

CITY COUNCIL MEETING

City of Davenport, Iowa

Wednesday, August 24, 2022; 5:30 PM

City Hall | 226 West 4th Street | Council Chambers

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

Approval of the City Council Meeting minutes for August 10, 2022.

VI. City Administrator Update

VII. Report on Committee of the Whole

Approval of the Report on Committee of the Whole for August 17, 2022.

VIII. Appointments, Proclamations, Etc.

A. Proclamations

1. U.S. Heartland Global Leadership Day | August 30, 2022

IX. Presentations

A. Davenport Police Department Swearing-In Ceremony

- Zach Morgan
- Omar Alcala
- Mark Rappel
- Riley McIntyre

B. Youth Recognition

- Assumption High School Boys Soccer Team | State Champions
- Youth Summer Job Partnership

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

1. First Consideration: Ordinance amending Chapter 10.96 of the Municipal Code of Davenport, Iowa entitled "Schedules" by making various changes to Schedules II, V, and XIV to implement a change in traffic flow for 3rd and 4th Streets between River Drive and Marquette Street. [Ward 3]

XII. Approval of All Items on the Consent Agenda

****NOTE:** These are routine items and will be enacted at the City Council Meeting by one roll call vote without separate discussion unless an item is requested to be removed and considered separately.

1. Third Consideration: Ordinance for Case ROW22-04 being the request of Shawn Struck to vacate unimproved alley right-of-way located west of 2727 Glaspell Street. [Ward 1]
2. Third Consideration: Ordinance amending Chapter 9.08 entitled "Disorderly Conduct" of the Municipal Code of Davenport, Iowa by repealing Sections 9.08.050 and 9.08.080 due to a recent trend in federal court decisions restricting the City's ability to regulate activities that involve person-to-person donation requests. [All Wards]
3. First Consideration: Ordinance amending Schedule VII "No Parking" of Chapter 10.96 of the Municipal Code of Davenport, Iowa by adding Busch Avenue along the east side from Middle Road south to the alley. [Ward 5]
4. Resolution setting a Public Hearing on the proposed conveyance of vacated unimproved right-of-way lying west of Elmore Avenue and south of Pheasant Creek (VSM Holdings, LLC, Petitioner). [Ward 6]
5. Resolution approving street, lane, or public ground closures on the listed dates and times to hold outdoor events.

Tim Shea; Belle Court Labor Day Block Party; Sunday, September 4, 2022 11:00 a.m. - 8:00 p.m.; **Closure:** Belle Court from East 61st Street to Parkview Lane. [Ward 8]

Davenport Community School District; West High School Homecoming Parade; 3505 West Locust Street; Thursday, September 8, 2022 4:30 p.m. - 7:00 p.m.; **Closures (Police controlled):** West 18th Street from North Clark Street to North Elsie Avenue; North Elsie Avenue from West 18th Street to West Lombard Street; West Lombard Street from North Elsie Avenue to North Nevada Avenue; North Nevada Avenue from West Lombard Street south to West High School. [Ward 1]

Quad Cities River Bandits; Race to Home 5K; Downtown; Saturday, October 8, 2022 8:30 a.m. - 9:30 a.m.; **Closures:** 8:30 a.m. - 9:15 a.m. 2nd Street from Western Avenue to Centennial Bridge/Gaines Street; 8:30 a.m. - 9:30 a.m. easternmost northbound lane on the Centennial Bridge. [Ward 3]

Scott County Family Y; 36th Annual Turkey Trot; 630 East 4th Street; Thursday, November 24, 2022 5:00 a.m. - 11:00 a.m.; **Closures:** 4th Street from River Drive to Main Street; Main Street from 4th Street to Lombard Street; Lombard Street from Harrison Street to Brady Street; westernmost lane on Brady Street from Lombard Street to Central Park Avenue; southernmost lane on Central Park Avenue from Brady Street to Harrison Street; easternmost lane on Harrison Street between Central Park Avenue and Lombard Street. [Wards 3 & 5]

6. Resolution accepting work completed under the 2021 Crack and Seal

Program by Hawkeye Paving Corporation of Davenport, Iowa in the amount of \$780,848.66, CIP # 35053. [Wards 4 & 6]

7. Resolution accepting work completed under the West 54th Street Reconstruction project by Five Cities Construction Company of Coal Valley, Illinois in the amount of \$342,308.39, CIP #35054. [Ward 8]
8. Resolution accepting work completed under the Blackhawk Creek Stabilization project by Five Cities Construction Company of Coal Valley, Illinois in the amount of \$477,562.45, CIP #33038. [Ward 1]
9. Resolution assessing the cost of boarding up buildings at various lots and tracts of real estate. [All Wards]
10. Resolution assessing the cost of brush and debris removal at various lots and tracts of real estate. [All Wards]
11. Resolution assessing the cost of condemned property demolitions at various lots and tracts of real estate. [All Wards]
12. Resolution assessing the cost of tree removal at various lots and tracts of real estate. [All Wards]
13. Resolution assessing the cost of weed cutting at various lots and tracts of real estate. [All Wards]
14. Resolution assessing the cost of nuisance abatement and environmental clean ups at 2109 West 68th Street (Parcel W0331-33). [Ward 8]
15. Resolution awarding a contract for the 2022 Commercial Alley Resurfacing program to Langman Construction Inc of Rock Island, Illinois in the amount of \$226,637.85, CIP #35038. [Ward 3]
16. Resolution accepting the 2022-2023 (year three of three) AmeriCorps Program grant from the Corporation for National and Community Services in the amount of \$541,862 and authorizing the Finance Director or designee to sign the grant agreement to be managed and implemented by the Davenport Parks and Recreation Department. [All Wards]
17. Resolution establishing the date and times for the annual Halloween parade and trick-or-treating as Sunday, October 30, 2022 at 2:00 p.m. and Monday, October 31, 2022 5:30 p.m. - 7:30 p.m., respectively. [All Wards]
18. Motion approving noise variance requests for outdoor events on the listed dates and times.

Mississippi Valley Fair; Band after World of Outlaw Races; 2815 West Locust Street; Friday, August 26, 2022 9:00 p.m. - 12:00 a.m.; Outdoor music, over 50 dBA. [Ward 4]

Tim Shea; Belle Court Labor Day Block Party; Sunday, September 4, 2022 11:30 a.m. - 8:00 p.m.; Outdoor music/band, over 50 dBA. [Ward 8]

Jaycees of the Quad Cities; Bar-B-QC; LeClaire Park; 11:00 a.m. - 11:00 p.m. Friday, September 9, 2022 and 11:00 a.m. - 11:00 p.m. Saturday,

- September 10, 2022: Outdoor music/band. over 50 dBA. [Ward 3]
19. Motion approving beer and liquor license applications.

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

Ward 3

Jaycees of the Quad Cities (Davenport Jaycees) - 400 Beiderbecke Drive - Temporary Outdoor Event September 9-10 – License Type: Class B Beer

St. Anthony Church of Davenport (St Anthony Church of Davenport, Iowa) – 417 North Main Street – Temporary Event with Outdoor Area September 11 – License Type: Class B Beer

Mississippi Valley Blues Fest (Mississippi Valley Blues Society, Inc) - 400 Beiderbecke Drive - Recurring Temporary Outdoor Event September 15-18 – License Type: Class B Beer

Ward 5

Players (Players, LLC) - 2218 E 11th St - Outdoor Area - License Type: Class C Liquor

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

Ward 2

Casey's General Store #2092 (Casey's Marketing Company) - 6278 North Pine Street - License Type: Class C Beer

Ward 3

Ruby's (Infamous, LLC) - 429 East 3rd Street - Outdoor Area - License Type: Class C Liquor

Mary's on 2nd (Birdland, Inc) - 832 West 2nd Street - Outdoor Area - License Type: Class C Liquor

Moti's Food (QC Diner, LLC) - 1717 West 3rd Street - License Type: Class E Liquor

Raw Bar (RawBar) - 136 East 3rd Street Unit A - Outdoor Area - License Type: Class C Liquor

Ward 5

Bowlmor Lanes (Davenport Bowlers, Inc) - 2952 Brady Street - License Type: Class C Liquor

The Outing Club (The Outing Club, Inc) - 2109 Brady Street - Outdoor Area - License Type: Class C Liquor

Ward 6

Texas Roadhouse (Texas Roadhouse Holdings, LLC) - 4005 East 53rd Street - License Type: Class C Liquor

Granite City Food & Brewery (Granite City, Inc) - 5270 Utica Ridge Road - Outdoor Area - License Type: Class C Liquor

Ward 7

American Legion Post 26 (Davenport Post #26, The American Legion, Inc) - 702 West 35th Street - Outdoor Area - License Type: Class C Liquor

20. Motion awarding a contract for the replacement of the oil and grease analyzer system at the Water Pollution Control Plant to Biotage LLC of Charlotte, North Carolina in the amount of \$54,210. [Ward 1]
21. Motion awarding a blanket contract for the purchase of anti-icing chemicals for the 2022-2023 winter season to Ossian, Inc of Davenport, Iowa as the primary supplier and SNI Solutions, Inc of Geneseo, Illinois as the backup supplier. [All Wards]
22. Motion awarding a blanket contract for the purchase of calcium chloride for the 2022-2023 winter season to Jerico Services, Inc of Indianola, Iowa as the primary supplier and SICALOCO, LTD of Hinsdale, Illinois and Ossian, Inc of Davenport, Iowa as the back up suppliers. [All Wards]
23. Motion considering a waiver (temporary deferral) of sidewalk installation at the future site of Fair Oaks Foods at 2951 Enterprise Way. [Ward 8]
24. Motion awarding a contract for the Emeis Bunker Renovation Phase III project to Larry Denton, Golf Course Construction & Renovation of Taylor Ridge, Illinois in the amount of \$85,756.75, CIP #64116. [Ward 1]

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

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

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

XV. Reports of City Officials

XVI. Adjourn

City of Davenport

Department: City Clerk
Contact Info: Brian Krup | 563-326-6163

Action / Date
8/24/2022

Subject:
Approval of the City Council Meeting minutes for August 10, 2022.

ATTACHMENTS:

Type	Description
▣ Exhibit	CC Min 081022

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	8/18/2022 - 8:16 AM

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, August 10, 2022

The City Council of Davenport, Iowa met in regular session on Wednesday, August 10, 2022 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street, Davenport, Iowa with Mayor Matson presiding and all Aldermen present except Alderwoman Dickmann (Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderman Jobgen, and Alderman Ortiz).

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderman Jobgen

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for July 27, 2022.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for August 3, 2022.

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, August 3, 2022 -- The Davenport City Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding. The Council observed a moment of silence. Pledge of Allegiance led by Alderwoman Dickmann. Upon the roll being called, all Aldermen were present except Alderman Jobgen (Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann**, and Alderman Ortiz).*

** Arrived at 5:32 p.m. after roll call; ** Left at 6:00 p.m.*

*The following Public Hearings were held: **Community Development:** 1. for Case REZ22-04 being the request of SCI Iowa Funeral Services Inc to rezone 1200 East 39th Street from S-OS Open Space District to C-1 Neighborhood Commercial District with a recommendation for denial by the Plan and Zoning Commission. **Public Works:** 1. on the plans, specifications, and estimate of cost for the West 66th Street and Madison Street Sump Pump Abatement project, CIP #33051; and 2. on the plans, specifications, form of contract, and estimate of cost for the Mound Street (East Locust Street to Elm Street) Resurfacing project, CIP #35054.*

*Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) **Community Development:** Alderman Gripp reviewed all items listed. On motion by Alderwoman Lee, second by Alderman Condon item #2, First Consideration: Ordinance for Case REZ22-04 being the request of SCI Iowa Funeral Services Inc to rezone 1200 East 39th Street from S-OS Open Space District to C-1 Neighborhood Commercial District, moved to the Discussion Agenda with a recommendation for denial by the Plan and Zoning Commission; item #4, Motion approving Community Investment and Settlement Agreement with Canadian Pacific Railway Company and authorizing the City Administrator to sign the same, moved to the Discussion Agenda; and all other items moved to the Consent Agenda. **Public Safety:** Mayor Matson reviewed all items listed. On motion by Alderman Gripp, second by Alderman Condon the premises update to include the entire store for all three Hy-Vee Market Café liquor licenses (2200 West Kimberly Road, 2351 West Locust Street, and 4064 East 53rd Street) moved to the Discussion Agenda and all other items moved to the Consent Agenda.*

Public Works: Alderman Dunn reviewed all items listed. On motion by Alderman Kelly, second by Alderman Gripp all items moved to the Consent Agenda. **Finance:** Alderman Condon reviewed all items listed. On motion by Alderman Cornette, second by Alderman Gripp all items moved to the Consent Agenda.
Council adjourned at **6:57 p.m.**

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2022-389

1. Historic Preservation Commission
 - John Higgins (new appointment)
2. Zoning Board of Adjustment
 - Michael Galliard (new appointment)

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. *First consideration of the Ordinance for Case REZ22-04 was moved by Alderman Gripp and seconded by Alderwoman Meginnis. Alderman Gripp moved to refer the case back to Plan and Zoning, seconded by Alderwoman Lee. Upon the roll being called, all Aldermen present voted aye and Case REZ22-04 was referred back to Plan and Zoning.*

First Consideration: Ordinance for Case REZ22-04 being the request of SCI Iowa Funeral Services Inc to rezone 1200 East 39th Street from S-OS Open Space District to C-1 Neighborhood Commercial District. [Ward 7] **REFERRED BACK TO PLAN AND ZONING**

PLAN AND ZONING COMMISSION RECOMMENDS DENIAL. 8 VOTES REQUIRED FOR PASSAGE.

2. *On motion by Alderman Jobgen, second by Alderman Ortiz and all Aldermen present voting aye, the following Motion passed:*

Motion approving Community Investment and Settlement Agreement with Canadian Pacific Railway Company and authorizing the City Administrator to sign the same. [All Wards]

ADOPTED 2022-390

3. *The Motion approving liquor license premise updates to include the entire store for three Hy-Vee locations was moved by Alderman Jobgen and seconded by Alderwoman Meginnis. Alderman Jobgen moved to table the Motion for one cycle, seconded by Alderman Ortiz. Upon the roll being called, all Aldermen present voted aye and the following Motion was tabled for one cycle:*

Motion approving beer and liquor license applications.

TABLED

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

Ward 2

Hy-Vee Market Cafe (Hy-Vee, Inc) - 2200 West Kimberly Road (Cafe Area) - Premises Update to Include Entire Store - License Type: Class C Liquor

Ward 4

Hy-Vee Market Cafe (Hy-Vee, Inc) - 2351 West Locust Street (Cafe Area) - Premises Update to Include Entire Store - License Type: Class C Liquor

Ward 6

Hy-Vee Market Cafe (Hy-Vee, Inc) - 4064 East 53rd Street (Cafe Area) – Premises Update to Include Entire Store - License Type: Class C Liquor

XI. Approval of All Items on the Consent Agenda

On motion by Alderwoman Meginnis, second by Alderman Ortiz and all Aldermen present voting aye, the Consent Agenda was approved as follows:

1. Second Consideration: Ordinance for Case ROW22-04 being the request of Shawn Struck to vacate unimproved alley right-of-way located west of 2727 Glaspell Street. [Ward 1]

MOVED TO THIRD CONSIDERATION

2. Second Consideration: Ordinance amending Chapter 9.08 entitled "Disorderly Conduct" of the Municipal Code of Davenport, Iowa by repealing Sections 9.08.050 and 9.08.080 due to a recent trend in federal court decisions restricting the City's ability to regulate activities that involve person-to-person donation requests. [All Wards]

MOVED TO THIRD CONSIDERATION

3. Resolution setting a Public Hearing on the proposed additions to the Davenport 2022 Urban Revitalization Area Plan for the Central City and North Areas. [Wards 1, 2, 5, 6, 7, & 8]

ADOPTED 2022-391

4. Resolution approving street, lane, or public ground closures on the listed dates and times to hold outdoor events.

ADOPTED 2022-392

Downtown Davenport Partnership; Alternating Currents; Downtown; 6:00 a.m. Thursday, August 18, 2022 - 12:00 p.m. Sunday, August 21, 2022; **Closure:** Dillon Fountain east parking lot | 100 West River Drive. [Ward 3]

Davenport Public Library; QCBeats - Alternating Currents; Main Library Branch | 321 North Main Street; Thursday, August 18, 2022 1:00 p.m. - 8:00 p.m.; **Closure:** Main Street from West 4th Street south to north of the alley. [Ward 3]

Davenport Community School District; Davenport Central Open House; 1120 Main Street; Thursday, August 18, 2022 3:30 p.m. - 7:00 p.m.; **Closure:** West 12th Street between Harrison Street and Main Street. [Ward 3]

Place of Refuge Ministries; Back to School Party; 518 Brown Street; Saturday, August 27, 2022 8:00 a.m. - 4:00 p.m.; **Closure:** east-west alley between Brown and Warren Streets and West 5th and 6th Streets. [Ward 3]

St. Anthony Catholic Church; Kermes (Carnival); 417 North Main Street; Sunday, September 11, 2022 9:00 a.m. - 6:00 p.m.; **Closure:** Main Street from West 4th Street to West 5th Street. [Ward 3]

Quad City Arts; Riverssance Festival of Fine Art; Lindsay Park | 2200 East 11th Street; 8:00 a.m. Friday, September 16, 2022 - 7:00 p.m. Sunday, September 18, 2022; **Closure:** East 11th Street from Jersey Ridge Road to Hillcrest Avenue. [Ward 5]

5. Resolution approving the plans, specifications, and estimate of cost for the West 66th Street and Madison Street Sump Pump Abatement project, CIP #33051. [Ward 8]

ADOPTED 2022-393

6. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Mound Street (East Locust Street to Elm Street) Resurfacing project, CIP #35054. [Ward 5]

ADOPTED 2022-394

7. Resolution awarding a contract for the Gaines Street (West 30th Street to West 32nd Street) and West 32nd Street (Gaines Street to Western Avenue) Resurfacing project to Langman Construction Inc of Rock Island, Illinois in the amount of \$264,757, CIP #35054. [Ward 7]

ADOPTED 2022-395

8. Resolution awarding a contract for the Sealcoat Road Rehabilitation Program to CDMI Concrete Contractors Inc of Port Byron, Illinois in an amount not-to-exceed \$600,000, CIP #35054. [All Wards]

ADOPTED 2022-396

9. Resolution awarding a contract for the Retaining Wall Replacement at 510 West 6th Street project to Legacy Corporation of East Moline, Illinois in the amount of \$138,880.10, CIP #28031. [Ward 3]

ADOPTED 2022-397

10. Resolution awarding a contract for engineering services for the Flood Mitigation | River Drive and Marquette Street project to HR Green, Inc of Cedar Rapids, Iowa in an amount not-to-exceed \$195,000, CIP #68015. [Ward 3]

ADOPTED 2022-398

11. Resolution accepting the sanitary sewer, storm sewer, and pavement associated with the Speer Commercial Park 1st Addition. [Ward 8]

ADOPTED 2022-399

12. Resolution accepting work completed under the 2nd Street Streetscaping project by Centennial Contractors of the Quad Cities of Moline, Illinois in the amount of \$280,179.01, CIP #60031. [Ward 3]

ADOPTED 2022-400

13. Resolution approving and authorizing the execution of an agreement between the City of Davenport and the Iowa Department of Transportation (DOT) covering the provision of federal-aid funding for the Utah Avenue Bridge Over Duck Creek Replacement project, CIP #21011. [Wards 1 & 2]

ADOPTED 2022-401

14. Resolution of support for the Nahant Marsh Education Center's submission of an application to the Destination Iowa program for grant assistance for the Nahant Marsh Wetland Restoration and Phase III Trail System Enhancement project. [Ward 1] **ADOPTED 2022-402**

15. Resolution approving the Statement of Work and Project Change Request with Worldgate LLC for the modernization of Fair Labor Standards Acts (FLSA) calculations. [All Wards]

ADOPTED 2022-403

16. Motion approving noise variance requests for outdoor events on the listed dates and times.

PASSED 2022-404

Davenport Community School District; Davenport Central Open House; 1120 Main Street; Thursday, August 18, 2022 3:30 p.m. - 6:00 p.m.; Outdoor music/band, over 50 dBA. [Ward 3]

The Pour House; Woofstock; 1502 West Locust Street; Saturday, August 27, 2022 4:00 p.m. - 11:30 p.m.; Outdoor music/band, over 50 dBA. [Ward 4]

St. Anthony Catholic Church; Kermes (Carnival); 417 North Main Street; Sunday, September 11, 2022 10:00 a.m. - 5:00 p.m.; Outdoor music/band, over 50 dBA. [Ward 3]

Mississippi Valley Blues Society; Mississippi Valley Blues Fest; LeClaire Park; 4:00 p.m. - 11:30 p.m. Friday, September 16, 2022 and 10:30 a.m. - 11:30 p.m. Saturday, September 17, 2022; Outdoor music/band, over 50 dBA. [Ward 3]

Quad City Arts; Riverssance Festival of Fine Art; Lindsay Park | 2200 East 11th Street; Saturday, September 17, 2022 10:00 a.m. - 5:00 p.m. and Sunday, September 18, 2022 10:00 a.m. - 4:00 p.m.; Outdoor music/band, over 50 dBA. [Ward 5]

Quad Cities Pride Festivals; Fall Pride; LeClaire Park; Friday, September 23, 2022 2:00 p.m. - 11:30 p.m. and Saturday, September 24, 2022 12:00 p.m. - 11:30 p.m.; Outdoor music/performances, over 50 dBA. [Ward 3]

17. Motion approving beer and liquor license applications.

PASSED 2022-405

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

Ward 4

The Pour House (Boss Lady, Inc) - 1502 West Locust Street - Extended Outdoor Area, August 27 - License Type: Class C Liquor

Ward 6

Hy-Vee Market Cafe (Hy-Vee, Inc) - 4064 East 53rd Street (Cafe Area) - Extended Outdoor Area, August 27 - License Type: Class C Liquor

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

Ward 3

Barrel House 211 (Barrelhouse, LLC) - 207-211 East 2nd Street – Outdoor Area -
License Type: Class C Liquor

The Office (Local 563 Cocktail Lounge, LLC) - 116 West 3rd Street - Outdoor Area -
License Type: Class C Liquor

18. Motion awarding a contract for the Lindsay Park Restroom Remodel project to Olde Town Roofing of Moline, Illinois in the amount of \$47,800, CIP #64015. [Ward 6]

PASSED 2022-406

XII. Other Ordinances, Resolutions and Motions

1. *On motion by Alderman Jobgen, second by Alderman Ortiz and all Aldermen present voting aye except Alderwoman Lee, the rules were suspended to add and vote on the item below.*

2. *On motion by Alderwoman Meginnis, second by Alderman Ortiz and all Aldermen present voting aye, the following Resolution was adopted:*

Resolution approving the following public ground closure on the listed date and time to hold an outdoor event.

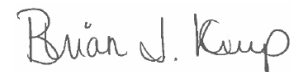
ADOPTED 2022-407

Third Missionary Baptist Church; Fellowship Picnic; 222 West 14th Street; Sunday, August 14, 2022 8:00 a.m. - 2:00 p.m.; **Closure:** portion of the north south alley west of the church between West 14th and West 15th Streets and Harrison and Main Streets. [Ward 5]

XIII. Public with Business

XIV. Reports of City Officials

XV. Adjourn **7:10 p.m.**



Brian J. Krup
Deputy City Clerk

City of Davenport

Department: City Clerk
Contact Info: Brian Krup | 563-326-6163

Action / Date
8/24/2022

Subject:
Approval of the Report on Committee of the Whole for August 17, 2022.

ATTACHMENTS:

Type	Description
▣ Exhibit	COW Report 081722

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	8/18/2022 - 5:00 PM

CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, August 17, 2022 -- The Davenport City Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding. The Council observed a moment of silence. Pledge of Allegiance led by Alderman Ortiz. Upon the roll being called, all Aldermen were present (Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, Alderman Jobgen, and Alderman Ortiz).

The following Public Hearing was held: **Community Development:** 1. on the proposed additions to the Davenport 2022 Urban Revitalization Area Plan for the Central City and North Areas.

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) **Community Development:** Alderman Gripp reviewed all items listed. On motion by Alderwoman Lee, second by Alderwoman Dickmann all items moved to the Consent Agenda. **Public Safety:** Alderman Jobgen reviewed items #1-3 before Council recessed for a 10-minute break at 7:54 p.m. Council reconvened at 8:04 p.m. Alderman Jobgen reviewed the remaining items and asked for a motion to table the three Hy-Vee liquor license premise updates (2200 West Kimberly Road, 2351 West Locust Street, 4064 East 53rd Street) under item #6 indefinitely. The motion was moved by Alderwoman Dickmann, seconded by Alderwoman Lee with all Aldermen present voting aye. On motion by Alderwoman Dickmann, second by Alderman Ortiz item #3, First Consideration: Ordinance amending Chapter 10.96 of the Municipal Code of Davenport, Iowa entitled "Schedules" by making various changes to Schedules II, V, and XIV to implement a change in traffic flow for 3rd and 4th Streets between River Drive and Marquette Street, moved to the Discussion Agenda and all other items moved to the Consent Agenda except the four liquor license applications to be voted on later on the agenda. **Public Works:** Alderman Dunn reviewed all items listed. On motion by Alderman Kelly, second by Alderman Jobgen all items moved to the Consent Agenda. **Finance:** Alderman Condon reviewed all items listed. On motion by Alderman Cornette, second by Alderwoman Dickmann all items moved to the Consent Agenda.

Other Ordinances, Resolutions and Motions: Alderman Dunn moved the motion for suspension the rules to vote on a Motion approving beer and liquor license applications, seconded by Alderwoman Meginnis. Upon the roll being called, all Aldermen present voted aye except Alderwoman Lee, and the rules were suspended.

The Motion for approval of the below liquor license applications was moved by Alderman Ortiz, second by Alderwoman Meginnis. Upon the roll being called, all Aldermen present voted aye except Alderman Cornette, and the following Motion passed:

1. Motion approving beer and liquor license applications. **PASSED 2022-408**

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

Ward 3

Alternating Currents Festival (Quad Cities Chamber of Commerce) - 320 North Main Street - Temporary Event August 18-20 - License Type: Class B Beer

Alternating Currents Festival (Quad Cities Chamber of Commerce) - 115 East 3rd Street - Temporary Outdoor Event August 18-20 - License Type: Class B Beer

Stompbox Brewing (JPX2ME, LLC) - 210 East River Drive #101 – Temporary Extended Outdoor Area “Alternating Currents Festival” August 18-20 - License Type: Class C Liquor

Thunder Bay Grille - Riverfront Pops (Thunder Bay Grille, LLC) - 400 Beiderbecke Drive - Temporary Outdoor Event August 18-21 - License Type: Beer/Wine

Council adjourned at **8:20 p.m.**

City of Davenport

Department: Office of the Mayor

Contact Info: Samantha Torres | 563-327-5128

Action / Date
8/24/2022

Subject:

U.S. Heartland Global Leadership Day | August 30, 2022

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Admin, Default	Approved	8/16/2022 - 10:14 AM

City of Davenport

Department: Public Safety
Contact Info: Tom Warner | 563-326-7735

Action / Date
8/24/2022

Subject:

First Consideration: Ordinance amending Chapter 10.96 of the Municipal Code of Davenport, Iowa entitled "Schedules" by making various changes to Schedules II, V, and XIV to implement a change in traffic flow for 3rd and 4th Streets between River Drive and Marquette Street. [Ward 3]

Recommendation:

Consider the Ordinance.

Background:

A proposal to convert 3rd and 4th Street between River Drive and Marquette Street from a one-way traffic pattern to a two-way traffic pattern has reached a decision point. The attached Ordinance implements the change in traffic flow.

ATTACHMENTS:

Type	Description
▯ Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Legal	Admin, Default	Approved	8/11/2022 - 4:42 PM

ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 10.96 ENTITLED "SCHEDULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY MAKING VARIOUS CHANGES TO SCHEDULES II, V, AND XIV TO IMPLEMENT A CHANGE IN TRAFFIC FLOW FOR 3RD AND 4TH STREETS BETWEEN RIVER DRIVE AND MARQUETTE STREET.

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

Section 1. That Schedule II entitled "One-Way Streets" (10.96.040B) in reference to 3rd and 4th Street is hereby amended as follows:

3rd St from Telegraph Rd to ~~River Dr~~ Marquette St

4th St from ~~River Dr~~ Marquette St to Lincoln Ct

Section 2. That Schedule V entitled "4-Way Stop Intersections" (10.96.040E) is hereby amended by adding the following intersections:

Iowa St at 3rd St

Iowa St at 4th St

Pershing Ave at 3rd St

Pershing Ave at 4th St

Section 3. That Schedule XIV entitled "Intersection Traffic Signals" (10.96.040N) is hereby amended by adding the following intersections:

River Dr at 4th St

Scott St at 4th St

Section 4. That Schedule XIV entitled "Intersection Traffic Signals" (10.96.040N) is hereby amended by deleting the following intersections:

Iowa St at 3rd St

Iowa St at 4th St

Pershing Ave at 3rd St

Pershing Ave at 4th St

Ripley St at 3rd St

Scott St at 3rd St

Warren St at 3rd St

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 as are any motions or resolutions of council that purport to give authority to a council standing committee to make a determination as all such determinations shall henceforth be made by the city council.

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
8/24/2022

Subject:

Third Consideration: Ordinance for Case ROW22-04 being the request of Shawn Struck to vacate unimproved alley right-of-way located west of 2727 Glaspell Street. [Ward 1]

Recommendation:

Adopt the Ordinance.

Background:

The Plan and Zoning Commission reviewed Case ROW22-04 at its July 5, 2022 meeting and has recommended approval of the request to vacate the unimproved alley right-of-way located west of 2727 Glaspell Street with the following finding.

Finding:

1. The unimproved public right-of-way is not required for City purposes.

The property owner at 2727 Glaspell Street has requested a vacation of the north-south alley abutting the west side of his property. The twenty foot wide alley is unimproved and connects Glaspell Street to an east-west alley to the south; however, there is no curb cut along Glaspell Street that would allow for vehicular access to the right-of-way. There are no garages that require access from the alley.

The vacation of public right-of-way is a two step process:

1. Determine if the right-of-way is needed for public purposes.
2. Negotiate and determine terms of conveyance to adjacent property owners (No Plan and Zoning Commission action is required).

Comprehensive Plan:

Within Existing Urban Service Area: Yes
Within Urban Service Area 2035: Yes

Future Land Use Designation: Residential General (RG)

Zoning: The abutting properties are zoned R-4 Single-Family and Two-Family Residential District.

Technical Review:

- Streets: The City of Davenport has no intention of constructing the unimproved north-south alley. Abutting residential properties do not require the alley for access to off-street parking.
- Natural Resources/Storm Water: No issues with the proposed vacation.
- Sanitary Sewer: There is no existing infrastructure within the proposed right-of-way vacation.
- MidAmerican Energy Company: No issues with the proposed vacation.
- Iowa American Water Company: There is no infrastructure within the right-of-way nor a

reason it will be needed to serve the existing neighborhood.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the June 14, 2022 Plan and Zoning Commission Public Hearing.

To date, staff has received a written response from the property owner at 107 South Rolff Street expressing interest in obtaining a portion of the vacated alley.

ATTACHMENTS:

Type	Description
☐ Ordinance	Ordinance
☐ Backup Material	Maps
☐ Backup Material	Application
☐ Backup Material	Walt's Addition Final Plat
☐ Backup Material	Public Hearing Notice
☐ Backup Material	Public Comment-107 S Rolff Street

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	7/14/2022 - 2:02 PM

ORDINANCE NO. _____

AN ORDINANCE FOR CASE ROW22-04 BEING THE REQUEST OF SHAWN STRUCK TO VACATE UNIMPROVED ALLEY RIGHT-OF-WAY LOCATED WEST OF 2727 GLASPELL STREET.

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

Section 1. The following described units of Scott County, Iowa real estate are hereby vacated (abandoned). The property has the following legal description:

All that part of the 20 foot alley dedicated to the City of Davenport, Iowa east of Lots 1, 2 & 3 of Walt's Addition book 52 page 432 in the Scott County Recorder's Office, from the south right of way line of Glaspell Street to the south line of said addition.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *QC Times* on _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Vicinity Map

DAVENPORT
IOWA | USA

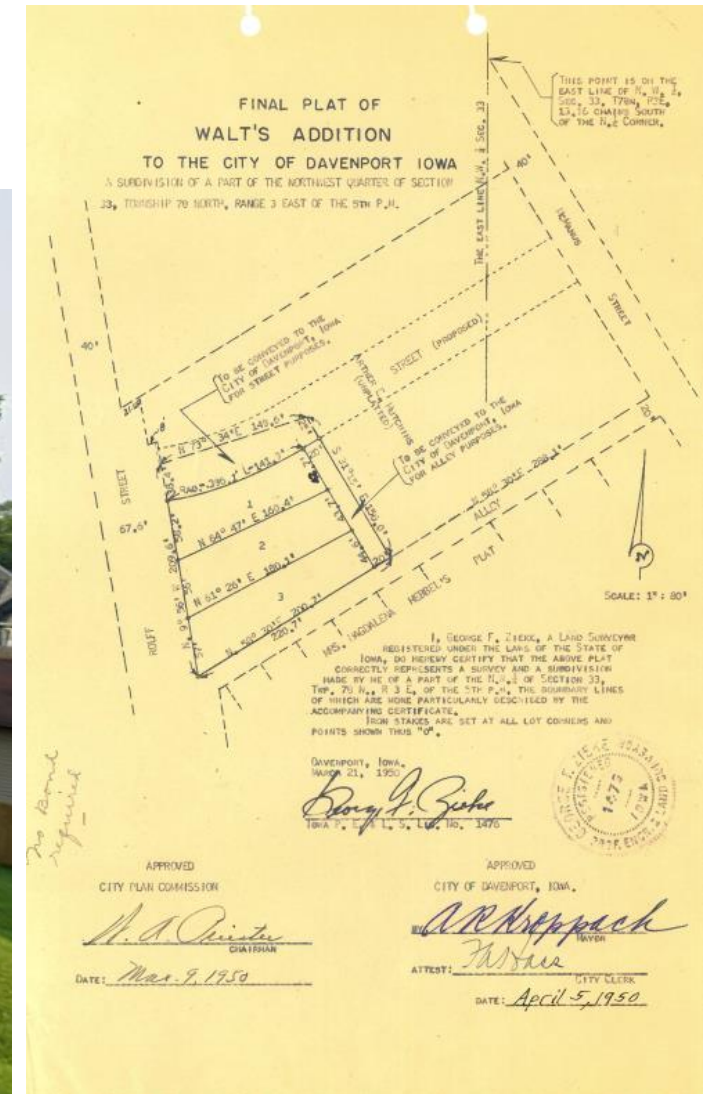


Purpose for the Request

- Divide the unimproved alley among abutting property owners.
- No garages require the alley for access.
- Alley is approximately 20' x 131' or 2,620 square feet.



View from Glaspell Street



Maps



Zoning Map



Future Land Use Map



226 West 4th Street
Davenport, Iowa 52801
(563) 326-7765
Planning@ci.davenport.ia.us

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT

Complete application can be emailed to planning@ci.davenport.ia.us

Property Address*

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

Applicant (Primary Contact)

Name: **Shawn Struck**

Company:

Address: **2727 Glaspell St**

City/State/Zip: **Davenport, IA - 52804**

Phone: **563-200-4227**

Email: **Shawn12QW@gmail.com**

Application Form Type:

Plan and Zoning Commission

Zoning Map Amendment (Rezoning)

Planned Unit Development

Zoning Ordinance Text Amendment

Right-of-way or Easement Vacation

Voluntary Annexation

Owner (if different from Applicant)

Name:

Company:

Address:

City/State/Zip

Phone:

Email:

Zoning Board of Adjustment

Zoning Appeal

Special Use

Hardship Variance

Design Review Board

Design Approval

Demolition Request in the Downtown

Demolition Request in the Village of

East Davenport

Engineer (if applicable)

Name:

Company:

Address:

City/State/Zip

Phone:

Email:

Historic Preservation Commission

Certificate of Appropriateness

Landmark Nomination

Demolition Request

Architect (if applicable)

Name:

Company

Address:

City/State/Zip:

Phone:

Email:

Administrative

Administrative Exception

Health Services and Congregate

Living Permit

Attorney (if applicable)

Name:

Company:

Address:

City/State/Zip:

Phone:

Email:

Request:

Total Land Area:

Submittal Requirements:

- The completed application form.
- Required fee: \$400.

The Applicant hereby acknowledges and agrees to the following procedure and requirements:**(1) Application:**

- Prior to submission of the application for the right-of-way or easement vacation, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the right-of-way or easement vacation process.
- The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.

(2) Public Notice for the Plan and Zoning Commission public hearing:

- Planning staff will send a public hearing notice to surrounding property owners.

(3) Plan and Zoning Commission's consideration of the right-of-way or easement vacation:

- Planning staff will perform a technical review of the request and present its findings and recommendation to the Plan and Zoning Commission.
- The Plan and Zoning Commission will hold a public hearing on the request. Subsequently, the Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.

(4) City Council's consideration of the right-of-way or easement vacation:

- Planning staff will send a public hearing notice to surrounding property owners.
- The Committee of the Whole (COW) will hold a public hearing on the request. Subsequently, the City Council will vote on the request. For a right-of-way or easement vacation to be approved three readings of the Ordinance are required; one reading at each Council Meeting. In order for the Ordinance to be valid it must be published. This generally occurs prior to the next City Council meeting.

Applicant: **Shawn Struck**

5-12-22

Date: ~~5-11-22~~

By typing your name, you acknowledge and agree to the aforementioned submittal requirements and formal procedure and that you must be present at scheduled meetings.

Received by:

Planning staff

Date:

Date of the Public Hearing:

Meetings are held in City Hall Council Chambers located at 226 West 4th Street, Davenport, Iowa.

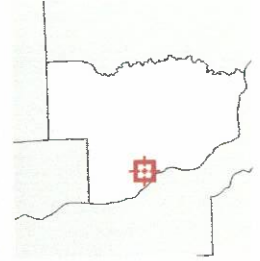
looking to Purchase the Parcel/Easment
right of 2727 Massell Street 52804

Enclose: pic of Easment





Overview



Legend

-  Parcels
-  Parcel Point
-  Lot
-  Lot Lines
-  Political Township
- All Roads**
 -  Interstate
 -  US Highway
 -  State Highway
 -  County Route
 -  Major road
 -  Local roads
 -  Ramp
 -  Alleyway/Access Road
 -  Bike/Pedestrian Trail
 -  Driveway
-  Rights of Way
-  Railroad
-  County Boundary
- Major Rivers and Streams**
 -  River Centerline
 -  River Boundary
 -  Major Stream
- Minor Streams, Other**
 -  Minor Stream
 -  Small Lake/Pond
 -  Drainageways, etc
 -  Island
- Major Rivers and Lake**
 -  Lake
 -  Major Stream
 -  River
 -  Minor Lakes and Ponds

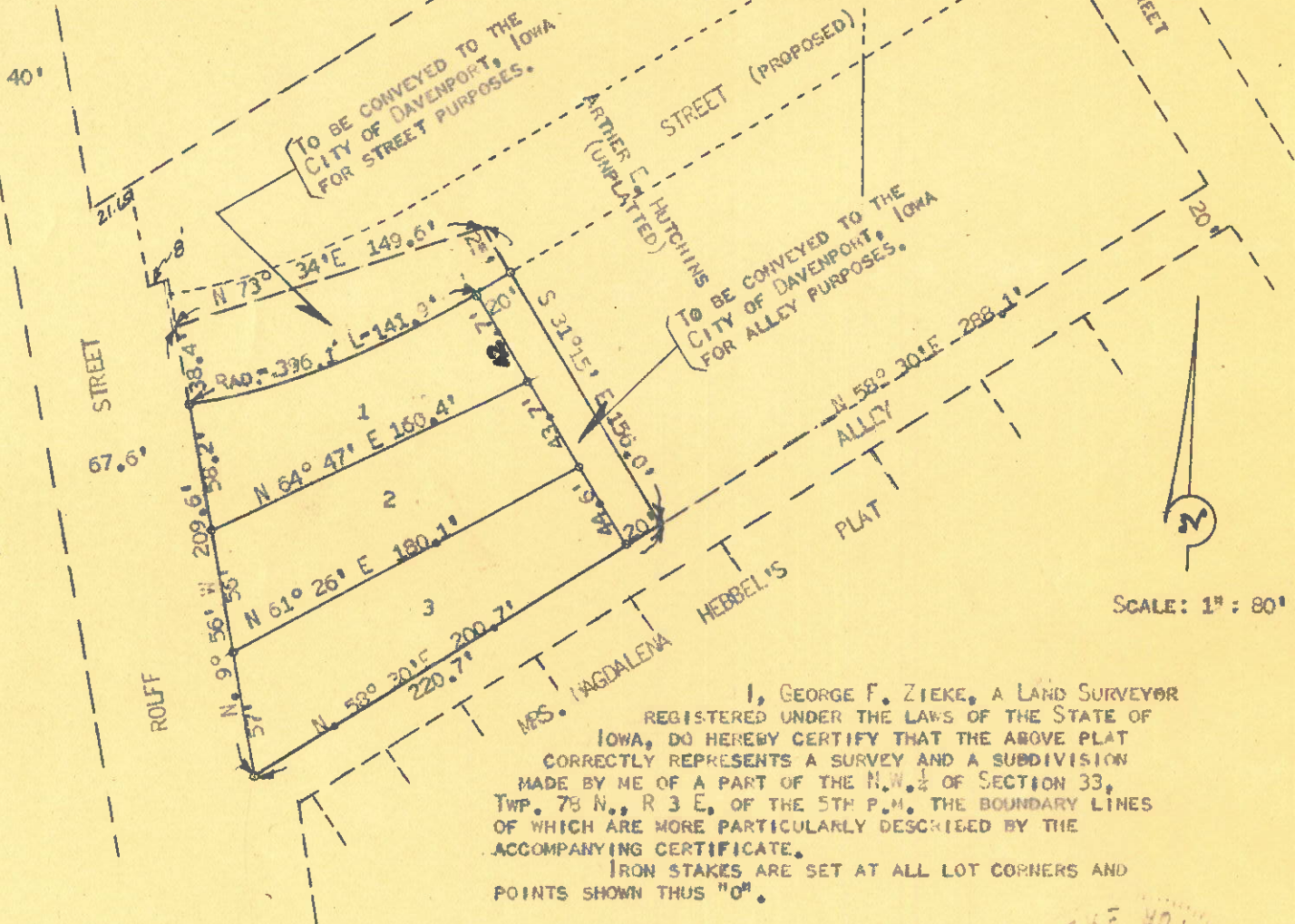
FINAL PLAT OF WALT'S ADDITION

TO THE CITY OF DAVENPORT IOWA

A SUBDIVISION OF A PART OF THE NORTHWEST QUARTER OF SECTION

33, TOWNSHIP 78 NORTH, RANGE 3 EAST OF THE 5TH P.M.

THIS POINT IS ON THE
EAST LINE OF N. W. 1/4
SEC. 33, T78N, R3E,
13.16 CHAINS SOUTH
OF THE N. 1/2 CORNER.



I, GEORGE F. ZIEKE, A LAND SURVEYOR
REGISTERED UNDER THE LAWS OF THE STATE OF
IOWA, DO HEREBY CERTIFY THAT THE ABOVE PLAT
CORRECTLY REPRESENTS A SURVEY AND A SUBDIVISION
MADE BY ME OF A PART OF THE N.W. 1/4 OF SECTION
33, TWP. 78 N., R 3 E, OF THE 5TH P.M. THE BOUNDARY LINES
OF WHICH ARE MORE PARTICULARLY DESCRIBED BY THE
ACCOMPANYING CERTIFICATE.
IRON STAKES ARE SET AT ALL LOT CORNERS AND
POINTS SHOWN THUS "O".

DAVENPORT, IOWA.
MARCH 21, 1950

George F. Zieke
IOWA P. E. & L. S. L. No. 1476



APPROVED

CITY PLAN COMMISSION

H. A. Piester
CHAIRMAN

DATE: Mar. 9, 1950

APPROVED

CITY OF DAVENPORT, IOWA.

BY *W. K. Koppach*
MAYOR

ATTEST: *F. J. Dase*
CITY CLERK

DATE: April 5, 1950

*No Bond
required*



DAVENPORT

DEVELOPMENT &
NEIGHBORHOOD SERVICES

Public Hearing Notice | Plan and Zoning Commission

Date: 6/14/2022
Time: 5 PM

Location: Council Chambers | City Hall | 226 W. 4th ST.
Subject: Public Hearing for a Right-Of-Way Vacation Before the Plan and Zoning Commission

To: All property owners within 200 feet of the subject public right-of-way located west of 2727 Glaspell Street.

What is this About?

This notice is being sent to inform you that a public hearing will be held for a request to vacate public right-of-way located south of Glaspell Street. The existing north-south alley is unimproved.

Request/Case Description

Case ROW22-04: Request of Shawn Struck to vacate unimproved alley right-of-way located west of 2727 Glaspell Street. [Ward 1]

What are the Next Steps after the Public Hearing?

The Plan and Zoning Commission will hold a formal public hearing at their meeting on June 14, 2022. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on July 5, 2022. The Commission's recommendation will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. The City Council will ultimately decide if the property is no longer needed for City purposes, and is eligible for vacation. At that point, the City Attorney's office will negotiate with adjacent property owners to determine the appropriate way to convey the property, and possibly, purchase price. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?

As a neighboring property owner you may have an interest in commenting on the proposed request via email or in person at the public hearing. Send written comments to planning@davenportiowa.com (no later than 12:00 PM one day before the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

All documents related to the meeting (agenda included) are at "Search Minutes & Agendas":
<http://www.cityofdavenportiowa.com/boards> Mondays before the meeting/public hearing.

Do You Have Any Questions?

If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at matt.werderitch@davenportiowa.com or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Right-Of-Way Vacation | Public Hearing Notice

Case ROW22-04: Request of Shawn Struck to vacate unimproved alley right-of-way located west of 2727 Glaspell Street. [Ward 1]



ROW Vacation



200' Notification Boundary

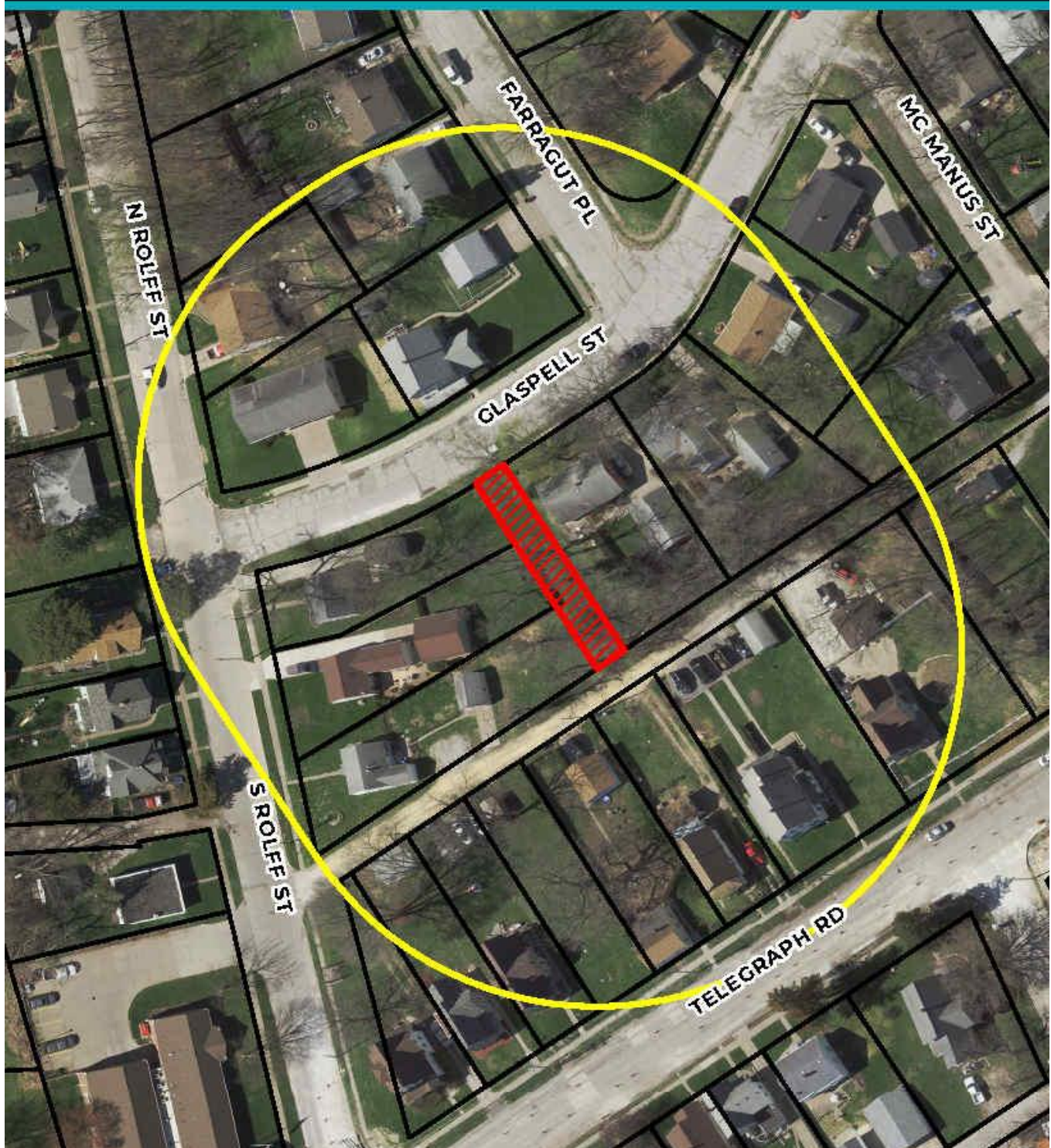


0

75

150

Feet



Werderitch, Matt

From: Brian Myers <blmyers6835@gmail.com>
Sent: Monday, June 6, 2022 8:59 AM
To: Planning; Werderitch, Matt; leeannmyers27@gmail.com
Subject: [EXT] Case: ROW22-04 Vacate Request

To Whom it may concern,

I am sending this email to inform you that my wife, LeeAnn, and I are interested in purchasing the portion of land behind our property if the easement is deemed vacated. Our property is 107 S. Rolff St. Davenport Iowa, 52804.

Regards
Brian Myers

City of Davenport

Department: Community Planning & Economic Development
Contact Info: Tom Warner | 563-326-7735

Action / Date
8/24/2022

Subject:

Third Consideration: Ordinance amending Chapter 9.08 entitled "Disorderly Conduct" of the Municipal Code of Davenport, Iowa by repealing Sections 9.08.050 and 9.08.080 due to a recent trend in federal court decisions restricting the City's ability to regulate activities that involve person-to-person donation requests. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

In a sign regulation case that arose in the town of Gilbert, Arizona, the US Supreme Court changed its threshold analysis in a way that makes more ordinances "content-based regulations" which in turn invokes strict scrutiny as the process for evaluating the constitutionality of the ordinance. Nearly all ordinances fail strict scrutiny analysis by the courts. The question since the Gilbert case has been does the new analysis apply beyond sign regulations? Since Gilbert, the courts have extended its scope to other types of ordinances, and, importantly, in 2019 the US Court of Appeals for the 8th Circuit (includes Iowa) applied it to and struck down an ordinance similar to our two ordinances.

Des Moines, Dubuque, and Council Bluffs, who were contacted by the ACLU of Iowa, reached the same conclusion and have repealed their versions of these ordinances.

If the US Supreme Court someday revisits its Gilbert analysis in light of its vast, negative impact on many reasonable regulations and abandons it or otherwise constrains it, the City may then be able to put something else in place.

ATTACHMENTS:

Type	Description
Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Legal	Warner, Tom	Approved	7/14/2022 - 11:15 AM
Finance Committee	Admin, Default	Approved	7/15/2022 - 3:25 PM
City Clerk	Admin, Default	Approved	7/15/2022 - 3:25 PM

ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 9.08 ENTITLED "DISORDERLY CONDUCT" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY REPEALING SECTIONS 9.08.050 AND 9.08.080 DUE TO A RECENT TREND IN FEDERAL COURT DECISIONS RESTRICTING THE CITY'S ABILITY TO REGULATE ACTIVITIES THAT INVOLVE PERSON-TO-PERSON DONATION REQUESTS.

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

Section 1. That Section 9.08.050 of the Municipal Code of Davenport, Iowa be and the same is hereby repealed in its entirety and the section number is labeled "Reserved."

Section 2. That Section 9.08.080 of the Municipal Code of Davenport, Iowa be and the same is hereby repealed in its entirety and the section number is labeled "Reserved."

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 as are any motions or resolutions of council that purport to give authority to a council standing committee to make a determination as all such determinations shall henceforth be made by the city council.

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Community Planning & Economic Development
Contact Info: Gary Statz | 563-326-7754

Action / Date
8/24/2022

Subject:

First Consideration: Ordinance amending Schedule VII "No Parking" of Chapter 10.96 of the Municipal Code of Davenport, Iowa by adding Busch Avenue along the east side from Middle Road south to the alley. [Ward 5]

Recommendation:

Adopt the Ordinance.

Background:

Busch Avenue varies from 20 to 25 feet wide and is only one block long. There is not enough room to drive between parked cars so parking needs to be limited to one side of the street.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	8/10/2022 - 10:14 AM
Public Works Committee	Moses, Trish	Approved	8/10/2022 - 10:14 AM
City Clerk	Admin, Default	Approved	8/10/2022 - 1:52 PM

ORDINANCE NO. _____

AN ORDINANCE AMENDING SCHEDULE VII "NO PARKING" OF CHAPTER 10.96 OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY ADDING BUSCH AVENUE ALONG THE EAST SIDE FROM MIDDLE ROAD SOUTH TO THE ALLEY.

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

Section 1. That Schedule VII No Parking of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by adding the following:

Busch Ave along the east side from Middle Rd south to the alley.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Community Planning & Economic Development
Contact Info: Brian Heyer | 563-326-7735

Action / Date
8/24/2022

Subject:

Resolution setting a Public Hearing on the proposed conveyance of vacated unimproved right-of-way lying west of Elmore Avenue and south of Pheasant Creek (VSM Holdings, LLC, Petitioner).
[Ward 6]

Recommendation:

Adopt the Resolution.

Background:

In July the City Council approved the vacation of this right-of-way that VSM Holdings desires to incorporate into its development of the land.

Adoption of this Resolution will set the Public Hearing for the September 7, 2022 Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at City Hall, 226 West 4th Street.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Subject Property Map

REVIEWERS:

Department	Reviewer	Action	Date
Legal	Admin, Default	Approved	8/12/2022 - 8:36 AM

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION setting a Public Hearing on the proposed conveyance of vacated unimproved right-of-way west of Elmore Avenue and south of Pheasant Creek (VSM Holdings, LLC, Petitioner).

WHEREAS, the City of Davenport currently owns the vacated public right-of-way known as the unimproved right-of-way west of Elmore and south of Pheasant Creek, legally described as:

Part of the Northwest Quarter of Section 8, Township 78 North, Range 4 East of the 5th P.M., Davenport, Scott County, Iowa, being more particularly described as follows: Commencing, as a point of reference, at the southeast corner of Lot 2 of Pheasant Ridge First Addition to the City of Davenport, Iowa; thence North 00°-08'-28" East (assumed bearing for this description) 241.25 feet along the east line of said Lot 2 to the northwest corner of Lot 1 of Lakehurst Commercial Park Fifth Addition to the City of Davenport, Iowa, said point being the POINT OF BEGINNING of the tract of land hereinafter described: thence continuing North 00°-08'-25" East 235.54 feet along the east line of said Lot 2; thence South 44°-59'-10" East 128.78 feet; thence southerly 105.97 feet along a curve concave westerly having a radius of 1,435.00 feet and a chord bearing and distance of South 02°-11'-15" East 105.95 feet; thence South 00°-04'-20" East 105.89 feet to a point on the north line of said Lot 1; thence North 54°-54'-25" West 117.08 feet along the northerly line of said Lot 1 to the point of beginning. Containing 21,026 square feet, more or less.

WHEREAS, the City of Davenport desires to sell its interest in the aforementioned real estate; and

WHEREAS, VSM Holdings, LLC has offered to acquire said property; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a Public Hearing on the proposed conveyance of the vacated public right of way known square feet, more or less, as legally described above, will be held on September 7, 2022 at the Committee of the Whole Meeting beginning at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street.

Passed and approved this 24th day of August, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

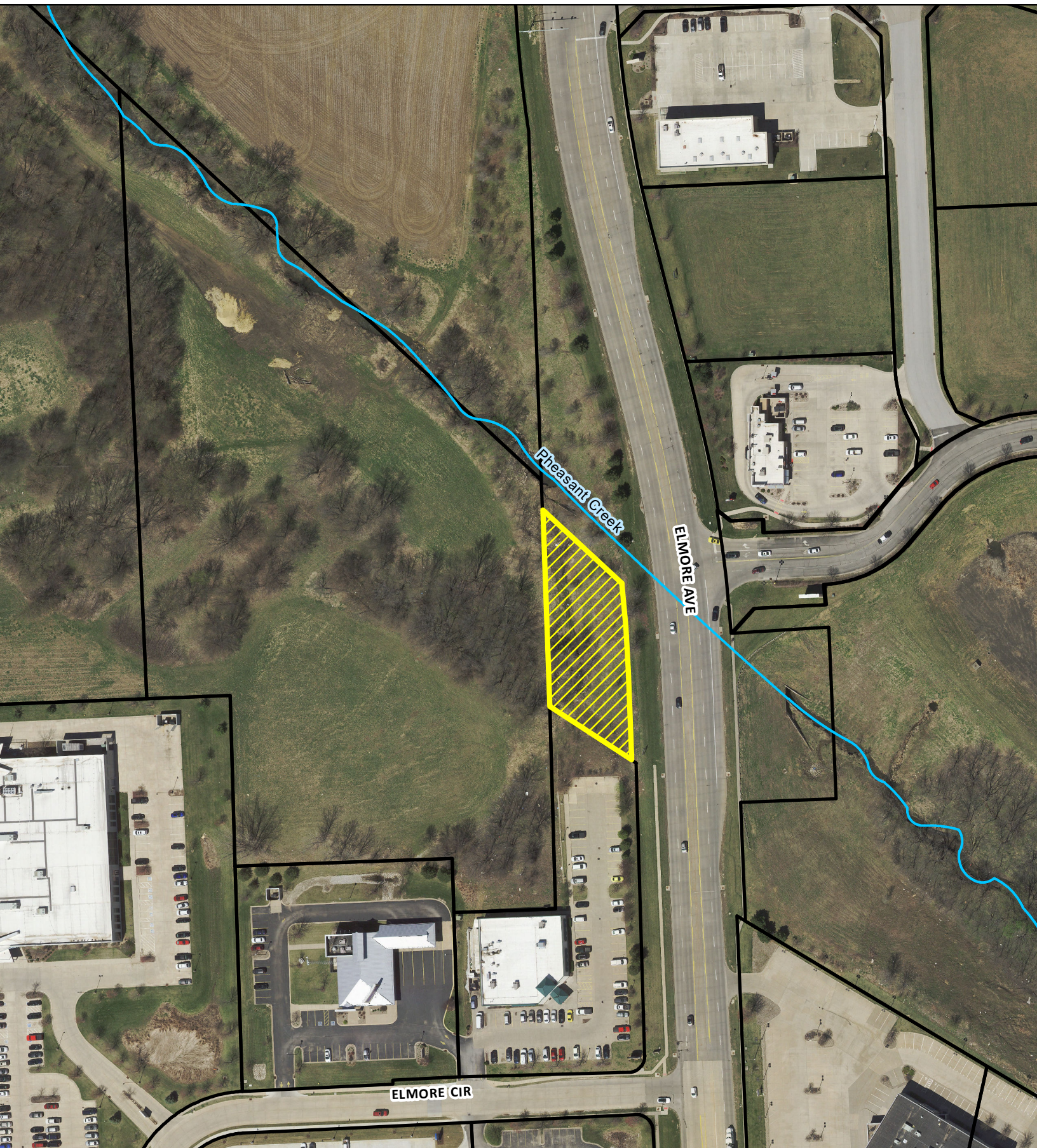
Right-Of-Way Vacation

Case ROW22-03: Request of VSM Holdings, LLC
to vacate unimproved right-of-way west of
Elmore Avenue and south of
Pheasant Creek. [Ward 6]

 ROW Vacation



0 125 250
Feet



City of Davenport

Department: Community Planning & Economic Development
Contact Info: Brian Krup | 563-326-6163

Action / Date
8/24/2022

Subject:

Resolution approving street, lane, or public ground closures on the listed dates and times to hold outdoor events.

Tim Shea; Belle Court Labor Day Block Party; Sunday, September 4, 2022 11:00 a.m. - 8:00 p.m.; **Closure:** Belle Court from East 61st Street to Parkview Lane. [Ward 8]

Davenport Community School District; West High School Homecoming Parade; 3505 West Locust Street; Thursday, September 8, 2022 4:30 p.m. - 7:00 p.m.; **Closures (Police controlled):** West 18th Street from North Clark Street to North Elsie Avenue; North Elsie Avenue from West 18th Street to West Lombard Street; West Lombard Street from North Elsie Avenue to North Nevada Avenue; North Nevada Avenue from West Lombard Street south to West High School. [Ward 1]

Quad Cities River Bandits; Race to Home 5K; Downtown; Saturday, October 8, 2022 8:30 a.m. - 9:30 a.m.; **Closures:** 8:30 a.m. - 9:15 a.m. 2nd Street from Western Avenue to Centennial Bridge/Gaines Street; 8:30 a.m. - 9:30 a.m. easternmost northbound lane on the Centennial Bridge. [Ward 3]

Scott County Family Y; 36th Annual Turkey Trot; 630 East 4th Street; Thursday, November 24, 2022 5:00 a.m. - 11:00 a.m.; **Closures:** 4th Street from River Drive to Main Street; Main Street from 4th Street to Lombard Street; Lombard Street from Harrison Street to Brady Street; westernmost lane on Brady Street from Lombard Street to Central Park Avenue; southernmost lane on Central Park Avenue from Brady Street to Harrison Street; easternmost lane on Harrison Street between Central Park Avenue and Lombard Street. [Wards 3 & 5]

Recommendation:

Adopt the Resolution.

Background:

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

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution
▢ Backup Material	Belle Court Block Party Map
▢ Backup Material	Belle Court Block Party Street Closure Petition
▢ Backup Material	West High School Homecoming Parade Flyer to Residents
▢ Backup Material	Race to Home 5K Map
▢ Backup Material	Turkey Trot Map

REVIEWERS:

Department	Reviewer	Action	Date
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Public Safety

Admin, Default

Approved

8/12/2022 - 10:29 AM

Resolution No. _____

Resolution offered by Alderman Jobgen.

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

RESOLUTION approving street, lane, or public ground closures on the listed dates and times to hold outdoor events.

*Tim Shea; Belle Court Labor Day Block Party; Sunday, September 4, 2022 11:00 a.m. - 8:00 p.m.; **Closure:** Belle Court from East 61st Street to Parkview Lane. [Ward 8]*

*Davenport Community School District; West High School Homecoming Parade; 3505 West Locust Street; Thursday, September 8, 2022 4:30 p.m. - 7:00 p.m.; **Parade route closures (Police controlled):** West 18th Street from North Clark Street to North Elsie Avenue; North Elsie Avenue from West 18th Street to West Lombard Street; West Lombard Street from North Elsie Avenue to North Nevada Avenue; North Nevada Avenue from West Lombard Street south to West High School. [Ward 1]*

*Quad Cities River Bandits; Race to Home 5K; Downtown; Saturday, October 8, 2022 8:30 a.m. - 9:30 a.m.; **Closures:** 8:30 a.m. - 9:15 a.m. 2nd Street from Western Avenue to Centennial Bridge/Gaines Street; 8:30 a.m. - 9:30 a.m. easternmost northbound lane on the Centennial Bridge. [Ward 3]*

*Scott County Family Y; 36th Annual Turkey Trot; 630 East 4th Street; Thursday, November 24, 2022 5:00 a.m. - 11:00 a.m.; **Closures:** 4th Street from River Drive to Main Street; Main Street from 4th Street to Lombard Street; Lombard Street from Harrison Street to Brady Street; westernmost lane on Brady Street from Lombard Street to Central Park Avenue; southernmost lane on Central Park Avenue from Brady Street to Harrison Street; easternmost lane on Harrison Street between Central Park Avenue and Lombard Street. [Wards 3 & 5]*

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

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

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

Passed and approved this 24th day of August, 2022.

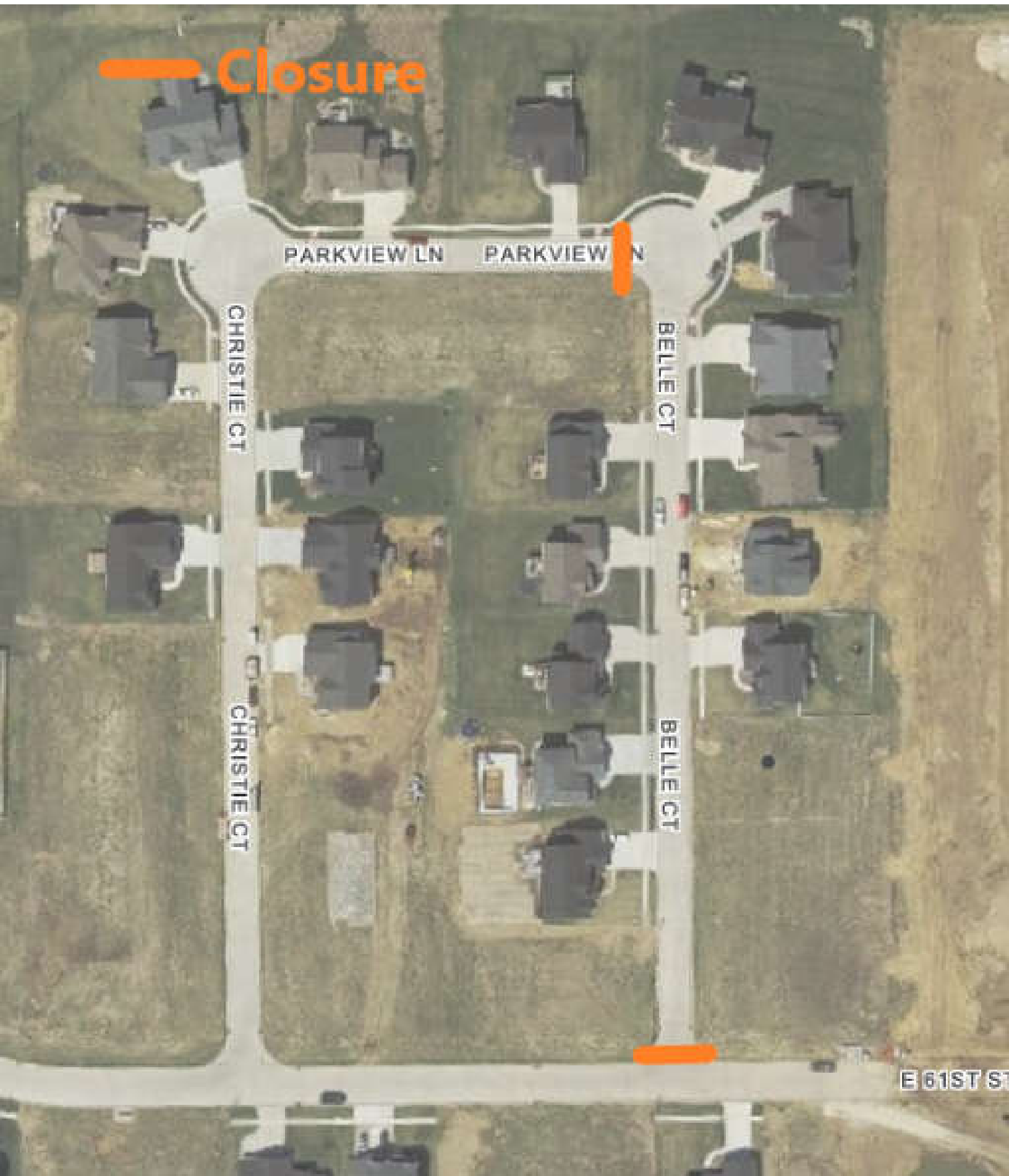
Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

 Closure





CITY OF DAVENPORT

STREET CLOSING AND NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 14th day of SEPTEMBER, 20 22 during the hours of 11AM - 8pm
there is proposed a street closing with outdoor music/band/performance, requested by
TIM SHEA, which will require the closing of BELLE CT AVE
between 61ST and PARKVIEW LN.

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

NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
<u>Mike Payne 6126 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Edwin Conyn 6131 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Kelly Warner 6147 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Paul Sikorski 6163 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Robert Boyles 6155 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Jim Weitz 6144 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Jeff Bantz 6148 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Alex Crouse 6139 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Renee Shortair 6121 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>DANA HARRIS 6136 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>TIM SHEA 6123 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>

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

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

Signature of Applicant

5/31/2022

Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

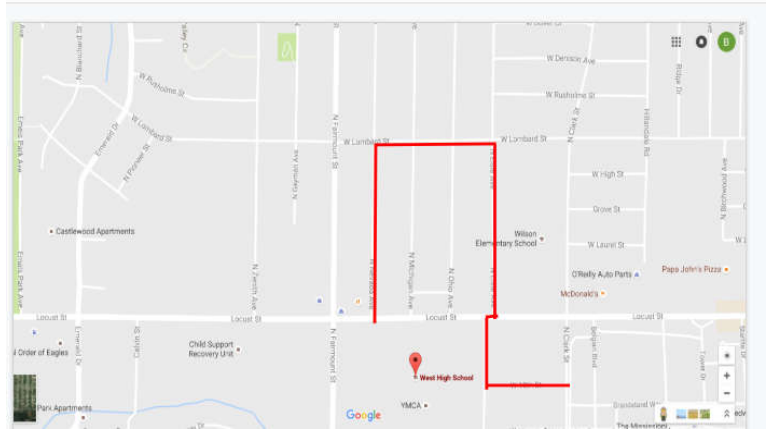
Email: Brian.Krup@davenportiowa.com

You're Invited!

Join us Thursday
September 8th,

Check out the parade route
and pick out your spot!

Contact advisors Ann Dobesh or Jessica Gascho (dobesha@davenportschools.org, gaschoj@davenportschools.org) for more info.

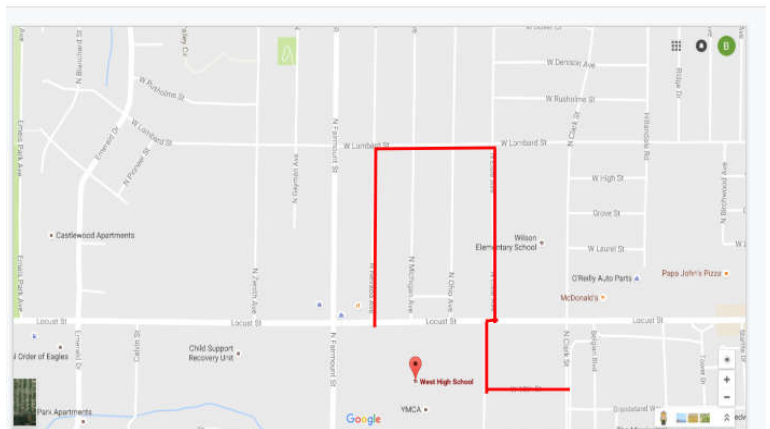


You're Invited!

Join us Thursday
September 8th,

Check out the parade route
and pick out your spot!

Contact advisors Ann Dobesh or Jessica Gascho (dobesha@davenportschools.org, gaschoj@davenportschools.org) for more info.





Gaines St

Western Ave

River Dr

2nd St

Harrison St

Brady St

Iowa St

Centennial Bridge



Mississippi River

Map Key
Race Route

16th St

17th St

18th St

19th St

20th St

1st Ave

Arsenal Island

24th St

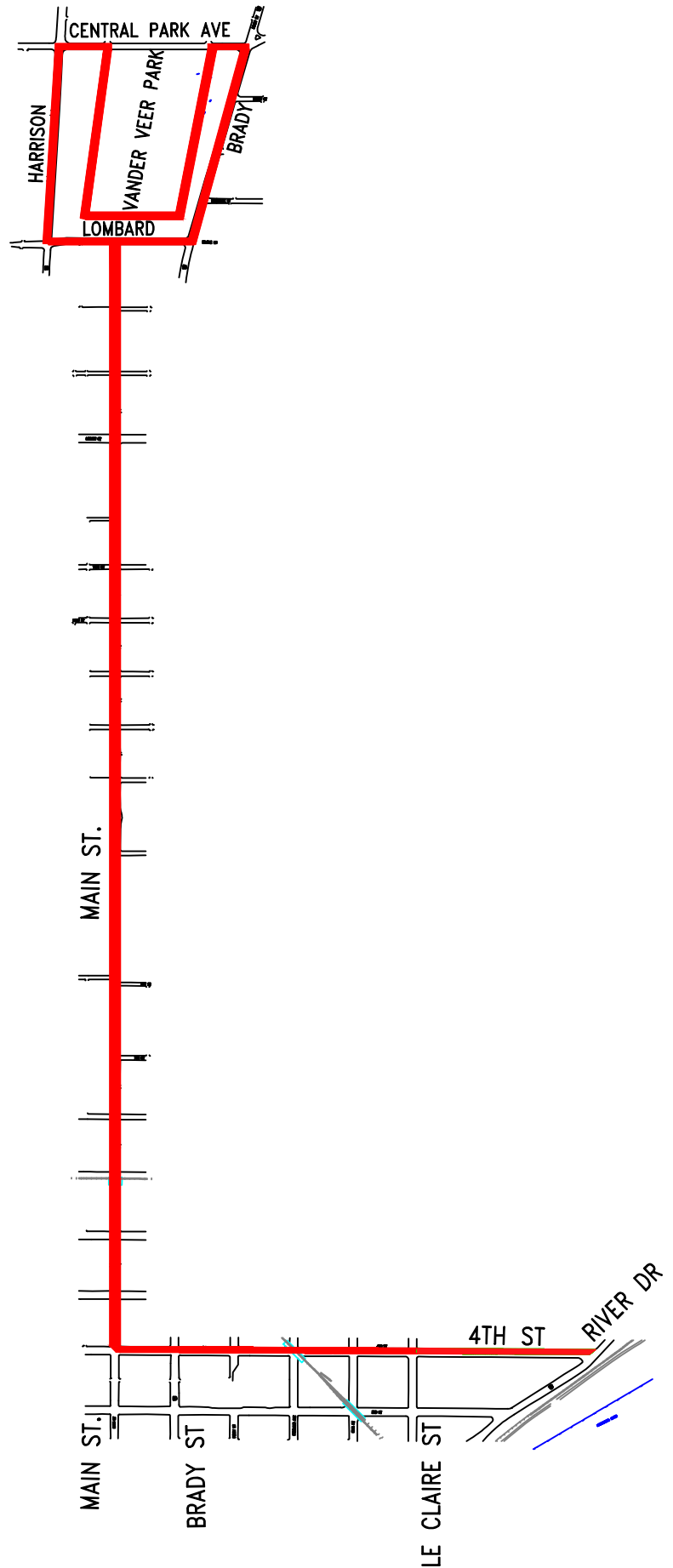
Arsenal Bridge



PALMER
Chiropractic Clinics

Turkey Trot

Thursday, November 24, 2022



City of Davenport

Department: Public Works - Admin
Contact Info: Mike Kramer | 563-327-5141

Action / Date
8/24/2022

Subject:

Resolution accepting work completed under the 2021 Crack and Seat Program by Hawkeye Paving Corporation of Davenport, Iowa in the amount of \$780,848.66, CIP # 35053. [Wards 4 & 6]

Recommendation:

Adopt the Resolution.

Background:

The 2021 Crack and Seat Program completed work in 2 locations:

- Forest Road from Edgewild Drive to East 40th Street.
- Cedar Street from Telegraph Road to West 16th Street.

Both of these locations had concrete roadway that had deteriorated and was in need of repair. The roadway was "cracked" or broken by a hydraulic hammer. The broken concrete was then overlaid with 3 inches of asphalt to provide a new, smooth surface.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	8/10/2022 - 10:15 AM
Public Works Committee	Moses, Trish	Approved	8/10/2022 - 10:15 AM
City Clerk	Admin, Default	Approved	8/10/2022 - 1:40 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION accepting work completed under the 2021 Crack and Seat Program by Hawkeye Paving Corporation of Davenport, Iowa in the amount of \$780,848.66, CIP # 35053.

WHEREAS, the City of Davenport entered into a contract with Hawkeye Paving Corporation for the 2021 Crack and Seat Program; and

WHEREAS, work on the project has been satisfactorily completed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that work completed under the 2021 Crack and Seat Program by Hawkeye Paving Corporation of Davenport, Iowa in the amount of \$780,848.66 is hereby accepted.

Passed and approved this 24th day of August, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Mike Kramer | 563-327-5141

Action / Date
8/24/2022

Subject:

Resolution accepting work completed under the West 54th Street Reconstruction project by Five Cities Construction Company of Coal Valley, Illinois in the amount of \$342,308.39, CIP #35054. [Ward 8]

Recommendation:

Adopt the Resolution.

Background:

The existing concrete pavement of West 54th Street between Davie Street and Howell Street had deteriorated significantly and was in need of replacement. The street was replaced with a 6 inch rock base and 8 inches of concrete.

The final cost of the project is \$342,308.39 funded in CIP #35054.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	8/10/2022 - 10:26 AM
Public Works Committee	Moses, Trish	Approved	8/10/2022 - 10:26 AM
City Clerk	Admin, Default	Approved	8/10/2022 - 1:42 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION accepting work completed under the West 54th Street Reconstruction project by Five Cities Construction Company of Coal Valley, Illinois in the amount of \$342,308.39, CIP #35054.

WHEREAS, the City of Davenport entered into a contract with Five Cities Construction Company for the West 54th Street Reconstruction project; and

WHEREAS, work on the project has been satisfactorily completed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that work completed under the West 54th Street Reconstruction project by Five Cities Construction Company of Coal Valley, Illinois in the amount of \$342,308.39 is hereby accepted.

Passed and approved this 24th day of August, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Kevan Oliver | 563-327-5199

Action / Date
8/24/2022

Subject:

Resolution accepting work completed under the Blackhawk Creek Stabilization project by Five Cities Construction Company of Coal Valley, Illinois in the amount of \$477,562.45, CIP #33038. [Ward 1]

Recommendation:

Adopt the Resolution.

Background:

This project completed various streambank stabilization measures and storm sewer improvements to address stream bank erosion along Blackhawk Creek adjacent to Indian Road. All work has been satisfactorily completed.

The total cost was \$477,562.45 funded in CIP #33038.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	8/10/2022 - 10:23 AM
Public Works Committee	Moses, Trish	Approved	8/10/2022 - 10:23 AM
City Clerk	Admin, Default	Approved	8/10/2022 - 1:43 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION accepting work completed under the Blackhawk Creek Stabilization project by Five Cities Construction of Coal Valley, Illinois in the amount of \$477,562.45, CIP #33038.

WHEREAS, the City entered into a contract with Five Cities Construction for the Blackhawk Creek Stabilization project; and

WHEREAS, the work constructing the above-named project has been duly and fully completed by the contractor in accordance with the terms of the contract; and

WHEREAS, the final cost for the contract was \$477,562.45.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that work completed under the Blackhawk Creek Stabilization project by Five Cities Construction of Coal Valley, Illinois in the amount of \$477,562.45 is hereby accepted.

Passed and approved this 24th day of August, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: James Odean | 563-326-7739

Action / Date
8/24/2022

Subject:

Resolution assessing the cost of boarding up buildings at various lots and tracts of real estate. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

The buildings were boarded up at the following locations and were billed to the property owners. The bills have not been paid after 60 days and now are to be levied against the properties.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Boarding Up Building

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	8/10/2022 - 10:24 AM
Public Works Committee	Moses, Trish	Approved	8/10/2022 - 10:24 AM
City Clerk	Admin, Default	Approved	8/10/2022 - 1:46 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION assessing the cost of boarding up buildings at various lots and tracts of real estate.

WHEREAS, that the following lots or tracts of real estate situated in the City of Davenport, and the owners, thereof, be hereby assessed the amounts set forth, and the same being the cost of boarding up buildings on said lots or tracts of real estate.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the City treasurer be and is hereby ordered to collect the same as ordinary taxes to-wit; and

BE IT FURTHER RESOLVED if any amount assessed against property herein does not exceed \$500, such assessment must be made in 1 annual payment; if amount assessed exceeds \$500, such assessment may be in 10 annual installments; in the manner and with the same interest rate provided for assessment against benefited property under the State Code of Iowa as amended with the current interest rate of 2%. All assessments bear interest at the current rate of 2%.

Passed and approved this 24th day of August, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Board Up Building Invoices for Levy

<u>CUST ACCT</u>	<u>NAME</u>	<u>PARCELID</u>	<u>INVOICE</u>	<u>BALANCE</u>
300257093	STOCK, ANTHONY	23155-04	80042273	\$1,113.65
400002900	REED, DANIEL	G0025-21	80042598	\$182.19
000078969	NO BOUNDARY LLC	F0034-08	80042600	\$142.19
000091939	JAGGER JARRELS	M1512B37	80042602	\$760.31
300262000	LIVIN OUR DREAMS LLC	F0049-09	80042819	\$998.50
300118736	PECK, BARRY	O1619B27	80042860	\$128.50
000069742	MIDWEST CRAFT DISTRIBUTORS INC	F0037-21	80042988	\$728.00
300190876	RILEY, ELIZABETH A	R0402-30	80043199	\$173.20
300247770	OMNI INC	X0149-04E	80043201	\$539.18
120226578	LIVING QUARTERS FOR DOLLARS LL	G0019-29	80043203	\$133.50
Number of Accounts to Levy	10	Total Balance Outstanding:		\$4,899.22

City of Davenport

Department: Public Works - Admin
Contact Info: James Odean | 563-326-7739

Action / Date
8/24/2022

Subject:

Resolution assessing the cost of brush and debris removal at various lots and tracts of real estate.
[All Wards]

Recommendation:

Adopt the Resolution.

Background:

The brush and debris was removed at the following locations and billed to the property owners.
The bills have not been paid after 60 days and now are to be levied against the properties.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution
▢ Backup Material	Brush and Debris Removal

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	8/10/2022 - 10:24 AM
Public Works Committee	Moses, Trish	Approved	8/10/2022 - 10:24 AM
City Clerk	Admin, Default	Approved	8/10/2022 - 1:47 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION assessing the cost of brush and debris removal at various lots and tracts of real estate.

WHEREAS, that the following lots or tracts of real estate situated in the City of Davenport, and the owners, thereof, be hereby assessed the amounts set forth, and the same being the cost of brush and debris removal on said lots or tracts of real estate.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the City treasurer be and is hereby ordered to collect the same as ordinary taxes to-wit; and

BE IT FURTHER RESOLVED if any amount assessed against property herein does not exceed \$500, such assessment must be made in 1 annual payment; if amount assessed exceeds \$500, such assessment may be in 10 annual installments; in the manner and with the same interest rate provided for assessment against benefited property under the State Code of Iowa as amended with the current interest rate of 2%. All assessments bear interest at the current rate of 2%.

Passed and approved this 24th day of August, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Brush and Debris Invoices for Levy

<u>CUST ACCT</u>	<u>NAME</u>	<u>PARCELID</u>	<u>INVOICE</u>	<u>BALANCE</u>
400002900	REED, DANIEL	G0025-21	01330346	\$3,948.92
000039705	COINER, MICHAEL S / LIVING OUR	K0033-06C	01330347	\$2,510.29
000071183	PEIRSON FRANCHOT	C0064-35	01330349	\$3,085.74
000083455	HALL-WATSON, NICOLAS	H0020-28	01330351	\$1,071.67
300244678	BULLOCK, TOM	G0064-14	01330352	\$783.95
000068871	BROWNE, THEODORE	H0058-07	01330353	\$2,798.02
300245959	JACOBSON, GARTH	F0011-08	01330354	\$1,863.50
300180501	CAMPBELL, CHRISTOPHER	H0045-34	80042285	\$153.25
810000104	ANDREW WOLD INVESTMENTS	L0008-11A	80042287	\$169.75
810003638	SHAWN L AGAN	H0064-16	80042289	\$197.50
000063686	ANDREW WOLD INVESTMENTS LLC	F0053-20	80042291	\$169.75
000087820	LEATHY, KATHLEEN	B0010-33	80042293	\$153.00
000043463	HERNANDEZ, ISRAEL	H0025-27	80042295	\$697.25
000151877	KEPHART, RICKEY D	F0009-27	80042297	\$163.25
300213988	VALLADARES, ROY J	F0004-19	80042301	\$273.00
000082073	HOKE, EVAN	F0039-18	80042305	\$244.00
300262997	SCHUSSOLIN, MELISSA	H0010-08	80042309	\$153.25
000094355	RHOADS, BRADLEY	P1313D12	80042311	\$224.75
000092808	DEMONTE HARPER	G0020-03	80042411	\$169.75
300212554	WENDL, TERRENCE	M1502-34	80042417	\$157.00
000096885	ELISABETH CLARK-ZACK	F0012-12	80042419	\$161.50
300231060	FLOCKHART, JOSHUA	W0331-33	80042421	\$305.00
120163008	BENSON, GERALD A	G0013-45	80042425	\$161.50
810001394	GOODWIN PROPERTIES LLC	G0036-20	80042431	\$161.50
300161485	BURROUGHS, MIGNON R	F0011-37	80042435	\$463.00
400001301	NGUYEN INC	K0006-47A	80042437	\$169.75
000079046	JOSEPHINE COOLEY	W0437A06	80042439	\$153.25
300226321	GARRARD, TERRY	K0001-13	80042443	\$154.50
300213988	VALLADARES, ROY J	F0004-19	80042447	\$674.50
000092013	O'CONNOR, DEVIN	H0064-11	80042449	\$153.25
810000580	CASTLE COMPANY	H0009-34	80042455	\$670.75
000036108	3 WAY FARMS INC	I0005B05	80042560	\$362.50
400002900	REED, DANIEL	H0011-19	80042566	\$153.25
300243108	SHOWENS JR, LARRY	K0005-35	80042570	\$169.75
000005876	HANSON, RONALD R	F0033-29	80042574	\$153.25

000063686	ANDREW WOLD INVESTMENTS LLC	E0013-03	80042576	\$169.75
000054090	JAMES A. GARDNER	R0413-45	80042578	\$153.25
300188156	LOTZ, SCOTT A	A0064-37	80042582	\$161.50
000063686	ANDREW WOLD INVESTMENTS LLC	C0033-13	80042584	\$161.50
000093012	HOUSING, COMFORT	H0044-30	80042586	\$153.25
300234097	LINVILLE, CARRIE	K0004-09	80042588	\$153.25
400001301	NGUYEN INC	J0024-07	80042592	\$153.25
000012603	HOLT, JAMES P JR	J0054-11	80042614	\$161.50
000053216	TRAN, DUNG	J0047A11	80042616	\$193.00
000034516	THOMA-HAGEN PROPERTIES LLC	H0055-11	80042618	\$161.25
000096983	URBAN HEIGHTS IOWA LLC	K0015-22	80042620	\$169.00
300146972	BATES, JIMMY	F0015-10	80042622	\$161.50
000043161	STAHL, MATTHEW	G0036-08	80042624	\$225.00
000068850	D6 DEVELOPMENT	N1810-06	80042626	\$227.50
300100179	WALL, KEVIN E	K0018-37	80042628	\$177.50
300019305	MECHEM, CHRISTINE L	C0037-06	80042630	\$169.75
300006643	JUSTUS, MICHELLE	H0011-24	80042632	\$281.25
300247980	HANSON, RONALD	G0030-03	80042638	\$178.00
000074956	ANDREW RICHEAL	B0025-36	80042642	\$161.25
810002325	LICANDRO MANAGEMENT LLC	G0056-20	80042644	\$169.75
300251164	SNOOK, RON	N1810-04	80042648	\$158.25
000084604	MAPLE LANE PROPERTIES LLC	F0007-12	80042679	\$153.25
400001383	LINGLE, VIRGINIA O	H0054-40	80042681	\$161.50
300189000	EVELAND, GREG	G0037-05	80042683	\$248.25
810002901	NGUYEN INC % R NGUYEN	F0048-10	80042685	\$153.25
810002549	ALGRAVE LLC	A0008A28	80042693	\$153.25
300203019	ONEILL, CAROL A	C0029-31	80042695	\$153.25
400001301	NGUYEN INC	K0019-20B	80042697	\$153.25
000090269	KATLYN JONES	H0045-07	80042699	\$161.50
300006198	DEATON, LORRAINE A	B0049-47	80042746	\$169.75
000097023	ARGUELLO, STEVEN	B0064-03	80042748	\$153.25
810000104	ANDREW WOLD INVESTMENTS	L0008-11A	80042756	\$153.25
300188748	SIGMA PHI CHI SORORITY	G0026-16	80042758	\$153.25
000097290	PAMBO LAND HOLDINGS LLC	G0036-07	80042760	\$153.25
000081336	CLARK FAMILY ENTERPRISES LLC.	L0001-01	80042762	\$125.00
000075488	LINDA BELL	F0046-20	80042774	\$186.25
000071100	ANGELA CONKLIN	C0028-07	80042776	\$153.25
000094217	VILLA PANDO PROPERTIES	L0002-06	80042778	\$475.00
000092322	KERR ENTERPRISES LLC	G0054-36	80042794	\$169.75
000151751	STEVEN DIERCKS REVOCABLE TRUS	B0023-16	80042796	\$153.25
300255488	BAKER, KARLY	C0047-01	80042798	\$186.25

300260153	COUNTER, FRANCINE	G0019-09	80042800	\$153.25
300216744	SPINLER, CLAYTON	O2107A12	80042802	\$266.00
120247037	ROBINSON, JACK L	F0019-08	80042804	\$161.50
000074605	RYAN SCHMIDT	P1312A11	80042806	\$169.75
000097137	AMBER MEDEZ	H0052-22	80042808	\$169.75
000068850	D6 DEVELOPMENT	N1810-06	80042810	\$248.25
810002901	NGUYEN INC % R NGUYEN	F0048-10	80042816	\$161.50
000071183	PEIRSON FRANCHOT	C0064-35	80042836	\$290.00
300188748	SIGMA PHI CHI SORORITY	G0026-16	80042838	\$153.25
000083455	HALL-WATSON, NICOLAS	H0020-28	80042840	\$153.25
300245168	CARLETON, HOLLY	R0414-06	80042842	\$169.75
300244678	BULLOCK, TOM	G0064-14	80042844	\$169.75
000068871	BROWNE, THEODORE	H0058-07	80042846	\$405.25
000095924	AUSTIN LEACH	N1802A13	80042848	\$153.00
400002900	REED, DANIEL	G0025-21	80042850	\$283.75
810002325	LICANDRO MANAGEMENT LLC	G0056-20	80042852	\$161.00
000039705	COINER, MICHAEL S / LIVING OUR	K0033-06C	80042854	\$403.75
300176915	LINDA EARLY	H0062-04	80042856	\$304.00
000050349	JAMES ALLEN	B0006-33	80042858	\$164.50
000094456	JENNIFER WARD	J0022-28	80043018	\$622.50
120236393	AURELLA, LAURIE A	X0235C17	80043022	\$200.75
000085870	ISMAIL, RAMY	F0011-07	80043026	\$153.25
000063686	ANDREW WOLD INVESTMENTS LLC	E0013-03	80043030	\$153.25
000074191	FUTURE CAPITAL LLC	F0025-03	80043034	\$210.00
000070593	QUIET CAPITAL	F0001-22	80043040	\$208.50
000058030	BRITTANY HOFFMAN	K0018-52	80043044	\$153.25
000063686	ANDREW WOLD INVESTMENTS LLC	C0048-33	80043046	\$153.25
300239667	ARGUELLO, RICK	R0401-30	80043048	\$153.25
300119122	JOHNSON, LUELLA	G0019-35	80043050	\$388.75
000080449	GURU NANAK FOOD MART INC	F0002-02B	80043052	\$158.25
300255565	OLD CAPITOL BREWING CO	L0016A07	80043056	\$178.00
000060536	PATRICIO SOLIS	R0413-10	80043058	\$161.25
000058342	RYAN JOHNSON PROPERTIES LLC	K0006-03	80043062	\$216.75
000005198	GOLD STAR PROPERTIES LLC	O2101C31	80043064	\$200.75
300122067	APPLEBY, CHARLES	E0020-42	80043066	\$257.25
000055970	LLC, SERIES R, GG HOLDINGS	F0022-34	80043070	\$200.75
000061015	ARGENTUM PROPERTIES	G0004-15	80043072	\$200.75
300257093	STOCK, ANTHONY	23155-04	80043078	\$217.25
000087174	ALEC GIMM	F0004-36	80043080	\$153.25
000087544	KEVIN MCGEE	K0006-04	80043082	\$216.75
000078247	JOSE GONZALES	F0022-35	80043084	\$200.75

300163720	LE, DA	H0055-21	80043092	\$153.25
000082079	RUSTIC RIVER PROPERTIES LLC	R0417-22	80043094	\$281.75
000072339	MUIR PASS	H0023-46	80043098	\$240.75
000095704	PLMP PROPERTIES LLC	F0037-29	80043102	\$256.50
300261508	SCOTT, MARJORY J	R0417-34	80043104	\$161.25
000097706	JOHNSTON, BRUCE	J0042-25	80043108	\$200.75
000047983	CARLSON, BRYAN L	G0008-17	80043110	\$169.75
000152069	LOVE, ZONA R	H0039-09	80043181	\$1,480.00
300264418	BURTON, ROBERT	R0416-41	80043183	\$359.25
000050706	GARCIA, ALFREDO	L0004-29A	80043187	\$823.75
000093971	THE ROW AT 35TH	P1413-24F	80043189	\$161.50
120165410	THOMAS, STACEY L	E0017-28	80043191	\$716.25
000063686	ANDREW WOLD INVESTMENTS LLC	L0007-24	80043193	\$169.75
810000104	ANDREW WOLD INVESTMENTS	L0008-11A	80043195	\$169.75
300245959	JACOBSON, GARTH	F0011-08	80043197	\$520.00

Number of Accounts to Levy	132	Total Balance Outstanding:	\$45,088.09
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City of Davenport

Department: Public Works - Admin
Contact Info: James Odean | 563-326-7739

Action / Date
8/24/2022

Subject:

Resolution assessing the cost of condemned property demolitions at various lots and tracts of real estate. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

The condemned properties were demolished at various lots and tracts of real estate and were billed to the property owners. The bills have not been paid after 60 days and now are to be levied against the properties.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Demolition

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	8/10/2022 - 10:24 AM
Public Works Committee	Moses, Trish	Approved	8/10/2022 - 10:24 AM
City Clerk	Admin, Default	Approved	8/10/2022 - 1:47 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION assessing the cost of condemned property demolitions at various lots and tracts of real estate.

WHEREAS, that the following lots or tracts of real estate situated in the City of Davenport, and the owners, thereof, be hereby assessed the amounts set forth, and the same being the cost of condemned property demolition on said lots or tracts of real estate.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the City treasurer be and is hereby ordered to collect the same as ordinary taxes to-wit; and

BE IT FURTHER RESOLVED if any amount assessed against property herein does not exceed \$500, such assessment must be made in 1 annual payment; if amount assessed exceeds \$500, such assessment may be in 10 annual installments; in the manner and with the same interest rate provided for assessment against benefited property under the State Code of Iowa as amended with the current interest rate of 2%. All assessments bear interest at the current rate of 2%.

Passed and approved this 24th day of August, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Building Demolition Invoices for Levy

<u>CUST ACCT</u>	<u>NAME</u>	<u>PARCELID</u>	<u>INVOICE</u>	<u>BALANCE</u>
000052679	TARA SHELTON	J0053-01	80042407	\$ 8,250.00
000056721	CAHILL, JAMES T	G0036-18	80042409	\$ 11,850.00

Number of Accounts to Levy	2	Total Balance Outstanding:	\$20,100.00
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City of Davenport

Department: Public Works - Admin
Contact Info: James Odean | 563-326-7739

Action / Date
8/24/2022

Subject:

Resolution assessing the cost of tree removal at various lots and tracts of real estate. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

The trees were removed and billed to the property owners. The bills have not been paid after 60 days and now are to be levied against the properties.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Tree Removal

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	8/10/2022 - 10:25 AM
Public Works Committee	Moses, Trish	Approved	8/10/2022 - 10:25 AM
City Clerk	Admin, Default	Approved	8/10/2022 - 1:48 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION assessing the cost of tree removal at various lots and tracts of real estate.

WHEREAS, that the following lots or tracts of real estate situated in the City of Davenport, and the owners, thereof, be hereby assessed the amounts set forth, and the same being the cost of tree removal on said lots or tracts of real estate.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the City treasurer be and is hereby ordered to collect the same as ordinary taxes to-wit; and

BE IT FURTHER RESOLVED if any amount assessed against property herein does not exceed \$500, such assessment must be made in 1 annual payment; if amount assessed exceeds \$500, such assessment may be in 10 annual installments; in the manner and with the same interest rate provided for assessment against benefited property under the State Code of Iowa as amended with the current interest rate of 2%. All assessments bear interest at the current rate of 2%.

Passed and approved this 24th day of August, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Tree Removal Invoices for Levy

<u>CUST ACCT</u>	<u>NAME</u>	<u>PARCELID</u>	<u>INVOICE</u>	<u>BALANCE</u>
300264327	S & H RENTAL PROPERTIES II LLC	F0019-40	01329862	3,666.35
000096960	VIAGER, JERON	F0019-38	01329863	2,993.31

Number of Accounts to Levy	2	Total Balance Outstanding:	\$6,659.66
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City of Davenport

Department: Public Works - Admin
Contact Info: James Odean | 563-326-7739

Action / Date
8/24/2022

Subject:

Resolution assessing the cost of weed cutting at various lots and tracts of real estate. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

The weeds were cut at various lots and tracts of real estate and were billed to the property owners. The bills have not been paid after 60 days and now are to be levied against the properties.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Resolution
▣ Backup Material	Weed Cutting

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	8/10/2022 - 10:25 AM
Public Works Committee	Moses, Trish	Approved	8/10/2022 - 10:26 AM
City Clerk	Admin, Default	Approved	8/10/2022 - 1:48 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION assessing the cost of weed cutting at various lots and tracts of real estate.

WHEREAS, that the following lots or tracts of real estate situated in the City of Davenport, and the owners, thereof, be hereby assessed the amounts set forth, and the same being the cost of weed cutting on said lots or tracts of real estate.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the City treasurer be and is hereby ordered to collect the same as ordinary taxes to-wit; and

BE IT FURTHER RESOLVED if any amount assessed against property herein does not exceed \$500, such assessment must be made in 1 annual payment; if amount assessed exceeds \$500, such assessment may be in 10 annual installments; in the manner and with the same interest rate provided for assessment against benefited property under the State Code of Iowa as amended with the current interest rate of 2%. All assessments bear interest at the current rate of 2%.

Passed and approved this 24th day of August, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Weed Cutting Invoices for Levy

<u>CUST ACCT</u>	<u>NAME</u>	<u>PARCELID</u>	<u>INVOICE</u>	<u>BALANCE</u>
300118736	PECK, BARRY	O1619B27	80042832	200.00
000068850	D6 DEVELOPMENT	N1810-06	80042834	125.00
300070144	SWAIN, HOWARD E	J0050-03	80043002	185.00
300190876	RILEY, ELIZABETH A	R0402-30	80043006	185.00
000079746	LUND, MISTY	G0052-39C	80043010	185.00
000082432	DANIEL LOWE	H0064-37	80043012	185.00
000093592	CITY VISION NATIONAL REVITALIZ	E0016-38	80043143	185.00
000061123	DENNIS FUESSEL	F0011-16	80043145	185.00
000053147	FIG TREE HOLDINGS LLC	N0711D02	80043147	185.00
300036554	LAING, R PETER	D0001A19	80043149	185.00
000093052	JAGGER BAY PROPERTIES INC	P1414C15D	80043151	185.00
300254559	MCCLELLAN, SHAYLA	C0011-07	80043153	185.00
000077878	JEREMIAH SMITH	B0009-26	80043155	185.00
300101861	BROCKETT, GALE B	N0711D11	80043159	185.00
000063686	ANDREW WOLD INVESTMENTS LLC	B0027-15	80043165	185.00
810003201	PROPERTY GROUP LLC	N1809-11B	80043167	185.00
000093052	JAGGER BAY PROPERTIES INC	P1414C15D	80043169	185.00
000051463	LINDA ALDRICH	B0009-19	80043171	185.00
000050192	PROPERTY GROUP LLC	D0004B23	80043175	185.00
300231590	GRIFFITH, JILLIAN	C0055-14	80043177	185.00
000077102	GIOVANNI RIOS	J0020-22	80043179	185.00
000084446	JALYNNE BROWNING	J0020-11	80043213	185.00
000085878	WJH LLC	S3005-51L	80043215	185.00
000085878	WJH LLC	O1601-15A	80043217	185.00
120202197	MORELAND, KENNETH C	H0064-02	80043221	185.00
300212554	WENDL, TERRENCE	M1502-34	80043231	320.00
120100422	FERNANDEZ, MARK	H0063-06	80043233	185.00
300027546	BIXBY, RUSSELL M	W1019C07A	80043235	185.00
000085878	WJH LLC	S3005-53L	80043237	185.00
000083353	SKYLER WAGNER	H0043-11	80043239	185.00
000085878	WJH LLC	S3005-48L	80043241	185.00
000085878	WJH LLC	S3005-49L	80043243	185.00
000057354	PIEPER, JULIA	S3005-35L	80043245	185.00
120219483	TAYLOR, DEREK	F0007-39	80043247	185.00

300190876	RILEY, ELIZABETH A	R0402-30	80043249	175.00
300196403	HYDE, SCOTT O	H0011-05	80043253	185.00
000002441	BROWN, MARK	F0003-42	80043255	185.00
000094728	TURCIOS, VICTOR	H0062-06	80043259	185.00
000078580	JENSMA, KEN	G0014-25	80043261	185.00
000085878	WJH LLC	S3005-54L	80043263	185.00
000085878	WJH LLC	S3005-52L	80043265	185.00
000094318	WILSON, CHOW	W1019C48A	80043271	185.00
000090377	DANIEL CARTER	A0008D02A	80043273	185.00
300043765	LINDSAY, JOSEPH L	J0025-10	80043275	185.00
000085878	WJH LLC	S3005-46L	80043277	185.00
300176915	LINDA EARLY	H0062-04	80043279	185.00
000072339	MUIR PASS	H0023-46	80043281	185.00
000085878	WJH LLC	S3005-47L	80043283	185.00
000085878	WJH LLC	S3005-50L	80043287	185.00
000035967	WHITE, TERRY L	R0402-10	80043289	185.00
000051209	NICHOLS, TRAVIS R	H0012-10	80043291	185.00
300055625	HUSS, HELEN M	W0907D32	80043293	185.00
120139036	MEYER, RICHARD A	H0024-46	80043295	185.00
300248005	LUKENBILL, DAN	F0024-41	80043297	185.00
000085878	WJH LLC	O1601-11A	80043299	185.00

Number of Accounts to Levy	55	Total Balance Outstanding:	\$10,255.00
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City of Davenport

Department: Public Works - Admin
Contact Info: James Odean | 563-326-7739

Action / Date
8/24/2022

Subject:

Resolution assessing the cost of nuisance abatement and environmental clean ups at 2109 West 68th Street (Parcel W0331-33). [Ward 8]

Recommendation:

Adopt the Resolution.

Background:

A court order dated October 12, 2021 in case number DACICI005132 granted the City of Davenport authority to assess the costs of health, environmental, or solid waste abatements against the property known as 2109 West 68th Street (Parcel W0331-33). Since that court order, the City has abated multiple violations on the subject property, incurring expenses of \$3,177.42.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	List

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	8/10/2022 - 4:16 PM
Public Works Committee	Moses, Trish	Approved	8/10/2022 - 4:16 PM
City Clerk	Admin, Default	Approved	8/10/2022 - 4:17 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION assessing the cost of nuisance abatement and environmental clean ups at 2109 West 68th Street (Parcel W0331-33).

WHEREAS, a court order dated October 12, 2021 in case number DACICI005132 granted the City of Davenport authority to assess the costs of health, environmental, or solid waste abatements against the property known as 2109 West 68th Street; and

WHEREAS, since that court order, the City has abated multiple violations on the subject property, incurring expenses of \$3,177.42; and

WHEREAS, the subject tract of real estate, situated in the City of Davenport and the owners thereof, be hereby assessed the amount of expenses incurred.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the City treasurer be, and is hereby ordered to collect the same as ordinary taxes to-wit; and

BE IT FURTHER RESOLVED that any amount assessed against property herein does not exceed \$500.00, such assessment must be made in 1 annual payment; if amount assessed exceeds \$500.00, such assessment may be in 10 annual installments; in the manner and with the same interest rate provided for assessment against benefited property under the State Code of Iowa as amended with the current interest rate of 2%. All assessments bear interest at the current rate of 2%.

Passed and approved this 24th day of August, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Task ID	Description	Amount
21-60299	CSD - Vehicle Issue	\$ 32.20
21-65419	Environmental Clean Up	\$ 1,132.89
22-1735	Environmental Clean Up	\$ 526.12
22-35517	Environmental Clean Up	\$ 770.45
22-37463	CSD - Administrative	\$ 126.54
22-42284	Environmental Clean Up	\$ 573.40
22-43794	CSD - Administrative	\$ 15.82
		\$ 3,177.42

City of Davenport

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

Action / Date
8/24/2022

Subject:

Resolution awarding a contract for the 2022 Commercial Alley Resurfacing program to Langman Construction Inc of Rock Island, Illinois in the amount of \$226,637.85, CIP #35038. [Ward 3]

Recommendation:

Adopt the Resolution.

Background:

An Invitation to Bid was issued on July 21, 2022 and sent to contractors. On August 9, 2022, the Purchasing Division opened and read one (1) responsive and responsible bid. See attached bid tab.

The alleys being resurfaced are located in Ward 3: Western Avenue alley (south of West 4th Street), Perry Street alley (between East 4th Street and East 5th Street), and West 4th Street alley (between Main Street and Harrison Street). The work includes the furnishing of all labor, materials, equipment and services necessary for HMA alley resurfacing including but not limited to survey, subgrade patching, HMA pavement, driveway approaches and seeding.

Langman Construction Inc was the one bidder. They have successfully performed this type of work for the City in the past.

Funding for this program is from CIP #35038 Alley Repair Program. These funds are available from the sale of General Obligation Bonds.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	8/11/2022 - 10:39 AM
Public Works Committee	Moses, Trish	Approved	8/11/2022 - 10:39 AM
City Clerk	Admin, Default	Approved	8/11/2022 - 2:22 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION awarding a contract for the 2022 Commercial Alley Resurfacing program to Langman Construction Inc of Rock Island, Illinois in the amount of \$226,637.85, CIP #35038.

WHEREAS, the City needs to contract for the 2022 Commercial Alley Resurfacing program; and

WHEREAS, Langman Construction Inc was the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the 2022 Commercial Alley Resurfacing program is hereby awarded to Langman Construction Inc of Rock Island, Illinois in the amount of \$226,637.85.

Passed and approved this 24th day of August, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: 2022 COMMERCIAL ALLEY RESURFACING

BID NUMBER: 23-11

OPENING DATE: AUGUST 9, 2022

FUNDING: 70061681 530350 35038 ALLEY REPAIR PROGRAM

RECOMMENDATION: AWARD THE CONTRACT TO LANGMAN
CONSTRUCTION INC OF ROCK ISLAND ILLINOIS IN THE
AMOUNT OF \$226,637.85

<u>VENDOR NAME</u>	<u>PRICE</u>
Langman Construction Inc. of Rock Island Illinois	\$226,637.85

Approved By Krista Keller 8-10-2022
Purchasing Date

Approved By Nicole Gleason 8-10-22
Dept Director Date

Approved By Brauli Coy 8-10-22
Budget/CIP Date

Approved By Walter J. Hermit 08/10/2022
Assist. City Administrator/ CFO Date

City of Davenport

Department: Finance
Contact Info: Chad Dyson | 563-326-7817

Action / Date
8/24/2022

Subject:

Resolution accepting the 2022-2023 (year three of three) AmeriCorps Program grant from the Corporation for National and Community Services in the amount of \$541,862 and authorizing the Finance Director or designee to sign the grant agreement to be managed and implemented by the Davenport Parks and Recreation Department. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

This is the last year of a three-year grant agreement. The AmeriCorps grant is administered by the Parks and Recreation Department, and the agreement supports 61 members and over 37,550 hours of service to the community.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Exhibit	AmeriCorps Agreement
▣ Exhibit	AmeriCorps Agreement Attachment- Draft

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	8/10/2022 - 4:52 PM
Finance Committee	Merritt, Mallory	Approved	8/10/2022 - 4:52 PM
City Clerk	Admin, Default	Approved	8/12/2022 - 9:35 AM

Resolution No. _____

Resolution offered by Alderman Condon.

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

RESOLUTION accepting the 2022-2023 (year three of three) AmeriCorps Program grant from the Corporation for National and Community Services in the amount of \$541,862 and authorizing the Finance Director or designee to sign the grant agreement to be managed and implemented by the Davenport Parks and Recreation Department.

WHEREAS, it is important to the operations of the City of Davenport to establish and maintain collaborative partnerships; and

WHEREAS, volunteerism is central to these partnerships between Davenport Parks and Recreation, River Music Experience, Big Brothers and Big Sisters, the Putnam Museum, Girl Scouts, and the Davenport Community School District; and

WHEREAS, the AmeriCorps Program Grant provides these much needed volunteer positions; and

WHEREAS, it is necessary to enter into and accept the AmeriCorps Program grant from the Corporation for National and Community Services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the 2022-2023 (year three of three) AmeriCorps Program grant from the Corporation for National and Community Services in the amount of \$541,862 is hereby accepted, and the Finance Director or designee is authorized to sign the grant agreement which will be managed and implemented by the Davenport Parks and Recreation.

Passed and approved this 24th day of August, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Grant Agreement Number: 22-AC-02

**IOWA COMMISSION ON VOLUNTEER SERVICE
AMERICORPS GRANT AGREEMENT**

GRANTEE: City of Davenport
GRANT NUMBER: 22-AC-02
PROGRAM NAME: City of Davenport AmeriCorps & Youth Corps Program
GRANT AGREEMENT PERIOD: 8/1/2022- 7/31/2023
TOTAL MAXIMUM GRANT AMOUNT: \$541,862
GRANTEE EMPLOYER IDENTIFICATION NUMBER 42-6004463
GRANT TYPE: Cost reimbursement
FEDERAL PRIME GRANT & TYPE: 21ACEIA001 (Competitive)

This AmeriCorps Grant Agreement is made by and between the Iowa Commission on Volunteer Service, 1963 Bell Avenue, Suite 200, Des Moines, Iowa 50315 ("Commission" or "Volunteer Iowa"), an agency of the State of Iowa, and City of Davenport ("Grantee"), 700 W River Dr, Davenport, IA 52802-1405, a city government.

WHEREAS the Commission is designated to receive, administer and disburse AmeriCorps State and National grant funds; and

WHEREAS the Commission desires to disburse grant funds to the Grantee for eligible purposes primarily addressing community needs identified in the Grant Application; and

WHEREAS the Grantee submitted an application for funding to the Commission and the Commission has approved the application; and

WHEREAS, in approving the application, the Commission has relied upon the representations of the proposed Program activities; management and financial condition of the Grantee; investment of other Grantee funds; and other material information contained therein; and

WHEREAS the Grantee has certified to the Commission that the primary purpose for obtaining AmeriCorps funds is to make a significant impact in the community while providing a meaningful service opportunity for the AmeriCorps members;

NOW, THEREFORE, the Grantee accepts this grant upon the terms and conditions set forth in this Agreement.

In consideration of the mutual promises contained in this Agreement, the Parties agree as follows:

ARTICLE 1 - DEFINITIONS

As used in this Agreement, the following terms shall apply:

1.1 **ACT.** "Act" means the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.), as amended by the Serve America Act, (42 U.S.C. S.12501 et seq.).

1.2 **GRANT AGREEMENT or AGREEMENT.** "Grant Agreement" or "Agreement" means this Agreement and all of the exhibits, attachments and documents referred to in the Agreement and incorporated by reference. The Grant Agreement is the legal agreement by which the Commission makes subawards of AmeriCorps funding to the Grantee. The Grantee is the subrecipient and the Commission is the pass-through entity.

- a) **Subaward** means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal Award received by the pass-through entity. A subaward may be provided through any form of legal agreement.
- b) **Subrecipient** means an entity, usually but not limited to non-Federal entities, that receives a subaward from a pass-through entity to carry out part of a Federal award; but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

1.3 **PROGRAM.** "Program" means the detailed description of the program activities, interventions, and other obligations to be performed or accomplished by the Grantee as described in this Agreement and the AmeriCorps State and National application approved by the Corporation for National and Community Service ("Corporation" or "AMERICORPS") and the Commission, as authorized by the National and Community Service Act of 1990, as amended.

1.4 **GRANT AGREEMENT PERIOD, EFFECTIVE DATE, & COMPLETION DATE.**

"Grant Agreement Period" is the period in which the Agreement is in force and effect. The first date of the Grant Agreement Period is considered the Effective Date (or start date) of the Agreement and the last date is considered the Completion Date (or end date). The Grant Agreement Period is aligned with the one-year Budget Period for the federal subaward, but the Grant Agreement Period may not cover the full Period of Performance for the federal subaward, which may be two or three years. The Agreement expires upon the occurrence of one of the following: a) Program tasks have been fully accomplished including fulfillment of the obligations identified in Article 6 as of the end date of the grant agreement period; or b) the Agreement is terminated by Volunteer Iowa due to any default under Article 8.1; or c) the Agreement is terminated in accordance with the provisions set forth in Article 10.3. Except in limited circumstances, the Grant Agreement Period Completion Date will not be extended beyond 90 (ninety) days past the original Grant Agreement Period Completion Date.

- a) **Period of performance** means the total estimated time interval between the start of an initial Federal award and the planned end date, which may include one or more funded portions, or budget periods. Identification of the period of performance in the Federal award per § 200.211(b)(5) does not commit the awarding agency to fund the award beyond the currently approved budget period.
- b) **Budget period** means the time interval from the start date of a funded portion of an award to the end date of that funded portion during which recipients are authorized to expend the funds awarded, including any funds carried forward or other revisions pursuant to § 200.308.

1.5 GRANT TYPE. “Grant Type” refers to the category of grant award provided. AmeriCorps grants may be either Cost Reimbursement or Fixed Amount types; the type of grant determines certain budget and financial management responsibilities of the grantee.

- a) **Cost Reimbursement** grants include a formal matching requirement and require the submission of a budget and financial reports. For Cost Reimbursement Grantees AMERICORPS funds a portion of program operating costs, member costs (if applicable), and administrative expenses; funding is not directly dependent upon recruitment and retention of AmeriCorps members. Planning grants are a type of cost reimbursement grant that does not include any member funding.
- b) **Fixed Amount** Grants provide a fixed amount of funding per Member Service Year (MSY) that is substantially lower than the amount required to operate the program. Organizations use their own or other resources to cover the remaining costs. Fixed Amount programs are not required to submit detailed budgets or financial reports, there is no specific match requirement, and programs are not required to track and maintain documentation of match. However, AMERICORPS provides only a portion of the cost of running the program and organizations must raise the additional resources needed to run the fixed amount program. Fixed Amount Programs can access all of the AmeriCorps grant funds, provided they recruit (in the case of Education Award Program or “EAP”) or retain (in the case of full-cost Fixed Amount programs) the members supported under the grant based on the MSY level awarded. Professional Corps programs applying for operational funding through a Fixed Amount Grant must submit a budget in support of their request for operational funds.

1.6 FUNDING TYPE. “Funding Type” refers to whether the program is funded out of the portion of AMERICORPS funds that are provided to the state according to a population-based formula (Formula) or out of the portion of AMERICORPS funds that are awarded to states on a competitive basis (Competitive). The funds are awarded to Volunteer Iowa in a prime grant and each Iowa AmeriCorps State Program is awarded out of the Commission’s prime grant.

1.7 ALLOWABLE COSTS. "Allowable Costs" are those costs which are identified in Attachment A, Grant Application; Attachment B, Budget; and consistent with Federal regulations and guidelines applicable to the AmeriCorps program.

1.8 AUTHORIZED REPRESENTATIVE. The Authorized Representative is the person within the Grantee organization authorized to accept and commit funds on behalf of the organization. A copy of the governing body’s authorization for this official representative to sign must be on file in the Grantee’s office.

ARTICLE 2 - FUNDING

2.1 FUNDING SOURCES. The primary source of funding for the Grant is a federal grant from AMERICORPS [Code of Federal Domestic Assistance (CFDA) 94.006] for the AmeriCorps Program. A portion of the Grantee share of matching funds budgeted for this Grant may be provided to the Grantee by Volunteer Iowa from state funding sources as noted in Article 3.1. The

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Grantee shall comply with the requirements, conditions and rules of AMERICORPS, the Commission and any other public or private entity having authority over the funds or the Grant.

2.2 **RECEIPT OF FUNDS.** All payments under this Agreement are subject to receipt by the Commission of sufficient funds for the AmeriCorps Program. Any termination, reduction, or delay of federal or state funds to the Commission may, in the sole discretion of the Commission, result in the termination, reduction or delay of AMERICORPS funds to the Grantee and/or termination of this Agreement.

2.3 **PRIOR COSTS.** If any grantee has received written approval from the Commission to incur certain costs prior to the Effective Date of this Agreement, then said written approval and those terms and conditions are incorporated herein and made a part of this Agreement by this reference as if fully set forth.

2.4 **USE OF GRANT FUNDS.** The Grantee shall expend funds received under the Grant only for the purposes and activities described in its application and approved by the Commission and in compliance with applicable federal and state law and regulations.

2.5 **BUDGET AMENDMENTS FOR COST REIMBURSEMENT GRANTEES.** The following budget changes for cost reimbursement grantees shall be subject to prior approval of the Commission through the amendment process as provided for in Article 10.6. Budget amendments shall be requested from the Commission and approved prior to implementation of the budgetary changes. Budget amendments shall be compatible with the terms of this Agreement and of such a nature as to qualify as an allowable cost. Budget amendments requested during the final ninety (90) days of the Agreement period will be approved on a limited basis. The following circumstances require budget amendments.

- a) Budget changes which would result in changes in excess of ten percent (10%) of the total budget.
- b) Budget changes which would lower the Grantee's percent share of costs required under this Agreement.
- c) Budgetary changes related to changes in the scope or goals of the project.
- d) Costs requiring prior approval: adding costs in a previously unbudgeted line item, supplies in excess of \$1,000 per item, equipment valued at greater than \$5000, subgrants or contracts not included in approved application and budget, other costs requiring prior approval under § 2 CFR 200 regardless of the ten percent budget limitation.

2.6 **DISBURSEMENT OF LESS THAN THE TOTAL AWARD AMOUNT.** If the total award amount has not been requested by the Grantee within sixty (60) days following the Completion Date, then the Commission shall be under no obligation for further disbursement.

2.7 **MEMBER COSTS.** The award amount contemplated by this Agreement reflects a maximum possible payment based on full member enrollment. In the event that the Program does not fully recruit the awarded member service years (MSY), the Commission may reduce the federal funding. The Commission reserves the right to request repayment of any federal funds disbursed above the reduced federal amount.

2.8 ADMINISTRATIVE COST GUIDELINES. Federal funds used for reasonable administrative costs, are allowable. For cost reimbursement grantees, the federal share of administrative costs shall be limited to approximately five percent (5%) of the AMERICORPS funds expended in Sections I and II of the approved budget. (See Exhibit E. Application Instructions for detailed calculations of administrative costs). Grantees are eligible for additional administrative costs in the Grantee Share of the budget. These amounts are approved at the time of award and are reflected in the budget. Administrative costs will only be disbursed proportional to grant funds expended.

2.9 UNALLOWABLE COSTS. If Volunteer Iowa determines at any time, whether through monitoring, audit, closeout procedures or by other means, that the Grantee has expended funds for unallowable activities, the Grantee will be notified of the questioned costs and given an opportunity to justify questioned costs prior to Volunteer Iowa's final determination of the disallowance of costs. Appeals of any determinations will be handled in accordance with the provisions of Chapter 15h, Iowa Code. If it is Volunteer Iowa's final determination that costs previously paid by Volunteer Iowa are unallowable under the terms of the Agreement, the expenditures will be disallowed, and the Grantee shall repay to Volunteer Iowa any and all disallowed costs. Grantee shall repay all disallowed costs within thirty (30) days. Volunteer Iowa may work out a payment plan with the Grantee at its discretion.

2.10 NATIONAL SERVICE CRIMINAL HISTORY CHECKS DISALLOWED COSTS. If Volunteer Iowa determines at any time, whether through monitoring, audit, closeout procedures, program self-reporting, or by other means, that any portion of the National Service Criminal History Check (NSCHC) process has not been completed as required, Volunteer Iowa will follow the most recent version of the AMERICORPS NSCHC Enforcement Guide to assess disallowance in cases of noncompliance or other unallowable circumstances as described in the Guide. Disallowance payments must be made with non-federal funds.

2.11 FEES. Volunteer Iowa will assess the following fees on Grantee.

- a) **State Member Management System Costs:** Grantees will be invoiced on a biannual or other regular basis for a fee of \$18/member for costs of participation in the state's member management and timekeeping systems. Grantees approved to use another member management and timekeeping system (see Attachment D) will be charged an additional per-member cost to account for increased Volunteer Iowa staff time required to conduct required monitoring in a separate system.
- b) **State Support and Monitoring Fee:** Cost-reimbursement grantees will be invoiced on a biannual or other regular basis for a State Support & Monitoring Fee of two percent (2%) of the total federal share of Sections I and II of the approved budget. Fixed-amount grantees are also subject to a State Support & Monitoring Fee of two percent (2%) of their grant, calculated according to guidance from AMERICORPS. The Commission will invoice programs on a biannual or other regular basis.

ARTICLE 3 - TERMS OF GRANT

3.1 **GRANT.** The Commission grants \$541,862 to the Grantee for AmeriCorps activities during the Grant Agreement Period. The program activities of the Grantee are to commence as of the Effective Date and shall be undertaken in such a manner as to assure their expeditious completion. All of the program activities required hereunder shall be completed on or before the Completion Date.

- a) State match portion of the grant: of the total grant amount, \$0 is state funding that shall be used by the Grantee to meet the federal match requirement for the AmeriCorps program.
- b) ARP match replacement portion of the grant: of the total grant amount, \$57,000 is AMERICORPS funding that shall be used as match replacement for the AmeriCorps program.

3.2 **GRANT ACTIVITIES TO BE PERFORMED.** Subject to the provisions set forth in this Agreement, Volunteer Iowa grants funds to the Grantee to carry out the program activities and interventions as specifically outlined in Attachment A entitled "Grant Application" signed on 12/20/2021 and incorporated by this reference, and for such other grant obligations as Volunteer Iowa and Grantee may agree to in writing.

3.3 **DISASTER DEPLOYMENT.** In the case of a state-declared disaster, Grantee's members and/or grant-funded staff may be voluntarily deployed as an asset of the state. In case of deployment, allowable related expenses outside of the scope of the approved Application may be eligible for reimbursement. All disaster deployments must be approved by Volunteer Iowa. Organizations opting to serve as part of the Iowa AmeriCorps Disaster Response Team (Iowa A-DRT) may also be deployed under the Volunteer Iowa Cooperative Agreement with the Federal Emergency Management Agency (FEMA). The terms of these deployments are covered in Attachment C, "Iowa AmeriCorps Disaster Response Team Disaster Deployment Agreement".

3.4 **GRANT ADMINISTRATION.** The Agreement shall be administered in accordance with all applicable State and Federal laws, regulations, and guidance, including those found in Exhibit F, "Iowa AmeriCorps State Program Director Manual", which has been distributed by Volunteer Iowa to the Grantee.

3.5 **EVALUATION.** The Grantee will fulfill the evaluation requirements for AmeriCorps State & National grantees and subgrantees as outlined in Exhibit B, "Federal Regulations" and other AMERICORPS evaluation guidance. If the Grantee's evaluation plan requires AMERICORPS approval, the Grantee will secure this approval by the date communicated in writing. Designated program staff may be required to participate in training and technical assistance. Failure to submit plans or plan corrections or to participate in required training will result in program suspension.

3.6 **SPECIAL CONDITIONS.** The Grantee will be subject to any special conditions noted below. Special conditions may be specified by AMERICORPS or by Volunteer Iowa. AMERICORPS or Volunteer Iowa will suspend programs that do not comply with the special conditions.

- a) Special conditions applicable to this grant agreement: none

3.7 **APPROVED WAIVERS.** The Grantee has received approval for the following waiver(s):

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ARTICLE 4 - CONDITIONS TO DISBURSEMENT OF FUNDS

Unless and until the following conditions have been satisfied, the Commission shall be under no obligation to disburse to the Grantee any amounts under the Grant Agreement:

4.1 **GRANT AGREEMENT EXECUTED.** The Grant Agreement shall have been properly executed and returned to Volunteer Iowa prior to the grant agreement effective date or within thirty (30) days of Volunteer Iowa's transmittal of the final Agreement to the Grantee, whichever is sooner.

4.2 **BINDING FINANCIAL COMMITMENTS.** Upon request, the Grantee will provide a resolution of the Board of Directors, or other Governing Body of the Grantee, authorizing the execution and delivery of this Grant Agreement and such other papers as the Commission may reasonably request, and specifying the officer(s) authorized to execute the Grant Agreement and bind the Grantee.

4.3 **GRANTEE DOCUMENTATION.** The Grantee shall have completed the following Start Forms related to program management and compliance.

- a) Must be approved: Pre-Award Financial Form (new and planning Grantees) or Financial Survey (returning Grantees).
- b) Must be submitted: NSCHC Checklist, Policy, and Training Certifications (all Grantees).

4.4 **SUBMISSION OF PAYMENT PROCESSING FORMS.**

- a) Taxpayer identification number: Completion and submission of form "W-9, Request for Taxpayer Identification Number and Certification."
- b) (For non-state agencies) Electronic funds transfer (EFT): Completion and submission of form "Direct Deposit Authorization Form" from Iowa Department of Administrative Services.

4.5 **SYSTEM FOR AWARD MANAGEMENT REGISTRATION.** The Grantee shall have a current and active registration with the System for Award Management (SAM) and a valid Unique Entity Identifier (UEI).

ARTICLE 5 - REPRESENTATIONS AND WARRANTIES OF GRANTEE

To induce the Commission to make the Grant referred to in this Agreement, the Grantee represents, covenants and warrants that:

5.1 **AUTHORITY.** The Grantee is duly organized and validly existing under the laws of the State, is in good standing, and has complied with all applicable laws of the State of Iowa. The Authorized Representative listed for the Grantee is duly authorized and empowered to execute and deliver this

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Agreement. All action on the part of the Authorized Representative, such as appropriate resolution of their governing body for the execution and delivery of the Agreement, has been effectively taken.

5.2 **FINANCIAL INFORMATION.** All financial statements and related materials concerning the Grantee and the Program provided to the Commission are true and correct in all material respects and completely and accurately represent the subject matter thereof as of the effective date of the statements and related materials, and no material adverse change has occurred since that date.

5.3 **GRANT APPLICATION.** The content of the grant application the Grantee submitted to the Commission for funding is a complete and accurate representation of the Grantee and the Program as of the date of submission and there has been no material adverse change in the organization, operation, or key personnel of the Grantee since the date the application was submitted to the Commission.

5.4 **CLAIMS AND PROCEEDINGS.** There are no actions, lawsuits or proceedings pending or, to the knowledge of the Grantee, threatened against the Grantee affecting in any manner whatsoever their rights to execute the Agreement or the ability of the Grantee to make the payments required under the Agreement, or to otherwise comply with the obligations of the Agreement.

5.5 **PRIOR AGREEMENTS.** The Grantee has not entered into any verbal or written contracts, agreements or arrangements of any kind, which are inconsistent with the Grant Agreement.

5.6 **RENEWAL AND RESTATEMENT.** The covenants, warranties and representations of this Article are made as of the Effective Date of this Agreement and shall be deemed to be renewed and restated by the Grantee at the time of each request for disbursement of funds.

ARTICLE 6 - GRANTEE OBLIGATIONS AND AFFIRMATIVE COVENANTS

The Grantee covenants with Volunteer Iowa that:

6.1 **PROGRAM ACTIVITIES AND INTERVENTIONS.** The Grantee shall carry out in a satisfactory and proper manner the activities and interventions detailed in the approved Grant Application (Attachment A) by the end of the Grant Agreement Period. Such activities and interventions will be conducted according to the standards generally acceptable in the Grantee's field for similar tasks and projects, as long as these are in conformance with AmeriCorps State requirements as determined by the Commission.

6.2 **COMPLIANCE WITH LAWS AND REGULATIONS.** The Grantee shall comply with all applicable State and Federal laws, rules, ordinances, regulations and orders, including but not limited to the National and Community Service Act as amended by the Serve America Act, the Corporation's regulations (45 CFR §§ 2500-2599), and the AmeriCorps Terms and Conditions. All Grantees are subject to the Uniform Guidance under 2 CFR Chapters I and II, except that Fixed-Amount Grants are exempt from the cost principles outlined in 2 CFR Part 200, Subpart E.

6.3 USE OF DEBARRED, SUSPENDED, OR INELIGIBLE CONTRACTORS OR SUBRECIPIENTS. AMERICORPS funds shall not be used directly or indirectly to employ, award contracts to, support with member placements, or otherwise engage the service of, or fund any organization, or contractor during any period of debarment, suspension, or placement in ineligible status under 2 CFR Part 180 or any applicable law or regulation.

6.4 MONITORING. To fulfill its fiduciary responsibilities and programmatic obligations, the Commission shall conduct grant agreement oversight activities under this Agreement. The Commission shall conduct monitoring on a routine basis based on the Commission's risk assessments. The Commission shall conduct grant agreement oversight activities from the Commission offices, on site at the Grantee's offices, virtually using electronic communications, or a combination of these approaches. The Grantee shall implement and maintain sufficient management practices and systems to assure compliance with all programmatic and fiscal obligations under this Agreement. The Grantee's responsibilities in this regard extend to oversight of its sites and their financial and program duties as an agent of the Grantee under this Agreement.

6.5 ACCESS TO RECORDS. The Grantee shall permit the Commission, Auditor of the State of Iowa or any authorized representative of the State, and where federal funds are involved, the Comptroller General of the United States or any other representative of the United States Government, to access and examine, audit, and/or copy any directly pertinent books, documents, papers and records of Grantee relating to orders, invoices, or payments or any other documentation or materials pertaining to this Agreement. The Commission shall make every effort to provide prior notice and to access records from Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m. Such rights to access shall continue as long as the records are retained by the Grantee. Records may be accessed in hard copy, electronically, on site, or in other ways as necessary to meet the needs of the Commission. Regardless of the method, all records will be managed by the Commission in accordance with proper records management procedure(s) while they are in the possession of the Commission. Access to records shall be granted within 72 hours of the request unless other arrangements have been agreed to by the Commission.

6.6 RECORDS RETENTION. All records of the Grantee relating to this Agreement shall be retained for a period of three (3) years following the submission date of the Commission's final Federal Financial Report (FFR) covering the grant. A chart detailing disposition dates of past grants is available on the Volunteer Iowa website and upon written request. In addition to financial records and supporting documentation, this includes statistical records, evaluation and program performance data, member information and personnel records and any other records needed to document compliance with federal requirements and to justify costs and matching share.

6.7 PROGRAMMATIC DOCUMENTATION. Upon request, the Grantee shall deliver to Volunteer Iowa or make available for review the following documentation as applicable based on the grant type: (a) copies of all contracts or agreements relating to the Program, (b) invoices, receipts, statements or vouchers relating to the Program, (c) member or staff records or files and program performance and evaluation data related to this Program, (d) a list of all unpaid bills for labor and materials in connection with the Program, (e) budgets and revisions showing estimated Program costs and funds required at any given time to complete and pay for the Program, (f)

current and year-to-date operating statements and (g) any other such grant-related documents as requested, in order to verify compliance with applicable state and federal AmeriCorps requirements.

6.8 NOTICE OF PROCEEDINGS. The Grantee shall promptly notify Volunteer Iowa of the initiation of any claims, lawsuits or proceedings brought against the Grantee that, if unfavorably determined, would have a material adverse effect on the Grantee's ability to perform this Agreement.

6.9 NOTIFICATIONS. In the event the Grantee becomes aware of any material alteration in the Program, initiation of any investigation involving the Program or any similar occurrence, the Program shall promptly notify the Commission.

6.10 REPORTS. The Grantee shall prepare, review, certify and submit the requests and reports as outlined below, or in the Iowa AmeriCorps State Program Manual (Exhibit F), in the form and content specified by Volunteer Iowa. The Grantee shall review all Claims and verify that claimed expenditures are allowable costs. The Grantee shall maintain documentation adequate to support all claimed costs reported for federal reimbursement or Grantee Share.

<i>Performance Measure & Program Progress Reporting</i>		
Form	System/Format for Submission	Date Due
Program Start Forms * Indicates those Start Forms Applicable to New and Recompeting Programs Only	Status reports or grant forms in IowaGrants	Phase 1: August 1/December 15 • NSCHC Policies, Procedures and Associated Materials • *Pre-Award Financial Form (for new and recompeting programs) • Enrollment Plan, Performance Measures and Enrollment/Retention Goals Phase 2: September 1/February 1 • Financial Survey (due January 1st for programs with a January 1st start date) • Audit Form • Start Forms (Member Service Agreement, Host site agreement, Orientation agenda, Host Site/Site Supervisor Orientation Agenda and Training Plan, Insurance certification) Phase 3: October 1/March 1 • Financial and Program Policies • Data Collection Plan and Process • Tutoring Certification (as applicable)
Performance Measure – Corrective Action Plan (may include amendment request)	Program Officer Notification in IowaGrants	As needed throughout the program year
Initial Progress Report	Status Report in IowaGrants	January 15 (due April 15th for programs with a January 1st start date)

Mid-Year Progress Report- includes performance measure reports	Status Report in IowaGrants	May 15 (Covers grant start through 3/31/21)
Final Progress Report	Status Report in IowaGrants	15 days following the conclusion of the grant period
November Progress Report (if applicable)	Status Report in IowaGrants	November 15 - Programs with a Final Progress Report due after Nov. 15 (i.e., those whose grants end in November or later) would have a November Report due in advance of their Final Report in order to meet AmeriCorps deadlines.
Monitoring Report Program Response or Response Plan	IowaGrants correspondence	By the deadline established by Volunteer Iowa.
Change in program staff as noted in Grant Agreement	Program Officer Notification in IowaGrants	Within 5 days of the person's first or last day of work or as soon as possible.
Grant Agreement Extension Request	Program Officer Notification in IowaGrants	By April 30 annually
Program Evaluation Plan or Report	IowaGrants status reports and/or application	Progress updates due in Mid-Year Performance Measure Report. Full report/plan deadline varies: With re-competing application for competitive programs.
Other Significant Program Changes	Program Officer Notification in IowaGrants	Within 5 days of awareness of the need to make the change or as soon as possible.

<i>Financial Reporting</i>		
Form	System/Format for Submission	*Date Due
Financial Start Up Forms	IowaGrants (completed by Financial Staff)	Submitted in accordance with timeline outlined in Start Up Form Checklist
Claim	IowaGrants	Monthly by the 25 th of the month following the end of the report period. Claims should total at least \$100 at the time of submission. **Programs may request quarterly reporting due 25 th of the month following the end of the quarter
Program Claim Attachments New Programs and High Financial Monitoring Level Programs	Attachments in IowaGrants	Attached monthly (to coincide with Claim Form) supporting documentation for all claimed costs.

GAX/IET Form Attachment	Attachment in IowaGrants	Attached monthly (or **quarterly) to coincide with Program Claim Form) by the 25 th of the month following the end of the report period. GAX forms can be found on the 22-23 Grant Reference Materials component in IowaGrants.
***Federal Financial Reports	IowaGrants as status report (Fixed Amount and Education Award Only complete only specific sections)	April 25 th October 25 th FINAL: due within 90 days after the completion date of the grant (if grant end date does not correspond with above reporting deadlines)
Estimated Unexpended Funds Report (in FFR)	IowaGrants	April 25 th for all programs, and upon request
Mid-Year Budget Amendment (Program Officer Notification)	IowaGrants	April 30 th (or July 31 for programs with January start date), based on estimated unexpended funds
Closeout Packet (Status Report)	IowaGrants	Within 60 days after the termination of the grant
Self-Certification of Closeout	IowaGrants	Within 60 days after the termination of the grant
Audit Report and Second Audit Report (Status Report)	In IowaGrants as attachment with Management Letter and Audit Reconciliation Report	Within 30 days of the release of the audit report or financial review. <i>IowaGrants is set to receive up to two audit reports per year.</i>
Site Visit Response	IowaGrants	Within timeline as established in site visit report from Volunteer Iowa
Financial Desk Review <i>Covers one-reporting period as noted in the monitoring schedule based on program monitoring level.</i>	IowaGrants as attachment	Upon request in conjunction with a monthly financial claim report.
Change in financial staff	Update in IowaGrants	Within 5 days of the person's last day of work or as soon as possible.
Budget Changes (Program Officer Notification)	IowaGrants	By April 30 th OR Within 15 days of awareness of the need to make the change or as soon as possible.

<i>In general, major budget changes should be made in the first six months of the grant.</i>		
Problems/Concerns – including suspected fraud, waste or abuse of federal funds	via email or phone call to program officer	Immediately

*If the reporting deadline falls on a weekend or state holiday, the reporting due date remains the same. The program may submit on the due date or prior to the due date.

**Prior approval from Volunteer Iowa required for quarterly claim submission. Quarterly reports cover the following periods: Sept-Dec; Jan-Mar; Apr-Jun; Jul-Sept, Oct-Nov (this reporting schedule includes the maximum grant period inclusive of no-cost extensions).

***FFR completion is limited to selected categories to monitor unexpended funds and excess program income for Fixed Amount and Education Award programs.

<i>Member Reporting</i>
See section 3.1 of the Iowa AmeriCorps State Program Manual (Exhibit F) to reference a full list of member reporting requirements and deadlines, such as for reporting of member early exits, member injuries or requests to convert unfilled member slots.

6.11 **REQUIRED TRAININGS & COMMUNICATIONS.** The Grantee will send at least one staff member to the following trainings (also noted in Ch. 1 of the Iowa AmeriCorps State Program Manual, Exhibit F): Volunteer Iowa new Program Director training (for new programs/new staff only, in Iowa in advance of the new program year), Volunteer Iowa Program Staff Launch training (in Iowa in the first few months of the program year), a National Service Regional Conference (in the spring/summer in the North Central region). Other trainings may be offered or required throughout the program year, based on Volunteer Iowa or AMERICORPS monitoring and feedback. The Grantee will have at least one staff member participate in monthly Program Director Webinars led by Volunteer Iowa staff and will have the Program Representative and other required program/financial staff (as outlined in the Program Manual) participate in regular program/financial monitoring check-in calls with Volunteer Iowa staff, to be scheduled based on the Grantee's assigned monitoring levels. The Grantee's Program Representative will read and share with other Grantee staff, as appropriate, the Weekly Update newsletter distributed via email by Volunteer Iowa and will address any questions to the Program Officer.

6.12 **AUDIT.**

- a) **Single Audit.** Grantees expending \$750,000 or more in federal awards in their fiscal year shall ensure that an audit is performed in accordance with the Office of Management and Budget (OMB) Uniform Guidance (2 CFR Chapter I, and Chapter II, Part 200) as applicable. The audit and accompanying management letter (or other accompanying documents) shall be submitted to the Commission within 30 days after the completion or publication of the audit, unless a longer period is agreed to by both parties.
- b) **Other Audit or Financial Review.** Grantees expending less than \$750,000 in federal awards in a year are exempt from any federal audit requirements for that year but shall

comply with audit requirements prescribed by state or local law. Grantees that have an audit or financial review performed that is inclusive of a grant period(s) covered by this agreement must submit a copy of the audit or review to the Commission within 30 days after completion.

- c) **Auditor of State.** The Commission may engage the Auditor of State in conducting a review or audit at any time. If such an engagement occurs, the Grantee must cooperate with the process and provide records and files to enable the Auditor of State to conduct a thorough review.

6.13 **MAINTENANCE OF PROGRAM INSURANCE AND INDEMNIFICATION.** In addition to the member insurance requirements for the AmeriCorps program as noted in Exhibits A-F, the following requirements will apply depending on the grantee organization.

- a) **State agencies:** If the Grantee is an Agency of the State of Iowa and is self-insured for liability, in general, the Grantee does not purchase commercial liability insurance since certain statutory protections are provided under Chapter 669 of the Code of Iowa. Chapter 669 authorizes claims against the State of Iowa on account of wrongful death, personal injury or property damage incurred by reason of the negligence of the Agency or its employees. The Grantee participates with the other State Departments or Regents Institutions in a self-insurance pool for purposes of vehicular liability on owned and rented vehicles. Claims up to \$250,000 are paid from the self-insurance pool. Claims exceeding \$250,000 are processed through the Tort Claims process, in accordance with Chapter 669 of the Code of Iowa.

Indemnification for state agencies: As an agency of the State of Iowa, the Grantee is prohibited by law from indemnifying any person or entity, however, the Grantee agrees to be responsible for its own negligent acts and omissions and those of its employees as provided by the Iowa Tort Claims Act, Iowa Code, Chapter 669.

- b) **Private nonprofits, private institutions of higher education, city governments, school districts, and other grantee types:** If the Grantee is not an Agency of the State of Iowa, the Grantee shall maintain, with financially sound and reputable insurers, insurance to cover the project and protect its properties and assets against losses or damages of the kind customarily insured against by corporations of established favorable reputation engaged in the same or similarly situated. The requirement of insurance under this provision may be met by establishing, to the satisfaction of Commission, either of the following: (i) that a policy covering the project is in effect with any insurance company of recognized responsibility; or (ii) that Grantee maintains an actuarially sound program of self-insurance sufficient to cover the project. Grantee shall submit copies of all applicable agreements, certificates, policies or other documentation requested by the Commission attesting to insurance coverage and any renewals thereof.

Indemnification for non-state agencies: The Grantee shall indemnify and hold harmless the Commission, its officers and employees from and against any and all losses in connection with the Project.

6.14 **CERTIFICATIONS.** The Grantee certifies and assures that the Program will be conducted and administered in compliance with all applicable Federal and State laws, regulations and orders. Certain statutes are expressly made applicable to activities assisted under the Act by the Act itself, while other laws not referred to in the Act may be applicable to such activities by their own terms.

The Recipient certifies and assures compliance with the applicable orders, laws and implementing regulations, including but not limited to, the following:

- a) Financial Management guidelines issued by the U.S. Office of Management and Budget, Uniform Guidance (2 CFR 200). Fixed amount grants are exempt from the cost principles outlined in 2 CFR Part 200, Subpart E.
- b) Certifications and Assurances agreed upon at the time of application as detailed in the AmeriCorps Application Instructions, (Exhibit E).

ARTICLE 7 - DOCUMENTS INCORPORATED BY REFERENCE; PRIORITY

7.1 **DOCUMENTS INCORPORATED BY REFERENCE.** The following documents are hereby incorporated by reference:

- a) Attachments
 - i. Attachment A, "GRANT APPLICATION", dated 12/20/2021 on the SF424, form (attached)
 - ii. Attachment B, "BUDGET" (attached)
 - iii. Attachment C, "IOWA AMERICORPS DISASTER RESPONSE TEAM DISASTER DEPLOYMENT AGREEMENT." (attached if applicable)
 - iv. Attachment D, "ADDITIONAL FEES & REPORTING REQUIREMENTS FOR GRANTEES NOT USING THE VOLUNTEER IOWA MEMBER MANAGEMENT SYSTEM." (attached if applicable)
- b) Exhibits
 - i. Exhibit A, "ACT", The National and Community Service Act of 1990 as amended by the Serve America Act,
<https://americorps.gov/sites/default/files/document/%40%20National%20and%20Community%20Service%20Act%20of%201990%20%28as%20amended%20through%20PL%20111-13%29.pdf>
 - ii. Exhibit B, "FEDERAL REGULATIONS", 45 CFR §§ 1200-1299 and 2500-2599,
https://www.ecfr.gov/cgi-bin/text-idx?SID=0a0651909748e317690886cbf689868a&mc=true&tpl=/ecfrbrowse/Title45/45cfrv5_02.tpl#0
 - iii. Exhibit C, "AMERICORPS TERMS AND CONDITIONS", AmeriCorps Terms and Conditions, including both the General Terms and Conditions and the Program Specific Terms and Conditions for AmeriCorps State and National
 - a. "FY2022 General Grant and Cooperative Agreement Terms and Conditions"
<https://www.americorps.gov/sites/default/files/document/FY2022-General-Terms-Conditions-508-20211119.pdf>
 - b. "2022 Terms and Conditions for AmeriCorps State and National Grants"
<https://www.americorps.gov/sites/default/files/document/FY2022 ASN Program-SpecificTermsandConditions Revised June2022%20%28002%29 2.pdf>
 - iv. Exhibit D, "REQUEST FOR GRANT APPLICATIONS", including both the Volunteer Iowa Request for Grant Applications (RFA) and the Corporation for National & Community Service Mandatory Supplemental Information for 2022 AmeriCorps State and National Grants posted at
<https://www.volunteeriowa.org/americorps-state>.

- v. Exhibit E, “APPLICATION INSTRUCTIONS”, including the Volunteer Iowa Pre-Application Instructions and Volunteer Iowa Final Application Instructions posted at <https://www.volunteeriowa.org/americorps-state>.
- vi. Exhibit F, “IOWA AMERICORPS STATE PROGRAM MANUAL”, 2022-2023 AmeriCorps Program Manual, which is posted to the Volunteer Iowa Current AmeriCorps Grantee Resources page at <https://www.volunteeriowa.org/americorps/current-americorps-grantee-resources>.

7.2 **ORDER OF PRIORITY.** In the event of a conflict between documents of this agreement, the following order of priority shall govern:

- a) Articles I through X herein
- b) Exhibit A, “ACT”
- c) Exhibit B, “FEDERAL REGULATIONS”
- d) Exhibit C, “AMERICORPS TERMS & CONDITIONS”
- e) Exhibit D, “REQUEST FOR GRANT APPLICATIONS”
- f) Exhibit E, “APPLICATION INSTRUCTIONS”
- g) Attachment A, “GRANT APPLICATION” including all assurances, certifications, attachments, and pre-award negotiations
- h) Attachment B, “BUDGET”
- i) Exhibit F, “IOWA AMERICORPS STATE PROGRAM MANUAL”
- j) Attachment C “IOWA AMERICORPS DISASTER RESPONSE TEAM DISASTER DEPLOYMENT AGREEMENT”
- k) Attachment D “ADDITIONAL FEES & REPORTING REQUIREMENTS FOR GRANTEEES NOT USING THE VOLUNTEER IOWA MEMBER MANAGEMENT SYSTEM”

ARTICLE 8 - DEFAULT AND REMEDIES

8.1 **EVENTS OF DEFAULT.** The following shall constitute Events of Default under this Grant Agreement:

- a) **Material Misrepresentation.** If at any time any representation, warranty or statement made or furnished to the Commission by, or on behalf of, the Grantee in connection with this Grant Agreement or to induce the Commission to make a grant to the Grantee shall be determined by the Commission to be incorrect, false, misleading or erroneous in any material respect when made or furnished and shall not have been remedied to the Commission's satisfaction within thirty (30) days after written notice by the Commission is given to the Grantee.
- b) **Lack of Progress/Failure to Meet Program Requirements.** If there is a failure of the Grantee to make substantial and timely progress toward performance of the Program or when the Grantee has failed to comply with the Agreement, award conditions or standards. Full program requirements are outlined in the Agreement and supporting materials. Some key areas of program requirements are full member enrollment, meeting Performance Measure targets, responsiveness to Volunteer Iowa communication on compliance issues, timely correction of compliance issues, submitting timely and accurate program and financial reports.

- c) **Noncompliance.** If there is a failure by the Grantee to comply with any of the covenants, terms or conditions contained in this Agreement.
- d) **Program Incompletion.** If the Program, in the sole judgment of the Commission, is not completed on or before the Grant Agreement Period Completion Date.
- e) **Misspending.** If the Grantee expends Grant proceeds for purposes not described in the AmeriCorps application, this Agreement, or as authorized by the Commission.
- f) **Insolvency or Bankruptcy.** If the Grantee becomes insolvent or bankrupt, or admits in writing its inability to pay its debts as they mature, or makes an assignment for the benefit of creditors, or the Grantee applies for or consents to the appointment of a trustee or receiver for the Grantee or for the major part of its property; or if a trustee or receiver is appointed for the Grantee or for all or a substantial part of the assets of the Grantee and the order of such appointment is not discharged, vacated or stayed within sixty (60) days after such appointment; or if bankruptcy, reorganization, arrangement, insolvency, or liquidation proceedings or other proceedings for relief under any bankruptcy or similar law or laws for the relief of debtors, are instituted by or against the Grantee and, if instituted against the Grantee is consented to, or, if contested by the Grantee is not dismissed by the adverse parties or by an order, decree or judgment within sixty (60) days after such institution.
- g) **Lack of or Insufficient Insurance.** If loss, theft, damage or destruction of any substantial portion of the property of the Grantee occurs for which there is either no insurance coverage or for which, in the opinion of the Commission, there is insufficient insurance coverage.

8.2 **CORRECTIVE ACTION.** Prior to issuing a formal notice of default for any of the events identified under Article 8.1, Volunteer Iowa may, on reasonable notice to the Grantee, take action to compel the Grantee to complete corrective action as required by Volunteer Iowa. The Commission shall have the final authority to assess whether the Grantee is making adequate progress on the performance measures and other program goals and requirements. The Commission may require underperforming Grantees to submit Corrective Action Plans designed to increase the Program's performance. The Commission reserves the right to monitor and measure the achievement of program performance at any time during or after the Grant Agreement Period. Corrective action may involve the following:

- a) **Suspend Payments.** Volunteer Iowa may suspend the Agreement and withhold future payments under the Agreement until the program is brought into compliance or develops a corrective action plan and timeline that is approved by the Commission to bring the program into compliance. Volunteer Iowa may allow such necessary and proper costs which the Grantee could not reasonably avoid during the period of suspension provided that Volunteer Iowa concludes that such costs meet the requirements of the federal regulations.
- b) **Partial Repayment.** Volunteer Iowa may require partial repayment of Grant proceeds which allows partial credit for the performance targets or programmatic goals which have been met.
- c) **Other Remedies.** The Commission may require other remedies following the parties' unsuccessful good faith attempt to resolve any event of default giving rise to the Commission seeking to exercise the enforcement of this clause.

8.3 **NOTICE OF DEFAULT.** Volunteer Iowa shall issue a written notice of default providing therein a fifteen (15) day period in which the Grantee shall have an opportunity to cure, provided that cure is possible and feasible.

8.4 **REMEDIES UPON DEFAULT.** If, after opportunity to cure, the default remains, Volunteer Iowa may do one or more of the following:

- a) Exercise any remedy provided by law,
- b) Terminate the Grant Agreement and establish revised reporting deadlines for the purposes of closing out the grant,
- c) Require immediate repayment of the full amount of funds disbursed to the Grantee under the Grant Agreement, plus interest.
- d) Other Remedies. The Commission may require other remedies following the parties' unsuccessful good faith attempt to resolve any default giving rise to the Commission seeking to exercise the enforcement of this clause.

ARTICLE 9 - DISBURSEMENT PROCEDURES

9.1 **REQUEST FOR DISBURSEMENT.** All disbursements of proceeds shall be subject to receipt by the Commission of claims for disbursement submitted by the Grantee. Claims for disbursement ("claims") shall be in form and content acceptable to the Commission. Each requisition shall be submitted to the Commission according to the schedule shown in Article 6.10.

- a) **Program Income.** All program income as defined in 2 CFR 200.307 shall be added to the Budget and used to meet the grantee share in furthering eligible Program activities as defined in the Agreement and the approved Grant Application. Program income not used to further Program activities will be deducted from the federal share for the purpose of determining the amount of reimbursable costs under the Agreement. In cases of dispute, final decisions regarding the definition or disposition shall be made by Volunteer Iowa. Proceeds generated from the AmeriCorps program are considered Program Income. Programs are required to report all income generated in excess of that which is used to meet the grantee share of the expenditures on the FFR to the Commission according to the schedule shown in Article 6.10. All program income shall be expended prior to requesting federal AMERICORPS funds. Program income received after the Grant Agreement Period shall be returned to the Commission.
- b) **Late claims.** Volunteer Iowa may deny payment of claims submitted later than 60 days past the grant end date

9.2 **REQUEST FOR PAYMENT MODIFICATIONS.**

- a) **Quarterly payments.** With prior approval, the Grantee may qualify for quarterly claim submission, provided the Grantee meets the financial management standards specified in 2 CFR Chapters I and II, as applicable, and provided Grantee submits any additional information that may be required by Volunteer Iowa. The Commission may revoke the approval for quarterly payment at any time, if the Grantee fails to meet financial management requirements or demonstrates significant deficiencies.
- b) **Advance payments for cost reimbursement grantees.** With prior approval, cost reimbursement grantees may receive advance payments of grant funds, provided the

Grantee meets the financial management standards specified in 2 CFR Chapters I and II, as applicable, and provided Grantee submits any additional information that may be required by Volunteer Iowa.

- i. **Immediate cash flow needs.** The amount of advance payments requested by the Grantee must be based on actual and immediate cash needs in order to minimize federal cash on hand in accordance with policies established by the U.S. Commission of the Treasury in 31 CFR Part 205.
- ii. **Discontinuing advance payments.** Volunteer Iowa may, after providing due notice to the Grantee, discontinue the advance payment method and either allow payments in advance based upon individual request and approval, or by reimbursement only, in cases where the grantee receiving advance payments demonstrates unwillingness or inability to establish procedures to ensure accurate reporting, minimize the time elapsing between the receipt of the cash advance and its disbursement, displays other practices that indicate a potential financial management problem or in cases where federal funds are not forthcoming or insufficient due to non-appropriation, termination of the Program, or reduction in funding level.
- iii. **Interest earned.** In most circumstances, the Grantee must deposit advance funds received from the Volunteer Iowa in a federally insured, interest-bearing account. For exceptions to this requirement, refer to 2 CFR Chapters I and II. To the extent that interest is earned on advances of AMERICORPS funds, this interest shall be returned to Volunteer Iowa.

9.3 **MATCHING REQUIREMENTS FOR COST REIMBURSEMENT GRANTEES.** The following requirements apply only to cost reimbursement grantees.

- a) The Grantee agrees to provide local matching contribution to the Program as defined in the “Grantee Share” column of the budget shown in Attachment B, “Budget”. The Grantee is expected to meet the budgeted match percent of the Grantee share for each reporting period, unless otherwise agreed upon by the Commission.
- b) The Grantee shall comply with OMB Cost Principles 2 CFR Part 200, Subpart E requirements related to allowable kinds and sources of match and match documentation requirements. Grantees utilizing match funds from other Federal sources must have consent from the other Federal source allowing the use of the funds as match under this Grant. Grantees shall report the amount and sources of federal funds, other than those provided by AMERICORPS, used to carry out its Program. This includes other federal funds expended by Program Subrecipients and operating sites. This information shall be reported on the Federal Financial Report (FFR).
- c) If a Program fails to meet the matching requirements, the Commission will notify the Grantee in writing of the situation and request that the costs be brought into alignment with the budgeted federal and match percentages within one reporting period. If there is an on-going issue related to match, the Commission may notify the Financial Representative, Program Representative and/or the Authorized Representative of the Grantee agency. The Commission may suspend payment of reimbursement request(s) until the situation is corrected.

ARTICLE 10 - GENERAL TERMS AND PROVISIONS

10.1 **BINDING EFFECT.** This Grant Agreement shall be binding upon the Grantee and the Commission, and their respective successors, legal representatives and assigns. The obligations, covenants, warranties, acknowledgments, waivers, agreements, terms, provisions and conditions of this Grant Agreement shall be jointly and severally enforceable against the parties to this Grant Agreement.

10.2 **SUSPENSION.** Volunteer Iowa may suspend a grant for not more than thirty (30) calendar days. Examples of situations necessitating a suspension may include, but are not limited to:

- a) **Serious risk to persons or property.**
- b) **Violations of Federal, state or local criminal statutes.**
- c) **Material violation(s) of the grant agreement.** Violations that are sufficiently serious that they outweigh the general policy in favor of advance notice and opportunity to show cause.
- d) **Corrective action.** As part of a corrective action plan undertaken according to Article 8.2.

10.3 **TERMINATION.** Termination means the ending of the Grant Agreement, at any time prior to the planned end of the Grant Agreement Period.

- a) **Circumstances for Termination.** This agreement may be terminated in the following circumstances. (The Administrative Rules of Volunteer Iowa in regards to the appeals process apply in all situations.)
 - i. **For Convenience.** With thirty (30) days notice, Volunteer Iowa or the Grantee may terminate the Agreement in whole, or in part, when all parties agree that the continuation of the Program would not produce beneficial results commensurate with the future disbursement of funds.
 - ii. **For Cause.** As a result of Grantee's default under this Agreement, as stated in Article 8. The agreement may also be terminated if it no longer effectuates the program goals or AMERICORPS priorities.
 - iii. **Due to Non-appropriation or Reduction of AMERICORPS Funding.** If funds anticipated for the continuing fulfillment of this Agreement are at any time not forthcoming or insufficient due to non-appropriation, termination of the Program, or reduction in funding level, then Volunteer Iowa shall have the right to terminate this Agreement without penalty by giving the Grantee not less than thirty (30) days written notice. In the event of termination of this agreement under this Article, the exclusive, sole and complete remedy of the Grantee shall be payment for program activities performed prior to termination.
- b) **Procedures Upon Termination.**
 - i. **Termination Notice.** Volunteer Iowa shall provide written notice to the Grantee of the decision to terminate, the reason(s) for the termination, the effective date of the termination, and final reporting obligations and deadlines. If there is partial termination due to a reduction in funding, the notice will set forth the change in funding and the changes in the approved budget. The Grantee shall not incur new obligations after the effective date of the termination and shall cancel as many outstanding obligations as possible.
 - ii. **Rights in Products.** All finished and unfinished documents, data, reports and other material prepared by the Grantee under the Agreement, except for any intellectual property, shall, at Volunteer Iowa discretion, become the property of the Commission.

- iii. **Return of Funds.** Volunteer Iowa's share of noncancelable obligations which Volunteer Iowa determines were properly incurred prior to notice of cancellation will be allowable under the Grant Agreement. The Grantee shall return to the Commission any costs previously paid by the Commission which are subsequently determined to be unallowable through audit, monitoring or closeout procedures within thirty (30) days of the disallowance. In case of termination, all unencumbered Grant proceeds shall be returned to Volunteer Iowa within thirty (30) days of the receipt of Notice of Termination.

10.4 **SURVIVAL OF AGREEMENT.** If any portion of this Grant Agreement is held to be invalid or unenforceable, the remainder shall be valid and enforceable. The provisions of this Grant Agreement shall survive the execution of all instruments herein mentioned and shall continue in full force and effect until the Grant Agreement is terminated or the proceeds are paid in full.

10.5 **GOVERNING LAW.** This Grant Agreement shall be interpreted in accordance with the law of the State of Iowa, and any action relating to the Grant Agreement shall only be commenced in the Iowa District Court for Polk County or the United States District Court for the Southern District of Iowa.

10.6 **AMENDMENT.**

- a) **Joint Modification.** The Agreement may only be amended through written prior approval of the Commission. The Commission or the Grantee may, during the duration of this Agreement, deem it necessary to modify provisions of this Agreement, which make a substantial change in the scope of services, extend the period of operation, modify the performance measures or make other changes to programmatic elements of the Agreement. The provisions of the amendment shall be in effect as of the date the modification is signed by authorized representatives of both the Commission and the Grantee, unless otherwise specified within the amendment.
- b) **Unilateral Modification.** Notwithstanding paragraph (a) above, Volunteer Iowa may unilaterally modify this Agreement at will in order to accommodate any change in the Act or any change in the interpretation of the Act or any applicable federal, state or local laws, regulations, rules or policies. A copy of such unilateral modification will be given to the Grantee as an amendment to this Agreement. Volunteer Iowa will give the Grantee reasonable prior notice of any proposed unilateral modification of this agreement.
- c) **Volunteer Iowa Review.** Volunteer Iowa will consider whether an amendment request is so substantial as to require AMERICORPS written approval or as to necessitate reevaluating the Commission's funding decision on the Program. An amendment will be denied if it substantially alters the circumstances under which the Program funding was originally approved or if it does not meet federal or state requirements.

10.7 **NOTICES.** Whenever this Grant Agreement requires or permits any notice or written request by one party to another, it shall be in writing, and delivered at Volunteer Iowa's discretion via electronic means (such as email with a read receipt requested), to the Authorized Representative, Financial Representative, or Program Representative as noted on this Grant Agreement (or to another Authorized Representative who may have been designated by written notice) or enclosed in an envelope, addressed to the party to be notified at the address heretofore stated (or at such

other address as may have been designated by written notice), properly stamped, sealed and deposited in the United States Mail, as Certified Mail, return receipt requested. Any such notice given hereunder shall be deemed delivered upon the earlier of actual receipt or two (2) business days after posting. The Commission may rely on the address of the Grantee and Authorized Representative set forth heretofore, as modified from time to time, as being the address and Authorized Representative of the Grantee.

10.8 **WAIVERS.** No waiver by the Commission of any default hereunder shall operate as a waiver of any other default or of the same default on any future occasion. No delay on the part of the Commission in exercising any right or remedy hereunder shall operate as a waiver thereof. No single or partial exercise of any right or remedy by the Commission shall preclude future exercise thereof or the exercise of any other right or remedy.

10.9 **LIMITATION.** The Commission shall not, under any circumstances, be obligated financially under this Grant Agreement except to disburse funds according to the terms of the Agreement. It is expressly understood and agreed that the maximum amounts to be paid to the Grantee by the Commission for any item of work or service shall conform to the Budget as presented in Attachment B. It is further understood and agreed that all payments to the Grantee by the commission for all work and services required under this Agreement shall not exceed the Total Maximum Grant Amount unless modified by written amendment of this Agreement as provided for in Article 10.6.

10.10 **ENFORCEMENT EXPENSES.**

- a) **State agencies:** If the Grantee is an Agency of the State of Iowa, if any dispute arises between the parties in connection with this Agreement and it cannot be resolved by mutual agreement of the parties, the remaining dispute shall be submitted to a board of arbitration in accordance with the procedure set forth in Iowa Code §679A.19.
- b) **Private nonprofits, private institutions of higher education, city governments, school districts, and other grantee types:** If the Grantee is not an Agency of the State of Iowa, the Grantee shall pay upon demand any and all reasonable fees and expenses of the Commission, including the fees and expenses of their attorneys, experts and agents, in connection with the exercise or enforcement of any of the rights of the Commission under this Grant Agreement, following the parties' unsuccessful good faith attempt to resolve any default giving rise to the Commission seeking to exercise the enforcement of its rights.

10.11 **HEADINGS.** The headings in this Grant Agreement are intended solely for convenience of reference and shall be given no effect in the construction and interpretation of this Grant Agreement.

10.12 **PROGRAM NONDISCRIMINATION.** Grantee shall comply with the provisions of federal, state and local laws and regulations to ensure that no employee, member or applicant for employment is discriminated against because of race, creed, religion, color, age, sex, gender identity, sexual orientation, national origin, disability, or other protected class. Grantee shall provide state or federal agencies with appropriate reports as required, ensuring compliance with equal employment laws and regulations. Grantee shall ensure that all authorized subcontractors

Grant Agreement Number: 22-AC-02

comply with provisions of this clause. A breach of this Article shall be considered a material breach of this Agreement.

10.13 **NON-ASSIGNMENT.** This Agreement may not be assigned without prior Commission written consent. The Grantee may not discontinue administration of activities under this Agreement without the prior written disclosure to and prior written consent of the Commission.

10.14 **INTEGRATION.** This Grant Agreement contains the entire understanding between the Grantee and the Commission and any representations that may have been made before or after the signing of this Grant Agreement, which are not contained herein, are nonbinding, void and of no effect. Neither of the parties has relied on any such prior representation in entering into this Grant Agreement.

10.15 **COUNTERPARTS.** This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute but one and the same instrument.

[Remainder of Page Intentionally Left Blank — Signature Page Follows]

Grant Agreement Number: 22-AC-02

GRANT AGREEMENT SIGNATURE PAGE

IN WITNESS WHEREOF, the parties have executed this Grant Agreement by their proper and duly authorized representatives as of the Effective Date first stated.

For City of Davenport

Mallory Merritt

Assistant City Administrator

For Iowa Commission on Volunteer Service

Adam Lounsbury

Executive Director

For the purposes of this Agreement, please add the following designees:

Program Representative Name and Title:

Financial Officer Name and Title:

**Please indicate below your participation in the Iowa AmeriCorps Disaster Response Team
(details in Attachment C):**

- ☐ Yes, the program will participate in the Iowa AmeriCorps Disaster Response Team*
- ☐ No, the program will not participate in the Iowa AmeriCorps Disaster Response Team

*If yes, designate a contact person for the Disaster Response Team.

Iowa AmeriCorps Disaster Response Team Program Contact Name and Title:

**Please indicate below your use of the Volunteer Iowa Member Management System
(details in Attachment D):**

- ☐ Yes, the program will use the Volunteer Iowa Member Management System
- ☐ No, the program will use another member management and timekeeping system *

*If no, the program must complete Attachment D

Attachment A
Grant Application

Attachment B
Budget

Attachment C
Iowa AmeriCorps Disaster Response Team

Attachment C
IOWA AMERICORPS DISASTER RESPONSE TEAM
DISASTER DEPLOYMENT AGREEMENT

In this agreement the Iowa Commission on Volunteer Service ("Commission" or "Volunteer Iowa") and GRANTEE agree as follows:

1. **PURPOSE.** The purpose of this agreement is to outline the expectations, limitations, and requirements for eligible reimbursements for disaster deployment under the Commission's Disaster Response Cooperative Agreement (DRCA) with the Corporation for National and Community Service ("CNCS" or "AMERICORPS"), Iowa AmeriCorps Disaster Response Team (Iowa A-DRT) deployments, or direct deployments initiated from Iowa Homeland Security and Emergency Management (HSEMD).

2. **MEMBERS.** The GRANTEE, as a member of the Iowa A-DRT is willing to respond to disasters or assist in recovery efforts within their capability. Volunteer Iowa and GRANTEE seek to make efficient use of their authority, powers, resources, and privileges by entering into this agreement to carry out its purposes.

3. **DISASTER RESPONSE:** Volunteer Iowa requires the availability of Iowa AmeriCorps members to support disaster response and/or recovery efforts as needed by the State of Iowa. Waivers to this requirement will be considered on a case-by-case basis for GRANTEES that demonstrate an undue hardship or for complications related to program design.

4. **STATE ACTIVATION:** Volunteer Iowa serves as the primary point-of-contact for National Service resources in Iowa during times of disaster and may receive requests for support from government or nongovernmental partners, including the Iowa HSEMD, the Iowa State VOAD, and the Iowa Governor's Office.

In an Iowa federal declaration, the Commission will work with the CNCS and Iowa HSEMD on any mission assignments and requests for assistance from the Volunteer Iowa A-DRT.

Any budget or programmatic changes to a program due to a disaster response or recovery will be made in accordance with AMERICORPS specific terms and conditions.

5. **OUT OF STATE:** If GRANTEE is a member of the Volunteer Iowa A-DRT, any mission assignment requests from the CNCS will be discussed prior to accepting the mission assignment. At any time, GRANTEE AmeriCorps members are not to deploy out of state without express approval from the Commission.

6. COST REIMBURSEMENT. GRANTEE is eligible for cost reimbursements associated with a specific mission assignment for allowable expenses that fall within the approved budget for deployment. Allowable expenses include travel, lodging, meals, supplies, and equipment incurred for deployment and any negotiated expenses specific to the deployment or mission assignment.

Unless negotiated and approved under a specific mission assignment and deployment(s), the Commission will not reimburse costs already included in the program's budget under its existing Volunteer Iowa or AMERICORPS grant(s). This preclusion includes both the CNCS and non-CNCS shares of staff salaries paid, participant costs, staff overtimes, administrative overhead and fees and/ or any other costs.

The GRANTEE is responsible for following all reimbursement procedures and allowable cost policies outlined or referenced in the Disaster Deployment Agreement between Volunteer Iowa and AMERICORPS that will be provided to the GRANTEE in the case of mission assignment and deployment.

7. LIABILITY. GRANTEE ensures adequate liability coverage for any mission assignment or deployment. Any deployment outside of the scope of the program's normal duties or not covered by existing policies will be covered by the state as members will be considered acting on behalf of the state for deployment purposes.

8. RECORD KEEPING. Records will be maintained by the GRANTEE and Volunteer Iowa in a manner consistent with the reporting requirements of the Iowa Department of Revenue and Finance, the State of Iowa Auditor's Office, the Corporation for National and Community Service and the Federal Emergency Management Agency. Source documentation sufficient to support expenditures will be provided by the GRANTEE. GRANTEE shall keep a copy of receipts requested for reimbursement for a period of 6.25 years from the end of the mission assignment.

9. TRAINING. Volunteer Iowa recommends GRANTEE provide training on disaster preparedness, response, and recovery to all AmeriCorps members; however, Volunteer Iowa will ensure task-specific training is provided to members if they are requested to assist in a disaster. Additionally, members selected to participate in the Volunteer Iowa A-DRT will receive intermittent training throughout their service year.

10. TERMINATION. This agreement may be terminated in part or completely with or without cause by either Volunteer Iowa or GRANTEE upon thirty (30) days written notice.

11. AMENDMENTS. Any amendment to this agreement shall be by the mutual consent of the parties, be in writing, and be appended to this agreement.

12. DEPLOYMENT. Any deployment not ordered by the Governor will be voluntary and can be rejected by the Commission or the GRANTEE. Programs will not be reimbursed for any disaster response unless a specific deployment for that activity is issued. Multiple deployments may be issued under any specific mission assignment received by Volunteer Iowa and/or AMERICORPS.

13. ADMINISTRATORS. GRANTEE and Volunteer Iowa each will designate one representative to serve as administrators and contacts of this Iowa Disaster Response Team agreement. GRANTEE will complete the appropriate section on the signature page to designate a contact.

For GRANTEE: see signature page

For Volunteer Iowa:

Name: Adam Lounsbury

Phone: 515-348-6230

Email: Adam.Lounsbury@volunteerioda.org

Attachment D
Additional Fees & Reporting Requirements for Grantees Not Using the
Volunteer Iowa Member Management System

Effective member management and timekeeping is critical for the success of any AmeriCorps State program. Applicants were required to budget for costs of participation in the state's member management and timekeeping systems. Grantees who wish to use another member management and timekeeping system may be allowed to do so, with Volunteer Iowa approval prior to the start of member service and at additional cost to account for increased Volunteer Iowa staff time required to conduct required monitoring in a separate system. Any grantee wishing to use an alternate member management and timekeeping system can seek formal approval by completing this form to provide additional detail about the alternate system and to acknowledge the additional fees and reporting requirements to be incurred.

System name/platform: _____

Have you previously used this system for AmeriCorps member timekeeping:

☐ Yes

☐ No

Please initial the following sections to acknowledge these requirements:

Grantee agrees to pay a cost of \$32/member as a fee to Volunteer Iowa for use of an alternate member management/timekeeping system.

Initials: _____

Cost Reimbursement Grantees agree to provide Volunteer Iowa staff limited access to the alternative timekeeping system for the duration of the project period for the purpose of completing required monitoring. If such access is not available, the Grantee agrees to submit a monthly timekeeping report in IowaGrants for the same period, for the purpose of monitoring by Volunteer Iowa Staff. Such a report must come directly from the system and should indicate submitted and approved hours per member.

Initials: _____

Fixed Amount Grants are responsible for monitoring their own member timekeeping in alignment with federal grant requirements and maintaining timekeeping records for audit purposes; no timekeeping reporting to Volunteer Iowa is required.

Initials: _____

City of Davenport

Department: Finance
Contact Info: Tiffany Thorndike | 563-888-2066

Action / Date
8/17/2022

Subject:

Resolution establishing the date and times for the annual Halloween parade and trick-or-treating as Sunday, October 30, 2022 at 2:00 p.m. and Monday, October 31, 2022 5:30 p.m. - 7:30 p.m., respectively. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

An early declaration of the date and time for the annual Halloween parade allows the parade coordinator, public safety staff, entries, and volunteers to plan and schedule.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Merritt, Mallory	Approved	8/11/2022 - 2:21 PM
Finance Committee	Merritt, Mallory	Approved	8/11/2022 - 2:21 PM
City Clerk	Admin, Default	Approved	8/12/2022 - 9:34 AM

Resolution No. _____

Resolution offered by Alderman Condon.

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

RESOLUTION establishing the date and times for the annual Halloween parade and trick-or-treating as Sunday, October 30, 2022 at 2:00 p.m. and Monday, October 31, 2022 5:30 p.m. – 7:30 p.m., respectively.

WHEREAS, an early declaration of the annual Halloween parade assists the parade coordinator, public safety staff, entries, and volunteers to plan and schedule.

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

1. the City of Davenport's annual Halloween parade will begin at 2:00 p.m. on Sunday, October 30th, 2022; and
2. trick-or-treat hours will be 5:30 p.m. to 7:30 p.m. on Monday, October 31st, 2022.

Passed and approved this 24th day of August, 2022.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Community Planning & Economic Development
Contact Info: Brian Krup | 563-326-6163

Action / Date
8/24/2022

Subject:

Motion approving noise variance requests for outdoor events on the listed dates and times.

Mississippi Valley Fair; Band after World of Outlaw Races; 2815 West Locust Street; Friday, August 26, 2022 9:00 p.m. - 12:00 a.m.; Outdoor music, over 50 dBA. [Ward 4]

Tim Shea; Belle Court Labor Day Block Party; Sunday, September 4, 2022 11:30 a.m. - 8:00 p.m.; Outdoor music/band, over 50 dBA. [Ward 8]

Jaycees of the Quad Cities; Bar-B-QC; LeClaire Park; 11:00 a.m. - 11:00 p.m. Friday, September 9, 2022 and 11:00 a.m. - 11:00 p.m. Saturday, September 10, 2022; Outdoor music/band, over 50 dBA. [Ward 3]

Recommendation:

Pass the Motion.

Background:

These requests for noise variances have been received pursuant to the Davenport Municipal Code Chapter 8.19 Noise Abatement, Section 8.19.090 Special Variances.

ATTACHMENTS:

Type	Description
▢ Backup Material	Belle Court Noise Variance Petition
▢ Backup Material	MVF Request

REVIEWERS:

Department	Reviewer	Action	Date
Public Safety	Admin, Default	Approved	8/12/2022 - 10:30 AM



CITY OF DAVENPORT

STREET CLOSING AND NOISE VARIANCE PETITION FOR SPECIAL EVENTS

On the 14th day of SEPTEMBER, 20 22 during the hours of 11AM - 8pm
there is proposed a street closing with outdoor music/band/performance, requested by
TIM SHEA, which will require the closing of BELLE CT AVE
between 61ST and PARKVIEW LN.

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

NAME AND ADDRESS	IN FAVOR	OPPOSED	NOT CONCERNED
<u>Mike Payne 6126 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Edwin Conyn 6131 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Kelly Warner 6147 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Paul Sikorski 6163 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Robert Boyles 6155 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Jim Weitz 6144 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Jeff Bantz 6148 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Alex Crouse 6139 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>Renee Shortair 6121 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>DANA HARRIS 6136 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>
<u>TIM SHEA 6123 Belle Ct</u>	<u>X</u>	<u> </u>	<u> </u>

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

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

Signature of Applicant

5/31/2022

Date

Office of the City Clerk
563-326-6163

226 West Fourth Street
Davenport, Iowa 52801

Email: Brian.Krup@davenportiowa.com



Shawn Loter
General Manager

Mississippi Valley Fair, Inc.

2815 West Locust Street • Davenport, IA 52804

(563) 326-5338

www.mvfair.com

August 9, 2022

Brian Krup
City Administration
226 West Fourth Street
Davenport, Iowa 52801
Brian.krup@davenportiowa.com

Dear Brian,

On behalf of the Mississippi Valley Fair, I would like to request a noise variance for Friday, August 26, 2022. The event will be for a band on an outside stage that will be performing during the three-day World of Outlaw Races.

I am requesting a variance until 1:00 a.m.

Please feel free to call me if you have any questions. I will look forward to your written reply. I will also be happy to attend a council meeting to answer your question if you would like.

Regards,

Shawn Loter
General Manager
Mississippi Valley Fair

CC: Mayor Mike Matson

City of Davenport

Department: Community Planning & Economic Development
Contact Info: Jamie Swanson | 563-326-7795

Action / Date
8/24/2022

Subject:

Motion approving beer and liquor license applications.

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

Ward 3

Jaycees of the Quad Cities (Davenport Jaycees) - 400 Beiderbecke Drive - Temporary Outdoor Event September 9-10 – License Type: Class B Beer

St. Anthony Church of Davenport (St Anthony Church of Davenport, Iowa) – 417 North Main Street – Temporary Event with Outdoor Area September 11 – License Type: Class B Beer

Mississippi Valley Blues Fest (Mississippi Valley Blues Society, Inc) - 400 Beiderbecke Drive - Recurring Temporary Outdoor Event September 15-18 – License Type: Class B Beer

Ward 5

Players (Players, LLC) - 2218 E 11th St - Outdoor Area - License Type: Class C Liquor

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

Ward 2

Casey's General Store #2092 (Casey's Marketing Company) - 6278 North Pine Street - License Type: Class C Beer

Ward 3

Ruby's (Infamous, LLC) - 429 East 3rd Street - Outdoor Area - License Type: Class C Liquor

Mary's on 2nd (Birdland, Inc) - 832 West 2nd Street - Outdoor Area - License Type: Class C Liquor

Moti's Food (QC Diner, LLC) - 1717 West 3rd Street - License Type: Class E Liquor

Raw Bar (RawBar) - 136 East 3rd Street Unit A - Outdoor Area - License Type: Class C Liquor

Ward 5

Bowlmor Lanes (Davenport Bowlers, Inc) - 2952 Brady Street - License Type: Class C Liquor

The Outing Club (The Outing Club, Inc) - 2109 Brady Street - Outdoor Area - License Type: Class C Liquor

Ward 6

Texas Roadhouse (Texas Roadhouse Holdings, LLC) - 4005 East 53rd Street - License Type: Class C Liquor

Granite City Food & Brewery (Granite City, Inc) - 5270 Utica Ridge Road - Outdoor Area - License Type: Class C Liquor

Ward 7

American Legion Post 26 (Davenport Post #26, The American Legion, Inc) - 702 West 35th Street - Outdoor Area - License Type: Class C Liquor

Recommendation:
Pass the Motion.

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

REVIEWERS:

Department	Reviewer	Action	Date
Public Safety	Merritt, Mallory	Approved	8/11/2022 - 11:57 AM
Public Safety Committee	Merritt, Mallory	Approved	8/11/2022 - 11:57 AM
City Clerk	Admin, Default	Approved	8/12/2022 - 11:38 AM

City of Davenport

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

Action / Date
8/24/2022

Subject:

Motion awarding a contract for the replacement of the oil and grease analyzer system at the Water Pollution Control Plant to Biotage LLC of Charlotte, North Carolina in the amount of \$54,210. [Ward 1]

Recommendation:

Pass the Motion.

Background:

A Request for Proposals was issued on July 1, 2022 and was sent to 132 vendors. On July 22, 2022 the Purchasing Division received and opened one (1) response.

The proposals were evaluated on the following criteria: 1) Ability to meet requirements - 35%, 2) Detail of proposal - 15%, 3) Length of experience of company/personnel in oil & grease Solid Phase Extraction equipment - 20%, 4) References - 15%, 5) Pricing - 15%.

Funding for this purchase is from account 51151975 530303 WPCP Equipment.

ATTACHMENTS:

Type	Description
▢ Backup Material	Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	8/10/2022 - 10:14 AM
Public Works Committee	Moses, Trish	Approved	8/10/2022 - 10:14 AM
City Clerk	Admin, Default	Approved	8/10/2022 - 1:49 PM

CITY OF DAVENPORT, IOWA
RFP TABULATION

DESCRIPTION: Oil and Grease Analyzer System

BID NUMBER: 23-2

OPENING DATE: July 22, 2022

FUNDING: 51151975 530303 WPCP Equipment

RECOMMENDATION: Award the contract to Biotage LLC of Charlotte, North Carolina.

<u>VENDOR NAME</u>	<u>Location</u>
Biotage LLC	Charlotte, NC

Approved By Kari Thoren 08/03/2022
Purchasing Date

Approved By Nicole Gleason Aug 3, 2022
Dept Director Date

Approved By Glenn WAT 08/06/2022
Budget/CIP Date

Approved By Mallory J. Yemitt 08/09/2022
Assist. City Administrator/ CFO Date

City of Davenport

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

Action / Date
8/24/2022

Subject:

Motion awarding a blanket contract for the purchase of anti-icing chemicals for the 2022-2023 winter season to Ossian, Inc of Davenport, Iowa as the primary supplier and SNI Solutions, Inc of Geneseo, Illinois as the backup supplier. [All Wards]

Recommendation:

Pass the Motion.

Background:

An Invitation to Bid was issued on July 18, 2022 and was sent to 458 vendors. On August 8, 2022 the Purchasing Division received and opened two (2) responsive and responsible bids.

The City has a requirement for beet-based liquids for anti-icing and pre-treatment of roadways for the upcoming winter season. The estimated quantity is 10,000 to 50,000 gallons depending on weather.

Funding for this purchase is from Road Use Tax.

ATTACHMENTS:

Type	Description
▢ Cover Memo	Bid tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	8/11/2022 - 10:37 AM
Public Works Committee	Moses, Trish	Approved	8/11/2022 - 10:38 AM
City Clerk	Admin, Default	Approved	8/12/2022 - 9:14 AM

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: Anti-Icing Chemicals 2022-2023

BID NUMBER: 23-8

OPENING DATE: August 8, 2022

FUNDING: 54702031 520201

RECOMMENDATION: Award the contract to Ossian, Inc. of Davenport, Iowa as the primary supplier and SNI Solutions, Inc of Geneseo, Illinois as the backup supplier.

<u>VENDOR NAME</u>	<u>PRICE PER GALLON</u>
Ossian, Inc. of Davenport, IA	\$1.87
SNI Solutions, Inc of Geneseo, IL	\$1.95

Approved By Kari Loren 08/10/2022
Purchasing Date

Approved By Nicole Gleason 8-10-2022
Dept Director Date

Approved By Lance White 8/10/2022
Budget/CIP Date

Approved By Mallory Hemitt 08/10/2022
Assist. City Administrator/ CFO Date

City of Davenport

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

Action / Date
8/24/2022

Subject:

Motion awarding a blanket contract for the purchase of calcium chloride for the 2022-2023 winter season to Jerico Services, Inc of Indianola, Iowa as the primary supplier and SICALOCO, LTD of Hinsdale, Illinois and Ossian, Inc of Davenport, Iowa as the back up suppliers. [All Wards]

Recommendation:

Pass the Motion.

Background:

An Invitation to Bid was issued on July 20, 2022 and was sent to vendors. On August 8, 2022 the Purchasing Division received and opened three (3) responsive and responsible bids.

The City has a requirement for 32% solution liquid calcium chloride to be delivered to two of its Public Works locations for the 2022-2023 winter season. The estimated quantity is 20,000 to 100,000 gallons depending on weather.

Funding for this purchase is from Road Use Tax.

ATTACHMENTS:

Type	Description
▢ Cover Memo	Bid tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	8/11/2022 - 10:38 AM
Public Works Committee	Moses, Trish	Approved	8/11/2022 - 10:38 AM
City Clerk	Admin, Default	Approved	8/12/2022 - 9:16 AM

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: Calcium Chloride 2022-2023

BID NUMBER: 23-12

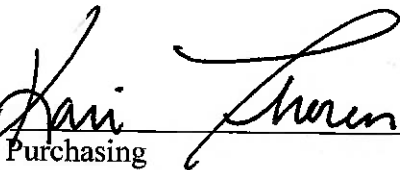
OPENING DATE: August 8, 2022

FUNDING: 54702031 520201

RECOMMENDATION: Award the contract to Jerico Services, Inc of Indianola, Iowa as the primary supplier and SICALCO, LTD of Hinsdale, Illinois and Ossian, Inc. of Davenport, Iowa as backup suppliers.

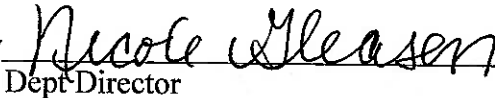
<u>VENDOR NAME</u>	<u>PRICE PER GALLON</u>
Jerico Services, Inc of Indianola, IA	\$0.75
SICALCO, LTD of Hinsdale, IL	\$0.79
Ossian, Inc. of Davenport, IA	\$0.89

Approved By


Purchasing

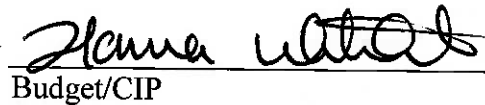
08/10/2022
Date

Approved By


Dept Director

8-10-2022
Date

Approved By


Budget/CIP

8/10/22
Date

Approved By


Assist. City Administrator/ CFO

08/10/2022
Date

City of Davenport

Department: Public Works - Admin
Contact Info: Tom Leabhart | 563-327-5155

Action / Date
8/24/2022

Subject:

Motion considering a waiver (temporary deferral) of sidewalk installation at the future site of Fair Oaks Foods at 2951 Enterprise Way. [Ward 8]

Recommendation:

Pass the Motion.

Background:

Section 12.12.030 of the Davenport Municipal Code requires that sidewalks be constructed along the right-of-way of each public street prior to building occupancy unless a waiver is granted by City Council.

This address is the future site of Fair Oaks Foods. Plans and specifications for site development are currently under review. Please see the attached request letter and site location map.

If the waiver request is denied, the property owner will be required to construct the sidewalk at the present time, prior to the occupancy permit.

If the waiver is granted, the property owner will be allowed to postpone sidewalk construction until such time as construction is ordered by Council. The property owner would remain financially obligated for the cost of installation when it takes place.

The developer will be required to provide for future sidewalk grade, therefore no additional cost will be incurred by the City for installation.

ATTACHMENTS:

Type	Description
▢ Cover Memo	2951 Sidewalk Waiver Map
▢ Cover Memo	Sidewalk Waiver Request 2951 Enterprise Way

REVIEWERS:

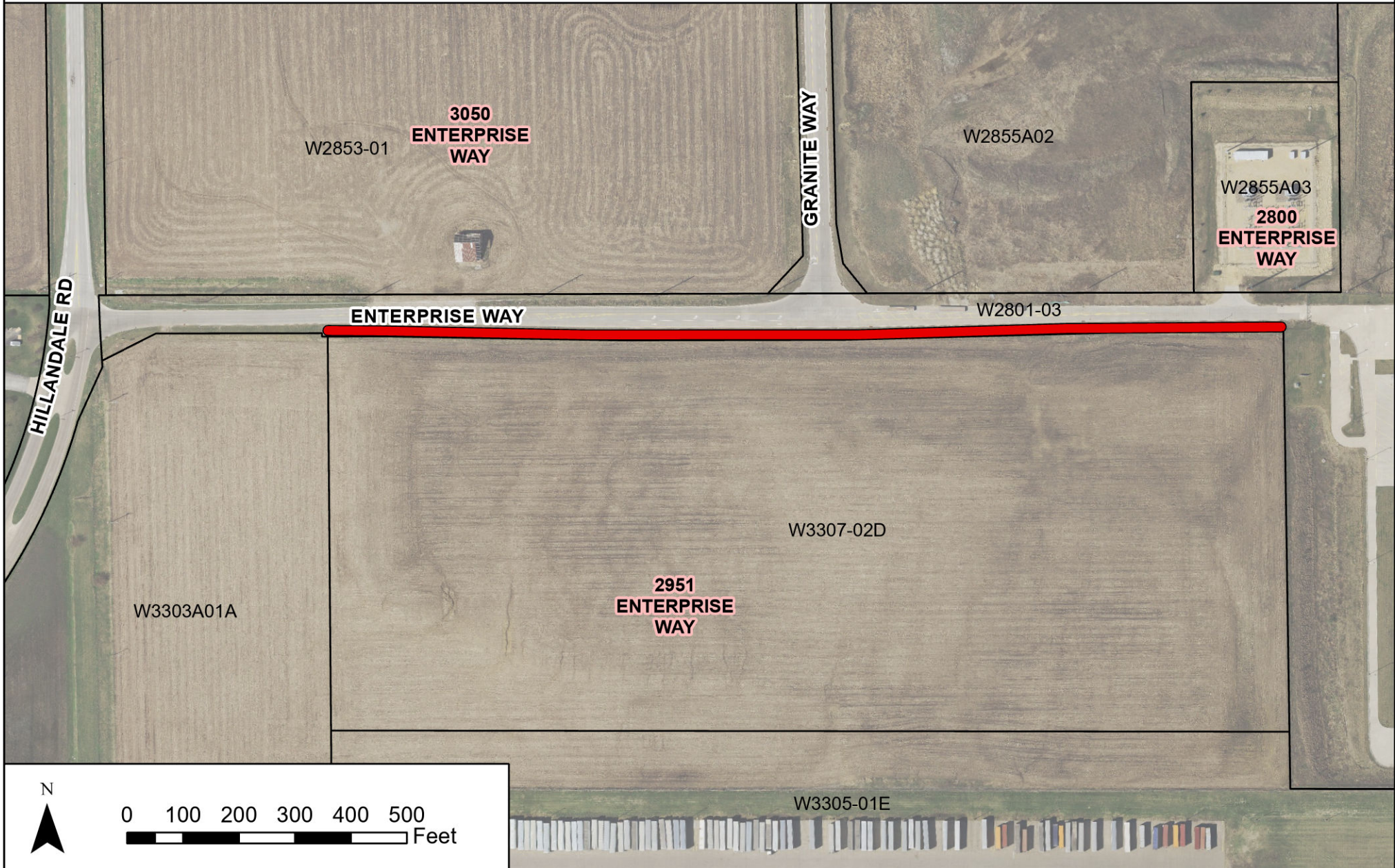
Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	8/10/2022 - 10:15 AM
Public Works Committee	Moses, Trish	Approved	8/10/2022 - 10:15 AM
City Clerk	Admin, Default	Approved	8/10/2022 - 1:49 PM



THE CITY OF
DAVENPORT
IOWA | USA

2951 Enterprise Way

Sidewalk Waiver



July 18, 2022
City of Davenport
Building and Land Development Services
1200 East 46th Street
Davenport, IA 52807

Response to comments for:
Project ID: PRJ-3209
Project Runway
2951 Enterprise Way
Davenport, IA 52806

Dear Laura Berkley,

The Austin Company, of behalf of Fair Oaks Foods, is requesting a waiver for installing a sidewalk along Enterprise Way for the Project Runway site. The project is proposed at Lot 2 of the Greater Davenport Redevelopment Corporation Industrial Park.

Our justification for this request is there are no other sidewalk facilities within the Industrial Park. Even though we are not installing the concrete for a sidewalk as part of this project, the plan is to grade the Right-of-Way to accommodate a future sidewalk. We understand that as sidewalks begin to be installed within the Industrial Park, the City of Davenport may install the sidewalk and assess the property for its portion of the sidewalk improvements along Enterprise Way.

Please let me know if you have any questions or need additional information.

Sincerely,

Joshua Moran, EIT
Design Project Manager
The Austin Company
6095 Parkland Blvd.
Cleveland, Ohio 44124
P: 440.544.2219 | C: 614.390.5405
josh.moran@theaustin.com

City of Davenport

Department: Finance
Contact Info: Chad Dyson | 563-326-7817

Action / Date
8/24/2022

Subject:

Motion awarding a contract for the Emeis Bunker Renovation Phase III project to Larry Denton, Golf Course Construction & Renovation of Taylor Ridge, Illinois in the amount of \$85,756.75, CIP #64116. [Ward 1]

Recommendation:

Pass the Motion.

Background:

An Invitation to Bid was issued on July 12, 2022 and sent to contractors. On August 3, 2022, the Purchasing Division opened and read one (1) bid. See attached bid tab.

This renovation will address the bunkers that are in the worst shape with a list of those bunkers with approximate square footage to be provided by the Golf Supervisor. We are planning to redo what bunkers we currently have by removing the old sand, installing new drainage, installing a state of the art liner, and re-sodding the edges; no "new" construction will be required at this time.

Larry Denton, Golf Course Construction & Renovation was the responsible and responsive bidder. They have successfully performed this type of work in the past.

Funding for this project is from the CIP #64116 Golf Course Improvements. These funds are available from the sale of General Obligation Bonds.

ATTACHMENTS:

Type	Description
Backup Material	Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	8/10/2022 - 4:51 PM
Finance Committee	Merritt, Mallory	Approved	8/10/2022 - 4:51 PM
City Clerk	Admin, Default	Approved	8/12/2022 - 9:34 AM

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: EMEIS BUNKER RENOVATION PHASE 3

BID NUMBER: 23-6

OPENING DATE: AUGUST 3, 2022

FUNDING: 74501681 530350 64116 GOLF COURSE IMPROVEMENT PROGRAM

RECOMMENDATION: AWARD THE CONTRACT TO LARRY DENTON, GOLF
COURSE CONSTRUCTION & RENOVATION LLC OF TAYLOR
RIDGE ILLINOIS IN THE AMOUNT OF \$85,756.75

<u>VENDOR NAME</u>	<u>PRICE</u>
Larry Denton, Golf Course Construction & Renovation LLC of Taylor Ridge Illinois	\$85,756.75

Approved By Krista Keller 8/8/2022
Purchasing Date

Approved By Chris Wynn 8/8/22
Dept Director Date

Approved By Brady Coz 8-10-22
Budget/CIP Date

Approved By Maureen J. Wernick 08/10/2022
Assist. City Administrator/ CFO Date