect upcoming federal projects throughout the next three years. The Airport percent totals have increased from 0.94 percent to 1.17 percent of total federal dollar expenditures expected at the Davenport Municipal Airport for this period.

The City approved DBE program for the Airport will be kept on file with the Federal Aviation Administration in Washington DC.

ATTACHMENTS:

Type	Description
▢ Backup Material	2016 Davenport Municipal Airport DBE program

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	9/28/2016 - 4:01 PM
Public Works Committee	Lechvar, Gina	Approved	9/28/2016 - 4:01 PM
City Clerk	Admin, Default	Approved	9/28/2016 - 4:02 PM

DAVENPORT MUNICIPAL AIRPORT



**DISADVANTAGED
BUSINESS ENTERPRISE
(DBE) PROGRAM**

PROGRAM LAST UPDATED:

DECEMBER 13, 2016

PROGRAM LAST SUBMITTED TO FAA:

DECEMBER 13, 2016

FEDERAL AVIATION ADMINISTRATION POINT OF CONTACT:

Ofelia Medina
DBE and ACDBE Programs Compliance Specialist
Office of Civil Rights – AWP-9
Federal Aviation Administration

Phone: 310-725-3945

Fax: 310-725-6819

Mailing Address: P.O. Box 92007, AWP-9
Los Angeles, CA 90009-2007

Physical Address: 15000 Aviation Blvd.
Lawndale, CA 90261

ofelia.medina@faa.gov

DAVENPORT MUNICIPAL AIRPORT DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM

Policy Statement (26.23)

The Davenport Municipal Airport has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The Davenport Municipal Airport has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the Davenport Municipal Airport has signed an assurance that it will comply with 49 CFR Part 26.

In accordance with 49 CFR sections 26.3, 26.7, 26.21, and 26.23, the Davenport Municipal Airport hereby affirms this policy to utilize, to the maximum extent feasible, businesses owned and controlled by socially and economically disadvantaged individuals in the procurement of goods and services, and the award of contracts. The Davenport Municipal Airport will, in accordance with authority granted by DOT regulations, other federal, state and local laws and ordinances, act affirmatively to create a “level playing field” for Disadvantaged Business Enterprises (DBEs) to achieve the goal of equal opportunity.

The Davenport Municipal Airport recognizes that creating a “level playing field” for DBEs can only be achieved through the energetic implementation of this plan and the commitment of all the Davenport Municipal Airport employees, committees, and contractors to the goals of equal opportunity.

This policy statement has been circulated throughout the Davenport Municipal Airport’s organization. We distribute to the DBE and non-DBE business communities that perform work on the Davenport Municipal Airport’s DOT-assisted contracts by newspaper publication and by posting on the City of Davenport’s website.

In addition, it is the policy of the Davenport Municipal Airport to **not**:

1. Exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by this program on the basis of race, color, sex, or national origin.
2. Directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing the accomplishment of the objectives of the program with respect to individuals of a particular race, color, sex, or national origin through DBE program administration.

Date

Corrin Spiegel, City Administrator, City of Davenport

Date

Brian Schadt, Public Works Deputy-Director, City of Davenport

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A. SUBPART A – GENERAL REQUIREMENTS

Section 26.1 Objectives

The objectives are found in the policy statement on the first page of this program.

Section 26.3 Applicability

The Davenport Municipal Airport is the recipient of Federal airport funds authorized by 49 U.S.C. 47101, *et seq.*

Section 26.5 Definitions

The Davenport Municipal Airport will adopt the definitions contained in Section 26.5 for this program. New or amended definitions will be added as provided by USDOT; no definitions for terms not found in Section 26.5 of Part 26 will be included.

Section 26.7 Non-discrimination Requirements

The Davenport Municipal Airport will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

In administering its DBE program, The Davenport Municipal Airport will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE program with respect to individuals of a particular race, color, sex, or national origin.

Section 26.11 Record Keeping Requirements

Reporting to DOT: 26.11(b)

The Davenport Municipal Airport will report DBE participation on an annual basis. These reports will reflect payments actually made to DBEs on DOT-assisted contracts.

The Davenport Municipal Airport will report DBE participation to DOT/FAA as follows:

The Davenport Municipal Airport will transmit to FAA semiannually on December 1, the “Uniform Report of DBE Awards or Commitments and Payments” form, found in Appendix B of 49 CFR Part 26. We will also report the DBE Contractor firms contact information either on the FAA DBE Contractor’s Form or other similar format.

Bidders List: 26.11(c)

The Davenport Municipal Airport will create a bidders list as project bids are received, consisting of information about all DBE and non-DBE firms that bid or quote on DOT-assisted contracts. The purpose of this requirement is to allow use of the bidder's list approach to calculating overall goals. The bidder list will include the name, address, DBE non-DBE status, age, and annual gross receipts of firms.

We will collect this information via a contract clause requiring prime bidders to report the names/addresses, DBE/non-DEB status, age, and annual gross receipts of all firms who quote to them on subcontracts.

Section 26.13 Federal Financial Assistance Agreement

The Davenport Municipal Airport has signed the following assurances, applicable to all DOT-assisted contracts and their administration:

Assurance: 26.13(a)

The Davenport Municipal Airport shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT assisted contract or in the administration of its DBE Program or the requirements of 49 CFR Part 26. The Davenport Municipal Airport shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT assisted contracts. The Davenport Municipal Airport's DBE Program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Davenport Municipal Airport of its failure to carry out its approved program, the Department may impose sanction as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 *et seq.*).

This language will appear in financial assistance agreements with sub-recipients.

Contract Assurance: 26.13b

The Davenport Municipal Airport will ensure that the following clause is placed in every DOT-assisted contract and subcontract:

The contractor, sub-recipient, or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

B. SUBPART B - ADMINISTRATIVE REQUIREMENTS

Section 26.21 DBE Program Updates

The Davenport Municipal Airport will receive grant(s) of \$250,000 or more in FAA planning, capital, and operating assistance in a federal fiscal year, we will continue to carry out this program until all funds from DOT financial assistance have been expended. We will provide to DOT updates representing significant changes in the program.

Section 26.23 Policy Statement

The Policy Statement is elaborated on page 3 of this program.

Section 26.25 DBE Liaison Officer (DBELO)

We have designated the following individual as our DBE Liaison Officer:

Brandon Wright
Director of Finance
City of Davenport
226 W. 4th Street
Davenport, Iowa 52801
Phone: 563-326-7750
Email: bwright@ci.davenport.ia.us

In that capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that the Davenport Municipal Airport complies with all provision of 49 CFR Part 26. The DBELO has direct, independent access to the City Administrator concerning DBE program matters. An organization chart displaying the DBELO's position in the organization is found in *Attachment 1* to this program.

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with the City Administrator, the Public Works Director and the Davenport Municipal Airport Manager. The duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required by DOT.
2. Reviews third party contracts and purchase requisitions for compliance with this program.
3. Works with all departments to set overall annual goals.
4. Ensures that bid notices and requests for proposals are available to DBEs in a timely manner.
5. Identifies contracts and procurements so that DBE goals are included in solicitations (both race-neutral methods and contract specific goals attainment) and identifies ways to improve progress.
6. Analyzes the Davenport Municipal Airport's progress toward attainment and identifies ways to improve progress.
7. Participates in pre-bid meetings.

8. Advises the CEO\governing body on DBE matters and achievement.
9. Chairs the DBE Advisory Committee.
10. Provides DBEs with information and assistance in preparing bids, obtaining bonding and insurance.
11. Plans and participates in DBE training seminars.
12. Certifies DBEs according to the criteria set by DOT and acts as liaison to the Uniform Certification Process in Iowa.
13. Provides outreach to DBEs and community organizations to advise them of opportunities.
14. Maintains the Davenport Municipal Airport's file copy of the State of Iowa DBE Directory.

Section 26.27 DBE Financial Institutions

It is the policy of the Davenport Municipal Airport to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contract to make use of these institutions. We have made the following efforts to identify and use such institutions: contacted the QC Better Business Bureau, the QC Chambers of Commerce, and the Eastern Iowa Small Business Development Center; we have searched for registered DBE firms through directories. To date there are no financial institutions which meet the criteria. The availability of financial institutions will be reevaluated on an annual basis.

Section 26.29 Prompt Payment Mechanisms

Prompt Payment: 26.29(a)

Davenport Municipal Airport will include the following clause in each DOT-assisted prime contract:

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 30 days from the receipt of each payment the prime contract receives from the Davenport Municipal Airport. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the Davenport Municipal Airport. This clause applies to both DBE and non-DBE subcontracts.

If the contractor, without reasonable cause, fails to make any payment to his subcontractors and material suppliers within 30 days after receipt of payment, the contractor shall pay to his subcontractors and material suppliers, in addition to the payment due them, interest in the amount of one and one-half percent per month, calculated from the expiration of the 30-day period until fully paid.

Failure to comply with the prompt payment provision will result in the City withholding all subsequent payments to the Contractor until the Contractor submits proof that compliance with the provision has been satisfactorily met.

Retainage: 26.29(b)

The prime contractor agrees to return retainage payments to each subcontractor within 30 days after the subcontractors work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the Davenport Municipal Airport. This clause applies to both DBE and non-DBE subcontracts.

Monitoring and Enforcement: 26.29(d)

The Davenport Municipal Airport has established a complaint process for any subcontractor that has not been paid in a timely manner. Once the complaint is received, the City will conduct a review of the work status, payments made to the prime contractor, payments made to the subcontractor, document compliance, and the allegations put forth by the complainant. A written response will be prepared and provided to the prime and the subcontractor. The parties will be referred to the Davenport Director of Finance to resolve the matter through mediation, an alternative dispute resolution mechanism. The mediation process is voluntary.

The Davenport Municipal Airport will continue to monitor the situation. When the prime submits final payment documentation, if the payment remains outstanding, the justification must be noted as an amendment to the assurance of satisfaction of all claims. If there is no amendment and the claim remains outstanding, the prime will not receive final payment until satisfactory justification has been submitted.

All contractors and subcontractors must retain records of all payments, made or received, for 3 years from the date of the final payment and must be available for inspection, upon request, by any authorized representative of the City.

The Davenport Municipal Airport may perform random audits of contract payments to firms. The audits will review payments to all subcontractors to ensure that payments were made and that the actual amount paid to DBE subcontractors equal or exceed the dollar amounts stated in the contractor's final affidavit of DBE participation.

A contract clause providing that the prime contractor will not be reimbursed for work performed by subcontractors unless and until the prime contractor ensures that the subcontractors are promptly paid for the work they have performed.

Other mechanisms, consistent with this part and applicable state and local law, may be utilized as needed to ensure that DBEs and other contractors are fully and promptly paid.

Section 26.31 Directory

The Davenport Municipal Airport utilizes the Iowa Department of Transportation Directory of Certified Disadvantaged Business Enterprises, which identifies all firms eligible to participate as DBEs. This directory lists the firm's name, address, phone number, date of the most recent certification, and the type of work the firm has been certified to perform as a DBE. IDOT revises the Directory annually. The Directory is available as follows:

State of Iowa
Office of Contracts – EEO section
800 Lincoln Way
Ames, Iowa 50010
Phone: 515-239-1414
Fax: 515-239-1325
Email: roger.bierbaum@dot.iowa.gov

The Directory may be found online at <https://secure.iowadot.gov/DBE/Home/Index/>
See Attachment 2

Section 26.33 Overconcentration

The Davenport Municipal Airport has not identified that overconcentration exists in the types of work that DBEs perform. We will re-evaluate for overconcentration on an annual basis.

Section 26.35 Business Development Programs

The Davenport Municipal Airport has not established a business development program. We will re-evaluate the need for such a program on an annual basis.

Section 26.37 Monitoring and Enforcement Mechanisms

The Davenport Municipal Airport will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26.

1. We will bring to the attention of the Department of Transportation any false, fraudulent, or dishonest conduct in connection with the program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in 26.109. *Attachment 3*
2. We will consider similar action under our own legal authorities, including responsibility determinations in future contracts.
3. We will also provide a monitoring and enforcement mechanism to verify that work committed to DBEs at contract award is actually performed by the DBEs. This will be accomplished by on-site monitoring, invoices and reports from the prime and sub-

contractors on the job, and final affidavits from prime and sub-contractors attesting to the type of work performed, by whom and the final amount.

4. We will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract award.

Section 26.39 Fostering Small Business Participation

The Davenport Municipal Airport is committed to fair and open competition for contracting opportunities among all businesses, and has implemented strategies to encourage small business participation in contracting opportunities.

In order to facilitate competition and encourage participation by small businesses, the Davenport Municipal Airport has adopted reasonable steps to eliminate obstacles to participation by these entities. These steps include implementation of the following strategies:

1. Multi-year design-build contracts or other large contracts: The Davenport Municipal Airport will unbundle large contracts to make them more accessible to small businesses **OR** will include language in project RFP requiring bidders on the prime contract to specify elements of the contract or specific subcontracts that are of a size (< \$25,000) that small businesses, including DBEs, can reasonably perform.
2. Smaller “non-megaproject” prime contracts: The Davenport Municipal Airport will unbundle contracts to make them more accessible to small businesses **OR** will include language in construction RFP requiring prime contractor -- when the elements of the work to be performed allow -- to provide subcontracting opportunities of a size (<\$25,000) that small businesses, including DBEs, can reasonably perform, rather than self-performing all the work involved.
3. Procurement and service contracts: where practicable, when contracting opportunities favorable to small business competition arise (up to \$25,000), the Davenport Municipal Airport may send notice of such opportunities to local small business development organizations such as the Quad Cities Chamber of Commerce, the Hispanic Chamber of Commerce, and both the Iowa and Illinois Small Business Development Centers. These organizations have agreed to act as a “clearinghouse” to disseminate information and alert local small business concerns of bid opportunities.
4. This small business element will be implemented within six months of FTA DBE program approval.

For the purpose of this provision, the Davenport Municipal Airport accepts the Small Business Administration’s definition of a small business concern. In order to ensure that a firm is, in fact, a small business concern and to minimize fraud and abuse, the Davenport Municipal Airport will use

the applicable trade standards below to test that an entity falls within the eligibility parameters to qualify as such:

SBA defines a small business concern as one that is independently owned and operated, is organized for profit, and is not dominant in its field. Depending on the industry, size standard eligibility is based on the average number of employees for the preceding twelve months or on sales volume averaged over a three-year period. Examples of SBA general size standards include the following:

- *Manufacturing: Maximum number of employees may range from 500 to 1500, depending on the type of product manufactured;*
- *Wholesaling: Maximum number of employees may range from 100 to 500 depending on the particular product being provided;*
- *Services: Annual receipts may not exceed \$2.5 to \$21.5 million, depending on the particular service being provided;*
- *Retailing: Annual receipts may not exceed \$5.0 to \$21.0 million, depending on the particular product being provided; and*
- *General and Heavy Construction: General construction annual receipts may not exceed \$13.5 to \$17 million, depending on the type of construction.*

Source: SBA.GOV

C. SUBPART C - GOALS, GOOD FAITH EFFORTS, AND COUNTING

Section 26.43 Set-asides or Quotas

The Davenport Municipal Airport does not use quotas in any way in the administration of this DBE program.

Section 26.45 Overall Goals

In accordance with Section 26.45, the Davenport Municipal Airport will submit its triennial overall DBE goal to the Federal Aviation Administration (FAA) on August 1 of the year specified by FAA.

The Davenport Municipal Airport will also request use of project-specific DBE goals as appropriate, and/or will establish project-specific DBE goals as directed by FAA.

If the Davenport Municipal Airport reasonably anticipates awarding \$250,000 or less in FAA funds in prime contracts in a Federal fiscal year, no overall goal will be developed for that fiscal year per §26.45 (a)(2); the existing DBE program, however, will remain in effect and the Davenport Municipal Airport will continue to seek to fulfill the objectives outlined in §26.1.(b). If the Davenport Municipal Airport reasonably anticipates awarding \$250,000 or more in FAA funds in prime contracts in a Federal fiscal year, an overall goal for DBE participation in DOT-assisted contracts will be developed.

Per §26.45, the overall goal is based on demonstrable evidence of the availability of ready, willing and able DBEs relative to all businesses ready, willing and able to participate in DOT-

assisted contracts. The goal reflects a determination of the level of DBE participation the Davenport Municipal Airport would expect absent the effects of discrimination.

The process generally used by the Davenport Municipal Airport to establish overall DBE goals is as follows:

Step 1: 26.45(c)

Determine the base figure for the relative availability of DBEs to perform work on DOT-assisted contracts. The base figure for the relative availability of DBE's is calculated as:

$$\text{Base figure} = \frac{\text{Ready, willing, and able DBEs}}{\text{All firms ready, willing and able}}$$

The number of "ready, willing and able" DBEs in the market is determined through the State of Iowa Directory of Certified DBEs.

The number of all ready, willing, and able firms available in the market performing work in the same NAICS codes is determined using the Census Bureau's County Business Pattern (CBP) data base. Information about the CBP data base may be obtained from the Census Bureau at their web site, <http://www.census.gov/econ/cbp/index.html>. Additional information pertaining to NAICS codes can be found at <http://www.naics.com/searchresultsnew.php>.

The number of DBEs is divided by the number of all firms to derive a base figure for the relative availability of DBEs in the market.

Step 2: 26.45(d)

After calculating a base figure of the relative availability of DBEs, evidence is examined to determine what adjustment may be needed to the base figure in order to arrive at the overall goal. An example of such evidence includes the current capacity of DBEs to perform work in DOT-assisted contracts, as measured by the volume of work DBEs have performed in recent years.

Before establishing the overall goal, the Davenport Municipal Airport will consult with the minority, women, DBE, non-DBE business communities and organizations, Chamber of Commerce, and Iowa DOT to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs and the Davenport Municipal Airport's efforts to establish a level playing field for the participation of DBEs.

Following this consultation, we will publish a notice of the proposed overall goals, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at our principal office for 30 days following the date of the notice, and informing the public that we and DOT will accept comments on the goals for 45 days from the date of the notice. Notice will be posted in newspapers, available minority-focus media, the City of Bettendorf cable channel, and the City website. Normally, we will issue this notice by June 1.

The notice must include addresses to which comments may be sent and addresses (including offices and websites) where the proposal may be reviewed.

Our overall goal submission to DOT will include: the goal (including the breakout of estimated race-neutral and race-conscious participation, as appropriate); a copy of the methodology used to develop the goal; a summary of information and comments received during this public participation process and our responses (*see Attachment 4*), and proof of publication of the goal in media outlets listed above.

We will begin using our overall goal on October 1 of the specified year, unless other instructions from DOT are received. If we establish a goal on a project basis, we will begin using our goal by the time of the first solicitation for a DOT-assisted contract for the project. Our goal will remain effective for the duration of the three-year period established and approved by FTA. *See Attachment 5a*

Section 26.47 Goal Setting and Accountability

If the awards and commitments shown on the Davenport Municipal Airport's Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall applicable to that fiscal year, we will:

1. Analyze in detail the reason for the difference between the overall goal and the actual awards/commitments;
2. Establish specific steps and milestones to correct the problems identified in the analysis; and
3. Submit the plan to FAA within 90 days of the end of the affected fiscal year.

Section 26.51 Meeting Overall Goals/Contract Goals

The Davenport Municipal Airport will meet the maximum feasible portion of its overall goal using race-neutral means of facilitating DBE participation. In order to do so, the Davenport Municipal Airport will:

1. Assure that bidding and contract requirements facilitate participation by DBE's and other small businesses (e.g. arrange solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE, and other small businesses, participation);
2. Unbundle large contracts to make them more accessible to small businesses;
3. Encourage prime contractors to subcontract portions of the work that they might otherwise perform themselves;
4. Provide technical assistance, communications programs and other support services, as needed, to facilitate consideration of DBE's and other small businesses.

The Davenport Municipal Airport will use contract goals to meet any portion of the overall goal the Davenport Municipal Airport does not project being able to meet using race-neutral means. Contract goals are established so that, over the period to which the overall goal applies, they will cumulatively result in meeting any portion of our overall goal that is not projected to be met through the use of race-neutral means.

We will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. We need not establish a contract goal on every such contract, and the size of contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work, availability of DBEs to perform the particular type of work.)

We will express our contract goals as a percentage of the Federal share of a DOT-assisted contract. *Attachment 5b*

Section 26.53 Good Faith Efforts Procedures

Award of Contracts with a DBE Contract Goal: 26.53(a)

In those instances where a contract-specific DBE goal is included in a procurement/solicitation, the Davenport Municipal Airport will not award the contract to a bidder who does not either: (1) meet the contract goal with verified, countable DBE participation; or (2) documents it has made adequate good faith efforts to meet the DBE contract goal, even though it was unable to do so. It is the obligation of the bidder to demonstrate it has made sufficient good faith efforts prior to submission of its bid.

Evaluation of Good Faith Efforts: 26.53(a) & (c)

The following personnel are responsible for determining whether a bidder/offeror who has not met the contract goal has documented sufficient good faith efforts to be regarded as responsive: DBELO

The process used to determine whether good faith efforts have been made by a bidder is as follows: The DBELO examines the documentary evidence provided by the bidder and determines whether or not the efforts made are consistent with examples of good faith efforts as found in Appendix A of 49 CFR Part 26.

The following is a list of types of actions which you should consider as part of the bidder's good faith efforts to obtain DBE participation. It is not intended to be a mandatory checklist, nor is it intended to be exclusive or exhaustive. Other factors or types of efforts may be relevant in appropriate cases.

- A. *Soliciting through all reasonable and available means (e.g. attendance at pre-bid meetings, advertising and/or written notices) the interest of all certified DBEs who have the capability to perform the work of the contract. The bidder must solicit this interest within sufficient time to allow the DBEs to respond to the solicitation. The bidder must determine with certainty if the DBEs are interested by taking appropriate steps to follow up initial solicitations.*

- B. *Selecting portions of the work to be performed by DBEs in order to increase the likelihood that the DBE goals will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation, even when the prime contractor might otherwise prefer to perform these work items with its own forces.*
- C. *Providing interested DBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.*
- D.
 - 1. *Negotiating in good faith with interested DBEs. It is the bidder's responsibility to make a portion of the work available to DBE subcontractors and suppliers and to select those portions of the work or material needs consistent with the available DBE subcontractors and suppliers, so as to facilitate DBE participation. Evidence of such negotiation includes the names, addresses, and telephone numbers of DBEs that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional agreements could not be reached for DBEs to perform the work.*
 - 2. *A bidder using good business judgment would consider a number of factors in negotiating with subcontractors, including DBE subcontractors, and would take a firm's price and capabilities as well as contract goals into consideration. However, the fact that there may be some additional costs involved in finding and using DBEs is not in itself sufficient reason for a bidder's failure to meet the contract DBE goal, as long as such costs are reasonable. Also, the ability or desire of a prime contractor to perform the work of a contract with its own organization does not relieve the bidder of the responsibility to make good faith efforts. Prime contractors are not, however, required to accept higher quotes from DBEs if the price difference is excessive or unreasonable.*
- E. *Not rejecting DBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities. The contractor's standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations (for example union vs. non-union employee status) are not legitimate causes for the rejection or non-solicitation of bids in the contractor's efforts to meet the project goal.*
- F. *Making efforts to assist interested DBEs in obtaining bonding, lines of credit, or insurance as required by the recipient or contractor.*
- G. *Making efforts to assist interested DBEs in obtaining necessary equipment, supplies, materials, or related assistance or services.*
- H. *Effectively using the services of available minority/women community organizations; minority/women contractors' groups; local, state, and Federal minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and placement of DBEs*

We will ensure that all information is complete and accurate and adequately documents the bidder/offeree's good faith efforts before we commit to the performance of the contract by the bidder/offeree.

Information to be submitted: 26.53(b)

The Davenport Municipal Airport treats bidder/offerees' compliance with good faith efforts' requirements as a matter of responsiveness.

Each solicitation for which a contract goal has been established will require the bidders/offerees to submit the following information:

1. The names and addresses of DBE firms that will participate in the contract;
2. A description of the work that each DBE will perform;
3. The dollar amount of the participation of each DBE firm participating;
4. Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
5. Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractors commitment; and
6. If the contract goal is not met, evidence of good faith efforts.

Administrative reconsideration: 26.53(d)

Within 10 days of being informed by the Davenport Municipal Airport that it is not responsive because it has not documented sufficient good faith efforts, a bidder/offeree may request administrative reconsideration. Bidder/offerees should make this request in writing to the following reconsideration official:

Corrin Spiegel, City Administrator
 226 West Fourth Street
 Davenport, Iowa 52801
 (563) 326-7763
 cspiegel@ci.davenport.ia.us

The reconsideration official will not have played any role in the original determination that the bidder/offeree did not document sufficient good faith efforts.

As part of this reconsideration, the bidder/offeree will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The bidder/offeree will have the opportunity to meet in person with our reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do. We will send the bidder/offeree a written decision on reconsideration, explaining the basis for finding that the bidder did or did not meet the goal or make adequate

good faith efforts to do so. The result of the reconsideration process is not administratively appealable to the Department of Transportation.

Good Faith Efforts when a DBE is replaced on a contract: 26.53(f)

The Davenport Municipal Airport requires that prime contractors not terminate a DBE subcontractor listed on a bid/contract with a DBE contract goal with the Davenport Municipal Airport's prior written consent. Prior written consent will only be provided where there is "good cause" for termination of the DBE firm, as established by Section 26:53(f)(3) of the DBE regulation.

Before transmitting to the Davenport Municipal Airport its request to terminate, the prime contractor must give notice in writing to the DBE of its intent to do so. A copy of this notice must be provided to the Davenport Municipal Airport prior to consideration of the request to terminate. The DBE will then have five (5) days to respond and advise the Davenport Municipal Airport of why it objects to the proposed termination. This five day period may be reduced if the matter is one of public necessity, for example, if there is a safety issue.

In those instances where "good cause" exists to terminate a DBE's contract, the Davenport Municipal Airport will require the prime contractor to make good faith efforts to replace a DBE that is terminated or has otherwise failed to complete its work on a contract with another certified DBE, to the extent needed to meet the contract goal. We will require the prime contractor to notify the DBE Liaison officer immediately of the DBE's inability or unwillingness to perform and provide reasonable documentation.

In this situation, we will require the prime contractor to obtain our prior approval of the substitute DBE and to provide copies of new or amended subcontracts, or documentation of good faith efforts.

If the contractor fails or refuses to comply in the time specified, our contracting office will issue an order stopping all or part of payment/work until satisfactory action has been taken. If the contractor still fails to comply, the contracting officer may issue a termination for default proceeding.

Sample Bid Specification:

*The requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation, apply to this contract. It is the policy of the Davenport Municipal Airport to practice nondiscrimination based on race, color, sex, or national origin in the award or performance of this contract. All firms qualifying under this solicitation are encouraged to submit bids/proposals. Award of this contract will be conditioned upon satisfying the requirements of this bid specification. These requirements apply to all bidders/offerors, including those who qualify as a DBE. A DBE contract goal of **1.17%** has been established for this contract. The bidder/offeror shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26, to meet the contract goal for DBE participation in the performance of this contract.*

The bidder/offeror will be required to submit the following information (see *Attachment 7*):

1. the names and addresses of DBE firms that will participate in the contract;
2. description of the work that each DBE firm will perform;
3. the dollar amount of the participation of each DBE firm participating;
4. Written documentation of the bidder/offeror's commitment to use a DBE subcontractor whose participation it submits to meet the contract goal;
5. Written confirmation from the DBE that it is participating in the contract as provided in the commitment made under (4); and
6. If the contract goal is not met, evidence of good faith efforts.

*[Note: When a contract goal is established pursuant to the recipient's DBE program, the sample bid specification can be used to notify bidders/offerors of the requirements to make good faith efforts. The forms found at Attachment 6 can be used to collect information necessary to determine whether the bidder/offeror has satisfied these requirements. The sample specification is intended for use in both non-construction and construction contracts for which a contract goal has been established. Thus, it can be included in invitations for bid for construction, in requests for proposals for architectural/engineering and other professional services, and in other covered solicitation documents. **A bid specification is required only when a contract goal is established.**]*

Section 26.55 Counting DBE Participation

We will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55. We will not count the participation of a DBE subcontract toward a contractor's final compliance with its DBE obligations on a contract until the amount being counted has actually been paid to the DBE.

D. SUBPART D – CERTIFICATION STANDARDS

Section 26.61 – 26.73 Certification Process

The Iowa DOT's Office of Contracts coordinates the Unified Certification Process (UCP) program that only requires one certification to do business as a DBE under any FTA, FAA, or FHWA assisted contract.

The Iowa Department of Transportation, Ames, Iowa, as the designated UCP Administrator will use the certification standards of Subpart D of Part 26 and the certification procedures of Subpart E to determine the eligibility of firms to participate as DBEs in DOT-assisted contracts. To be certified as a DBE, a firm must meet all certification eligibility standards. The EEO Administrator will make certification decisions based on the facts as a whole.

For information about the certification process or to apply for certification, firms should contact:

Office of Contracts
EEO Section
800 Lincoln Way
Ames, IA 50010
515-239-1422
DOT.Contracts@dot.state.ia.us

Craig Russell, EEO Administrator
craig.Russell@dot.iowa.gov

E. SUBPART E – CERTIFICATION PROCEDURES 26.81

Section 26.81 Unified Certification Programs

The Davenport Municipal Airport is a member of a Unified Certification Program (UCP) administered by the Iowa Department of Transportation (IADOT). The Iowa Department of Transportation, Ames, Iowa, as the designated UCP Administrator, will meet all of the requirements of this section. The Davenport Municipal Airport will use, and count, for DBE credit only, those DBE firms certified by the Iowa UCP.

Section 26.83 Procedures for Certification Decisions

For information about the certification process or to apply for certification, firms should contact:

External Civil Rights Administrator
Iowa DOT
Office of Employee Services
800 Lincoln Way
Ames, Iowa 50010
Phone number: 515-239-1422
Fax number: 515-817-6502 or 515-239-1175

Section 26.89 Certification Appeals

Any firm or complainant may appeal DOT certification decisions. Such appeals should be sent to:

U.S. Department of Transportation
Office of Civil Rights Certification Appeals Branch
1200 New Jersey Ave. SE
West Building, 7th Floor
Washington, D.C. 20590

F. SUBPART F – COMPLIANCE AND ENFORCEMENT**Section 26.109 Information, Confidentiality, Cooperation**

We will safeguard from disclosure to third parties information that may reasonably be regarded as confidential business information, consistent with Federal, state, and local law.

Notwithstanding any contrary provisions of state or local law, we will not release personal financial information submitted in response to the personal net worth requirement to a third party (other than DOT) without the written consent of the submitter.

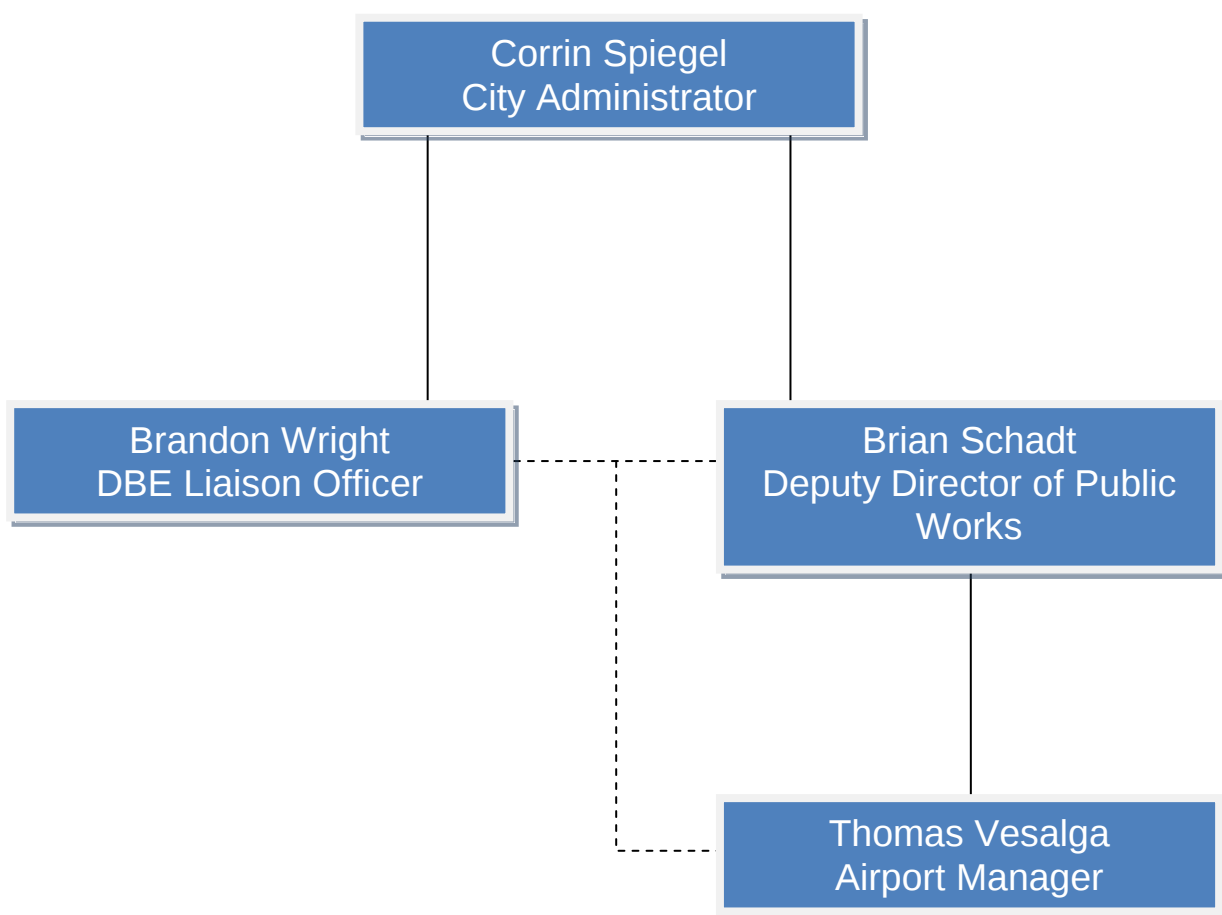
Monitoring Payments to DBEs

We will require prime contractors to maintain records and documents of payments to DBEs for three (3) years following the performance of the contract. These records will be made available for inspection upon request by any authorized representative of the Davenport Municipal Airport or DOT. This reporting requirement also extends to any certified DBE subcontractor.

We will perform interim audits of contract payments to DBEs. The audit will review payments to DBE subcontractors to ensure that the actual amount paid to DBE subcontractors equals or exceeds the dollar amounts states in the schedule of DBE participation.

ATTACHMENTS

Attachment 1	Organizational Chart
Attachment 2	DBE Directory
Attachment 3	Monitoring and Enforcement Mechanisms
Attachment 4	Public Participation
Attachment 5a	Overall Goal Calculation
Attachment 5b	Breakout of Estimated Race-Neutral & Race-Conscious Participation
Attachment 6	Form 1 & 2 for Demonstration of Good Faith Efforts
Attachment 7	Certification Application Forms
Attachment 8	Procedures for Removal of DBE's Eligibility
Attachment 9	Regulations: 49 CFR Part 26

Attachment 1**Organizational Chart of the Davenport Municipal Airport**

Attachment 2

DBE Directory

The IOWA DBE Directory is available for viewing at Iowa Department of Transportation, Office of Contracts, 800 Lincoln Way, Ames, Iowa, 50010.

The Iowa DBE Directory is also available online at <https://secure.iowadot.gov/DBE/Home/Index/>

Attachment 3

Monitoring and Enforcement Mechanisms

The federal government has available several enforcement mechanisms that it may apply to firms participating in the DBE problem, including, but not limited to, the following:

1. Suspension or debarment proceedings pursuant to 49 CFR Part 26
2. Enforcement action pursuant to 49 CFR Part 31
3. Prosecution pursuant to 18 USC 1001.

Attachment 4

Public Participation

Consultation: Section 26.45(g)(1).

The Davenport Municipal Airport submits its overall DBE three-year goal to DOT on August 1 as required by the set schedule.

Before establishing the overall goal, the Davenport Municipal Airport will consult with Iowa DOT, without limiting consultation to these persons or groups, to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the Davenport Municipal Airport efforts to establish a level playing field for the participation of DBEs.

Following the consultation, we will publish a notice in the Quad-City Times of the proposed overall goal, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at the Department of Public Works for 30 days following the date of the notice, and informing the public that the Davenport Municipal Airport and DOT will accept comments on the goals for 45 days from the date of the notice.

Our overall goal submission to DOT will include a summary of information and comments received during this public participation process and our responses, if any.

No comments have been received.

Sample Public Notice Language:

PUBLIC NOTICE

The Davenport Municipal Airport hereby announces its averaged fiscal year 2016, 2017, 2018 goal of 1.17% for Disadvantaged Business Enterprise (DBE) airport construction projects. The proposed goals and rationale is available for inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday at Department of Public Works, Aviation Division, 1200 E 46th Street, Davenport, IA 52807 for 30 days from the date of this publication.

Comments on the DBE goal will be accepted for 45 days from the date of this publication and can be sent to the following:

Thomas Vesalga
Davenport Municipal Airport Manager
1200 E 46th Street
Davenport, IA 52807

Attachment 5a

Section 26.45: Overall Goal Calculation

Amount of Goal

1. *The Davenport Municipal Airport* overall goal for FY 2016 through 2018 is the following:
1.17% of the Federal Financial assistance we will expend in DOT-assisted contracts.
2. \$14,271,145.00 is the dollar amount of DOT-assisted contracts that the *Davenport Municipal Airport* expects to award during FY2016 through FY2018. This means that *the Davenport Municipal Airport* has set a goal of expending \$166,972.40 with DBEs during these fiscal years.

Describe the Number and Type of Projects that the airport anticipates awarding:

Projects Fiscal Year 2016

1. Runway 15/33 Rehabilitation Design Phase - \$484,625.00

Projects Fiscal Year 2017

1. Runway 15/33 Rehabilitation Construction Phase - \$6,778,200.00

Projects Fiscal Year 2018

1. Runway 15/33 Extension Land Acquisition - \$7,008,320.00

Market Area: The entire state of Iowa has been identified as the market area due to contractors mobilizing great distances for certain projects.

Methodology used to Calculate Overall Goal – “DBE Goal-Setting Methodology Application” program distributed through U.S. Dept. of Transportation

Step 1: 26.45(c)

Determine the base figure for the relative availability of DBEs.

The base figure for the relative availability of DBE's was calculated as follows:

$$\text{Base figure} = \frac{\text{Ready, willing, and able DBEs}}{\text{All firms ready, willing and able}}$$

The data source or demonstrable evidence used to derive the numerator was: State of Iowa directory of certified DBEs.

The data source or demonstrable evidence used to derive the denominator was: Online at U.S. Department of Commerce, United States Census Bureau, County Business Patterns website: <http://censtats.census.gov/cbpnaic/cbpnaic.shtml>

When we divided the numerator by the denominator we arrived at the base figure for our overall goal.

FY 2016

Runway 15/33 Rehabilitation Design Phase

NAICS	Type of Work	Total DBE's	Total All Firms
541330	Engineering Services	5	346
Total:		5	346

$$\text{DBE \%} = 5 / 346 = 1.45\%$$

FY 2017

Runway 15/33 Rehabilitation Construction Phase

NAICS	Type of Work	Total DBE's	Total All Firms
237310	Highway, Street, and Bridge Construction	19	149
238210	Electrical Contractors	0	788
238910	Site Preparation	10	618
541330	Engineering Services	5	346
561730	Landscaping Services	12	957
Total:		46	2858

$$\text{DBE \%} = 46 / 2858 = 1.61\%$$

FY 2018

Runway 15/33 Extension Land Acquisition

NAICS	Type of Work	Total DBE's	Total All Firms
531210	Offices of Real Estate Agents and Brokers	0	745
541330	Engineering Services	5	346
Total:		5	1091

$$\text{DBE \%} = 5 / 1091 = 0.46\%$$

$$\text{Average of three years} = 1.17\%$$

Step 2: 26.45(d)

After calculating a base figure of the relative availability of DBEs, evidence was examined to determine what adjustment was needed to the base figure in order to arrive at the overall goal.

In order to reflect as accurately as possible the DBE participation we would expect in the absence of discrimination we have adjusted our base figure by 0%.

The data used to determine the adjustment to the base figure was: N/A

The reason we chose to adjust our figure using this data was because: N/A

From this data, we have adjusted our base figure to: N/A

Attachment 5b

Section 26.51: Breakout of Estimated Race-Neutral & Race Conscious Participation

The Davenport Municipal Airport will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. We estimate that, in meeting our overall goal of 1.17% we will obtain all from race-neutral participation.

In order to ensure that our DBE program will be narrowly tailored to overcome the effects of discrimination, if we use contract goals we will adjust the estimated breakout of race-neutral and race-conscious participation as needed to reflect actual DBE participation (see 26.51(f)) and we will track and report race-neutral and race conscious participation separately. For reporting purposes, race-neutral DBE participation includes, but is not necessarily limited to, the following: DBE participation through a prime contract a DBE obtains through customary competitive procurement procedures; DBE participation through a subcontract on a prime contract that does not carry DBE goal; DBE participation on a prime contract exceeding a contract goal; and DBE participation through a subcontract from a prime contractor that did not consider a firm's DBE status in making the award.

We will maintain data separately on DBE achievements in those contracts with and without contract goals, respectively.

An Overall Annual Disadvantaged Business Enterprise Goal has been developed in compliance with federal regulations set forth at 49 CFR Part 26, Participation by Disadvantaged Business Enterprises in U.S. Department of Transportation (DOT) Programs. The overall annual goal reflects staff's determination of the level of DBE participation that would be expected absent the effects of discrimination.

The U.S. DOT regulations require that the maximum feasible portion of the DBE Overall Annual Goal be met by using race-neutral methods. Race-Neutral methods include making efforts to assure that bidding and contract requirements facilitate participation by DBE's and other small businesses; unbundling large contracts to make them more accessible to small businesses; encouraging prime contractors to subcontract portions of the work that they might otherwise perform themselves; providing technical assistance, communications programs and other support services to facilitate consideration of DBE's and other small businesses.

Although statistics indicate a possible 1.17% participation rate for FFY2016 through FFY2018 contracting opportunities, staff will continue to make efforts to include DBE goals in federally assisted procurements and work with vendors to obtain good-faith efforts to meet or exceed this goal. **Thus the proposed goal applicable to FY 2016 through FY 2018 DOT assisted contracts totaling approximately \$166,972.40 (1.17% of \$14,271,145.00) includes an expectation that goal will be achieved through race/gender neutral means.**

Attachment 6**Forms 1 & 2 for Demonstration of Good Faith Efforts**

[Forms 1 and 2 should be provided as part of the solicitation documents.]

FORM 1: DISADVANTAGED BUSINESS ENTERPRISE (DBE) UTILIZATION

The undersigned bidder/offeror has satisfied the requirements of the bid specification in the following manner (please check the appropriate space):

_____ The bidder/offeror is committed to a minimum of _____ % DBE utilization on this contract.

_____ The bidder/offeror (if unable to meet the DBE goal of _____ %) is committed to a minimum of _____ % DBE utilization on this contract submits documentation demonstrating good faith efforts.

Name of bidder/offeror's firm: _____

State Registration No. _____

By _____
(Signature) Title

FORM 2: LETTER OF INTENT

Name of bidder/offeror's firm: _____

Address: _____

City: _____ State: _____ Zip: _____

Name of DBE firm: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

Description of work to be performed by DBE firm:

.....

.....

.....

.....

The bidder/offeror is committed to utilizing the above-named DBE firm for the work described above. The estimated dollar value of this work is \$ _____.

Affirmation

The above-named DBE firm affirms that it will perform the portion of the contract for the estimated dollar value as stated above.

By _____
(Signature) (Title)

If the bidder/offeror does not receive award of the prime contract, any and all representations in this Letter of Intent and Affirmation shall be null and void.

(Submit this page for each DBE subcontractor.)

Attachment 7**Certification Application Forms**

Any DBE seeking certification through the UCP should contact the following person to receive the proper forms:

Margaret Muxfeldt
Clerical Assistant
Iowa DOT Office of Contracts
EEO Section
800 Lincoln Way
Ames, Iowa 50010
Telephone 515-239-1325
Margaret.muxfeldt@dot.iowa.gov

Attachment 8

Procedures for Removal of DBE's Eligibility

If, based on notification by the firm of a change in its circumstances or other information that comes the attention of the Davenport Municipal Airport, it determines that there is reasonable cause to believe that a currently certified firm is ineligible, the Davenport Municipal Airport will provide written notice to the firm that it will relay information to the Iowa DOT for investigation.

The Iowa DOT process is as follows:

Complaints: Iowa DOT will accept written complaints from any person alleging that a currently certified DBE firm is ineligible and stating specific reasons for ineligibility. Anonymous or general complaints will not be accepted. The Iowa DOT will thoroughly investigate the complaint and if reasonable cause is found, will notify the DBE and the complainant in writing.

Iowa DOT Initiated: When Iowa DOT has reason to believe a certified DBE firm is ineligible, the DBE will be notified of the finding in writing. The letter will state the reason and cite the evidence.

USDOT Initiated: The USDOT may notify Iowa DOT of reasonable cause to find a certified DBE firm to be ineligible. The Iowa DOT must immediately initiate removal procedures.

Hearing: When a DBE firm receives written notice of intent to remove eligibility, the firm has 15 days to request an informal hearing to refute the allegations. The Iowa DOT must prove by a preponderance of evidence that the firm is ineligible. The Iowa DOT will provide a Tape Recorder to record the hearing and prepare a transcript. The decision-maker for the appeal hearing will be the Iowa DOT Appeal Committee.

Decision: The decision to remove eligibility will be based on circumstances that have changed since certification, evidence that was not available at certification, evidence that was concealed or misrepresented, a change in certification standards or a documentation of erroneous facts.

Notice of Decision: Following the decision, the Iowa DOT will notify the DBE firm in writing of the decision and any consequences. The firm remains an eligible DBE throughout the investigation and hearing process. The removal of eligibility becomes effective on the date of the decision letter.

Effects: The prime contractor will receive DBE credit for all DBE work that is currently under contract. If there was a bid commitment but no written subcontract was executed yet, the prime contractor must make a good faith effort to find another DBE firm for all or part of the committed amount.

US DOT Appeals

Who May Appeal: Any applicant who has been denied certification by the Iowa DOT or a previously certified firm whose eligibility was removed by the Iowa DOT may appeal. Any complainant in an ineligibility complaint to the Iowa DOT may appeal if the Iowa DOT does not remove eligibility and they believe the finding to be in error.

Where: Send appeals to:

Department of Transportation
Office of Civil Rights
1200 New Jersey Avenue SE
Washington D. C. 20590

When: The complete appeal must be filed within 90 days of the decision letter date.

What: The appeal must contain a narrative as to why the Iowa DOT decision was in error and documents to show or prove the error. If you are an applicant who was denied or a DBE whose eligibility was removed, you must disclose in the appeal all other denials or rejections within one year of the date of the appeal. Failure to do so is a failure to cooperate.

Recipient: The Iowa DOT will provide to USDOT the administrative record and hearing transcript within 20 days

Attachment 9**Regulations: 49 CFR Part 26**

City of Davenport

Agenda Group: Public Works

Department: Public Works

Contact Info: Nick Schmuecker; (563) 327-5162

Wards: All

Action / Date

PW10/5/2016

Subject:

Motion to award the contract for the slurry seal, micro-surface and cape seal to Missouri Petroleum Products Company, LLC of St. Louis, MO in the amount of \$659,120.11 budgeted in CIP #35014. [All Wards]

Recommendation:

Approve the motion.

Relationship to Goals:

Financially responsible City government.

Background:

A Request for Bid was issued on September 1, 2016 and was sent to 221 contractors. On September 22, 2016 the Purchasing Division received and opened 2 responsive bids. Missouri Petroleum Products Company LLC was the lowest responsive and responsible bid and is recommended for the contract.

The proposed improvements consist of applying Slurry Seal, a single pass Micro-surfacing layer, and/or Cape Seal over existing hot mix asphalt (HMA) or bituminous seal coat surfaces, reestablishing pavement markings, and the associated traffic control for streets within the city of Davenport.

Funding for the project is from CIP #35014.

ATTACHMENTS:

Type	Description
▣ Backup Material	Bid Tabulation

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	9/28/2016 - 1:31 PM
Public Works Committee	Lechvar, Gina	Approved	9/28/2016 - 1:34 PM
City Clerk	Admin, Default	Approved	9/28/2016 - 2:36 PM

CITY OF DAVENPORT, IOWA
REQUEST FOR BIDS RESPONDENTS

DESCRIPTION: SLURRY SEAL, MICRO-SURFACE, AND CAPE SEAL
BID NUMBER: 17-22
OPENING DATE: SEPTEMBER 22, 2016
RECOMMENDATION: AWARD THE CONTRACT TO MISSOURI PETROLEUM CO, LLC
OF ST. LOUIS, MO

<u>VENDOR NAME</u>	<u>LOCATION</u>	<u>AMOUNT</u>
MISSOURI PETROLEUM CO, LLC	ST. LOUIS, MO	\$659,120.11
MICROSURFCACING CONTRACTORS, LLC	DAVENPORT, IA	\$778,587.40

Prepared By Cindy Whitaker
Purchasing

Approved By [Signature]
Department Director

Approved By Brandi Cozen
Budget/CIP

Approved By [Signature]
Finance Director

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Todd Jones; (563) 326-7923
Wards: All

Action / Date
PW10/5/2016

Subject:

Motion approving the purchase of a tub grinder for the Compost facility from a National Joint Powers Alliance (NJPA) contract #070313-VRM from Vermeer of Tipton, IA in the amount of \$874,840 budgeted in CIP #24004. The grinder is used to process material to make the compost that is sold. [All Wards]

Recommendation:

Approve the motion.

Relationship to Goals:

Financially Responsible City Government.

Background:

NJPA is a cooperative purchasing group that issues bids for many different products and services. A sealed bid process is performed by NJPA. Entities can purchase using the contracted prices from NJPA, saving them time and money since the process was already performed.

This tub grinder will replace unit #E611 at the compost facility, due to the age and hours of the old unit. The grinder is used to process material coming into the facility to make the compost that is sold. If any major component of the grinder should fail, it could exceed the value of the old unit.

E611 will be placed on a public surplus website for sale. The reserve amount will be the \$125,000, which is the trade-in value offered by Vermeer.

Funding for this purchase is from FY17 CIP #24004 account for compost equipment replacement, #76502675 530350 24004, with a current amount of \$1,200,000.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	9/29/2016 - 11:19 AM
Public Works Committee	Lechvar, Gina	Approved	9/29/2016 - 11:20 AM
City Clerk	Admin, Default	Approved	9/29/2016 - 12:23 PM

City of Davenport

Agenda Group: Public Works
Department: Public Works
Contact Info: Nichole Kriz; (563)326-7784
Wards: 7

Action / Date
10/5/2016

Subject:

Motion to award the contract for the Deere Creek Sanitary Sewer Project to Mass Custom Hauling, Inc. of Milan, IL in the amount of \$52,740. [Ward 7]

Recommendation:

Approve the motion.

Relationship to Goals:

Financially responsible City government.

Background:

A Request for Bid was issued on August 25, 2016 and was sent to 320 contractors. On September 15, 2016 the Purchasing Division received and opened 4 responsive and responsible bids. Mass Custom Hauling, Inc. was the lowest responsive and responsible bid and is recommended for the award.

The project is located at the east and west bank protection of Deere Creek east of 46th Street and west of Eastern Avenue. The project includes placing rip rap, construction of a concrete pier on the west bank to support the sanitary sewer crossing, and to mechanically joint the exposed pipe joint located above Deere Creek to correct the sag. The completed work will increase the integrity of the sanitary sewer crossing.

Funding for the project is from CIP #30029.

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	9/29/2016 - 3:48 PM

City of Davenport

Agenda Group: Finance
Department: Legal
Contact Info: T Warner 326-7735
Wards: All

Action / Date
FIN9/21/2016

Subject:

Second Consideration: Ordinance amending Subsection 2.54.070(A)(1) to allow Parks & Recreation Advisory Board Members to serve in other capacities as well. [All Wards]

Recommendation:

Pass the ordinance

Relationship to Goals:

Background:

The Parks & Recreation Advisory board has requested that the language in the ordinance that prevents board members from serving on other city boards and commissions be eliminated.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Ord P&R dual service

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	9/27/2016 - 3:01 PM

ORDINANCE NO. _____

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

Ordinance amending Subsection 2.54.070(A)(1) to allow Parks & Recreation Advisory Board Members to serve in other capacities as well

Section 1. That Subsection 2.54.070(A)(1) is hereby amended to read as follows:

1. The board shall consist of eleven persons, one to be selected by the mayor and one to be selected by each member of the 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: _____
Jackie Holecek, CMC
Deputy City Clerk

Published in the Quad City Times on _____

City of Davenport

Agenda Group: Finance
Department: Finance/Revenue
Contact Info: Jim Odean 326-7739
Wards: All

Action / Date
FIN10/5/2016

Subject:

First Consideration: Ordinance amending Chapter 5.17.010 entitled "License Required" to exclude businesses where retail sales is an ancillary function of the primary business. [All Wards]

Recommendation:
Adopt the ordinance

Relationship to Goals:
Business Friendly Community

Background:

The City of Davenport requires a retail business license from all businesses that sell tangible personal property to the ultimate consumer. There are many businesses in Davenport whose main business is not retail sales; however, they are being required to obtain a retail license for selling prepackaged potato chips, bottled pop or water, t-shirts, shampoo, or nail polish; and in most cases, the entity obtains another license from the City or another governing body.

By excluding these businesses, we will provide a more business-friendly environment and allow staff to administer the license more consistently to the businesses where the license is appropriate. Below is a breakdown of how many businesses this change will impact.

Business Type	Count
Bar / Restaurant / Food service	78
Hair	60
Nails	22
Tanning	6
Tattoo	6
Coffee	5
Mortuary	4
Club	3
Massage	2
Ballroom	1
Grand Total	187

ATTACHMENTS:

Type	Description
☐ Ordinance	Ordinance Chapter 5.17.010 License Required

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	9/28/2016 - 3:14 PM

Finance Committee
City Clerk

Watson-Arnould, Kathe
Admin, Default

Approved
Approved

9/28/2016 - 3:14 PM

9/28/2016 - 3:54 PM

ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 5.17.010 ENTITLED "LICENSE REQUIRED"

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

5.17.010 License required.

A. Retailer or Grocer. No person shall engage in or conduct any business as a retailer or grocer without first having procured a retail license. For the purposes of this section "retailer" means every person engaged in the business of selling tangible personal property to the ultimate consumer.

Retailer does not include the following:

1. Furnishing of utilities including: gas, electricity, water communication service
2. Tickets or admission to places of amusement or athletic events. (Ord. 82-158 § 38: Ord. 79-1203 § 4 (part): prior code § 14-104 (part)).
3. Businesses where retail sales is a minimal part of overall business revenue. These business types include: bars, restaurants, taverns, clubs, food services, salons, barbershops, nail shops, tattoo and massage parlors and mortuaries.

B. Transient Merchants. No person shall engage in transient sales covered by this chapter without first having obtained a transient merchant license as required by this chapter. Transient merchant provisions shall not apply to, and no transient merchant license is required by the city for:

1. Persons selling or offering for sale, tangible personal property or services as a fund-raising tool in connection with an educational or religious institution, a national or state-wide social, patriotic, recreational or benevolent organization;
2. Persons selling at wholesale to retail merchants for the purpose of resale;
3. Persons selling or distributing newspapers;
4. Persons selling tangible personal property or services to business enterprises only;
5. Persons who sell or offer for sale, from their residence in the city, works of art or handcrafts created or made by such person or a member of their immediate family;
6. Persons licensed by the state to sell real estate, insurance or as transient vendors of pharmaceuticals;
7. Persons selling or distributing livestock feeds as defined by state law;
8. Persons selling or delivering tangible personal property or services through a permanent business licensed by the city;
9. Persons selling or offering for sale, tangible personal property or services at an event for which a blanket transient merchant license has been issued;
10. Persons selling or offering for sale home grown fruits and vegetables;
11. Persons selling or offering for sale tangible personal property at a garage or yard sale conducted at the residence of a person offering tangible personal property at such sale;
12. Persons conducting and selling admissions to theatricals, shows, rides, sporting events and games, concerts, circuses, carnivals or other, similar public amusements where no sales of other products not related to the public amusement are made or offered;

13. Persons selling or offering for sale food and/or beverages to or for a food service establishment licensed by the state.

Any person going door-to-door while engaged in any of the activities listed in subsection B1 through 13 shall at all times comply with the restrictions contained in subsections 5.17.030(C) and (D) and may be cited for violations thereof. (Ord. 2012-332 (part)).

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: _____
Jackie Holecek, MMC
Deputy City Clerk

Published in the *Quad City Times* on _____

City of Davenport

Agenda Group: Finance
Department: Finance/Revenue
Contact Info: Jim Odean 326-7739
Wards: All

Action / Date
FIN10/5/2016

Subject:

First Consideration: Ordinance amending Chapter 5.15 entitled "Tobacco Sales" so that the ordinance reflects the recent changes to the tobacco industry and also reflects the changes made to the State of Iowa's program. [All Wards]

Recommendation:

Adopt the ordinance.

Relationship to Goals:

Financially Responsible City Government

Background:

The City of Davenport administers cigarette permits on behalf of the State of Iowa. Recently, the state has broadened its licensing from simply tobacco to include vapor, nicotine, and cigarettes to reflect the changes in the tobacco and cigarette industry. The change in definition will incorporate all of the emerging tobacco products being introduced such as e-cigarettes, hookahs, and vaping juice along with the more traditional cigars, cigarettes, and smokeless tobacco.

ATTACHMENTS:

Type	Description
Ordinance	Ordinance Amending 5.15 Tobacco

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	9/28/2016 - 3:15 PM
Finance Committee	Watson-Arnould, Kathe	Approved	9/28/2016 - 3:15 PM
City Clerk	Admin, Default	Approved	9/28/2016 - 3:55 PM

ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 5.15 ENTITLED "TOBACCO SALES"

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

Chapter 5.15 CIGARETTE, TOBACCO, ALTERNATIVE NICOTINE OR VAPOR PRODUCTS

Sections:

5.15.010 Permits.

The City of Davenport administers cigarette, tobacco, alternative nicotine and vapor products permits on the behalf of the State of Iowa. No person shall engage in the business of a retailer of cigarette, tobacco, alternative nicotine and vapor products at any place or business without first having received a permit as a cigarette, tobacco, alternative nicotine and vapor products retailer. No permit shall be issued for the sale of cigarette, tobacco, alternative nicotine and vapor products at retail in the city except to applicants who shall be engaged in one or more of the following listed occupations and shall be so engaged otherwise than incidentally or as an adjunct to some other occupation not so listed:

- A. The retail grocery business;
- B. The retail drug store business;
- C. The retail cigarette, tobacco, alternative nicotine and vapor products business;
- D. The sale of malt beverages under a class B license;
- E. The restaurant business;
- F. The hotel business;
- G. The operation of a private club;
- H. The operation of a gasoline filling or service station;

It shall be provided, nevertheless, that nothing contained in this chapter shall prevent the issuance of a permit for the sale of cigarette, tobacco, alternative nicotine and vapor products at retail to any applicant who is now the holder of any such permit or who shall purchase the goodwill of any business conducted by any person who is the present holder of such a permit. (Ord. 2012-332 (part); prior code § 2-44).

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: _____

Jackie Holecek, MMC
Deputy City Clerk

Published in the *Quad City Times* on _____

City of Davenport

Agenda Group: Finance
Department: Finance/Revenue
Contact Info: Jim Odean 326-7739
Wards: All

Action / Date
FIN10/5/2016

Subject:

First Consideration: Ordinance amending Chapter 10.84 entitled "Bicycles" so that the ordinance refers to the resolution which sets business license fees recommended by the Finance Director and approved by City Council. [All Wards]

Recommendation:

Adopt the ordinance

Relationship to Goals:

Financially Responsible City Government

Background:

As part of the effort to update and create more efficient municipal business licensing regulations, the establishment of bicycle license fees for residents is being removed from the bicycle ordinance which required an ordinance amendment to change, to establishment by adoption of a resolution. This practice is consistent with how business license fees are updated.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance amending 10.84 Bicycles

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	9/28/2016 - 3:14 PM
Finance Committee	Watson-Arnould, Kathe	Approved	9/28/2016 - 3:14 PM
City Clerk	Admin, Default	Approved	9/28/2016 - 3:54 PM

ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 10.84 ENTITLED "BICYCLES"

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

Chapter 10.84 BICYCLES

Sections:

- 10.84.010 Registration and license—Required.**
- 10.84.020 Registration and licensing—Procedure.**
- 10.84.030 Alteration of stickers or numbers.**
- 10.84.040 Lamps required.**
- 10.84.050 Riding on sidewalks.**
- 10.84.060 Clinging to moving vehicles prohibited.**
- 10.84.070 Carrying excessive number of passengers unlawful.**
- 10.84.080 Careless riding prohibited.**
- 10.84.090 Single-file riding.**
- 10.84.100 Observance of traffic rules required.**
- 10.84.110 Vehicles in bicycle lanes, paths, and parking areas unlawful.**
- 10.84.120 Manner of parking restricted.**
- 10.84.130 Violation—Penalty.**

10.84.010 Registration and license - Required.

No person, being a resident of the city, shall operate any bicycle upon any street, sidewalk or other public place within the city and no person shall, within the city, let out bicycles for hire, unless the ownership of each bicycle so operated or let out for hire is registered and has a license sticker placed thereon as provided in this chapter; provided, that nothing in this section shall apply to a bicycle licensed pursuant to state law as a motor vehicle. (Ord. 77-986 (part): prior code § 8-1).

10.84.020 Registration and licensing - Procedure.

The registration and licensing of bicycles shall be accomplished as follows:

A. Application for Registration; Fee. The owner of each bicycle to be licensed shall file in the office of the city clerk an application for registration on forms provided by the city clerk, which application shall as a minimum state the applicant's name, address and telephone number and the bicycle's make, model, serial number, frame size, number of speeds and type of brakes. A registration fee set by resolution establishing licensing fees shall be paid at time of application. If the manufacturer's serial number of any

bicycle is effaced or illegible, the police department shall, on request of the owner, stamp the bicycle with a permanent distinctive number, which number shall be stated on application in lieu of the manufacturer's serial number. The clerk may furnish application forms and license stickers to any person willing to assist in the distribution thereof, in order that applicants for license may more conveniently secure such forms.

B. Application for Registration; Retailers to Furnish. Any person, firm, association, corporation, or other entity engaged in the business of retailing bicycles to residents of the city shall, prior to the removal of the bicycles from the retail premises, require the prospective owner of the bicycle to fill out an application for registration on forms provided by the city clerk. The retailer shall issue the appropriate license sticker, as provided by the city clerk, and collect the registration fee set by resolution establishing licensing fees. All such completed forms shall be delivered by the retailer to the city clerk within fourteen days of their completion, along with the registration fees collected.

C. Issuance of License. Upon the filing of application and the payment of fees, the clerk shall issue a license sticker bearing a distinctive serial number, which number shall be recorded on the application. The clerk shall keep a record of the licenses issued conveniently cross-indexed for the purpose of aiding in the recovery of bicycles lost or stolen.

D. Attachment of License Sticker. The license sticker shall be attached to the tubular frame below the seat of each registered bicycle and shall remain attached thereto until ownership of the bicycle shall change.

E. Duplicate License Stickers. In the event that any license sticker shall be lost, stolen, destroyed or mutilated, a duplicate or substitute sticker shall be applied for and be issued by the clerk upon the submission of a written statement of such loss, theft, destruction or mutilation and payment of a fee set by resolution establishing licensing fees. Such statement may be in such form and such reasonable proof of loss, destruction or mutilation shall be made as the clerk may require. The clerk shall make entries on the index kept by the clerk of any change in license number so effected.

F. Nontransferability of License. Whenever ownership of a bicycle is transferred, the license therefor shall become invalid in fifteen days. It shall be the duty of the purchaser or transferee of a bicycle to apply for a new license within fifteen days of the transfer. No license or registration shall be transferred from one bicycle to another.

G. Term of License. All licenses issued prior to March 31, 1988 shall expire as of that date. Owners of bicycles on April 1, 1988 shall obtain a valid license sticker. (Ord. 88-69 §§ 2-4; Ord. 82-52 § 1; Ord. 77-986 (part); prior code § 8-2).

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

First Consideration _____

Second Consideration _____

Approved _____

Frank Klipsch
Mayor

Attest: _____
Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____

City of Davenport

Agenda Group: Finance
Department: Police
Contact Info: Mark Hanssen 888-3566
Wards: All

Action / Date
FIN10/5/2016

Subject:
Motion awarding a contract for body armor with a four-year replacement cycle to Carpenter Uniform Co. of Des Moines, IA in the amount of \$92,800. [All Wards]

Recommendation:
Approve the motion.

Relationship to Goals:
Financially Responsible City government.

Background:
The body armor replacement will be over a four year period. The cycle of replacement coordinates with the manufacturer warranty period and labor agreements. Over the four years, 1/4 of all sworn personnel receive body armor each year. Approximately 160 body armor vests will be purchased in total.

The purchase is being made from the Iowa Department of Administrative Services contract number 16264.

Funding for this purchase is from account 50102510-510175 with an available amount of \$35,975.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	9/28/2016 - 3:13 PM
Finance Committee	Watson-Arnould, Kathe	Approved	9/28/2016 - 3:13 PM
City Clerk	Admin, Default	Approved	9/28/2016 - 3:54 PM

City of Davenport

Agenda Group: Finance
Department: Public Works - Water Pollution Control Plant
Contact Info: Dan Miers 888-2121
Wards: All

Action / Date
FIN10/5/2016

Subject:

Motion awarding a contract for the clean-out of Digesters #3 and #4 at the Water Pollution Control Plant to Telum of Madrid, IA in the estimated amount of \$85,000. [All Wards]

Recommendation:

Approve the motion.

Relationship to Goals:

Financially Responsible City government.

Background:

A Request for Bids was issued on August 31, 2016 and was sent to 110 contractors. On September 20, 2016 the Purchasing Division received and opened four responsive and responsible bids. Telum was the lowest bidder and is recommended for the contract.

Digesters #3 and #4 are essentially identical and are both mixed with three external draft tube mixers. The #4 Digester will be pumped down to the lowest level that WPCP equipment will allow. It is expected to be three to four feet of material measured on the tank sidewall. The contents are primarily wastewater sludge, silt, sand, other inorganics, struvite material on the tank walls and floor as well as in the three draft tube mixer pipes. The contract is to complete the removal and cleanout of the Digesters.

Funding for this project is from account number 51151975-520201 with an available balance of \$354,553.

ATTACHMENTS:

Type	Description
▣ Backup Material	Bid Tabulation

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	9/29/2016 - 9:51 AM
Finance Committee	Watson-Arnould, Kathe	Approved	9/29/2016 - 9:51 AM
City Clerk	Admin, Default	Approved	9/29/2016 - 9:53 AM

CITY OF DAVENPORT, IOWA
REQUEST FOR BIDS RESPONDENTS

DESCRIPTION: DIGESTER #3 & #4 CLEANOUT PROJECT
BID NUMBER: 17-23
OPENING DATE: SEPTEMBER 20, 2016
RECOMMENDATION: AWARD THE CONTRACT TO TELUM OF MADRID, IA

<u>VENDOR NAME</u>	<u>LOCATION</u>	<u>PER TON REMOVED</u>
TELUM	MADRID, IA	\$127.58
NUTRI-JECT SYSTEMS, INC	HUDSON, IA	\$248.50
SYNAGRO CENTRAL, LLC	BALTIMORE, MD	\$740.00
FULL SERVICE ORGANICS MANAGEMENT LLC	WOODVILLE, WI	\$1,122.00

Prepared By

Purchasing

Approved By

Department Director

Approved By

Budget/CIP

Approved By

Finance Director

City of Davenport

Agenda Group: Finance
Department: Finance/Purchasing
Contact Info: Kristi Keller 888-2077
Wards: All

Action / Date
FIN10/5/2016

Subject:

1. A-L-L Equipment - Compressors w/dryers @ WPCP - Amount: \$16,044
2. Donald Plumptre - Two 5,500 gallon brine storage tanks for Streets - Amount: \$31,962
3. Weitz Industrial LLC - Install dewatering equipment @ WPCP - Amount: \$33,000

Recommendation:

Relationship to Goals:

Background:

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	9/29/2016 - 12:05 PM
Finance Committee	Watson-Arnould, Kathe	Approved	9/29/2016 - 12:05 PM
City Clerk	Admin, Default	Approved	9/29/2016 - 12:23 PM

City of Davenport

Agenda Group: Council
Department: City Clerk
Contact Info: Jackie E Holecek
Wards: 3

Action / Date
PS10/5/2016

Subject:
Motion to suspend the rules to vote on the following item:

Recommendation:

Relationship to Goals:

Background:

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	9/27/2016 - 1:18 PM

City of Davenport

Agenda Group: Council
Department: City Clerk
Contact Info: Jackie E Holecek
Wards: 3

Action / Date
10/5/2016

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

Corey Condon, AutoRodz, Car Show, October 9th, 6:00 AM - 5:00 PM; Closure Location: 4th Street between Warren and Marquette Streets including Myrtle Street [Ward 3]

Recommendation:

Relationship to Goals:

Background:

ATTACHMENTS:

Type	Description
▢ Cover Memo	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	9/27/2016 - 1:23 PM

RESOLUTION NO. 2016-

Resolution offered by Alderman Matson

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 an 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 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):

Entity: AutoRodz

Event: Car Show

Date: Saturday, October 9th

Time: 6:00 AM to 5:00 PM

Closure Location: 4th Street between Warren and Marquette Streets including Myrtle Street

Ward: 3

Approved this 12th day of October, 2016.

Approved:

Attest:

Frank Klipsch, Mayor

Jackie E. Holecek, MMC, Deputy City Clerk

